

TOWN COUNCIL
MEETING
OCTOBER 1, 2012
7:00 PM

Mayor Moore-Present
Vice-Mayor Greer-Present
Councilman Ward-Present
Councilman Massey-Absent
Councilman Doughty-Present
Councilman Metz-Present
Councilman Lewis-Present

STAFF PRESENT: Arthur Miles, Ethel Parks, Chief DiMartino, Sgt. Doughty.

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Vice-Mayor Greer.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by all present.

INVOCATION:

The Invocation was given by Vice-Mayor Greer.

APPROVAL OF MINUTES FOR THE REGULAR COUNCIL MEETING OF SEPTEMBER 10, 2012, AND THE SPECIAL MEETING OF SEPTEMBER 17, 2012:

Councilman Metz made the Motion to approve the Minutes of the regular meeting of September 10, 2012 and the Special meeting of September 17, 2012. The Motion was seconded by Councilman Ward. Discussion-None. The Motion was passed unanimously.

CITIZEN INPUT:

There was no one signed up to speak.

DIANE SMITH, CPA, PC, TO PRESENT THE 2009-2010 AUDIT:

Ms. Smith reported to the Council that she is not able to give full statements tonight but she promised to report to them and put together fund balance statements for them. She stated that she received the final information a week ago and put together what she could for them and she should have the full statements ready for them next week. Ms. Smith noted that during this particular year money was very tight which left several invoices unpaid. She noted that in the General Fund they was an excess of expenditures over revenues of \$106, 052 and the Proprietary Fund came out with \$7,514 change in net assets over the previous year.

Councilman Metz asked if the water and sewer could be broken down so they would know what each is doing. Ms. Smith said she would look at the chart of accounts to see how it can be restructured in the future. Mr. Miles stated that they built the building around the sewer plant in 2010 and that cost \$77,000. Ms. Smith thanked the Council for inviting her and they thanked her for her for attending and presenting her reports.

OLD BUSINESS:

A SECOND ESTIMATE FOR THE REPAIR OR REPLACEMENT OF THE TOWN HALL ROOF IS IN HAND FOR COUNCIL CONSIDERATION:

Mr. Miles informed the Mayor and Council that he received a third estimate today for the roof. He suggested that they table the estimates until next month so they can adequately compare them. After some discussion they all agreed to table the roof estimates until next month.

ACCEPTANCE OF LOAN FOR PUBLIC DRINKING WATER WELLS HAS BEEN SENT TO VDH:

Mr. Miles stated that he has sent the acceptance letter but has had no response as yet.

SPRINGSTED INDICATES THAT ADVERTISEMENT FOR MANAGER POSITION IS EMINENT:

Mayor Moore stated that he saw the advertisement in the newspaper so it has been done.

POSITION VACANCIES REMAIN FOR THE PLANNING COMMISSION, ZONING APPEALS BOARD AND FAÇADE COMMITTEE:

Mr. Miles noted that he received a call today from the ANPDC regarding our highway corridor situation. He said that we have right much control over it now and we could a little more control in the future but VDOT is very clear and definitive with their regulations. Mr. Miles stated that we need an active Planning Commission to have the ability to control and guide future changes to regulations.

POLICE DEPARTMENT REPORT:

Chief DiMartino reported that the department is doing very well. He said that Barry graduates on October 11 and will be back on schedule October 15. He noted that the yard sale went well with only two small incidents over locations on Main Street.

Chief DiMartino said that he spoke to New Ravenna about the delivery truck traffic. He noted that they have cleared 100 ft. of sidewalk from employee parking to make room for the trucks and asked if they could get the trees trimmed because they are in the way of the trucks.

Chief DiMartino stated that Tara investigated a fight at the Sage in September in which the Security Guard was jumped by eight subjects. He said that they arrested seven of the eight subjects during Friday's round-up with warrants.

Chief DiMartino informed the Mayor and Council that he has ordered the neighborhood watch starter packet. He said there is a lot of interest in Town.

Chief DiMartino noted that Sgt. Moyano's last day was September 14. He said that they advertised and received one applicant that was certified from Suffolk Police Department, Officer Carach, and that she is present tonight. He said that Mr. Miles has included a Closed Session on the agenda if the Council would like to meet her and discuss hiring issues with her.

EXMORE FINANCIAL REPORT:

There were no questions.

NEW BUSINESS:

WELCOME BRANDON EVANS, WILLIAM (BUSTER) SPADY AND TAYLOR DUKES TO THE PUBLIC WORKS STAFF:

Mr. Miles introduced Brandon Evans, Buster Spady, and Taylor Dukes to the Mayor and Council and welcomed them to the workforce. He noted that the streetsweeper is once again operational thanks to Buster. Mayor Moore welcomed them all and wished them well.

ENVIRONMENTAL APPLICATIONS TO DHR ARE IN PROGRESS FOR THE PARKING LOT PROJECT:

Mr. Miles noted that the environmental application has to go to the DHR (Department of Historic Resources) before it can go to VDOT. He said that it should go to them this week and that he would be asking VDOT for another extension on the application for the Parking Lot.

PSA APPOINTMENT TO BE CONSIDERED:

Mr. Miles said that Bob Panek has requested that he be appointed to the PSA as Exmore's representative after his tenure with the Town is over. Mr. Miles noted that once he is replaced as Manager and no longer on payroll it will be the Council's decision to allow him to remain on the PSA or appoint someone else. Mr. Miles said he will be glad to continue serving if the Council so wishes. Councilman Ward made the Motion to have Mr. Miles to continue serving on the PSA as the representative for Exmore. The Motion was seconded by Councilman Metz. Discussion-None. The Motion was passed unanimously.

Mr. Miles stated that Taylor Dukes is currently our wastewater operator in training and that he hired him last week. He said that Patrick Christman indicated that he was not going to stay. Taylor has an entry level license for North Carolina and because of that the DPOR has indicated that he can take the Class III test that is necessary. Mr. Miles said that Taylor is an apt young man that he will be an asset to the Town. He noted that he is available to speak for questions if the Council wants to bring him in as well. Councilman Metz asked how long it will take for the test. Mr. Dukes said that he sent his application in Saturday and that once they review it he will take the next available test. Mr. Miles noted that the test will be in Pembroke One in Virginia Beach.

POTENTIAL ENTRY INTO CLOSED SESSION:

MOTION TO ENTER INTO CLOSED SESSION TO DISCUSS TO DISCUSS HIRING AND PERSONNEL MATTERS:

Vice-Mayor Greer: "I move that the Council convene in closed session pursuant to Virginia Section §2.2-3711 (A)(1) to discuss, consider and/or interview prospective candidates for

employment, assignment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the public body.

The Motion was seconded by Councilman Lewis. Discussion-None. The Motion was passed unanimously.

The Mayor, Council, Mr. Miles, Chief DiMartino and Officer Carach convened to Closed Session. Chief DiMartino and Officer Carach returned from Closed Session and Mr. Dukes entered into Closed Session with the Mayor, Council and Mr. Miles.

MOTION FOR RECOVERY FROM CLOSED SESSION:

Mayor Moore announced that they have reconvened from closed session.

Vice-Mayor Greer read the “Certification of Closed Meeting” as follows:

WHEREAS, the Council of the Town of Exmore has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of Section §2.2-3712(D) of the Virginia freedom of Information Act; and

WHEREAS, Section §2.2-3712(D) of the *Code of Virginia* requires a certification by this Council that such a closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE BE IT RESOLVED, that the Council of the Town of Exmore hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully EXEMPTED FROM OPEN MEETING REQUIREMENTS BY Virginia law were discussed and (ii) only such business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered.

The Motion was seconded by Councilman Lewis. The Motion was passed by the following roll call vote:

ROLL CALL VOTE:

- Councilman Ward-Aye
- Councilman Doughty – Aye
- Vice-Mayor Greer – Aye
- Councilman Metz – Aye
- Councilman Lewis– Aye
- Councilman Massey was absent

OPPORTUNITY FOR COUNCIL DISCUSSION/MOTIONS/VOTES:

No discussion, motions or votes.

DISCUSSION-COUNCIL/CITIZEN INPUT:

Mayor Moore noted that he has correspondence about the 2013 National Hurricane Conference March 25-March 28 in New Orleans.

Councilman Lewis asked if all the trees on Main Street could be trimmed while they are trimming those for New Ravenna. Mr. Miles said that they trim them every fall.

SUGGESTED DATE FOR THE NOVEMBER REGULAR COUNCIL MEETING (MONDAY, NOVEMBER 5, 2012):

MOTION TO ADJOURN:

Vice-Mayor Greer made the Motion to adjourn the meeting. The Motion was seconded by Councilman Metz. The Motion was passed unanimously. The meeting was adjourned.

William M. Moore, Jr. Mayor

Ethel Parks, Town Clerk