

Town of Haymarket Town Council Meeting
Monday, November 7, 2011
15000 Washington Street, #100, Haymarket, Virginia 20169
Mayor Pamela E. Stutz

Call to Order

Mayor Stutz calls the meeting to order at 7:00 p.m.

Roll Call

Tobias, Leake, Cole, Stutz, Scarbrough, Kenworthy, Weir

Church of Jesus Christ of Latter Day Saints

Vice Mayor Cole acknowledges the Church of Jesus Christ of Latter Day Saints for the large scale volunteer effort on October 8, 2011. The church members painted the police department, food pantry, town hall, stained the Town's park benches, and many other service projects.

Haymarket Day Parade Winners

Vice Mayor Cole presents awards to the following for their participation in Haymarket Day 2011:

Best Float – Daytime Playtime

Best Performance – Fairfax County Motor Squad

Mayor's Choice – Unistars Unicycling

Most Original – Lucas Clark, Fight SMA

Minutes

Tobias motions to approve the minutes of October 5 & October 24, 2011 with corrections previously provided to the Clerk, Weir seconds;

Ayes: 6 Nays: 0

Water Supply Plan

Mr. Normand Goulet with the Northern Virginia Regional Commission is here this evening to present the Regional Water Supply Plan to the Town Council. He explains to Council that the water supply plan was an unfunded mandate passed on to the localities by the General Assembly. Some was due to lack of planning; some was due to drought conditions. This was more of an assessment and inventory of existing sources. Some of the purposes were to: Assess existing uses; Drought response and demand management.

Weir asks about the numbers in the out years, is that based on future developments also? Yes it does look at anticipated growth. Weir asks about an ordinance, is there a draft ordinance. Yes there is, but he does not believe we will need one since we do not own and operate water supplies. He should know for sure very soon. **Weir asks him to forward the model.

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Tobias motions, Scarbrough seconds:

Whereas, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires that all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and, Whereas, on October 24, 2011, the Town of Haymarket held a public hearing to accept public comment on the Regional Water Supply Plan; and Whereas, the Town of Haymarket is a participant in the Northern Virginia Regional Water Supply Plan; and Whereas, the adopted Regional Water Supply Plan will be submitted to the DEQ on or before November 2, 2011. Now Therefore be it resolved that: The Town Council of the Town of Haymarket hereby adopts the Northern Virginia Regional Water Supply Plan as it pertains to the Town of Haymarket. Approval and adoption of the regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. The Town of Haymarket reserves the right to comment on specific water supply alternatives in the future even though such alternatives may or may not be recommended in this adopted plan. The Town of Haymarket will not be limited to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future. Be it further resolved that the Town Council of the Town of Haymarket intends that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

Tobias-Yes, Leake-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes

PEG Grant & recording of meetings

The Town Council requested a briefing from the staff as to the possibility of adding the Public, Educational, and Government channel for the Town to Comcast live streaming.

Council would like the following questions answered:

1. How much time do we have after the fiber is run to have the equipment up and running to record and start recording?
2. Can we use the grant monies for technical staff/personnel?

****Discuss on November 15 and provide answers**

Zoning Permit Application

Tobias motions to approve zoning permit application #ZP20110926 retail sales & pool supplies at 6763 Leaberry Way, in accordance with Section 58-257(3) of the Town Code, Cole seconds;

Ayes: 6 Nays: 0

Police Cruiser Financing

There was an error with regard to the payoff of the two 2009 police cruisers. We can approve an amount not to exceed, or we can get an exact number.

Tobias motions that the Town shall issue an obligation for public purposes with the Fauquier Bank, lender, in an amount not to exceed \$66,000, sixty-six thousand dollars, amortized over 3 years at an interest rate not to exceed 3% per annum, to refinance the two outstanding obligations at SunTrust Bank incurred to finance two 2009 police cruisers, and further for new financing for acquisition of a new 2011 Dodge Charger police cruiser and related equipment and to this end John Cole, Milt Kenworthy, and Pamela Stutz are all authorized to execute all closing documents on behalf of the Town, Cole seconds;

Tobias-Yes, Leake-No, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes

Closed Session

Weir motions to enter into closed session at 7:35 p.m. in acc §2.2-3711 A(7) consultation with the Town Attorney for matters requiring specific legal advice for the following: (1)Wal-Mart (2)Rezoning case of Hunter at Haymarket (3) Land use application for Villages and pursuant to §15.2-2907 (D)Matters relating to annexation and §2.2-3711 A(7) for contract & lease matters with ATTIVA Corporation and §2.2-3711 A(3)Acquisition of real property for public purpose namely the street-scape project and §2.2-3711 A(1)for discussion and consideration of the performance of named town employees, Tobias seconds;

Ayes: 6 Nays: 0

Mayor asks if we can take care of the Villages closed session topic and come back to session, the Town Attorney responds yes.

Weir motions that the Council of the Town of Haymarket does hereby certify that to the best of each member's knowledge, only public business matters lawfully exempt from the open meeting requirements by Virginia law were discussed in the closed session, to which this certification applies, and only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by Council, Scarbrough seconds; Discussion:

The record reflects that Councilman Leake did not participate in any matters relating to the Haymarket Baptist church and his certification does not include that matter.

Tobias-Yes, Leake-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Stutz-Yes

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**Weir motions to task the Town Attorney to contact legal counsel specializing in annexation matters and have that attorney present at the December 5, 2011 meeting for closed session discussions at 8:00 p.m., Leake seconds;
Ayes: 6 Nays: 0**

**Tobias motions to task Councilman Weir to draft a resolution in support of extending the provisions of 15.2-2287.1 to Prince William County and that the resolution should be put on the December 5, 2011 Town Council agenda for consideration of adoption, Cole seconds; Discussion:
Weir would like it on the record the reason for doing this is the extra expense of a legal challenge to either or the Wal-Mart rezoning or the flaw in the Hunter at Haymarket rezoning.
Ayes: 6 Nays: 0**

Town Manager's Report

Most items of the Town Manager's report on the agenda are scheduled to be discussed at the November 15 continuation meeting. One item, due to a deadline must be discussed this evening.

- **I-66 report**
VDOT has provided the Town with several different improvement scenarios for the I-66/Route 15 interchange. The Town's comments are due to VDOT on Wednesday, November 8, 2011. The Town Manager would like the Council's input. Provided to Council this evening is the Town Engineer's draft comments. Of the 8 options, the final will likely be some hybrid of these.

It is agreed that Options 2, 4, 5, & 6, not necessarily in that order, are the recommended options from the Town.

**Weir moves to continue, at 9:55 p.m., the November 7, 2011 meeting to Tuesday, November 15, 2011, Scarbrough seconds;
Ayes: 6 Nays: 0**

Submitted:

Approved:


Jennifer Preli, Town Clerk


Pamela Stutz, Mayor

Town of Haymarket, Virginia

RESOLUTION

APPROVAL OF THE NORTHERN VIRGINIA REGIONAL WATER SUPPLY PLAN

At a regularly scheduled meeting of the Town Council of the Town of Haymarket held on Monday, November 7, 2011, on a motion by TOBIAS, seconded by SCARBROUGH, the following resolution was adopted by a vote of 6:

WHEREAS, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and,

WHEREAS, on 10/24, 2011, the Town of Haymarket held a public hearing to accept public comment on the Regional Water Supply Plan; and

WHEREAS, the Town of Haymarket is a participant in the Northern Virginia Regional Water Supply Plan; and

WHEREAS, the adopted Regional Water Supply Plan will be submitted to the DEQ on or before November 2, 2011.

NOW, THEREFORE BE IT RESOLVED THAT: the Town Council of the Town of Haymarket hereby adopts the Northern Virginia Regional Water Supply Plan as it pertains to the Town of Haymarket. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. The Town of Haymarket reserves the right to comment on specific water supply alternatives in the future even though such alternatives may or may not be recommended in this adopted plan. The Town of Haymarket will not be limited to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

BE IT FURTHER RESOLVED that the Town Council of the Town of Haymarket intends that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

ADOPTED this 7 day of NOVEMBER 2011.

Signed and dated: _____

Pamela E. Stutz

A COPY ATTEST:



Jennifer Prel, Town Clerk

Resolution #20111107 – 1

Financing Funds for Public Purposes

Be it resolved by the Town Council of Haymarket, Virginia, after the holding of a duly advertised public hearing on the 5th Day of October, 2011:

RESOLVED, the Town shall issue an obligation for public purposes with the Fauquier Bank, lender, in an amount not to exceed \$66,000, sixty-six thousand dollars, amortized over 3 years at an interest rate not to exceed 3% per annum, to refinance the two outstanding obligations at SunTrust Bank incurred to finance two 2009 police cruisers, and further for new financing for acquisition of a new 2011 Dodge Charger police cruiser and related equipment and to this end John Cole, Milt Kenworthy, and Pamela Stutz are all authorized to execute all closing documents on behalf of the Town.

This Resolution shall become effective upon adoption.

Done this 7th day of November 2011 by a roll call vote at a quorum of said Council

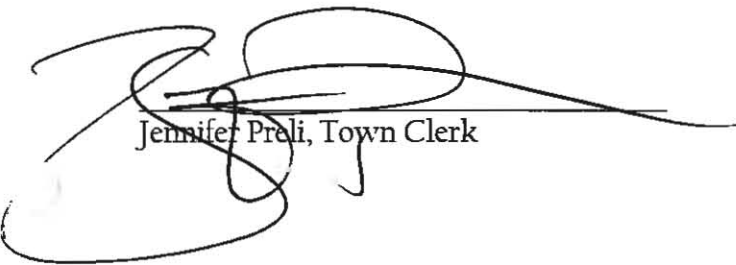
In a motion by Tobias, seconded by Cole

Voting Aye: Tobias; Cole, Scarbrough; Kenworthy; Weir
Voting Nay: Leake
Absent: 0
Abstain: 0

Town of Haymarket
BY:


Pamela E. Stutz, Mayor

ATTEST:


Jennifer Preli, Town Clerk