

1 **Minutes of the New Market**
2 **Town Council Meeting**
3 **March 15, 2010**
4
5

6 The New Market Town Council met in the Council Chambers of the Arthur L.
7 Hildreth, Jr. Municipal Building on Monday, March 15, 2010 with the following
8 members present: Larry Smith, Mayor, John Blosser, Vice Mayor, Ripley Click, Harry
9 Durrett, Eddie Litten, Gary Comer and Troy Fadeley.

10
11 Town Attorney – Jason Ham
12 Town Manager – Chris Boies
13 Town Clerk – Jeanne Rinker
14 Visitors and Press – See attached sheet
15

16 Mayor Smith called the meeting to order and established that a quorum was
17 present. The Pledge of Allegiance was recited in unison.
18

19 **Approval of the Agenda**
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21 Mr. Boies announced that he had an addition to the agenda, provided the Council
22 approved, that a closed session be added, as authorized by section 2.2-3711(A)(1) of the
23 state code to discuss the performance and employment of a specific local government
24 employee. **Mr. Litten moved to approve the addition. Mr. Comer seconded the**
25 **motion which passed unanimously.**
26

27 **Mr. Comer then moved to approve the agenda as amended. Mr. Fadeley**
28 **seconded the motion which carried unanimously on a voice vote.**
29

30 **Consent Agenda**
31

32 Mayor Smith presented the consent agenda which included the minutes of the
33 February 16, 2010 Council meeting and the Financial Statements for February. Mr.
34 Litten stated that he needed to amend the minutes of the last meeting as follows: On page
35 6, line 203, the words “problem model” should be changed to “proffer model”. Also, on
36 line 206, where it says “inaudible”, the words that were inaudible were “this agreement”.
37 These changes applied to part of Mr. Ham’s comments. **Mr. Comer made a motion to**
38 **approve the consent agenda as amended and Mr. Litten seconded. The motion**
39 **passed unanimously on a voice vote.**
40

41 **Public Hearing**
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43 There were no public hearings.
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45 **Citizen Comments and Petitions**
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47 There were no citizen comments or petitions.

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49 **Committee Reports**

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51 **Finance and Personnel:** Mr. Fadeley issued the following report: “The Finance and
52 Personnel Committee met on Monday, March 1, 2010 with all members present. The
53 first item on the agenda was discussion concerning the vacancy on the Planning
54 Commission. We still have the vacancy there and it needs to be filled. We are seeking
55 applicants for that. For the next item we just set a date for our first budget work session.
56 That was held this past Friday (March 12th). All members were present. We had a short
57 discussion on the first draft of the budget and have scheduled our next meeting for
58 Thursday, April 1, 2010.”

59
60 **Public Works:** Mr. Blosser presented the following report: “The Public Works
61 Committee met on Monday, March 1st with all members present. Committee received
62 updates on I & I and the force main projects. We hope to have the I & I project
63 completed by mid-April. The pump station project is running behind due to the bad
64 weather. We’re hoping to get back on schedule soon. There was no other business so the
65 meeting was adjourned.”

66
67 **Public Safety:** Mr. Comer reported, “The Safety Committee met on March 1st with 2
68 members present; (Mr. Durrett was absent). The first agenda item was discussion
69 concerning designating a snow emergency route along Route 11 as requested by a
70 downtown property owner. I had requested that Chris contact VDOT on this matter,
71 which he did. Jerry Copp (from VDOT) said he didn’t think it was necessary. I also
72 asked Mr. Blosser, who is on this committee and is also chairman of the Public Works
73 Committee, for his opinion. He said he did not think there was any need for it.
74 Following a brief discussion Mr. Blosser moved to drop the idea, and I seconded the
75 motion.”

76
77 “The only other thing that came up in the meeting was a ‘thank you’ to Chief Peery
78 for the end of the year report that he gave this committee.”

79
80 **Tourism, Economic Development, and Historic Preservation:** Mr. Durrett
81 reported that the Committee did not meet in March. However there was a meeting of the
82 July 4th Planning Committee on February 25, 2010. The results of that meeting will be
83 presented at the April Committee meeting.

84
85 **Action Items:**

86
87 The first action item was discussion and consideration of the 2010-2011 Capital
88 Improvement Plan. **Mr. Fadeley made a motion to approve the 2010-2011 Capital**
89 **Improvement Plan. It was seconded by Mr. Blosser and passed unanimously on a**
90 **roll call vote.**

91

92 The second action item was discussion and consideration of a text amendment to the
93 Zoning Ordinance creating a Transitional X Zoning District to be applied to properties
94 annexed into the Town limits in accordance with the proposed voluntary settlement
95 agreement until such a time as they can be rezoned to a zoning classification shown on
96 the Future Growth Map. This item was brought to the Council by the Planning
97 Commission who recommended approving it. **Mr. Litten made a motion to approve**
98 **the zoning ordinance change to create a Transitional X Zoning District. Mr.**
99 **Fadeley seconded the motion.**

100
101 Before the roll call vote, Mr. Click asked the following question: “When a property
102 owner wants to come into Town, and he applies for this Transition X zoning, does he pay
103 a fee for getting that zoned, and then if he does, does he pay another fee to get it zoned
104 the way he wants it zoned?”

105
106 Mr. Boies replied, “We don’t have a fee right now that we charge someone when they
107 get annexed.” Mr. Neese confirmed that this is true.

108
109 Mr. Click asked for confirmation that the answer is “No”, and Mr. Boies said “That is
110 correct”.

111
112 **Mayor Smith asked for the roll call vote and the motion carried unanimously.**

113 114 **Mayor’s Comments**

115
116 Mayor Smith made the following comments: “I’d like to mention congratulations to
117 Faye’s Flowers and to The Home Store for being awarded ‘Business of the Year’ by the
118 Chamber at their annual banquet last Thursday night. Also, the Thursday lunch program
119 at the Lutheran church was awarded the ‘Outstanding Organization of the Year’. The
120 ‘Outstanding Citizen of the Year’ was Bruce Alger, the general manager of the Rebels.
121 That was good recognition for the Rebels. I’d just like to mention those and get them into
122 the records.”

123 124 **Council Comments**

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126 There were no Council comments.

127 128 **Staff Comments**

129
130 Mr. Boies announced, “We owe kudos to Councilman Gary Comer who took his role
131 as Public Safety Chairman to a new level when he stopped a crime week-end before last.
132 We appreciate the effort. The suspects were apprehended on I-81.”

133
134 Mr. Boies continued, “We need to move the May Committee meetings due to the
135 Commission on Local Government being in town on that Monday, May 3rd for their
136 process and their public hearing. I would like to move that to May 10th, which is the
137 following Monday. That is also a tentative date for the public hearing on the budget. So

138 we could combine those 2 meeting dates and have the Committee meetings at 6:30 and
139 have the budget hearing start at 7:30. Does that work for everyone on the Council?"

140 Mayor Smith asked when the Planning Commission would meet.

141
142 Mr. Boies stated that the Planning Commission would not meet unless there's an
143 application. "If there is an application we might move their meeting to Tuesday, May 4th
144 because I don't think we could do all 3 in one night. So that's our plan right now."

145
146 Mrs. Lohr mentioned that May 4th is Election Day.

147
148 Mr. Boies said if the Planning Commission has to meet they could use the Community
149 Center, since the election officials would have the Council Chambers in use until late
150 Tuesday evening. He added that if everyone was in agreement a motion would not be
151 necessary.

152 153 **Closed Session**

154
155 Next on the agenda was a closed session. Mr. Boies stated that the action item was to
156 go into closed session to discuss the performance and employment of specific local
157 government personnel as authorized by section 2.2-3711(A)(1) of the state code. The
158 subject matter of the meeting is a specific local government employee. **Mr. Comer**
159 **made the motion to go into closed session at 7:42 pm. Mr. Fadeley seconded the**
160 **motion which passed unanimously on a roll call vote.**

161
162 Following the closed session Mr. Boies read the Certification Resolution which states:
163 "With respect to the just-concluded closed session, and to the best of each member's
164 knowledge, (i) only public business matters lawfully exempted from open meeting
165 requirements under the Virginia Freedom of Information Act and (ii) only such public
166 business matters as were identified in the motion by which the closed meeting was
167 convened were heard, discussed or considered in the meeting by the Town Council." **Mr.**
168 **Fadeley made a motion to end the closed session at 7:50 pm pursuant to the reading**
169 **of the Certification Resolution. Mr. Comer seconded, and the motion passed on the**
170 **following roll call vote: Mr. Click, aye; Mr. Fadeley, aye; Mr. Comer, aye; Mr.**
171 **Blosser, aye; Mr. Durrett, aye, Mr. Litten, aye; Mayor Smith, aye.**

172 173 **Adjournment**

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175 Following a motion by Mr. Durrett, Mayor Smith adjourned the meeting at 7:51
176 pm.

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Larry Smith, Mayor

Jeanne K. Rinker, Town Clerk

184 Jeanne K. Rinker, Town Clerk
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