

Town of Haymarket
15000 Washington Street~Haymarket, Virginia 20169
Mayor Pamela E. Stutz
Monday, December 06, 2010

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

Pledge of Allegiance

Roll Call: Tobias, Cole, Stutz, Kenworthy, Weir
Scarborough absent

Kathy Braun: Represents the Haymarket Food Pantry. She thanks the Town for the 1 year of free rent. The Pantry is faced with looking for a new home, with no budget. They would like to continue on. She has heard that there is property that may be usable. It takes a community effort.

Opal Thornton: She has been working with the food pantry since February 2010. She is the director of the food drives. She thanks the Council for the 1 year of free space. She asks for a possible grant from the Town to get them started on their initial funding.

Mayor announces the need of a closed session right away. There is a vacancy on Council. Council decides to handle the Council and Planning Commission appointments in open session.

- Sterling Brinson is one of the candidates for the interim vacancy and would like to address council. He finds volunteering rewarding. He's seen a lot of different problems and he wants to help out where he can. He plans to live in the community for a while and has a vested interest in Haymarket. Tobias asks if he would be willing to be a candidate in the special election, Mr. Brinson responds yes.
- Sheila Jarboe-Jefferson Street
Sheila Jarboe is interested in serving in the interim and has several years of experience, but thinks Mr. Brinson is a good candidate

**Tobias motions to amend the agenda to add "Appointments to the Planning Commission",
Weir seconds
Ayes: 4
Nays: 0
Absent: Scarborough**

**Tobias motions to appoint Sterling Brinson to the interim vacancy on the Town Council; this
vacancy was created with the November 8, 2010 resignation of Susan Edwards, Cole seconds;
Tobias-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarborough-Absent**

**Tobias motions to appoint Sheila L. Jarboe to the Planning Commission for the term that
expires June 30, 2011, Cole seconds;
Ayes: 4
Nays: 0
Absent: Scarborough**

Mayor swears in Sterling Brinson as the interim council member, he will be sworn in by the next meeting by a Circuit Court Clerk.

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Cole motions to approve the minutes of November 1 and November 16, 2010, with one correction noted, Tobias seconds;

Ayes: 4

Nays: 0

Absent: Scarbrough

Abstain: Brinson

Haymarket Food Pantry

Weir asks to defer until Mr. Lowery arrives. Agenda item deferred.

Tobias motions to approve the business license application for Piedmont Heating & Air as an out-of-town contractor, Weir seconds;

Ayes: 5

Nays: 0

Absent: Scarbrough

Police Report

Mayor thanks the Chief for his work at the holiday party. She then thanks the entire staff for all their hard work to make the event wonderful.

Chief announces to Council that he has appointed Greg Breeden as Deputy Chief. Chief is working on state accreditation for the department and Deputy Chief Breeden will be handling most of the day to day. Tobias asks about the building asks if he intends to make the building a very secure facility. Cole asks about the process, asks if council could be briefed on the accreditation process at the January meeting.

**Chief will provide a brief at the next Council meeting.

Treasurer's Report

- Weir asks about the engineering and planning fees. The Treasurer notes that most of the fees were brought in last fiscal year on the Piedmont Tire & Auto Plan. Treasurer asks the Council to appropriate funds from the reserves to certain line items.

Weir moves to defer the appropriations to later in the meeting, Tobias seconds;

Ayes: 5

Nays: 0

- Audit. They seem to ding us because we don't have the proper fund accounting software. If we go with a real fund accounting program we are going to get some really attractive modules that the staff likes. QuickBooks has come out with a 2011 version that can do this, in previous versions, you couldn't break down the balance sheet by funds, you could the P&L. There is a consultant that could help us get the QuickBooks upgrade going for approximately \$2,500-\$3,500. Tobias doesn't think we should hire the consultant; he recommends that we buy the software and let James work with it.

Cole motions to appropriate up to \$977.13 from the Operating Reserves to purchase the 2011 version of QuickBooks. Tobias asks about the legality of Mr. Brinson voting on a financial matter, since he is appointed rather than elected. Legal opinion from the Town Attorney is to vote

Brinson-Nay, Tobias-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes

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- Uncleared checks are a ding in the FY 2010 Audit.. We should have been sending notices, certified letters, then to Virginia's escheatment. Mayor asks where the money is coming from, it is an outstanding debt on the books.

We have an annual CD that matures on 12/22/2010. \$11,000 belongs to the general fund. We paid a bill from operating that needs to be paid back.

**Audit on the January agenda

Mayor asks about moving the meeting to January 11; the Town Council agrees to change the January 3, 2011 meeting to January 11, 2011.

Building Official's report

Tobias asks about the waiver request for handicapped ramps, just for 60 days. His concern is who does it come back on. The Town would be responsible. There are facilities there for accessibility. The Town Attorney notes, that if there is a complaint, there is an opportunity given to cure.

Mayor asks the building official to amend his report; it should read 2nd floor stairways

Tobias asks about the Food Pantry occupying the vacant Harrover home. They feel one of the bathrooms could be fixed to work properly.

Piedmont Mews

Richard Keeler from Kettler

Weir motions that the Town Council approve the subdivision plat titled "Piedmont Mews Re-subdivision of Parcel 1A of the Partition and Allotment of the Land of Aubrey King Estate and Parcel "C" Piedmont Mews", prepared by Bowman Consulting and dated June 1, 2010, revised through December 2, 2010, and its associated Deed of Re-subdivision, Easement, and Vacation, subject to, and conditioned upon, the following:

- a. Recordation of all plats and documentation which includes, among other matters, a 15 foot utility easement along the front of Parcel 1A1 and also a private utility easement at the rear of the Parcel 1A1 in a form and the substance as approved by the Town Attorney; and**
- b. Payment of all costs, fees and expenses due the Town**
- c. The foregoing two conditions to be done and satisfied within 180 days of this date, otherwise this approval to be void and of no further effect**

Cole seconds;

Roll Call Vote: Brinson-Abstain, Tobias-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent

The Mayor calls for a short Break
Meeting called back to order at 8:26 p.m.

Budget

**Tobias motions to appropriate \$9,734.46 to the operating expenses, line item liability insurance, from 3.5 % reserve
Weir seconds;**

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Roll Call Vote: Brinson-Yes, Tobias-Yes, Cole-Yes, Weir-Yes, Kenworthy-Yes, Scarbrough-Absent

Haymarket Food Pantry

The Mayor steps down and recuses herself since she sits on their board. Stutz talks about the state of the building. She is presenting to the Council a lease. The food pantry would pay for the utilities. They are currently raising the funds necessary to move. She is asking the council to allow the pantry to use 14740 Washington Street for \$1 per year; they would pay for the renovations, handicapped ramp, and repair bathroom. The Town Attorney asks what is a reasonable time frame for the pantry to raise the funds? Tobias asks about status of 501 C3, Haymarket Regional Food Pantry. The Mayor responds that the application has been sent, there have been a couple of problems that the IRS has notified them of and they have resubmitted. Brinson asks if the Mayor is on the board, she is the executive director.

Weir moves to lease the property located at 14740 Washington Street to the Haymarket Regional Food Pantry for a period of one (1) year, commencing January 15, 2011 at the annual lease rate of \$1, conditioned upon the recommendation of the Building Inspector, dated November 11, 2010 and the provision of adequate restroom facilities on-site, to be done and satisfied by January 15, 2011, otherwise this approval to be void and of no further effect, Kenworthy seconds;

Roll Call: Brinson-Yes, Tobias-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent

Tobias motions to request the Town Manager to allow access to 14740 Washington Street to the Haymarket Regional Food Pantry, once the town has removed or secured the records that are currently held on site, Cole seconds;

Ayes: 5

Nays: 0

Absent: Scarbrough

Town Manager

- We are finishing up the renovations of the Town Hall this week. There are some additional maintenance issues. He passes out a handout. We will need delineation of parking spaces to accommodate the new tenant. There are some needs on the walls at The Very Thing, the hallway and the bathrooms in the hallway.
- VRS will have a report to us by the 17th of December.
- Still working on right of way and easement acquisitions within the street-scape project.
- **Surface Transportation Funding**
The funding became available in October 2010. We are in the process of what we can do with that money. He has asked Holly to take a lead role in getting this project put together for us. Her fees will be reimbursable by the funds.
- **Holly Montague**
This grant is only for pedestrian improvements. We are going to do one big project, there is one advertisement and one public hearing. She would like council to provide some wish lists that fall within the pedestrian improvements. She asks that Council provide their wish list by January 20, 2011.

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- Follow up Traffic on Fayette Street. VDOT will put an engineer on this matter.
- Town Manager announces that we have started the Coats for Kids program again this year and it will run through January 14.

Weir – Trash contracts. He has heard that 30% decreases are all around. Weir would like to know when we begin our contract negotiations with them.

**Tobias asks that the bids be vetted and a report provided in January

Zoning Permit

The Town Planner discusses that the zoning permits are in our ordinances. We have been using business licenses and construction permits in substitution.

Weir motions that the Town Council approve the creation of a Zoning Permit / Certificate of Appropriateness application to facilitate the review of land development applications consistent with Town Code Section 58-7, Zoning/building permits;

I further move that the Town Council duly appoint the Planning Commission to act in the capacity of the Zoning Administrator in the review and approval of Zoning permit applications for fences, landscape walls, signs (excluding comprehensive sign plans), accessory structures, Tobias seconds;

Roll Call: Brinson-Yes, Tobias-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent

Tobias moves to appoint John Cole as an authorized signer on all of the Town's bank accounts, Kenworthy seconds;

Roll Call: Brinson-Yes, Tobias-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent

Weir motions to enter into closed session pursuant to VA 2.2-3711 A3 Annexation and or boundary adjustments, and Town leases and A7 Consultation with the Town Attorney, namely the calling of bonds on various properties within the Town and A7 Acquisitions of Street-scape right-of-way, Kenworthy seconds;

Roll Call: Brinson-Yes, Tobias-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent, Stutz-Yes

Weir motions certification of the closed session that all items discussed in the closed session were noted in the motion to enter, Cole seconds;

Roll Call: Brinson-Yes, Tobias-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent, Stutz-Yes

Tobias moves to add an item to tonight's agenda, "Disposition of the blue or gray house", Weir seconds;

Ayes: Tobias, Weir, Kenworthy

Nays: Cole, Brinson

MOTION FAILS

Cole motions to add to tonight's agenda the ATTIVA lease, No second;

MOTION FAILS

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Cole

There is a resolution being presented to the Prince William BOCS to allow the Town as the point of contact for the train quiet zone. Cole will keep us informed.

Weir

Legislation season started, the latest assault on BPOL has started.

John Bennett

The Town Attorney has determined that the credit that ATTIVA is entitled to for build out began November 1, per the lease agreement.

Mayor

Mayor thanks the staff for all of the work on the holiday party
Mayor announces John Stirrup's open house this weekend.

Tobias

Would like to see the following on January's agenda:

1. VRS Adoption
2. Disposition of the Utterback house
3. ARB Liaison appointment
4. Resolution on the bonds for the Winterham property

Sterling Brinson

Nothing at this time

Milt Kenworthy

Nothing at this time

Tobias motions to call Bond #B838286 in the amount of \$255,387.40 and Bond #B838287 in the amount of \$14,190.00 being held against site improvements for the "Able Properties" site plan approved by the Town Council on February 9, 2004 with its further revisions numbered 1-11, as approved by Council, for GPIN #7298-80-3903, 15101 Washington Street, owned by Winterham Development, LLC, immediately and proceed with the outstanding improvements,

Weir seconds;

Roll Call: Brinson-Abstain, Tobias-Yes, Cole-Yes, Scarbrough-Absent, Kenworthy-Yes, Weir-Yes

Brinson motions to adjourn the meeting of December 6, 2010 @ 11:00 p.m., Kenworthy seconds;

Ayes: 5

Nays: 0

Absent: Scarbrough

Submitted:

Approved:

Jennifer Preli, Town Clerk

Pamela E. Stutz, Mayor