

1 **Minutes of the New Market**
2 **Town Council Meeting**
3 **Tuesday, June 20, 2023**
4 **6:30 pm**
5

6 The New Market Town Council met in the Council Chambers of the Arthur L.
7 Hildreth, Jr. Municipal Building on Tuesday, June 20, 2023 with the following members
8 present: Mayor Larry Bompiani, Vice-Mayor Peggy Harkness, Bob King, and Peter
9 Hughes. Council Member Scott Wymer, Daryl Watkins, and Janice Hannah were absent.

10
11 Town Attorney – Jason Ham
12 Interim Town Manager – J. Todd Walters
13 Town Treasurer – Teresa Green
14

15 Mayor Bompiani called the meeting to order and established a quorum with three
16 members present. The Pledge of Allegiance was recited in unison. Mayor Bompiani
17 welcomed all visitors and guests.
18

19 **Approval of the Agenda:**
20

21 **Mr. Hughes made a motion to approve the agenda. Mr. King seconded the**
22 **motion which passes with a unanimous 3-0 voice vote.**
23

24 **Consent Agenda:**
25

26 **Mr. King moved to approve the Consent Agenda which included the minutes**
27 **from the May 8, 2023, Works Session of the New Market Town Council, minutes**
28 **from the May 15th, 2023, Meeting of the New Market Town Council, minutes from**
29 **the May 24, 2023, Work Session of the New Market Town Council, minutes from**
30 **the June 7th, 2023, Special Called Meeting of the New Market Town Council, and**
31 **the Financial Statements for May 2023. Mr. Hughes seconded the motion which**
32 **carried on a unanimous 3-0 voice vote.**
33

34 Mrs. Hannah	Aye	Mr. King	Aye
35 Mr. Watkins	Aye	Mrs. Harkness	Aye
36 Mr. Hughes	Aye		

37
38
39

40 **Public Hearing:**
41

42 Mr. Walters introduced Mrs. Green to discuss the proposed finances of the public
43 works facility. Mrs. Green gave a brief presentation on the proposed financing of the
44 public works facility, as required under the applicable law, in accordance with Section
45 15.2-2606 of the Code of Virginia of 1950, as amended, with respect the adoption by the
46 Council of a resolution or resolutions, as may be necessary or convenient, regarding the
47 proposed financing of certain infrastructure improvements.
48

49 Mrs. Green presented the financing option, a General Obligation Bond, which the
50 Town of New Market wishes to pursue for public purposes to include planning,
51 design, siting, landscaping, construction, equipping and fencing of a maintenance
52 building on Town property, and related administrative and financing costs. The
53 principal amount not to exceed \$845,000, tax-exempt and bank qualified, with a
54 term of 20 years with a final maturity date of June 1, 2043. The Town of New
55 Market would select a lender through a competitive RFP process. Mrs. Green
56 discussed the total interest amounts, and debt service amounts during
57 presentation. A copy of Mrs. Green’s presentation is on file with the minutes.
58

59 Mayor Bompiani opened the public hearing at 6:36 p.m. for comments, No
60 comments made and the public hearing was closed at 6:37 p.m.
61

62
63

64 **Citizen Comments and Petitions:**

65 No citizens comments or petitions.
66

67 There were no comments from citizens at the meeting and there were no
68 comments emailed from the public to the Town Manager.
69

70 **Committee Reports:**

71
72 There were no committee reports.
73

74 **Staff Reports:**

75
76

77 **1. Public Works Department Monthly Report – Mr. J. D. Fadley**

78 Mr. Fadley gave a power point presentation summarizing the projects on which
79 his department had worked over the past month. For the distribution system, a 2” water
80 main was repaired at 9184 John Sevier Road. There was nothing to report for the
81 collection system. A total of 5.5 tons of large trash was collected, new playground mulch
82 was completed on the south end playground, and they installed a new piece of exercise
83 equipment was installed at the park. The regular monthly maintenance of park restrooms
84 and shelters, streets and sidewalks, mowing of all town properties and cleaning of
85 restrooms and trash clean up at Rebel baseball park were completed. The Water
86 Department replaced a drive fan pump #3 North Fork Pump Station. The lead and copper
87 sample site revisions with VDH completed, and working with contractor on sewer repairs
88 on John Sevier Road and Congress Street. A new mag meter was installed on the raw
89 water line at the water plant. Mr. Fadley & Mr. Griggs started working on an asset
90 management business plan. Two of the Town Maintenance crew attended the ShenCo
91 Summer Kick Off event on June 16, 2023 with the mini excavator. A copy of Mr.
92 Fadley’s report is on file with the minutes.

93 **2. Planning Department Monthly Report – J. Todd Walters**

94 Mr. Walter discussed the approval of the patio on 276 Tee Court, with a few
95 permits under review. There was a Public Hearing for Courtyard Terrace and a few
96 citizens did speak. The Planning Commission tabled their recommendation until the next

97 meeting. The meeting may be pushed to the month of August due to the potential of not
98 having a quorum.
99

100 **3. Public Safety Monthly Report – Chief Chris Rinker**

101 Chief Rinker gave a power point presentation highlighting the statistics for the
102 month of May 2023. Chief Rinker attended a 3-Day “Law Enforcement Officer Suicide
103 Awareness” train the trainer training in Salem, Virginia, hosted by DCJS. On May 20,
104 2023 the police department provided a police presence at the Jammin’ Foods Fest in the
105 New Market Community Park. Chief Rinker reported that Sgt. Smoot attended a red dot
106 instructor training. Benelli, the Facility/Service dog, attended the Woodstock Public
107 Safety Day with Chief Rinker. For the month of May, Chief Rinker noted that the
108 analytics were within regular limits for this time of year. There was one TDO with
109 transport to Salem, Virginia. Chief Rinker informed council of the loss of former Chief of
110 Police, Charles Perry. Mayor Bompiani allowed for a moment of silence the loss of the
111 former Chief of Police. Chief Rinker announced the memorial date for those that wished
112 to attend.

113 **4. Events & Marketing Monthly Report – Mrs. Amber Smoot**

114 Mrs. Smoot gave a brief power point presentation highlighting events and projects
115 on which she had worked over the past month. Mrs. Smoot discussed the success of
116 Jammin’ Foods Fest with 600 plus attendees and all vendors were happy with the turn
117 out. Both Movie Nights were well attended. Mrs. Smoot highlighted the upcoming events
118 such as Cross Roads Music Fest on June 23, 2023, and Independence Day Celebration on
119 July 5, 2023. Mrs. Smoot has been working with several committees to plan events, and
120 noted her appreciation of the committee members. A copy of Mrs. Smoot’s power point
121 presentation is on file with the minutes.
122

123 **Action Items:**

124
125 The first action item on the agenda was the discussion and consideration of
126 Ordinance #124 – Adoption of State Law. Mr. Ham advised that this is the annual
127 adoption into our Ordinance any traffic laws that have been changed as a result of the
128 General Assembly’s action during their session. If approved, it will become effective
129 July 1, 2023.

130 **Mr. King made a motion to accept Ordinance #124 as presented in the**
131 **packet. Mr. Hughes seconded the motion which passed on the following 3-0 roll call**
132 **vote:**

133
134 **Mr. Hughes** **Aye**
135 **Mr. King** **Aye**
136 **Mrs. Harkness** **Aye**
137

138 The next item on the agenda was the discussion and consideration of Ordinance
139 #125, an Ordinance for the Adoption of the Annual Budget for FY23-24. Mr. Walters
140 allowed time for any questions about the Annual Budget that was discussed at the Public
141 Hearing on June 12, 2023.

142 **Mrs. Harkness made a motion to approve Ordinance #125 as presented. Mr.**
143 **Hughes seconded the motion which passed on the following 3-0 roll call vote:**

144
145 **Mrs. Harkness** **Aye**

146 **Mr. King** **Aye**
147 **Mr. Hughes** **Aye**

148
149 The third item on the agenda was the discussion and consideration of Ordinance
150 #126, and Ordinance Increasing the Not to Exceed Amount on Consumer Utility Taxes.
151 The budget that was just passed has an increase in the consumer utility taxes for
152 residential electrical services, which is the maximum and cannot be exceeded, from \$1.50
153 to \$3.00, and the non-residential electrical services from \$10 to \$50, and for residential
154 gas service \$1.50 to \$3.00, and non-residential services from \$10 to \$50, which is the
155 maximum and cannot be exceeded.

156 **Mrs. Harkness made a motion to approve Ordinance #126 as presented. Mr.**
157 **Hughes seconded the motion which passed on the following 3-0 roll call vote:**

158
159 **Mr. Hughes** **Aye**
160 **Mr. King** **Aye**
161 **Mrs. Harkness** **Aye**

162
163 The fourth item on the agenda was the discussion and consideration of Ordinance
164 #127, an Ordinance Imposing a Six Percent Increase in both In-Town and Out-of-Town
165 Water and Sewer Rates. Mr. Walters explained the increases and what the new
166 minimums would be for water and sewer rates for both in-town and out-of-town
167 customers. Mr. Walters did note that there had not been an increase since 2020.

168 **Mr. King made a motion to adopt Ordinance #127, as presented. Mr.**
169 **Hughes seconded the motion which passed on the following 3-0 roll call vote:**

170
171 **Mrs. Harkness** **Aye**
172 **Mr. King** **Aye**
173 **Mr. Hughes** **Aye**

174
175 The fifth action item was the discussion and consideration of Resolution #249, a
176 resolution authorizing the reimbursement of capital expenditures (VML/VACO). Mr.
177 Walter's explained that this resolution will allow the reimbursement of funds that have
178 already been paid out over the past 60 days for the public works facility.

179 **Mrs. Harkness made a motion to accept Resolution #249 as presented. Mr.**
180 **Hughes seconded the motion which passed on the following 3-0 roll call vote:**

181
182 **Mr. Hughes** **Aye**
183 **Mr. King** **Aye**
184 **Mrs. Harkness** **Aye**

185
186 The sixth and final action item is the discussion and consideration of the
187 Shenandoah Valley Battlefields Foundation's request. Mr. Walters explained that the
188 Shenandoah Valley Battlefields Foundation sent a letter of request for certain parcels to
189 have a preservation easement placed on them. A representative, Jack Owens, gave a brief
190 overview of the request with a packet of information for each council member. The
191 packet included the letter of request, and photos. Parcels for consideration would be the
192 103A2-A-125, 103-A-069c, 103-A-508, and 103-055000A000X. This easement would
193 allow the parcels to continue to be operated as commercial use properties, and would not
194 prevent future sale or transfer of parcels. Mr. Owen informed council that they are

195 currently using the second floor for rental space of the Dr. Stauffer property. Mr. Hughes
196 voiced his concerns about the previous easement placed on a property that their plans did
197 not come to fruition. Mr. Owens explained the reason for not fulfilling their plans for that
198 lot. Mr. Hughes stated that he would support the preservation easement on the parcels on
199 George R. Collins, but not the Dr. Stauffer's building, and asked if they would be able to
200 separate the requests. Mr. Owens explained he would not be able to speak to that, as it is
201 meant to be in the entirety. Mrs. Harkness stated she agreed with Mr. Hughes and would
202 not be comfortable with agreeing to the easement being placed on the Dr. Stauffer's
203 building. Discussion about the future use of Dr. Stauffer's building if the easement were
204 placed revealed it would not harm the use, but would indeed transfer with property, and
205 future buyers would be bound to the easement rules and regulations. Mayor Bompiani
206 made a suggestion for Council to table their response as they need more information.

207

208 **Mr. Hughes made a motion to table the request pending more information. Mrs.**
209 **Harkness seconded the motion which passed on the following 3-0 roll call vote.**

210

Mrs. Harkness Aye

211

Mr. King Aye

212

Mr. Hughes Aye

213

214

215 **Mayor's Comments:**

216

217

218 **Council Comments:**

219 Mr. Hughes encouraged citizens to come to the Independence Day Celebration on July 5,
220 2023.

221

222 **Staff Comments:**

223

Mr. Walters announced that this is the last council meeting for Mrs. Donna Lohr, as she
224 has accepted another position. Mrs. Amber Smoot will be taking Mrs. Lohr's roll.

225

226 Mayor Bompiani requested that Mr. Ham speak on the Voluntary Settlement Agreement.

227

Mr. Ham explained the purpose of the hearing of the Commission of Local Government
228 and the report they generate, and what that means. They approved amendment one and
229 amendment two, however amendment three they want to revise this to include restriction
230 on changes, and increase public outreach. The revised agreement may not be ready until
231 August.

232

233 **Closed Meeting: At 7:20 p.m., Mrs. Harkness made a motion to recess into Closed**
234 **Session to Discuss the performance and employment of specific local government**
235 **personnel, as authorized by section 2.2-3711(A)(1) of the state code. The subject**
236 **matter of the meeting is a specific local government appointee, the New Market Fire**
237 **and EMS Chief. And a Closed Session as authorized by section 2.2-3711(A)(1) of**
238 **the state code to discuss the hiring or appointment of specific public officers,**
239 **appointees, or employees. The subject matter is the appointment of a New Market**
240 **Fire and EMS Chief. Mr. Hughes seconded the motion which passed on the**
241 **following 3-0 roll call vote:**

242

243

Mrs. Harkness Aye

244 **Mr. King** **Aye**
245 **Mr. Hughes** **Aye**

246

247 **At 9:12 p.m., Mrs. Harkness made a motion to return from Closed Session**
248 **and read aloud the following Certification Resolution: With respect to the just-**
249 **concluded Closed Session and to the best of each member’s knowledge, (i) only**
250 **public business matters lawfully exempted from open meeting requirements under**
251 **The Virginia Freedom of Information Act and (ii) only such public business matters**
252 **as were identified in the motion by which the closed meeting was convened were**
253 **heard, discussed or considered in the meeting by the Town Council. Mr. Hughes**
254 **seconded the motion which passed on the following 5-0 roll call vote:**

255

256 **Mr. Hughes** **Aye**
257 **Mr. King** **Aye**
258 **Mrs. Harkness** **Aye**

259

260 **Adjournment:**

261

262 **With no further business to discuss, at 9:13 p.m. Mr. Hughes made a motion**
263 **to adjourn the meeting. Mr. King seconded the motion which carried on a**
264 **unanimous 3-0 voice vote.**

265

266

267

Larry Bompiani, Mayor

268

269

J. Todd Walters, Town Clerk