

TOWN COUNCIL  
MEETING  
AUGUST 7, 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 7<sup>th</sup> day of August, 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-Absent

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

CALL TO ORDER:

The Town Council meeting was called to order at 7:00 pm by Mayor Greer with the majority in attendance reciting the pledge of allegiance.

INVOCATION:

The Invocation was given by Councilman Adkins.

APPROVAL OF MINUTES:

REGULAR COUNCIL MEETING – JULY 3, 2017:

— Councilman Adkins made the Motion to approve the Minutes of the July 3, 2017 Town Council Meeting. The Motion was seconded by Councilman Metz and was passed unanimously.

Mayor Greer announced that he received a letter from Scott Webb thanking the Town for their support of the Randy Custis Memorial Park.

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 noted that there will be closed sessions during the Town Council meetings for the next few months due to sensitive issues. We will announce anything that may be voted on prior to the closed session and hold them at the end of the meetings so the public can choose to stay or leave.

The new heating and A/C unit have been installed in the meeting room.

Mr. Duer made the recommendation to rename Sojourner Truth Road to Ruth Wise Road to honor Ms. Wise. It was the general consensus of the Council to move forward with this.

New Road Community recently held a celebration honoring Ms. Wise and they dedicated a plaque to the Town.

Mr. Duer advised the Council that the Town website is in the beginning stages of being restructured.

There is nothing new to report about the nine homes on Occohannock Neck Road.

— We may soon have a new tenant in the old Yellow Duck building.

Mr. Duer noted that Chief DiMartino and Officer Brady will be speaking at the Exmore Rotary Club on August 24<sup>th</sup>. They will be speaking on highway safety and he invited the Council to attend.

Mr. Duer thanked the Exmore Police Department for making National Night Out a success.

Stories about Chief DiMartino have recently been seen in the newspaper citing the positive impact he is having on Exmore and surrounding communities. Mr. Duer recognized Chief DiMartino for all he does for his community.

Ms. MacGarvey stated that there are 14 sponsors for Shakespeare in the Park to date.

**FINANCIAL REPORT – ROBERT G. DUER:**

Mr. Duer noted that we will be making some adjustments on the sewer. He said that the transient occupancy tax is off due to not receiving the tax from one of the hotels.

**JULY SUMMARY:**

The net income for the month of July was \$25,082.

**2016-2017 YEARLY SUMMARY:**

Mr. Duer noted that the 2016-2017 year ended with a net income of \$385,505.

**OLD BUSINESS:**

**UPDATE ON SEWER PROJECT – MR. DUKES:**

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

**UPDATE ON WELL PROJECT – MR. DUKES:**

Mr. Dukes reported that Granville Hogg is close to completing the survey on the easement and we have working plans so that we can go to bid.

**1. UPDATE ON CDBG & VDH MANAGEMENT – MR. DUKES:**

No report.

**NEW BUSINESS:**

**APPOINTMENT OF NEW PLANNING COMMISSION MEMBERS – TOWN COUNCIL:**

Councilman Heaster made the Motion to appoint Chase Sturgis to the Exmore Planning Commission. The Motion was seconded by Councilman Metz and was passed unanimously.

Councilman Heaster made the Motion to appoint Ernest Fields, Jr. to the Exmore Planning Commission. The Motion was seconded by Vice-Mayor Lewis and was passed unanimously.

**ZONING – MR. DUKES:**

Mr. Dukes noted that he will schedule a Public Hearing to adopt the Zoning Ordinance. He said that he is in the process of having a dangerous structure (house) removed and continues to work with residents to remove abandoned vehicles.

**POLICE REPORT – CHIEF DIMARTINO:**

Chief DiMartino reported that all officers are performing well. National Night Out was a huge success. He commended Sgt. Campbell for being the backbone of the event. He noted that the medication bin has been a big hit and he is receiving positive feedback about the meet up spot as well. Chief DiMartino stated that he is purchasing a new camera system on a grant and it will allow eight cameras on the municipal building. The four cameras currently on the building will be moved to the well house. There were two reportable crashes in July; one was a DUI that resulted in an arrest and the other was a motorcycle that lost control. He thanked the officers for doing such a great job working hard.

Mayor Greer thanked the Police Department for a job well done.

**PUBLIC WORKS REPORT – MR DUER:**

Mr. Johnson reported that they had 41 service calls in July including 23 turn-offs, 3 leaks, 5 re-reads, 5 Miss Utilities, 1 emergency call and 4 pressure tests. They picked up brush and limbs on July 20<sup>th</sup> and trash is averaging 21,000 pounds each week. He noted that they read 715 water meters and installed 2 new meters.

**UTILITY REPORT – MR. DUKES:**

Mr. Dukes stated that the Town pumped 3.8 million gallons of water in July. He said that they worked hard to repair 3 water leaks.

**CLOSED SESSION:**

- a. Acquisition of Real Estate
- b. Potential Business
- c. Legal Matters
- d. Personnel Matters

Councilman Adkins: "I move that the Council convene in closed session pursuant to Virginia Section §2.2-3711 (A)(1), for the discussion and consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of employees; and

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)(5), to discuss a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; 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 Vice-Mayor Lewis. The Motion was passed by the roll call vote of Councilman Adkins-Aye; Councilman Doughty-Aye; Councilman Heaster-Aye; Councilman Metz-Aye; Vice-Mayor Lewis-Aye; with Councilman Sturgis being absent. The Mayor, Council, Mr. Duer, Mrs. Parks and Mr. Dukes convened to Closed Session.

**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.

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

Councilman Heaster made the Motion to purchase the Volz property for the easement in the amount of \$12,500 plus \$12,500 sewer tap plus legal expenses. The Motion was seconded by Councilman Metz and was passed unanimously.

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

No one wished to speak.

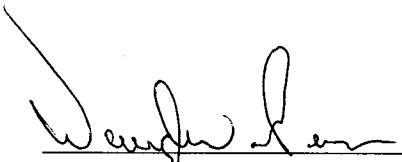
**SCHEDULED MEETINGS AND CLOSINGS:**

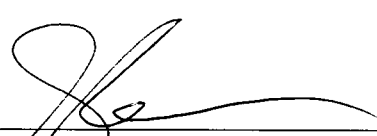
TOWN OFFICE CLOSED – MONDAY, SEPTEMBER 4, 2017 (LABOR DAY)

TOWN COUNCIL MEETING – MONDAY, SEPTEMBER 11, 2017 @ 7:00 pm

**ADJOURNMENT:**

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

  
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Douglas Greer, Mayor

  
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Ethel Parks, Town Clerk