**AGENDA**

1. **CALL TO ORDER** **– *Frances Westbrook***

Frances Westbrook: I am going to call this meeting to order please. This is a special called meeting of the Irvington Town Council being held on July 15th, 2021, at 6:30 p.m. at the Irvington Baptist Church. This is in order to conduct regular town business. Tonight’s meeting was previously scheduled for July 8th, 2021, as our regular monthly meeting, but was canceled due to inclement weather and was thus rescheduled for tonight. There is a sign-up sheet in the very back of the room on your left, if you haven’t already done so, please take care of that, that would be much appreciated. Alright, we’ll move along to roll call please. Dudley will you please start.

1. **ROLL CALL – *Frances Westbrook***

Dudley Patteson present.

Chris Braly present.

Anthony Marchetti present.

Wayne Nunnally present.

Bonnie Schaschek present.

Jackie Brown present.

Frances Westbrook present.

Staff Present: Nancyellen Keane, Esquire, Town Attorney.

1. **APPROVE AGENDA**

Frances Westbrook: The next item on the agenda is to approve the agenda. We have got a number of things dealing with the agenda because this is a special called meeting. There was an agenda published last week and then we have one for tonight but in talking with Mr. Braly and I today, we’ve got a few things that we need to take off and add on, so if you all will just bear with us, we’ll get this taken care of as quickly as possible. Chris would you mind starting us, or would you like for me to start.

Chris Braly: If you want to, if you want to just go through.

Frances Westbrook: Okay, and then you can chime in wherever you’d like. On the regular monthly meeting agenda, under new business, Town Council Retreat.

Wayne Nunnally: We are going to do what?

Frances Westbrook: Are you looking at the right?

Wayne Nunnally: New business.

Frances Westbrook: No, if you are looking at the 15th, just leave it alone if you would please, okay.

Chris Braly: Under committee reports we need to make a change, for the human resources committee report.

Anthony Marchetti: Are you raising the original base is that correct?

Frances Westbrook: That is correct.

Anthony Marchetti: Okay, alright, so yes, just leave that as human resources, we’ll strike off temporary employee. Next item.

Bonnie Schaschek: Can I ask a question, if we printed out the new agenda, along with what you are doing?

Frances Westbrook: Yes.

Bonnie Schaschek: Okay.

Frances Westbrook: Yes, the other agenda is what’s on the back table too.

Anthony Marchetti: That’s the one from last week.

Bonnie Schaschek: Yeah, I printed the new one, okay.

Frances Westbrook: Here a few more. Alright, to repeat, under committee reports, we are striking the line item under human resources and temporary office employee. Dudley will be addressing that during his committee report.

Chris Braly: Do we need to vote on each revision?

Bonnie Schaschek: All at one time.

Frances Westbrook: I think we can do it all at one time.

Chris Braly: Okay.

Frances Westbrook: Under K, new business, we are deleting Town Council Retreat. Under L, Old Business, we are deleting advertisement of town clerk position. Also under Old Business, we are deleting Town Office Signage at road frontage. Now to the additions, under New Business, we are adding an item, Motion to Add Vice Mayor as signatory at Chesapeake Bank and Blue Ridge Bank.

Nancyellen Keane: You don’t need to do that.

Frances Westbrook: It wasn’t on the old agenda.

Nancyellen Keane: But they are automatically signatories on all the accounts.

Frances Westbrook: Nah uh. When I took in the information to the bank, we did not make a motion at the June 15th to actually by name add Anthony on there, we just said we eluded to it, in the meetings with his name attached. We are also adding under new business a Motion to Enter a Contract with Cox Termite & Pest Control, we are adding Motion to Hire Williamson Movers to move boxes and file cabinets upstairs in the Town Office. We are adding also under New Business, Discussion of Cleaning Service of the Town Office.

Chris Braly: Item J, for the Committee Reports, adding the Town Clerk position, and addition of wages for the Zoning Administrator, those weren’t on their previously.

Frances Westbrook: That’s right, thank you. Did you all get that?

Anthony Marchetti: He has remove temporary office and adding Town Clerk, we just…

Frances Westbrook: Yes, okay.

Chris Braly: Can we, can I make a motion to approve all of that up to the closed session?

Frances Westbrook: Yes, doing it all at one time.

Chris Braly: I’d like to move that we approve all the changes that Mayor Westbrook just enumerated.

Wayne Nunnally: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: Opposed?

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION CARRIES 6-0.

Chris Braly: Now I believe there is a change to the closed session that I would like to accept.

Frances Westbrook: Okay, go right ahead.

Chris Braly: So, I think the first item would be to add the closed session to the clerk, the town clerk position as the second bullet point. So, the first bullet point would be closed session for legal matters, and then the second bullet point would be closed session for the Clerk.

Frances Westbrook: Okay.

Chris Braly: And then I think that we should remove the closed session for the town attorney.

Frances Westbrook: Is that in the form of a motion?

Chris Braly: Well, I was going to do all of the closed session at one time.

Frances Westbrook: Okay, one at a time, if you will make the…

Chris Braly: Do we need to add detail to the closed session, because I thought it was lacking a little bit of detail in…

Frances Westbrook: For, yes, we can do that, legal matters requiring legal advice from counsel concerning Fisher’s Pit is what is being added there.

Chris Braly: Okay, I’d like to make a motion that we include that change to the agenda regarding legal matters requiring legal advice.

Wayne Nunnally: Just to add Fisher’s Pit to it?

Frances Westbrook: Just to add Fisher’s Pit to the description.

Anthony Marchetti: Second.

Frances Westbrook: Any discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed?

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye. MOTION CARRIES 6-0.

Chris Braly: Immediately following that, I’d like to make a motion that we add closed session for personnel matters concerning the town clerk position.

Female: I’m sorry what?

Chris Braly: The town clerk position.

Bonnie Schaschek: I second it.

Chris Braly: And, to delete the town attorney position.

Wayne Nunnally: That’s one motion? Do you want to do that in two separate motions.

Chris Braly: One motion.

Frances Westbrook: You are going to have to explain what you mean.

Chris Braly: I’d like to add a closed session for personnel matters concerning the town clerk position and delete the closed session for personnel matters concerning the town attorney’s position.

Frances Westbrook: Because we combined it, now you are separating them. Is that your intent?

Chris Braly: My intent is to delete, to only have a closed session for personnel matters concerning the town clerk.

Frances Westbrook: Okay, well let’s vote on that part first, please.

Chris Braly: I made a motion to add the town clerk and delete the town attorney.

Frances Westbrook: Okay, do we have a second?

Anthony Marchetti: Second.

Frances Westbrook: Discussion?

Chris Braly: The reason why I want to delete the town attorney is because I don’t think there is anything regarding the personnel matters in, as defined in the rules for closed session that we need to discuss. We have a town attorney, she is under contract, she has no performance issues, so I don’t believe that there is anything that we need to discuss in closed session. Second, the town attorney has expressed to me personally, that any discussion of her position she would like to be in open session.

Frances Westbrook: Any other discussion?

Bonnie Schaschek: We always discuss personnel matters in closed session. I don’t think that’s a problem.

Chris Braly: Well, the rules for closed session, indicate that, that, there are only specific reasons why we can go into closed session. Is there a, is the personnel issue relating a disciplinary problem, performance issue? Are we conducting a performance review for the town attorney? Uh, well need to be specific in why we want it, and if it doesn’t meet the guidelines, then we sh--, we are not allowed to go into closed session.

Wayne Nunnally: Recall the question.

Chris Braly: What did you say Wayne?

Wayne Nunnally: Call the question please.

Frances Westbrook: Any other discussion?

Anthony Marchetti: I’d like to know what it is that needs to be discussed in closed session? What is, not just….

Frances Westbrook: Well on June 15th, through Mayor Bugg, she announced her resignation, her upcoming resignation and we have not been advised differently about that, so that is the topic at hand.

Chris Braly: But, I don’t think we need to go into closed session for that.

Anthony Marchetti: Mayor Bugg said she intends to resign, she herself has not resigned, so as of this moment, I don’t think there is anything to discuss in closed session. If or when there is more detail and there is a specific course of action we need to take, then sure, let’s have a closed session.

Dudley Patteson: I respect the transparency of the town attorney, and to be able to, it is appropriate based upon the past we need to be more transparent, and she is willing to be in open session. I think that is a credit to her and we should not have anything to fear unless we ourselves misspeak.

Wayne Nunnally: I think we invite her to the closed session and that solves the whole problem.

Anthony Marchetti: I still don’t know what we need to talk about in closed session.

Chris Braly: Are we discussing considering or interviewing perspective candidates for employment regarding the town attorney, is that what the purpose is.

Frances Westbrook: No.

Chris Braly: Are we assigning promotion, performance, demotion, salaries, disciplining or accepting a resignation that has been made?

Wayne Nunnally: That’s my understanding.

Chris Braly: Then she hasn’t resigned. There has been no formal resignation.

Wayne Nunnally: Well, we need to discuss it in closed session. We don’t need to continue doing this mess that I had hoped we were finished with.

Chris Braly: But….

Wayne Nunnally: Can we get on about the town’s business?

Chris Braly: Mr. Nunn—

Wayne Nunnally: Instead of personalities. I like this person, you like this person, so I’m going to protect this person, you protect that person. That’s not what we are here about. We are here to discuss business candidly and openly in closed session….

Group: Laughing.

Chris Braly: Mr. Nunnally, with all due respect, it is against the law to go into closed session for reasons that are not outlined in Section 2.2---

Wayne Nunnally: And that is one of the reasons outlined. Personnel matters.

Chris Braly: No, you have to be specific, okay. Section 2.2-3712 says “a general reference to the provisions of this chapter, the authorized exemptions from open meeting requirements or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.”

Wayne Nunnally: I tell you what, I’ll bring it to a head, I move that we accept the resignation.

Frances Westbrook: We have got a motion on the floor that he has already made, so we can’t go…

Wayne Nunnally: ….a motion.

Frances Westbrook: Alright, we have a motion on the floor, is there any other discussion?

Bonnie Schaschek: What is the motion on the floor now?

Chris Braly: The motion on the floor was to add the closed session for personnel matters concerning the town clerk and delete the closed session regarding personnel matters for the town attorney.

Wayne Nunnally: [inaudible].

Frances Westbrook: We’ll have a roll call vote please.

Dudley Patteson, yes.

Chris Braly, yes.

Anthony Marchetti, yes.

Wayne Nunnally, no.

Bonnie Schaschek, no.

Jackie Brown, no.

Frances Westbrook, no.

Chris Braly: It has to be amended.

Dudley Patteson: It has to be amended.

Chris Braly: It has to be amended because it is a special called.

Frances Westbrook: No, it has to amended to change the agenda.

Chris Braly: That’s what I made a motion to do is change the agenda. The agenda didn’t get changed because it was….

Frances Westbrook: Alright. Okay. So, we will omit personnel matters concerning town attorney’s resignation.

Wayne Nunnally: No.

Frances Westbrook: It didn’t pass.

Chris Braly: My motion was to delete that.

Wayne Nunnally: Yeah.

Bonnie Schaschek: It didn’t pass, so it can’t be deleted.

Frances Westbrook: I beg your pardon, so it’s still on there.

Bonnie Schaschek: I still think we need to add talking about the town clerk.

Frances Westbrook: Then, as we have it now, so that we are clear, closed session, Item 1 will be legal matters requiring advice and counsel concerning the Fisher’s Pit. Item 2, is going to be personnel matters.

Bonnie Schaschek: Just the way it says….

Frances Westbrook: Just the way it says there. Two will be attorney’s resignation. Three will be clerk’s position.

Chris Braly: No, that was never….

Bonnie Schaschek: It stays the way it is. Personnel matters concerning town attorney and town clerk position.

Chris Braly: No, no.

Frances Westbrook: We are going to add that on there, if we get a vote.

Chris Braly: The basis is the July 8th agenda.

Frances Westbrook: Yes.

Chris Braly: We have to change the July 8th agenda.

Frances Westbrook: So, we want to add, we want to add in closed session Item 3, personnel matters concerning hiring a town clerk’s position.

Chris Braly: Do we need a motion?

Frances Westbrook: Can I have a motion please.

Bonnie Schaschek: Second.

Frances Westbrook: All in favor say Aye?

Wayne Nunnally: I thought we already did that.

Frances Westbrook: All opposed?

Anthony Marchetti: Opposed.

Dudley Patteson: Opposed.

Wayne Nunnally: [inaudible].

Male: Yes.

Frances Westbrook: Then I vote yes.

Chris Braly: It’s not unanimous.

Frances Westbrook: It’s not unanimous, so, we do not add on, that’s the one that stays. We will not have. We will just look at items 1 and 2 in closed session.

Wayne Nunnally: So we go back to July 8th agenda is that we do.

Chris Braly: No, just for the closed session. We approved all of the other changes up until the closed session.

Frances Westbrook: So, you should have in front of you an agenda from July 15th, which shows all those changes we just made. You can refer to that.

Wayne Nunnally: On the July agenda we have closed session and it says legal matters regarding legal advice of counsel. We have added Fisher’s Pit to that I understand.

Chris Braly: Correct.

Wayne Nunnally: Alright, then the agenda then adds personnel matters concerning town attorney and town clerk, that’s got to stay on.

Nancyellen Keane: It is on.

Frances Westbrook: It is on, but the town clerk is not a separate item is what we were trying to do, he was trying to do. It stays on and Item 2, combining those two personnel. That’s the way it was on.

Chris Braly: That decision, that wasn’t on the July 8th, only the attorney position was on the July 8th.

Wayne Nunnally: Yeah, so that’s where we got.

Chris Braly: We cannot discuss the town clerk position in closed session. That is not on the agenda.

Frances Westbrook: Okay. Is that good, you got that. Alright.

Wayne Nunnally: We still go the closed session, the attorney in closed session.

Frances Westbrook: Alright, so, moving forward. Approval of minutes.

1. **APPROVAL OF MINUTES AND ACCEPTANCE OF TREASURER’S REPORTS**
2. June 15th, Special Called Meeting.

Frances Westbrook: We are looking at the June 15th Special Called Meeting, read those.

Bonnie Schaschek: Yep.

Frances Westbrook: Any corrections? I had one on page 5, about two-thirds of the way down it says in bold, Item E approval of minutes, D was approval of minutes, so E should say new business. So, we just need that to change new business. So, if I can have a motion please to approve these as amended.

Bonnie Schaschek: So moved.

Wayne Nunnally: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: All opposed?

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

1. **TREASURER’S REPORT**

Frances Westbrook: In talking with Jay Sanudo, he has, he’s our accountant, he has sent a preliminary June financial report, but, I’d like to table that at tonight’s meeting until our August meeting so that the year-end corrections can be made and completed with the aid of Budget and Finance Committee and these are the corrections that were suggested and recommended in the investigation report and the audit we had done. I would like to tell you that we did in the June financials deposit the funds from the sale of the Town Office on Steamboat Road, in the amount of $81,841 and Virginia Is For Lover’s Tourism Grant reimbursement. The first reimbursement has been received in the amount of $8,334. So if I might have a motion to table these to allow the accountant to make these recommended changes by the audit.

Wayne Nunnally: So moved.

Bonnie Schaschek: Second.

Frances Westbrook: Any discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed? Motion passes.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

1. **PUBLIC COMMENT**

Frances Westbrook: Next is public comment. If you please raise your hand and I’ll call on you and you state your name and state your physical address here in town. Are there any comments? Sam.

Sam Van Saun: Sam Van Saun, 146 Virginia Road, I didn’t have any comments coming in but, having observed what we’ve seen already so far, I have some comments now and I’d like to go on record pointing out that four people have outvoted against the legal permissible reasons for going into closed session. Jackie Brown, you voted in a way that was against the legal permissible reasons to go into closed session. Bonnie Schaschek you voted against the legal reasons to go into closed session. Wayne Nunnally, you did and Fran Westbrook you did. This is how y’all got yourselves in trouble in the first place by doing illegal things. Just stop, just follow the rules okay.

Wayne Nunnally: Don’t.

Frances Westbrook: No, we don’t, don’t respond.

Sam Van Saun: That’s all we are asking you to do.

Wayne Nunnally: I do think it is legal. Her opinion…..

Sam Van Saun: Be transparent, be open. That’s all we are asking you to do.

Frances Westbrook: Thank you Sam. Anybody else? Alright public comment is closed. Moving on is the town update from myself.

1. **MAYOR’S REPORT**

Frances Westbrook: I wanted to let town council know that in this period without someone manning the town office that the mail is being collected, bills are being forwarded and deposits are being made at the bank. Phones have been forwarded to Lara between 9:00 and 1:00 on most days, as she has been in and out of the office. All email addresses for the town have been updated and those that are no longer needed have been archived. We were having a little bit of problem with the computer. We weren’t doing our nightly backups, but that has been taken care of and that’s happening on a nightly basis again. I would also like to draw attention to the fact that we have a new outdoor US Flag that was donated to the town by the Interfaith Council and that was put up just in the nick of time for the 4th of July parade. The other thing I’d like to say is thank you to the Irvington Business Association and to the Village Improvement Association for a great parade. It is amazing what you all have accomplished in 3 short….

Group: Clapping.

Frances Westbrook: I have heard nothing but very glowing comments about the whole thing, so thank you guys very, very much. We appreciate it. Next on the agenda.

Chris Braly: Madam?

Frances Westbrook: I’m sorry.

Chris Braly: I just had a quick question, I don’t know if it is the appropriate time regarding Ms. Brown’s, is she still the zoning, I’m, I wasn’t, I don’t know, did she resign? Did she have an effective date, I’m just curious.

Frances Westbrook: Her effective date was June 30th, but she agreed to hang in there with us for awhile in July.

Chris Braly: Okay.

Frances Westbrook: So that is what she is doing.

Chris Braly: Okay.

Frances Westbrook: Back and forth to Richmond and she has been kind enough to…

Chris Braly: We need to create a new employment contract, for a new arrangement, because I don’t know what the first one said, but my guess is that, it indicates that she was in the office and…

Frances Westbrook: Right.

Chris Braly: …for a certain amount of hours per week and if that has changed, do we need to review that?

Frances Westbrook: I think.

Female: Dudley can you speak to that?

Frances Westbrook: Dudley, when it comes time for your report.

Dudley Patteson: Sure.

Frances Westbrook: That would be great.

Chris Braly: Cause I didn’ t know.

Frances Westbrook: Excellent.

Chris Braly: Sure, sure, thank you.

Frances Westbrook: Alright next is Item H which would be report from the town attorney, Nancyellen.

1. **REPORT FROM THE TOWN ATTORNEY**

Nancyellen Keane: Thank you Mayor Westbrook. First of all, the town council authorized the town attorney via resolution 2021-09 to file two petitions seeking special election for positions of mayor and town council member. Due to the resignation of Mayor Bugg and the appointment of council member Westbrook to the interim mayor position. The Lancaster County Circuit Court issued orders dated June 26, 2021 for remaining positions and order the Writ of Special Election. Special elections will be held on November 2nd, 2021 the same day as the general election and the candidate deadline is Friday, August 13, at 5:00 p.m. Candidates must be qualified voters who live within the town boundary. Application materials may be found and I’m hoping Mayor Westbrook you’ll let me put them up on the website.

Frances Westbrook: Absolutely.

Nancyellen Keane: They will be found on the town website or on the Lancaster County Elections website page.

Secondly, during the recent investigation, I have remained silent, however, I now believe it is important for the town to know why I am resigning my position as town attorney effective on August 15, 2021. During the investigation and afterward, I have threatened and intimidated and subjected to false and derogatory allegations by some members of council, even after independent legal counsel retained by the town’s insurance company advised them to cease. (For example, see the minutes of the February 25, 2021, meeting and the investigation report.)

The latest allegation is that the former mayor, a council member, and town attorney had no authority to inform the insurance company of claims that exposed the town to potential liability and therefore led to the investigation. The town attorney has been told that she is blamed for this investigation. The town has a contract of insurance with the insurance company that the council approved and funded. Its terms require that all claims be reported to the insurer as a condition of coverage. More importantly all of the town’s elected and appointed officials have a fiduciary duty to protect the town by ensuring that such claims are reported as the contract requires. The minutes of council meeting in December 2020 and January 2021, confirm that numerous persons had asked for an independent audit. Council also voted on December 17, 2020 by a vote of 5-0 in favor, (Marchetti was absent) to authorize “a totally independent auditor to address the allegations by a resident and review the financials and town’s financial practices and provide a report and findings”. The town received just what it voted to receive a totally independent audit and review addressing all of these allegations and financial practices where they reported findings. Though some may not like the final results, they should understand that this entire unpleasant matter was caused by thoughtless and baseless allegations, not the filing of an insurance claim. The resulting investigation was a solution to the problem, not its cause. My client is the town, not the mayor, and not individual council members. I have always acted in the best interest of the town and this was no exception.

I have loved being the town attorney for Irvington, I did not undertake this assignment for money. I was trying to give something of value to the town. And I have donated legal services over 3 years totaling over $150,000 to Irvington. I want you all to know that I would be happy to consider assisting the town in the future when there is new leadership and I thank the members of council and the many others who have reached out to me with your kind words and support. Thank you.

Group: Clapping.

Frances Westbrook: Is that the end of your report? Is there anything from Fisher’s Pit or is that all.

Nancyellen Keane: I think that Lara said that you were going to speak to her and use her report, small report.

Frances Westbrook: Okay, yes, thank you. So for, Lara’s report. I believe all of you have got a copy of that from her.

1. **REPORT FROM THE ZONING ADMINISTRATOR**

Frances Westbrook: We Mr. Ben Burton with us tonight, who is here to answer any questions that we might have when we get to the North Commons update of this portion of Lara’s report. Do you all need for me to read this to you verbatim or do you have any questions? Anything that you need to know from her? Alright, then the first item on here is in reference to Kelly Alexander, 26 Steamboat Road who is asking for an exception to the town fire prevention act so that she can burn the abandoned trailer on the back of their property. This will be a controlled burn, supervised by the White Stone Fire Department Chief Dan Sanders. He intends to use this burn as a training exercise for his volunteer fireman. The appropriate neighbors have been contacted. It’s Lara’s understanding they do not have anything against this, they are happy to have the eyesore taken care of. A demolition permit has been obtained from the county, fees have been paid, so it is up to us to decide whether we will grant exceptions for town fire prevention code.

Wayne Nunnally: I move that we grant exception to fire prevention code so she can burn the trailer.

Bonnie Schaschek: I’ll second. We need to get rid of it.

Frances Westbrook: Any discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed? Okay.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Frances Westbrook: The exact date if not known. It is obviously very weather dependent. They will be notifying the town within about 48 hours or so when that is supposed to happen. We have a notice of violation update, this happens to be the ongoing issues that we have been having with getting some old trailers removed by the Ramsey Gunther property. That is still in the process. There has been a little bit of progress made. Hopefully they will be wrapping that up soon. Fisher’s Pit, Lara wanted you to know that on June 24th, 2021, the Lancaster Board of Supervisors revoked a conditional use permit for a junk yard (dump key) for inner demolition debris and exception permit to operate a stump/brush/scrap indoor chipping facility on tax map parcel 1347 located within the county’s A2 agriculture. Any questions on that.

Wayne Nunnally: Did I see that another company had been granted a permit to do just that? I thought I saw in the paper where a local company had been granted a permit by them to dump. Nicholas Desanchez?

Frances Westbrook: Not that I’m aware of. The county.

Chris Braly: I think there is a pending sale.

Wayne Nunnally: For the same thing?

Chris Braly: That’s what it was.

Frances Westbrook: Alright.

Chris Braly: That entire area there is two parcels in the Town of Irvington?

Frances Westbrook: In the town and one in the county and that is referenced here in what I just read. So, this is strictly what the county has just done. That’s the update that Lara wished for you all to know. Alright, North Commons update, Ben Burton is here, thank you sir for coming over to be with us tonight. We do have a decision to make here. Lara put into the table for you all to take a look at the surfaces that have been agreed upon and the completion that has occurred so far. The next step is to start looking at the rest of the proposal that Bay Design Group gave us. It is my understanding from Lara that if we decide we want to go forward with this to make a reasonable and informed decision about whether or not that is going to be a lot where we can build a town office or actually can we build anything at all over there. She wants us to be sure to know that, what she heard us say at the last meeting was that we talked about moving the office closer to the road, we still want that. That the concept building plan itself as far as size, shape, crawl space, or slab, etc. are decisions that we need to make which will affect some of what they are going to tell us. Some level of contact with adjacent property owners have the willingness to dedicate drainage easement, building on that property absolutely hinges on the drainage that needs to take place there.

Chris Braly: Is one of those properties toward me?

Frances Westbrook: I think you are next door to the property.

Chris Braly: I’m directly behind North Commons. There is a lot next to where that natural, okay.

Anthony Marchetti: It was recently sold.

Chris Braly: Okay.

Frances Westbrook: Unimproved property.

Anthony Marchetti: Right now the back of that lot naturally drains through the other lot and then down.

Frances Westbrook: And some possibility of allowing smaller parking spaces 9 x 18 is regionally accepted versus our town code requires 10 x 10. So, Mr. Burton is here, questions, comments you want to make on these items, he’s here to help us. What’s your pleasure.

Wayne Nunnally: Let me ask you this. Can we really go forward with this until we get our surveys done and all of that?

Bonnie Schaschek: I don’t see how.

Wayne Nunnally: I mean we are going to spend lots of money on surveys it looks like and once we know, don’t we have to have that before we can really go forward in any other direction.

Chris Braly: Does moving forward with this process is it dependent on the survey? No, it’s dependent on what the town council wants to do. Would it be appropriate to find out the opinion of the town before a big decision like this is made, yes, probably so. What I’m concerned with, what was decided upon by council and entered into contract with Bay Design earlier and you know, that’s, do we need, do we need to complete what was agreed upon first and then stop at some point. Wait for the survey and then decide whether to proceed or not. That would be my only, I think it would be proper to proceed as far as what the town council previously decided upon and then hold, and wait for the survey to then decide how to proceed.

Wayne Nunnally: That’s good wisdom. Where are we Mr. Burton on the contract? What is the one, what do you have to do to complete.

Frances Westbrook: Here are the items, do you have Lara’s report in front of you?

Mr. Burton: Right now the contract with the town doing all surveys, the designs and getting it up to a point where you can go out for bid, totals $22,700. Of that, we have completed about 38% of it and billed $8,578, that is the outstanding bill to be paid, but right now we are at about just a little over a third complete. We reached a point where you need to make some decisions to give us some answers so that we are not, so that we are going in the right direction with the site plan. Which is what we have been outlining there. The other thing I think you need to take into consideration is even when we get to a point when the site plan is approved, you still are faced with about 9 to 12 months of construction. All that put together would mean you would be lucky to be into the building in December of 2022 if you told us to go right now. There is not, this is because I believe you have a lease limit on the present town hall, it may be extendable but I’m not sure about that. It is something you need to take into account that just when we finish the work, there is still a lot more facing you out there on the project to get into a town hall that is ready to occupy.

Anthony Marchetti: I also think that we need to through Bay Design we have to present enough information to the people in the town to decide if this is something they want.

Frances Westbrook: Even want.

Anthony Marchetti: Like right now, I don’t think anybody, myself included knows exactly what it could look like or what it is going to cost. So, we have to get far enough along to say here is what it could look like and here is what it will cost to do it and then we can no, way too expensive or, nope don’t want it, or whatever it is, but right now we are in that limbo and I think it is hard to.

Bonnie Schaschek: I agree with Anthony. I thought what we were doing was having them come in and do a master site plan so we knew what all of our options are. Could we do this, could we do this, where will this sit, what some of the costs would be.

Frances Westbrook: Is that not what we are doing?

Dudley Patteson: That’s where we are.

Anthony Marchetti: He needs some feedback to keep moving forward.

Frances Westbrook: Doing the site plan so we know whether it would be feasible for us to build...

Bonnie Schaschek: Exactly and I think we should continue to do it to make sure that, I mean it may turn out that we can’t build a town office there for some reason but we don’t know that right now and to stop it and then start over again. I thought we had voted on we need to have this to make decisions. I agree we do need to do a survey which we have to do before we start construction, but, I think we have to have all of our options in place.

Anthony Marchetti: To present here is option A, construction or, option B, existing building or something.

Bonnie Schaschek: I don’t think we were going out and saying we are definitely going to do this, I think we need….

Frances Westbrook: No, we are trying to decide what our options are.

Mr. Burton: Madam Mayor. I apologize for, I had given some data to Lara which she should have put in writing, and probably would have gotten properly conveyed, it might just help the discussion. I was talking to Randall Kipp about this project and as we all know Randall can sometimes have champagne taste and I was talking to him about doing it on your budget, and he said definitely put it slab for ADA issues. So that was one of the questions and I just wanted to relay that. I relayed that to Lara and he was also saying that he would be willing to do and I think I am going to get this correct, preliminary design or that could then be put out to bid by independent contractors and to say that so that might help the town council find a path forward.

Wayne Nunnally: You say he is doing that….

Mr. Burton: He is going to do that. He is going to donate those services to the town, if he were to bid on it….

Frances Westbrook: Make up for it.

Mr. Burton: Not make up for it, he’d cut the price that, he’d like to be involved.

Frances Westbrook: Ahhh, okay, thank you.

Wayne Nunnally: So that would save another dime.

Dudley Patteson: Another point, we are looking for options as Bonnie said and options being what is the septic capability of a typical size building we need to understand what that is and is that building, regardless of the use, because we have to look at this as in the event we decide not to put the town office there for whatever reason, what can we do with that property and the resale of that property.

Bonnie Schaschek: That’s exactly right.

Frances Westbrook: That’s why we decided to go through and at least get the site plan done so we know what can and can’t be done over there.

Dudley Patteson: And can locations be moved and adjusted and so we need the options and the maximum we can do with parking or building size so we can make an educated decision as to whether it fits our needs or not.

Chris Braly: Feedback tonight or?

Frances Westbrook: Wayne answer that please.

Mr. Burton: We are sitting still.

Frances Westbrook: Sitting still.

Dudley Patteson: Of the services that you have outlined here that you have agreed upon, they will get us to place we want to be as a council, we have to do all of this is that what you’re saying?

Mr. Burton: To move forward, if you want to implement that concept plan that we presented that shows the 70 parking spaces and the larger building and that type of thing if Randall comes back with a smaller idea on the building or things like that, that changes slightly but I think, we work with Randall all the time, there is no problem from that standpoint. I think one of the hard things that Lara had in trying to give us some direction was what the building shape or size might be. You originally went out and asked for proposals for a 2,500 square foot building. You received those, that proposal from Chesapeake Homes, but I’m not sure that they gave you any shape, size, or anything like that, they just said hey, it’s going to cost that much. We need to know if there is a big, small, in between. So the things we provided already just for comparison, like we talked about last week, this is roughly 3,000 square feet you are looking at. The White Stone Town Office is roughly 3,700 square feet with open space, storage, a couple of offices and that type of thing and it could be very inefficient. It does have open space, it gives you some idea of what, you are kind of in the ball park, but maybe not in the final ball park if we have a guesstimate on the size and Randall spends some time talking with people about what you want to see in the building and how you want to have it shaped, it is not something that can be done in an open meeting like this. There needs to be a subcommittee or directive saying somebody needs to take the bull by the horns and say well here is what we are thinking of, you know four offices or this size meeting space or, whatever so that he can put some type level of plan together. He can direct you better in that, but we are willing to work hand in hand with him there because we don’t do that side of things, we just don’t want to get into details of the site plan and get down to 90% level of it and somebody comes back and says hold it, we are changing everything here. We are, we want smaller parking spaces, we want a much larger building, we can’t get agreement from the owner, from the offsite people to do what we need to do. We need to have some of that input there until we get that type of directive, none of this other additional services comes into play. That is details when and if we, when we go forward with things. So, it is more important that we get some answers to those technical issues and inputs that we have outlined that you discuss Madam Mayor to give us some direction on where it is going to go so that we are not spinning our wheels and going in the wrong direction.

Wayne Nunnally: I suggest that we form a committee to meet with Randall and Mr. Burton and get this on.

Frances Westbrook: That would be our building and grounds type committee.

Chris Braly: I think we need to get through these four items to move forward with what is currently under contract.

Bonnie Schaschek: Can I ask a question. Right now, what is stopping you from finding the, it says two well abandoned permit renewals. Have we found the abandoned wells, do we know where they are?

Mr. Burton: What is stopping me from finding what?

Bonnie Schaschek: While continuing on, evidently we have two abandoned wells on that property, do we know where they are?

Mr. Burton: Do you have?

Frances Westbrook: Those are things that need to be done.

Bonnie Schaschek: Well it’s still in there. That’s what I mean, those are things that…

Mr. Burton: Do you know where the septic field needs to go.

A lot of small group talking. (Individual small group conversations).

Bonnie Schaschek: We know the offsite drainage already so…

Mr. Burton: We know where it has to go, there has been no discussion to our knowledge that there has been any contact from the town of this person of whether they are willing to work with the town or whether they are going to be obstinate and saying no.

Small group conversations still going on.

Frances Westbrook: Mr. Burton, I’m sorry go ahead, I’ll ask that question.

Chris Braly: I think that was your question, that is what he was talking about drainage right.

Frances Westbrook: Yeah.

Chris Braly: Is this own whole plan contingent upon that property owner working with the town. Is there some other place, is there something else.

Mr. Burton: Swimming pool.

Frances Westbrook: So they don’t, if we can’t get the drainage down through there, the area that you have designated, are we dead in the water? No pun intended. I mean.

Mr. Burton: No, we just have to, if, if they say no, you can’t do anything on my property….

Frances Westbrook: Uh huh.

Mr. Burton: …then we have got to limit what we do on this property which is going to raise this up because we can’t do any grading down there to deepen this channel. We still can’t put any more drainage on the property but if we can make that channel go a little deeper up to your line it helps….

Frances Westbrook: It’s already draining in that direction right?

Mr. Burton: It is already draining in that direction. Very slowly, but it is draining.

Frances Westbrook: It is draining.

Mr. Burton: It is not the type of thing that we are talking about putting a pond in their backyard, we are talking about maybe having to clear that area down through there and do a little grading on this easement, on this drainage so we get a little better connection up here. If we have to live with this elevation here, then this all has to be higher to drain to that elevation. If we can extend these elevations back up here.

Frances Westbrook: Will this help their property draining also or?

Mr. Burton: No.

Frances Westbrook: Not all all. So…

Dudley Patteson: Whether it will help us or not, we go forward with….

Frances Westbrook: Well no, the alternative is we just have to make the building area that we would chose higher and that’s, yeah, so we would have to be bringing in loads of dirt.

Chris Braly: So would it be appropriate to have Lara reach out to the property owner for items #3 and have her start the conversations?

Frances Westbrook: I think that is a good thing to ask her. Well, I’m not going to speak for her.

Wayne Nunnally: Would you like to submit it to a budget?

Frances Westbrook: Let’s, let me run this by Lara first if you don’t mind and then um…

Bonnie Schaschek: Meaning you are going to talk to Lara or are we talk to the people.

Frances Westbrook: Let’s not talk to the people just yet.

Chris Braly: And then regarding the one, you said that we are going to move the town office closer to the road, correct, I believe that was the comment.

Frances Westbrook: I think that was a comment some of us said. Was that?

Dudley Patteson: He’s left out…

Chris Braly: If it is moved closer to the road, does that affect drainage into the…

Mr. Burton: Instead of draining everything, what it changes is how we get the sewage from there over to the drain field.

Chris Braly: Positively or negatively?

Mr. Burton: Easy maintenance.

Dudley Patteson: What was the discussion about moving it closer to the road, closer to Chesapeake Drive?

Chris Braly: I think the rationale was it would kind of feel like a town center where the parking would be hidden behind the building and the building would be itself the focus of that property not parking.

Dudley Patteson: Being the neighbor across the street, I certainly would prefer not looking at the side of a building as opposed to a parking lot.

Frances Westbrook: So then, are we saying we want to complete this particular process that we are in the midst of and get to the end of this and then we’ll have the information that we need and at that point in time make a decision yay or nay but we still have to take all this stuff to the public and get the input from that. This is just preliminary knowledge to help us form some sort of decision on which way we are going. Correct?

Chris Braly: Yes. We need answers, Lara needs to provide them answers or she is requesting from us to provide answers, specific answers to these three, these four points here before we can move forward. We can’t move forward any further if we don’t answer these questions, is that a fair statement.

Frances Westbrook: Right, moving the office further to the road.

Chris Braly: That’s what we want to do.

Frances Westbrook: The actual building plan, size, shape, crawl space, or slab I think we just heard from Mr. Pollard we were talking about probably a slab on grade, he was the conduit for Randall Kipp on that.

Chris Braly: I’m not an expert I don’t know. Does it make a difference?

Mr. Burton: There are advantages to both things.

Chris Braly: What are the disadvantages?

Mr. Burton: Huh.

Chris Braly: What are the disadvantages.

Mr. Burton: With slab and grade?

Frances Westbrook: Slab.

Mr. Burton: All your plumbing is down under a concrete slab and you better have it right the first time.

Bonnie Schaschek: And hope to never have a problem.

Mr. Burton: It limits how your HVAC can go, it ends up in an attic. It is usually, a slab is nice but I generally don’t do a slab right on grade, we recommend that it be at least a couple cinderblocks up and a concrete slab also that you get good drainage away from your building.

Dudley Patteson: Having a couple of cottages on a slab, we don’t want a slab.

Bonnie Schaschek: I was going to say the same thing. I have had houses on a slab, never again.

Dudley Patteson: No. We need to plan for a crawl space. Raise it up. Crawl space for plumbing to….

Mr. Burton: If you said here is the shape of the building and then it is going to be on a slab and we design and then right at the last minute, nope we are going to put it up in the air.

Frances Westbrook: That’s a problem.

Mr. Burton: Not really. All we have to do is figure out where we are going to add handicap access, how we are going to add a ramp so you can get in.

Frances Westbrook: Okay. Alright Item 3 on here, adjacent property owner, that is the item I want to talk to Lara about and then Item 4, input on possibly allowing smaller parking spaces and Anthony just pointed out probably a typo, it says 10 x 10, probably should be 10 x 20. The typo is.

Mr. Burton: Yeah, your current code requires 10 x 20.

Frances Westbrook: Right.

Mr. Burton: Every other county around here and every other town also has code that says 10 x 20. But they have also relaxed their rules in enforcing that and generally go with 9 x 18 as, it has been accepted in the bigger cities and that type of thing that in the whole region. Lara wanted and suggested that the council needed to make a decision on this specifically because if you allow it for your town hall, then essentially you are saying you are allowing it for anything else that happens within the town. It is an administrative issue that a zoning administrator would be concerned about, so.

Dudley Patteson: And that is that there is less parking. How much?

Bonnie Schaschek: Exceuse me Dudley, what did you say?

Dudley Patteson: The value of the smaller parking spaces is that there is less parking lot, you can.

Bonnie Schaschek: Same number of spaces but….

Mr. Burton: Smaller cars.

Frances Westbrook: Does this get us under that 1 acre disturbance if we make a subtle change in the size of a parking lot, parking space, there is not going to be any significant change on that.

Mr. Burton: That’s the red line when we put together, to get under the 1 acre disturbance you will have to have a massive change in the size of the building and number of parking spaces you are putting on there.

Frances Westbrook: So that’s a….

Mr. Burton: That would save you the $1,500 to $2,000 it is going to take for us to coordinate with DEQ.

Frances Westbrook: The disturbance.

Mr. Burton: That’s in my opinion robbing Peter to save Paul.

Chris Braly: I would recommend not making any changes to the code, I mean essentially that is what we would be doing, we would be allowing an exception which we would then have to allow other people to do because we did it.

Frances Westbrook: That’s a zoning issue….

Chris Braly: Yeah.

Frances Westbrook: ….it’s got to go before the planning commission anyway.

Chris Braly: And it would come before us. We should leave the code as it is and plan for that if we decide we want to proceed with changing, we can change it.

Bonnie Schaschek: I wouldn’t change the code, especially if you see the size of these trucks sometimes, not in these spaces.

Frances Westbrook: Alright, may I have a motion then for us to proceed with this project as it is outlined here on Lara’s report.

Chris Braly: So.

Bonnie Schaschek: I’ll second.

Frances Westbrook: Second.

Bonnie Schaschek: But we also need to get Lara to check on…

Frances Westbrook: That’s correct, but that, yes.

Bonnie Schaschek: That’s contingent on this, yeah.

Wayne Nunnally: Contingent on the drainage.

Frances Westbrook: Any other discussion? All in favor?

Group: Aye.

Frances Westbrook: Opposed?

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Frances Westbrook: Mr. Burton, thank you very much.

Mr. Burton: Thank you, we’ll wait to hear from somebody else.

Frances Westbrook: Alrighty.

Bonnie Schaschek: Do we get to keep these?

Frances Westbrook: Yes, you can keep those I think. Alright, next is our committee reports. First is human resources, Dudley.

1. **Human Resource Report**

Dudley Patteson: Okay, first off, is it okay, I need to comment on Nancyellen’s decision tonight. Which is a shame that the words and actions of a few have precipitated this decision on your part Nancyellen. You have been tireless in your work. You have set the example and the bar high for anyone serving or considering serving in a position in town government. I have found your character and integrity to be exemplary. You have succeeded in making our town a better place and made us as council members, and I mean all of us better for it. We are grateful. Thank you. Now, I do have a business matter related to Nancyellen which I would like and it’s an HR thing. I have been informed that there is a $3,000 bonus check for FY2021 which was given to our town attorney. I believe it was signed by our former Mayor Bugg, by you then Vice Mayor. This bonus was budgeted and appropriated, but this check was part of the investigation which determined there was no wrong doing. The party of the town attorney is sensitive to any possible inference of impropriety thus, I would like to make a motion that we have council approve the bonus so that there is a clean slate and that she can and have no fears of anything.

Frances Westbrook: Is that your motion?

Dudley Patteson: That’s my motion too.

Frances Westbrook: Is there a second?

Anthony Marchetti: Second.

Frances Westbrook: Discussion?

Wayne Nunnally: The only problem I have, I read the letter, and it says that the bonus was for the year 2018/2019. That was the contract, but this bonus that we are talking about now is for 2021. So it is a different bonus.

Dudley Patteson: It is my understanding there was an oversight in not changing that to marry up with the contract itself.

Frances Westbrook: When we renewed that contract the dates did not get changed appropriately to reflect the new contract so that is a typo that is in there. That is the contract that we voted on.

Wayne Nunnally: Alright, so the July 2019, that is actually wrote on is a type.

Dudley Patteson: It is a typo.

Wayne Nunnally: Because I had been, I mean, I know that the $3,000 it was for the 2018/2019, that was already paid.

Frances Westbrook: That’s right.

Wayne Nunnally: So we now want to approve it to be 2021?

Frances Westbrook: If you look at…

Dudley Patteson: So, so…

Wayne Nunnally: I just want to know the position I was coming from.

Dudley Patteson: I do, absolutely.

Wayne Nunnally: …get corrected. But those dates I was reading it correctly. Thank you.

Frances Westbrook: Any other discussion?

Bonnie Schaschek: What are we doing? Are we approving it?

Frances Westbrook: We are releasing the $3,000 bonus to her.

Bonnie Schaschek: I thought we already….

Nancyellen Keane: It was already handed to me….

Bonnie Schaschek: I thought she got it already.

Nancyellen Keane: Yeah, it was handed to me by the current mayor.

Anthony Marchetti: Because of the contract she was unable to cash it.

Nancyellen Keane: And it was already signed and I got it, but when I saw the contract language, I didn’t deposit it.

Frances Westbrook: She’s been holding it out.

Nancyellen Keane: I have been holding it in my drawer at my house.

Bonnie Schaschek: Is it still good?

Frances Westbrook: Yes.

Nancyellen Keane: It’s only 2 weeks old, but I’m just saying. For this year.

Frances Westbrook: It’s 2 weeks old.

Nancyellen Keane: Handed it to me 2 weeks ago.

Frances Westbrook: It was about a month ago. So any other discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed? Alright.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Frances Westbrook: You may cash it Nancyellen.

Nancyellen Keane: Thank you.

Dudley Patteson: Everyone should know that the mayor and the HR committee including Bonnie Schaschek and myself have been actively seeking candidates to fill positions that we have open in our town office. With respect to the clerk’s position, we have a couple of approaches that we have been taking. We have been interviewing a number of candidates to serve in the office as an interim administrative assistant, to answer phones, to speak with people that visit the town office. This has been a course that we have been taking. We have also been taking a course of trying to find someone to permanently fill this role and from the interviewing process the HR Committee has found a candidate that we feel is qualified and who is interested in serving in the role of the clerk. This candidate we will discuss later by our town council in closed session. As far as the zoning administrator, to my knowledge we have had….

Andrew Marchetti: Later, not tonight.

Dudley Patteson: Later, not tonight. We have had one application, Lara is officially being paid through June 30, she has graciously accepted to help us through the end of July, I think in light of Chris’ comment we should somehow pull together an agreement with Lara with respect to July and all this is recent news like today and therefore HR Committee has not had a chance to come up with compensation for the role she is playing in the month of July which is posted her resignation date. We are going to be doing that and will present something at our August meeting which will if not sooner, to provide some compensation for Lara who has done an exemplary job to help us get through at least July. So, after July we need to have someone serving in some administrative role.

Wayne Nunnally: I was checking with White Stone, I understand that they do their zoning by independent contractors. Have we investigated that?

Dudley Patteson: We, we have talked about that, and we, are going to be pursing possibly consideration of sharing zoning administrators or people at least in order to fulfill that and like White Stone we might consider a compensation based upon hourly time and, it is not out of the question Wayne, we’ve got it on our plate.

Frances Westbrook: Nancyellen.

Nancyellen Keane: I think to protect the town and also Lara, you all should probably take a vote to make sure that she has got the authority to be the zoning administrator, because she resigned.

Frances Westbrook: Okay.

Nancyellen Keane: Because anything she is doing or if she is calling someone and saying I’m the zoning administrator and if she is signing something, you want her to be authorized.

Frances Westbrook: Yeah she did, she did offer to hang around in July if we needed her, but I think her date was June 30th.

Nancyellen Keane: Yeah because I think you wanted her to put the ad in the paper or something, you wanted a resignation because you wanted to place the ad.

Frances Westbrook: That could have been, but Dudley, yeah, I think that is probably a good idea. Dudley if you would make that motion then as HR chair.

Dudley Patteson: The motion to continue with Lara….

Bonnie Schaschek: Until the end of July….

Dudley Patteson: …basis to be determined by the HR Committee and of course you Madam Mayor.

Nancyellen Keane: As zoning administrator.

Frances Westbrook: That’s the crux.

Dudley Patteson: Gotcha.

Frances Westbrook: Is that a motion.

Dudley Patteson: So moved.

Frances Westbrook: Alright second.

Bonnie Schaschek: What’s the motion?

Frances Westbrook: That Lara….

Bonnie Schaschek: ….Lara continues as zoning administrator.

Frances Westbrook: Irvington zoning administrator until the end of July.

Bonnie Schaschek: I second it.

Frances Westbrook: Any other discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed?

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Frances Westbrook: Anything else Dudley?

Dudley Patteson: Not a thing.

Frances Westbrook: Next, Planning Commission, Chris Braly.

1. **PLANNING COMMISSION – Chris Braly**

Chris Braly: So, I’d like to present a status report for, regarding the survey and comprehensive plan update. The planning commission met on Tuesday. They have completed an RFP, all of the discussed edits have been incorporated and it is ready for release. Commission member Lee Capps is investigating I believe some free open source type places where we can put it out for bid and once he receives the contact information for those organizations, the planning commission intends to release the RFP to the organizations that we have contacted ourselves as well as put it on the public sites. The goal of the planning commission is to conduct the survey beginning, begin data collection mid to late spring of 2022, and closing the data collection no later than September 7th, 2022. They feel that the best chance for getting the most response will be spring/summertime. So, that’s their goal. Obviously, it will be dependent upon who the final firm is when they are selected and what their schedule is, but their goal is going to be to conduct the survey spring and summer next year.

Frances Westbrook: We are about 9 months away from that.

Chris Braly: I’ve included a copy of the RFP with the incorporated changes as well as the status update that commission member Brian Forrester presented at the meeting, just for your reference. There are two outstanding items, I discussed one about Mr. Capps, the town council voted, at the genesis of this project, it was Ms. Brown was asked to go and search for organizations to perform the survey. I believe that and she did at the request of council. She found organizations I believe she only got a response from one organization, they submitted a proposal and on the March 11th meeting, there was a motion after a closed session, there was a motion to put $6,500 in the budget and, a motion to put $6,500 in the budget to accept the contract with Quantisoft.

Bonnie Schaschek: Can I, there was a motion to put the money in the budget. We did not approve the contract. The only thing we wanted to have after that was for the town attorney to review the contract. We never approved Quantisoft. We were just approving the dollars for the budget going forward.

Frances Westbrook: It wasn’t a contract per se. It was information….

Chris Braly: Okay, as I read the motion in the minutes, it is unclear.

Bonnie Schaschek: That’s why I was just saying. We put the dollars there because we had a dollar figure and then we had documents that we wanted the town attorney to review.

Chris Braly: Okay, so then that was purely for budget standpoint only.

Bonnie Schaschek: Yeah.

Chris Braly: It was not to accept the contract given to the attorney to review it and then have to make her sign it.

Dudley Patteson: It wasn’t even reviewed.

Chris Braly: Okay. I just wanted to make that clear. I am removing it from my outstanding items now that it has been clarified. I appreciate that. I do not know when the RFP will be released again we are waiting on Mr. Capps to provide information and once that happens we can go ahead and release the RFP. Do you have any other questions for me.

Bonnie Schaschek: I appreciate all the hard work that you and Brian have done on this. It is very impressive to the extent and the thought and the care that you have put into this. However, I really have a problem with this timeline for the survey, 2023.

Male: 2.

Bonnie Schaschek: You know we have all these projects that we are looking at the town office, the North Commons, and as you saw tonight we are hobbled if we don’t have the results of the survey. Being on the 2017 comprehensive plan, comprehensive plan committee, one of the main problems with the development of the comprehensive plan was that the survey and the plan were done by the same entity and that entity was very invested in having their, the citizen opinions match up with the roles that they had already put in place. I think it might be wise to have a separate entity to do the survey that would independently report the results to the planning commission and then you can apply the results to creating the goals.

Chris Braly: So the plan, currently what the RFP is asking for is, it is asking for a survey as one part and then the comprehensive plan development using the results of the survey as the second part. They are two specific items. We, the planning commission intends to keep them separate so when they come back with recommendation to the town council they will recommend probably proceeding, getting approval to proceed with conducting the survey first and then come back once the data collection has been completed and the reports have been received to then either proceed with moving with the firm to do the comprehensive plan or you know some other, some other mechanism for revising a comprehensive plan.

Bonnie Schaschek: I hear what you are saying but I still have a problem with this timeline, 2023 is a long time….

Frances Westbrook: 2..for the survey…

Chris Braly: 2022 is when data collection, the goal is to end it around Labor Day 2022 with the report being available by the end of the year. I understand the frustration of that timeline however, the planning commission feels strongly that the process for selecting the firm, be proliferative in order to ensure the town council and most importantly the residents of the town are excited and happy with the results that are presented. If we rushed in selecting an organization to do the survey, if we rush to choose and get the survey done ASAP without careful thought on how the firm plans to develop questions, part of the reason why the timeline is such is because most firms that we contacted, part of developing the questions for the survey is to conduct meetings with residences of the town to get an understanding of where they want to see the town be in the future and it helps them graph their survey questions and helps them determine what to ask and what not to ask. So, they need to spend some time learning about the town, they need to spend some time learning what the vision is of the town council, the planning commission and of the residents, business owners in town, etc. So, that’s why it is going to take so long to begin the surveys because there is a lot of work that takes time to develop and write the questions in a way that we can all feel comfortable that they are fair and independent questions, not leading questions or what not. It just takes time.

Wayne Nunnally: How close are you to picking a firm?

Chris Braly: We have not released an RFP, I believe there is a schedule in the RFP to respond, I believe it was 30 days to respond and once all, once that clock has ended, so the goal is to receive them all by August 30 and then review the ones that are received. The planning commission will probably whittle down the responses to the three best, present those to the town council, then probably work to conduct virtual interviews with each of the firms having present on their project and then make a recommendation to the town council for approval.

Wayne Nunnally: So we may get it before then.

Chris Braly: Yeah, it just depends on what the firm selected, may I allow Ms. Harris to chime in here.

Julie Harris: Julie Harris, Commission Chair. I just wanted to say that in the planning commission meeting on Tuesday, we did talk about this timeline being tentative, the upfront one with the deadline of August 30th and so forth, the planning commission decided. But the selection of the company would be in conjunction with town council and also once the company is selected, we would defer to them to help us guide the timelines as their expertise is in surveys and the amount of time necessary. So, this is a tentative outline from the planning commission, but we want to get your commitment on the company we decide to go with.

Wayne Nunnally: Good job.

Frances Westbrook: Thank you.

1. **NEW BUSINESS**
   1. Authorize the mayor to renew the insurance policy with VRSA.

Frances Westbrook: Next, new business is to authorize the mayor to renew the insurance policy with VRSA. I think you all have a copy that was sent to you all. I have talked with, I think his name is Mr. McMillen, and explained to him what is going on with us not being able to have two signatures on the checks. They are fine with that. If we vote on this tonight we can put that check in the mail as soon as we can get Anthony down to get added to the bank signatory cards.

Wayne Nunnally: So moved.

Dudley Patteson: Second.

Frances Westbrook: Any other discussion?

Chris Braly: One thing I noticed is that the total premium is higher than we budgeted right, so we are going to do an amended budget and that will include it in the amended budget?

Frances Westbrook: Yes.

Chris Braly: Okay.

Dudley Patteson: Is that amended budget coming up at our next meeting?

Frances Westbrook: That would be up to budget and finance to let us know.

Anthony Marchetti: It sounds like it is back up on the table.

Chris Braly: I just want to make sure.

Frances Westbrook: Yes, yes absolutely. Is there any further discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed? Alright.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

* 1. **Virginia Department of Fire Prevention**

Frances Westbrook: The Virginia Department of Fire Prevention has been giving us a grant for years in the amount of $10,000 and that is because we don’t have our own fire department and we in turn have been giving that $10,000 to White Stone. We also built into our budget a donation to the Kilmarnock Volunteer Fire Department because both of those entities answer to fire prevention and volunteering and so anyway now that it has gone up $5,000, the question is would we want to give that $5,000 to Kilmarnock and that would alleviate the donation that we now show on the budget for Kilmarnock.

Bonnie Schaschek: I think that is a good idea but we also have to put the restrictions on it because the grant can only be used for certain things. The donation that we make today, we don’t have any stipulation on, they can use it for anything.

Frances Westbrook: For anything, that’s right.

Bonnie Schaschek: So they would have to fill out paperwork for this to let them know.

Frances Westbrook: They have to do an annual report.

Bonnie Schaschek: I think it would be a great idea just as long as Kilmarnock knows that they have to abide by.

Wayne Nunnally: Is that a motion to give them the $15,000.

Chris Braly: No the $10,000 goes to White Stone.

Frances Westbrook: As it always has.

Chris Braly: The motion, the extra $5,000 that we received, how do we present to them, what is the mechanism with presenting them with the $5,000 and the stipulations? What did we do for White Stone whenever we started it?

Frances Westbrook: That started so long ago, it has probably been in the makings for a couple of decades for White Stone. We could entertain a motion that says we’d like to give the $5,000 to Kilmarnock based on their knowledge and agreement to do the annual paperwork. I can’t imagine they would turn it down. My guess is they are probably doing something like this already.

Bonnie Schaschek: Just so that they know there are unfortunately strings attached, where we never did that report.

Frances Westbrook: The reports can be filed online. It’s, there are a number of things that they can use it for.

Bonnie Schaschek: I agree with it, I make a motion that we apportion the $5,000 for Kilmarnock.

Wayne Nunnally: Second.

Bonnie Schaschek: I don’t think that they would object of filling the paperwork out but we do need to let them know.

Frances Westbrook: And you second it Wayne?

Wayne Nunnally: Yes ma’am.

Frances Westbrook: Alright any other discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed?

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

* 1. **Public Comment Protocol**

Frances Westbrook: Next is Anthony, public comment protocol.

Anthony Marchetti: I’ll keep it quick and give you a paired down version and you know I guess the title of the agenda might be slightly misleading. I’ll just kind of give a broad overview and give us an idea that hopefully president’s and council and everyone can contribute to. But really, I guess the more appropriate title on the agenda should be Improved Agenda to Foster Productive, Efficient and Timely Engagement of Council and Residents. I think there is opportunity just with the structure of our agenda to have, make discussions and engage with residents more productive. I’ll give a few examples and then try to keep the meeting moving on, I mean one overall idea is that from month to month we want to track and show progress on key issues. There are probably certain topics every month whether it is zoning or new business, old business that should probably be on the agenda. The town office is a big one. What is the progress. Just so that we as council and residents know that, or every other month that those topics get back on the agenda so like the no through truck that we talked about, all that stuff it just doesn’t get buried, lost, forgotten, so this being calculated with things being on the agenda. One of my other ideas, I guess suggestion might be that throughout the meeting on the agenda where appropriate where noted, that we have an opportunity under certain topics for public to comment on that topic. So, you get a public comment beginning, comments are all over the place, we can’t address them until possibly if they are on the agenda you can address them during that conversation, but I feel so many times where we as council are forced to make decisions without having had a chance to hear from the residents. So the agenda would have a topic under it and then it would be council discussion, public comment, all that topic only, right, and then the next topic, and then have a chance to comment on it and that would allow us to engage in a conversation before and after hearing from you on that specific topic. I think that it would reduce and maybe moving toward the end of the meeting, I’ll call it general public comment, where any topic that wasn’t mentioned on the agenda where residents didn’t have a chance to speak, could say, I, this is an issue of mine, I’d like to make a mention of it and it should potentially be on the next agenda as an item. The idea is that there is an opportunity we talked about that applies to workshops to where just a few chances I’d like to hear from council, for council to hear from the public when it matters and it is a lot of weight on our shoulders to make big decisions and I don’t want to make them without hearing from everybody here so. I imagine the agenda might look different and it might be evolving might try and find out what worked and what didn’t work. I’d love your feedback on it of course. Just a general idea where we can improve, increase, a meaningful engagement between us and the people out there when it matters and we don’t have somebody saying well I didn’t have a chance to talk on that or I don’t want to be in a position to vote on something when I haven’t heard what you have to say about it so.

Frances Westbrook: I have a question.

Anthony Marchetti: Sure.

Frances Westbrook: So, would this, you would predetermine which items on the agenda would have public comment?

Anthony Marchetti: Correct, not everything on the agenda needs public comment, so it would be on the agenda and you would see when you got there, maybe on each topic a line that says action, what is the action need to come of that discussion, a vote or, whatever it is, a better way to track our progress and progression through topics as we ultimately are trying to get stuff done. I think it would be something, another measure, whether we are accomplishing anything so, it will start with us producing the agenda but, I just mentioned if you have feedback, please pass it along with you know, I’d love to see it start as soon as the next meeting where the agenda, the look of the agenda on paper starts to look different and where public comment is should be more frequent but in different places throughout the meeting, and it does mean if you want to talk about something off topic, you will have to endure a 2 hour meeting but, everybody is still sitting here, so….

Dudley Patteson: Super idea. That’s great.

Wayne Nunnally: Anthony, my wife calls that a to do list.

Anthony Marchetti: Yep, anyway thank you, that’s it.

Frances Westbrook: Any comments.

Bonnie Schaschek: It is something that has been talked about before. Usually, public comment has been in the beginning and what they are usually commenting on is something that happened last month. So we have often asked why we couldn’t have public comment at the end so that you know once we have gone through the agenda items we get public comments and we can see where we go from there. I think having it at each step in the agenda is going to make for a very, very long meeting, but if you have it at the end maybe it would condense it.

Frances Westbrook: The issue with having it at the end and I struggled you know, I think everyone struggles, if it is at the end then town council has already taken an action on something before public gets a chance to comment. If they comment at the beginning then it may influence what we discuss but then the discussion goes on and they don’t have the opportunity to comment on what we discussed so it’s…..

Anthony Marchetti: My guess is a lot of topics there won’t be public comments and then obviously the comment should only be specific to that topic. So like for example if we are on the budget, fee rate schedule, a reading of the fee rate schedule, public comment. Transient occupancy tax rate, reading of it, public comment, if you are opposed to it, want to see it go up, down, whatever, you stand up and here is your chance, anybody else, you know real estate tax rate, comments, and then that allows us to, I mean, a lot of us might be listening but….

Frances Westbrook: Some of those items are covered in public hearings and that is…

Anthony Marchetti: That’s an example…

Chris Braly: An example is our discussion about the town hall in Lara’s report, it might have been appropriate to have a small comment section to you know to get feedback from that discussion about the town hall plan.

Frances Westbrook: That’s kind of what Albert Pollard was trying to do and that was good information to hear him say.

Chris Braly: But if we put formal ones on top of where we think it is appropriate.

Bonnie Schaschek: Discussion…

Anthony Marchetti: To streamline meetings, not extend them and again, it might take some practice, and if that didn’t work, then let’s try it another way. Just to be more efficient and they can speak when it makes sense to speak and before we have to, and then we have a chance to respond when it makes sense. Somebody says something and it is not a topic on the agenda it is a month later before you have a chance to respond to it, anyway, just an idea, love input and thoughts.

Frances Westbrook: So are you all interested in maybe playing with the agenda for next meeting?

Dudley Patteson: Yes.

Frances Westbrook: Seeing if this will…

Anthony Marchetti: I’ll be the first to admit I think if it doesn’t work, then we can try it a different way or, you know, if it will increase the back and forth….

Frances Westbrook: For the August meeting… Alright item 4 under new business.

* 1. **Motion To Add Vice Mayor as Signatory at Chesapeake Bank and Blue Ridge Bank.**

Frances Westbrook: Motion to add vice mayor as signatory at Chesapeake Bank and Blue Ridge Bank and this is to include the CD’s also at each bank.

Wayne Nunnally: So moved.

Dudley Patteson: Second.

Frances Westbrook: Any discussion?

Bonnie Schaschek: Do we have to name Anthony?

Frances Westbrook: Yes, they’d like the resolution but it just names officers on there, there is no specific name.

Bonnie Schaschek: You need to add his name to the motion.

Frances Westbrook: Yes, they want the name in the motion. They want a copy of the minutes that has the name.

Chris Braly: So the motion is to add Anthony Marchetti as signatory at Chesapeake Bank…

Bonnie Schaschek: As Vice Mayor.

Chris Braly: Vice Mayor.

Frances Westbrook: That’s correct.

Chris Braly: As signatory at Chesapeake Bank and Blue Ridge Bank to include the CD’s.

Frances Westbrook: That’s correct. All in favor?

Nancyellen Keane: Question?

Frances Westbrook: Yes.

Nancyellen Keane: You’ve got a banking resolution or are you trying to amend the resolution or just….

Frances Westbrook: No ma’am. The resolution states the Mayor and Vice Mayor and the Town Clerk.

Nancyellen Keane: Okay.

Frances Westbrook: Both banks, this surprised me, both banks also want a copy of the minutes with the person’s name, the office they hold.

Nancyellen Keane: Okay.

Frances Westbrook: So, all in favor?

Group: Aye.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Frances Westbrook: Yeah. Item 5.

* 1. **Motion to enter into contract with Cox Termite and Pest Control.**

Frances Westbrook: Motion to enter into contract with Cox Termite and Pest Control. We’ve got a little bit of a critter problem going on over there at the town office. These are the same people that we had a contract with at the old town office, you can see there that the amount quoted to us, so the question is I’m looking for a motion to sign this contract and get this guy going, get rid of our problems.

Bonnie Schaschek: So moved.

Chris Braly: Where in the budget did this come from?

Bonnie Schaschek: Maintenance and repairs.

Frances Westbrook: Maintenance and repairs.

Bonnie Schaschek: It used to, we’ve always paid it out of there. That’s why we never moved to the new office.

Frances Westbrook: Yeah, in those figures we never took it out of this current budget.

Male: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: Alright.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

* 1. **Motion to hire Williamson Movers to move boxes and file cabinets all the way upstairs in the existing town office.**

Frances Westbrook: Motion to hire Williamson Movers to move boxes and file cabinets all the way upstairs in the existing town office. These are the people who moved us from Steamboat over to Irvington. There is quite a few cabinets there, Lara and I went through that stuff, there is a lot of boxes downstairs that just needs to be taken upstairs and get that third room usable for the new people moving in. So they are looking at charging us $95.00 for two men collectively per hour and I think we are looking at a couple of hours, maybe 3 at the most.

Bonnie Schaschek: I make a motion to use Williamson Movers to move that stuff upstairs.

Dudley Patteson: Second.

Frances Westbrook: Any other questions? So, do you want to put a dollar limit on this?

Bonnie Schaschek: I would put a dollar limit of $500 on it.

Frances Westbrook: Alright motion to amend it to $500 limit.

Dudley Patteson: Second.

Frances Westbrook: All in favor?

Group: Aye.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Bonnie Schaschek: Hopefully the exterminator will spray after the boxes are…

Frances Westbrook: Yes, yes. Alright, item 7.

* 1. **Planning Commission vacancy.**

Frances Westbrook: Item 7 on new business, planning commission vacancy. We do have a letter and resume from Mr. Pollard, quite impressive, thank you, and the question before us tonight, do we want to go ahead and appoint tonight or do we want to advertise the vacancy. We have done it both ways, most recently we did appoint, in fact it was for Mr. Braly, I believe…

Wayne Nunnally: Without advertising.

Frances Westbrook: Without advertising, so what’s your pleasure.

Bonnie Schaschek: I move that we appoint.

Jackie Brown: Second.

Male: Second.

Frances Westbrook: Any more discussion? Or any discussion? All in favor.

Anthony Marchetti: Great asset to the planning commission.

Frances Westbrook: Alright, all in favor of appointing Albert Pollard to the planning commission say aye.

Group: Aye.

Frances Westbrook: All opposed? Congratulations Mr. Pollard and thank you very much.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Albert Pollard: Thank you all very much.

* 1. **Organization of Committees for fiscal year 2021/2022**

Frances Westbrook: Alright the next thing, item 8 under new business is organization of committees for fiscal year 2021/2022. Traditionally the mayor presented a signup sheet to town council members at the beginning of each fiscal year in which town council members volunteered for a committee or two. I’d like to return to that tradition for several reasons. One, volunteering for a committee typically generates more enthusiasm for the work to be done, two, committees will probably be tasked with more projects in upcoming months to better facilitate the learning curve expected of the new town clerk and three, increase to some extent the ongoing overall work that committees may be called upon to do. The latter is cited in the handbook for Virginia Mayors and Council Members as published jointly by VML and the Weldon Cooper Center for Public Service. It does state that smaller towns that do not have a town manager, a committee structure may be used to oversee government administration. So…

Chris Braly: Since, I’m the newest one here.

Frances Westbrook: Uh huh.

Chris Braly: Does, why was it September?

Frances Westbrook: That used to be, when people were elected they came on board in September.

Chris Braly: Okay.

Frances Westbrook: So, now that that has been restructured elections are generally, well we won’t have May elections anymore but people will take, the new structure now, when you are elected in November you’ll take office in January, so this will slide a little bit again.

Chris Braly: So wouldn’t we fill vacancies on the current committees and do it January 1, because there is going to be a special election this year….

Frances Westbrook: That’s right.

Chris Braly: …and then next year there’ll be an election so why wouldn’t you just do it on January 1.

Frances Westbrook: Because I prefer to go ahead and get this structured and going so that we can, I’ve got, there are some specific jobs that are coming up that we need to.

Chris Braly: Aren’t you already on committees.

Wayne Nunnally: …term….

Chris Braly: My point is the committees actually exist already, so why do we need to redo it now, why don’t we just wait until January after the elections when new people, when the seats are elected to reorganize the committees. There is only one vacancy right now and that is the chair of the budget and finance. Why wouldn’t we just fill the chair of budget and finance and then wait until January to do our restructuring.

Frances Westbrook: Because as Mayor I really would like to do this and get some, we need to have more than just two people on some of these committees, a lot of work on a couple of these and…

Anthony Marchetti: I think something of value might be, excuse me, to very deliberately define what each committee encompasses and covers, and then I think it would be. I don’t know what all these mean, budget and finance because I’m on it, but I think being specific and deliberate about what each committee is expected to do, a scope. I think it is a good chance to redefine what committees do and what expectations are of the committees. I agree I think we need to get a lot out of committees.

Frances Westbrook: Uh huh.

Anthony Marchetti: It seems like a good, even the renaming, you know what does that mean Community Events and Tourism, what does that encompass so I think it is value in defining what each and try to do it so its evenly, right, I know personally how much budget and finance meetings and how much time it is, great happy to do it. I think it would be more productive to….

Frances Westbrook: Expand where we can.

Anthony Marchetti: …well also to your point, you’ll get people signing up for things they want to sign up for, and you are going to get better participation and more productivity out of them. Again too, you can have a specific committee Events and Tourism workshop with the public, where public can comment and I think that’s valuable and productive. So, I, you know, maybe a suggestion that we can work to define, scope and goals, objectives of each committee and then move into January 1st.

Dudley Patteson: The protocol associated with that is, the relationship with council needs to be, can’t do without authorization of town council. I mean it is spelled out.

Frances Westbrook: That’s right.

Wayne Nunnally: This is where it is done. It says in the charter that the mayor appoints committees, selection. I don’t think we have any designated committees anywhere. I mean these four that we came up with, the mayor can make 10 more if she wanted.

Anthony Marchetti: That could be part of the processes, I mean do we need, do we need less, do we need more.

Wayne Nunnally: Well, it is to me at the mayor’s discretion, whoever that may be.

Chris Braly: Again, my main point is that the committee’s now exist, if we want to as Anthony suggested redefine the expectations of each committee, work over the next few months to do that, come January 1 when the seats are permanently filled after the election, that’s when we do the reorganization with the defined, newly defined or redefined committees.

Anthony Marchetti: The existing committees can describe what they do and what they could do and want to do, or should do.

Frances Westbrook: We have the existing committees get together at their own…

Bonnie Schaschek: Can we just back up a little bit, normally when committees were assigned, they were assigned in each election year and you served for until the next election year. So, the committees existed for 2 years. Yeah. We don’t have an election year this year. We have a special one because we are replacing somebody here and somebody there. But the committees that, and this is the way it used to, there also used to be 10 other committees and there was a long, and it got cut down. They served for the length of the 2 years until you get into the next election cycle. So, I think we need to.

Frances Westbrook: We are trying…

Dudley Patteson: What Anthony is suggesting is what you just said is not anywhere defined, there is no written….

Bonnie Schaschek: No, it’s just the way it has always been.

Dudley Patteson: So, we need to put it in writing and put the role of each committee in writing so that whoever comes in at the next election year fully understands what being on budget and finance is going to entail. Because I know Anthony..

Bonnie Schaschek: It’s never truly been defined.

Anthony Marchetti: It is hard to sign up for something you don’t know what you are signing up for.

Dudley Patteson: Bonnie you and I can get together and do something with HR and then, as do the other council members with their respective committees and that’s a start and then when we want another committee to…

Frances Westbrook: Alright how about this, the four existing committees which is basically what I sent you all, maybe I spend some time with each one of the existing committees and let’s start flushing out so that we can bring this back in August, we’ll have something to look at, talk about the committees and move from there.

Anthony Marchetti: That’s great.

Frances Westbrook: That sound good, everybody onboard with that. Alright. Let’s see.

* 1. **CLEANING SERVICE FOR THE TOWN OFFICE**

Frances Westbrook: We are adding cleaning service is #9 that we added. We want to have a motion to look into hiring a cleaning service for the town office. We did have one at the old, somehow that also got lost in the moving, because I don’t think they’ve had anybody there. Do you remember Nancyellen? I don’t think there has been anybody there cleaning has there?

Nancyellen Keane: I haven’t seen anybody.

Bonnie Schaschek: Have we approached the cleaning company on why they didn’t do it.

Frances Westbrook: I don’t know. I have no idea. I’d like to have a motion to get that going again, maybe have them come every other week, twice a month. They don’t need to be there weekly I don’t think.

Wayne Nunnally: So moved.

Frances Westbrook: Alright, I’ll look into that with that motion.

Bonnie Schaschek: Second.

Frances Westbrook: Any discussion? All in favor?

Group: Aye.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Frances Westbrook: All in favor? Alright, I’ll bring you back figures at the next meeting.

1. **OLD BUSINESS**

Frances Westbrook: Old business, second reading of ordinance.

Chris Braly: One second. Since we don’t have, there’s a couple things that, the ordinances that were provided in the last meeting had the wrong date July 8th.

Frances Westbrook: That’s right, I’ve got that noted.

Chris Braly: And my name is not on there as town council and your name is not on there as mayor. So, I think Nancyellen.

Nancyellen Keane: I revised one of them and I thought I printed the other one and I didn’t, so this is the 8, but it has been updated to include you and Braly and the clerk is blank.

Frances Westbrook: And that’s all the changes.

Nancyellen Keane: Yeah, this one has been corrected, I’ll have to bring you the other one tomorrow or something.

Frances Westbrook: Okay, very good.

Chris Braly: We also I think need to since the town clerk is the one typically who attests to the mayor signing it, we would need to allow the town attorney as the staff member to attest to the vote.

Frances Westbrook: Alright.

Chris Braly: So, I’d like to make a motion that the town attorney be the person who attests to the vote of these resolutions.

Nancyellen Keane: And it is really the signature of the mayor.

Chris Braly: Signature of the mayor, yes.

Anthony Marchetti: Second.

Frances Westbrook: Any other discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed?

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Frances Westbrook: Now onto the specific ordinances themselves, the first one on here is.

* 1. **2nd Reading Ordinance 2021-07 Repeal Reenact Town Code 34.02.**

Frances Westbrook: This has been read before, do we need to read it again? Just mentioning the ordinance number is sufficient?

Nancyellen Keane: The title is enough.

Frances Westbrook: Okay. Do I have a motion?

Wayne Nunnally: So moved.

Frances Westbrook: Second?

Anthony Marchetti: Second.

Frances Westbrook: Any discussion or questions? All in favor.

Group: Aye.

Frances Westbrook: All opposed?

Chris Braly: I am going to abstain since I was not part of this.

Frances Westbrook: Okay.

Dudley Patteson, Aye.

Chris Braly, Abstain.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 5-0, 1 abstain.

Chris Braly: Was that 08 or 07?

Frances Westbrook: That was 07.

* 1. **2nd Reading of Ordinance 2021-08 – Adopt Short Term Rental Registry**

Frances Westbrook: Alright the second one, 2nd reading of ordinance 2021-08 – adopt short term rental registry. This is the same updates we have on the other one.

Wayne Nunnally: So moved.

Frances Westbrook: Second?

Bonnie Schaschek: Second.

Frances Westbrook: Any questions? All approved.

Group: Aye.

Chris Braly: I am going to abstain.

Frances Westbrook: Thank you. All opposed none.

Dudley Patteson, Aye.

Chris Braly, Abstain.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 5-0, 1 abstain.

* 1. **ARPA Funds FW**

Frances Westbrook: The ARPA Funds that is just an announcement where we did receive money, they are going to give us a total of $152,766. $76,383 has been received and it was wired into our checking account. I think we are going to have to transfer it to the CARES Fund, that’s where town council decided it should live, so I would let the accountant know that. The balance, the other half of it will come to us in 12 equal monthly payments.

Anthony Marchetti: Do we get it for 12 months.

Frances Westbrook: It’s monthly payments, I sent you this didn’t I?

Anthony Marchetti: Yes, it is distributed in approximately 12 months.

Frances Westbrook: That’s my understanding.

Anthony Marchetti: Just didn’t clarify if it was monthly.

Wayne Nunnally: [inaudible].

Frances Westbrook: There are some and those are yet to come.

Anthony Marchetti: It reads in 12 months.

Bonnie Schaschek: And then in 12 months you get your second… .

Anthony Marchetti: Lump sum.

Bonnie Schaschek: That’s the way I understood it at the meeting. Is that….

Nancyellen Keane: That’s how I understood it.

Frances Westbrook: The other half in 12 months. For some reason, this isn’t the only thing I’ve read. For some reason I was under the…

Male: [inaudible].

Frances Westbrook: Yeah, I see that, but I was under the impression it was going to be 12 months, alright we’ll clarify that. Did you all, well I guess you didn’t. There is a number in the letter we can click and look at additional information or whatever.

Bonnie Schaschek: Yeah.

Chris Braly: Can you forward me the electronic copy of the letter that has the links.

Frances Westbrook: I sure can.

Chris Braly: Thank you.

Frances Westbrook: If you don’t hear from me in a day or two, remind me.

Bonnie Schaschek: Information so that you can get on the mailing list for some of this stuff.

* 1. **HIRE A MUNICIPAL FIRM TO ADDRESS THE TOWN’S FINANCIAL POSITION.**

Frances Westbrook: Alright, item 4, discussion about hiring a municipal finance firm to address the town’s financial position. Dudley that’s you.

Dudley Patteson: Well we’ve discussed the town office. We’ve got other topics that we as a council need to address pursuant to public water access to those who don’t have the opportunity to split on the water but they are residents of Irvington and I don’t think we as a council can make an informed decision about where to spend our money until someone advises us to, what our capabilities are and we have got a couple of proposals. I would recommend that we go with Davenport because they are involved with the county and they know our area. They being, they have skin in the game because they also can serve as the capital fundraiser for us should we need them and there is not really much you can say against them quite frankly based upon their proposal letter. This was put in the budget last year. I think we are negligent in not trying to get this number and done sooner. So, it is the intelligent approach to where we go.

Frances Westbrook: We have budgeted the funds to start with.

Dudley Patteson: Pardon?

Frances Westbrook: I said we have budgeted the funds to start this process.

Dudley Patteson: The only thing that I would add to their proposal which an item is that we would also ask them to give us their assessment of the impact of a meals tax to the bottom line of the town because through that meals tax we are hopefully able to accomplish some of the other things that we would like to see in our town and they have the ability to do that.

Frances Westbrook: Is this something that town council would like to have budget and finance get back with Davenport and see, and ask them the important questions and give us some firm numbers on what their services are going to actually cost us? Would council like to have budget and finance…..

Wayne Nunnally: Certainly looks like to me its budget and finance committee area….

Chris Braly: What was budgeted?

Frances Westbrook: I believe the budget was $10,000.

Dudley Patteson: That’s what they said not to exceed $10,000.

Frances Westbrook: If we can get a formal outline of exactly what they are charging and what we are getting for that $10,000.

Dudley Patteson: And why don’t we ask budget and finance to get with them between now and the August meeting so at the August meeting we have something concrete to….

Frances Westbrook: To go with.

Dudley Patteson: …to hopefully….

Anthony Marchetti: Their proposal is now close to a year old.

Frances Westbrook: Yep.

Anthony Marchetti: Update current….

Frances Westbrook: Touch base….

Anthony Marchetti: …and know what we actually get for the money.

Jackie Brown: Information we just got from the planning commission we are not going to be able to move forward on anything until 2023, I don’t see the purpose for this right now.

Dudley Patteson: The survey is going to help us and guide us into the right direction, but there are certain things that are, self-evident that we need to address as a town. We as a town cannot afford to have septic fields fail whether they be for residents or for businesses, and if septic fields fail we as a town are causing more harm than you can imagine. We need to like our towns on each side of us White Stone and Kilmarnock, we need to do the environmentally right thing to do and we need to do it to protect our town from.

Jackie Brown: I don’t disagree with you, but I….

Chris Braly: It’s almost like….

Jackie Brown: Excuse me, I’m speaking. I heard basically everyone at this table talk about that they wanted to resolve the survey before they made big decisions and now we are making big decisions without the result of the survey. I really think that we should have a committee to work on, to talk about these capital projects and to create a plan. I agree with that. We are spending money to implement something that we are not going to implement for 2 years doesn’t make any sense to me.

Anthony Marchetti: This is different than, if the survey comes back and they want a million dollar whatever, if we can’t afford it, then it doesn’t matter. I mean, this is, this seems valuable to me as soon as we get our hands on it.

Chris Braly: It’s almost like, it’s the same concept as the building North Commons site plan, this is a financial site plan, doing it in parallel with the building site plan, doing it in parallel with the survey, that way when it comes time to begin data collection and publish the results you have an approved site plan of a potential town office that you know what you can do and how much it is going to cost. You have a financial site plan of what the town can afford to do and you have the results of the survey from the town expressing what they want to do and you have all of these things that we can then sit down and make big decisions on. I don’t think, now the question would be if we proceeded with this, how out of date would it be come next year. Maybe it would be prudent to do it in some time to make sure that it is not out of date. What is their, what would they consider when they do this? Do they look 5 years down the road, 10 years, like what is their calendar of giving us a report and analysis and then…

Frances Westbrook: How long is it good for, yeah.

Jackie Brown: Wouldn’t it be good also to approach the banks and find out what it is they would give us.

Frances Westbrook: They are not going to do anything this extensive. They’ll certainly talk with you about how they think we could probably finance the building and the town office, unless we went to them with a project on a list, I don’t think they are going to provide the same service. They can talk about building the town office and how they might help us finance that, but to get the overall financial help that we are and have that as a tool for them talking about the other future projects. This is a piece of that puzzle.

Bonnie Schaschek: So are we going to guesstimate what the big projects are when we talk to Davenport.

Anthony Marchetti: That’s what we can, the town’s current revenue can handle, right, what our debt capacity is. If nothing changes here’s how much debt the town can conservatively carry and keep conservative. I mean that is what they tell us.

Dudley Patteson: Correct.

Anthony Marchetti: I mean, if you add a meal tax, the debt you can comfortably carry and keep reserves and go from here to here, and I believe that that’s what….

Dudley Patteson: Debt service is looking at several years and see if we are able to finance it, and then we can look at the projects we’ve got and determine if we have enough money to do one, or two, or none and, we need them to establish it so that the folks out here know that we are taking the right steps to.

Bonnie Schaschek: I didn’t think we had a list of projects that we were going to give them and the way this was sounding was like….

Dudley Patteson: We don’t necessarily give them a list of our projects but I think regardless of what our projects are, they are going to give us a dollar amount that we can afford.

Frances Westbrook: Alright so we are good with budget and finance giving us updated information and asking all the pertinent questions and bringing back the information to us. Do we need a motion? I guess if we are assigning something to a committee we should. Is there a second?

Bonnie Schaschek: Second.

Dudley Patteson: Second.

Frances Westbrook: Any other discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed? Motion passes.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

Dudley Patteson: Clarify, budget and finance, is she…

Frances Westbrook: Oh that’s right I was I think.

Chris Braly: Well you’re on the committee.

Frances Westbrook: I am on everything. Alright, we’ll talk. Alright appropriations.

* 1. **STEAMBOAT MUSEUM CRAB FESTIVAL SPONSORSHIP**

Frances Westbrook: Steamboat Museum Crab Festival Sponsorship, we budgeted $1,200, we can do that if we are willing to go an extra $50.00. That’s why I sent you the thing from the Steamboat Era Museum that if we are considered a print advertising sponsor then our name gets included in the ad. So that’s the question do we want to make it $1,250 or keep it at $1,200.

Bonnie Schaschek: Make it $1,250.

Frances Westbrook: Have that in form of a motion.

Wayne Nunnally: So moved.

Dudley Patteson: Second.

Frances Westbrook: Second, any discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed? Motion passes.

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

* 1. **White Stone Volunteer Fire Department $10,000 grant.**

Frances Westbrook: White Stone Volunteer Fire Department the $10,000 grant, we need to have a motion to appropriate that $10,000.

Wayne Nunnally: So moved.

Frances Westbrook: Second?

Anthony Marchetti: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: No’s. passes?

Dudley Patteson, Aye.

Chris Braly, Aye.

Anthony Marchetti, Aye.

Wayne Nunnally, Aye.

Bonnie Schaschek, Aye.

Jackie Brown, Aye.

MOTION PASSES 6-0.

1. **ROUNDTABLE**

Frances Westbrook: Round table. Anybody have anything for round table?

Chris Braly: May I.

Frances Westbrook: Yes.

Chris Braly: So this is my first meeting here so, bear with me. First I wanted to thank, to thank everybody here, I’m honored and humbled to be sitting up here tonight. I appreciate the confidence placed in me by the town council. I will do my best to serve all stakeholders of the Town of Irvington and will always strive to improve the quality of life of those living here. As a member of town council, I have read the full report from O’Hagen & Meyer presented to the Town of Irvington that is protected by attorney/client privilege. As you can imagine I was quite disappointed in what I read. Though I’m glad that the public report concluded on charges 1 and 2, there was no misappropriating of funds by any member of town council, the town attorney or town staff. There was no criminal conduct or other conduct alleged by Mr. Schaschek by which the town could be held civilly liable and the Schaschek allegations of December 10th, 2020, regarding any financial misappropriations are unfounded. The details included in the report, are embarrassing and disturbing. By happen stance, I am the only person sitting here tonight who has zero involvement in the investigation. I was not a member of town council when the allegations were presented by Mr. Schaschek occurred. I was not a member of town council when the investigation was conducted. I was not interviewed by the investigators. I am not named in the report. In my opinion, I am the only person sitting here, who can objectively work to implement the recommendations presented in both the public and privileged reports. As such, I’d like to make the motion that the town council form a select committee led by myself to work with town staff to implement all recommendations made by O’Hagen & Meyer in both the public report of the investigation into allegations of financial mismanagement, asserted against the Town of Irvington, Virginia and resulting audit, as well as the full report provided to the Town of Irvington that is protected by attorney/client privilege.

Anthony Marchetti: Second.

Frances Westbrook: Discussion?

Jackie Brown: I think we need to look back at our charter and find out how the town was formed and the motives of self, self-direction that resulted in the kind of charter that we have. I don’t think we need two layers of lawyers to tell us how to run a town and I would be, I would object to changing the charter because it is kind of the perfect plan of organization for a town of this size. We are not Richmond. We are not even Kilmarnock. We are a very small community, and our charter allows for no one person to be in charge of the town. It doesn’t give that power to mayor or any certain council member. It is our operating as a group to make decisions for the town. I’m not saying that I think there have been no mistakes, but I think that our charter is a strong one for an independent self-directed community and it shouldn’t be messed with.

Chris Braly: I don’t believe I was trying to change the charter. What I was wanting to do was form a select committee similar to….

Jackie Brown: You said to enact all of the recommendations, and one of the recommendations was to change the charter.

Chris Braly: Well, I think, the charter needs to be updated anyway because of the election change by the state legislature, so that’s one of the items, then the committee will work, maybe not do it tomorrow but you know work to go through, look at all the recommendations, work to implement. I know that there has been public comment indicating the desire for the town to implement the recommendations and there has been no public comment presented to not do anything. So, all I’m saying is that I would like to lead a committee to work to implement all of the recommendations and the timetable is not, the timetable is what it is and if I’m not here in 6 months then someone else takes over the committee or it is disbanded and put away, but while I’m here, that’s what I would like to do.

Wayne Nunnally: I think it would be better to say to look at the recommendations and decide which ones we want to follow as to say that we want to follow them all. There may be ones you look at some of them closely, there may be some you don’t want to follow. I don’t want to lock us in to absolute decisions.

Frances Westbrook: How about if you put down that list and draw back up to how you do what we do. Would that be helpful to any of y’all?

Wayne Nunnally: …a law in everything, that could get us in trouble.

Chris Braly: May I amend my motion?

Wayne Nunnally: To say what?

Chris Braly: I’d like to make the motion that the town council form a select committee led by myself to work with town staff to implement recommendations as deemed appropriate by town council made by O’Hagen & Meyer made by both the public report as well as the full report provided to the Town of Irvington that is protected by attorney/client privilege.

Dudley Patteson: Second.

Wayne Nunnally: You will have to work with the rest of town council too.

Frances Westbrook: Well, if we determine which ones on there we are going to pursue, which I would assume would be the majority of them, then they can move forward, I think once town council decides.

Chris Braly: There is no action of this committee. There is no action that can be taken by this committee without the approval of town council, so I recognize that, but what I’m saying is that I would like to be, I would like the mayor to form a new committee, I would like to lead that committee and, to work on implementing the recommendations as the town council deems appropriate.

Dudley Patteson: I seconded that amended motion.

Frances Westbrook: Any other questions, discussions?

Jackie Brown: Is this aside from the planning commission for a comprehensive plan.

Chris Braly: I am no longer a planning commissioner.

Frances Westbrook: He vacated that once he became…

Chris Braly: Liason to the planning commission so, my involvement in the survey is guidance and listening, but, I have no authority to make decisions to recommend to council on how to move forward with that. I am not a member of the planning commission.

Jackie Brown: I just wanted to make sure you understood that.

Chris Braly: I have only communicated with the planning commission regarding this project sincce I became a member of town council.

Dudley Patteson: [inaudible].

Frances Westbrook: Alright, so we have the motion on the floor, any other comments? All in favor?

Group: Aye.

Frances Westbrook: All opposed? Motion passes.

Female: Roll call.

Frances Westbrook: Yeah, let’s do a roll call vote.

Dudley Patteson, yes.

Chris Braly, yes.

Anthony Marchetti, yes.

Dudley Patteson: Why wouldn’t you Wayne, it’s the right thing to do.

Wayne Nunnally: One of the things that always amazes me is you know how we look at things differently, and everybody wants the best for the town, I think we gotta believe that. It is how we go about it is my problem. What my hesitancy is this, we have just gone through this ordeal where we have said ugly things to each other, we have all gotten mad at one another, we have displayed horrible presence to the public. I just don’t want to open up another thing that is going to cause fighting. That’s what I’m worried about. We have got so much business to do right now for the town and we have so many options to follow, I don’t know if we need to open up another committee that to me looks like we were right committee and you were wrong committee. I don’t want us to get into that, so I am going to vote no.

Frances Westbrook: Wayne Nunnally votes no.

Bonnie Schaschek: I think there is items in the recommendations that I think that we do need to make some changes. There are some that are questionable, but that is what the committee has to decide. There are some things that they stated that for a town this size is just not an option. But there are many things that they recommended that I personally agree with. So, I voted yes.

Bonnie Schaschek, yes.

Jackie Brown, I vote yes.

Frances Westbrook: Jackie Brown votes yes.

Jackie Brown: Cautiously.

Bonnie Schaschek: Like I said there are many things that they’ve recommended that I think are very appropriate so.

Frances Westbrook: Motion passes.

Motion passes 5-1.

Frances Westbrook: Chris we need to get together and come up with a name and a scope. Anything else for round table?

1. **ANNOUNCEMENTS**
   1. **Next Town Council Meeting – August 12, 2021, right here 6:30.**

Frances Westbrook: Next town council meeting, August 12, 2021, right here 6:30. Anything else.

Chris Braly: I’d like to make a motion to modify the agenda to table the, I’d like to vote to table moving into closed session for personnel matters regarding the town attorney since she has offered her resignation effective August 15th, I don’t think at this moment there is anything to discuss. It involves closed session about that, the town attorney’s position. I would like to vote to table that part of the closed session.

Frances Westbrook: Is there a second?

Bonnie Schaschek: Wait, I’m not sure what the motion was. You wanted….

Chris Braly: I’d like to, there’s two parts to the closed session that we are getting ready to vote on. One is for legal matters and one is for the town attorney and since the town attorney previously offered her resignation in her report effective August 15th, I don’t believe there is anything to discuss in closed session.

Bonnie Schaschek: Did you give a date?

Nancyellen Keane: Yes I did, August 15, 2021. If you need a resignation, I’ll give it to you.

Bonnie Schaschek: No, I just didn’t hear a date.

Chris Braly: And so because of that I don’t think there is anything that we need to discuss in closed session so I would move to table that.

Wayne Nunnally: Chris before we do that, we move that, we have to discuss whether or not we want to accept her resignation.

Nancyellen Keane: You don’t need to, I resigned.

Frances Westbrook: She’s resigned.

Nancyellen Keane: I resigned.

Chris Braly: And, there’s a second part to my motion.

Frances Westbrook: Do we need to vote on the first part?

Chris Braly: No, I’m doing this one long motion. I would like to table the discussion of the town attorney in closed session and I would like to add discussion about the town clerk’s position in closed session.

Wayne Nunnally: Oh, I see what you’re saying.

Bonnie Schaschek: Okay, I’ll second that.

Frances Westbrook: We need a unanimous vote to carry this motion. Let’s do a roll call vote.

Dudley Patteson, yes.

Chris Braly, yes.

Anthony Marchetti, yes.

Wayne Nunnally, yes.

Bonnie Schaschek, yes.

Jackie Brown, yes.

MOTION PASSES 6-0.

Frances Westbrook: The agenda is amended as the motion states. Alright, yes sir, if you will read that opening.

1. **CLOSED SESSION**

Anthony Marchetti: Anthony Marchetti move that we go into closed session pursuant to state code 2.2-3711A8 for purposes of legal matters requiring legal advice from counsel regarding Fisher’s Pit and then pursuant to state code 2.2-3711A1 for purposes of personnel matters regarding the town clerk’s position.

Frances Westbrook: Is there a second?

Wayne Nunnally: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: All opposed? We are in closed session.

Town Attorney, Nancyellen Keane left after first closed session on Fisher’s Pit.

Zoning administrator Lara Brown is in attendance of first closed session concerning Fishter’s Pit via phone.

1. **RETURN TO OPEN SESSION**
   1. Action to be Determined

Anthony Marchetti: Whereas the Town of Irvington has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act and whereas Section 2-2-3712 of the Code of Virginia requires the certification by the board that such closed session was conducted in conformity with Virginia Law now there be it resolved that the board hereby certifies that to the best of each members knowledge one, only public business matters lawfully exempted from open session required by Virginia Law were discussed in closed session to which this certification resolution applies and two, only such public business matters were identified in the motion convening the closed session were heard, discussed, or considered by the board. Is there any member who believes there was a departure from the motion to go into a closed session. If so, please state the departure. Roll call certification of each member.

I, Dudley Patterson, so certify.

I, Chris Braly, so certify.

I, Anthony Marchetti, so certify.

I, Frances Westbrook, so certify.

I, Wayne Nunnally, so certify.

I, Bonnie Schaschek, so certify.

I, Jackie Brown, so certify.

Frances Westbrook: Are there any motions to be made after the closed session? Yes Mr. Patteson.

Dudley Patteson: I would like to make a motion that council make an offer to Laurel Taylor to serve as the Town Clerk and FOIA officer for our town included in this motion would be the drafting of the contract, similar to that of the previous town clerk. The hours would be 9:00 to 1:00, the pay would be hourly at $15.00 an hour and I would also like to include a motion that we authorize the mayor to sign the contract when completed.

Wayne Nunnally: Second.

Frances Westbrook: Any discussion? Roll call vote please.

Dudley Patteson, yes.

Chris Braly, yes.

Anthony Marchetti, yes.

Wayne Nunnally, yes.

Bonnie Schaschek, yes.

Jackie Brown, yes.

MOTION PASSES 6-0.

Chris Braly: I would like to make a motion to declare 2 parcels: Tax map 28-207A and, 34-5 a nuisance.

Wayne Nunnally: Second.

Frances Westbrook: Any discussion? Roll call please.

Dudley Patteson, yes.

Chris Braly, yes.

Anthony Marchetti, yes.

Wayne Nunnally, yes.

Bonnie Schaschek, yes.

Jackie Brown, yes.

MOTION PASSES 6-0.

Chris Braly: Motion to adjourn.

Frances Westbrook: Alright.

Wayne Nunnally: Motion to adjourn.

Chris Braly: I’m learning, I’m learning.

1. **ADJOURN**

Frances Westbrook: We are adjourned.