

**Regular Meeting**

**County Board Room  
May 13, 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 M. duFrane, F. Steve Jenkins, Michael T. Olinger, Emma F. Richards (arrived at 6:35 p.m.), James C. Risner, Christopher H. Snider, William M. Yowell, Councilmembers; Dan Boring, Interim Town Manager; Scott Barlow, Chief of Police; Kristi Caturano, Assistant Town Attorney; Chuck Stephenson, Town Engineer; Tonya Estes, Information Technology Manager; Kimberly D. Allen, Town Clerk and Lisa Hutcherson, Deputy Town Clerk. **Also Present for the 7 p.m. Session:** Neal Deane, Town Treasurer; Beth Bunch, Tourism Director; Robert H. Thornhill, Jr., Public Works Director; Mark Bly, Light & Power Director.

**AGENDA APPROVAL**

Mayor Rimeikis added the presentation of the Culpeper Police Department re-accreditation to the agenda as Item 7.01, and moved comments and correspondence from citizens, visitors and delegations in the audience to Item 7.02.

Vice Mayor Yowell moved, Councilmember Risner seconded, to approve the agenda with this amendment. The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Rimeikis, Risner, Snider, Yowell (8); Nay: (0); Absent: Richards (1).

**CLOSED SESSION**

Vice Mayor Yowell moved, Councilmember Jenkins seconded, to enter closed session to discuss or consider specifically named individuals who have applied for positions on the Town's authorities, boards, and commissions, specifically the Architectural Review Board, Culpeper Parking Authority, and Veteran's Recognition Committee, the performance of the Interim Town Clerk, appointment of Interim Town Manager, and appointment of Consolidation Project Manager pursuant to Code of Virginia Section 2.2-3711(A)(1), to discuss or consider acquisition and/or disposition of properties for the purpose of a future public safety site pursuant to Code of Virginia Section 2.2-3711 (A)(3), and to consult with legal counsel or staff or consultants regarding specific legal matters requiring legal advice relating to interjurisdictional cooperation pursuant to Code of Virginia Section 2.2-3711(A)(7).

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Rimeikis, Risner, Snider, Yowell (8); Nay: (0); Absent: Richards (1). Council entered closed session at 6:03 p.m. Staff attending: Interim Town Manager Boring and Assistant Town Attorney Caturano. Note: Councilmember Richards arrived at 6:35 p.m. and joined the closed session.

Council reconvened in open session at 6:58p.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, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

**PLEDGE OF ALLEGIANCE:**

Councilmember Richards led the Pledge of Allegiance.

## **CONSENT AGENDA**

On motion of Councilmember Olinger, seconded by Councilmember Coleman, Council approved the items listed below by unanimous voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0)

a. **R/R Re: Replacement Vehicle for Water & Wastewater Maintenance Team:** Council accepted the bid from Battlefield Ford in the amount of \$18,899 (wastewater capital fund line item 4700-7200) and directed the interim town manager and the DES interim director to purchase the 2006 E350 cargo van during the current budget year and remove the vehicle replacement item from the FY2009 budget.

b. **R/R Re: Commerce-Hill Streets CDBG Program Design Amendment:** Council amended the Commerce-Hill Street CDBG housing rehabilitation program design and directed the town clerk to record the amendment so the amount of required financial participation of investor-owners is reduced from 40% to 20% of total rehabilitation costs.

c. **Treasurer's Report & Line Item Transfers:** Council approved the treasurer's report reflecting a balance of \$32,356,404.64, bills paid listing, and line item transfers.

d. **Minutes of Previous Meetings:** Council approved the minutes of the special meeting of April 5 and regular meeting of April 8, 2008.

## **SPECIAL ITEMS AND RECOGNITIONS**

a. **Employee of the Month Recognition:** Interim Manager Boring announced that the Town's Gardener Brian Savage was selected as Employee of the Month for March 2008.

b. **Resolution Re: Passenger Rail Service for US29 (Piedmont) Corridor:** Councilmember Snider moved, Councilmember Risner seconded, the Mayor be authorized to sign the resolution in support of the rail service in our region. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Risner, Rimeikis, Snider, Yowell (9); Nays: (0); Absent: (0).

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

**CALEA Award to Police Department:** Mr. Sylvester Daughtry, Jr. Executive Director of CALEA, presented the re-accreditation award to the Police Department.

Mayor Rimeikis opened the public forum requesting that speakers adhere to the three-minute time limit and address items of business that were not on the agenda.

**Dorothy Campbell,** resident of 301 Laurel Street, stated that passing the Resolution in support of the passenger rail service was not enough; the proper representatives need to be contacted as well.

**David Lochridge,** resident of 1013 Ridgemire Lane, expressed his opposition to the proposed meals tax increase and asked how the meals tax would stimulate economic activity in town.

**Mo Garoui,** owner of Dee Dee's Restaurant at 502 N. Main Street, expressed his opposition to the proposed meals tax increase and asked Council to reconsider this increase.

## **UNFINISHED BUSINESS**

**Closed Session Items:** Vice Mayor Yowell moved, Councilmember Coleman seconded, to grant Deputy Clerk Lisa Hutcherson a bonus of \$1500 for service as Interim Town Clerk. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

Vice Mayor Yowell moved, Councilmember Snider seconded, to appoint Daniel V. Boring as Interim Town Manager effective immediately and continuing through June 2, 2008. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

Vice Mayor Yowell moved, Councilmember Snider seconded, to appoint Daniel V. Boring as Consolidation Project Manager effective June 16 for 90 days. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0)

Vice Mayor Yowell moved, Councilmember Risner seconded, to re-appoint Michele White to another four-year term on the Culpeper Parking Authority, appoint John Cerio to a four-year term on the Architectural Review Board, and appoint the following individuals to the Veteran's Recognition Committee: Philip Nicholson, John Garr, Joe Todd, Sally McDevitt, Keith Price, and Lester Petermann. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0)

**NEW BUSINESS PUBLIC HEARINGS** – None

## **REPORTS FROM AUTHORITIES, BOARDS & COMMISSIONS**

### **CULPEPER PARKING AUTHORITY**

#### **R/R Re: Placement of Directional Parking Sign on the Depot Property, 109 S. Commerce Street.**

Interim Town Manager Boring presented the report and recommendation that stated at its April 16, 2008 meeting, the Parking Authority voted to recommend that the Town Council allow a sign to be erected at the end of E. Davis Street (on the Depot Property) to direct Amtrak customers and downtown visitors to the Triangle Parking Lot, which allows all-day and overnight parking. This request is in response to numerous comments from the visitor's center and conference center that downtown visitors are confused as to where to park once arriving at the Depot.

The Parking Authority agrees to pay for the cost of the sign, which will be approximately \$300.

Councilmember Olinger moved, Vice Mayor Yowell seconded, to authorize the placement of a ground-mounted, directional sign to be located at the end of East Davis Street (on the depot property) as presented. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Rimeikis. (5); Nays: Richards, Risner, Snider, Yowell. (4); Absent: (0)

## **PARKS & RECREATION COMMISSION**

### **R/R Re: Placement of Memorial Stone Honoring Hunter Payne at Yowell Meadow Skate Park Facility**

Interim Town Manager Boring presented the report and recommendation that stated in 2006 Hunter Payne, an avid skater and long-time supporter of the YMP skate park, was killed in a tragic accident. Since that time, SCOOP (Skate Culpeper on Our Park), in connection with the Payne family has raised money in his memory for an eventual donation. To date, SCOOP has raised \$20,010 in Payne's honor. Those funds went towards the purchase and installation of new skate ramps at the facility, which were installed by Ramptech in April.

In the fall of 2007, SCOOP, in connection with Found and Sons Funeral Home and the Payne family, developed a memorial to Hunter, which was provided. In the letter from SCOOP, Ms. Norris indicates that she was unaware of Council's policies and guidelines concerning monuments and is willing to work with staff to set the stone flush with the ground and have it mounted on concrete. Staff and the Parks and Recreation Commission have been coordinating with SCOOP and Found and Sons and they have been very accommodating, given the size and orientation of the stone.

SCOOP plans to hold a dedication ceremony this spring, at the Skate Park facility, for the new equipment donated in memory of Hunter Payne. SCOOP plans to have speakers and professional exhibition skaters for the event.

The Parks and Recreation Commission voted in March to forward a recommendation of approval to Council for this request. The requested installation of the stone is off the trail, as one approaches the skate park, near three trees.

Councilmember Olinger moved, Councilmember Snider seconded, to approve the placement and installation of a memorial stone in honor of Hunter D. Payne at Yowell Meadow Park and authorized staff to coordinate with the necessary individuals to purchase and install the stone.

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

### **R/R Re: Appointment of a Steering Committee for the Preparation of the new Comprehensive Master Plan**

Interim Town Manager Boring read the report and recommendation that stated in accordance with the approved Scope of Services as provided by the Town's Consultant, Clarion Associates, a community steering committee, made up of local citizens and representatives, will be formed for the purpose of overseeing the comprehensive plan process.

The Planning Commission recommends that the steering committee consist of the following representatives:

- 2 members of the Planning Commission;
- 2 members of the Town Council;
- 1 member of the Town's Architectural Review Board;
- 1 member of the Town's Park & Recreation Commission;
- 1 member of the Piedmont Virginia Builders Industry Association;
- 1 member of the Culpeper County Planning Department;
- 1 resident of Redwood Lakes/Lakeview (western quadrant of the Town);
- 1 resident of the Hospital area (southern quadrant of the Town);
- 1 resident of the Meadows/Belle Parc neighborhoods (northern quadrant of the Town);
- 1 downtown property owner;
- 1 member of the Chamber of Commerce (Director)

Councilmember Risner stated he would like to see a resident from the east quadrant added and Councilmember duFrane stated he would like to see a member of the County of Culpeper Planning Commission added as well.

Councilmember Risner moved, Vice Mayor Yowell seconded, to authorize the formation of the 13-member committee to oversee the comprehensive plan process. The committee will be dissolved after the completion of the comprehensive plan. The committee will consist of two members each from the planning commission and town council; one member each of the Architectural Review Board, Parks & Recreation Commission, Piedmont Virginia Builders Industry Association, and Culpeper County Planning Department; one resident of Redwood Lakes/Lakeview area, one resident of the hospital area, one resident of the Meadows/Belle Parc neighborhoods, one downtown commercial property owner, the director of the Chamber of Commerce, one resident from the east quadrant of town, and a member of the County of Culpeper Planning Commission.

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

## **REPORTS & RECOMMENDATIONS FROM COUNCIL COMMITTEES**

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

#### **R/R Re: AMR Project—Vendor Selection**

Interim Town Manager Boring presented the report and recommendation that stated the Light & Power department developed a Request For Proposals (RFP) for a Two-way Fixed Network Automated Meter Reading (AMR) system for electric and water meters for the following purposes:

- to provide more accurate and timely meter reads
- to help reduce the frequency of estimated readings
- to allow customer service representatives to request on demand readings and prevent dispatching a truck and personnel
- to provide data for electric outages
- to allow for reporting of suspected water leaks
- to report theft of service or tampering of electric meters
- to develop an avenue for the customer to view their energy and water usage on a daily basis
- to eliminate the need to hire additional meter reading personnel and equipment.

Of the six responses received only four could offer a complete fixed network system and two required an additional drive-by system to read the approximately 1500 water meters not in close proximity to a Town electric meter. The six responses included different technologies used to obtain the meter readings and send those readings to the Treasurer's billing system such as broad-band over power line, power line carrier frequency and licensed and un-licensed radio frequency.

Per the bid summary, prices ranged from a high of \$2,615,753 to a low of \$1,642,109. These prices do not include the labor to change out the meters. We plan to accomplish this with Town personnel at a savings of approximately \$263,800.

After very careful scrutiny of bids the vendor chosen is Corix Utilities, the lowest responsible bidder, at \$1,642, 109, using the Hexagram-Star system and a licensed frequency radio system to transmit both water and electric readings to a Data Collection Unit which in turn uses the Town wide area network to send the readings to the billing system. This system does not have an Outage Management System included but can supply the required meter location information to a third party OMS.

Councilmember Olinger moved, Councilmember Richards seconded, to authorize the Interim Town Manager to proceed with contract negotiations with Corix Utilities of Milwaukee, WI, for the completion of the automated meter reading system. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider. (8); Nays: Yowell (1); Absent: (0).

**R/R Re: Sale of Surplus Generator**

Interim Town Manager Boring presented the report and recommendation that stated the Light & Power department advertised and directly contacted vendors for the sale of the surplus generation units located at the Spring St. facility in 2006 with no offers received. We recently received an offer from Ferronor, S.A., a small rail transportation company in Chile, for Unit #2, the EMD generator located inside the Spring St. facility. The department has communicated with the company sending pictures and other relevant information as requested. The company has offered \$95,000 for the unit with all dismantling and shipping charges to be the responsibility of the company.

With no other offers being received for this unit it is our recommendation that the offer of \$95,000 from Ferronor, S.A. be accepted and we begin the process of making the unit ready for dismantling and shipping.

There will be an increase to the Light & Power revenue fund of \$95,000 as a result of the sale of this surplus equipment.

Councilmember Olinger moved, Councilmember Richards seconded, to approve the sale of the surplus generator unit #2 and authorize the Interim Town Manager to execute a sales contract with Ferronor, S.A. on behalf of the Town of Culpeper. 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: Engineering Costs for Water Treatment Plant Filter Media Replacement Project**

Interim Town Manager Boring read the report and recommendation that stated at the April 2008 meeting, the Culpeper Town Council approved the bid price and award of a contract to replace the filter media and to rehabilitate each of the Water Treatment Plant's four filters. That work, which is divided into four phases, is scheduled to begin this month with Phase I to be completed by June 30th. To carry out this task, the Department of Environmental Services utilized the Town's contract engineering firm, the Timmons Group, to accomplish the following tasks at the below listed fee schedule.

Task 1 – In Depth Filter Evaluations \$4,200  
Task 2 – Develop a Filter Specific Repair Program \$19,600  
Task 3 – Develop a Filter Media Replacement Program \$5,800  
Task 4 – Contractor Procurement Assistance \$2,700  
Task 5 – Construction Observation (All Phases) \$9,500  
Task 6 – Record Drawings \$1,800  
Total \$ 43,600

Regrettably, while a Report and Recommendation for this work appears to have been prepared for Council's consideration in September of 2007, it was apparently never brought forward and has not been approved for funding, even though Tasks (1) through (4) have now been completed and a partial payment of \$3,780 was made to the Timmons Group in October of last year for work associated with Task (1).

The balance due to the Timmons Group for the engineering and contract oversight work for this project is \$39,820. Of that amount, \$32,300 has already been earned, with an additional \$2,375 coming due prior to June 30th with the completion of Phase I of the filter rehabilitation project. Thus, the Timmons Group will be due \$34,675 less the partial payment amount of \$3,780 for a total balance due this fiscal year of \$30,895. The remaining balance of \$8,925 will be payable in FY 2009.

Councilmember duFrane moved, Councilmember Risner seconded, to authorize the interim town manager to make payment to the Timmons Group for engineering services associated with the water treatment plant filter rehabilitation project in the amount of \$30,895 during FY2008 and \$8,925 for the remaining work when the project is completed in FY2009. Funding is to be provided for by transferring those amounts from the water capital line item (3700-8920) to the water operating line item (3700-5216) in each of the appropriate fiscal years. 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: Public Works Administration Building Painting**

Interim Town Manager Boring presented the report and recommendation that stated that the Public Works Administration Building painting project encompasses painting the exterior of the structure and the interior of the shop area.

The project was advertised for complete bid in the first week of April, and the bids were received and opened April 24, 2008. The lowest responsive bidder was from Sunrise Professional Painting Inc. in the amount of \$20,400.

Sufficient monies were budgeted for the painting of the Public Works Administration Building in line item 4302-5230, General Properties – Repair and Maintenance.

Councilmember Snider moved, Councilmember Risner seconded, to authorize the Interim Town Manager to enter into a contract with Professional Painting Inc. in the amount of \$20,400 for the painting of the Public Works administration building.

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: Donations for Wine Street Memorial Park**

Interim Town Manager Boring presented the report and recommendation that stated that continuing with the gifting program for Wine Street Memorial Park, these individuals and groups wish to donate the following items:

<b>Donor:</b>	<b>In Honor/Memory Of:</b>	<b>Donated Item:</b>	<b>Donated Amount:</b>
Robert M. Ryan	James Hugh Ryan, Jr.	1 – 12” x 12” paver	\$ 100.00
Maj. and Mrs. Charles Snyder	In honor of those who served	1 Memorial Tree	\$ 100.00
Maj. and Mrs. Charles Snyder	In honor of those who served	1 Memorial Tree	\$ 100.00
W.M. Bunker	Milton Arnold	1 – 12” x 12” paver	\$ 100.00
Julia B. Monaco	Richard A. Monaco	1 Memorial Bench	\$1,000.00
Julia B. Monaco	Miscellaneous donations	10 – Memorial Trees	\$1,000.00
Joseph N. Todd	Joseph N. Todd	2 – Memorial Trees	\$ 200.00
Carolyn Johnson	William Perry Johnson	1 – 12” x 12” paver	\$ 100.00
Carolyn Johnson	Ronald Perry Johnson	1 – 12” x 12” paver	\$ 100.00
Marty Williamson	Undetermined	1 Memorial Tree	\$ 100.00
<b>Totals:</b>			<b>\$2,900.00</b>

The cost for each engraved paver is as follows: a 4" x 8" brick--\$50 (with up to three horizontal lines with a maximum of 11 characters per line); an 8" x 8" paver--\$75 (with up to three lines with a maximum of 11 characters per line); and a 12" x 12" square paver--\$100 (with up to three diagonally engraved lines). For donations of \$1,000.00, donors may choose to donate a memorial bench (eight currently available) or one of two picnic tables. Plaques will adorn each bench or table, which staff will coordinate with the donor to personalize.

In the design of the memorial pad, there are 24 - 12" x 12" square pavers programmed. With the popularity and flexibility of engraved messages, staff will make additional 12" x 12" pavers available for donation by changing the existing paver configuration. This will continue making available a popular donate-able item, and increase the amount of funds to offset expenses for the park.

The current donations and requests will offset the total cost of the project by \$2,900. To date, the Town has accepted \$10,900 in donations for this park.

Councilmember Snider moved, Councilmember Yowell seconded, to accept the donations from Robert M. Ryan, W.M. Bunker, and Carolyn Johnson (2) for a 1' square paver; two memorial trees from Major and Mrs. Charles Snyder, 10 memorial trees from Julia Monaco; and two memorial trees from Joseph Todd; and a memorial bench from Julia Monaco. 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: Adoption of FY2009 Cash Proffer Resolution**

Interim Town Manager Boring presented the report and recommendation that stated the Culpeper Town Council adopted a proffer system on January 13, 2003. In order to maintain the proffer system, proffer amounts must be codified near the beginning of the fiscal year. The attached proffer amounts are based on the projects listed in the Capital Improvements Plan: FY 2009-2013. Pursuant to the Code of Virginia, Section 15.2-2298, the listing of projects in an adopted Capital Improvements Plan is a requirement for localities with adopted proffer programs. This methodology assures that a per-unit cost is calculated which will represent the impact on the government for providing additional public services to new development.

Both the Capital Improvements Plan and the cash proffer resolution are categorized into seven categories of public (Town and County) and quasi-public services (fire and rescue) developed as part of the Springsted study completed in 2003. These categories include:

1. Transportation;
2. Parks and Recreation;
3. Library Services;
4. Schools;
5. Fire and Rescue;
6. Administrative Facilities; and
7. Police Facilities

With Town services, the Town would collect these funds for its own needs. With County services and services provided by the fire and rescue companies, the Town would pass these proffers on to the appropriate agency.

The adoption of the cash proffer resolution will permit the Town to collect funds to offset the long-term financial impacts of growth.

Councilmember Risner moved, Council Member Richards seconded, to adopt the proffer resolution and direct the Interim Town Manager to implement FY2009 proffer amounts, which will be collected from July 1, 2008, until June 30, 2009 on residential rezoning applications. 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: Proposed Bylaws Amendments—Parks & Recreation Commission**

Interim Town Manager Boring presented the report and recommendation that stated following discussions from their January 2008 regular meeting, the Parks and Recreation Commission voted unanimously to request Council to amend their bylaws. The Commission requests a change in Article III, Section 7, which changes the Commission's attendance policy to mirror that of Council's—that members shall miss no more than 50% of all regular meetings in a six-month period.

Councilmember Richards moved, Councilmember Risner seconded, to amend the Commission's bylaws to reflect the change in the commission's attendance policy and directed the town clerk to record the bylaws change. 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: Blair House**

Interim Town Manager Boring presented the report and recommendation that stated the Town issued a Request for Proposals (RFP) for the Sale and Removal of the Blair House to another location. Additionally, the property was listed in the "Classified" section of Preservation magazine (January/February 2008 edition). This is the leading national preservation magazine with nationwide circulation. The house was also listed in local newspapers, as well as direct mail to housing advocacy groups such as Habitat to Humanity and the Culpeper Community Development Corporation (CCDC). The house was listed for sale, with the stipulation that it be moved from the current site. The RFP was posted on the Town's web site since 11/14/2007.

Bids were due on February 29, 2008. One bid was received from R.S. Melanson Excavating Incorporated. However, this bid was not responsive as this bid was for the demolition and disposal of the structure. (The Blair House was listed for "sale and removal" to another location; none of the ads listed it for demolition).

Councilmember Risner moved, Councilmember Snider seconded, to instruct staff to submit an application (for demolition) to the Architectural Review Board for processing in accordance with Section 15.2-2306 of the Code of Virginia and the Town's historic preservation ordinance. The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

### **Update Re: Train Horn Issue**

Town Engineer Stephenson provided a status report on the US Avenue railroad crossing project.

### **R/R Re: Veteran's Recognition Committee Bylaws**

Interim Town Manager Boring presented the report and recommendation that stated at the November 13, 2007 regular meeting, Council approved the creation of the seven-member Veterans Recognition Committee, whose purpose was to raise funds, awareness of veteran recognition, and coordinate the development of a centralized monument at Wine Street Memorial Park.

At the direction of the Committee, staff offers a set of bylaws. These bylaws are attached for Council's review and subsequent adoption. Following adoption and appointment of the Committee, staff would suggest convening it in order to review, revise, and ratify the bylaws.

Councilmember Risner moved, Councilmember Jenkins seconded, to approve the recommended bylaws for the Veterans Recognition Committee, with the addition of a non-voting liaison from the Parks & Recreation Commission to the Committee, and that upon their first reading, ratify any changes, and directed the Town Clerk to record the official bylaws. 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: Amendments to Town Code: Repealing Sections 11-71 thru 11-76, Town Vehicle Licenses, and Amending Section 2-162, Issuance of Licenses (second reading)**

Interim Town Manager Boring presented the report and recommendation that stated that with the adoption of the FY08 budget, Town Council approved the elimination of vehicle license sales by incorporating the fee into the personal property tax rate.

Sections 11-71 thru 11-76, Town Vehicle Licenses, will be deleted and revised Section 2-162 will read as follows:

**Sec. 2-162. Issuance of licenses.**

The town clerk shall issue all licenses in the town, except fishing and vehicle licenses.

Vice Mayor Yowell moved, Councilmember Snider seconded, that the Mayor be authorized to sign the Ordinance amending Section 2-162, Issuance of Licenses, and repealing Sections 11-71 thru 11-76, Town Vehicle Licenses, effective immediately. 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: Sale of General Obligation Public Improvement Bonds**

Interim Town Manager Boring presented the report and recommendation that stated that on September 11, 2007, Town Council adopted a resolution to issue General Obligation Public Improvement Bonds to finance the projects listed below for a total not to exceed \$30,425,000 via a two phase funding strategy. Shortly after adopting the Ordinance Town Council issued a \$6,250,000 bank qualified bond with a 20-year maturity, via competitively bid private placement. This private placement represented Phase One of the required funding. The remaining portion of the projects (Phase Two) will be financed in the coming months via a competitive public bond sale. The following represents a list of the projects funded via Phase One and Phase Two:

1. Wastewater Treatment Plant \$ 28,990,460
  2. Automated Meter Reading Project \$ 1,450,000
  3. Electric Line Installation \$ 3,000,000
  4. VDOT Local Share – RT 229 \$ 1,015,000
  5. Hill Street Concrete Work \$ 45,000
  6. Heavy Equipment--Loader \$ 85,000\*\*
  - ~~6~~ 7. Contingency (Approx. 4%) ~~\$ 1,409,142~~ \$ 1,324,142\*\*
- 9/2007 Bond Issue \$ (6,209,000)  
Grant Funding – DEQ \$ (5,637,777)  
Use of Equity \$ (5,740,205)

Total Project Costs to be Financed \$ 18,322,620

Plus Estimated Costs of Issue

Costs of Issuance \$ 150,000  
Underwriter's Discount (\$4/Bond) \$ 73,460  
Bond Insurance Premium (48 basis points) \$ 162,603  
Total Costs of Issue \$ 386,063

Plus Other Components

Original Issue Discount (OID) \$ 202,472  
Capitalized Interest Fund \$ 39,144  
Rounding Amount \$ 3,196  
Total of Other Components \$ 244,812

Total Estimated Costs to be Financed  
via Phase Two Bond Issue \$ 18,953,495

**\*\*Revised items and figures--05/12/2008 by Neal Deane**

Based on the analysis of the town's financial advisors, Davenport & Company, the most cost effective funding option for the town for Phase Two, in terms of an All-in Borrowing Rate, is a stand-alone, General Obligation Bond issue that is insured by FSA. It offers the town the lowest borrowing costs and most flexible terms/conditions. On or about May 14, 2008, the Town will offer these bonds for sale through a competitive public sale, using the rating of the insurance company. The bids will be ranked in terms of true interest cost, with the bidder offering the lowest true interest cost being awarded the bonds.

The Town will incur costs to advertise and issue the debt, postage and other incidental expenditures. The estimated costs of both issues are noted above in the amount of \$386,063. The bond proceeds will cover these issue costs. The estimated debt service requirements are as per the amortization schedule.

Vice Mayor Yowell moved, Councilmember Snider seconded, that the Town Council adopt the bond resolution authorizing the competitive public sale of bonds insured by FSA to be determined based on the lowest pure interest cost bid not to exceed \$18,953,495. In addition, it was recommended that Town Council authorize the transfer of bond proceeds to the corresponding budgets to pay for the debt issuance costs.

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: Amendment to Section 15-4, Prohibited Acts, of Town Code**

Interim Town Manger Boring presented the report and recommendation that stated a few years ago, some Town and County citizens challenged the Town's signs prohibiting weapons in Yowell Meadow Park. At the time, the signs were changed to read "no illegal weapons." Under the advice of Counsel, the signs are considered in conflict with state laws permitting the carrying of weapons in such areas as parks. Moreover, the Town's use of the words "illegal weapons" is too broad and not specific enough for the general public to be informed properly.

Councilmember Olinger moved, Councilmember Risner seconded, that the Town Council approve the proposed amendment to Section 15-4, Prohibited Acts, of the Town Code by deleting "firearms" as a prohibited item in Town-owned parks. The amendment will become effective immediately. 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: Additional Funding for Visitor's Center Reimbursable Expenditures**

Interim Town Manager Boring presented the report and recommendation that stated that with the adoption of the FY08 budget, the full amount appropriated for the Visitor's Center remained level-funded with the prior year. As a result, there is an appropriation shortage for reimbursable expenditures in the amount of \$730. In addition, the FY08 budget for the Visitor's Center did not properly reflect the categorized request by the Chamber of Commerce for these reimbursable expenditures.

The additional funding will come from General Fund Capital Contingency account in the amount of \$730 to cover the shortage in reimbursable expenditures.

Councilmember Jenkins moved, Councilmember Richards seconded, that the Town Council authorize the Town Manager or his designee to fully fund the reimbursable expenditure request for the Visitor's Center by transferring the funds from the General Fund Capital Contingency (12-9990-9990) in the amount of \$730 and moving the remaining funds (\$520) from utility services (10-8103-5610) to cover the cost of computer equipment (10-8103-7600). The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Risner, Snider, (7); Nays: Rimeikis, Yowell. (2); Absent: (0).

#### **REPORTS & RECOMMENDATIONS FROM TOWN ADMINISTRATION** - None

**TOWN MANAGER’S MONTHLY REPORT**

Interim Town Manager Boring submitted his report and offered to answer any questions.

**COMMUNICATIONS & CORRESPONDENCE**

There was none.

**CLOSED SESSION**

Vice Mayor Yowell moved, Councilmember Risner seconded, to enter closed session to discuss or consider acquisition and/or disposition of properties for the purpose of a future public safety site pursuant to Code of Virginia Section 2.2-3711-(A)(3), and to consult with legal counsel or staff or consultants regarding specific legal matters requiring legal advice relating to interjurisdictional cooperation pursuant to Code of Virginia Section 2.2-3711(A)(7).

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0). Council entered closed session at 9:05 p.m. Staff attending: Interim Town Manager Boring and Assistant Town Attorney Caturano.

Council reconvened in open session at 10:05p.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, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

Vice Mayor Yowell moved, seconded by Councilmember Olinger to authorize an expenditure to the Mosley Group in an amount not to exceed \$40,000 to conduct a study on the suitability of the potential public safety site. The following roll call was taken: Ayes: Coleman, duFrane, Jenkins, Olinger, Richards, Rimeikis, Risner, Snider, Yowell (9); Nay: (0); Absent: (0).

**ADJOURNMENT:** Council adjourned at 10:20 p.m.

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Clerk

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Mayor