

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49

**Minutes of the New Market
Town Council Meeting
Tuesday, January 19, 2016
7:30 pm**

The New Market Town Council met in the Council Chambers of the Arthur L. Hildreth, Jr. Municipal Building on Tuesday, January 19, 2016 with the following members present: Mayor Douglas Bradley, Vice-Mayor John Blosser, Peggy Harkness, Scott Wymer, Gary Comer, Tim Palmer and Eddie Litten.

Town Attorney – Jason Ham
Town Manager – Mike Ritchie
Town Treasurer – Teresa Green
Administrative Assistant – Donna Lohr

Mayor Bradley called the meeting to order and established a quorum. The Pledge of Allegiance was recited in unison.

Mayor Bradley welcomed all visitors and guests.

Approval of the Agenda:

Mr. Comer made a motion to approve the agenda as presented. Mr. Palmer seconded the motion which carried unanimously on a voice vote.

Consent Agenda:

Mr. Comer moved to approve the consent agenda which included the minutes from the December 21, 2015 Meeting of the Town Council and the Financial Statements for December 2015. Mr. Palmer seconded the motion which carried on a unanimous voice vote.

Public Hearing:

No public hearings scheduled.

Citizen Comments and Petitions:

Mr. Sonny Mongold, 163 Shady Lane, New Market, VA, stated that he wished to make a request of the New Market Town Council concerning the New Market Fire and Rescue Department. He requested that the Town consider holding a public hearing for the citizens of New Market and the affected area of the New Market Fire & Rescue Department. He further requested that Dick Neese, District 1 Supervisor, Conrad Helsley, Chairman of the Board of Shenandoah County, Mary Beth Price, County Administrator and Gary Yew, Chief of Fire and Rescue, be present to answer questions and concerns from the citizens of the Town of New Market and the surrounding area affected by the New Market Fire and Rescue Department. Mr. Mongold further stated, that as a tax paying citizen, he believes that he has the right to ask questions of those individuals and it is a shame that the individual who has been appointed chief of the New Market Fire and Rescue Department abandoned ship after he was appointed. Mr.

50 Mongold again reiterated his request for a public hearing with the above mentioned
51 individuals present to answer questions. Mr. Mongold thanked Council Members for
52 their time.

53 Mayor Bradley stated that Section 2-36 of the Town Code states that any
54 comments made during the procedure for public comment during Town Council
55 Meetings which would require Council approval should be referred to the Town Manager
56 or the committee responsible for that department. Mayor Bradley asked Town Attorney
57 Jason Ham if Mr. Mongold's comments would require Council approval.

58 Mr. Ham remarked "No. All of those people mentioned are Shenandoah County
59 people so that request would need to be made of Shenandoah County. We cannot control
60 Mary Beth Price or Chairman Helsley. The request should be made of Shenandoah
61 County."

62 Mr. Mongold commented that he is asking the Town to make that request for a
63 public hearing. He wants Town government to make that request for a public hearing and
64 that those individuals be present. If those individuals choose not to be present, that is
65 their choice.

66 Mayor Bradley stated he would refer this to Mr. Ritchie, Town Manager, to
67 follow up on.

68 Mr. Ritchie had no comments at this time.

69 Mr. Mongold asked, "Is that 'no', that we will not have a public hearing?"

70 Mr. Ritchie responded that it was not a "no". He advised he would discuss this
71 issue with the Public Safety Committee Chairman and the Mayor and they would make a
72 decision.

73 Mr. Mongold asked if this would go another month.

74 Mayor Bradley remarked that it would unless a special meeting is called.

75 Ms. Stephanie Seekford, with New Market Fire and Rescue Department,
76 requested that the Town of New Market consider asking Woodstock Rescue Squad to
77 cover EMS calls in the Town of New Market. Ms. Seekford advised that she had
78 approached the Woodstock Rescue Squad regarding this matter and they have stated that
79 if they are asked by the New Market Town Council to cover EMS calls in the Town of
80 New Market, then they will come up here and provide EMS coverage in the New Market
81 area until the County can come up with a solution. Ms. Seekford stated that Woodstock
82 Rescue is ready to go on this, but the request must come from the Town Council asking
83 for the EMS coverage. Currently we are providing Fire service only and it is the
84 volunteers that are getting the trucks out the door. There is no EMS coverage. Ms.
85 Seekford advised that three weeks ago there was a cardiac arrest in town and it ended in a
86 bad situation because EMS was coming from Mount Jackson. We really need to act on
87 trying to get EMS coverage in the Town. She advised that the volunteers are opening up
88 the building so that Woodstock Rescue can be housed there but the Town Council must
89 ask Woodstock Rescue to cover EMS calls in this area.

90 Mr. Ritchie asked Ms. Seekford if Woodstock were to run EMS calls in this area,
91 would they be the ones billing for it and would it be under the same procedure as it
92 currently is.

93 Ms. Seekford answered "Yes, just like Shenandoah County does now, and under
94 the same procedure. Woodstock would follow the same guidelines. New Market would
95 just be a sub-station of Woodstock, similar to what Mount Jackson did with Orkney
96 Springs." Ms. Seekford further explained that she had already inquired if they can run a
97 sub-station of Woodstock out of New Market, and it is possible, but the Town Council
98 must make the request and approve Woodstock running EMS calls.

99 Mr. Litten asked if they would staff the building on premises.
100 Ms. Seekford answered in the affirmative.

101
102
103 **Committee Reports:**

104
105 **Finance & Personnel:** Mr. Litten stated that the Finance and Personnel
106 Committee met on Monday, January 4th, 2016 with all members present. The first item
107 on the agenda was the discussion and consideration of FY 17-21 Capital Improvement
108 Plan (CIP). This item is an action item on tonight's agenda as it has met the requirement
109 of approval by the Planning Commission. With no further business to discuss, the
110 meeting was adjourned.

111
112 **Public Works:** Mr. Blosser stated that the Public Works Committee met on
113 Monday, January 4th, 2016 with all members present. There was no new business on the
114 agenda and no other business to discuss, so the meeting was adjourned.

115
116 **Public Safety:** Mr. Comer stated that the Public Safety Committee met on
117 Monday, January 4th, 2016 with all members present. There was no new business on the
118 agenda and no other business to discuss so the meeting was adjourned.

119
120 **Tourism, Economic Development, and Historic Preservation:** Mr. Palmer
121 stated that the Tourism, Economic Development and Historic Preservation Committee
122 met on Monday, January 4th, 2016 with all members present. A group of citizens made a
123 presentation to the committee regarding an idea for a fireworks show in the Town of New
124 Market on July 3rd, 2016. This group requested funds in the amount of \$5,000 from
125 Town Council towards the fireworks display. Mr. Palmer made a motion to send this
126 request to full council. The motion was seconded and passed on a 2-1 vote of the
127 committee after lengthy discussion by the Mayor and Town Council members. With no
128 other business to discuss, the meeting was adjourned.

129
130 **Action Items:**

131
132 The first action item was the discussion and consideration of FY 17-21, Capital
133 Improvement Plan (CIP). Mr. Ritchie advised that the Capital Improvement Plan (CIP)
134 was presented at the January Committee Meetings. The Planning Commission reviewed
135 the Capital Improvement Plan at their January meeting and recommended its approval by
136 the Town Council. The CIP is a five year plan for purposes of identifying more
137 significant anticipated expenditures within the next five years. This plan is dependent on
138 available funds in the budgetary cycle as well as the will of council. **Mr. Litten made a**
139 **motion to accept the Capital Improvement Plan (CIP) as presented. Mr. Comer**
140 **seconded the motion which passed on the following roll call vote:**

141
142

Mrs. Harkness	Aye	Mr. Blosser	Aye
Mr. Wymer	Aye	Mr. Palmer	Aye
Mr. Comer	Aye	Mr. Litten	Aye

143
144
145
146 The next item on the agenda was the presentation of a proposal by a citizens
147 group concerning a potential July 4th celebration. Mr. Peter Hughes, 227 Periwinkle

148 Lane, spoke first on behalf of this citizens group. He stated that at the Committee
149 meetings on January 4th, the group heard concerns regarding financing and organization
150 of activities for this proposed event. Mr. Hughes advised that this group of organizations
151 includes the American Legion, the Chamber of Commerce, the Rotary Club,
152 representatives of the Boy Scouts and other concerned citizens. This group recently held
153 a meeting which was also attended by Ms. Brittany Clem and Mr. Mike Ritchie. Mr.
154 Hughes stated that at this meeting what they heard was a lot of enthusiasm and a lot of
155 great ideas, but they did not have time to put together an agenda, nor did they have a
156 good measurement in terms of how involved the organizations are or how many members
157 will be participating. They have since gathered more information and recognize that they
158 will need to be more specific in planning their activities. As a result, they do not have an
159 agenda of activities to present at this evening's meeting. Mr. Ritchie and Ms. Clem had
160 left the group with the impression that they should have a sufficient number of quality
161 activities that will fill the time they have and let the time be set by those activities. They
162 should have activities that will attract interest from the population and the citizens of
163 New Market. The group is continuing to work on that. There is also a group of people
164 who are focusing strictly on fundraising for this event. Mr. Ken Shomo and Mr. Bryan
165 Rinker will speak this evening on their fund raising activities. Mr. Hughes stated that
166 they need Council's support for their fundraising endeavors.

167 Mr. Bryan Rinker, stated that he was the founder of the citizens group that desires
168 to have a fireworks event in Town. This group proposes to raise the money for the
169 fireworks show as well as provide the volunteers to help with the day before the event,
170 the day of the event and clean up on the day after the event. This group has already
171 acquired items for a raffle which will be a fundraiser for this event. This money will go
172 towards the down payment for fireworks which will be 50% of the cost. They will need
173 to raise \$3, 750 by April 1, 2016. Any money that is raised over the amount of the cost
174 of fireworks for this year, will go into a fund towards fireworks for next year. Mr. Rinker
175 advised that Mr. Ken Shomo will tell the Council in more detail about how the American
176 Legion will be helping with the fundraising efforts.

177 Mr. Ken Shomo, was the next speaker. He made the following statements:

- 178 • "We have formed an organization called 'The Rebel Fireworks Association of
179 New Market'. We are a private, not for profit group that is dedicated and
180 committed to independently funding a fireworks presentation for America's
181 Independence Day celebration in New Market. Our mission is to re-establish and
182 perpetuate the annual fireworks display that the Town of New Market was
183 renowned for in the past; to rekindle a sense of pride and spirit by creating an
184 activity that is totally funded and for the benefit of our community. Nothing
185 brings the community together than a common cause and we can bring that
186 common cause."
- 187 • "The Fireworks Association is going to enter into a cooperative agreement with
188 the Town of New Market and the American Legion Post 166. This agreement
189 will be agreed upon on August the 1st of each year to be contingent."
- 190 • "Specified duties and responsibilities: The Town of New Market will be
191 responsible for setting the date and time of all the Independence Day activities.
192 They will contact the fireworks vendor for pricing and content of the fireworks
193 presentation. We will be a part of that finalization."
- 194 • "The Rebel Fireworks Association will give public support and funding for the
195 fireworks presentation and with American Legion Post 166 will sponsor, promote

196 and encourage community involvement by making this event 100% community
197 funded. We will offer additional man-power and assistance should the Town of
198 New Market need it for this occasion and to schedule and sponsor fund-raising
199 events such as concerts, raffles, etc where all proceeds will go into the fireworks
200 account.”

- 201 • “I just want to add at this point right now that we have monies coming in for
202 donations. We have the item that is a hand-stitched afghan in the shape of an
203 American Flag. We have 2000 tickets and when that item is sold it will generate
204 a minimum of \$3500, just in that one item.”
- 205 • “The lady that made it said she could make a second one for the second half of
206 our time frame. We will start selling tickets no later than Monday and we will
207 have that money by April 1st. So then the lady said she is going to make us a
208 second afghan and that afghan will be given away on July the 3rd right before the
209 fireworks.”
- 210 • “So, as far as fundraising activities are concerned, Number 1, we are first going to
211 raffle off the American Flag that is hand-stitched. The second afghan will be in
212 the style of the 1776 flag and that will be on the second half of our time frame
213 here. A blue grass concert is scheduled to be held around the first of June at
214 Rebel Park depending on their ball schedule. We are going to auction off the
215 grand finale for the fireworks to a corporate sponsor. This will be a major P.R.
216 item and will give that business the bragging rights as to their commitment to
217 community support and it will be tax deductible. These are just a few things that
218 we have in the works that will generate the money.”
- 219 • “The American Legion will be our collections agent. I don’t want to say it’s a
220 done deal, but I think it will be passed tomorrow night. They will create a
221 fireworks fund and they will be the custodian of that fund. All the fireworks
222 money goes into that account. That way it will become tax deductible because the
223 American Legion is the custodian and manager of that account. Then on or
224 around April 1st we will write a check to the town for the down payment for the
225 vendor and the Town will forward that amount to the vendor for that down
226 payment. We are absolutely committed that no Town money, no tax payer
227 money, and the town has no financial exposure to the fireworks whatsoever. I
228 hope that may answer any questions you might have.”

229
230 Mr. Litten asked why request the Town write the check to the vendor. Since the
231 Fireworks Association already has the funds, why wouldn’t they deal directly with the
232 vendor?

233 Mr. Shomo responded that they could write a check directly to the vendor. The Town
234 would be responsible for setting up the permits, the land, the grounds and so forth, and he
235 thought the Town would be entering into a contract with the vendor, but it doesn’t have
236 to be. The Fireworks Association could give the money straight to the vendor and the
237 Town doesn’t have to be involved with it.

238 Mr. Palmer asked about security. The Town would have to be responsible for
239 policemen, fire and rescue, traffic control, etc.

240 Mr. Shomo advised that they are planning to raise the funds to reimburse the Town
241 for any of those expenses.

242 Mr. Palmer asked what that cost would be.

243 Mr. Shomo advised he would have to get that information from the Town. The
244 timeframe would be from 6pm until 10 pm, so whatever the cost would be for that four
245 hours.

246 Mr. Litten stated "I've stated before and I'll state it again, I do not have any problem
247 with the in-kind services. We can provide the police and we can provide the clean-up the
248 next day. I don't think we're going to pay the permits, but I think that's part of your all's
249 fee. We had talked about this before. I think that's about a \$5,000 donation from us in-
250 kind in past years. So, we're willing to do that."

251 Mr. Shomo advised that their organization's purpose is to eliminate the financial
252 exposure of the Town for the fireworks.

253 Mr. Litten stated that he would rather the Town donate in-kind services than cash.
254 Mr. Litten also mentioned that he does not want the Town to be the contact for the
255 fireworks company, that he would rather have the Fireworks Association do it.

256 Council members and Mr. Shomo agreed that the Fireworks Association should be
257 the contact in dealing with the fireworks company.

258 Mr. Shomo stated that they are excited about being able to privately fund the
259 fireworks because if they get extra money, they can purchase additional fireworks. The
260 fireworks cost roughly \$1,000/minute. The grand finale costs \$2,000/minute. If they can
261 get a corporate sponsor to purchase the grand finale, then they can add that money to the
262 finale and make it a super one.

263 Mayor Bradley asked how advertising and publicity would be worded regarding this
264 event.

265 Mr. Shomo advised that it would be worded as "The New Market Fireworks will be
266 held on July 3rd, sponsored by the American Legion and the Rebel Fireworks
267 Association".

268 Mr. Shomo advised that they have already had a lot of interest and followers on
269 FaceBook regarding fund raising for this event.

270 Mr. Palmer advised that the American Legion cannot begin taking in any money for
271 this until the Town Council approves it. He further advised that this is something he feels
272 the Town Council should approve.

273 Mr. Shomo stated that their organization respectfully asks the Council for their
274 support this evening.

275 Mrs. Harkness made the following comments:

- 276 • "First of all, I do not believe there is anyone that is against the fireworks.
277 Why would anyone be against having fireworks?"
- 278 • "Second, I am very familiar with running volunteer organizations. I have
279 had eleven years now of running a 7 day a week volunteer organization –
280 the New Market Library. I know what it is like to try to sustain over long-
281 term, year after year, volunteer efforts and it can be very fatiguing. So,
282 what I don't want to see happen is that everyone gets 'gung-ho' this year
283 and we do fireworks and then maybe next year, squeak out and do
284 fireworks, and then the next year, that fatigue sets in and we don't do
285 fireworks and the Town gets blamed. We have lived through that once.
286 The Town stopped doing fireworks. As I understand it, at the meeting last
287 week, it was admitted that it was because of volunteer fatigue. Those
288 boots on the ground, that I said, many of you sitting right out here belong
289 in some of those groups. You are members of the Chamber and Members
290 of the Rotary and you cannot be in two places at once, running two booths.

291 I don't hear specifics in the plan for the activities which I asked for at the
292 last Committee Meetings. I understand it. I know you couldn't get it
293 done. But, I would just ask you to get that level of specificity because
294 July is right here when it comes to planning a big event. I'm not saying
295 that to sit up here and lecture. I'm saying that because I know what it's
296 like and it's a lot of work. You will be calling on a handful of people to
297 try and pull this event in a short period of time, to try to come up with that
298 level of activities that you are going to need to do for July 3rd. Also,
299 Massanutten's event is scheduled for July 3rd. So, we will not be the only
300 event going on that day. So, if this is passed and if we do this, this is a lot
301 of hard work on just a few people because a lot of us belong to the same
302 organizations. So, I would ask that you get real specific about the duties
303 and who is doing what. I know a number of you will be spread very thin
304 to get all this work done. But, please know that no one is against
305 fireworks and everyone seems to think that that's how Council ends up
306 feeling, but that is not what it is. It is trying to spend the dollars wisely
307 and then end up doing the right thing in trying to do the programs and
308 activities that will do the best in New Market for the number of people we
309 have".
310

311 Mr. Litten stated "I am enthused that there are groups that want to do this and
312 help because when we stopped it a few years ago, it really came down to the fact that all
313 the volunteer organizations said 'we're going to do this, this and this' and it came the day
314 of the 4th of July, the Town employees did it all. Nobody showed up except to park cars
315 and get their money from parking. So if you all will stick with it, you'll do a good job.
316 It's a lot better than it was before because we are not going to put our Town people to do
317 it. That's their holiday. The cops are going to have to work and we're sorry for that."

318 Mr. Shomo advised that is why this group is focused on one thing, which is the
319 fireworks. They want to make this a small event, keep it simple.

320 Mr. Palmer remarked that he would like to see a really nice band concert of some
321 kind.

322 **Mr. Litten made a motion that the Town support the New Market Rebel**
323 **Fireworks project in our base, being that we will supply the Police Department and**
324 **clean-up crew. That will be the Town's in-kind donation and that will be the extent**
325 **of the Town's involvement. The Town will support the permit but will not pay for**
326 **the permit. That will be part of the volunteer group's cost. Mr. Palmer seconded**
327 **the motion which passed on the following roll call vote:**
328

329	Mr. Litten	Aye	Mr. Comer	Aye
330	Mr. Palmer	Aye	Mr. Wymer	Aye
331	Mr. Blosser	Aye	Mrs. Harkness	Aye

332
333 **Mayor's Comments:**
334

335 Mayor Bradley stated that he was very enthused about this 3rd of July event. He
336 believes this can be a successful event. He commends Mr. Hughes and his team for
337 volunteering their time and working on this event.
338

339 **Council Comments:**

340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387

Mr. Litten stated that he is for this event.

Mr. Palmer stated that it is his pleasure to bring this proposal to the council and he is in favor of this 3rd of July event.

Mrs. Harkness encouraged the citizens present to attend future meetings of the Town government.

Staff Comments:

There were no staff comments.

Closed Meeting:

At 8:21 p.m., Mr. Comer made a motion to recess into Closed Session in order to consult with legal counsel regarding specific legal matters requiring the provision of legal advice by our attorney, as authorized by section 2.2-3711(A)(7) of the state code. The subject matter of the meeting is fire and rescue issues. Mrs. Harkness seconded the motion which passed on the following roll call vote:

Mrs. Harkness	aye	Mr. Blosser	aye
Mr. Wymer	aye	Mr. Palmer	aye
Mr. Comer	aye	Mr. Litten	aye

At 8:51 p.m., Mr. Ritchie read the following Certification Resolution: With respect to the just-concluded closed session, and to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under The Virginia Freedom of Information Act and (ii) 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 Town Council. **Mr. Litten made a motion to approve the Certification Resolution as read. Mr. Palmer seconded the motion which passed on the following roll call vote:**

Mr. Litten	aye	Mr. Comer	aye
Mr. Palmer	aye	Mr. Wymer	aye
Mr. Blosser	aye	Mrs. Harkness	aye

Mr. Litten made a motion to amend the agenda to add the appointment for a new EMS chief for Company 23. Mr. Palmer seconded the motion which passed on the following roll call vote:

Mrs. Harkness	aye	Mr. Blosser	aye
Mr. Wymer	aye	Mr. Palmer	aye
Mr. Comer	aye	Mr. Litten	aye

Mr. Litten made a motion to appoint Mr. Gary Yew be appointed as EMS Chief for Company 23, New Market Fire & Rescue Department, effective immediately, thereby making Chief Yew both the EMS and Fire Chief for Company

388 23, New Market Fire and Rescue. Mr. Palmer seconded the motion which passed on
389 the following roll call vote:

390
391 Mr. Litten aye Mr. Comer aye
392 Mr. Palmer aye Mr. Wymer aye
393 Mr. Blosser aye Mrs. Harkness aye
394

395

396

Adjournment:

397

398 At 8:54 p.m. Mr. Comer made a motion to adjourn the meeting. Mr. Wymer
399 seconded the motion which carried on a unanimous voice vote.

400

401

402

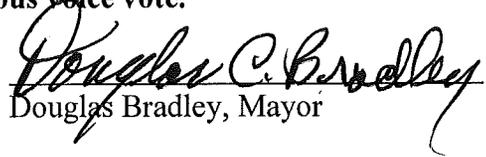
403

404

405



Mike Ritchie, Town Clerk



Douglas Bradley, Mayor