

TOWN COUNCIL  
TOWN COUNCIL MEETING  
JANUARY 7, 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-Absent

STAFF PRESENT: Arthur Miles, Ethel Parks, Chief DiMartino, Officer Campbell, Officer Carach, Taylor Dukes.

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Mayor Moore.

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 DECEMBER 3, 2012, THE SPECIAL MEETINGS OF DECEMBER 20 AND DECEMBER 27, 2012:

Vice-Mayor Greer made the Motion to approve the Minutes of the regular Council meeting of December 3, the special meetings of December 20 and December 27, 2012. The Motion was seconded by Councilman Massey. Discussion-None. The Motion was passed unanimously.

CITIZEN INPUT:

There was no one signed up to speak.

OLD BUSINESS:

CHRISTMAS DECORATION WINNERS:

Mr. Miles announced that the winners of the residential Christmas Decoration Contest were Gerald and Carolyn Bono-1<sup>st</sup> Place; George and Patricia Taylor-2<sup>nd</sup> Place; Martha Duer-3<sup>rd</sup> Place. The business winners were Little Hands, Little Feet-1<sup>st</sup> Place; A&N Title & Settlement. Mayor Moore asked Mr. Miles to make sure the winners were put on the website. Mr. Miles noted that he has submitted the winners and will check on the website.

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

Mr. Miles stated that they continue to have vacancies on the Planning Commission, Zoning Appeals Board and Façade Committee and asked the Council for any nominations.

POLICE DEPARTMENT REPORT:

Chief DiMartino reported that everything is well with the department. He noted that after what happened in December (Connecticut) that he had an officer in all three schools and that now they regularly conduct walk-thru's two to three times a day. Chief DiMartino noted that he has met with all the schools about their security. He said that the holidays were quite other than one subject that was arrested for being drunk at Royal Farms. Councilman Metz asked him if the County walked through the schools as well. Chief DiMartino said that he has not heard if the County has walked through the schools. He noted that Occohannock will run a test with a stranger trying to enter the school. Councilman Massey asked him if he has mentioned the speed limit signs for Broadwater Road to Larry Trala. Chief DiMartino said Mr. Trala will look into it. He noted that they do need them because of Broadwater Academy.

**EXMORE FINANCIAL REPORT:**

Mayor Moore noted that they are \$210,000 ahead right now. Mr. Miles explained that we have just been through tax season.

Councilman Massey noted that he received a complaint from a resident about loose garbage being left in their garbage can. He told them that if they bagged the garbage he would pick it up and carry it away for them. Mr. Miles explained that he received the same complaint and that the resident has a very large can that they cannot dump. He said that the garbage should not be loose in cans, it is suppose to be in bags so that they can pick it up and throw it in the truck.

**NEW BUSINESS:**

Councilman Massey asked about the status of picking up garbage for some residents in Belle Haven. Mr. Miles noted that there is a letter from the Town attorney in the packet listing problems with picking up garbage for some Belle Haven residents. Mayor Moore stated that they do not need to take action on this.

**DRAFT EXMORE EMPLOYMENT AGREEMENT:**

It was the general consensus of the Council to move into Closed Session to discuss the employment agreement in Closed Session.

**REFUSAL TO PAY SEWER BILL:**

Mr. Miles noted that he has received a letter from Ms. Kirkwood of Shore Holdings stating that she has stopped payments on the sewer bill at 3127 Main Street. He said that he does not know of any way to relieve Shore Holdings from paying the bill. Mr. Miles noted that Ms. Kirkwood signed an agreement and the only way to collect is to put a lien on the property. The Clerk noted that she wanted to clarify the letter from Ms. Kirkwood stating that she did not speak to Ms. Kirkwood regarding the sewer bill matter as it states in the letter. Mr. Miles said that Ms. Kirkwood had spoken to one of the girls at the front desk.

After some discussion, Mr. Moore asked Mr. Miles to send a letter to Ms. Kirkwood advising her that her signed contract is binding and she will have to pay the sewer bill.

**ENTRY INTO CLOSED SESSION:**

Vice-Mayor Greer: "I move that the Council convene in closed session pursuant to Virginia Code Section §2.2-3711 (A)(1) and § 2.2-3712(A) to interview, discuss and consider candidates for employment as an employee of the Town of Exmore and to consider performance and salary.

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

The Mayor and Council convened to Closed Session.

**RECOVERY FROM CLOSED SESSION:**

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 Motion was passed unanimously.

OPPORTUNITY FOR COUNCIL DISCUSSION, MOTION(S), VOTE(S):

Councilman Massey made the Motion to approve the employee agreement on behalf of Zeke Jackson with the changes made. The Motion was seconded by Vice-Mayor Greer. Discussion-None. The Motion was passed unanimously.

DISCUSSION – COUNCIL/CITIZEN INPUT:

Mayor Moore asked Taylor Dukes if he had anything to report to the Council. Mr. Dukes reported that they all worked late Friday night repairing a water leak. He informed the Mayor and Council that he has received his books and has been studying for the wastewater operator’s test that he will be taking sometime this month.

Councilman Massey asked about the status of the garbage truck and backhoe. Mr. Miles noted that the garbage truck is at Robbie Mapp’s and it should be fixed and back to us by the end of this week and the backhoe is at Jan LaBreck’s.

Mr. Miles asked if the changes made in the employment agreement were the changes that the Council made or the proposed changes. Mayor Moore said that the changes they approved are pending Mr. Jackson’s approval. Mayor Moore stated that the record should show that the Council voted to approve the employment agreement with changes pending Mr. Jackson’s approval.

SUGGESTED DATE FOR THE FEBRUARY 2013 REGULAR COUNCIL MEETING (MONDAY, FEBRUARY 4, 2013):

Mayor Moore announced that the next meeting will be on February 4, 2013 at 7:00 pm.

MOTION TO ADJOURN:

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

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William M. Moore, Jr. Mayor

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Ethel Parks, Town Clerk