

TOWN OF HAYMARKET, VA.
Chartered in 1799
County of Prince William

MAYOR

John R. Kapp

ATTORNEY

John Arledge, Smith & Davenport

COUNCIL

James Shepard, Vice Mayor

Nancy Bailey, PC Liaison (absent)

Tom Utz

Mary Lou Scarbrough, ARB Liaison

Doug Mohr, PD Liaison

**Pam Stutz, Historical Comm. Liaison
(absent)**

Mayor Kapp opened the regular session at 7:37 p.m. Rev. John Patterson, Gainesville United Methodist Church, led the Council in prayer.

Mayor Kapp announced Councilwoman Bailey is ill, Councilwoman Stutz had a business meeting tonight and Councilwoman Scarbrough is ill and will only stay to approve a few items on the agenda.

Minutes of March 22, 2001 meeting

Councilwoman Scarbrough asked if F&M Bank made all the changes requested. Mayor Kapp states he got the interest rate lowered to 6.8% and no prepayment penalty. Councilman Mohr asked about the tax free issue. Mayor Kapp states as long as we use these funds for the town hall renovation and the ISTEPA phase II project it is tax free.

Vice Mayor Shepard moved to approve the March 22, 2001 minutes as presented, second by Councilman Mohr. Yeas: Shepard, Mohr, Utz, Scarbrough. Nays: None. Motion carried by 4/0 vote.

F&M Bank Letter of Commitment

Vice Mayor Shepard moved to approve the letter of commitment [dated March 29, 2001] from F&M Bank, second by Councilman Mohr. Yeas: Shepard, Mohr, Utz, Scarbrough. Nays: None. Motion carried by 4/0 vote.

Resolution to draw money from F&M Bank

Councilman Mohr moved to draw \$288,000 from the line of credit from F&M Bank. \$263,000 for Gull Corporation for Washington Street Enhancement Project, Phase II construction and \$25,000 for Town Center Property - town hall renovation - interior ceiling and walls as needed, second by Councilman Utz. Yeas: Shepard, Mohr, Utz, Scarbrough. Nays: None. Motion carried by 4/0 vote.

Town Hall Facade

Mayor Kapp states 84 Lumber priced the facade out at \$9,000 +/-.

Witcher resolution to call bond for E&S Inspection fees

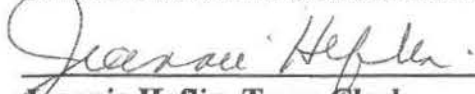
Atty Arledge states this resolution authorizes him to collect the outstanding erosion & sediment control inspection fees. Mayor Kapp states Council gave Atty Arledge the authority to exercise

the bond. Councilwoman Scarbrough moved to adopt the resolution, second by Vice Mayor Shepard. Yeas: Shepard, Mohr, Utz, Scarbrough. Nays: None. Motion carried by 4/0 vote.

Recess

The Council recessed at 7:47 p.m. to April 16, 2001 at 7:30 p.m.

RESPECTFULLY SUBMITTED:



Jeannie Heflin, Town Clerk

APPROVED:



John R. Kapp, Mayor

tc401

**RESOLUTION
TOWN COUNCIL, TOWN OF HAYMARKET, VIRGINIA**

Adopted: April 2, 2001

WHEREAS, in April of 2000 Kenneth Witcher executed certain agreements with the Town of Haymarket in connection with the approval of the subdivision of his property at 15221 Washington Street, Haymarket, Virginia, including an agreement to pay for certain professional service fees for erosion & sediment control compliance monitoring and inspection in connection with certain land disturbing activities required by that subdivision, which monitoring and inspection is required by the laws and regulations of the Commonwealth of Virginia and the ordinances/regulations of the Town of Haymarket.

WHEREAS, in connection with that subdivision and as a condition of the land disturbing permit and to guaranty payment of the agreed inspection fees, Kenneth Witcher posted a bond, to-wit: "Safeco Insurance Company of America" license or permit "Bond No. 5914413" in the amount of \$5,000 by Frank C. Roddy, Jr., Attorney-in-fact, on April 3, 2000; Principal: "Kenneth Witcher Property"; Obligee: "Town of Haymarket, VA, P. O. Box 87, Haymarket, VA 20168"; vocation of: "Tax Map/PIN No. 7297-69-7686 Professional Service", for the period April 3, 2000 to and expiring on April 3, 2001;


WHEREAS, Burgess & Niple has currently invoiced the Town of Haymarket for site inspection services in connection with the subdivision and for erosion and sediment control on the herein described Kenneth Witcher Property in a total amount of \$3,998.05 in seven different monthly invoices, copies of which are enclosed herein. Kenneth Witcher has failed to pay any of those inspection fees and those seven monthly invoices of 03/03/00 through 09/08/00 remain in arrears, and;

James R. Lowery, the contract Building Inspector appointed by the Haymarket Town Council, has continued the erosion and sediment control inspections required by the laws and regulations of the Commonwealth of Virginia and the ordinances/regulation of the Town of Haymarket since the termination of inspection by Burgess & Niple and has accumulated fees in the amount of \$250 which have not been paid;

WHEREAS, At the regular monthly meeting of the Haymarket Town Council on March 5, 2001, the Town Council directed by unanimous acclamation the collection of those fees by the calling of the above bond to pay for the above noted unpaid inspection fees and directing the Town's official, and particularly the Town's Attorney, to take all necessary action to that effect;

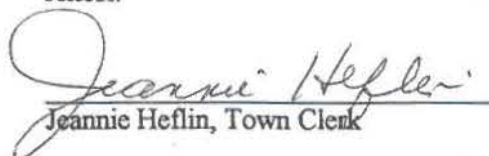
NOW THEREFORE, BE IT RESOLVED, by the Council of the Town of Haymarket, Virginia, meeting in regular session this 2 day of April, 2001, that to that end the Council reaffirms and ratifies its directions of March 5, 2001 to the Town's Officials, and particularly the Town's Attorney, and such subsequent actions taken by them to that purpose; and of Town of Haymarket demands immediate payment on said \$5,000 bond by the Surety, Safeco Insurance Company of America in the amount of \$4,248.05 for the above noted fees and such other amounts, up to the limit of the bond, as the Town of Haymarket may in the future be obligated to pay Burgess & Niple in late fees, interest and attorney fees on those fees currently in arrears.

On Behalf of the Town Council of the
Town of Haymarket, Virginia



Hon. John R. Kapp, Mayor

Attest:



Jeannie Heflin, Town Clerk

STATS FOR MARCH 2001

MILEAGE - 2475

GAS - 190.4 GALLONS

PRICE - \$ 310.70

w/TICKETS 43

p/TICKETS 5

UTS 21

C-FELONY ϕ

C. MISD. ϕ

REPORTS 2

COMPS. 41

FR-300 ϕ

HRS. WORKED 419 HRS.

4 RECKLESS DRIVING TICKETS -

1 PROPERTY DAMAGE - MASONIC LODGE

1 GRAND LARCENY - MADISON ST. (CRAMER)

1 BA FOR COUNTY -

ASSISTED COUNTY PD w/ 3 CALLS