

TOWN COUNCIL
MEETING
JULY 3, 2017
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 3rd day of July, 2017, at 7:00 pm

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-Present
Councilman Chase Sturgis-Present

STAFF PRESENT: Robert Duer, Chief DiMartino, Sgt. Zieger, Taylor Dukes, Officer Brady, Cpl. Marshall.

CALL TO ORDER:

The Town Council meeting came to order at 7:00 pm with the majority in attendance reciting the pledge of allegiance.

INVOCATION:

The Invocation was given by Mayor Greer.

Mr. Duer said that he has no Budget Amendments under the Financial Reports (6.a).

APPROVAL OF MINUTES:

REGULAR COUNCIL MEETING (AMEND APPROVED) – MAY 1, 2017:

Councilman Heaster made the Motion to approve the Minutes of the May 1, 2017 Public Hearing and regular Council Meeting (Amended). The Motion was seconded by Councilman Metz and was passed unanimously.

REGULAR COUNCIL MEETING – JUNE 5, 2017:

Councilman Adkins made the Motion to approve the Minutes of the June 5, 2017 regular Council Meeting. The Motion was seconded by Councilman Heaster and was passed unanimously.

CITIZEN COMMENT (LIMIT OF 3 MINUTES PER SPEAKER):

There was no one signed up to speak.

TOWN MANAGER'S REPORT – ROBERT G. DUER:

Mr. Duer informed the Mayor and Council that Mr. Dukes and Ms. MacGarvey met with the Northampton County Tourism Commission and was awarded \$3,500 to help offset the cost of Shakespeare in the Park. He noted that prior to the performance a reception should be held to honor the Nordstrom family, presenting them with a plaque that will be placed at the Park. We should also invite officials of the County Tourism Commission. Sponsorships are being sold to help fund the reception.

The Capital Improvements Fund Account was opened last month with \$15,000 and will be funded each month.

The A/C unit that cools the meeting room is no longer in working condition and the one that cools the lobby is close to being in the same condition. Herbert Senn will be coming in to assess the building and the best way to replace the system. Mr. Duer asked the Mayor and Council to declare the situation as an emergency so the system can be assessed and replaced immediately. The Council agreed that it is an emergency but to obtain three bids for the A/C system.

Mr. Duer noted that there are no known water leaks in Town at this time.

We may have a potential candidate to fill the vacancy on the Planning Commission.

Mr. Duer explained that the ANPDC and the Virginia Housing Alliance of the Eastern Shore have spoken with Mr. Kellam about the nine houses on the west side of Town on Occohannock Neck Road. He said that Mr. Kellam would retain the land, The ANPDC and the Virginia Housing Alliance of the Eastern Shore would relocate the families if Exmore would demolish the structures as the families move out. This is estimated to be over a two to three year span.

The old bank building next door has been sold. It will eventually be turned into a distillery and the product will be sold to restaurants.

FINANCIAL REPORT – ROBERT G. DUER:

~~BUDGET AMENDMENTS:~~

JUNE SUMMARY:

The net income for the month of June shows a loss of \$55,000 due to several large expenditures such as equipping the new police Explorer, the quarterly VML premium, wastewater repairs, new water lines and repairs, new fire hydrants and other equipment.

2016-2017 YEARLY SUMMARY:

The net income for the year was \$384,645. This puts us 666.4% over what was budgeted for the 2016-2017 year.

OLD BUSINESS:

UPDATE ON SEWER PROJECT – MR. DUKES:

Mr. Dukes stated that this report will be discussed in Closed Session.

UPDATE ON WELL PROJECT – MR. DUKES:

Mr. Dukes stated that this report will be discussed in Closed Session.

NEW BUSINESS:

ZONING – MR. DUKES:

Mr. Dukes reported that he continues to work on having the abandoned vehicles removed.

POLICE REPORT – CHIEF DIMARTINO:

Chief DiMartino reported that all Officers are doing well. The grants and fines are on track. He noted that crashes were up in June and most were minor. The new SUV is now in service and the Crown Vic will soon be ready to sell.

PUBLIC WORKS REPORT – MR DUER:

Mr. Duer reported in Mr. Johnson's absence that they responded to 35 service calls in June which included 4 water leaks, 5 re-reads, 9 Miss Utility calls, 1 emergency call, 4 pressure tests, along with reading the water meters. Hydrants were flushed and they averaged 23,000 pounds of trash each week.

UTILITY REPORT – MR. DUKES:

Mr. Dukes reported that two 8" water mains have been repaired and a fire hydrant installed. He noted that he would like to have a work session on August 7 at 6:30 pm prior to the regular Council meeting to discuss water, sewer and trash rates.

CLOSED SESSION:

- a. Acquisition of Real Estate
- b. Legal Matters

Councilman Sturgis: "I move that the Council convene in closed session pursuant to Virginia Section §2.2-3711 (A)(3), to discuss and consider the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and

Section 2.2-3711(A)(7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means

litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.” The Motion was seconded by Councilman Heaster. The Motion was passed by the roll call vote of Councilman Sturgis-Aye; Councilman Adkins-Aye; Councilman Doughty-Aye; Councilman Heaster-Aye; Councilman Metz-Aye; Vice-Mayor Lewis-Aye. The Mayor, Council, Mr. Duer and Mr. Dukes convened to Closed Session.

CERTIFICATION OF CLOSED SESSION:

Councilman Sturgis 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 Adkins seconded the “Certification of Closed Meeting” and was approved by the roll call vote of Councilman Sturgis-Aye; Councilman Adkins-Aye; Councilman Doughty-Aye; Councilman Heaster-Aye; Councilman Metz-Aye; Vice-Mayor Lewis-Aye.

CITIZEN/COUNCIL COMMENT (LIMIT OF 3 MINUTES PER SPEAKER):

Donald E. Kellam, Jr. expressed concerns about increasing the water rates in excess.

Stephen Sample invited everyone to attend his annual art show on July 15 from 12-8. His newspaper is still in circulation and he continues to move forward with the comic books and children’s books.

Ms. MacGarvey thanked Mayor and Mrs. Greer for their support of the events in the Parks and thanked Mr. Duer for his support and hard work also.

Mayor Greer encouraged the Council to help in any way they can with the Shakespeare in the Park production.

SCHEDULED MEETINGS AND CLOSINGS:


TOWN OFFICE CLOSED – TUESDAY, JULY 4, 2017 (INDEPENDENCE DAY)

TOWN COUNCIL WORK SESSION – MONDAY, AUGUST 7, 2017 @ 6:30 pm


TOWN COUNCIL MEETING – MONDAY, AUGUST 7, 2017 @ 7:00 pm

ADJOURNMENT:

Councilman Adkins made the Motion to adjourn the meeting. The Motion was seconded by Councilman Metz. The Motion was passed unanimously and the meeting was adjourned.




Douglas Greer, Mayor



Taylor Dukes, Zoning Administrator

I, Ethel Parks, Clerk of the Council for the Town of Exmore, was absent from the July 3, 2017 meeting of the Exmore Town Council have transcribed the aforementioned Minutes strictly from the notes of Mr. Taylor Dukes and the digital recorder (as was reasonably audible) and bear no responsibility for the accuracy of the contents other than for the notes and audible portions of the digital recorder.



Ethel Parks, Town Clerk