

TOWN COUNCIL
MEETING
SEPTEMBER 8, 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 8th day of September, 2014, at 7:00 p.m.

Present:

Mayor Douglas Greer-Present
Vice-Mayor Thomas Lewis-Present
Councilman G. W. Adkins-Present
Councilman Bradley Doughty-Present
Councilman Bryon Heaster-Present
Councilman John Metz-Absent

STAFF PRESENT: Robert Duer, Ethel Parks, Chief DiMartino, Taylor Dukes, Mike Johnson,
Officer Marc Marshall.

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 –PUBLIC HEARING – AUGUST 4, 2014:

REGULAR COUNCIL MEETING – AUGUST 4, 2014:

Councilman Heaster made the Motion to approve the Minutes of the Public Hearing of August 4, 2014 as presented. The Motion was seconded by Vice-Mayor Lewis. The Motion was passed by the vote of Councilmen Adkins, Doughty, Heaster, and Vice-Mayor Lewis all in favor. Councilman Metz stated that he was absent for the August 4th Public Hearing and therefore abstained from voting.

Councilman Adkins made the Motion to accept the Minutes of the regular Council meeting of August 4, 2014. The Motion was seconded by Councilman Heaster. The Motion was passed by the vote of Councilmen Adkins, Doughty, Heaster, and Vice-Mayor Lewis all in favor. Councilman Metz stated that he was absent for the August 4th meeting and therefore abstained from voting.

CITIZEN COMMENT (LIMIT OF 3 MINUTES PER SPEAKER):

Roy Ballard reported that they have sold approximately 100 vendor spots for the Town-Wide Yard Sale so far. They have not had good response for sponsors with the trophies this year yet. The Eastern Shore News will be soliciting for ads, which will help promote the event. He said that they have vendors coming from as far as Portsmouth, Virginia Beach, Chesapeake, Delaware, Salisbury and Pocomoke. Mr. Ballard noted that they are still trying to find the picnic tables that the Business Association built years ago. He said that they may look at making some changes in the future and maybe not.

Stevon Sample reported that he will have some of his art work on display at the yard sale and at Habitat. He said that he will give us updates on his newspaper as it progresses.

HISTORICAL DISTRICT – NEW RAVENNA:

Sara Baldwin asked the Mayor and Council to consider applying for the National Historic Register for the Town of Exmore. Recipients would be eligible for state and federal tax credits by 45%. Ms. Baldwin stated that she has received a letter from her consultants stating that Exmore has 72 buildings that could potentially meet the historic criteria for eligibility. She said that we could

complete the application process ourselves or we could hire consultants to do it for us at a cost of approximately \$10,000.

TOWN MANAGER REPORT – ROBERT G. DUER:

Mr. Duer reported that the roof is complete and there are no leaks to date. The ceiling tiles have been replaced. The drive-thru window will open next week. The playground equipment has been installed and the bent swing set has been repaired. Mr. Duer noted that they will paint the swing set in the spring. The bathroom will be delivered in early October and we have to do the preparations on the site. The Quonset Hut has been painted and paid for. He said that they have received an application from Scott Hines for a Special Use Permit. There will be a Joint Public Hearing on Wednesday, September 24 at 7:00pm. The Exmore Rotary Club will hold its Soule Arnold Oyster Roast at the Park on November 15 and they have rented a tent from the tent company in Town.

FINANCIAL REPORT – ROBERT G. DUER:

Mr. Duer commented on our new Utility Software billing, saying that the 30-60-90 balance report is showing \$2,000 due at 90 days. He said that some of them are businesses that are no longer in business, some are businesses that just are not paying, some others are water and/or sewer bills that we can terminate services. Taxes should soon be included in this report also. Mr. Duer reported that our total cash is \$937,050. Our total assets are \$3,378,198 and our total liabilities are \$971,780. Total income is \$325,774 in sales year-to-date and \$362,759 in total expense for a loss of \$36,985. Mr. Duer explained that the loss is due to the purchase of the tractor. The funds for the tractor were deposited in the last fiscal year (6/29) and it was paid for this fiscal year. We painted the Hut for \$15,000, paid for an audit for \$13,500, bought an excavator for \$18,000 and paid \$50,000 for the roof. He noted that even though we have spent a significant amount of money in the past three months, we are not in bad financial shape. He noted that we have three more large projects to spend on this year which are \$8,000 for Southern Software, \$13,600 for an audit and \$40,000 for the bathroom. Budget figure totals are looking good with Taxes and Fees ahead of budget at \$213,992, Water Sales are at \$66,000, Wastewater Sales are ahead of budget at \$27,447, Trash Sales are on budget at \$16,863 giving us a total income of \$327,617 which is over our budgeted amount of \$318,000. Mr. Duer reported on the expense side that Public Works Salaries are running approximately 85% of budget and Police Department Salaries are at 91% of budget. Administration Repair/Maintenance is over budget due to the cost of the roof. Administration Salaries are at 88% of budget, Wastewater Salaries are at 87% of budget, Water Salaries are at 84% of budget and Sanitation Salaries are at 96% of budget. The trash truck repairs are more than anticipated.

OLD BUSINESS:

UPDATE ON TOWN HALL ROOF:

The final cost of the roof was \$123,824 which was approved at the last meeting. The roof has a fifteen year warranty.

UPDATE ON SEWER – DRAPER ADEN:

Mr. Dukes reported that he and George Duer took sludge samples for Draper Aden. Draper Aden is working with them to find a way to remove the sludge before it gets into the system. This would make the system work more efficiently.

UPDATE ON WELL PROJECT – DRAPER ADEN:

Mr. Dukes stated that the Town received a Categorical Exclusion on the environmental study of the property previously cleared for the new wells. He said that Draper Aden is writing the bid packets and they are being sent to the Office of Drinking Water. The packets should be out to contractors by the October Town meeting.

POTENTIAL SALE OF TOWN OWNED PROPERTY:

Mr. Duer noted that the ads ran the past two weeks and the sealed bids will be opened at the October meeting.

DISCUSSION OF POTENTIAL TOWN COUNCIL CANDIDATE(S):

Mr. Duer informed the Mayor and Council that we have received three applications; Mr. Ernest Washington, Mr. Charles Gilbert Ward and Mr. Chase E. Sturgis. He noted that Mrs. Parks has verified that all three are residents of the Town of Exmore. Mr. Duer stated that our Attorney, Mr. Rowan, informed him that if a Councilman is not appointed tonight the Judge will appoint one for us.

CLOSED SESSION – TOWN COUNCIL CANDIDATE(S):

Vice-Mayor Lewis: “I move that the Council convene in closed session pursuant to Virginia Section §2.2-3711 (A)(1), to discuss potential candidates for appointment to the Town Council. The Motion to enter into Closed Session was seconded by Councilman Heaster and was passed by the roll call vote of Councilman Gordon W. Adkins-Aye; Councilman Bradley Doughty-Aye; Councilman Bryon Heaster-Aye; Councilman John Metz-Aye; Vice-Mayor Thomas Lewis-Aye. The Mayor, Council, Mr. Duer and Mrs. Parks convened to Closed Session.

RECOVERY FROM CLOSED SESSION, (VOTE IF NECESSARY):

CERTIFICATION OF CLOSED SESSION:

Councilman Adkins 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 Vice-Mayor Lewis and was approved by the roll call vote of: Councilman Gordon W. Adkins-Aye; Councilman Bradley Doughty-Aye; Councilman Bryon Heaster-Aye; Councilman John Metz-Aye; Vice-Mayor Thomas Lewis-Aye.

NEW BUSINESS:

APPOINTMENT OF NEW TOWN COUNCIL MEMBER:

Mayor Greer asked if any Council member wished to make a Motion to appoint a new Council member to fill Charles Massey’s Council seat for the remainder of his term. Vice-Mayor Lewis made the Motion to appoint Chase Sturgis to fill the vacant Council seat for the remainder of Mr. Massey’s term. The Motion was seconded by Councilman Adkins and was passed unanimously. Mayor Greer congratulated Mr. Sturgis and told him that they are looking forward to working with him on the Town Council.

HISTORICAL DISTRICT:

Mr. Duer discussed the potential possibilities of the Historical District saying that the cost of hiring a consultant is not in the budget and the Comprehensive Plan is not complete yet. He said it is up to the Council and the citizens. Mr. Dukes noted that there will be a Public Forum on October 6 at 6:00pm to meet with the ANPDC Comprehensive Team to hear from Town citizens on what they want Exmore to be. After some discussion, Vice-Mayor Lewis made the Motion to table any action on the Historical District until further information can be obtained. The Motion was seconded by Councilman Metz and was passed unanimously.

APPOINTMENT OF CODE ENFORCEMENT OFFICER PER ORDINANCE NO. 142:

Mr. Duer stated that they are trying to clean up some of the old buildings in Town. In order to be in compliance with our own Ordinance No. 142, we need a Code Enforcement Officer to do so. He

recommended that they appoint Taylor Dukes as the Code Enforcement Officer. Councilman Heaster made the Motion to appoint Taylor Dukes as Exmore's Code Enforcement Officer. The Motion was seconded by Councilman Metz and passed unanimously.

POLICE REPORT – CHIEF DIMARTINO:

Chief DiMartino reported that all the officers are doing very well. Officer Marshall has graduated from the academy and the department has full 24 hour coverage now. There has been a decline in serious calls for service. He noted that they received approximately \$4,500 from the Byrne Grant in which they purchased new holsters and weapons lights, puncture resistant gloves, lockout kits, and a surveillance system for this building to watch the front doors and the back door. Chief DiMartino said that the DMV Grant is \$12,434 this year and that will allow them to purchase two new radar units. Schools are open and so far there have been no incidents. He noted that they will have police presence at the Town Yard Sale and still be able to cover the schedule.

Mr. Duer interjected to speak to the Mayor and Council about Robert's 48 Safety Program. He said that he initially had asked for it to run until October 31 but due to the holidays coming up and the amount of reckless driving summonses being issued he would like for it to remain in place until December 31 or January 3. Councilman Metz made the Motion to carry the program until December 31. The Motion was seconded by Vice-Mayor Lewis and was passed unanimously.

UTILITY REPORT – MR. DUKES:

Mr. Dukes reported that we pumped 3.7 million gallons of water last month which was down 1 million gallons from the previous month. He said that we are at 25.1 million gallons of water being pumped for the year. He noted that he averaged the usage for the rest of the year and we should have a surplus of 20.5 million gallons. Mr. Dukes explained that when the leak detection crew came in they found a faulty check valve at one of the wells and we shut it down. This is what has caused us to pump more water than we have been using.

Mr. Dukes stated that they had 19 service calls for sewer last month and 3 water leaks. He noted that as of today there are no known water leaks in Town. Water samples have been sent off to be tested for lead and copper and tomorrow they will send samples to be tested for heavy metals and acid.

Mr. Dukes reported that he has sent out several letters concerning overgrown grass. He said that one property owner responded saying they will take care of the grass and another has been returned undelivered. He is hopeful that Code Enforcement will help alleviate some of these problems.

PUBLIC WORKS REPORT – MR. JOHNSON:

Mr. Johnson reported that they had 55 service calls last month, 15 water turn-offs, 2 sewer calls, 15 Miss Utility calls, 12 turn-ons and 7 pressure tests. He noted that fire hydrants are scheduled to be flushed on September 15. They handled a water leak on Belle Haven Road. They picked up furniture and appliances on August 7 and the brush and limbs on August 14. Mr. Johnson said that they average 18,000 to 20,000 pounds of trash per week. He stated that they read 707 water meters last month and are in the process of painting fire hydrants.

Mr. Duer informed the Mayor and Council that the generator at the Water Tower has a frozen injector. The repair cost is approximately \$2,000 and is not budgeted. We will have to have a new generator at the new well. He said that the old generator will not be sufficient. If we fix the old one it will be a good generator and it can be used at other locations as a backup. It was the general consensus of the Council to fix the old generator.

CITIZEN COMMENT (LIMIT OF 3 MINUTES PER SPEAKER):

No one wished to speak.

SCHEDULED MEETINGS:

JOINT PUBLIC HEARING – WEDNESDAY, SEPTEMBER 24, 2014 @7:00pm

PUBLIC FORUM – MONDAY, OCTOBER 6, 2014 @ 6:00pm

REGULAR COUNCIL MEETING – MONDAY, OCTOBER 6, 2014 @ 7:00pm

ADJOURNMENT:

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

Douglas Greer, Mayor

Ethel Parks, Town Clerk