

The Smithfield Town Council held its regular meeting on Tuesday, September 1st, 2009. The meeting was called to order at 7:30 p.m. Members present were Mr. David M. Hare, Mayor; Ms. Kaye H. Brown, Vice Mayor; Ms. Denise N. Tynes, Mr. Andrew C. Gregory, Mr. Harry G. Dashiell, Jr., and Mr. John L. Graham. Council member Mr. T. Carter Williams was absent. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Sharon L. Thomas, Town Clerk; Ms. Ellen D. Minga, Town Treasurer; Mr. William H. Riddick III, Town Attorney; Mr. William T. Hopkins III, Director of Planning, Engineering, and Public Works; and Mr. Alonzo Howell, Police Captain. There were four (4) citizens present.

Mayor Hare – I would like to call the September 1st, 2009 meeting of the Smithfield Town Council to order. Welcome to everyone here tonight. Please rise with me for the pledge of allegiance.

All present stood and recited the Pledge of Allegiance to the flag.

Mayor Hare – Good evening everyone. Very briefly, before we get into the Information Section, I would appreciate it if you would just join me for a moment of silence in remembrance of the passing of Councilwoman Denise Tynes' mother. As well as put Councilman Williams in your thoughts and prayers. He is in the hospital. He is quite sick right now. So please bow your heads and say your prayers. *(Moment of silence)* Thank you very much. Information Section: Manager's Report. Mr. Stephenson, if you will begin things.

Town Manager – Certainly, Your Honor. The August activity report was provided with the Council agenda. I will be happy to answer any questions in that regard. It is hard to believe that summer is almost officially over with Labor Day coming up this weekend. Speaking of that I did forget to list on the calendar that in fact the holiday is Monday on September 7th town offices will be closed for Labor Day. There are two items that are on the agenda that I would recommend to be tabled and that is Item C-9 under the consent agenda regarding the St. Andrew Pump Station. Staff has a meeting set for Friday with the developer to discuss the conditions that we were going to recommend be put on such a motion. We would also recommend that the rest of the public improvements, streets, storm water, and everything be accepted at the same time. So we would recommend that to go back to Committee. Then also action section

item 7-B which was the right-of-way associated with the right turn lane behind Farmers Bank on John Rolfe Drive. I had assumed that all of the bank actions had been taken but they have not. They will be done this month. So a little premature so once the Bank Board takes their action then Council will be able to accept the deed at the next Council meeting. Those two items I would recommend tabling when we get to those. I talked to Supervisor Al Casteen today, I was not sure whether he was going to mention it or not. I told him I was going to go ahead and mention an email that I had received yesterday from County Administrator Doug Caskey forwarded on to me from SPSA representative Bucky Taylor, who is the Executive Director of the Southeast Public Service Authority (SPSA). This is dated last Thursday. I will read, "At the SPSA meeting yesterday the Board considered the item of termination of all of SPSA recycling services. This action would be in compliance with the requirements and recommendations of House Bill 1872 to seek privatization of SPSA services where feasible. The date currently set for recycling services to cease is December 31st, 2009. This includes the eighteen box bins which we use of course here in Smithfield. Under the SPSA contract ninety-five gallon carts roll on, roll off recycle containers, and business recycling and so forth." Of course we have done the business recycling here at the Smithfield Center. "The Board asked that I contact each city or county", in this case we got left out. But I did remind Mr. Taylor today to please keep us in the loop. They wanted to seek feedback as to whether the community feels that they would be able to procure a successful vendor and be able to begin recycling services on or before December 31st, 2009. I emailed Mr. Taylor today and just told him that I kind of had a premonition this was coming and we had already started exploring alternatives, but we were not sure exactly how long it would take to get a new program in place. Most certainly this will be an item back for Committee discussion. Councilwoman Tynes at your Committee this month we are going to have to get right back on Plan B for recycling. With that I will be happy to answer any questions. Thank you.

Mayor Hare – All right. Seeing none, I will move on to the Public Comments section. Let's begin with a Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisor, Smithfield District.

Mr. Casteen – Good evening Mr. Mayor and members of the Council and Mr. Attorney. My report which is before you, the Board still has not received final cost estimates for the new drainage system that is expected to prevent future flooding of the basement in the Museum. Item two, I reported to the Board about the issue of adding a right turn lane at the intersection of Battery Park and Nike Park Roads and told them a traffic roundabout is presently planned for that intersection. Item three, the county fair will be held September 17-20th at the fairgrounds and all citizens are encouraged to come out and participate. Item four, the rest of the Board voted to approve the new water agreement by the Western Tidewater Water Authority with Norfolk that will provide 3.75 million additional gallons per day to the county's existing three million gallons per day already permitted. I opposed the agreement because, after eleven years, the county is currently using about one tenth of its existing permitted usage and calculations regarding reasonable projected water demand show that the additional water, above the already permitted 3 million gallons, will likely never be utilized in the forty years the agreement covers. This agreement has the potential to impact real estate rates for the whole county by as much as twenty-five percent and greatly increase residential and commercial water rates. Item five, Supervisor Bradshaw, of the Finance Committee, reported that funding for the CHIP Steering Committee will be taken into consideration, along with a number of other requests for funding that were not addressed during the budget process, at the Board's December meeting. Six, the Board directed staff to continue pursuing the proper signage for Historic Smithfield here on Route 10 coming down from Surry. Seven, the Board voted to purchase additional software to hopefully help make more accurate and consistent real estate reassessments. The Board also voted to have new pictures of the structures taken as part of the reassessment process. Lastly, the rest of the Board voted to approve the purchase of 2,507 acres from a nature conservancy group for three million dollars. I opposed the agreement because the property was already owned by a conservancy group and much of the land has already been cutover. The much older, historical trees are in protected areas that cannot be cut anyway as I understand it. The county is expecting to get \$600,000 in grants that will reduce the cost to \$2.4 million. Any questions?

Councilman Graham – We had discussed at Committee about you were going to spear head getting our water agreement.

Mr. Casteen – Yes, Sir. I was reminded of that recently by the Mayor. I am endeavoring to do just that. I have talked with Town Manager today. I have talked with the Town Treasurer today or yesterday. Anyway I am on it and hope to be able to report considerable progress. It will likely involve a Smithfield Intergovernmental meeting. It may not be required for some of it, if we could get like the sewer agreement in particular talked out. I am going to endeavor to stay on that continually. You feel free to encourage me over the next month. Anything else? Thank you.

Mayor Hare – Thank you, Mr. Casteen. Public Comments. This is also the time that anyone out in the audience who would like to step up to the podium, state their name, and their address and comment on anything that is not on the agenda as a scheduled public hearing. Would you please Captain Howell check the sign up sheet.

Captain Howell – Bill Laine.

Mr. Laine – Mr. Mayor, ladies, and gentlemen of the Council. My name is Bill Laine. I have lived on Magruder Road for some forty-five years now on Cypress Creek. I am here tonight because of concerns about your proposed public hearing on the launching ramp for the new town park. As a matter of background some twenty or twenty-five years ago a no wake zone was established on that portion of Cypress Creek that I live on. It has been remarkable since that time mainly for the lack of enforcement of that no wake zone. I am not complaining there has not been any harm done by lack of enforcement but it is simply impractical for law enforcement to spend much time back there for very little return. There are very few boats that make any significant wake up that creek. The traffic has not increased significantly in the forty-five years I have been there. Sure there has been some increase but really very little certainly no need for a no wake zone. However having said that, the prospect of a launching ramp for small craft, canoe, and kayak whatever will change that. I do see a need perhaps in the immediate vicinity of the launching ramp to prohibit wakes in that area. But I would hope at the same time you would consider removing the burden of a no wake zone for the remainder of Cypress Creek. I have been there for a long time. It is really not observed or enforced and no harm has been done with that. I have observed that creek for a long

time now almost half a century. I really do not see a whole lot of change in it. I would very much like to see you remove the present no wake restriction in conjunction with putting a small restriction in the immediate area of any launching ramp you have. Thank you very much for your attention.

Mayor Hare – Thank you. Any other sign ups?

Captain Howell – Greg Vassilakos.

Mr. Vassilakos – I am Greg Vassilakos. I live on 148 Talbot Drive. I am here to speak and give a strong endorsement for the plan for the canoe launch. I own the pier that is almost directly across the creek from the canoe launch. It was not all that long ago I did not have my own pier. I was one of the people dragging a sea kayak over the guard rail at the embankment for the old South Church Street Bridge. So I think this a wonderful facility and wonderful addition to the town and I strongly endorse it. Mr. Pitt provided drawings of his design for the kayak launch. I took those over Appomattox River Company over in Kiln Creek area to have the people there look at it. There was a lot of hankering about the design. It is a rather elaborate ramp with rollers for launching sea kayaks they have never seen that. It is probably a good design for someone with a short recreational kayak or perhaps for a handicap person. They did not think any experienced kayakers would want to use that. But then looking at the drawings they decided that someone with an expensive Kevlar kayak that did not want to use that ramp could just put it in the water at the up stream or down stream edges of the platform. In the end the conclusion was they are just grateful to have a place to launch. I offer endorsement for this specific design that Mr. Pitt has provided. Regarding the no wake zone I understand why people resent having no wake zones. My neighbor just proved this, my observation in the past has been that anyone that has a boat and a pier wants no wake zone right at their pier and no where else. So I was a little surprised by my neighbor's comments. That area of the creek has a curve there are people that come periodically during the summer do tubing or water skiing along that stretch of the creek. It is certainly compatible with having kayaks there. I am not going to comment on how far the no wake zone should extend up stream and down stream. I do not think it is a bad idea to keep the existing no wake zone just close up the gap between them. But I

could understand why my neighbors might want something less than that. Okay. Thank you.

Mayor Hare – Thank you.

Captain Howell – No more sign ups.

Mayor Hare - Any more sign ups? All right. One more opportunity for anyone who even if you did not sign up if you would like to make a comment. Okay. With that being said, I will now move onto Council Comments. Are there any comments from Council on anything prior to getting into the agenda? All right then moving right along. This is our second meeting where we have utilized the consent agenda. We have as it stands presently eleven items on the agenda but as the Town Manager mentioned there has already been discussion of removing one of those. Consent Agenda Items. Do I hear a motion?

Councilman Gregory – Mr. Mayor, I will make a motion that we remove item C-9 Resolution to Accept St. Andrew Sewer Pumping Station into the Town's Public Sewerage System and that be tabled and removed from the consent agenda for this evening.

Councilman Graham – Second.

Mayor Hare – A motion has been made and properly seconded. Roll call vote.

On call for the vote, six members were present. Councilman Dashiell voted aye, Mayor Hare voted aye, Councilman Graham voted aye, Vice Mayor Brown voted aye, Councilman Gregory voted aye, and Councilwoman Tynes voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed. Mixing it up.

Councilman Gregory – Councilman Graham see what you have done.

Town Manager – Be aware. Be ready.

Mayor Hare – You could be called. Are there any other items on the consent agenda that anybody would like to remove for further consideration? All right.

Councilman Gregory – Mr. Mayor, I will make a motion that we approve the consent agenda as it stands before us this evening with the exception of Item C.9

Consent Agenda Items:

- C1. Isle of Wight Commission on Aging Request for Waiver of Fees for Use (May 22, 2009) of Smithfield Center (does not include waiver of Kitchen Usage Fee)
- C2. Approval for Kayak/Canoe Launch Dock Plan for Windsor Castle Public Park
- C3. Invoices Over \$10,000 Requiring Council Consideration:
- | | |
|---------------------------------|--------------|
| a. Instrulogic Corporation | \$ 19,056.55 |
| b. Gately Communication Company | \$ 10,352.58 |
| c. SPSA – Recycling | \$ 10,173.87 |
| d. Clark Nexsen | \$ 29,963.00 |
| e. Blair Brothers, Inc. | \$141,704.71 |
| f. CB & I, Inc. | \$ 98,396.25 |
- C4. Resolution of Support for the Green Jobs Act
- C5. Continuation of the Town of Smithfield's Newsletter (Twice a Year Publication)
- C6. Authorization for Town Manager to Proceed with Demolition Contractor Services for the Pinewood Heights Properties: 69 & 70 Carver Avenue and 99 & 100 Pinewood Drive
- C7. Authorization for Town Manager to Execute the Virginia Department of Transportation Amendment to Project Development and Administration Agreement (Smithfield Downtown Revitalization Project – TEA-21 Grant Award)
- C8. Resolution to Accept the Sanitary Sewer Overflow Special Order by Consent Project Model Development Scope of Services and Fees Not to Exceed \$35,000
- C10. Authorization for Town Manager to Accept the Virginia Municipal League Insurance Mini-Grant for AED Purchase in the Amount of \$1,000 and Expend a Match of \$1,200
- C11. Authorization to Town Manager for Contribution of \$500 to Crimeline for Police Department's Attendance at Event

Mayor Hare – A motion has been made and properly seconded. Any further questions? Roll call vote.

On call for the vote, six members were present. Councilwoman Tynes voted aye, Councilman Gregory voted aye, Vice Mayor Brown voted aye, Councilman Graham voted aye, Mayor Hare voted aye, and Councilman Dashiell voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed.

Councilman Gregory – The question, is it preplanned every time which way you are going to go?

Town Clerk – No.

Town Manager – She is not telling us. I do not even know.

Councilwoman Tynes – You just have to be alert.

Mayor Hare – All right.

Councilman Graham – Everybody better be awake here.

Mayor Hare – Well I have to say that really did speed things up. We are going to move on to the Action Section. We have several items here. The first is Approval for Mini-Park at Mason Street for Windsor Castle Public Park Connector. Public Buildings and Welfare Committee Chair, Harry G. Dashiell Jr.

Councilman Dashiell – Your Honor, at the Committee meeting there was two of us present for the meeting. It was a dead lock yes and no. So we present it to the Council with no recommendations.

Mayor Hare – I guess the issue since I was present, was there is not an issue with the mini-park approval it is the issue more over the design is what the question that came at Council. Do you have something you want to speak to Mr. Pitt?

Mr. Pitt – My name is Lawrence Pitt. 3305 Sawyer Way, Toana, Virginia. I am here on behalf of Windsor Castle Park as Project Manager for the development of the park. I will bring you up to speed to how we came to where we are. As you know after the Council acquired the property. Mr. Luter had talked about early on acquiring property on South Mason Street for the development of a mini-park and an entrance way from downtown Smithfield into Windsor Castle. Prior to that while the town was developing its Comprehensive Plan and also rezoning the property to park usage they

had made arrangements with Mark Hall for a landing on Drummonds Lane. As it turned out once Windsor Castle property was acquired at that point in time we made arrangements to acquire the property on South Mason Street. We could not do that until such time as we knew we were going to acquire Windsor Castle property. Having done that the back up plan for Drummonds Lane became obsolete and Mason Street was the primary outlet. We came to the Town Council and asked permission for the town to accept the property at South Mason Street for the purposes of establishing an entrance to Windsor Castle, build a bridge, and a mini-park. The town agreed to accept that property. Having done that we later came back and asked for permission for demolition of the house. We went to Historic Review Board and asked permission to do that and that was granted. Then later on we had to ask for permission to build the mini-park itself and again we went back to Historic and Architectural Review Board. They unanimously approved the mini-park at that location. Then I attended the Committee meeting last Wednesday, I believe, that Councilman Dashiell referred to and was asked to give an update where we were and to seek approval from Council or recommendation from that Committee for approval to establish the mini-park. As he said the consensus actually there were three people there. Councilman Graham, Councilman Williams, and Councilman Dashiell were there.

Councilman Dashiell – Only two Committee members.

Mr. Pitt – Two Committee members. But anyway there was no consensus coming out of the Committee. However, Mr. Graham did make a very astute recommendation. The Mayor had appointed a Citizens Committee as an oversight Committee or Planning Committee or moving forward Committee of what the usage of the park should be. How we are going to operate it and maintain it? What services are going to be provided and so forth? Mr. Graham suggested that we approach that Committee with the mini-park concept. I attended that meeting last week. I believe there are nineteen members of the Committee approximately. I am not sure I did not count but I do not have an accurate count. But there were approximately fifteen members there. There was a motion or a show of hands asking for support and all the people on the Committee were in support of the mini-park concept. So I stand before you tonight saying we acted in good faith by acquiring the property with the intent of demolishing

the house and establishing an entrance there with a little mini-park concept. We have been to the Historic Review Board. They have endorsed the concept also. The future guidance Committee has endorsed the concept. I would ask that you do the same here tonight. If you have any questions I stand ready to answer those. Thank you.

Mayor Hare – Before I open it up to Council, the Town Clerk just handed me fresh off the press the minutes from the Windsor Castle Advisory Committee meeting. In the discussion of the design of the park Councilman Williams asked the group to show hands for those in support of the mini-park plans as provided. A majority of the Advisory Committee did by a show of hands approve the design as presented. I will just to share that with you. Vice Mayor Brown.

Vice Mayor Brown – Since I am a member of the Public Buildings and Welfare Committee. I was absent that day but I had expressed in the very beginning I was the main one that had mentioned about the mini-park coming from Council. I was in agreement for the park to be in the entrance way and the brick wall and everything that he discussed. The designs that he discussed when we met before I was in favor of that. I am still in favor of it. So I just wanted Council to know that even though I was not there. I guess I could not vote in absentee or anything but I wanted to let everyone know that I was in favor of it and I still am.

Councilman Dashiell – May I make a comment?

Mayor Hare – Yes.

Councilman Dashiell – I must have been absent from that meeting. I had no idea until I saw this thing at the Committee meeting of how elaborate the mini-park was going to be. I was expecting a connection and a walkway up the hill to Mason Street. I think this is much too much and unnecessary for an entrance to the park. It would just be an added expense for maintenance later on and all that. I do not think it is necessary.

Mayor Hare – All right. Other Council member's comments?

Councilman Gregory – Mr. Mayor, I would just say that my personal opinion is that you only get one chance to get it right. It is kind of like if you are going to have a steak you would like to have it on a nice plate not on a lid of a jar or however else you want to put it. But I think it might be elaborate but extra funds were donated for the purpose of building this mini-park in good faith. I would like to see it built as

recommended. Part of the point of putting the Windsor Castle Advisory Committee together was to give us more feed back. Obviously we put together some intelligent folks to give us a second opinion. I think they are in agreement as well.

Mayor Hare – All right.

Councilwoman Tynes – Mayor Hare, I agree with Councilman Gregory. We asked for the Advisory Committee. The reason we put them there is so we could get their expertise. We polled them and they said yes they are representing the people, the citizens, and the public. So I would recommend that we go with the elaborate plans. In the Committee meeting I mentioned the fact about the brick wall if we went with some other type of structure there a fence or whatever it would cost more in the future to maintain that than the brick wall itself. I questioned that as far as asking how much it cost to maintain the wall around the center here. The Council members that have been on Council for awhile said we really had no maintenance thus far.

Mayor Hare – Good point. Councilman Graham, would you care to weigh in?

Councilman Graham – Not particularly.

Mayor Hare – The only thing missing though I was looking at the design which of course is very beautiful and elaborate. There are eight pillars there would be enough room for a bust of each one of us to be placed on top, just an idea. One comment I will make in all seriousness though that one of the Advisory Committee members mentioned to me and I did not think about this. I do not know if there could be something beyond just putting signs up. He has a teenage son and mentioned that it would be a welcome skate park. So I do not know if there is any way in your design I do not know what you do so that it does not attract skate boarders but this kind of surface is going to attract skate boarders. Anyway just a comment made to me that had not even crossed my mind. I think it is something to keep in mind. With that being said, do I hear a motion?

Vice Mayor Brown – Yes, Mr. Mayor, I would like to make a motion that we approve the mini-park at Mason Street for the Windsor Castle public park connector as designed and presented to us.

Councilwoman Tynes – Second.

Mayor Hare – A motion has been made and properly seconded. Any further comments? Roll call vote.

On call for the vote, six members were present. Councilman Graham voted aye, Vice Mayor Brown voted aye, Councilwoman Tynes voted aye, Councilman Dashiell voted nay, Mayor Hare voted aye, and Councilman Gregory voted aye. There was one vote against the motion. The motion passed.

Mayor Hare – The motion passed.

Mayor Hare – Five to one.

Town Attorney – Just for your information there is an ordinance against that. So we have to put some signage.

Mayor Hare – True.

Town Attorney – Right.

Mayor Hare – Just an idea. All right let's move onto item number two Motion to Approve October 7th, 2009 as Town of Smithfield In-Service Training Day (Administrative Offices will be Closed). Mr. Stephenson.

Town Manager – Thank you, Your Honor. I realized that although we were proceeding ahead per our normal state of affairs to plan an in-service training day in the fall that we had not yet asked Council to authorize that. So I am asking this evening that Council as you all have in the past support our one time of the year where town staff can get together to do in service training on October 7th, 2009. I apologize because I was going to give you a draft agenda but I forgot. But we do have three themes that we are working off of for that day. We have the Deputy Director and the HR Director for VML Insurance Programs that are going to come and present sessions on diversity in the local government work place, as well as sensitizing staff to general liability issues that we face in local government. We have Paul D. Camp Community College Workforce Development Center coming and presenting a session on working with the public and working through difficult situations and things like that for about an hour and a half, two hours. Then another focus that we want to do similar to a couple of years ago when we engaged staff in identifying our core values. We wanted to engage staff in coming up with ideas, low cost, very practical ideas, in terms of an employee wellness program where to begin because right now we do not have a formal employee wellness

program but we have health insurance obviously. We wanted to have staff be able to spend some time and talk about how we can promote health and wellness within our workforce. So those are kind of the three themes for that day. At any rate we have a full day. We would certainly most appreciate having the opportunity to get together again as a group and do that training.

Mayor Hare – Very good. All right. Do we a motion?

Councilman Dashiell – I move that we approve the training day.

Vice Mayor Brown – Second.

Mayor Hare – A motion has been made and properly seconded. Any further questions or comments? Speaking of that employee wellness program I will speak to my wife she just made a decision to take a twelve month leave of absence from running those exact programs for the Air Force. So maybe we can get her to come out to address the issues.

Town Manager – She would be a great facilitator perhaps.

Mayor Hare – That is what she did. She trained the bases for all of their programs. Roll call vote.

On call for the vote, six members were present. Mayor Hare voted aye, Councilman Gregory voted aye, Councilman Dashiell voted aye, Councilman Graham voted aye, Councilwoman Tynes voted aye, and Vice Mayor Brown voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed. Item three is an Adoption of a Sanitary Sewer Public Utility Agreement Between Isle of Wight County and Town of Smithfield. Water and Sewer Committee Chair, Andrew C. Gregory.

Councilman Gregory – Mr. Mayor, before us is a utility agreement with the county. We felt like it was in the best interest of the town to move forward with adopting a utility agreement in hopes that the county would follow suite to avoid any conflicts with governing agencies. I would make a motion that we adopt this Sanitary Sewer Public Utility Agreement between Isle of Wight County and the Town of Smithfield.

Councilman Dashiell – Second.

Mayor Hare – A motion has been made and properly seconded. Any questions?

Actually I do, of course there was discussion about the \$1.50 fee that has been in effect for quite some time, twelve years.

Town Manager – Actually longer. Yes, as a per unit fee.

Mayor Hare – It was a surcharge for the flow going through our town lines.

Town Manager – Right through the enforcement.

Mayor Hare – There has been background information provided to all of us on that subject. I guess the question at Committee level was should we consider increasing that to help reflect the increase in cost obviously of maintaining those lines since it has been so long. I could not really get my arms around that piece of it. We have our charge for the actual flow, the usage in gallons. I was not sure if staff could speak to, is there a cost basis for us to increase that fee?

Councilman Gregory – Ms. Minga, can I ask you a question?

Town Treasurer – I really was not prepared for this. I am sorry. I do not know if you remember but the fee used to be \$3.00 instead of \$1.50. If you remember the last negotiation which was reached in 2005 was the last agreement I believe. Is that when it expired? It was cut in half to a \$1.50 from the \$3.00. That was a real point of contention if I remember correctly from the negotiation and we agreed to drop the cost. I have spoken with Supervisor Casteen about that yesterday, as a matter of fact. Thinking that yes it does seem to make sense that it would increase as expenses do increase over the years. Obviously, even \$3.00 is a very nominal fee. I actually got out the last utility agreement and read that where as they recognize that it does pass through I guess our sewer lines on the way to the HRSD feeder or whatever. I am not very good at that type of language. That they would pay us this nominal fee as we maintain our lines and etc. Obviously \$1.50 is not very much. I did not think \$3.00 was very much then we cut it in half. But it was \$3.00 prior to the last utility agreement. But it was just something that from what I remember we went round and round just trying to get the water side agreed upon. I think we were willing to concede on the sewer side just to get an agreement in place. I think at that point they actually wanted to eliminate the sewer fee all together. That is just my recollection. But obviously I think either \$1.50 or \$3.00 is very small. I

am not sure what type of criteria you would want to use to value what it should be. I do not know how much goes through our system.

Mayor Hare – I did not see the basis for that figure in any of this information to really give me a feel for it. I guess it is just a figure they came up with. But I forgot all about that.

Town Treasurer – Yes.

Councilman Gregory – Mr. Mayor.

Mayor Hare – Yes.

Councilman Gregory – In the old agreement Ms. Minga it said for in town it was a \$1.20 and for out of town it was a \$1.50.

Town Treasurer – I think that was the actual rate structure though.

Councilman Gregory – It says a fourteen dollar for a minimum.

Town Treasurer – Right.

Councilman Gregory – Then a \$1.20 for every thousand gallons for each additional, rate structure.

Town Treasurer – That is the actual rate structure. We actually had a tier rate structure in the past it was like a \$5000.00 minimum.

Councilman Gregory – Right.

Town Treasurer – Then for every thousand gallons after that. Of course now we are just totally based on usage. I do not know but maybe that is where the \$1.50 came from for them as being out of town. But like I said it was originally \$3.00, so I am not sure, we just cut it in half.

Mayor Hare – All the information we got was on usage.

Councilman Gregory – Right.

Mayor Hare – Not on this, this is separate not just based on usage fee it is just some arbitrary figure.

Town Treasurer – I think it was very arbitrary.

Mayor Hare – Yes.

Councilman Gregory – In the big picture we are talking about hundreds of dollars here, right?

Town Attorney – No.

Councilman Gregory – We are not? Five hundred households.

Town Treasurer – It is about five hundred and four households right now. In fact I just checked that before I came in at a \$1.50 and it is billed per month.

Town Attorney – Right.

Councilman Gregory – Right. So we are talking about \$750.00 a month.

Town Treasurer – Right.

Councilman Gregory – If we jack it up to \$3.00 then we get a whopping \$1500.00 a month, right?

Town Treasurer – Exactly. Is what we used to get.

Councilman Gregory – Stick it to them Ms. Minga, just kidding.

Mayor Hare – Well you know how expensive it is to maintain those pump stations.

Councilman Gregory – Yes I do.

Town Treasurer – Right.

Mayor Hare – So every little bit helps I guess.

Town Attorney – Only thing I would suggest that as anxious as the town is to get this adopted, in the past you have always done so based on an analysis based on what it really cost.

Mayor Hare – Right.

Town Attorney – I think Ms. Minga is right the \$1.50 was probably a negotiated rate. That was reached as a part of a give and take back when the last agreement was reached. So I do not think it has any relationship to what the actual cost of the service is. If you are satisfied with the \$1.50 that is fine but if you think it needs to reflect the actual cost of providing the service then it might be premature to adopt it the way it is.

Mayor Hare – Go ahead Councilman Graham.

Councilman Graham – Mr. Mayor, if it should be \$.50 I think we should charge \$.50. If it should be \$5.00 then we should charge \$5.00. I think that is the spirit that we have been working with the county. We do not want to over charge. We just want to get our cost reimbursed. We ought to try somewhere to determine what the fair number is and get the county to buy into it. I know we want to get an agreement in place but can we get an agreement in place without nailing this one issue down entirely. Say we are

going to continue with the existing fee subject to a mutual consideration of a formula for accessing this fee in the future.

Mayor Hare – Mr. Riddick, does the agreement allow us I mean it does not freeze our rates, does it?

Town Attorney – No. I think the way it was written it is subject to review at the end of five years.

Town Treasurer – Right it was.

Mayor Hare – So if we vote on this tonight even if we went through with the analysis and said we need to raise our rates we could not do it?

Town Attorney – Not for five years. If you adopt it and the county adopts the same agreement then you have locked yourself in to whatever it says. It says it would fix the rate at \$1.50 per month for the next five years. But that would be subject to review and modification at the end of five years.

Councilman Gregory – Mr. Riddick, let me ask you a question. There are two issues here. There is the fee and then there is the need for the agreement which we discussed in Committee.

Town Attorney – Right.

Councilman Gregory - From a legal stand point I mean is thirty days putting us in any more jeopardy from governing agencies? I mean the fine can be more than what we can gain by adding \$.50 to the fee.

Town Attorney – That is true too. Mr. Stephenson is concerned. The concern is what happens if a storm comes through and there is a significant event?

Councilman Gregory – Right in the middle of hurricane season.

Town Attorney – Right in the middle of hurricane season. It is something that needs to be done. There are a lot of different ways to look at it. You made a valid point even if you double it; it is not a great sum of money. But the principle of having an agreement is important too. I would doubt seriously the county is going to act on this thing if it is not on their plate for consideration this month any how.

Councilman Gregory – We cannot cover them we can only cover us.

Town Attorney – Well you do not have an agreement until you have an agreement.

Councilman Gregory – Right.

Town Attorney – Until it is signed by both parties.

Councilman Graham – I had a thought. The fact is too when an agreement is in place the parties can always mutually agree to change an agreement.

Town Attorney – That is correct.

Councilman Graham – I think that maybe we can approve this. The down side risk is that we feel justified in making a case for a higher fee. I think it is a very good chance if we have a legitimate case that the county would sit down and talk to us about it maybe not. But I am not sure our down side risk is that tremendous we are stuck with this thing for five years and maybe we can look at it that way.

Councilman Gregory – I agree with that.

Councilman Graham – Maybe when we pass the agreement we can ask the Town Manager to send a letter to that effect. That we felt the support to get this agreement in place and this calls for five years. We are going to try to come up with a justification for that rate and adjust it up or down with their concurrence as we would mutually agree.

Mayor Hare – I know nobody has had a chance to review the financial statements that we have at our places. But a concern I have if you look at our Sewer Fund right now our working adjusted amended budget shows us with an anticipated loss. Am I reading this correct \$62,000.00?

Town Treasurer – Yes. That is something I think I have been kind of alluding to for the last couple of months is that I do have some concerns going into the future. Our rate structure is going be sufficient to meet our operating needs not considering the capital needs which we are trying to address with the compliance fee. But the repairs and maintenances expenses have gone up drastically. I guess that is the only thing I can say as far as the original sewer agreement I think that we had with county five years ago or whenever. At that time I think sewer was not as big of an issue for us as water. We were not as proactive I guess in our maintenance of our pump stations we kind of waited until something happened to fix it where as now we are addressing things more on annual basis. The maintenance amount, you can see, went up a lot this year. A lot of it has to do with we have contracted maintenance with R.E.W to come out and do

electrical upgrades and things like that on a regular basis. Those are things that are \$1,400.00 here and \$2,500.00 there, it is under the capitalizable limit. But when you add all the pump stations together it can be quite a sum of money. Of course you know we are not even addressing the compliance fee or our capital infrastructure needs as far as the county is concerned. We did not even address that like we did with the debt service fee. But I think just even from the operating side that there could be issues in the future. My only problem I guess with trying to quantify it with them is I know I guess you could look at what our operating cost are or maintenance cost are. You could see how much our total usage of water is throughout the system and then maybe see what portion theirs is. I do not know how much of their water is lost it does not go back through sewer as far as what is used for irrigation or things like that. I think sewer is more of an issue than it was five years ago but other than that I really do not know how you feel about it.

Mayor Hare – That is fine. My fear is we are signing up for five years. With us being at the point we are right now and basically not being able to adjust that. That is my concern. While I share Mr. Stephenson's concern over the fine, I am thinking one \$3,500.00 fine is a fraction of what it cost to do a pump station.

Town Manager – Just another suggestion Your, Honor, might be because obviously DEQ they do not care about the pass through fee. They are not interested in that. That is certainly between the town and the county. But the language in terms of who is responsible for what and the other sections of what was drafted, I might recommend that you go ahead and address that and take out the fee section for the sewer and deal with the water and everything dealing with the fees, what is owed on the water, what is to be paid continued whether it is going to be increased or not on sewer perhaps be dealt with separately. Then basically we just deal with the sections that are consent order driven. But perhaps do the analysis as suggested and make sure we get it right or as close as we can that does have a rational basis versus just what appeared to be a political compromise five years ago, six years ago now.

Town Attorney – The only thing about the cost and Mr. Hopkins brought this up. It has a limited impact on our system in that it really comes in a force main and goes through essentially just the Wilson main part of our collection system. It does not have a

huge broad impact on the whole system but it has a significant impact on one portion of it. So it is not like it has a far reaching effect but it does have an effect. Town Treasurer really makes a good point it is going to be hard to quantify. Because I do not think we break things out in that way.

Mayor Hare – Well but that is why it becomes even more important to make sure our rate structure or usage structure is appropriate because that is where the majority of the revenue is going to come from to continue sewer maintenance. On five hundred homes you know that is a significant figure when you talk about basically not being able to touch five hundred homes for the next five years so that is my concern.

Councilman Graham – I agree.

Mayor Hare – I think Mr. Stephenson's compromises are ones I am certainly comfortable with. So let's pass the non fee language if you will. From your stand point I do not know if that is problematic?

Town Attorney – I do not like that. But the only thing I will say is I would recommend adoption of the agreement with the fee to be determined later by mutual agreement. Where it says \$1.50 we will just leave that blank. Send it asking the Board of Supervisors to adopt that with the understanding that we have concerns about the matters that the Town Manager is most concerned, the DEQ issues and ask them to adopt that as soon as possible. The town will do an analysis of the reasonable fee to be charged for the surcharge related to the sewer.

Mayor Hare – In this sewer agreement the rates are not addressed in there.

Town Attorney – No.

Mayor Hare – Okay.

Town Manager – Just the pass through.

Mayor Hare – Just the pass through.

Town Attorney – It is just the pass through. That is the only thing.

Mayor Hare – That was my question earlier maybe I did not ask it right. I thought somehow this was tying us down for our actual usage.

Town Attorney – No. We do not charge them any fees except for the pass through.

Mayor Hare – That is it.

Town Attorney – That is it.

Mayor Hare – Oh gosh. That is it.

Town Attorney – That is the only fee we charge in connection with the sewer flow that comes from Battery Park and Gatling Pointe.

Mayor Hare – Okay. Well in that case then sure I feel comfortable with your suggestion as to the wording.

Town Attorney – That the agreement be adopted without, leaving the fee blank and that the agreement be passed onto the Board of Supervisors stating that the Town Council has approved this agreement in this form and the actual rate for the surcharge is under review and the basis for that fee would be shared with the Board of Supervisors to be agreed upon by mutual agreement at a later date as part of the rate structure agreement for the sewer and the water, because you all still have discussions.

Councilman Gregory – Mr. Mayor, I will amend my motion to adopt the agreement as recommended by legal counsel without an actual rate, with the rate to be determined.

Councilwoman Tynes – Second.

Mayor Hare – A motion has been made and properly seconded. Any further questions or comments? Roll call vote.

On call for the vote, six members were present. Councilwoman Tynes voted aye, Councilman Graham voted aye, Mayor Hare voted aye, Vice Mayor Brown voted aye, Councilman Gregory voted aye, and Councilman Dashiell voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed. Item four is Authorization to Advertise a Public Hearing to Extend and Establish a new No Wake Zone on Cypress Creek along the Windsor Castle Public Park Property. Actually tonight we are going to be giving consideration to holding a public hearing regarding a new no wake zone. Mr. Riddick, do you care to clarify that?

Town Attorney – Yes, Sir. Actually the Town Manager asked the Chief of Police and I to take a look at this. Chief Marshall took the bull by the horns and talked to someone at Department of Game and Inland Fisheries. They steered us toward Section D and E of the ordinance. Basically and we discussed this at your Committee meetings

and they did not require a public hearing. But when I was looking at this further in preparation for tonight's meeting I looked at my old file on this because I have a file that goes back to the 60's or 70's whenever this first came about when Mr. Delk was the Town Attorney. Everywhere it said public hearing, public hearing so I went back and looked at the statute and it is abundantly clear that when the municipality is the initiator for a no wake zone you have to have a public hearing. So we were in error or mistaken in telling you at the Committee meetings that you could do this without a public hearing. If you want to proceed with this we would have to advertise it properly and schedule it for the October Council meeting.

Mayor Hare – All right.

Councilman Dashiell – Question, Your Honor.

Mayor Hare – Yes.

Councilman Dashiell – If we propose to have a hearing and agree to that. Do we have to set what limits we want for the no wake zone now or do we wait until the hearing to do that?

Town Attorney – No. You can propose something but whatever you choose to do at the conclusion of the public hearing is what you would recommend.

Councilman Dashiell – Right. Does it have to be done tonight for example or do we wait until the public hearing?

Town Attorney – No. Well the advertisement would be to consider the creation of an additional area of a no wake zone, an additional area of no wake zone on the Cypress Creek.

Councilman Dashiell – It would not say from where to where?

Town Attorney – It does not have to no.

Councilman Graham – Could we say the public hearing may also include the recommendation to terminate some of the no wake zone?

Town Attorney – Yes, if it is your will you could advertise that you are going to review the status of the no wake zone on the entire portion of the Cypress Creek above the bridge.

Councilman Graham – I would like to see that.

Councilman Dashiell – I would like to have that in there for discussion in terms of the public hearing.

Town Attorney – If you do it that way then you can consider anything.

Councilman Graham – Right.

Councilman Dashiell – It gives us a lot of flexibility.

Councilman Graham – In the end as the Town Council we would just say well make a recommendation, is that correct?

Town Attorney – Yes. You can actually of your own volition you can create anything you want to. But if you want the Game and Inland Fisheries to bless it and enforce it they have to agree to it.

Councilman Graham – Right, that is the other factor.

Councilman Gregory – Otherwise it is Captain Howell in a boat.

Town Attorney – That is right.

Councilman Dashiell – We got to get the police another boat.

Mayor Hare – I do not know precisely which Committee would be the most appropriate but I assume since it has to do with Windsor Castle. I am going to ask Councilman Dashiell if you would like to make a motion in regards to this.

Councilman Dashiell – Yes I will make a motion that we provide a public hearing on the no wake zone on Cypress Creek in connection with the canoe and kayak launching ramp, and that we make this recommendation to the Game and Inland Fisheries to bring them in on the act. It is not purely a town action but it will be a joint enforcement on that.

Mayor Hare – Councilman Graham, you had mentioned you wanted this to be expanded to review the entire no wake zone.

Councilman Graham – Entire no wake zone. What is that south of the bridge?

Mayor Hare – In conjunction with.

Councilman Graham – In conjunction with the kayak ramp at Windsor Castle.

Mayor Hare – Okay.

Vice Mayor Brown – Second.

Mayor Hare – A motion has been made and properly seconded. Any further comments? Roll call vote.

On call for the vote, six members were present. Councilman Dashiell voted aye, Mayor Hare voted aye, Councilwoman Tynes voted aye, Councilman Gregory voted aye, Vice Mayor Brown voted aye, and Councilman Graham voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed. Item five Motion to Approve the Town Council Minutes for the Meeting of August 4th, 2009.

Town Attorney – Mr. Mayor and members of Council, I have made minor revisions and corrections and would recommend that the minutes be approved as revised and corrected.

Councilman Dashiell – So moved.

Councilman Graham – Second.

Mayor Hare – A motion has been made and properly seconded. Any comments?
Roll call vote.

On call for the vote, six members were present. Councilman Gregory voted aye, Councilman Graham voted aye, Vice Mayor Brown voted aye, Councilwoman Tynes voted aye, Councilman Dashiell voted aye, and Mayor Hare voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed. Item six calls for a Closed Session.

Town Manager – We really do not have any because the properties or purchase offers regarding Pinewood Heights I would just state the addresses in public session and make a comment in that. At the moment that is really the only other thing I have.

Councilman Gregory – Mr. Mayor, I would ask that we still have a closed session for the purpose of personnel discussion.

Mayor Hare – All right.

Councilman Graham – I would second that.

Mayor Hare – A motion has been made and properly seconded.

Town Attorney – We need a motion to go into closed session for the purpose of discussing personnel matters pursuant to Section 2.2-3711.A.1 of the Code of Virginia.

Councilman Gregory – So moved.

Councilwoman Tynes – Second.

Mayor Hare – Roll call vote.

On call for the vote, six members were present. Councilman Graham voted aye, Councilman Dashiell voted aye, Vice Mayor Brown voted aye, Mayor Hare voted aye, Councilwoman Tynes voted aye, and Councilman Gregory voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed. We will go into closed session. You are welcome to wait outside and come back in.

Town council went into closed session at 8:27 p.m.

Town council went back into regular session at 9:02 p.m.

Town Attorney – Mr. Mayor, we need a motion to go back into open session.

Councilwoman Tynes – I make a motion that we go back into open session.

Councilman Gregory – Second.

Mayor Hare – A motion has been made and properly seconded. Roll call vote.

On call for the vote, six members were present. Councilman Graham voted aye, Councilman Dashiell voted aye, Vice Mayor Brown voted aye, Mayor Hare voted aye, Councilwoman Tynes voted aye, and Councilman Gregory voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed.

Town Attorney – Mr. Mayor, we need a motion that during the closed session there was only a discussion of personnel matters pursuant to Section 2.2-3711.A.1 of the Code of Virginia.

Vice Mayor Brown – So moved.

Councilwoman Tynes – Second.

Mayor Hare – A motion has been made and properly seconded. Roll call vote.

On call for the vote, six members were present. Councilman Graham voted aye, Councilman Dashiell voted aye, Vice Mayor Brown voted aye, Mayor Hare voted aye, Councilwoman Tynes voted aye, and Councilman Gregory voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed. We are back into open session and we will move onto New Business. a) Motion to Authorize the Town Manager to Make Purchase Offers for the Following Pinewood Height Properties: 63 Carver, 71 Carver, 93 Pagan,

94 Pagan, and 95 Pinewood. Mr. Stephenson, if you would enlighten us as to the latest on Pinewood Heights.

Town Manager – Yes, Sir, Your Honor. We did close on two additional properties today. In fact one new business item is to a little modification from the text that is there on 7-A. The Town Attorney actually would like for you to accept the deeds for the two properties that the town closed on in fact today bringing the total to eleven properties.

Town Attorney – Lot 74 and lot 75. (Acceptance of Deeds for 75 Pagan and 76 Pagan Avenue)

Councilman Dashiell – They were closed on today?

Town Attorney – Yes, Sir. I have the deeds right here. I need a motion to accept them.

Councilman Dashiell – I make a motion that we accept them.

Vice Mayor Brown – Second.

Mayor Hare – A motion has been made and properly seconded. Any questions?
Roll call vote.

On call for the vote, six members were present. Vice Mayor Brown voted aye, Councilwoman Tynes voted aye, Councilman Gregory voted aye, Councilman Dashiell voted aye, Councilman Graham voted aye and Mayor Hare voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed.

Town Manager – As a follow up to that the Town Clerk, Brian Reagan, the Town Treasurer, and I have been talking as we approached the end of October here. Obviously there has been a flurry of activity this summer. We still do have a number of offers outstanding and some negotiations taking place. Just about all of the appraisals have been done now except for at least a couple. I spoke with those properties owners from out of state yesterday. In fact they are, I think, leaning toward at least getting an appraisal and an offer that they can consider and we will take it from there. Again as of today we own eleven properties. I did want to mention that we will need another budget amendment in terms of the overall grant for this first phase. The grant draw down request requires the next grant draw down request in fact requires that the budget be amended. We are not asking you do that this evening but I did want to give you a heads

up because at the Committee meetings later this month we really need to talk about the numbers again. Because obviously even our line of credit you know is disappearing and the numbers are stacking up I mean it is a good thing we are moving forward rapidly with the project. But we just want everybody to be comfortable with where we are with the revised budget, with the drawdown requests, and with our cash flow you name it, it is everything. It is kind of coming to a head here in the next couple months. We will discuss that and in fact I think the Town Treasurer and I agree today if Brian Reagan can join us for one of the two days of our Committee meetings it would be helpful for us to get all of us to sit down together and make sure we are all singing off the same page. With that being said, as background there are some additional properties where the appraisals have just been finished. Brian Reagan and I would like the latitude to be able to make offers again subject to the funding discussions taking place. Certainly we are not going to close on more properties than you know without funds in place or if we have wiped out our line of credit or anything. But to some extent at the moment it is heading toward the deadline at least for the end of October. It is first come and first serve. Those properties addresses would be 63 Carver, 71 Carver, 93 Pagan, 94 Pagan, and 95 Pinewood appraisals have been complete. We would ask that I would be authorized to make offers. Again no closing everything would be subject to available funding. But at least get the offers on the table because they have not been made at all yet on those properties.

Councilman Gregory – Mr. Mayor, I would make a motion that we authorize the Town Manager to make those purchase offers.

Councilman Graham – Second.

Mayor Hare – A motion has been made and properly seconded. Any comments or questions? Roll call vote.

On call for the vote, six members were present. Councilman Graham voted aye, Mayor Hare voted aye, Councilman Dashiell voted aye, Councilman Gregory voted aye, Councilwoman Tynes voted aye, and Vice Mayor Brown voted aye. There were no votes against the motion. The motion passed.

Mayor Hare – The motion passed. Anything else Mr. Stephenson?

Councilman Dashiell – One question I would like to ask or a suggestion I would like to make. Is it possible to move these closed sessions to the last item on the agenda rather than have it and then have everybody standing out in the hall and then come back. Half the people do not need to be here after the closed session is over. I am sure they would like to go home.

Mayor Hare – Sure. I think that is a great suggestion.

Councilman Graham – Good suggestion.

Mayor Hare – Okay. I have an item just to mention under New Business. New Software Tax Assessment. It is kind of appropriate given one of Supervisor Casteen report item number seven that references the Board purchase additional software to make more accurate consistence Real Estate assessments. Because Mr. Stephenson had brought to the Council attention the old public works/fire station there on Church Street it is actually three little buildings or three good size buildings. But two of them are basically shells. You know just storage, the largest piece. Anyway somebody brought it to my attention. We have talked about. I know this is just preliminary but we had talked about putting in the budget maybe \$100,000.00. I mean the building needs a lot of work. Well actually we are paying taxes on those three buildings of assessed value of \$351,000.00. Now I have been in those buildings there is no way they are worth anywhere close to that. So I was going to instruct staff, I do not know what the process is or if it is one of those things we have lost our opportunity since the assessment but to talk to the county about this particular property because there is no way we should be paying this. We pay taxes to the county on this. Is that correct?

Town Attorney – We should not be.

Mayor Hare – We pay taxes do we not?

Town Manager – Well on some.

Town Treasurer – Only the for-profit type properties, like Basses Choice, that type of thing.

Town Attorney – Yes.

Town Treasurer – We are not paying on that building.

Mayor Hare – We do not pay taxes on this.

Town Attorney – No.

Mayor Hare – Okay. Well still it seems a little out of whack.

Town Attorney – Right.

Councilman Graham – We would be happy campers if someone stroked us a three hundred thousand dollar check.

Mayor Hare – Wouldn't we though. In that case if we are not paying taxes on that one then I guess it is not such an urgent need but it is way out of line. If we enter into negotiations with somebody I do not want the public to perceive that we are selling a building that oh it is assessed for \$351,000.00 and they do not know the building we are selling it to somebody for \$100,000.00. I will pass this to Mr. Stephenson.

Town Manager – Sure.

Mayor Hare - Maybe we should discuss this to see if we can get that looked at.
Councilman Gregory I know you wanted to ask the Town Treasurer some financial questions. New Business. Financial statement.

Councilman Gregory – Just two quick questions, Ms. Minga. Number one insurance recoveries, I know you have talked about that before that is not money that we are not going to get at all it is just we have not gotten it yet.

Town Treasurer – No.

Councilman Gregory – Sorry. Yes miscellaneous revenue.

Mayor Hare – What page are you on Councilman Gregory?

Councilman Gregory – Page two.

Town Treasurer – Those insurance recoveries are monies that we have gotten for vehicles that were damaged mostly it is police vehicles. But it can be some other things it could be like a lightening strike or something like that that damage some equipment.

Councilman Gregory – Okay.

Town Treasurer – So those are actual recoveries that we have received.

Councilman Gregory – The \$20,000.00 was just an estimate of what we thought.

Town Treasurer – Just an estimate. You never know what is really going to happen throughout a year.

Councilman Gregory – Then something on Interest Income. Obviously no way that you can, it is such a crap shoot. To kind of give you some help and guidance does the state provide any guidance on how we calculate that as far as projecting?

Town Treasurer – No. The hardest part about that is obviously the interest rates tanked during the last year. But the other part of the pie is the cash flow how it is going to flow in and out. It has been very difficult this past year where we have had to front some of these large projects and things like that is to knowing when the money is going to be in there. That had something to do with the interest this year as well. I think for most years we have been pretty close to target for our interest income but this year was more difficult.

Councilman Gregory – Maybe we will get a chance to meet it next year because it cannot go any lower. Last question on the water side capital expenses the water storage tank maybe I missed it. Is \$390.00 over budget?

Town Treasurer – That is something, I think when it was originally budgeted let's see yes for this year I guess I did not have enough budget in there because I did not realize that the price had gone up so much on the tank. But if you look down I know it might be a little bit confusing all of that basically has been covered. I put down there the VML/VACO draws that is \$1,000,104.00 and we have actually taken in under the revenue side you will see \$143,000.00 in cash proffers towards the water tank. So I applied the other fifty one so with some of the expenses going forward the rest of that cash proffer money will be applied to that. But I would not have drawn as much up front but we did not get that cash proffer money right away so I had to be able to fund it. I think there is probably a little more cash proffer money to come in as well for that tank. So that has been covered but yes it is over budget based on what I originally thought the budget was.

Councilman Gregory – Okay. That is it. Thank you.

Mayor Hare – Anyone else have any other questions? One other item I remiss, I did not recognize our honored guest former Mayor James Chapman here joining us this evening. Sorry for that James. I got right into the agenda.

Councilman Dashiell – Speech, speech.

Town Manager – Lift up the screen so you can see the plaque.

Mayor Hare – We have not changed it yet.

Councilman Graham – I think we should probably now with this new way of calling the roll call here we could institute pari-mutuel betting on who is going to be where. We probably have a lot better attendance at the meetings and have a new revenue source for the town.

Councilman Gregory – Raise money.

Mayor Hare – I like that. Are there any other items under new business?

Mayor Hare – Any items for old business? Seeing none, we are adjourned.

The meeting adjourned at 9:13 p.m.

David M. Hare
Mayor

Peter M. Stephenson, AICP, ICMA-CM
Town Manager