

TOWN COUNCIL
MEETING
MARCH 10, 2014
7:00 PM

At a regular meeting of the Town Council of the Town of Exmore, Virginia, held in the Meeting Room of the J. Guy Lawson Municipal Building, 3305 Main Street, Exmore Virginia, on the 10th day of March, 2014, at 7:00 p.m.

Present:

Mayor Douglas Greer-Present
Vice-Mayor Thomas Lewis-Present
Councilman Charles Ward-Present
Councilman Charles Massey-Absent
Councilman Bradley Doughty-Present
Councilman Bryon Heaster-Absent
Councilman John Metz-Present

STAFF PRESENT: Robert Duer, Ethel Parks, Chief DiMartino, Officer Zieger, Officer Marshall, Taylor Dukes, Sgt. Campbell.

CALL TO ORDER:

The meeting was called to order at 7:00 pm by Mayor Greer. Mayor Greer established a quorum.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by all present.

INVOCATION:

The Invocation was given by Mayor Greer.

APPROVAL OF MINUTES:

MINUTES OF REGULAR COUNCIL MEETING OF FEBRUARY 3, 2014:

Councilman Doughty made the Motion to approve the Minutes of February 3, 2014. The Motion was seconded by Councilman Metz. The Motion was passed unanimously with Councilmen Massey and Heaster absent.

CITIZEN COMMENT (LIMIT OF 3 MINUTES PER SPEAKER):

Lois Spotten stated that she is representing the Wastewatchers of the Eastern Shore. She said that on March 12, they will be holding an overview of Keep America Beautiful at the Eastern Shore Chamber of Commerce. They are becoming affiliated with Keep America Beautiful and invited the Mayor and Council to attend. Mrs. Spotten spoke briefly about recycling, saying that littering in a community decreases property values by 7%. She noted that April 22 is Earth Day and proposed an Exmore Cleanup Day. She asked for the Council's support. Mr. Duer stated that there are funds in Public Relations that could help with the Earth Day Cleanup. The Council agreed the cleanup was a good idea. Councilman Ward made the Motion to recognize Earth Day and donate \$125.00. The Motion was passed by Councilman Metz. The Motion was passed unanimously with Councilmen Massey and Heaster absent.

Kerry Allison, Executive Director of the Eastern Shore Tourism Commission noted that there will be a working seminar on April 8 from 12:30-6:30 at the Eastern Shore Community College. She said the seminar is for local business partners who are related to the tourism industry the Shore. There will be speakers and a tourism consultant. She invited the Mayor and Council to attend and help spread the word to local businesses.

Mr. Gray of Eastern Shore Beauty Academy thanked the Mayor and Council for supporting them at their ribbon cutting ceremony and welcoming them to the community. He noted that Northampton High School wants to partner with them to start a trade for interested students they will need equipment and text books. Mr. Gray stated that the high school will fund 75% of the tuition. He said that any assistance that the Town could offer with funding would be a big help and greatly

appreciated. Mr. Gray said that his facility is not big enough for the partnership with the high school and he will be looking for an additional facility in Exmore.

CLOSED SESSION: PERSONNEL MATTERS:

Councilman Metz: "I move that the Council convene in closed session pursuant to Virginia Section §2.2-3711 (A)(1), to discuss personnel matters." The Motion was seconded by Councilman Ward. The Motion was passed unanimously. The Mayor, Council, Mr. Duer and Mr. Dukes convened to Closed Session.

CERTIFICATION OF CLOSED SESSION:

Vice-Mayor Lewis 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 seconded by Councilman Metz and was approved by the roll call vote as follows:

Councilman Ward-Aye, Councilman Doughty-Aye; Councilman Metz-Aye; Vice-Mayor Lewis-Aye.

Vice-Mayor Lewis made the Motion to increase the Clerks salary to \$39,000. The Motion was seconded by Councilman Metz. The Motion was passed unanimously.

STREET HOCKEY – MR. RANDALL STAPLETON:

Randall Stapleton addressed the Mayor and Council regarding the proposed Hockey Rink on the site next to Western Auto. He said that regulation size is 185' x 85' but it could be reduced to 100' x 80' if need be. Councilman Ward mentioned the possibility of using the site for the Farmer's Market also.

GEBCA – MR. KEN DUFTY, et als:

Ken Dufty spoke in support of Mrs. Spotten, Mr. Stapleton and Mr. Gray. He commended Taylor Dukes for his appointment as Zoning Administrator and for the appointments to the Planning Commission.

Anna Paige Joseph informed the Mayor and Council that she is opening the Bean Shed Gallery in the old Duer Bean Shed. She noted that there will be casual opening on Saturday with some art work but will not be officially open until May or June. She invited them to stop by.

David Sylvia stated that he and John Thompson have opened the 360 Art Studio. He said that they would like to work with young students in the near future to help them discover their talents.

John Grant noted that he has experience in helping to get Farmer's Markets going. He said that he is interested in helping Exmore get their Farmer's Market up and running. Mr. Grant said that the Economic Development Council has developed a Food Council and Exmore needs to define a time and location for their Market. There was discussion about expenses incurred by the Market and who would be responsible for them. Mr. Grant said that would have to be worked out.

Connie Taylor asked the Mayor and Council about the possibility of restrooms at the Park. Mayor Greer told her that they are working on it.

TOWN MANAGER REPORT – ROBERT G.DUER:

Mr. Duer reported we had two new hires during the month. He welcomed Carroll Taylor and Jeffrey Ward to Public Works. He noted that we have geared up our safety program and have safety training every month. He said that residents should be observing Public Works in bright green. All residents should have their new trash cans. Mr. Duer stated that we have roofing issues. Engineers inspected the roof on the drive-thru and suggested that nobody park under it. Engineering reports are being prepared and we are gathering bids for a new roof and asked the Council that they pass a Resolution declaring it an emergency. Mr. Duer and Taylor Dukes met with USDA today and plan to purchase a tractor, bush hog and a flail mower. He said we have three options; a grant where we pay 25% and they match 75%, a 100% grant or they give us a 75% grant and we finance 25%. It is easier to obtain the 75% grant and 25% finance option. He said financing \$9,000 for four to five years is not a large monthly payment. The broadband contract has been signed. The website and facebook page are current and up to date. Mr. Duer reported that Ms. Smith hopes to have the 2012 audit complete by June 30 and the 2013 audit complete by December. We have two applicants for the Board of Zoning Appeals and we need 5-7. Mr. Duer announced that the 2015 budget is done and they are ready to hold a work session on March 24. He said that the budget does not include any tax increases or service fee increases. There is a 2% COLA for employees and equipment for public service included. Mr. Duer said that the Public Hearing for the budget could be on April 7 at 6:00 before the regular Council meeting at 7:00.

NEW BUSINESS:

Mr. Duer noted that there is approximately \$10,000 left from the Center Chevrolet property and feels that new playground equipment is needed. He said that there is nothing for 4-8 year old children to play on and he found three pieces on sale for \$9,700. Mayor Greer stated that it is time to put back into the playground. Vice-Mayor Lewis made the Motion to purchase the new playground equipment. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

RESOLUTION TO OBTAIN FINANCIAL ASSISTANCE FROM USDA RURAL DEVELOPMENT:

Mr. Duer asked the Council for a Resolution declaring the roof and the side of the building an emergency. Vice-Mayor Lewis made the Motion declaring the roof and the side of the building an emergency. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

Mr. Duer reminded the Mayor and Council that they agreed to help the JrROTC program. They all agreed to give them the same as the Earth Day Cleanup. Vice-Mayor Lewis made the Motion to give \$125.00 to the Jr.ROTC program. The Motion was seconded by Councilman Metz. The Motion was passed unanimously.

FINANCIAL REPORT – ROBERT G. DUER:

Mr. Duer reported that our total year-to-date income for is \$1,353,000 and expense is \$971,791 for a net income of \$382,207. He informed them that there is more to be paid out in the near future. Real Estate and Personal Property taxes are behind budget but we may pick up some when we sell decals. Water and wastewater are ahead of budget due to better collections. Salaries are in line with the budget. Some businesses were over charged for business licenses and had to be refunded and there was nothing budgeted for it. Software support for administration is over budget because it was budgeted correctly.

Mr. Duer asked the Mayor and Council to approve the Resolution to participate with the USDA to purchase the mower, tractor and bush hog. Vice-Mayor Lewis made the Motion to approve the Resolution. The Motion was seconded by Councilman Ward. The Motion was passed unanimously.

Councilman Ward remarked that he would like see the Quonset Hut painted. Mr. Duer noted that they have discussed putting new doors on the Hut and painting it.

POLICE REPORT – CHIEF DIMARTINO:

Chief DiMartino informed the Mayor and Council that the new cars were delivered on February 18th. One car is finished except for the lettering. He reported that they have had some issues at the Sage and that he, Mr. Duer and ABC Special Agent David Cobb met with the Sage owners to help

them try and solve some of the issues they are having. He informed the Mayor and Council of some fights in Town involving juveniles and young adults. He noted that a fight started at school and ended up in Town where a 19 year old hit a 15 year old in the mouth with a baseball bat causing extensive damage to the juvenile. Later the 15 year olds brothers decided to retaliate and started a fight with the 19 year olds brothers. They have all been arrested and charged with the incidents.

PLANNING COMMISSION REPORT – MR. DUKES

Taylor Dukes reported that the Planning Commission met on February 10th. He said that they were advised by attorney David Rowan not to move forward with any text amendments. Mr. Dukes stated that Mr. Jensen is asking for a variance for his property because it will be out of compliance by a couple of feet. He said that the recommendation from the Planning Commission is to grant Mr. Jensen the variance to bring him into compliance. Councilman Ward made the Motion to grant the variance to Mr. Jensen. The Motion was seconded by Vice-Mayor Lewis. The Motion was passed unanimously.

Mr. Dukes informed the Mayor and Council that he will be attending a training conference in Richmond for Zoning Administrators on March 31st and April 1st.

UTILITIES AND PUBLIC WORKS REPORT – TAYLOR DUKES:

Mr. Dukes reported that the plat has been submitted to the engineer for the new well project. We pumped 4,444,000 gallons of water in February which brings us to 10,000,000 year-to-date. Since converting from one utility billing software to another we have come across some issues that need to be corrected. Some landlords have been paying for one water user instead of two, some residents have had trash picked up but not paying for it, and so on. We are working to solve these issues. Public Works have been cleaning up the flower beds and mulching for spring.

CITIZEN COMMENTS (LIMIT OF 3 MINUTES PER SPEAKER):

Donald E. Kellam, Jr. thanked the Police Department for responding so quickly when he called them for a noise complaint.

Scott Hines asked about the status of the zoning law changes so he can add to his business. Mayor Greer told him that we need to fill the seats on the Board of Zoning Appeals before anything else can be done. Mr. Duer noted that the Comprehensive Plan has to be updated first.

SCHEDULED MEETINGS:

BUDGET WORK SESSION – MARCH 24, 2014 7:00pm

BUDGET PUBLIC HEARING – APRIL 7, 2014 6:30pm

**REGULAR TOWN COUNCIL MEETING – APRIL 7, 2014 IMMEDIATELY FOLLOWING
PUBLIC HEARING**

ADJOURNMENT:

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

Douglas Greer, Mayor

Ethel Parks, Town Clerk