

TOWN COUNCIL
TOWN COUNCIL MEETING
MARCH 4, 2013
7:00 PM

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

STAFF PRESENT: Zeke Jackson, Arthur Miles, Ethel Parks, Chief DiMartino, Captain Doughty, Mike Johnson, Taylor Dukes, Buster Spady, Brandon Evans.

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Mayor Moore. Mayor Moore established a quorum with one member, Mr. Ward, absent.

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 FEBRUARY 4, 2013:

Vice-Mayor Greer made the Motion to approve the Minutes of the regular Council meeting of February 4, 2013. The Motion was seconded by Councilman Metz. Discussion-None. The Motion was passed unanimously.

CITIZEN INPUT:

There was no one signed up to speak.

OLD BUSINESS:

USDA GRANT AND LOAN FUNDS HAVE BEEN REQUESTED FOR THREE (3) PATROL CARS, ONE TO BE FUNDED LARGELY BY GRANT AND TWO (2) FUNDED BY LOW INTEREST LOAN FROM USDA-RD:

Mr. Miles stated that the application has been submitted and that they are still struggling to get some of the grant management software working but the chances of obtaining the grant and loan funds are good. Mayor Moore said that we have two (2) police cars that will be paid for this year and regardless of whether we get grant funding, if we continue to upgrade the fleet we need to buy two (2) new cars. He noted that we have two (2) that are in serious need of replacement. Miles said that we should know by June if the cars will be funded.

THE EXMORE WATER TANK HAS BEEN PAINTED ON THE INSIDE, LETTERED ON THE OUTSIDE AND THE WATER LEVEL TELL-TALE MADE OPERATIONAL. WATER SAMPLING OF THE TANK HAS BEEN ACCOMPLISHED AND FOUND FREE OF CONTAMINATES. NORMAL FLUSHING AND BLOW-OFF PROCEDURES WILL BE RESUMED NOW THAT THE TANK IS FULL AND WE HAVE OUR NORMAL RESERVE SUPPLY OF WATER!:

Mayor Moore asked if they have started and flushing lines. Mr. Miles said that they have not started flushing hydrants yet but they are ready. The tank is full and everybody now has 60 pounds of pressure. He noted that the complaints of odor in the water are down as well. Mayor Moore asked that they start flushing lines now that the tank is back operational.

VIRGINIA STREET DRAINAGE ISSUES HAVE BEEN AND CONTINUE TO BE ADDRESSED. VDOT WILL BE UNCLOGGING A CULVERT TO ALLOW FURTHER ACTION:

Taylor Dukes noted that VDOT has been working on Virginia Street, hauling trash out of a ditch and will return to wash the culverts.

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

Mayor Moore noted that there are still vacancies on the Planning Commission, Zoning Appeals Board and Façade Committee and asked for any nominations for the positions.

POLICE DEPARTMENT REPORT – CHIEF DIMARTINO:

Chief DiMartino reported that the officers are doing very well. He noted that during the weekend of February 23 that he and Officer Randall had both marked off duty when Barry radioed him telling him of a car running people off the road on Main Street. Barry cited the driver for DUI but it turned out he had priors and ended up with a felony warrant. Chief DiMartino stated that Sheena received a “suspicious activity” call on Oakland Drive and due to her quick response she was able to apprehend the subject and charge him with several felony charges. He noted that Tara has finished with the charges on the Breaking and Entering case on Grayson Avenue. Chief DiMartino informed the Mayor and Council that on Friday he and Jason received a call regarding marijuana being sold out of a car in the New Road area. He said they responded immediately and ended up with the arrest of four people, seizing cash and a vehicle. He said that there is money owed on the vehicle and if the Town decided to keep it we would have to pay the note off. Jason also responded to a domestic on Sunday that involved a stabbing. Chief DiMartino stated that they continue to walk the schools. He noted that Broadwater Academy closed for half a day to students for training with Stratego. He said they went over several tactics and scenarios to make the teachers aware of what could happen and what procedures and steps to take to protect the students and themselves. Chief DiMartino announced that the next Neighborhood Watch meeting will be this Thursday, March 7th at 6:30 pm. He noted that he is still getting good support from citizens for this program. He commended his officers for their hard work.

PUBLIC WORKS REPORT – JOHNSON/DUKES:

Mr. Jackson announced that Taylor passed his Wastewater Operators test. The Mayor, Council and Mr. Jackson commended Taylor.

Mike Johnson reported that every morning the Public Works department ride through Town looking for leaks and anything else that may need their attention. He said that they have been working on servicing their equipment getting it ready for the spring. He noted that they have found two (2) old mud hogs that they have restored back to working condition. They now have the trash truck back. He noted that they had some service calls over the weekend and they were taken care of.

Mr. Jackson remarked that Public Works is working to replace meters that are difficult to read. This should give us more accurate readings.

Councilman Massey asked if there has been any response in regards to the Farmer’s Museum and what they intend to do with the building. Mr. Miles said there has been no response. Councilman Massey said that they need to be pressured for an answer as it has been too long and nothing has happened. He also asked if the overtime at the wastewater plant has been cut back. Mr. Miles stated that overtime at the wastewater plant has been cut back tremendously. He said that once in a while Taylor will get a high level alarm and he has to go.

Mr. Jackson said that he has been reviewing the Fair Labor Standards Act and is concerned about the 2 hour minimum pay policy for employees called in after hours. He noted that we can pay them for 2 hours for being called in but if they work beyond the 2 hours then we are liable.

Mayor Moore asked Mr. Jackson to add this to the April agenda to be addressed.

Mike Johnson noted that some of the items that were in the Farmer’s Museum have been move to the Hut. Councilman Metz asked who is responsible for the Farmer’s Museum. Mr. Miles said that Jack Sturgis is the President then David Scanlan is next in second in command. Vice-Mayor Greer reminded the Council that while David Scanlan was on the Council he said that they would probably turn the Farmer’s Museum back over to the Town because it would cost more to fix the building than it was worth. He asked Mr. Jackson to send them a letter asking them of their intentions. Mayor Moore stated that the building is derelict and needs to be demolished. Mr. Jackson asked Councilman Lewis if the fire department could use the building to burn for practice. Councilman Lewis told him it could be burned for practice.

EXMORE FINANCIAL REPORT:

Mr. Jackson called the Mayor and Council's attention to the fact sheet of percentages. He said that he asked Mrs. Parks to produce this to give them a better perspective of things. He noted that this is a year to year comparison of revenue collected. Mr. Jackson explained that the small miscellaneous revenue items from the previous reports have been combined on this one.

NEW BUSINESS:

2009 FEMA EMERGENCY FUNDS HAVE BEEN RECEIVED:

Mr. Miles stated that we have received \$18,555.13 from FEMA. He noted that the funds are from 2009 and that it has finally arrived and in the bank.

PSA REQUEST FOR FUNDING:

Mr. Miles noted that the PSA is asking for operating money for upcoming projects. He said that they are asking Cape Charles, Cheriton, Exmore and Nassawadox for \$10,000 for these projects. There was brief discussion but no decision made by the Council on this request.

Councilman Ward discussed purchasing a truck to pump the septic tanks in town. He said that in the long run it would save us money. Mr. Jackson said that he needed more information from Mr. Ward before looking into this.

NORTHAMPTON COUNTY PARKS & RECREATION REQUEST FOR FUNDS:

Mr. Miles said that Northampton County parks & Recreation has asked the Town to become a sponsor in order to help them repair their gym floor. He noted that we sponsored their youth basketball team last year for \$250. Mike Johnson was their coach and they won the championship.

Mr. Jackson said that a number of entities have asked for donations and they should be looked at proactively during the budgetary process; maybe through an application process.

There was no decision made by the Council on this request.

APPOINTMENT OF MR. JACKSON AS EXMORE'S REPRESENTATIVE ON THE EASTERN SHORE OF VIRGINIA PUBLIC SERVICE AUTHORITY:

Mr. Miles stated that the Council appointed him as Exmore's representative on the Eastern Shore of Virginia Public Service Authority. He recommended that since he is leaving Exmore's employment, that Mr. Jackson should be considered as Exmore's representative on the Public Service Authority. Councilman Massey made the Motion to appoint Mr. Jackson to the Public Service Authority. The Motion was seconded by Councilman Ward. Discussion-None. The Motion was passed unanimously.

RECOGNITION OF SERVICE:

Mr. Jackson announced that that will be a recognition luncheon for Artie on Friday, March 8th, at 3:30 for the staff and Council. Mayor Moore and the Council thanked Artie for his dedicated service to the Town and for doing a great job during his tenure with the Town.

DISCUSSION – COUNCIL/CITIZEN INPUT:

ENTRY INTO CLOSED SESSION – PERSONNEL MATTERS AND LAND/PROPERTY ACQUISITION(S):

Vice-Mayor Greer: "I move that the Council convene in closed session pursuant to Virginia Code Section §2.2-3711 (A)(1) to discuss employee performance and land acquisition. 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.

Councilman Massey made the Motion of the “Certification of Closed Meeting”. The Motion was seconded by Councilman Ward. Discussion-None. The Motion was passed the following roll call vote: Councilman Ward-Aye; Councilman Massey-Aye; Councilman Doughty-Aye; Vice-Mayor Greer-Aye; Councilman Metz-Aye; Councilman Lewis-Aye. The Motion was passed unanimously. Mayor Moore stated that there is no need for a vote from anything discussed in Closed Session.

SUGGESTED DATE FOR THE APRIL 2013 REGULAR COUNCIL MEETING (MONDAY, APRIL 1, 2013):

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

MOTION TO ADJOURN:

Councilman Massey made the Motion to adjourn the meeting. The Motion was seconded by Councilman Ward. The Motion was passed unanimously. The meeting was adjourned.

William M. Moore, Jr. Mayor

Ethel Parks, Town Clerk