

TOWN COUNCIL
MEETING
APRIL 1, 2013
7:00 PM

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

STAFF PRESENT: Zeke Jackson, Arthur Miles, Ethel Parks, Chief DiMartino, Captain Doughty, Taylor Dukes.

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Mayor Moore. Mayor Moore established a quorum with all members present.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by all present.

INVOCATION:

The Invocation was given by Vice-Mayor Greer.

APPROVAL OF MINUTES:

Councilman Massey made the Motion to approve the Minutes of the March 4, 2013 regular meeting. The Motion was seconded by Councilman Ward. Discussion-None. The Motion was passed unanimously.

CITIZEN COMMENT:

David Scanlan stated that he received a letter from the Town Manager and Town Council concerning vacating the property that the Eastern Shore Farmer's Museum was leasing from the Town. He noted that they each should have a copy of their response, which he reads. Mr. Scanlan said that the structure is beyond repair and that they are still hoping to have the museum in Exmore. Mr. Scanlan also spoke to the Council about the railroad. He noted that the Towns of Cape Charles, Onley and Parksley support the railroad in their Towns and asked the Council for a donation to help the railroad station in Exmore. Councilman Massey asked him if there were any other buildings in town that the Farmer's Museum could use. Mr. Scanlan told him that the former Glass Boat Works building would be better suited but it has no electric service. He said that if the building is large enough it could also house the Accomack-Northampton Antique Car Club along with the Farmer's Museum. Mr. Scanlan told the Council that any help that they could give would be greatly appreciated.

Kenneth Carpenter spoke to the Mayor and Council regarding what he feels is a lack of leadership in Northampton County. He said that nothing commercial can be developed on Route 13. Mr. Carpenter recommended for the five incorporated towns to go before the Board of Supervisors to have revoke the zoning amendment.

David Scanlan noted that the Railroad Museum needs a new roof and replacement windows and also a new deck and steps to make it handicap accessible. He said that the last wooden caboose built in America has been donated to them but it is located in Concord Wharf and it needs to be relocated. He noted that they need financial help and volunteers.

Mayor Moore stated that he supports Mr. Scanlan and asked him to give the Council a figure for the budget.

Mr. Jackson stated that he would recommend to the Council to put a line item in the budget for other entities and non-profit organizations requests to make it fair and equitable for everyone.

OLD BUSINESS:

UPDATE: PURCHASE OF NEW WELL PROPERTY:

Mr. Jackson noted that he has been in discussions with Mr. Prettyman and they have tentatively arrived to an agreement and he is waiting on some paperwork so they can move forward on the project.

BROADBAND RFP / A-NPDC RESOLUTION OF AUTHORIZATION:

Mr. Jackson said that the A-NPDC has the staffing capabilities to assist us with a service provider contract for the Broadband Authority to get someone in to make broadband internet available to our citizens and businesses. He noted that the resolution gives him the authority to appoint two staff members to the RFP committee and that Exmore will provide funds for the cost of the RFP up to \$500. Mayor Moore stated that they have supported Broadband from the beginning and feels that they should approve the resolution. Vice-Mayor Greer made the Motion to approve the Resolution of Authorization as written. The Motion was seconded by Councilman Lewis. Discussion-None. The Motion was passed unanimously.

UPDATE: FARMER'S MUSEUM:

Previously discussed.

NEWBUSINESS:

WATER/WASTEWATER REPORT / DISCUSS CONSERVATION MEASURES:

Taylor Dukes noted that on March 6, he and Mr. Jackson met with Kyle Pendergrast and he agreed to work with the Town on an internship during the summer, GIS mapping and maybe Lidar mapping of the Town's water and sewer system. He said that the current maps are old and sketchy. Mr. Dukes reported that the water samples taken on March 7 and March 13 were both absent of ecoli and total chloroforms. He stated that they fixed three water leaks also. Mr. Dukes noted that the Town is now operating under his wastewater operator's license and that he will be taking the herbicide test on Wednesday. He said that the Town's water permit allows them to withdraw 60.9 million gallons of water per year and we are currently at 22 million. He noted that most of that 22 million is due to the water tower maintenance, but there is still a 19% loss of water. Mr. Dukes stated that the DEQ has asked him to enact water conservation measures this summer to decrease the water pumpage. He said that he spoke to Mr. Reynolds from the VRWA and he informed Mr. Dukes that they if the Town joins the VRWA in July for \$300 they can perform a leak detection for us to find out where our water is going.

Councilman Ward asked if the fire companies and contractors have been turning in reports of how much water they use. The Clerk noted that the fire departments were sent forms and that they do not always send them back when they use water. Mr. Dukes said that there has been an increase in water pumpage by 1 million gallons a year for the last three years. Mayor Moore noted that the tankers do not hold more than 2,500 gallons. Mr. Jackson said that a lot of the water meters are bad causing an error in readings. He noted that we need an audit of the utility services to make sure that all services are being paid for.

Vice-Mayor Greer asked if the \$300 for the VRWA was for a year. Mr. Dukes told him it is. Mr. Dukes told him that he will also adopt a water conservation plan for the Town.

ADOPTION OF PURCHASING PROCEDURES PURSUANT TO §2.2-4303:

Mr. Jackson noted that the resolution is to establish purchasing procedures for goods and services for a sum not over \$50,000 to seek pricing information from outside sources. He said that the state code says that there must be a written policy and the resolution serves as the policy. Mayor Moore asked if the resolution overrides the Public Procurement Act. Mr. Jackson told him that it is part of the Public Procurement Act. Councilman Ward made the Motion to approve the resolution. The Motion was seconded by Councilman Metz. Discussion-None further. The Motion was passed unanimously.

DRIVE THRU WINDOW, HOURS OF OPERATION 8am – 11am. MON-FRI, BEGINNING 4/1/13:

Mr. Jackson corrected the hours of operation to 8am – 12pm. He said that it did open today although there were no customers.

CONDITIONAL APPROVAL FOR VICTORY PENTECOSTAL ZONING VARIANCE:

Mr. Jackson said that the Planning Commission met on March 21, 2013 and that made a recommendation for a Conditional Approval for an addition for Victory Pentecostal Church on Lincoln Ave. He said that it is in an R-40 district which requires a 60' setback. Mr. Jackson noted that the current Church building is non-conforming, lying approximately 55' from Lincoln Avenue and the proposed addition would lie only 49' from Lincoln Avenue. Mr. Jackson said that the Planning Commission's recommendation was to change the footprint of the proposed addition to allow a 2' overhang, resulting in a 53' setback and to obtain Health Department approval, including the investigation of abandoned septic tanks located on the property. Councilman Metz made the Motion to approve the variance. The Motion was seconded by Councilman Ward. Discussion-None. The Motion was passed unanimously.

ASSESSMENT UPDATE (WAITING FOR LESLIE LEWIS FROM COUNTY):

Mr. Jackson explained that the County reassessment has resulted in a 12.25% decrease in total value. He noted that he is waiting for Ms. Sayers to give him guidance on the correct formula to use to compute the revenue neutral tax rate.

UPDATE: BUDGET:

Mr. Jackson noted that the budget worksheet was prepared to compare year to year figures to the requests for this coming year.

POLICE REPORT:

Chief DiMartino noted that Officer Carach is back to work after minor surgery. He informed the Mayor and Council that the next Neighborhood Watch meeting will be Thursday, May 2 at 6:30. Chief DiMartino said that their calls for service are down, but now that the weather is warming up, they are seeing more and more people out. He stated that they are still walking the schools and stores. Officer Carach signed the Town up for community service and there have been some workers picking up trash by Sunrise and other places in town, vacuuming the Town Office and cleaning the bathrooms. He said that they are planning checking details as a positive enforcement to remind citizens that it is time to get their decals if they have not already. He noted that the DMV grant will pay for the "Click it or Ticket" checkpoint in May.

Councilman Massey said that he has noticed that the people are not parking in the fire lane at the Plaza and the loitering is down. Chief DiMartino stated that the problem with parking in fire lanes is at school. He noted that the school has now added additional locks to the doors.

Councilman Ward asked if the County could handle the decals for us. Mr. Jackson said that he is looking into several avenues, such as to possibly piggy-back off of the County's software for tax collection and decals, and the DMV Stop program.

PUBLIC WORKS REPORT:

Mr. Jackson reported that their main priority now is to replace bad meters, noting that some are not readable. He noted that there were only two misreads and that they are engaged in beautification and getting the red mulch out.

REVENUE/BACK TAXES REPORT:

Mr. Jackson stated that from 1989-2007 there is 30,085 owed to the Town in back taxes, and that from there the number grows each year. He noted that there is an outstanding amount of about \$58,000 in decals that are under collected. Mr. Jackson said that they need to send a very clear message to citizens that they are serious about collecting taxes.

Mr. Jackson reported that the meals taxes are up by 25% but there is a drop in water and sewer sales. He noted that anyone that is 90 days or late will be cut off this Thursday and then next month we will move up to the 60 day mark.

ENTRY INTO CLOSED SESSION: PERSONNEL MATTERS/PROPERTY ACQUISITION/
LEGAL CONSULTATION:

Vice-Mayor Greer: "I move that the Council convene in closed session pursuant to Virginia Section §2.2-3711 (A)(1), (3), (7) to discuss employee performance, land acquisition and to consult with legal council. The Motion was seconded by Councilman Massey. Discussion-None. The Motion was passed unanimously.

The Mayor and Council convened to Closed Session.

RECOVERY FROM CLOSED SESSION – MOTION(S)/VOTE(S) BY COUNCIL IF
NECESSARY:

Mayor Moore 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 "Certification of Closed Meeting" was approved by a unanimous vote of the Council.

Mayor Moore stated that there is no need for a vote from anything discussed in Closed Session.

PROPOSED NEXT REGULAR MEETING: MAY 6, 2013

Mayor Moore announced that the next regular Council meeting will be held on May 6, 2013.

David Scanlan congratulated the Mayor and Council for selecting Mr. Jackson as the Town Manager and thanked the Police Department for the Neighborhood Watch program.

ADJOURNMENT:

Councilman Massey made the Motion to adjourn the meeting. The Motion was seconded by Councilman Lewis. Discussion-None. The Motion was passed unanimously.

William M. Moore, Jr. Mayor

Ethel Parks, Town Clerk