



TOWN OF HAYMARKET TOWN COUNCIL

WORK SESSION ~ AGENDA ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Tuesday, July 1, 2014

7:00 PM

Council Chambers

1. Call to Order

2. Closed Session

- A. Enter into Closed Session
- B. Certification of Closed Session

3. Agenda Items

- A. Check Signing Policy
- B. Authorization of Check Signers - Brian Henshaw
- C. Mayoral Veto - Termination of Employment
- D. Mayoral Veto - Town Council Actions of 06-27-2014
- E. Draft Town Council Agenda for July 7, 2014

4. Councilmember Time

- A. Joe Pasanello
- B. Chris Morris
- C. David Leake
- D. Pamela Swinford
- E. Matt Caudle
- F. Kurt Woods
- G. Steve Aitken

5. Adjournment



TO: Town of Haymarket Town Council
SUBJECT: Enter into Closed Session
DATE: 07/01/14

The Virginia State Code allows for government entities to enter into closed session discussions for specific purposes outlined in VA §2.2-3711. The Haymarket Town Council will enter into closed session discussions this evening for the following purpose:



TO: Town of Haymarket Town Council
SUBJECT: Certification of Closed Session
DATE: 07/01/14

§ 2.2-3712. Closed meetings procedures; certification of proceedings.

Certification: To the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.



TO: Town of Haymarket Town Council
 SUBJECT: Check Signing Policy
 DATE: 07/01/14

SUBJECT: Creation of Payables, Receivables and Check Signing Policy

ISSUE: In an effort to better identify the process and expedite the payables, receivables and the check signing process, included with this report is a proposed policy for the payables, receivables and check signing policy.

BACKGROUND:

- After working with the Town for a over a year, it is my impression that I believe we can better expedite the Town's payables, receivables and check signing process to better serve the vendors and billing processes of the Town.
- At the New Council member orientation on June 12th we discussed the potential changes and included with this report are the proposed changes.
- We have delayed any billing for the past week to proceed forward with the proposed policies.
- The Town will need to identify the authorized signatories on the Town's checking accounts for day to day operations.
- For purposes of moving forward, these signatories will need to be identified at the Work Session on July 1st and officially voted upon at the July 7th regular Council meeting.

DISCUSSION:

- After working with several different localities within the surrounding area of the Town, it is my determination that the proposed policies commonly reflect the current practices of other Virginia Municipalities.
- These changes will create a checks and balances system with regard to internal controls.
- All reports will be available to any council member at any time and through working with a newly formed Finance Committee, the chair will work directly with the Town's Treasurer.
- The Treasurer, Town Manager and Deputy Clerk will also serve on the newly formed Finance Committee and the committee will act as a source of information and will forward action items for the Town Council to decide upon in all future ventures.

TOWN MANAGER'S COMMENTS: (June 25, 2014)

- It is my professional opinion based upon current practices of other Virginia localities that handling the day to day expenses and receivables internally is a more productive approach to the day to day operations of the Town.
- Within the actual draft policy, it describes the procedures and identifies the signature policies of the Town.
- Highlights of the Policies include:
 - o Deputy Clerk receiving all invoices and working with Treasurer to assign payments to the correct category.
 - o Deputy Clerk processing checks.
 - o Town Manager reviews all checks and payments and signs off on payments.
 - o Town Treasurer performs secondary review and signs checks.
 - o Town Treasurer is authorized to sign checks for any amount solely up to \$3,000. Any check above \$3,000 would require secondary signature by Finance Committee Chair, authorized Council member or Town Manager in cases of emergency. (Town Manager

- o would perform sole signature in Treasurer's absence)
- o Approved and signed checks would be turned back over to Deputy Clerk to process and mail payments. Deputy Clerk would also perform final review for accuracy of original payment.

POTENTIAL QUESTIONS:

- What would be the procedure for notifying the Finance Committee Chair of needing signature?
- How does this process expedite our current process?
- Should we have any additional signatories on the account?
- What documentation is normally included for payments to vendors of the Town?

RECOMMENDATION:

I would recommend that we adopt the proposed payables, receivables and check signing policy of the Town as it is a more standardized approach to payables and receivables of the Town from a day to day operations standpoint.

MOTION:**Motion of Approval:**

I move to adopt the proposed payables, receivables and check signing policy for the Town of Haymarket this July 7, 2014 and further move to create the finance committee as identified within the draft policy. Furthermore, I move to approve Resolution 07012014-1 for check signing authority.

ATTACHMENTS:

- 02-Payables, Receivables and Check Singing Policy (Draft - June 25,2014) (PDF)



***DRAFT* -Payables, Receivables and Check Signing Policies:**

Payables:

The Town's Deputy Clerk or designee in the case of absence shall be responsible for all payables processed by the Town. The Deputy Clerk or designee will process all invoices or requests for payment for the Town and will work to ensure that all invoices or payments requested are processed in a timely and efficient manner to the benefit of the Town's fiscal responsibilities and due dates. The Deputy Clerk will cooperatively work with the Town Treasurer to ensure the proper categorization of all payments with regard to budget management.

The Deputy Clerk or designee will process payments for the Town on a weekly basis, unless determined mutually with the Town Treasurer and/or the Town Manager that there is not a needed run of payments or holidays interfere with the weekly schedule to process such payments.

All payables for a local Government shall be put through a checks and balances system that allows various departments or key Town officials to review the outgoing payments of the Town with regard to the day to day operations. Following is the process in which the Town will conduct checks and balances system:

- Deputy Clerk receives an invoice or payment request.
- Deputy Clerk analyzes the request and will go over the request with the Town Treasurer to determine the proper category for the payment to be taken from within the adopted fiscal budget.
- Deputy Clerk will only process the invoices or requests received by the Thursday at Noon prior to the scheduled check run on Friday morning. Any request received after that time will be processed the following week.
- Deputy Clerk will process the checks by Friday at Noon.
- Deputy Clerk will submit all payments and supporting documentation to the Town Manager for review and approval.
- The Town Manager will review all payments and supporting documentation. The Town Manager will review payments to ensure that the payments fit within the approved fiscal budget and that the payment is justified. The Town Manager will initial on the check "stub" approval of payment.

- The Town Manager will submit all payments and supporting documentation to the Town Treasurer who will review payments to ensure that the payments fit within the approved fiscal budget and that the payment is justified. The Town Treasurer will initial on the check “stub” approval of payment and sign the check.
 - Town Treasurer is allowed to be the sole signature on the check providing the check total amount is not greater than \$3,000.
 - On amounts greater than \$3,000, the check is required to have two signatures. One signature will be the Town Treasurer. A second signature could be one of three identified appointees by the Town Council. Ideally the second signatory shall be the Finance Committee* Chair, the Town’s Mayor or Vice-Mayor and only in emergency situations the Town Manager. (The Town Manager would sign the check in the absence of the Town Treasurer, but only under special circumstances.)
 - In essence, checks and balances are created by having an appointed official of the Town being one signature and an elected official being the other signatory for any amount over \$3,000.
- Once the checks have been reviewed and signed, the Town Treasurer will return the checks to the Deputy Clerk who will review the checks one last time to verify this is the payment and the correct amount that they issued the check for.
- The Deputy Clerk will then mail or deliver the checks to the vendor.

Receivables:

The Deputy Clerk receives all payments to the Town and allocates to the revenues of the adopted fiscal budget. If the Deputy Clerk is unsure as to where to allocate the received funds, the Deputy Clerk will consult with the Town Treasurer or Town Manager.

On average, the Deputy Clerk will prepare and make a deposit on a weekly basis. All deposits are verified during the account reconciliation by the Town Clerk. The Town Clerk reconciles the accounts as the Town Treasurer will be a signatory on the checking account.

Check Signing:

As described briefly in the Payables section of this policy, we are transferring the primary check signatory responsibilities to the Town Council appointed Town Treasurer. The Town Treasurer would be authorized to sign any check solely (1 required signature) for any amount under \$3,000. Any amount over \$3,000 issued from the Town would require two signatures. This would include the Treasurer’s signature and signature of one designee of the Town Council. The second signatory would be the Town Council appointed Finance Chair of the Finance Committee*. As the need may arise for additional signatories due to absences or special circumstances, the Council also authorizes another designee of the Town Council (This may be the Mayor, Vice Mayor or other designee) and the Town Manager. The Town Manager is only

authorized to sign checks in cases of emergency or if the Town Treasurer is on leave as a sole signatory. The Town Manager shall also have another staff member perform a third party review and approval of the issued checks.

Creation of a Town Council Finance Committee:

In preparation of this policy, it is intended that the Town Council will create a Finance Committee that will coordinate, discuss and forward any and all financial related issues related to the Town to the Town Council. The committee shall consist of two council members, one serving as the Finance Chair and other as a committee member. The committee will also include Town staff (Town Treasurer, Town Manager, and Deputy Clerk).

The Finance Committee would be a standing committee meeting with a standing date and time. The committee would only need to meet if there were actual business for the committee to meet about aside from the general Treasurer's report on a monthly basis.



TO: Town of Haymarket Town Council
SUBJECT: Authorization of Check Signers
DATE: 07/01/14

It is recommended that the Town Council adopt the following resolution authorizing signers on the Town's bank accounts held at The Fauquier Bank

ATTACHMENTS:

- 03-Fauquier Bank Signers (July 1, 2014) (PDF)

RESOLUTION 07012014-1
AUTHORIZATION FOR CHECKS SIGNERS AT THE FAUQUIER BANK

The Haymarket Town Council authorizes Ms. Renee DuBiel, Council Appointed Town Treasurer or Town Staff designee listed below to sign any check solely on any amount up to \$3,000 and authorizes Councilmember _____ as the Finance Chair or designated elected official listed below to act as a second signatory on any amount over \$3,000. Furthermore the Council authorizes the Council appointed Town Manager, Mr. Brian P. Henshaw, Mayor David Leake and _____ as Signers on any and all accounts held at The Fauquier Bank. Done this 1st day of July 2014.

MOTIONED BY:
SECONDED BY:

VOTING AYE:
VOTING NAY:
ABSENT:
ABSTAIN:

BY:

David Leake, Mayor



ATTEST:

Jennifer Preli, Town Clerk

Attachment: 03-Fauquier Bank Signers (July 1, 2014) (1929 : Authorization of Check Signers)

[SEAL]



TO: Town of Haymarket Town Council
SUBJECT: Mayoral Veto - Termination of Employment
DATE: 07/01/14

Pursuant to Haymarket Town Charter - Article III. Administration & Government - Sec. 1. Town council; elections; salary; meetings; officers:

(8) Ordinances. Every ordinance, or resolution having the effect of an ordinance, shall, before it becomes operative be presented to the mayor. If he approves, he shall sign it, but if not, he may return it, with his objections in writing, to the town clerk who shall enter the mayor's objections at length on the minute books of the council. The council shall thereupon proceed to reconsider such ordinance or resolution. If, after such consideration, two-thirds of all the members elected to the council shall agree to pass the ordinance or resolution, it shall become operative notwithstanding the objection of the mayor. In all such cases the votes of members of the council upon such reconsideration and the names of the members voting for and against the ordinance or resolution shall be entered on the minute book of the council. If any ordinance or resolution shall not be returned by the mayor within five (5) days (Sunday excepted) after it shall have been presented to him, it shall become operative in like manner as if he had signed it, unless his term of office or that of the council, shall expire within said five (5) days.

ATTACHMENTS:

- Mayor Leake Veto of Breeden Termination 06-30-2014 (PDF)

MEMORANDUM

To: Jennifer Preli, Town Clerk

From: Mayor David M. Leake

Date: June 30, 2014

Subject: Notice of Veto of Resolution:

20140630-1

Motion to terminate Deputy Chief Breedon

Jennifer,

Please record the following comments into the official meeting record/minutes for the June 30th 2014 Town Council meeting books as per the charter requires.

As Mayor of the Town of Haymarket, I hereby veto the above Resolution that was made at the June 30th, 2014 Town Council Special Meeting for the following reasons:

- General Orders were not followed as there was no notification or investigation done of alleged allegations of misconduct.
- Due process was not given.
- Deputy Chief was not given a copy of the written allegations of misconduct or presented with any evidence of such allegations of misconduct.
- Deputy Chief is covered under the Policemen Bill of Rights that were adopted into the General Orders and signed to make active in 2007 and these rights were not followed.
- Deputy Chief was not made aware of the meeting tonight, June 30th, 2014.
- This action could be perceived as an attempt of retaliation against Deputy Chief.



David M. Leake, Mayor
Town of Haymarket



TO: Town of Haymarket Town Council
SUBJECT: Mayoral Veto - Town Council Actions of 06-27-2014
DATE: 07/01/14

Pursuant to Haymarket Town Charter - Article III. Administration & Government - Sec. 1. Town council; elections; salary; meetings; officers:

(8) Ordinances. Every ordinance, or resolution having the effect of an ordinance, shall, before it becomes operative be presented to the mayor. If he approves, he shall sign it, but if not, he may return it, with his objections in writing, to the town clerk who shall enter the mayor's objections at length on the minute books of the council. The council shall thereupon proceed to reconsider such ordinance or resolution. If, after such consideration, two-thirds of all the members elected to the council shall agree to pass the ordinance or resolution, it shall become operative notwithstanding the objection of the mayor. In all such cases the votes of members of the council upon such reconsideration and the names of the members voting for and against the ordinance or resolution shall be entered on the minute book of the council. If any ordinance or resolution shall not be returned by the mayor within five (5) days (Sunday excepted) after it shall have been presented to him, it shall become operative in like manner as if he had signed it, unless his term of office or that of the council, shall expire within said five (5) days.

ATTACHMENTS:

- Mayor Leake Veto of all action on 06-27-2014(PDF)

MEMORANDUM

To: Jennifer Preli, Town Clerk

From: Mayor David M. Leake

Date: June 30, 2014

Subject: Notice of Veto of Resolutions / Ordinances:

20140627-1

Ordinance returning \$150,00.00 of surplus real property tax revenue to the tax payers...

20140627-2

Motion to amend the fiscal year 2014 adopted budget amendment...

20140627-3

Motion to rescind the budget vote and vote to strike that vote...

20140627-4

Resolution to adopt the 2015 annual operating budget...

Jennifer,

Please record the following comments into the official meeting record/minutes for the June 27th 2014 Town Council meeting books as per the charter requires.

As Mayor of the Town of Haymarket, I hereby veto all the above Resolutions and Ordinances that were made at the June 27th, 2014 Town Council Special Meeting for the following reasons:

- The statement made regarding that the town “anticipates” a \$150,000 excess surplus is incorrect and misleading.
- Transparency and public input is lacking on these changes that are yet to be understood and without the benefit of guidance and professional advice. It was the professional advice of both the Town Treasurer (see attached emails) and Town Manager that a tax rebate not be done.
- Withdrawing monies from town reserves to fund a rebate is not financially prudent.
- These appear to be last minute and very rushed decisions which lack adequate information, discussion, and resident input as a new council prepares to take office.

- Withdrawing monies from town reserves to fund a rebate is not financially prudent.
- These appear to be last minute and very rushed decisions which lack adequate information, discussion, and resident input as a new council prepares to take office.
- The council held at least 7 budget meetings and the rebate was only mentioned in the last two when voting on the budget took place. At none of these 7 meetings was there any discussion or professional input regarding funding a \$100k retirement plan.



David M. Leake, Mayor
Town of Haymarket

-----Original Message-----

From: Jay Tobias
Sent: Wednesday, May 21, 2014 12:20 PM
To: Treasurer Cc: Jennifer Preli
Subject: Reserve funds

Renee,

Could you please submit to me a recommendation for a policy that calls for the Town retaining X number of dollars in cash reserves at the end of each fiscal year and refunding the remaining to the residents and tax payers?

Thank you

Jay

From: Treasurer **Sent:** Thursday, May 22, 2014 1:12 PM **To:** Jay Tobias **Cc:** David Leake; Katherine Harnest; Mary Lou Scarbrough; Milt Kenworthy; Rebecca Bare; Steve Aitken; Brian Henshaw; Jennifer Preli **Subject:** Tax Rebate recommendation

Jay,

I'm not comfortable making this recommendation; I don't believe it's prudent.

We are still working on administering the last rebate. A tax rebate is an inefficient, expensive alternative to lowering tax rates: a large number of residents never cashed their \$100 - \$300 checks. We had to then void the checks, and send them letters stating that they have 60 days to claim the checks before we must escheat them to the state. Several residents have asked for replacement checks after receiving the letter, and still have not cashed those. I then have to go through a tedious, time consuming process to fill out the forms, recording detailed records to the state for each person who never cashed their check. I haven't had a chance to complete this yet, because time hasn't allowed.

I don't recommend a recurring tax rebate, because I don't think it makes sense. The money would be better used in projects, more competitive salaries, and investing in infrastructure.

Even though the council stops looking at fiscal year expenses after June 30, they continue to flow in. A large part of checks paid in July are for June (FY14) expenses. These are the adjustments that the auditor makes to the books. The small surplus will then be almost zero, as budgeted.

I will do some more research on the policies of other jurisdictions to help determine what a good cash reserve policy for Haymarket would be.

I'll draft your recommendation if you want me to, but I want to make it clear that it's in your name and doesn't reflect my point of view.

Renee

Renee DuBiel
Treasurer/Director of Finance
Town of Haymarket

From: Mary Lou Scarbrough [<mailto:mscarbrough@townofhaymarket.org>] **Sent:** Thursday, May 22, 2014 2:20 PM
To: Treasurer; Jay Tobias
Cc: David Leake; Katherine Harnest; Milt Kenworthy; Rebecca Bare; Steve Aitken; Brian Henshaw; Jennifer Preli
Subject: RE: Tax Rebate recommendation

I agree with Renee, a rebate is not the best use of the towns funds. Renee made some strong points for not issuing a rebate and I think everyone should give it consideration.

Mary Lou

From: Mitt
Date: May 26, 2014 at 1:37:06 PM EDT
To: 'Mary Lou Scarbrough' Treasurer' <treasurer@townofhaymarket.org>, 'Jay Tobias'
Cc: 'David Leake' <dleake@townofhaymarket.org>, 'Katherine Harnest' <kharnest@townofhaymarket.org>, 'Milt Kenworthy' <mkenworthy@townofhaymarket.org>, 'Rebecca Bare' <rbare@townofhaymarket.org>, 'Steve Aitken' <saitken@townofhaymarket.org>, 'Brian Henshaw' <bhenshaw@townofhaymarket.org>, 'Jennifer Preli' <jpreli@townofhaymarket.org>
Subject: RE: Tax Rebate recommendation

Ditto to Mary-Lou



TO: Town of Haymarket Town Council
SUBJECT: Draft Town Council Agenda for July 7, 2014
DATE: 07/01/14

Please find your draft agenda attached.

ATTACHMENTS:

- 07-07-2014 Draft TC Agenda Packet (PDF)



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING ~ AGENDA ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, July 7, 2014

7:00 PM

Council Chambers

1. Call to Order

2. Pledge of Allegiance

3. Invocation - Chaplain of the Month

4. Public Hearing

- A. Special Use Permit - 6850 Track Court - In home business

5. Minutes Acceptance

- A. Mayor and Council - Regular Meeting - Jun 2, 2014 7:00 PM
- B. Mayor and Council - Continuation Meeting - Jun 5, 2014 7:00 PM
- C. Mayor and Council - Special Meeting - Jun 19, 2014 7:00 PM
- D. Mayor and Council - Special Meeting - Jun 23, 2014 7:00 PM
- E. Mayor and Council - Special Meeting - Jun 27, 2014 6:30 PM
- F. Mayor and Council - Special Meeting - Jun 30, 2014 7:00 PM

6. Citizen's Time

7. Agenda Items

- A. Special Use Permit - 6850 Track Court
- B. Request to Council - Haymarket Quilters - Pat Widner
- C. Appropriations Policy - Renee DuBiel
- D. Spending Policy - Brian Henshaw
- E. Haymarket Code 42-2 - Martin Crim
- F. Repairs - 15020 Washington Street
- G. 15000 Washington - the Very Thing Repairs
- H. Vice Mayor Appointment - Mayor David Leake
- I. Planning Commission Liaison
- J. Harrover Master Plan Committee - Mayor David Leake
- K. Architectural Review Board Liaison

8. Department Reports

- A. Treasurer's Report - Renee DuBiel
- B. Building Official's Report - Joe Barbeau, Jr.
- C. Engineer's Report - Holly Montague
- D. Police Report - Chief James Roop
- E. Planner's Report - Marchant Schneider
- F. Museum Report - Denise Hall
- G. Town Manager's Report - Brian Henshaw

9. Closed Session

- A. Enter into Closed Session
- B. Certification of Closed Session

10. Councilmember Time

- A. Joe Pasanello
- B. Pam Swinford
- C. Kurtis Woods

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

- D. Matthew Caudle
- E. Chris Morris
- F. Steve Aitken
- G. David Leake

11. Adjournment

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, June 2, 2014

7:00 PM

Council Chambers

A Regular Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Mayor David Leake called the meeting to order.

1. Call to Order

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Present, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

2. Pledge of Allegiance

3. Minutes Acceptance

A. Mayor and Council - Work Session - Mar 18, 2014 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

B. Mayor and Council - Work Session - Apr 29, 2014 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

C. Mayor and Council - Regular Meeting - May 5, 2014 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

D. Mayor and Council - Special Meeting - May 19, 2014 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

E. Mayor and Council - Work Session - May 27, 2014 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

4. Citizen's Time

Zachary Hart

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

He is here this evening because he has severe grading issues at his home in Alexandra's Keep. He feels that the Town has not helped him out very much. He would like some resolution with help from the Town

Brent DuBois - Alexandra's Keep

His home is the last unit and takes all the storm water. His concern is that it was designed and approved and not built according to the approved design. DR Horton has regraded put new sod down. They have improved it a little bit. It is designed for a 3% slope, and it is not even at 1%. His main issue is that it should have been built to design, it should have been inspected properly to know that it wasn't built to design. He and his neighbors need the Town's help.

Mamun Jitu

He lives in the same community @ lot 7. His backyard and side yard have standing water all the time. There are bugs and mosquito. He would like his problem fixed.

Josh Mattox

He lives in Sherwood Forest, but has the same builder as Alexandra's Keep. He also came here to lodge a complaint. He saw a Haymarket officer fly down Washington Street at least going 70 mph. He hopes that this will be addressed with the officer

Gerry Kennedy

He thanks the Council for their contribution over the past two years. He understands that some of the funds are being reallocated away from street scape to other uses. He requests that the street scape go all the way to the end of the Town limits at PACE.

5. Agenda Items

A. Saint Paul's Church Special Use Permit Application - Marchant Schneider

Move that the Town Council approve SUP 20140328, St. Paul's School, for temporary operation of an early learning center/school and temporary use of a classroom trailer at 6735 Fayette Street, subject to Conditions of Approval dated June 2, 2014.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Katherine Harnest, Councilwoman
SECONDER:	Mary-Lou Scarbrough, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

B. Pedestrian Improvement Grant - Award of Contract - Design Phase - Holly Montague

Move that the Town Council award the Architectural and Engineering Design Contract for the Pedestrian Improvements Project, VDOT Project 0055-233-045, UPC 97735 to Rinker Design Associates, P.C. in the Maximum Total Compensation Payable amount of \$129,021.00 for the design services phase of the work. Pursuant to Section 2.2-4301 of the Code of Virginia, this Contract shall be deemed to be a multi-phased professional contract with the intended scope of the project as set forth in the Request for Proposal. Professional Construction Management Services shall be the second phase with an acceptable fee to be negotiated prior to the commencement of Phase II. The Town Council hereby determines in writing by incorporation of this motion into the Town minutes that the nature of the work is such that the best interests of the Town requires awarding the Contract.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rebecca Bare, Councilwoman
SECONDER:	Katherine Harnest, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

C. Appointments - Planning Commission - Rebecca Bare

Move to appoint Chris Johnson to the Haymarket Planning Commission for the vacant term of 07/01/2011 - 06/30/2015

RESULT: ADOPTED [5 TO 1]
MOVER: Rebecca Bare, Councilwoman
SECONDER: Mary-Lou Scarbrough, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy
NAYS: Jay Tobias

D. Appointment

Move to appoint Josh Mattox to the Haymarket Planning Commission for the term 07/01/2014-06/30/2018.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Rebecca Bare, Councilwoman
SECONDER: Mary-Lou Scarbrough, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

Recommendation of Appointment to BZA

The Town Attorney announces that he has spoken with the Circuit Court and there is still one vacancy on the Board of Zoning Appeals

Move to recommend that the Circuit Court of Prince William County to appoint Nicole Zimnoch, Rebecca Bare, or Cody Schuldt to the Haymarket Board of Zoning Appeals for the term ending 01/31/2018.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jay Tobias, Vice Mayor
SECONDER: Katherine Harnest, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

E. Employee Personnel Manual (Amendment) - Brian Henshaw

Move to repeal and enact Section X in the Town of Haymarket Personnel Policy to the revised language in the draft policy language of Section X, "Technology Use" as presented.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Katherine Harnest, Councilwoman
SECONDER: Mary-Lou Scarbrough, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

F. Resolution Authorizing Participation in VRS Group Life - Renee DuBiel

Move to adopt Resolution #20140602-1 electing coverage of the employee group life insurance to the Virginia Retirement System; Coverage to be effective July 1, 2014.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Katherine Harnest, Councilwoman
SECONDER: Rebecca Bare, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

G. Resolution Adopting the VRS ER Contribution Rate FY 15 & 16 - Renee DuBiel

Move that the Town Council approve Resolution #20140602-2 accepting the FY 15-16 VRS employer contribution rate of 6.06%.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Katherine Harnest, Councilwoman
SECONDER: Rebecca Bare, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

H. Resolution Authorizing Series 2014 Refunding Bond - Brian Henshaw & Renee DuBiel

For the Record: Tobias recuses himself from these discussions

Move to adopt Resolution #20140602-3 authorizing the refinancing of the Town's General

Obligation Bonds, and in coordination with, VML/ VACO Finance and Carter Bank.

RESULT: ADOPTED [5 TO 0]
MOVER: Katherine Harnest, Councilwoman
SECONDER: Steve Aitken, Councilman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy
RECUSED: Jay Tobias

I. Zoning Determination Request - Parcel A-1, LC - Marchant Schneider & Martin Crim

6. Department Reports

- A. Treasurer's Report - Renee DuBiel
- B. Building Official's Report - TCS, LLC
- C. Engineer's Report - Holly Montague
- D. Museum Report - Denise Hall
- E. Planner's Report - Marchant Schneider
- F. Police Report - Chief James Roop
- G. Town Manager's Report - Brian Henshaw

Aitken- Bare move to authorize
 All in favor

H. Issue RFP for Engineering Services - Town Center Master Plan

Move to authorize the Town Manager to issue an RFP for the design phase of the Town Center Master Plan

RESULT: ADOPTED [UNANIMOUS]
MOVER: Steve Aitken, Councilman
SECONDER: Rebecca Bare, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

7. Closed Session

A. Enter into Closed Session

Move to enter into closed session pursuant to VA 2.2-3711

A(1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, specifically personnel matters of the police department

RESULT: ADOPTED [UNANIMOUS]
MOVER: Steve Aitken, Councilman
SECONDER: Rebecca Bare, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

B. Certification of Closed Session

Move to certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Steve Aitken, Councilman
SECONDER: Rebecca Bare, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

Continued Items

Matters continued to the June 5 Town Council meeting: Mold remediation at the Food Pantry; Sump Pump Quotes; and Parcel A-1 zoning determination request.

C. Amend ATTIVA Events Contract

Move to amend the ATTIVA events contract as per the discussion in the closed session

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Tobias, Vice Mayor
SECONDER:	Milt Kenworthy, Councilman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

8. Councilmember Time

- A. Steve Aitken
- B. Rebecca Bare
- C. Katherine Harnest
- D. Mary Lou Scarbrough
- E. Milt Kenworthy
- F. James Tobias
- G. David Leake

9. Motion to Adjourn

Submitted:

Approved:

Jennifer Preli, Town Clerk

David Leake, Mayor



TOWN OF HAYMARKET TOWN COUNCIL

CONTINUATION MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Thursday, June 5, 2014

7:00 PM

Council Chambers

A Continuation Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Mayor David Leake called the meeting to order.

1. Call to Order

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Present, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

2. Agenda Items

A. Zoning Determination Request - Parcel A-1, LC - Marchant Schneider & Martin Crim

Move to authorize the Mayor to sign the response letter as presented inclosed session for the zoning determination for 6612 James Madison Highway, Parcel A-1, LC

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rebecca Bare, Councilwoman
SECONDER:	Jay Tobias, Vice Mayor
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

B. FY 2015 Proposed Budget

3. Closed Session

A. Enter into Closed Session

Move to enter into closed session pursuant to VA 2.2-3711

A(1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, specifically personnel matters of the police department, and...

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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

B. Certification of Closed Session

Move to certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

For the Record: Tobias votes no to the certification of the closed session stating "There were topics that were discussed in there that were not part of the exempt statute"

RESULT:	ADOPTED [6 TO 1]
MOVER:	Steve Aitken, Councilman
SECONDER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Leake
NAYS:	Jay Tobias

C. Directives

Move that the Town Council direct Mr. Crim to reach out to Captain Berglund of the Haymarket Police Department and proceed as discussed in the closed session

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Tobias, Vice Mayor
SECONDER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

4. Councilmember Time

- A. Steve Aitken
- B. Rebecca Bare
- C. Katherine Harnest
- D. Mary Lou Scarbrough
- E. Milt Kenworthy
- F. James Tobias
- G. David Leake

5. Motion to Adjourn

Submitted:

Approved:

Jennifer Preli, Town Clerk

David Leake, Mayor



TOWN OF HAYMARKET TOWN COUNCIL

SPECIAL MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Thursday, June 19, 2014

7:00 PM

Council Chambers

A Special Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Mayor David Leake called the meeting to order.

1. Call to Order

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Present, Councilwoman Mary-Lou Scarbrough: Absent, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

2. Agenda Items

A. Fiscal Year 2015 Budget

Joe Pasanello - 6895 Track Court

He thanks everyone departing from council for their dedicated service. He wishes his rebate to be reinvested in the Town. That is what he would prefer.

Councilwoman Bare asks if Council would entertain one more amendment. She would like to see an additional \$12,000 from cash reserves to fund the roof at the museum. It is on the FY-15/16 Capital Improvements Plan

Aitken - *He still feels the \$150,000 should be put toward the debt.*

Bare - *She still reflects back to the last rebate, the number of checks that got cashed vs. The number that were uncashed was overwhelming. The majority of the property owners cashed their checks and obviously used their refund. She is speaking for the 300 people that did cash their checks.*

Harnest - *She believes it should be used or reinvested into the town or toward our debt service. She does not feel it is responsible to give the money back while the Town still has debt.*

Kenworthy - *He believes it should be given back to the town residents*

Tobias - *Chuck Carnahan has been the most vocal resident and feels his word should get a little more leverage than others in the Town. He feels that for those Council members who would rather pay down the debt, should have thought about that before the refunding.*

B. Enter into Closed Session

Move to enter into closed session pursuant to VA 2.2-3711

A(1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, specifically personnel matters of the police department

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Katherine Harnest, Councilwoman
SECONDER: Rebecca Bare, Councilwoman
AYES: Aitken, Bare, Harnest, Kenworthy, Tobias, Leake
ABSENT: Mary-Lou Scarbrough

C. Certification of Closed Session

Move to certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

RESULT: ADOPTED [UNANIMOUS]
AYES: Aitken, Bare, Harnest, Kenworthy, Tobias, Leake
ABSENT: Mary-Lou Scarbrough

3. Motion to Adjourn

RESULT: ADOPTED [UNANIMOUS]
MOVER: Rebecca Bare, Councilwoman
SECONDER: Steve Aitken, Councilman
AYES: Aitken, Bare, Harnest, Kenworthy, Tobias
ABSENT: Mary-Lou Scarbrough

Submitted:

Approved:

 Jennifer Preli, Town Clerk

 David Leake, Mayor



TOWN OF HAYMARKET TOWN COUNCIL

SPECIAL MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, June 23, 2014

7:00 PM

Council Chambers

A Special Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Mayor David Leake called the meeting to order.

1. Call to Order

2. Roll Call

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Present, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

3. Agenda Items

A. Request to Council - Parcel A-1, LC

Move to deny Mr. Lombardoizzi's request for Parcel A-1, LC to extend his temporary occupancy permit and to instruct the Town Planner to inform Mr. Lombardoizzi as such and to remind him of his 30-day time line to file an appeal on the zoning determination letter

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Tobias, Vice Mayor
SECONDER:	Mary-Lou Scarbrough, Councilwoman
AYES:	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

B. Fiscal Year 2015 Proposed Budget

Move to adopt resolution 20140623-1 as typed on packet page 26 adopting the budget for Fiscal Year 2015, beginning on July 1, 2014 through June 30, 2015

WHEREAS, the Council of the Town of Haymarket held seven (7) work session to consider the proposed FY 2015 budget; and

WHEREAS, the budget was advertised on May 2, 2014, and a public hearing was held on May 19, 2014, in accordance with Section 15.1-162 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Haymarket, Virginia meeting in special session this 23rd day of June, 2014, that:

The budget for the fiscal year beginning July 1, 2014 and ending June 30, 2015 is hereby adopted as advertised on page 26.

Discussion: Clerk informs the Council that there are two budgets presented tonight. Mayor clarifies that we have the budget on page 28 and on page 38, one with a rebate and one without a rebate. Tobias requests the number that should be referenced. \$3,359,264 as evidenced on page 29 in the Council packet [Scarbrough then corrects him and says page 39], Tobias says he has page 29. Kenworthy says he has page 39. Tobias comments that the numbers are the same on both. Tobias then states: Total Fiscal operating budget would be \$3,359,264 as indicated on the complete budget ending on page 39 of the packet.

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jay Tobias, Vice Mayor
SECONDER: Milt Kenworthy, Councilman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

4. Motion to Adjourn

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jay Tobias, Vice Mayor
SECONDER: Katherine Harnest, Councilwoman
AYES: Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

Submitted:

Approved:

 Jennifer Preli, Town Clerk

 David Leake, Mayor

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TOWN OF HAYMARKET TOWN COUNCIL

SPECIAL MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Friday, June 27, 2014

6:30 PM

Council Chambers

A Special Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 6:30 PM

Mayor David Leake called the meeting to order.

1. Call to Order

2. Roll Call

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Late, Councilwoman Katherine Harnest: Absent, Councilwoman Mary-Lou Scarbrough: Late, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

3. Agenda Items

A. Fiscal Year 2014 Budget Appropriations

Move to amend the Fiscal Year 2014 Budget, #2014-003, by reducing street scape capital reserves in the amount of \$104,500 and the General Reserves by \$45,500 and appropriate an expenditure of \$150,000 to be allocated among the property owners who have been assessed a real estate tax in the Town of Haymarket for calendar year 2013. Checks to bear the issue date of June 30, 2014

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rebecca Bare, Councilwoman
SECONDER:	Mary-Lou Scarbrough, Councilwoman
AYES:	Aitken, Bare, Scarbrough, Kenworthy, Tobias
ABSENT:	Katherine Harnest

B. Authorize Tax Rebate FY 2014

Bare comments that instead of proposing the tax refund in next year's budget, she would like to see it in this current year's budget, FY 2014. The Mayor asks how can we determine our surplus if the year has not even ended.

WHEREAS, the Town of Haymarket anticipates approximately \$150,000 in excess real property tax revenue for the fiscal year ending June 30, 2014 and whereas the return of surplus real property tax revenues is authorized by VA 15.2-2511.1

Now, therefore, be it ordained that the Town Council of the Town of Haymarket meeting this 27th day of June 2014 that the Town Council finds that the real property tax has generated approximately \$150,000 surplus over governmental needs;

Be it further ordained that the refund checks be issued, to the address of record, on or before June 30, 2014 and that the Treasurer reduce the taxpayers refund by the amount of any taxes penalties or interest that are due from such taxpayer or any past due tax penalties and interest that has been assessed within the appropriate period of limitations. For the purposes of this ordinances any taxes includes any taxes assess on any basis, including and without limitations, real estate personal property, BPOL and meal's tax. This Ordinance is effective upon adoption

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Scarbrough, Kenworthy, Tobias
ABSENT:	Katherine Harnest

C. Appropriate funds

Move to purchase twenty-four months of prior service for Chief James Roop into the Virginia Retirement System with a check in the amount of \$21,826 to VRS, dated and mailed on June 30, 2014 to be paid from the Public Safety Police Department category.

Discussion: Tobias notes that the Town had in place for year an IRA program, a number of staff participated in the IRA. The employees had the option to buy back some of their service with those IRA funds. Tobias explains that those excess funds in the public safety line items have been allocated to the rebate. He would rather do more research on this and educate us better. Tobias has issues with doing for one employee and not doing for another. Its not that he doesn't necessarily support it, but we need to better educate ourselves. The Mayor reminds that its also about transparency and it may be a good thing, but feels it should have been an agenda items. Tobias agrees that this is a huge transparency issue. Aitken feels he is being blind-sided here. Tobias suggest to adopt the budget with the \$150,000 excess, put \$50,000 to Town Center Master Plan and the rest to employee retirement buy-back. Scarbrough is comfortable with letting this motion go as long as it is budgeted for next year, for consideration.

RESULT:	WITHDRAWN [3 TO 2]
AYES:	Rebecca Bare, Mary-Lou Scarbrough, Milt Kenworthy
NAYS:	Steve Aitken, Jay Tobias
ABSENT:	Katherine Harnest

D. Rescind June 23, 2014 resolution adopting the budget

Tobias asks that Council reconsider the vote of June 23, 2015 adopting the Fiscal Year 2015 Budget. Council agrees to reconsider

Move to rescind the vote of June 23, 2015 adopting the Fiscal Year 2015

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jay Tobias, Vice Mayor
SECONDER:	Mary-Lou Scarbrough, Councilwoman
AYES:	Aitken, Bare, Scarbrough, Kenworthy, Tobias
ABSENT:	Katherine Harnest

E. Fiscal Year 2015 Budget

The Council would like to amend the budget as follows:

- Strike the -\$150,000 in real estate tax revenue:
- Add to expenses: \$40,000 to Town Administration VRS making it \$52,000
- Add to expenses: \$60,000 to Public Safety VRS making it \$81,500
- Add to expenses: \$50,000 to Harrover Master Plan making it \$100,000

Move to adopt resolution 20140627-4 to adopt the annual operating budget, capital improvement budget, and the advertised tax rates in support of the budget for fiscal year beginning July 1, 2014 and ending June 30, 2015 in the amount of \$3,359,264, as included in tonight's packet (reflecting a rebate), but with the changes noted above instead of the rebate.

Discussion: The Mayor comments there has been no notice, no public comment, he does not feel this is the right way to do things. The Mayor feels that the retirement buy back should have been discussed in one of the seven work sessions held. Tobias reminds that the bottom line number has not changed and we are making this change within the law.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jay Tobias, Vice Mayor
SECONDER: Rebecca Bare, Councilwoman
AYES: Aitken, Bare, Scarbrough, Kenworthy, Tobias
ABSENT: Katherine Harnest

4. Motion to Adjourn

RESULT: ADOPTED [UNANIMOUS]
MOVER: Rebecca Bare, Councilwoman
SECONDER: Mary-Lou Scarbrough, Councilwoman
AYES: Aitken, Bare, Scarbrough, Kenworthy, Tobias
ABSENT: Katherine Harnest

Submitted:

Approved:

 Jennifer Preli, Town Clerk

 David Leake, Mayor



TOWN OF HAYMARKET TOWN COUNCIL

SPECIAL MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, June 30, 2014

7:00 PM

Council Chambers

A Special Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Mayor David Leake called the meeting to order.

1. Call to Order

2. Roll Call

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Absent, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

3. Closed Session

A. Enter into Closed Session

Move to enter into closed session pursuant to VA 2.2-3711

A(1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, specifically personnel matters of the Haymarket Police Department

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rebecca Bare, Councilwoman
AYES:	Aitken, Bare, Scarbrough, Kenworthy, Tobias, Leake
ABSENT:	Katherine Harnest

B. Certification of Closed Session

Move to certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Aitken, Bare, Scarbrough, Kenworthy, Tobias, Leake
ABSENT:	Katherine Harnest

C. Motion

Move that the Chief has power of discipline over his officers and whereas the Town Council is taking over his power of discipline over the following action only: Move to terminate Deputy Chief Breeden for the following reasons: Sick leave abuse, insubordination, failure to work within the chain of command, effective immediately.

Discussion: *Aitken feels this need to be investigated, due process needs to be held here and he thinks the Council is taking action too quickly without investigating it thoroughly. Bare disagrees, Council was provided documentation and every member of Council had the chance to look into this themselves. The fact that some chose not to, is ridiculous. She thinks Council is taking the appropriate action. Both Kenworthy and Scarbrough agree with the action. Tobias feels any discussion would be considered a personnel matter and that we shouldn't openly discuss and our attorney is well aware of what we are doing.*

RESULT: ADOPTED [4 TO 1]
MOVER: Mary-Lou Scarbrough, Councilwoman
SECONDER: Milt Kenworthy, Councilman
AYES: Rebecca Bare, Mary-Lou Scarbrough, Milt Kenworthy, Jay Tobias
NAYS: Steve Aitken
ABSENT: Katherine Harnest

4. Motion to Adjourn

RESULT: ADOPTED [UNANIMOUS]
MOVER: Rebecca Bare, Councilwoman
SECONDER: Mary-Lou Scarbrough, Councilwoman
AYES: Aitken, Bare, Scarbrough, Kenworthy, Tobias
ABSENT: Katherine Harnest

Submitted:

Approved:

 Jennifer Preli, Town Clerk

 David Leake, Mayor



TO: Town of Haymarket Town Council
 SUBJECT: Special Use Permit - 6850 Track Court
 DATE: 07/07/14

SUBJECT: Joint Public Hearing - SUP# 20140609, Home Occupation, 6850 Track Court

Date: July 7, 2014

A request for a special use permit (home occupation) at 6850 Track Court, Haymarket Station. At its June 2014 meeting, the Planning Commission scheduled a joint public hearing with the Planning Commission and Town Council for Monday, July 7, 2014.

BACKGROUND

Danielle Davis has applied to the Town for a special use permit, #SUP20140609, for permission to operate an in-home occupation (freelance technical writing) at her home located at 6850 Track Court. The subject property is zoned R-2 and is designated Moderate Density Residential by the Town's Comprehensive Plan. Home occupations are permitted as a special use in the R-2 district; "Sec. 58-98 (8) Home occupations, in the main building of the lot". Home occupations are also subject to the development standards of Section 58-16 of the Zoning Ordinance.

RECOMMENDATION

It is recommended that the Town Council and Planning Commission receive public input on this application. It is further recommended that both the Planning Commission and Town Council approve this application for special use for an in-home business to be located at 6850 Track Court.

DRAFT MOTION(S)

Planning Commission

1. I move that the Planning Commission recommend approval of SUP# 20140609, Capstone Copy, Inc., for an in-home occupation at 6850 Track Court as described on the special use permit application and narrative received by the Town on June 9, 2014, pursuant to Section 58-98 (8) of the Zoning Ordinance, and subject to the development standards of Section 58-16, Home occupations.
2. I move an alternate motion.

Town Council

- 1.a. I move that the Town Council approve SUP# 20140609, Capstone Copy, Inc, for an in-home occupation at 6850 Track Court as described on the special use permit application and narrative received by the Town on June 9, 2014, pursuant to Section 58-98 (8) of the Zoning Ordinance, and subject to the development standards of Section 58-16, Home occupations;

AND

- 1.b. I further move that the SUP shall remain in effect for a period of one year, to renew automatically for additional periods of one year, BUT EXPRESSLY CONDITIONED UPON THE FOLLOWING: Council may require, upon a majority vote, after notice to the applicant, for the applicant (or present property owner) to submit a new application for an SUP, which shall be treated in all respects as a new and different application, subject to approval or disapproval, in accordance with general principles of law for a new application. If such notice is given to the applicant or

present property owner, this SUP shall terminate automatically and without further notice or action by the Council 60 days from the giving of such notice.

OR, I move an alternate motion.

ATTACHMENTS:

- 6850 Track Court - PH for SUP In Home Business (PDF)

RECEIVED

JUN - 9 2014

TOWN OF HAYMARKET



The Town of HAYMARKET Established in 1799

Date: 4/4/2014

Special Use Permit Application

Case #: SUP20140609

Business Name: Capstone Copy Inc.

Address: 6850 Track Ct., Haymarket, VA 2

Applicant's Information

Property Owner's Information

Name: Danielle Davis
Address: 6850 Track Ct.
City: Haymarket, VA
State/Zip: VA 20169
Phone: (703) 647-0413

Name: Same as applicant's
Address:
City:
State/Zip:
Phone: Clayton.Davis.ms@gmail.com

Type of Structure: [X] SFD [] Multi [] TH Zoning District: PZ Code Section: 58-116 58-98 (8)

Name of Business: See Business Name above
Name of Business:

Number of employees working from site: 2
Number of vehicles: 2 Type: Ford Expedition GVH:
Toyota Solara
Number of parking spaces set aside for this activity: 2
Total floor area of structure devoted to activity: 135 sq. ft.
Total floor area devoted to activity MUST be the main structure, NOT any accessory Building DD (please initial you will comply)
Will accessory storage be necessary? [] Yes [X] No
If so, where will it be? NA

Will the activity require any special tools or structure improvements? NO

Applicant agrees NO signage is allowed DD (please initial you will comply)

In the space provided or on an attached sheet, please describe in detail your activity, including hours of operation, type of clientele, number of vehicles anticipated to visit the site in the average work day and any other changes that will affect the nature or appearance of the site.

The business is for freelance technical writing, editing, and web copy services. Hours of operation are on an as needed basis and are not set. Number of vehicles will always only be the ones listed above as all business transactions are conducted online.

The above is a true representation of the activity and the method of operation upon approval:

Applicant Signature: Danielle Davis

Owner's Signature: Danielle Davis

[] Approved [] Rejected by Town Council Vote: Date:
Conditions: Signature:
Fee: \$200.00 Paid: Date:

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TO: Town of Haymarket Town Council
SUBJECT: Request to Council - Haymarket Quilters
DATE: 07/07/14

Mrs. Pat Widner will attend the July 7, 2014 Town Council meeting.

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TO: Town of Haymarket Town Council
 SUBJECT: Appropriations Policy
 DATE: 07/07/14

It is recommended that the Council discontinue formal quarterly Appropriations procedures

BACKGROUND

In August of 2010, the Town adopted the implementation of formal Appropriations procedures, based on the practices of other municipalities (see attached). The Town, however, does not use an Encumbrance/Appropriations accounting system, and so this process hasn't been as relevant as it would be to a larger city.

Example: In an accounting system using Encumbrances and Appropriations, if someone saw \$500 remaining in the budget line item for Training, and wanted to use it, they would submit an 'Encumbrance'. This would create an entry of \$500 to be put in 'Encumbrances', and removed from 'Appropriations'. When a 2nd person looked at the current budget, they would know the \$500 was unavailable. Otherwise, they might spend it before the first person was able to submit their invoice.

The Town does not use an Encumbrance system because it is unnecessary. All payments go through Sherrie, and there are few problems with the 'Left Hand' not knowing what the 'Right Hand' is doing. I believe this type of accounting system would be redundant for the Town, and require more staff time to maintain.

Since fiscal year 2011, Jen or the Treasurer would divide the budget in quarters, and recommend it be appropriated. The quarterly budget was recorded on a spreadsheet. After it was 'appropriated', the spreadsheet was filed in the shared drive, and never looked at again.

I believe that monitoring the budget closely by line item is a more effective tool for the Town than limiting spending through Appropriations. Appropriating quarterly funds has had virtually no effect on spending limits.

DRAFT MOTION(S)

I move that the budget be appropriated annually, and that the Town Council approve discontinuing the current practice of quarterly appropriations.

ATTACHMENTS:

- Budget Appropriations Policy 8-12-10 (PDF)

Policy #081610-1

Adoption, Appropriation and Reporting of the Annual Operating Budget**Adoption and Appropriation**

The Town Council will adopt the Annual Budget for the upcoming Fiscal Year prior to June 30 of the preceding fiscal year. Along with the adoption of the Budget, the Town Council will appropriate the expenditure of that budget.

The appropriation will include revenues and expenditures as follows:

Revenues will be appropriated for the full fiscal year.

The following budget expense categories shall be appropriated for the full fiscal year:

Council and Boards

Events

Museum

Staff Wages and Benefits

The expense categories below shall be appropriated on a quarterly basis and will be computed by calculating one quarter of the total annual budget for those operating expenses. At the Town Council meetings in October, January and April, the Council will appropriate operating expenditures for the second, third and fourth quarters respectively.

Streetscape funding and expenditures

Police Cruiser Leases

Operating Expenses

Public Safety

Public Works

Town Owned Property

The following expense categories will not be appropriated quarterly but will be considered when a request for expenditure is presented to the Council:

Capital Improvements, Repairs and Reserves

If approved, these expenditure requests will then be appropriated by the Town Council.

Except for emergency situations, expenditures may not exceed the amount appropriated for each category without prior Town Council approval.

Reporting

At each monthly Town Council Meeting, the Town Manager, Police Chief and/or the Town Financial Official will provide a report to the Council which will include the latest available financial information for the following:

The Total Annual Budget, Revenues and Expenditures by Category and line-item

The Fiscal YTD Appropriated amounts

The Fiscal YTD expense in each category and line item

A narrative explanation of any expenditure that appears to be out-of-line with the appropriation

Additional reports and data will be provided as requested by Council or as needed to clarify information in the summary report.

Once the Town Council has reviewed and approved the budget report each month, the budget status report will be placed on the Town Web Site for review by any interested residents.

Notwithstanding any of the foregoing, Council reserves the right to alter, amend or revoke any unspent, appropriated funds.

By Council Action on August 16, 2010

Motion made by Councilman Tobias

Motion seconded by Councilwoman Edwards

Roll Call Vote:

Ayes: Edwards, Tobias, Cole, Scarbrough, Kenworthy, Weir

Nays: None

Absent/abstain: None

ATTEST: _____

Jennifer Preli, Town Clerk

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TO: Town of Haymarket Town Council
 SUBJECT: Spending Policy
 DATE: 07/07/14

SUBJECT: Draft Amendment to the Town's Spending Policy

ISSUE: Revise the current spending policy to allow more administrative decision making to better accomplish the identified goals of the Council to provide efficient and responsive local government.

BACKGROUND:

- Currently the Town's spending policy is as follows:
- Purchases of up to \$2,500, including Public Safety purchases, may be authorized and approved by the Town Manager with at least one acceptable estimate.
- Purchases of between \$2,500 and \$10,000 must have three estimates, be approved by the Town Manager and presented to the Town Council for final approval.
- Purchases of over \$10,000 require a bid package approved by the Town Manager, advertisement for formal bids, and submission to the Town Council for selection and approval of the winning bid.
- The Town Manager, with the approval of the Town Council, may establish maintenance agreements with vendors for the maintenance and general repair of certain systems such as HVAC or electrical. However, the spending guidelines above apply to expenditures above \$2,500.
- **Exceptions to the spending policy:**
- In instances of failure of equipment or damage to town-owned property which may lead to further damage or may create a hazardous situation, the Town Manager, with the knowledge and approval of the Mayor, may spend up to \$15,000 for needed repairs and may exceed the budgeted or appropriated line item amounts if necessary. Town-owned property includes buildings, grounds and vehicles. The expenditure must be reported to the Town Council for their approval after the fact.

DISCUSSION:

- As the policy currently stands, there are projects that exceed the \$2,500 dollar spending policy requiring the Town Manager to seek three qualifying estimates and present a recommendation to the Council for final approval prior to any work being completed.
- Furthermore, we placed qualified contractors through a competitive bid to become our Town's Public Works Consultants and Contractors and the current process eliminates their services for any project over the \$2,500 spending limit. Our Public Works contractors can bid on the project however, if they are not the low estimate or low bid, this makes service and warranty work responsible to another contractor. Furthermore, this may prevent them from performing routine maintenance because it could potentially violate a warranty of the vendor who performed the original work.
- The other reason for the suggested amendment is with regard to the time it requires to go through these processes and if the council has additional questions or concerns, it can delay the needed work up to an additional month.
- It would be the Manager's intent to manage the Town's budget as fiscally responsible as possible and any work performed under the proposed amended spending limit would be reported back to the Town Council at the next possible Council meeting and the work would be discussed the proposed Public Facilities committee or subsequent appropriate committee.

TOWN MANAGER'S COMMENTS: (June 25, 2014)

- It is my professional opinion based upon current practices of other Virginia localities that handling the spending policy in this manner would be more appropriate from efficiency and administratively accepted practices.
- The draft amended policy also identifies parameters and requirements of reporting and acceptable practices.
- Highlights of the draft amendment policy include:
 - Manager may approve any expenditure up to \$10,000. Any expenditure over \$3,000 is reported to the Town Council through monthly reports and coordination with the Public Facilities Committee or other appropriate committee (\$3,000 emulates Treasurer's signing ability to solely sign a check.)
 - Any expenditure above \$10,000 requires a formal bid process. Current Public Works Contractors have the option of remaining a consultant for the Town or bidding on the project.
 - Public Works Contract will be bid out every three years.
 - In cases of emergency the Manager may approve expenditures up to \$25,000 with a retroactive approval by Council.

POTENTIAL QUESTIONS:

- What would determine if expenditure is reported to Council?
- Would Council committee approve these expenditures over \$3,000?
- Do these expenditures have to fit within the adopted fiscal budget?
- What if a proposed project or expense is not currently in the budget?
- How does this process expedite our current process?

RECOMMENDATION:

I would recommend that we adopt the draft amendment to the spending policies as it improves the Town's ability to be responsive and address needs of the Town and to Town facilities in a more efficient and timely manner.

MOTION:**Motion of Approval:**

I move to adopt the draft amendment to the Town of Haymarket's Policies on Expenditures of Town Funds this July 7, 2014 as presented.

Motion of Denial:

I move to deny the draft amendment to the Town of Haymarket's Policies on Expenditures of Town Funds because...

ATTACHMENTS:

- 02-Draft Amendment to Spending Policy (July 7, 2014) (PDF)



DRAFT AMENDMENT (July 7, 2014)

Policies Regarding the expenditure of Town Funds

Budgeted Expenditures

The Town Manager and Police Chief may spend up to the limits described in the attached Budget Appropriations policy. Generally, the Town Manager and Police Chief may spend up to the amount appropriated by the Town Council for the Town and Police Department Budgets.

For purchase of equipment, repairs and other budgeted capital items the following guidelines apply:

Purchases of up to ~~\$2,500~~ **\$10,000**, including Public Safety purchases, may be authorized and approved by the Town Manager with at least one acceptable estimate. **Any purchase over \$3,000 will be reported back to the appropriate sub-committee of Town Council as well as the Town Council for informational purposes.**

~~Purchases of between \$2,500 and \$10,000 must have three estimates, be approved by the Town Manager and presented to the Town Council for final approval.~~

Purchases of over \$10,000 require a **formal** bid package approved by the Town Manager, advertisement for bids, and submission to the Town Manager for selection and approval of the winning bid. **Town Manager will report to the Town's appropriate sub-committee who will forward a recommendation Town Council for final approval prior to awarding contract.**

The Town Manager, ~~with the approval of the Town Council,~~ may establish maintenance agreements with vendors for the maintenance and general repair of certain systems such as HVAC or electrical. However, the spending guidelines above apply to expenditures above ~~\$10,000~~ **\$2,500**.

Exceptions to the spending policy:

In instances of failure of equipment or damage to town-owned property which may lead to further damage or may create a hazardous situation, the Town Manager, with the knowledge and approval of the Mayor, may spend up to ~~\$15,000~~ **\$25,000** for needed repairs and may exceed the budgeted or appropriated line item amounts if necessary. Town-owned property includes

buildings, grounds and vehicles. The expenditure must be reported to the Town Council for their approval after the fact.



TO: Town of Haymarket Town Council
SUBJECT: Haymarket Code 42-2
DATE: 07/07/14

ATTACHMENTS:

- Code of Haymarket 42-2 Tax Collection (PDF)

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

Haymarket, Virginia, Code of Ordinances >> PART II - CODE OF ORDINANCES >> **Chapter 42 - TAXATION**
>> **ARTICLE I. IN GENERAL** >>

ARTICLE I. IN GENERAL

Sec. 42-1. Reserved.

Sec. 42-2. Tax collection.

Sec. 42-3. Delinquencies; penalty; interest.

Secs. 42-4—42-35. Reserved.

Sec. 42-1. Reserved.

Sec. 42-2. Tax collection.

- (a) All taxes levied for town purposes shall be due and payable in a single installment on or before April 30 or in two equal installments on or before April 30 and September 30 of each year on the basis of such assessments and levies as shall have been approved by the council for the current year.
- (b) The collector or treasurer, as the case may be, after using due diligence to collect the levies imposed or assessed against all property in the town for town purposes, on July 1 of each year, shall make out a list of such as cannot be collected, upon forms. Such list shall be returned by the collector or treasurer to the council, which shall examine the list and approve or disapprove the returns made by the collector or treasurer. If approved, the list shall be posted at the front door of the town hall or published in any town newspaper for at least three weeks and such credit given the collector or treasurer on account of such list as the council may direct. The list, for which credit may be allowed, shall be preserved in the office of the clerk of the council. Within one month after the list is allowed and approved by the council, the clerk of the council shall transmit to the auditor of public accounts at Richmond, Virginia, a copy of the list of real estate appearing to be delinquent, showing the amount of delinquency on each lot or parcel of land returned as being delinquent, for nonpayment of taxes, approved by the council. The list shall be returned to the clerk's office.

(Code 1989, § 2-28; Ord. of 10-6-2009)

State law reference— Collection of taxes by treasurers, etc., Code of Virginia, § 58.1-3910 et seq.; when treasurer to receive taxes and levies without penalty, Code of Virginia, § 58.1-3913; treasurer to make out lists of uncollectible taxes and delinquents, Code of Virginia, § 58.1-3921 et seq.; form of delinquent lists, Code of Virginia, § 58.1-3923.

Sec. 42-3. Delinquencies; penalty; interest.

License applications and annual returns of taxable tangible personal property, machinery and tools and merchants' capital, and payments of taxes or levies on real estate and tangible personal property, machinery and tools and merchants' capital, shall be delinquent on the day next after they are due, at which time a penalty of five percent of the amount due shall be additionally assessed. Interest on delinquent amounts due under this section shall accrue at eight percent per year, beginning on the first day following the day such taxes are due. For the second and subsequent years of delinquency, such interest shall not exceed eight percent or the rate under section 6621 of the Internal Revenue Code of 1954, as amended, whichever is less.

(Code 1989, § 2-29)

State law reference— Local authority as to tax penalties, interest, etc., Code of Virginia, § 58.1-3916.

Secs. 42-4—42-35. Reserved.



TO: Town of Haymarket Town Council
 SUBJECT: Repairs - 15020 Washington Street
 DATE: 07/07/14

BACKGROUND:

- Approximately one month ago, Shannon Sheahan, one of the partners at Washington Street Realty had inquired if we could have someone look at the posts on the Main floor at the office. One of the posts had “warped” severely and they were concerned for the safety of the structure.
- Sherrie Wilson immediately went over to take a look at the post.
- Due to the concerns for safety, we had our Building Official come out and inspect the structure for structural integrity. Joe determined that the building was structurally safe; he temporarily placed a load restriction on the upstairs floor to a maximum capacity of 10 people and deemed that the posts should be replaced.
- We reached out to the contractor who originally performed the work to inspect the needed work and determine if this would be considered a warranty action. It was determined based upon the contractors contract, he was not liable as his contract specified that he would be provided materials and he would be responsible for installing these materials.
- In the meantime, we also reached out to the Structural Engineer that designed the structural features, Dave Hall of DHR, Inc.
- In Dave Hall’s inspection of the property, he deemed the structure to be safe and agreed with the Building Official’s assessment. He also recommended that the posts be replaced. His determination, along with our Building Official’s is that because “pressure treated wood” was used for the columns, then the columns were painted, the wood has dried out and this has lead to the “warping” and cracking. Typically pressure treated lumber is not utilized in interior applications.
- Dave Hall wrote a letter describing his findings from his inspection and a scope of work to repair and replace the columns.
- As soon as I had the project scope, I proceeded to obtain three or more estimates.
- I gave a break to the tenant for the last month of rent for the time they lost with the uncertainty of the safety of the building.

• **DISCUSSION:**

- To this date I have received four estimates for the needed repairs.
- If the Council is in agreement with the proposed spending policy amendments, I will act accordingly and have the project completed and report back to you next month.
- If not, I have the four estimates prepared to hand out for your approval and have a recommendation prepared.

• **TOWN MANAGER’S COMMENTS: (June 25, 2014)**

- It is my professional opinion based upon estimates that we should go with HDC Consulting, LLC as the low bidder for the repair work within the Old Post Office.
- However, one issue that I would caution the Council to consider is that not having our current Public Works contractors perform the work means that we could not hold them responsible for craftsmanship or work performed, yet we are asking them to maintain the building for Town.
- It is my impression that their current estimate may be higher because they are more familiar with the building and have better understanding of what needs to occur to properly make the repairs without damaging the existing conditions for the Town and current tenant.
- With that being said, to the best of my knowledge all four estimates are with highly qualified professionals.

- **POTENTIAL QUESTIONS:**

- What was the difference between the lowest and highest estimate?
- Have we had any experience with the contractors?
- What would be the advantage of not going with the low bidder?

- **RECOMMENDATION:**

- If the recommended draft amendments to the spending policies are not amended, I would recommend that the Town proceed with the repairs to be performed by HDC Consulting, LLC as the low bidder.

- **MOTION:**

- **Motion of Approval:**

- I move to have the Town Manager proceed forward with awarding the contract to the Old Post Office repairs to HDC Consulting, LLC.

- **Motion of Denial:**

- I move to ...



TO: Town of Haymarket Town Council
 SUBJECT: 15000 Washington - the Very Thing Repairs
 DATE: 07/07/14

BACKGROUND:

- Approximately one month ago, 15000 Washington experienced another flood incident
- Our tenant lost a day's of business as well as a large amount of merchandise that was water damaged.
- This prompted the Council to take a serious look at what could be done to prevent or curtail this from happening.
- Previously through Council research following another flooding event, they had explored various methods to remedy the problems.
- We met with our Building Official, Joe Barbeau and Scott Phelps of Genesis (of our Public Works Contractors) to look at some potential solutions. During the course of the meeting the solutions kept leading to overall problems which are drainage problems of the overall property.
- We determined that while there are some potential temporary or quick solutions, there were no guarantees that this would completely eliminate the flooding issues or even if it eliminated the flooding issues, there was a good potential these solutions would create additional problems or new problems elsewhere on site.
- Ultimately the best long term fix to the problems was to "fast track" the engineering and design of the entire Town Center based off of the Master Plan work performed in 2013.
- With that being said, we also targeted two simple, low cost projects that we believe would alleviate the flooding issues.
- One solution involved the installation of a sump pump within the facility and the other included a "diversion dike" at the rear of the property to divert stormwater runoff from draining towards the rear of the facility.

DISCUSSION:

- To this date, an estimate has been received from Genesis (our public works contractors) to install the sump pump.
- Their estimate is slightly over the current spending policy
- Should the Council act favorably on the proposed spending policy amendments, staff will act accordingly and have the project completed and report back to you next month.
- If not, I have the estimate prepared to hand out for your approval and have a recommendation prepared.

TOWN MANAGER'S COMMENTS: (June 27, 2014)

- Due to the unpredictable nature of the weather and the flooding in general here at the Town Property, I believe that we need to act quickly in getting this project completed as soon as possible.
- If the amendments to the Spending Policy are not approved, I would recommend that the Town Council waive the current spending policy so that the sump pump can be installed as quickly possible.

POTENTIAL QUESTIONS:

- Have we gotten any other estimates to date?
- Do we know if this will solve the problem?
- How soon can Genesis get this project completed?

- **RECOMMENDATION:**
- If the recommended draft amendments to the spending policies are not amended, it is recommended that the Town proceed with the waving of the spending policy and authorize the Town Manager to authorize Genesis to proceed forward with the installation of the sump pump.
- **MOTION:**
- **Motion of Approval:**
- I move to waive the spending policy for the installation of the sump pump at The Very Thing based upon the estimate provided by Genesis and to authorize the Town Manager to have Genesis to proceed with this project as quickly as possible.
- **Motion of Denial:**
- I move to ...



TO: Town of Haymarket Town Council
SUBJECT: Vice Mayor Appointment
DATE: 07/07/14

Article III, Section 1 (9) of the Haymarket Town Charter:

Vice-mayor. The council shall, as soon as practicable after qualification, and biennially thereafter following the regular municipal election, appoint one (1) of its members as vice-mayor. The vice-mayor, during the absence or disability of the mayor, shall perform the duties and be vested with all the powers, authority, and jurisdiction, of the mayor; and in the event of a vacancy for any reason in the office of mayor, he shall act as mayor until a mayor is duly appointed by the town council or is elected. The member of the council who shall be chosen vice-mayor shall continue to have all of the rights, privileges, powers, duties and obligations of councilman even when performing the duties of mayor during the absence or disability of the mayor of the town.



TO: Town of Haymarket Town Council
SUBJECT: Planning Commission Liaison
DATE: 07/07/14

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TO: Town of Haymarket Town Council
SUBJECT: Harrover Master Plan Committee
DATE: 07/07/14

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TO: Town of Haymarket Town Council
SUBJECT: Architectural Review Board Liaison
DATE: 07/07/14

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TO: Town of Haymarket Town Council
SUBJECT: Treasurer's Report
DATE: 07/07/14

ATTACHMENTS:

- July Treasurer's Report .pdf (PDF)

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

**Town of Haymarket
Treasurer's Report
July 1, 2013 through June 25, 2014**

	Annual Budget	Year-To-Date Budget	Year-To-Date Actual	Over Budget	Under Budget	Net
1.						
GENERAL PROPERTY TAXES	330,932.00	330,855.61	317,531.39		(13,324.22)	(13,324.22)
OTHER LOCAL TAXES	1,068,000.00	1,053,383.56	1,005,825.00		(47,558.56)	(47,558.56)
PERMITS,FEES & LICENSESES	45,750.00	45,002.36	63,645.12	18,642.76		18,642.76
FINES & FORFEITURES	75,000.00	73,958.33	86,471.54	12,513.21		12,513.21
CHARGES FOR SERVICES		0.00	600.58	600.58		600.58
REVENUE FROM COMMONWEALTH	220,499.00	217,086.27	220,974.05	3,887.78		3,887.78
REVENUE FROM LOCAL GOVERNMENT		0.00	1,616.08	1,616.08		
MISCELLANEOUS	14,800.00	14,748.61	19,446.18	4,697.57		4,697.57
RENTAL (USE OF PROPERTY)	239,826.00	236,495.09	202,031.13		(34,463.96)	(34,463.96)
INTEREST ON BANK DEPOSITS	1,000.00	986.11	2,068.59	1,082.48		1,082.48
SAFETY LU/MAP 21 GRANT	1,290,852.00	1,260,117.43	477,925.30		(782,192.13)	(782,192.13)
TRANSFER OF CASH RESERVES	1,055,965.00	881,169.83	0.00		(881,169.83)	(881,169.83)
	4,342,624.00	4,113,803.20	2,398,134.96	43,040.46	(1,758,708.70)	(1,715,668.24)

Summary of Expenditures

01 · ADMINISTRATION	524,483.00	516,767.97	569,591.71	52,823.74		52,823.74
03 · PUBLIC SAFETY	744,794.00	735,516.33	672,466.96		(63,049.37)	(63,049.37)
04 · PUBLIC WORKS	216,307.00	213,634.23	205,291.61		(8,342.62)	(8,342.62)
07 · PARKS, REC & CULTURAL	42,479.00	42,008.96	37,180.91		(4,828.05)	(4,828.05)
08 · COMMUNITY DEVELOPMENT	2,378,987.00	2,378,745.84	505,747.66		(1,872,998.18)	(1,872,998.18)
09 · NON-DEPARTMENTAL	435,574.00	433,176.13	222,152.67		(211,023.46)	(211,023.46)
	4,342,624.00	4,319,849.46	2,212,431.52	52,823.74	(2,160,241.68)	(2,107,417.94)

2. Additional Appropriations:

None this month



TO: Town of Haymarket Town Council
 SUBJECT: Building Official's Report
 DATE: 07/07/14

Permits Issued:

- June 12

15101 Washington Street, Winterham Mansion, Conditional Building Permit granted for work to prepare this structure for retail use. Conditions include the understanding that no Certificate of Occupancy will be issued until all proffers related to this property and site have been met.

- June 16

Pace West Building, Conditional Permit (for work begun prior to issuance) to construct Portico at entrance on side of structure. This permit is granted with the condition that this structure must meet any requirements set forth by either ARB or Zoning, and that as such any further construction as well as that already completed is at an at risk nature, should either entity require the removal of this structure. No final Inspection will be conducted without granted approvals from ARB and Zoning.

Certificates of Occupancy Issued:

- June 5

15111 Washington Street, Power Yoga facility, no conditions.

Inspections:

- June 2

15016 Gossom Manor Place, checking Storm Water Issues.

14714 Dogwood Park Lane, Final Inspections to complete bathroom Project. All work approved.

14721 Alexandra's Keep, Deck Footing Inspection, work approved.

Museum Building, Inspection to discern current conditions and ADA Compliance for report to J. Preli regarding addition to this structure.

- June 4

6825 St. Paul Drive, Deck Final Inspection, all work approved.

15110 Washington Street, Final Inspections for all trades at Power Yoga facility, all work approved.

- June 11

14714 Alexandra's Keep, Final Inspection of completed deck was conducted, all work was approved.

- June 18

6905 Jockey Club Lane, Deck Footing Inspection, work approved.

Pace West Building, Footing Inspection for Portico Structure, work was approved.

Walter Robinson Lane, Inspection of vacant boarded up property found that this structure is open to both weather and intrusion. Spoke with owner Mr. Robinson and neighbors to remediate these issues. Mr. Robinson has agreed to see to it this property is properly secured.

- June 20

14830 Jordan Lane, Erosion and Sediment Control Inspection to ensure that stabilization of the site had been achieved, one small section of lawn will be re-seeded, as the installed sod is failing, all else is good and approved.

Document Review:

- June 9

Review of updated plans and documents submitted by Winterham, 15101 Washington Street. Though some aspects of this packet had been corrected, the overall package was incomplete.

Actions:

- June 3

Formal Report on the current conditions and repair actions needed to ensure ADA Compliance for this structure (accompanies this report). This regards the possible addition to this structure to incorporate the Caboose into the Museum facility for those with disabilities. Engineering design for this additional structure has also been reviewed (Letter to Council attached).

- June 5

Alexandra's Keep, an onsite meeting was held with Brian, Homeowners, and Representatives from DR Horton on efforts to resolve Storm Water Issues. Owners explained their concerns, and DR Horton was called upon to make efforts to resolve these issues and maintain better communication as to these efforts with both homeowners and the Town.

- June 12

Clarification to John Lombardozzi regarding the status of the Next Level Fitness project. They have met the requirements that this Official has set for them, but must still satisfy the requirements set by the Town Council upon the Issuance of his Permit in order to receive his Final Certificate of Occupancy.

Recommendations:

It is recommended that the Town Council consider an Ordinance or an Amendment to an existing Ordinance to increase the Fee for any Permit for work that has been completed or started without the benefit of proper Permitting to double that of the normal fee. This mechanism serves two purposes, in that it acts as a punitive action for Permit Scofflaws, and recoups losses incurred by the Town for the additional time spent to bring these projects into compliance. This is a very effective action that has had excellent results in other jurisdictions in which this Official has had responsibility. There have been at least three such cases since this Official has been involved with the Town.

Other:

Information Item (ID # 1869)

Meeting of July 7, 2014

This Official has completed the Commonwealth of Virginia, Department of Environmental Quality, Basic Storm Water Management Training course.

End of Report, submitted on June 27, 2014

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TO: Town of Haymarket Town Council
 SUBJECT: Engineer's Report
 DATE: 07/07/14

Enhancement Project

- Work is now progressing faster since the majority of work is occurring behind the concrete barrier/barreled off areas.
- There are still periodic single lane closures for when work needs to occur at the tie in areas or work crossing the road.

I-66 Widening Project

- According to latest information from VDOT, the Old Carolina Bridge will be closed the first week of August, 2014 and last until late Fall 2015. VDOT has stated they will have an informational meeting for the public and interested parties prior to the demolition of the bridge to discuss the anticipated schedule and impacts.

I-66/Route 15 Interchange Project

- Town Staff is attending a kick-off meeting with VDOT, the design/builder and Prince William County on July 1, 2014.

VSMP Authority

- We have submitted proposed changes to the Chesapeake Bay Preservation Ordinance to the Virginia Department of Environmental Quality (DEQ) for approval and we are awaiting their response. Once we have obtained their approval, Staff will submit the revised ordinance to Planning Commission, schedule a joint Planning Commission/Town Council Public Hearing and then submit to the Town Council for final adoption.
- Under law, as of July 1, 2014 if no VSMP Authority has been identified by ordinance (which it won't be) then DEQ automatically becomes the VSMP Authority so the Town will still be covered as planned.

Access Improvements to the Southern Railway Caboose

- We are in the process of getting the final submittals to VDOT in order to get the Approval to Advertise for Construction.
- We are scheduled to Advertise for Construction in August.

Restriping Washington Street at Jefferson Street Signal

- VDOT has let us know that they have approved the Town's request to revise the striping on Washington Street at the Jefferson Street signal in order to provide left turn lanes from

Washington Street onto northbound and southbound Jefferson Street. The Town's request letter is attached at end of report.

- VDOT has provided a striping plan (attached at end of report) showing the new proposed striping. The bike lanes will be merged into the traffic lanes and an 85' left turn lane on eastbound Washington Street and an 80' left turn lane on westbound Washington Street will be provided. This is enough to hold approximately 4 cars.
- VDOT has informed us that this restriping will be implemented within the next few weeks.

Site Plans

- Alexandra's Keep Drainage Issues: DR Horton's surveyor has surveyed around the town houses and is in the process of computing the As-Built grades to determine what corrections need to be made.
- Chick-fil-a: The Special Use Permit has been resubmitted. An amended site plan has also been submitted. Both are under review.
- Haymarket Ice Rink: The Final Site plan to add an additional rink has been submitted and comments are anticipated to be returned to the applicant by July 7.
- Haymarket Self-Storage: Preliminary Plan second submission has been submitted and it is anticipated to return comments by mid July.
- Robinson's Paradise: The Preliminary Plan second submission has been submitted and comments are anticipated to be returned to the applicant by July 7.
- Sheetz: First submission comments were previously submitted to the applicant and we are awaiting resubmission.
- Sherwood Forest Drainage Issues: According to DR Horton and the homeowner, corrections have been made to the 2 properties complaining about drainage issues.
- Signature Kitchens: Follow up clarification on first submission comments was requested from the applicant and clarification provided on June 27.

ATTACHMENTS:

- TC Update 070714 - Holly 2 (PDF)
- TC Update 070714 - Holly 3 (PDF)



The Town of
HAYMARKET
 Established in 1799-

April 3, 2014

Mr. Thomas K. Folse, P.E.
 Program Manager
 Northern Region Operations – Traffic Engineering
 4975 Alliance Dr.
 Fairfax, VA 22030

Re: Town of Haymarket- Washington/ Jefferson Street Intersection

Dear Mr. Folse:

First, let me thank you all for your willingness to work with the Town of Haymarket in studying the possibilities at the intersection of Route 55 (Washington Street/ John Marshall Highway) and Route 625 (Jefferson Street). Furthermore, thank you all for coming to make a presentation to our Town Council on Tuesday, April 1, 2014 during our work session about the current operation and potential alternatives to allow the intersection to operate more effectively.

Through the discussion at the Town Council work session and on their behalf, I would like to state that their preference would be to restripe the intersection to reflect the proposed EB &WB exclusive left turn with Permissive Phasing. While other scenarios were explored and it is our understanding that surrounding construction projects will have a seemingly positive effect on the current traffic congestion at the intersection, it is the Council's impression that these proposed changes present legitimate gains in efficiency at a fairly low cost with regard to construction and implementation.

The Town Council would support VDOT in making these alterations to the striping plan at the intersection if it is in the best interests of safety and efficiency for the Town of Haymarket.

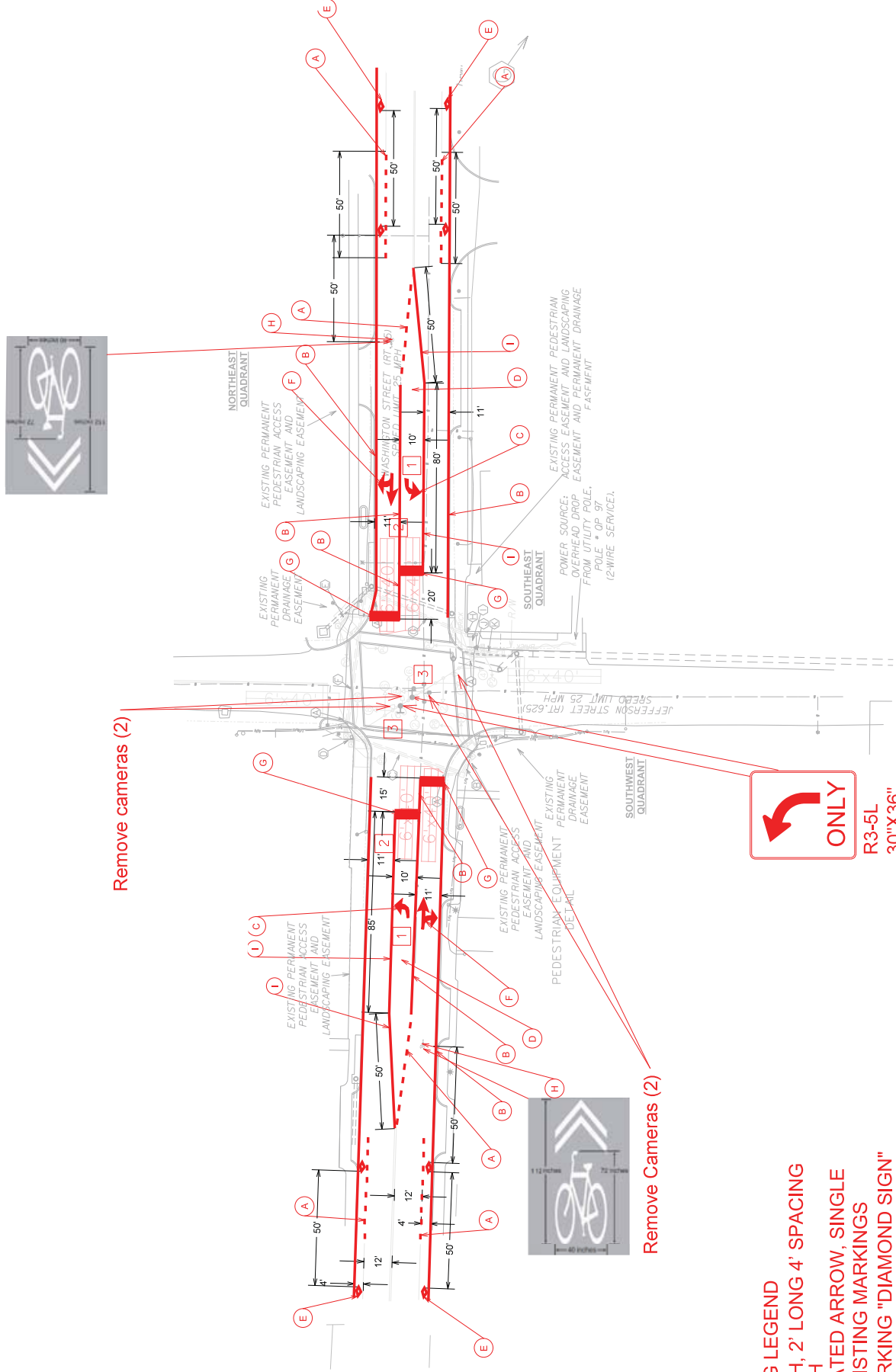
If you should have any questions or need additional information, please feel free to contact me.

Sincerely,

Brian P. Henshaw
 Town Manager

Cc: Mayor David Leake
 Holly Montague- Town Engineer
 Jennifer Preli- Town Clerk
 Aleksandra M. Tuliszka, P.E. - VDOT

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



Remove cameras (2)

Remove Cameras (2)

- PAVEMENT MARKING LEGEND**
- (A) WHITE 4" WIDTH, 2' LONG 4' SPACING
 - (B) WHITE 4" WIDTH
 - (C) WHITE ELONGATED ARROW, SINGLE
 - (D) ERADICATE EXISTING MARKINGS
 - (E) PAVEMENT MARKING "DIAMOND SIGN"
 - (F) WHITE ELONGATED ARROW, DUAL
 - (G) WHITE 24" WIDTH
 - (H) WHITE BIKE SHARROW SYMBOL
 - (I) YELLOW 4" WIDTH DOUBLE LINE



Note: Remove 4 Cameras

LEGEND

- CATV
- CABLE TV
- ELECTRIC
- TELEPHONE
- GAS
- SEWER
- WATER
- UTILITY POLE AND OVERHEAD UTILITY LINES
- GRATE DROP INLET
- FIRE HYDRANT
- GAS VALVE
- WATER VALVE

TRAFFIC SIGNAL INSTALLATION
 WASHINGTON STREET (RT. 55) &
 JEFFERSON STREET (RT. 625)
 PRINCEWILLIAM COUNTY



Vonasse Hogen Brustlin, Inc.
 Engineers, Planners & Scientists
 8300 Boone Blvd, Suite 700
 Vienna, VA 22182 (703)847-3071

DATE: JULY 17, 2012
 DRAWN: JGJ
 DESIGNED: JGJ
 CHECKED: CKO
 FILE NO.: 386108
 PROJECT: TRAFFIC SIGNAL INSTALLATION
 SHEET: 1 of 1

3.E.a



TO: Town of Haymarket Town Council
SUBJECT: Police Report
DATE: 07/07/14

ATTACHMENTS:

- July 2014 Police Report (PDF)

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

**Town Police Statistics for
March, April, & May, 2014**

Activity	March	April	May	Total
Mileage	3028	5755	3840	12623
Parking Tickets	10	11	6	27
Uniform Traffic Summons	70	67	74	211
Criminal Felony	0	3	0	3
Criminal Misdemeanor	9	5	4	18
Reports	14	16	11	41
Complaints	135	210	208	553
Accidents	2	0	4	6
Hours Worked	815	1043.9	831.5	2690.4

During the month of May 2014 The Haymarket Police Department participated in the following:

May 2, 2014 Officer Jason Davis represented the department in the attendance of a funeral for a fallen officer.

Officer Jeff Shaver assisted The Town of Stephens City Police during their annual Heritage Festival with traffic and crowd control.

**Criminal Stats for May 2014
Haymarket Police Department**

- 1. Suspicious Person = 4
- 2. Hit and Run = 1
- 3. Accidental Shooting = 1
- 4. Suspicious Vehicles = 4
- 5. Larceny = 2 (Shoplifter Sheetz)
- 6. Alarm Calls = 5
- 7. Child Neglect = 2 (Unattended in vehicle)
- 8. Juvenile Runaway = 1
- 9. Barking Dogs = 1
- 10. Accidents = 5
- 11. Vandalism = 1
- 12. Disorderly = 2
- 13. Domestic = 1
- 14. Assist Fire = 1
- 15. Assist PWC = 3





TO: Town of Haymarket Town Council
SUBJECT: Planner's Report
DATE: 07/07/14

ATTACHMENTS:

- Town Planner Report July 2014 (PDF)

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)

Zoning Permits. For the month of June, Staff processed several zoning permits for decks and patios in the communities of Sherwood Forest and Alexandra's Keep.

Comprehensive Plan. Staff continues to work with the Planning Commission regarding interim updates to the Comprehensive Plan. Review of the recommended revisions by the Council is expected in early fall.

Development Plan Review Status. Please see below.

PROJECT NAME	DESCRIPTION	STATUS
HAYMARKET INDUSTRIAL PARK / PARCEL A-1 / SIGNATURE COMPANIES	Site plan upgrades associated with enclosure of loading bays	Applicant's second submission under review by staff
ROBINSON'S PARADISE REZONING	Residential rezoning from R-1 to R-2 to permit up to 26 small lot single-family homes	Applicant's second submission under review by staff
HAYMARKET SELF STORAGE	Special use permit and site plan for outdoor storage of vehicles and equipment	Applicant's second submission under review by staff
SHEETZ REBUILD	Special use permit, zoning text amendment, and site plan for rebuild of convenience store and pump islands	Awaiting Applicant's response to staff's first submission comments
CHIC-FIL-A	Special use permit, zoning text amendment, and site plan for fast food restaurant with drive thru	Applicant's second submission under review by staff
HAYMARKET ICE RINK FINAL SITE PLAN	Site plan for addition of second ice rink	Applicant's second submission under review by staff
HAYMARKET INDUSTRIAL PARK / PARCEL B / ROSE	Site plan upgrades associated with change of use	Inactive



TO: Town of Haymarket Town Council
 SUBJECT: Museum Report
 DATE: 07/07/14

2014 - Train Exhibit

The Haymarket Museum will have its first Train Exhibit every weekend starting Saturday, June 14th thru Sunday, July 20th. The exhibit will explore the history of the railways through the Town of Haymarket from its conception to its closing.

The Regency Model Railroad Club will have a model train on display along with railway members on hand to answer questions. A 6 Pipe Pneumatic Train Whistle has been donated by the Harnest Family to the Haymarket Museum and Caboose, it will be on display during the exhibit.

Updates:

- The train exhibit has been extended through July 20th. Original end date was June 29th.
- Exhibit will be advertised in the May 30th, June 13th and June 27th edition of the Bull Run Observer.
- Mentioned at the end of the feature article "When History Arrived by Rail" by John Toler in the June and July edition of The Haymarket Lifestyle magazine.
- Bob Cohen, train historian and author of "A Trip by Rail in the Shenandoah Valley" will be at the Museum on Saturday, June 21st for a book signing and to answer questions.
- Over 3,000 flyers were distributed to 7 local elementary schools.

2014 - Car Show

Despite the rain most of the morning, the Museum played host to over 130 visitors that day. The children were excited to see the H/O scale model train ran by the Regency Model Railroad Club as well as being able to tour the Caboose. Over 100 goodies bags were distributed and feedback was very positive.

Museum Attendance for June 2014

6/7 & 6/8 - 24 visitors

6/14 & 6/15 - 45 visitors

6/21 & 6/22 - 146 visitors



TO: Town of Haymarket Town Council
 SUBJECT: Town Manager's Report
 DATE: 07/07/14

RFP for Town Center Master Plan

- The RFP for the Town Center Master Plan Engineering and Design has been advertised and we are receiving a great deal of interest to this date.
- All proposals are due to the Town Wednesday, July 16th by 3:00pm.
- To expedite the process, I am recommending that you allow staff to review and evaluate the proposals, meet with candidates initially and recommend 3 qualified firms to meet with the Council and present their approach to the project at the August Work Session.
- The Council will be prepared to make a final decision at the September Council meeting.
- Does this approach work with you all?
- Questions?

Haymarket Food Pantry Repairs update

ISSUE: The Food Pantry has been undergoing several repairs to eliminate the flooding in the cellar, making some repairs as scoped out by the Town's Structural Engineer and removing and remediating mold related issues in the backs rooms off of the kitchen.

BACKGROUND:

- Sump Pump has been installed and cellar is dry. There was still dampness around the walls, but the foundation cracks had not been sealed at this time.
- Dave Hall's provided a structural report and project scope for the work to be completed.
- I worked with Genesis to get estimates on the repairs. At that time none of the suggested repairs per Dave's report individually ran over the spending policy, however in order to complete the tasks in a timely manner, I recommended that it may be in our best interest to have them work on the multiple issues at the same time so as not to compartmentalize the repairs. Council agreed.
- I reached out to three companies to remove and remediate the back room that does have mold issues. We hired Serv Pro to perform the removal and remediation of the mold within the back rooms of the pantry.
- Please keep in mind that the mold test was proven not to be anything dangerous, however it is still in the walls and should be removed and remediated the proper way.
- ServPro performed the removal and remediation at the Food Pantry on Tuesday, May 27th and were completed by Wednesday May 28th.
- We had a follow up mold test performed after the work was complete by a qualified and licensed hygienist, Jon Given of MMTS Environmental, LLC.
- Unfortunately the post test result revealed that we still were dealing with mold issues within the back rooms; however the numbers were elevated which did not make sense after the initial remediation. We had our hygienist and Serv Pro contractors get together to remedy the situation.
- ServPro has returned and performed additional cleaning of the area on June 11-13.
- We had a follow up mold test performed after the work was complete.
- In the meantime, Genesis performed various projects associated with the Structural Engineer's report.
- As of this report, Genesis has completed sealing the foundation cracks, put down the .6 mil

plastic in the cellar/ crawl space. During their foundation work, they discovered what we believe to be the root cause of the cellar flooding. Apparently an animal has been spending time digging under the Pantry's back porch and has dug a hole down to the foundation.

- We had our Pest Control company out to take and look and they set a trap up for over a week, with no luck.
- We have decided to go ahead and backfill under the back porch and around the foundation to slope and grade away from the foundation.
- On Thursday, June 26th I received a verbal confirmation from Jon Given that we are clear of all mold within the back rooms of the Food Pantry.
- We will be wrapping up these repairs in the coming weeks and I will have a final report for you at the August Council meeting.

RECOMMENDATION:

- No recommendation at this time.

MOBILE DATA COMPUTERS (FOR POLICE CRUISERS)

BACKGROUND:

In March of this year the Town made the decision to comply with the County and Town's MOU with regard to Mobile Data Computers (MDCs) and their connection to the County's Mobile Data Network. Part of the conditions of the MOU between the Town and County was to upgrade the MDC's when the current MDC's in use are deemed obsolete due to network system advances and technology upgrades. The county addressed this need for the update with a letter on January 16, 2014 to Mayor David Leake. The Town complied with the MOU by purchasing 4 new MDC's through a grant secured by the PD in November of 2013. However another part of this letter raised the issue that the Town had not been paying the annual maintenance fees associated with the MOU from April of 2007. The County stated that they would be invoicing the Town for the maintenance fees for only this fiscal year and provided the estimated fees for Fiscal Year 2015. I have attached the letter for your reference.

Through various contacts and phone calls, I began to research the history of this MOU, the reasoning for the change with regard to the charges and if there was any way to eliminate the charges as been the case in the past. This research led to various phone conversations and meetings with Prince William County staff. I started by reaching out the Thomas Pulaski, Administrative Division Chief , PWC Police to find out the details of what the maintenance was actually for and what services the County was providing our Town's Police Department. It was my understanding from working with Donna Knupp (HPD Administrative Assistant) that the Town's MDC's did not have the same capabilities as the PWC Police Department Officers had on their mobile units with regard to software and applications. I was also reviewing this information with our Town Attorney and the only MOU we had in our possession was not matching the references mentioned in the letter sent in January. As it turned out we were referring to an MOU that was drafted in January of 2007 that dealt with the donation of two MDC's to the Town from the Department of Emergency Services through a Department of Homeland Security Grant. The MOU referenced the requirements and the usage of these units within the County's General Orders. As it turns out, the County later drafted an MOU that defined the responsibilities of the Town and PWC concerning the use of the Mobile Data Network. The Town did not have a copy of this MOU on file. I had drafted a letter to Chief Hudson concerning the discrepancies on March 27th and suggested that the Town and County should revisit the MOU and possibly create a revised MOU.

I reached out to Chief Hudson to schedule a meeting to discuss this issue, as well as Town related issues and a chance to get to know one another. At that meeting, held on April 10th we discussed the various issues associated with the Town's position and used opportunity to remind them that the Town is providing services to both the Town and County, that Town residents are County residents and questioned as to why we were just getting charged this fee when we have never been charged before. The PWC Police informed me that this is the current set up of the departments and that all of the departments are required to pay for the mobile data connection into the PWC Network. This is simply a function of how the county bills their departments. However, I was also concerned as to why if we are paying the same fee for access to the network, why couldn't our officers have the same capabilities as the PWC Police Department. Contrary to what we were informed, the IT Department informed me that they consider the MDC's ours and we could load whatever we wanted onto them; they just could not guarantee the maintenance on the software or applications if they were not familiar with the software or applications loaded. One such application that could benefit our officers is the TREDs application which allows accident reports to be made at the scene of the accident, opposed to only being able to file reports from our desktops. This would require an internet connection through the county's network, currently unavailable to our officers as a security protocol for the PWC Police Department IT department. At that meeting we began working on a solution for the issue with PWC officials.

The following week on Monday, April 14th I met with Supervisor Pete Candland. During our meeting we discussed this issue as well and he was going to look into the charges and get back to me. On Tuesday, April 15th I met with Javid Elahi, Thomas Pulaski, Tim McCormick and David Jetkiewicz of PWC Police and IT Department to get the final details of what was included in the maintenance, start working on these issues and what they would need from us to be able to allow internet access for our officers. They requested information from us about our VCIN certifications, which currently when our officers access the mobile data network, we are utilizing the county's VCIN operating license, even though the Town has its own. This is just one example of the issues the county and Town have discovered and are working on solving. Many of these issues will be solved when the county transitions to their new system targeted for later this year. Finally, understanding more about the reason for the letter and the charges, I requested that this year's bill be void or significantly lowered due to the fact this charge was not budgeted for this fiscal year. PWC officials understood and stated that they would see what could be done.

I heard back from Thomas Pulsaki on May 6th that they would be lowering our bill for mobile data network access by half for this fiscal year.

RECOMMENDATION

In researching and trying to arrive at the best conclusion for the Town, it has come to my understanding that this is a service that we are paying for through Prince William County. This did prompt the Donna Knupp and me to look into other alternatives to accessing the County's Mobile Data Network. There are third party providers of data access systems for public safety. Currently this is an option that the Town of Dumfries utilizes so there are local options available. We could also set up our own data access network here at the Town. Both of these alternatives involve a large amount of initial set up costs and would require constant upgrades and security measures. Another alternative is simply removing the MDC's from the patrol cars here in the Town. Our officers access the mobile data network through Sprint Air Cards which allow access to the County's "intranet" so that they can receive information from the Prince William County dispatch. Without the MDC's our officers would still be dispatched, but only by radio and would not have access to as much information as provided through their MDC's.

The concern for our residents is are they paying for this service twice, since they are covered by both the Town of Haymarket officers as well as the Prince William County Police and Prince William County

assesses a fire and rescue levy within the real estate tax. I would raise the question, could we levy the same tax to cover our costs for the MDC's and replacement on a replacement schedule? However, I would recommend that we not look at this as a tax; I believe it is an encumbrance to the Town; however, this is a service that we are paying for that would not change if we were to pay for the same service through a private third party company. It is in our best interest to make sure that our officers are well equipped and have the same capabilities as our colleagues on PWC Police force and we are currently working to make that happen. Keeping with PWC as are mobile data network connection provides our officers with the same information that our colleagues have when arriving to a scene that is being covered by both jurisdictions, but also within our own jurisdiction.

I would recommend that we continue to access PWC's mobile data network and provide funding for the services fees within the fiscal budget. I would also recommend that we closely monitor these service fees so that we can make a determination if it would be more cost effective to go to another service carrier or create our own capabilities.



TO: Town of Haymarket Town Council
SUBJECT: Enter into Closed Session
DATE: 07/07/14

The Virginia State Code allows for government entities to enter into closed session discussions for specific purposes outlined in VA §2.2-3711. The Haymarket Town Council will enter into closed session discussions this evening for the following purpose:

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)



TO: Town of Haymarket Town Council
SUBJECT: Certification of Closed Session
DATE: 07/07/14

§ 2.2-3712. Closed meetings procedures; certification of proceedings.

Certification: To the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

Attachment: 07-07-2014 Draft TC Agenda Packet (1932 : Draft Town Council Agenda for July 7, 2014)