

## Regular Meeting

County Board Road  
February 12, 2008

The Council of the Town of Culpeper convened in regular session at 6:00 p.m. with Mayor Pranas A. Rimeikis presiding: **Present:** Calvin L. Coleman, Duke duFrane, F. Steve Jenkins, Michael T. Olinger, Emma F. Richards, James C. Risner, Christopher H. Snider, William M. Yowell, Councilmembers; Thomas E. Huggard, Interim Town Manager; Scott Barlow, Chief of Police; Chuck Stephenson, Town Engineer; Kristi Caturano, Assistant Town Attorney. **Also Present for the 7 p.m. Session:** Neal Deane, Town Treasurer; Beth Bunch, Tourism Director; Tonya Estes, Information Technology Manager; Robert H. Thornhill, Jr., Public Works Director; Mark Bly, Light & Power Director; Harry M. Hughes, Environmental Services Director. **Absent:** Robert W. Bendall, Town Attorney.

### AGENDA APPROVAL

Mayor Rimeikis noted the modifications that had been made to the closed session: contract negotiations relating to Environmental Services, appointment of a representative to the Piedmont Rail Coalition, and add acquisition of property for a public safety site. He noted consideration of the Immigration Coalition Mission Statement needed to be added as item 9.03(b)(4) and the Resolution of Appreciation to be presented to Environmental Services Director Hughes also needed to be approved.

Councilmember Coleman moved, Councilmember Snider seconded, approval of the Resolution of Appreciation The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Rimeikis, Richards, Risner, Snider, Yowell (9); Nay: None (0); Absent: None (0).

Councilmember Jenkins moved, Councilmember Coleman seconded, to approve the amended agenda.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Rimeikis, Richards, Risner, Snider, Yowell (9); Nay: (0); Absent: None (0).

### CLOSED SESSION

Vice Mayor Yowell moved, Councilmember Coleman seconded, that Council enter closed session to discuss or consider specifically named individuals who have applied for positions on authorities, boards, and commissions (specifically Joint Board of Zoning Appeals, Culpeper Cable Commission, Piedmont Rail Coalition and Veteran's Recognition Committee) pursuant to Code of Virginia Section 2.2-3711(A)(1), acquisition and/or disposition of property for the purpose of a future reservoir site and public safety site pursuant to Code of Virginia Section 2.2-3711(A)(3), and consultation with legal counsel and staff or consultants regarding specific legal matters requiring legal advice relating to interjurisdictional cooperation and contractual negotiations regarding Environmental Services pursuant to Code of Virginia Section 2.2-3711(A)(7) and(29)

Councilmember Jenkins stated he did not support a closed session on 3.01(c) consultation with legal counsel and staff or consultants regarding specific legal matters requiring legal advice relating to interjurisdictional cooperation and contractual negotiations regarding Environmental Services pursuant to Code of Virginia Section 2.2-3711(A)(7) and(29).

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Rimeikis, Olinger, Richards, Risner, Snider, Yowell (9); Nay: Jenkins (1); Absent: None (0).

Staff invited into closed session: Assistant Town Attorney Caturano, Town Clerk Foster (part of the session), and Town Engineer Stephenson (part of the session).

Council entered closed session at 6:06 p.m.

Council reconvened in open session at 7:04 p.m.

**Certificate of Closed Session:** Mayor Rimeikis requested the Clerk poll the members for approval of the certificate of closed session that to the best of each member's knowledge only business matters lawfully exempted from open meeting requirements under Code of Virginia Section 2.2-3711 and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body.

The following roll call was taken: Ayes: Coleman, duFrane, Jenkins, Olinger, Rimeikis, Richards, Risner, Snider, Yowell (9); Nay: None (0); Absent: None (0)

**PLEDGE OF ALLEGIANCE:** Councilmember Coleman led the Pledge of Allegiance.

Mayor Rimeikis welcomed everyone and noted those present had braved the icy conditions to attend. He recognized Board of Supervisors Member Steve Nixon, and Council Candidates Jerry Beckett, Bobby Ryan, and Laurel Care Gavatte.

### **CONSENT AGENDA**

Councilmember Jenkins moved, Councilmember Risner seconded, that Council approve the following items. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: None (0); Absent: (0).

a. **R/R Re: Closing West Davis Street for Fireman's Annual Banquet:** Council authorized the closing of Davis Street from Main Street to West Street from 4 p.m. to 12 midnight on Saturday, March 15, 2008.

b. **R/R Re: 2008 Soap Box Derby Request:** Council authorized the closing of Blue Ridge Avenue from Scanlon Street to Route 522 from 5 a.m. to 6 p.m. on Saturday, June 21, 2008. The event organizers must provide the Town proof of insurance in the amount of \$2 million and name the Town as an additional insured.

c. **R/R Re: Culpeper Fiesta:** Council authorized the use of the tent and stage for the Culpeper Fiesta and closing Commerce Street from Davis Street to Culpeper Street and Culpeper Street from Waters Place to Commerce Street from 6 pm. to 10 p.m. on Friday, May 2, 2008. The event organizers must provide the Town proof of insurance in the amount of \$2 million and name the Town as an additional insured.

d. **R/R Re: Replacement of Unit #371 (1995 Case Loader):** Council accepted the proposal from White Oak Equipment of \$24,994.80 per year for five years for the lease/purchase of a 521E Case loader and authorized the Town Manager to make the purchase.

e. **R/R Re: Line Item Transfer for Waste Receptacles for Downtown Parking Lots:** Council authorized the Town Manager to transfer \$10,438 from the Parking Authority contingency line item 8700-9990 to Parking Lot Improvement Projects, line item 8700-7065.

f. **R/R Re: ADA/Relief Van—Request for Funding (2<sup>nd</sup> six-month period):** Council appropriated \$5,640 from line item 12-9990-9990 (general fund contingency) to line item 8106-6130 (contributions to outside agencies) to fund the second six month period of dedicated ADA bus predicated on CCDHS funding 50% of the local share.

g. **R/R Re: Meadowbrook Heights Apartments Low Income Tax Credits:** Council authorized the Town Manager to provide an endorsement of the T.M. Associates Inc. application for tax credits for the rehabilitation of the Meadowbrook Heights apartment complex.

h. **Treasurer's Report & Line Item Transfers:** Council approved the treasurer's report reflecting a balance of \$34,919,018.28, bills paid listing, line item transfers, and line item transfers.

i. **Minutes of Previous Meetings:** Council approved the minutes of the regular meeting of January 8 and special meeting of January 26, 2008.

### **SPECIAL ITEMS AND RECOGNITIONS**

a. **Employee of the Month Recognition:** Billing/Accounting Clerk Stephanie Mullins of the Treasurer's Department was selected as Employee of the Month for December 2007.

b. **Resolution of Appreciation:** Mayor Rimeikis requested Interim Manager Huggard read a resolution of appreciation for Environmental Services Director Harry M. Hughes whose resignation is effective February 20. Due to Mr. Hughes' absence, Mayor Rimeikis noted it would be presented to Mr. Hughes later.

### **COMMENTS & CORRESPONDENCE FROM CITIZENS, VISITORS & DELEGATIONS IN THE AUDIENCE**

Mayor Rimeikis opened the public forum noting it was a time for individuals to address items that were not on the agenda. He requested that speakers state their name and place of residence and adhere to the three-minute time limit.

George Bryson, 10103 Rixeyville Road, noted his concern with this being a time for discussion of non-agenda items; however, occasionally he had not been allowed to speak on items when they came up on the agenda. He noted he had been approached by people who are opposed to the consolidation effort. He said the Town Council and Board of Supervisors were elected to represent all citizens and not just businesses. Mr. Bryson indicated he believed false information was put forward when it was said that the Town would not make water available to the Eastern View High School. He stated water was available and it was really a matter of the County wanting more control over the service. He objected to any action that seemed to be for the purpose of eliminating one group to make it easier for another group to do what it wanted. Mr. Bryson said the citizens like the services that the Town provides, and he opposed the consolidation effort thinking it is a waste of time and money, because, in his opinion, the citizens would not approve consolidation.

Jerry Beckett, 713 Blossom Tree Road, addressed council noting the three-party agreement that had been used in six other instances, and he supported the Town utilizing the same type agreement with the County and Rite-Aid. He stated with the Town's budget problems, he did not believe it would be beneficial to add more employee positions at this time. Mr. Beckett also suggested, after hearing comments from citizens when he was obtaining his council candidate petition signatures, that the Wine Street property occasionally floods, and if the Veterans Memorial Park remains there, it will cost more money in the future.

#### **Resolution of Appreciation**

Councilmember Snider noted that Environmental Services Director Hughes had arrived and requested Council suspend the rules and present the resolution at this time. There was no objection.

Mayor Rimeikis presented the resolution. Environmental Services Director Hughes thanked Council noting it was his birthday and this was a wonderful surprise. He stated he had chosen Culpeper because he wanted to make it his home, and he appreciated what the Town had done and was doing to protect its water/wastewater assets. He believed with cooperation, these resources could be made available to those in need of the service.

## **UNFINISHED BUSINESS**

### **Closed Session Items**

Vice-Mayor Yowell moved, Councilmember Jenkins seconded, that Council approve recommending the re-appointment of Mike Jolly as the joint member of the Board of Zoning Appeals to the Circuit Court Judge for approval, re-appointment of William H. Martin to the Culpeper Cable Commission and approve Councilmember Snider representing the Town on the Piedmont Rail Coalition.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Rimeikis, Richards, Risner, Snider, Yowell (9); Nay: None (0); Absent: None (0).

Vice-Mayor Yowell moved, Councilmember Snider seconded, that Council approve entering into a contract with the law firm of Troutman Sanders, LLP as the Town's special counsel for legal advice on proceedings initiated by voter petition pursuant to Virginia Code Section 15.2-3531 at a cost of \$342 per hour.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Richards, Risner, Snider, Yowell (8); Nay: Jenkins (1); Absent: None (0).

### **County's Proposed Three-Party Water & Sewer Agreement for Swan's/Rite-Aid Property**

Interim Manager Huggard provided the background noting after consideration correspondence and discussion between the Town and County staffs with regard to a customer request for Town water and sewer, both the Town and the County have offered differing approaches to meeting the customer's need. The Town was requested early last year to supply the water and sewer service for a pharmacy, which is planned for the Swan Properties, Inc. property located immediately outside the town's boundaries. The Town agreed to this request last year. In November, as a part of its acknowledgement of receipt of the County's payment for 200 taps, the Town noted that the arrangement with the Swan Properties, Inc. and the pharmacy was specifically excluded. In the intervening months since the Town had agreed to supply water and sewer, the County had not objected to this two-party agreement until early January. At that time, the County objected to the two-party agreement between the pharmacy and the Town and asserted that the Town had no authority to provide such service and insisted that only a three-party agreement would be acceptable to them. Consequently, the County was denying a permit to the pharmacy for building its facility. In order to assist the pharmacy, the Town decided in late January to seek the County's approval for the two-party agreement with the pharmacy to provide it with water and sewer service. This offer was subsequently rejected by the Board of Supervisors at its last meeting on February 5<sup>th</sup>. In turn, the County sent back to the Town its proposal for a three-party agreement, with itself as the 3<sup>rd</sup> party. In the meantime, the party principally hurt by this delay has been the pharmacy. Again, the Town is put in the position of trying to assuage the County's position, which has jeopardized the establishment of a valued business operation for citizens of both the Town and County. Before the Council is a decision to accept the County's counter proposal which some with their threat of continued withholding of a building permit as well as the potential to lose a desired business, or to stay with its own position supported by the Town Attorney.

Councilmember Olinger moved, Councilmember Coleman seconded, that Council enter into a three-party agreement with the County and Mr. Swan to serve this property.

George Bryson, 10103 Rixeyville Road, stated as a county resident he opposed this action and believed it was a back handed way to get the water service under an authority. He stated the Town had offered Mr. Swan the service and there is a development plan for that area. He discussed previous considerations as far back as when Tony Hooper was manager. He believed the County citizens should have an opportunity to vote on this too. Mr. Bryson expressed his concern with the new high school being built where it is.

Councilmember Risner stated when Council agreed to serve the Rite-Aid property, the reason he voted in favor was because the Town was already serving the surrounding property. He stated as many know he has been against the three-party agreement especially with the County having been granted their 200 taps request. Councilmember Risner stated he did not understand why the County thinks the long document is necessary and that it was disheartening that the County is putting Mr. Swan and Rite-Aid in this position. He noted the business is leaving the town and the Council is still trying to do the right thing. He stated he could not support the motion, because the County has the opportunity to support the service without the three-party agreement.

Councilmember Jenkins stated he would support the motion, because he did not think it was setting a precedent since this type agreement has been used for others. He stated he was not siding with either the Town or County's positions but was more interested in getting the service to Rite-Aid.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Snider, Yowell (7); Nay: Rimeikis, Risner, (2); Absent: None (0)

**NEW BUSINESS - PUBLIC HEARINGS** - None

**REPORTS & RECOMMENDATIONS FROM AUTHORITIES, BOARDS & COMMISSIONS** - None

**REPORTS & RECOMMENDATIONS FROM COUNCIL COMMITTEES**

**LIGHT & POWER AND WATER & WASTEWATER COMMITTEE**

**R/R Re: Traffic Signal Video Detection—Main & Davis and Main & Chandler Streets**

Interim Manager Huggard presented the following report and recommendation: For the past several years the Town has been replacing the below the road surface traffic signal detection loops with video detection units and replacing old and malfunctioning controllers in an effort to synchronize signalization to permit better traffic flow through the Town. The next signalized intersection to be updated is Main and Davis and the completion of Main and Chandler.

The department chose and used for replacements at the previous three intersection replacements the Econolite equipment which is also used by some of the VDOT district offices. This equipment has worked flawlessly in these installations and is the requested choice for any future replacements. The master controller used for the synchronization project is an Econolite model as well. The Econolite Equipment has proven its abilities and ease of installation.

The department budgeted in FY08 funds to complete the change out at Main and Davis and to complete the Main and Chandler intersection which was started in FY07 with one video detector being installed when one loop failed and was beyond repair.

A quotation was received from Econolite Control Products, a VDOT supplier and the sole source for this equipment. The quotation is for replacing the nine ground loops with four video detection cameras and replacing the aged controller at Main and Davis and to complete the installation of the remaining three video detectors at Main and Chandler for a total cost of \$32,897. Installation will be completed by Light & Power employees with assistance from the Econolite Control Products technician at no charge.

The financial impact for the materials and equipment and installation is \$32,897. Funds are available in the Public Works line item 4107-5238, Traffic Engineering, in the amount of \$33,278 to cover these expenses.

Councilmember Olinger moved, Councilmember Risner seconded, approval of the recommendation to accept the bid from Econolite Control Products to complete this project.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0)

### **R/R Re: New Boxwood Rehabilitation Facility—Change in Maintenance Arrangements**

Interim Manager Huggard presented the following report and recommendation: At the May 8, 2007 meeting, Town Council agreed to provide service (water only) to the new Boxwood Rehabilitation Facility. The new facility will be located at the terminus of Guinn Road (off Brandy Road) in the Inlet area of unincorporated Culpeper County. As part of that approval, Council allowed the Rappahannock Rapidan Community Services Board (RRCSB), the operator of the facility, to connect paying in-Town tap fee rates.

By letter, dated January 17, 2008, Brian Duncan, Executive Director, RRCSB, requested that the Town maintain the service line to the Boxwood facility. As this is a change from the original agreement, in which RRCSB agreed to maintain the line, his request is being submitted for your review and approval. In his letter, Mr. Duncan offers that the water line is being built in accordance with Town standards and that Town staff reviewed and approved the plans for the water line. (RRCSB still intends to construct and install the water service line, meters and valves, and ancillary equipment.)

The financial impact of the Town assuming maintenance of the subject water line would be minimal (less than \$200 per year).

Councilmember Richards moved, Councilmember Risner seconded, approval of the recommendation to approve Brian Duncan's request to assume maintenance responsibilities for the service line to the new Boxwood facility.

Following a brief discussion, the motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

### **PUBLIC SAFETY, PUBLIC WORKS, PLANNING & COMMUNITY DEVELOPMENT COMMITTEE**

#### **R/R Re: Donations for Wine Street Memorial Park**

Interim Manager Huggard presented the report and recommendation which recommended that Council accept the donations from Millie Wieser, Marlys Houston and Joyce Ray, and Chris and Martha Snider (3) for a 4" x 8" paver; and Charles Snyder, Kathleen Snyder, Johnny and Madeline Price, and Chris and Martha Snider for a 12" x 12" paver. The current donations and requests will offset the total cost of the project by \$650. To date, the Town has accepted \$9,550 in donations for this park.

Councilmember Olinger moved, Councilmember Richards seconded, approval of the recommendation.

Councilmember Jenkins noted he was excited with the participation in the project, but concurred with the Veterans of Foreign War and American Legion members on whether it is appropriately located since the property is in the flood plain.

Councilmember duFrane stated similar thoughts and concerns were expressed with the development of Yowell Meadow Park and it is one of the most utilized facilities in Town. He stated the Wine Street park has progressed along well and he would like to wait to see if there is really a problem.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

### **Local Law Enforcement (599) Funding**

Interim Manager Huggard briefly discussed the background of the local law enforcement funding '599' program and how the consideration of the proposed funding will be presented both to the House and Senate. He noted the Town anticipates expending \$4,029,442 for public safety/law enforcement and was anticipating receipt of \$314,388 from the 599 funds. He noted VML had provided a model letter, which could be sent requesting the legislature to support and preserve this funding.

Councilmember Snider moved, Councilmember Risner seconded, approval of sending a letter to delegates and senators (to include the Chairmen of the House and Senate Finance Committee) in support of this funding.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0)

### **R/R Re: Purchase of Two Police Package Vehicles**

Interim Manager Huggard presented the following report and recommendation: The Police Department's budget for FY2007-08 includes funding for the purchase of two (2) police package vehicles and one (1) specialty police vehicle. The decision was made to purchase two (2) police package vehicles. The lowest bid was the Commonwealth of Virginia through the State bid system for two (2) 2008 Chevrolet Impala police package vehicles for \$18,803.80 each, for a total of \$37,607.60. In addition to the cost of the vehicles, additional expenses include purchase and installation of emergency and other protective equipment at a cost of \$33,722. We received bids from Country Chevrolet in Warrenton, VA, for \$42,614.14 and no bid from Battlefield Chevrolet in Culpeper, VA.

The Police Department's current FY2007-08 budget includes funding in the amount of \$74,896 for costs associated with the purchase and equipping of two (2) police package vehicles.

Councilmember Snider moved, Councilmember Jenkins seconded, that council accept the bid of \$18,803.80 per vehicle for the purchase of two (2) 2008 Chevrolet Impala police package vehicles and that Council authorize the Police Department and the Town Manager to expend funds from account 3101-7500 from the Police Department's FY2007-08 budget, up to \$74,896, for the purchase and equipping of such vehicles.

Vice-Mayor Yowell noted he had raised a question at the Finance Committee meeting concerning the equipping of the vehicles. He questioned why the recommendation was to expend up to \$74,896 when the two vehicles and equipment costs came to \$71,329.60.

Following a brief discussion, Vice-Mayor Yowell moved, Councilmember Coleman seconded, to amend the recommendation to expend up to \$71,329.60. The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

The original motion, as amended, carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0)

## **Immigration Coalition Mission Statement**

Interim Manager Huggard explained that he did not have a copy of the mission statement. Mr. Jerry Beckett provided a copy. The statement reads as follows: Coalition On Illegal Aliens Mission Statement: Promote and influence a unified strategy at the local, state, and federal level to minimize the impact of illegal aliens on local communities while understanding the positive contributions of immigrants. Objectives: • Build a coalition of local governments • Identify the challenges created by the presence of illegal aliens • Educate local governments of the challenges created by the presence of illegal aliens • Share Appropriate strategies that local government can take to minimize the impact of illegal aliens • Influence and promote state and federal legislation

This matter was postponed until after consideration of the next agenda item to allow time for copies of the statement to be made and distributed.

Mayor Rimeikis asked Chief Barlow if this statement had been developed at the Coalition's meeting. Chief Barlow responded yes and that it was primarily the work of the elected representatives.

Councilmember Jenkins moved, Councilmember Coleman seconded, approval of the statement.

A brief discussion ensued with Mayor Rimeikis questioning if the Coalition would act similar to the Joint Town and County Interaction Committee with recommendations being forwarded back to the governing bodies for approval.

Councilmember Snider stated yes, on certain documents this would be true. He discussed how any proposals from the Coalition would be too late for submission to the General Assembly this year. He stated the next Coalition meeting would be held in Richmond to indicate that it truly has a presence. Mayor Rimeikis questioned the voting power of each locality. Councilmember Snider stated each jurisdiction will have one vote.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0)

## **FINANCE, PERSONNEL, TECHNOLOGY, & ORDINANCE COMMITTEE**

### **R/R Re: Culpeper County Volunteer Fire Department Funding**

Interim Town Manager Huggard presented the following report and recommendation: During the FY08 budget process, the Town agreed to partially fund the original contribution request of \$88,000 by the Culpeper County Volunteer Fire Department (CCVFD), as highlighted in the table below. The table also compares the prior year's contribution to the current year.

At the November 2007 Finance, Personnel, Technology, and Ordinance Committee meeting, Council considered the request to fully fund the original amount requested by CCVFD. The Committee deferred their decision until the mid-year budget review on January 26, 2008. The consensus of Council at the mid-year budget review session was to bring back this request to the Finance, Personnel, Technology, and Ordinance Committee for reconsideration.

	<u>FY07</u>	<u>FY08</u>	<u>Difference</u>
Contribution		56,955	
	36,955		20,000
State FIRE Funds		<u>25,475</u>	
	<u>23,440</u>		<u>2,035</u>
Total to CCVFD		82,430	
	60,395		22,035
Original Request		88,000	
FY08 Contribution		<u>(56,955)</u>	
Total Unfunded		31,045	

Funds are available General Fund Capital Unreserved Contingency to fund the request. As highlighted in the mid-year budget review, staff projects the Unreserved Contingency at \$2.7 million.

Vice-Mayor Yowell moved, Councilmember Coleman seconded, approval of granting an additional \$24,045 to the Culpeper County Volunteer Fire Department.

Vice-Mayor Yowell stated he did not have a problem with providing monies to the Fire Department because it is a volunteer organization providing public safety services, and if it was a paid organization, it would cost a tremendous amount more. Councilmember Snider noted it also creates a lower cost benefit for the homeowners on their insurance.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

**R/R Re: Culpeper’s 250<sup>th</sup> Anniversary Planning Committee**

Interim Manager Huggard presented the following report and recommendation: The Town of Culpeper will be marking its 250th anniversary in 2009 and nothing less than a grand celebration is in order. With a year to plan, your staff believes it would be appropriate for Council to authorize establishment of a special committee to assist in planning and organizing suitable celebration activities.

It is envisioned that the group will consist of representatives from Tourism, Museum, CRI, Chamber, Economic Development, local businesses, churches, civic organizations, and citizens. The staff Management Team will be extensively involved with developing their departmental histories, promotional activities, etc.

There will be no financial impact to establish the committee.

Councilmember Snider moved, Councilmember Risner seconded, that Council approve the establishment of a team of people to assist the Town with planning its 250th celebration activities making 2009 “a year of celebration.”

Councilmember Snider asked what the specific charter date was. Town Clerk Foster noted she believed the charter was granted in April 1759.

Interim Manager Huggard stated a discussion came up at the CRI meeting on the upcoming anniversary, and it was believed the Town should take the lead in setting up a committee. Mayor Rimeikis noted there would be a need for support to the committee. Interim Manager Huggard agreed there would be both staff and financial support needed.

Councilmember Risner thought the committee was a good idea; however, he said he would like to have an idea on the composition of the committee and who would be the chairperson.

Councilmember Coleman agreed and stated the Finance, Personnel, Technology, and Ordinance Committee should discuss the structure of the committee and possible chairperson to work with other groups.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

### **R/R Re: Hiring Public Information Officer**

Interim Manager Huggard presented the following report and recommendation: Due to an increasing need for the Town government to assure that its citizens are receiving timely and accurate information regarding governmental activities as well as other notable events going on in the Town, the Finance, Personnel, Technology and Ordinance Committee has considered the establishment of a part-time Town Public Information Officer. This position will be responsible for providing information to local news media outlets. The Public Information Officer will report to the Town Manager.

This staff person will work for no more than 30 hours a week, and be paid at a Town Pay Grade Level to be established.

Interim Manager Huggard noted the position's hourly rate would be between \$26 and \$42.

Councilmember Coleman moved, Vice-Mayor Yowell seconded, that the Town Council authorize this new staff position and direct the Town Manager to prepare the appropriate job description and seek the best qualified candidate to fill the position of Town Public Information Officer.

Councilmember Jenkins stated he did not support this action. He believed this position was a "nice to have" position; however, he believed the staff was well paid, and they, along with the elected officials, can inform the public.

Vice-Mayor Yowell stated he had supported having a public information officer for some time and the timing is even more important now since the Town is without an assistant manager and environment services director and the clerk is retiring. Vice-Mayor Yowell believed it is important to communicate what is accurate. He cited the misinformation on what had happened with the Swan property as a good illustration.

Councilmember duFrane noted there had been a petition from citizens to look at the consolidation and work on a plan. He believed the Town citizens were entitled to being informed on what that plan might bring about. He added the citizens need to know what costs will be involved with the plans to consolidate in addition to the \$300+ per hour for an attorney.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (8); Nay: Jenkins (1); Absent: (0)

## **TOWN & COUNTY INTERACTION COMMITTEE**

### **Local Fire Marshal Position**

Interim Manager Huggard noted at its meeting on January 30, the Town & County Interaction Committee approved recommending that both governing bodies send a letter to adjacent jurisdictions to see if there is any interest in partnering with the Town and County to share the locality's fire marshal.

Mayor Rimeikis asked if the Committee intended for it to be a joint letter. Interim Manager noted yes.

Councilmember Jenkins stated he believed EMS Director Tom Williams would be gathering further information on this matter.

Mayor Rimeikis questioned if the building official's responsibilities rested with the County.

A brief discussion ensued with Town Clerk Foster explaining that the County and Town had signed an agreement that the County Building Official would provide services for the Town and that all building permit fees would be collected by the County.

Vice-Mayor Yowell noted he had heard that the fire marshals handle commercial type issues and do not handle residential problems; therefore, this may not be an enforcement tool option.

Councilmember Risner moved, Councilmember Jenkins seconded, to join with the County on sending a letter to adjacent jurisdictions to see if there is any interest in partnering with the Town and County to share the locality's fire marshal.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0)

### **Town & County Consolidation Plan**

Interim Manager Huggard noted at its meeting on January 30, the Town and County Interaction Committee approved recommending that the two governing bodies hire an independent attorney to read the petition to consolidate and advise as to legal options with the attorney's fee to be equally divided.

Councilmember duFrane noted that after further considering the ins and outs of the proposal, Council had agreed to not proceed with the Committee's proposed action for hiring an attorney on a joint basis.

Councilmember Coleman stated the attorney hired by the Town could still brief both bodies if this was desired.

Councilmember Jenkins stated he had voted against the Town hiring the attorney, because he thought the spirit of the Interaction Committee's recommendation was to have no bias and the County was going to share in the cost of the attorney. He noted Council has made its decision.

Councilmember duFrane moved, Councilmember Coleman seconded, that Council not approve the recommendation from the Interaction Committee.

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

## **REPORTS & RECOMMENDATIONS FROM TOWN ADMINISTRATION**

### **R/R Re: Hiring of Administration Office Clerk for Clerk & Manager's Offices & Associated Office Improvements**

Interim Manager Huggard presented the following report and recommendation: During the initial FY 08 budget cycle, the Clerk had included funding for a part time employee. However, it became necessary that budget cuts be made, and this was an item that was eliminated. With the resignation of the assistant town manager, there are surplus salaries within the General Fund. Therefore, monies are available to reinstate this position. With the increased demands placed on the manager/clerk administrative staffs, especially in the absence of a permanent manager and the upcoming retirement of the clerk, it is extremely evident that extra personnel support is needed.

Staff provided a proposed position title, job description, and pay level recommendation. The administration office clerk will work an average of 30 hours per week at a projected rate of \$12.50 per hour. It is anticipated the position will be filled in early March.

Since the individual will act as receptionist to the manager/clerk's office, a work area is needed near the entrance to the manager/clerk's suite. The engineering department has developed a renovation plan which only involves the front storage area and a portion of the men's restroom. It is estimated that the renovations can be accomplished for less than \$10,000.

There is an estimated financial impact on the FY08 budget of \$6,500 for salary expense and an estimated \$9,500 expense for office renovation/furniture. Monies are available in the Town Manager's salary line item that can be used for these purposes.

Interim Manager Huggard noted with the departure of the town clerk and absence of an assistant manager and permanent town manager, it was an appropriate time of need.

Councilmember Risner moved, Vice-Mayor Yowell seconded, that Town Council authorize the Town Manager or his designee to amend the pay and classification plan to include the position of administration office clerk at Pay Grade 8, advertise and fill this position as soon as possible, and proceed with the renovation plan as proposed. Further, that the Interim Manager be authorized to make the necessary budget adjustments to transfer and expend up to \$17,000 for these purposes.

Following brief discussion, the motion carried by the following voice vote: Ayes: Coleman, duFrane, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (8); Nay: Jenkins (1); Absent: (0).

**TOWN MANAGER'S MONTHLY REPORT:** Council received the monthly report.

**Town Manager Recruitment Update:** Interim Manager Huggard reported the Finance, Personnel, Technology, & Ordinance Committee is reviewing information from 37 applicants for the position. He stated it was the committee's goal to have this initial review completed within the next week. Once this is done, the next step is to schedule dates and times for Council review and interviews.

Vice-Mayor Yowell encouraged all members to review the resumes noting that Mayor Rimeikis had developed a review form for consistency, and it would be good if the list of applicants can be narrowed to about 10 or less.

Councilmember Jenkins asked if the review sheet should be forwarded to Vice-Mayor Yowell. Mayor Rimeikis suggested they be left with the Town Clerk.

**Town Clerk Recruitment Update:** Interim Manager Huggard reported the position has been advertised with an application closing date of February 29. The ad was distributed to Virginia Municipal League, Virginia Municipal Clerk's Association, Virginia Employment Commission, and placed on the Town's website.

Interim Manager Huggard was optimistic that good applicants would apply.

**COMMUNICATION & CORRESPONDENCE** – There was none.

**ADJOURNMENT:** Council adjourned at 8:25 p.m.

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Clerk

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Mayor