



**TOWN OF IRVINGTON, VIRGINIA  
TOWN COUNCIL REGULAR MONTHLY MEETING  
THURSDAY JUNE 10, 2021 6:30PM  
IRVINGTON BAPTIST CHURCH**

**NOTICE:** the Irvington Town Council will hold a Regular Monthly Meeting on Thursday June 10, 2021 6:30 pm; Irvington Baptist Church.

**AGENDA**

**A. CALL TO ORDER – Mayor Bugg**

Mayor Bugg: Let's go ahead and call this meeting to order. This is the Town of Irvington Town Council Regular Monthly Meeting at the Irvington Baptist Church, Thursday, June 10th, 2021, at 6:30 p.m. Notice is hereby given. I'd like to start with a moment of silence. Thank you. Public and Town Council thank you for being here tonight. This will be my last meeting as Mayor of the Town of Irvington and I appreciate all of your attendance tonight. Let's start with roll call.

**B. ROLL CALL – Mayor Bugg**

Mayor:

Mayor Bugg present.

Members of Council Present:

Frances Westbrook present.

Bonnie Schaschek present.

Wayne Nunnally here.

Anthony Marchetti present.

Dudley Patteson present.

Jackie Brown present.

Staff Present:

Nancyellen Keane, Esq., Town Attorney

Lara Brown, Zoning Administrator

Sharon Phillips, Town Clerk, FOIA Officer

Guests:

See attached sign in sheet

**C. APPROVE AGENDA**

Mayor Bugg: Next up we have the agenda. Has everyone had a chance to review that agenda?

Sharon Phillips: There are of course amendments in yellow.

Mayor Bugg: Yeah, under old business I see Item 7 through 10.

Frances Westbrook: That would be appropriation.

Mayor Bugg: Yeah, as amendments.

Frances Westbrook: Mr. Mayor, I move that we approve the agenda as amended under old business.

Dudley Patteson: Second.



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Mayor Bugg: Any discussion council? All in favor?

Group: Aye.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye

Mayor Bugg: Opposed? The amended agenda is approved.

**THE MOTION TO APPROVE THE AMENDA AS AMENDED IS PASSED 6-0.**

**D. APPROVAL OF MINUTES AND ACCEPTANCE OF TREASURER’S REPORTS**

1. May 13 Meeting Minutes, Public Hearing
2. May 13 Meeting Minutes, Regular Monthly
3. May 20 Meeting Minutes, Special Called
4. May Treasurer’s Reports (4)

Mayor Bugg: The next item will be the approval of minutes and acceptance of the Treasurer’s Reports. Looks like we have the May 13th meeting minutes from the public hearing. Has everyone had a chance to review those? Is there a motion to approve?

Dudley Patteson: So moved.

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed? Those are approved.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye

**THE MOTION TO APPROVE THE MAY 13 PUBLIC HEARING MEETING MINTUES IS PASSED 6-0.**



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The May 13 meeting minutes, regular monthly meeting. Has everyone had a chance to review those and if so, is there a motion to approve?

Frances Westbrook: I had one correction, please.

Mayor Bugg: Yeah.

Frances Westbrook: The heading it says Town Council Public Hearing, it should be corrected to say regular monthly meeting.

Mayor Bugg: Any comments about that. Opposed to amend it?

Wayne Nunnally: Move to approve as amended.

Mayor Bugg: Second?

Bonnie Schaschek: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed? Those minutes are approved.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye

**THE MOTION TO APPROVE THE MAY 12 REGULAR MONTHLY MEETING MINTUES IS PASSED 6-0.**

Third item is the May 20 meeting minutes. That's a special called meeting, I believe there was an amendment to this notice to include that counsel from O'Hagan Meyer was present, has everyone had a chance to review that? Is there a motion to approve as amended?

Bonnie Schaschek: So moved.

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.



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Vote: Frances Westbrook Aye  
Bonnie Schaschek Aye  
Wayne Nunnally Aye  
Anthony Marchetti Aye  
Dudley Patteson Aye  
Jackie Brown Aye

**THE MOTION TO APPROVE THE MAY 20 MEETING MINUTES IS PASSED 6-0.**

Last item will be the May Treasurer’s Reports. Any comments about any of those?

Frances Westbrook: What are you on, the financials?

Mayor Bugg: Yeah, the financials.

Frances Westbrook: I’m sorry, I missed that intro. I beg your pardon. A couple of comments on my part. The P&L that they supplied us is a year-to-date as opposed to just specifically for the month of May, so I’d like to see us get a P&L for the month of May as opposed a year-to-date. We see the year-to-date selected on the profit and loss budget performance, so I think it is more valuable to us if we see the current month at hand. Also, on the check register itself, typically that is done in date order, but this time it’s not, I’m not sure why not, but, I’d like to see us return to that order, but I don’t know, who makes that happen, who do we tell this to? We call Jay?

Mayor Bugg: Yeah, I think we would. Yeah.

Frances Westbrook: Call Jay, okay.

Mayor Bugg: That should be easy to accomplish.

Wayne Nunnally: So, what are we doing?

Mayor Bugg: Any other comments?

Frances Westbrook: And I assume we are filing these as information only, is that correct?

Mayor Bugg: Correct, so we don’t need a motion to approve.

Frances Westbrook: Thank you.

Mayor Bugg: Okay.

Bonnie Schaschek: Would it be appropriate if the finance committee talk to Jay about the format of the reports to also have them look at correcting some of the entries so we get...



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Frances Westbrook: To the current year....

Bonnie Schaschek: ....for the current year for next month so that we can put them to bed finally.

Mayor Bugg: That makes sense.

Bonnie Schaschek: So, I'd like to make a motion that they work with the accountant to make the adjusting entries.

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed?

Frances Westbrook: Thank you.

Mayor Bugg: Thank you, passes.

**THE MOTION THAT THEY WORK WITH THE ACCOUNTANT TO MAKE THE  
ADJUSTING ENTRIES IS PASSED 6-0.**

**E. PUBLIC COMMENT**

Mayor Bugg: Public, this time is now yours. I, we have a number of topics to discuss tonight and I'm going to take them, break them down and take them in order and, I would like to start with the North Commons, can I see a show of hands concerning how many people want to speak about the North Commons. One back there, yes sir, could you please stand up and state your name and address.

Albert Pollard: Thank you, Albert Pollard, I just glanced at the drawing as I came in, I think it is fabulous, a lot of work has gone into it, if you put the building actually so that it is at the end of the Tavern Street so it's a focal point and you put the parking behind it in a lot of small towns and you know the way they used to build things, the building is on the street, it will create more of a town feel. That's the thought. I think you can go without losing any parking or any of that type of stuff. Thank you.

Mayor Bugg: Thank you. Anyone else from the public who would like to speak about the North Commons.

Gabe Del Rio: Second Albert's comment. That's a smart comment, building toward the front and not look at a parking lot.

Mayor Bugg: Next up would be the Short-Term Rental Registry Ordinance, would anyone like to speak about that? Alright, moving on. The budget, would anyone like to speak about that? Yes, Cay.



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Mary Cay Bradley: I think I have something sort of related to the budget so bear with me. Mary Cay Bradley representing the Steamboat Era Museum, which is 156 King Carter Drive. I can't remember, whatever, y'all know where it is. So, I want to confirm that you all saw the email that I sent regarding the sponsorship activity, the sponsorship opportunities for the 2021 Crab Festival which by the way is Saturday, September 18th, okay, put it in your calendars now please people, if we, at this point we are planning to do the traditional crab festival with the big tent on the Commons, so put it in your calendar people. Back to council, sorry for my little ad for ourselves. I wanted to make sure you all saw that in my cover letter and on the sponsorship opportunities, there are two new opportunities this year that are \$50.00 more than what you currently have in the 2021/22 budget, they are \$1,250.00 a piece as opposed to \$1,200.00 which is what you currently have. One of them is to be a print advertising sponsor which includes being noted in every printed ad that we would note that the Town of Irvington was a print advertising sponsor, the second option is to be a social media sponsor, so again, the Town would be called out on every electronic advertisement that we did, and we hope that the Town will indicate their preferred sponsorship level on the form included in the email.

Mayor Bugg: Thank you. Anyone else who would like to speak about the budget? How about taxes? Anyone want to discuss some taxes? Alright, next up would be the investigation report. Can I see a show of hands from anyone who would like to speak about the report? Alright, I'll start with you Ms. Meekins.

Ann Meekins: Due to not having the full report, it's hard to make the necessary recommendations on how to move forward. It is obvious to me that we cannot continue to operate as usual. I hope that a plan is in works to show the Town of Irvington that we are ready to make some changes. I want to thank since the Mayor is leaving, the Mayor and the staff for all of their hard work. The staff has been very professional, Roy Kime, Sharon Phillips, Lara Brown and Nancyellen arrived and I want to take this opportunity to thank them for making my job easier and much more efficient.

Group: Clapping.

Mayor Bugg: Thank you, who would like to speak next if you could just state your name and address. Yes Gabe.

Gabe Del Rio: Gabe Del Rio, 732 Chesapeake Drive. So, it's not at all surprising to see that the staff and the town attorney did nothing wrong, and were completely vindicated from Mr. Schaschek ill informed accusations, when I read that report. What was concerning in the report, however, is what they have to say about Town Council. The report highlighted the need for training on procedural rules, employment and contract law as well as HR. It also noted the need for a retreat to improve conduct and orderly meetings. It sadly documented poor and derogatory behavior toward staff and residents. I was also disappointed to see that basic internal controls for finances were not followed. Making votes here about what this label should be or what I'd like that report to see, but very basic internal controls around the money that you steward for this town were not understood or followed. There is clearly a



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lack of understanding of executive controls and stewardship of public funds. Not only did these actions result in a banker losing their job, but additional events lacking due judgement have opened the town to further liability. As a fiscal conservative myself I am very concerned about the pending litigation quote that is noted on page 1, footnote 1 of the report. Where it notes there are more findings that are not shared publicly. What else don't we know, and what will that cost us? This investigation has been very expensive. Over 4,000 documents were reviewed, over 13 interviewees by CPAs and attorneys. Our future insurance costs are likely to increase. We may be limited to our deductible right now, our premium in the future will likely go up. This is really a financial disaster, and the aftermath is going to last for years to come. Returning to the topic of staff, the ones who did nothing wrong I would remind you, we are about to not have any, we've got Lara's resignation on file, Sharon's departure immediately following Tripp's last day or with Tripp's last day, and all while this report underscores our need for yet a third staff member in order to properly support internal controls and this town's responsibilities. We can only hope that we don't lose our town attorney who works hard to keep actions that you take legal, who doesn't bill us for all of her hours spent, and who receives high praise from Kilmarnock serving in the same role. This is an embarrassing position for our town and we have a great deal of work to do to regain function. This report only highlights the inadequacies of our town government and the dysfunction that you all have fostered. I'm still here, I'm deeply committed to our town, I am not a party to any of this, I have a 20-year track record of perfect audits literally, and I've hired and employed hundreds of professionals. I'm ready to serve and I am ready to do the work of the people. Thank you.

Group: Clapping.

Mayor Bugg: Thank you. Who would like to speak next?

Greg Kirkbride: Greg Kirkbride, 364 Chesapeake Drive, Irvington. First of all, I am under no delusion that the individual who made the allegations of financial misappropriation and mismanagement was alone in conjuring them up. There seems to be a group of persons in this town who are bent on obstruction at best and to the destruction and dismantling of our town, worse, it's difficult to speculate on motives. These allegations and a requirement to answer them exacted considerable cost in the funding of this audit and the disruptions of the town governance and business during this critical time and crucially to the lives and service of dedicated town employees. A prime indicator of the scope of a larger problem is the reference to incidents of lacking civility, the use of "language that could be construed as derogatory or defamatory" perhaps I'm in that category right now. The only good that may come from this sad chapter are a clear exposure of destructive elements in our community and the ability to implement the recommendations to improve our government. My hope is that we can use this unfortunate episode to chart a better course for Irvington. Thank you.

Mayor Bugg: Thank you.

Group: Clapping.



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Brian Forester: Brian Forester: 437 The Lane. I'm gonna read this slowly so it's clear. I have three main concerns arising from the report generated by Brown Edwards. One, the genesis of this report, erroneous claims including misappropriation of funds which is a pretty severe claim to be making, among others made by one citizen Klaus Schaschek. There have been multiple attempts by Klaus and members of this town council to belittle and ultimately remove Sharon and Nancyellen over the past year. These claims made towards the town staff have all been smoke, no fire, a witch hunt. So I ask what is really going on here? Why are some of our elected town council members trying to force out talented tenured town staff like Sharon and Nancyellen who by the claim, by the reports own admission have done nothing wrong and if anything are overworked and under compensated. Sharon and Nancyellen personally I thank you for all the hard work that you have done for this town.

Group: Clapping.

Brian Forrester: Two, these completely baseless claims and its pursuit to remove the town staff has distracted the town council from doing the meaningful work for which we voted you in to do. Instead citizens have been watching this pathetic bickering, name calling and infighting. Small topics like verbatim minutes turn into hour long debates, it is as though this group within the town council, and you know who you are, would rather filibuster than govern. What are you doing to improve the quality of life for the citizens of this town? Irvington deserves better. Three, there is a reference to several HR related claims in this report which Gabe and Mr. Kirkbride have also referenced. I witnessed several firsthand and others were recorded in public minutes. The lack of professionalism here is appalling. Are you not embarrassed by your conduct? I understand that the version released to the public of the Brown Edwards report does not include all the findings, so I am requesting due to the dysfunction and seemingly malicious intent of some town council members that the full report be made public immediately. I am tired of the vocal minority in this town fearmongering, gossiping, manipulating, filibustering and when all else fails, downright lying to push forth their own agenda. The people of Irvington spoke in the last election. It is clear some of you didn't like what they had to say, well I will paraphrase it for you, we need positive change in this town immediately. Thank you.

Group: Clapping.

Mayor Bugg: Yes.

Sam Van Saun: Sam Van Saun, 146 Virginia Road. The portion of the investigation report which has been released to the public this far shows dysfunctional governing body and a lack of professionalism. This report proves that Mr. Schaschek's accusations against town staff were completely baseless. It is clear from this report that certain town council members do not understand their role and purpose and have overstepped their authority time and time again. Not to mention the documented lack of human decency in the way staff and residents, and residents have been treated by town council members. This is not okay people. Tonight I have three calls to action, number one, first I call for and expect the entire report to be released to the residents of Irvington. Redact the personal identifying information, fine,





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but we deserve to know what has gone on behind the scenes. If any one town council member does not want the full report to be released that tells me they have something to hide. Second, I call for and expect town council to institute every single one of the recommendations made in pages 18 to 22 of the report. If you are not willing to learn what your job as town council member is supposed to be and what the limits of your authority are, then perhaps it's time to resign. Finally, we need someone in the interim mayor position who can navigate the town through this mess. We are losing two staff members whom the town has come to rely on and without them I'm afraid it is all going to fall apart very quickly, as if it hasn't already. The town does not even have job descriptions or hiring procedures and policies in place. Thankfully we have someone who has tons of HR and hiring experience who is willing to help the town through this difficult time. I reinforce my support for Gabe Del Rio for interim mayor.

Group: Clapping.

Mayor Bugg: Who would like to speak next? Yes.

Mary Burgess: I'll go next. My name is Mary Burgess and I live at 22 Virginia Road. I am saddened to spend my afternoon going over this partial report rather than working on selling real estate and bringing new interesting and engaged people to our area. The place that we love to live. First, I would like to say that the allegations against town staff and the town attorney are completely unfounded. Second, I believe the town residents should see the entire report. We deserve that as town residents and we elected you to do your job and we expect you to do it to give it back to us. What is perfectly clear is that our town council cannot continue to move forward status quo. The company hired to do the investigation believes the entire town council needs a retreat in order to learn how to work together. You need HR training and to gain a true understanding in what your roles as town council truly are. There is an immense amount of dysfunction here clearly highlighted by this investigation and there is much work to do in order to overcome this dysfunction and it is an embarrassing situation for our town to be in. I believe in order to become a fully functioning town council again, the interim mayor should be someone who has experience leading groups, has a clear vision for our town and someone who does not currently sit on the ill-functioning town council. You have a willing, highly capable and engaged individual sitting right here. Appoint Gabe Del Rio as our interim mayor.

Group: Clapping.

Mayor Bugg: Who would like to speak next? Yes. Cay.

Mary Cay Bradley: So I have to speak again. Mary Cay Bradley, speaking first as the President of Steamboat Era Museum. It was a surprise to find the Museum listed in the audit report. I request guidance from the town on the type of "third party support" needed to support town recordkeeping. I saw there were three instances in Schedule B of Exhibit A of the investigation report where the museum did not provide "third party support". We do not typically invoice sponsors of the crab festival or donors. I would like to ensure the museum is providing the town with enough documentation so I would employ to written guidance as to what is required. Second, as a resident who lives at 991 King



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Carter Drive, I am glad the investigation is concluded and that the council and mayor chose to make the public report available to the public. I thank the 13 individuals who participated in the interviews and the town staff who provided over 4,000 documents related to this investigation. I know that the report available to the town council and mayor is much longer. I hope that any findings or recommendations included only in that report will be seriously considered by council and mayor, and by the way I support all the other people who recommended that be released to all of us because as a representative of an organization that was listed in it, I'd like to be sure the museum isn't listed somewhere else, please. I was relieved to learn that there was no evidence of misappropriation of funds nor there was criminal conduct or other conduct for which the town could be held civilly liable. I hope that the town may learn from the investigation and report. As residents perhaps we should raise concerns with council or the mayor in a timely manner about using language that is accusatory or disrespectful. I hope that Mr. Schaschek will consider a public apology to the staff and contractor who he accused publicly. I hope council and any interim or incoming mayor will use the report as a foundation from which to build policies and procedures to support conducting the business of the town in a manner that will hopefully not result in lengthy investigations or more upheaval and contention. I look forward to any communication from candidates regarding their votes for improving how the town conducts its business including supporting an environment for the verbatim minutes are used to recall motions and discussions and all people can feel respected and valued. Finally, thank you to Mr., Mayor Bugg for having served as the mayor particularly through this very contentious period in our history. May you and yours enjoy the wilds of the county.

Group: Clapping.

Mayor Bugg: Who would like to speak next? Yes ma'am.

Ruth Fuller: Ruth Fuller, 341 The Lane. My comments are much briefer than others. I wanted to speak as a newer resident to the town and this is towards the end of the saga for me that I'm coming in and it is rather shocking and a bad look. If I had any idea of what was going on as we were looking to move here, not saying I wouldn't move here, but simply would be paused about the residents here. This talk of fighting and bickering is not professional. I read the report, it is shocking, and I hope that no matter what happens moving forward the status quo is not kept, the recommendations are followed and also moving forward that you have that as a requirement for any job for the town council. Any new town council member should go through those types of training, whether they were a part of this saga or not. So, I hope that will be considered in the future.

Group: Clapping.

Mayor Bugg: Thank you. Who would like to speak next? Yes.

George Kuper: Mayor and council, George Kuper, Haden Hall. I did not plan on speaking this evening, except I am distressed by the manner in which my fellow residents have brought to your attention their concerns and their interest. The report was very clear that civility was lacking and civility needs to be



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reintroduced. And perhaps the Mayor might have interrupted some of these presentations because they lack civility. The ability of a member of the community to raise concerns is absolutely essential to the way we govern. There are a number of other governing issues that I presented to you in a private paper memo that I sent to you on the 12 of May. We have a governance crisis and it is reflected by a group of people getting very well organized to address that problem. Whether or not they have the ability to fix those government problems is another question entirely, but this is not an election campaign and we should not be pursuing election type rhetoric in this council meeting. Thank you.

Mayor Bugg: Thank you. Who would like to speak next? Yes, Mr. Schaschek.

Klaus Schaschek: Klaus Schaschek, 394 King Carter Drive. So, I'm the [inaudible] here. Let me just tell you that first of all, I never accused anybody of criminal history. That is, was never the case. If I thought there was a criminal mischief I wouldn't have talked to you. I would have informed law enforcement, so that is what. I have a lot of items here which were omitted from that report. One, I trust and would like to share, on the issue of the balance sheet. The investigators agree with me that is incorrect that, they declare it was a clerical error that mentioned the potential consequences. If this would have been publicly traded company, the chief financial officer would have been in deep deep trouble. In fact, if the CPA would have signed off on this balance sheet, I think he would have been in trouble too. Also, if you take this balance sheet and you give it to the bank, they are going to check it because of the erroneous financials showing a profit of about at that time \$50,000, while in reality we had a loss of \$15,000 and totally overstating our retained earnings. I don't want to go any further with this, I will just only say let's fix them and put the process in place to work with them in the future. Thank you.

Mayor Bugg: Thank you.

Mayor Bugg: Who would like to speak next? Yes.

Lee Taylor: 4504 Irvington Road. As a resident and a business owner here I was a little discouraged to read the investigation report and basically that town council members, elected officials would move beyond this period of contentiousness for the betterment of our community. It is unfortunate previous negative comments and adversarial relationship between some town councilmembers have reflected poorly on our town and caused an unhealthy work environment for staff which has been mentioned by several people here. This investigation could have been avoided but it could prove valuable if the recommendations stated at the end of the report are taken and followed. The suggestion that I clearly recognize is that members of council should not use derogatory language. This is something that requires no funding, it requires only a little effort in action on the town council members and can be done by all council members and everyone concerning the town.

Group: Clapping.

Mayor Bugg: Thank you. Who would like to speak, yes ma'am.



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Carol Biscontinni: I'm Carol Biscontinni, I live in the Pony Pasture. I read the report and I was certainly gratified to see that the staff and some of the new people on council were given a clean slate. You kind of might say that they are now certifiably in pretty good shape, but there were all kinds of instructions where council as a whole that I also think is going to be really important to follow. One thing that concerned me was the departure of the staff and I certainly hope that the staff, the town staff knows that they are appreciated by many of us, and I hope that in the future they will stay and I hope they are fairly compensated. But, I really can't understand why you would not release it to the public given that it is a public report and paid for with the taxpayers money. I understand that some redaction might be needed, but it seems to me that that is a pretty basic part of communicating with the public, showing responsibility. Thank you.

Mayor Bugg: Thank you.

Group: Clapping.

Mayor Bugg: Who would like to speak next? Thank you public for all those comments. Next item I have for public comment would be vacancies, appointments, and elections. Would anyone like to speak in regards to that? Yes.

Sharon Phillips: I have three, if you would like for me to read those.

Mayor Bugg: Yes, you can go ahead and read those.

Sharon Phillips: Ruth Fuller, I wanted to write to express my support of Gabe Delrio for interim mayor of Irvington as Tripp Bugg departs. As a newer resident of Irvington I find the initiatives Gabe cares about to be vital to Irvington blossoming to its full potential. Gabe is a wonderful example of an ideal Irvington resident seeks the knowledge and love to give back to the community that raised him. The town would only benefit from someone with Gabe's talent and knowledge of how as the world opens up from a trying year. Best, Ruth Fuller. One from Jacqueline Forester, I support Gabe Del Rio serving as interim mayor, I believe his dedication to serve the property owners of Irvington. His decades of experience serving boards, working with feasibility studies and being an integral part of those studies coming to fruition, his timing and volunteering in his role seems fruitions, sorry about that. Gabe also being from Irvington realizes the importance of keeping the small town charm. The balance of these two coupled with his experience and stewardship make him well suited for this role. I am grateful for him stepping up to serve as we all know the role is going to take a lot of time. With a lot of support and gratitude, thank you Gabe, Jacqueline. Bill Harris, dear mayor and members of council, I would like to express my support for Fran Westbrook as interim mayor of Irvington. During her tenure on town council she has proven her support for business and for residents. Her strong stand against the PUD demonstrated her desire to maintain Irvington as the quaint town we all enjoy. We need her experience and knowledge moving forward. Thank you, William Harris. I have one more mayor. This is from Judy Penneman. The report discussed tonight has good news and bad. The allegations brought forward by Mr. Schaschek were found to be without merit or foundation. The report more importantly



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describes the toxic atmosphere that has enveloped the town council to the point where it can no longer function nor serve the residents of Irvington properly. The town council should be ashamed of themselves. As a result of this report I am endorsing Gabe Del Rio for interim mayor. June Pennman, 1108 King Carter Drive. There was one letter Mr. Mayor of interest regarding the potential vacancy on council, Chris Braly has placed his letter of interest.

Mayor Bugg: Do you want to read that or.

Sharon Phillips: I can. Chris Braly, please accept this letter and the attached resume in consideration for the possible vacancy on the Town of Irvington Town Council. I am a qualified voter and have been in Irvington as a resident since 2007. I believe my experiences on the planning commission have prepared me to serve the citizens of Irvington on the town council. I also feel my background as a small business owner would help guide me make decisions that benefit both businesses and residents as Irvington grows. If I have the privilege of being appointed to the town council, I understand I will need to vacate my position as a planning commission member, however I would like to continue my work regarding the upcoming town survey and update to the comprehensive plan by serving as the town council liaison to the planning commission. J. Chris Braly. Thank you.

Mayor Bugg: Thank you. Anyone else like to speak from the public? Thanks again public, your comments are all appreciated. Next item on the agenda would be the mayor's report.

**F. MAYOR'S REPORT**

Mayor Bugg: As promised I will give my resignation date at the announcement portion of this agenda. Accordingly, the next item I would like to discuss is the ARPA Funds, Nancyellen would you like to speak about those?

Nancyellen Keane: Just briefly, we, today, yesterday actually we received information from the state regarding ARPA funds that will come to the town meets the deadline of June 15th to file the application to receive those funds. There is an application form and so forth, getting the materials were they forwarded to the town council?

Sharon Phillips: I'll have to doublecheck.

Nancyellen Keane: Well, we'll forward it to everyone. What will be needed tonight probably is a motion to authorize the mayor to sign the application, it is a one page form, application. You either have to apply to receive the funds or you have to fill out the application to reject the funds. You have to do one or the other. It says in the report that I got yesterday that the Town of Irvington could be eligible for as much as something like \$415,000 in two installments of \$206,000 or \$207,000 a piece. The first payment is supposed to be coming shortly like in the next 2 weeks or so, and then there is another payment that is going to come next year. It is not going to be given out like the CARES money was, the CARES money was several months apart, this is going to be like 12 months apart. The other thing is there is a limitation on the amount you can receive while the formula in the attachments shows



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that Irvington could be eligible for as much as \$415,000 if you can't, you cannot, the amount you receive cannot exceed 75% of the town operating budget that was in effect January 27, 2020. That is in the law and so in doing that calculation on the back of a napkin, would tell me that we are only going to get \$150,000, but that is something that you will need to you know figure out later, but the more important thing is the deadline of June 15th which is Tuesday for getting in this one page form. So the mayor needs a motion here to allow him to sign the application and I would also put in that motion that you all will accept the funds that are given to you and designate that they go into the same bank account as the CARES money.

Frances Westbrook: I do have a question.

Mayor Bugg: Yeah.

Frances Westbrook: So, you are saying that we may receive these funds in a couple of weeks possibly before the end of our current fiscal year.

Nancyellen Keane: It's possible.

Frances Westbrook: Does that mean we need to amend our budget we are getting ready to adopt tonight.

Nancyellen Keane: No, well you will in the fall, I think we talked about this, we had a conference call you were on with the treasurer, I believe it was a month ago maybe, I'm trying to remember the date but, this was when you were working on the budget synopsis for...

Frances Westbrook: I'm sorry, I, if we get that in June, it's on the current budget which is not reflected.

Sharon Phillips: But you don't have to amend your budget for income.

Nancyellen Keane: It's not for income, it's for expenses. So, if you don't spend the money....

Frances Westbrook: So this money is going to be electronically deposited....

Nancyellne Keane: You don't have to spend any of it.

Frances Westbrook: Yeah we don't have a budget for it.

Nancyellen Keane: You will amend your budget.

Frances Westbrook: But we'll do it later.

Nancyellen Keane: In the fall.

Frances Westbrook: Okay.

Nancyellen Keane: Remember we talked about the fact that you will amend it in the fall so that you would have line items for this particular....



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Frances Westbrook: Right.

Nancyellen Keane: Which is similar to the line items you would have had for CARES....

Frances Westbrook: Yeah.

Nancyellen Keane: ....remember that.

Frances Westbrook: Yeah, but my concern was for that we have 2½ more weeks left in this and if we get it in that time frame, what does that do to us, but you are saying....

Sharon Phillips: One percent applies to expenses.

Frances Westbrook: One percent?

Nancyellen Keane: Uh huh.

Sharon Phillips: Applies to expenses not to income.

Frances Westbrook: Not to income, okay.

Wayne Nunnally: Do we have to use it for a particular purpose?

Nancyellen Keane: There are some limitations on it, you all will have to read it, the literature will come to you and it is a little different than CARES, there's some other things you can spend the money on, but tonight it probably not the time to go into that. These, the need right now is to get a motion to make sure that you all fill out the application, submit it on time, accept the funds and make sure that they go into the account that you designated at the bank for the CARES Funds so that those funds are all in one account.

Frances Westbrook: Okay.

Mayor Bugg: Anyone like to make that motion?

Dudley Patteson: So moved.

Bonnie Schaschek: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye



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Jackie Brown            Aye

**THE MOTION TO AUTHORIZE THE MAYOR TO SIGN THE ARPA APPLICATION, ACCEPT THE FUNDS AND DEPOSIT THE ARPA FUNDS INTO THE EXISTING CARES FUNDS ACCOUNT IS PASSED 6-0.**

Mayor Bugg: Opposed? That motion passes. Nancyellen do we also need to deal with the funds being deposited in a separate bank account of CARES Funds.

Nancyellen Keane: I think that was included in the motion.

Mayor Bugg: It was. You're right.

Nancyellen Keane: ...intended that, so....

Mayor Bugg: Good.

Sharon Phillips: So the motion was to allow the mayor to sign or execute, to accept and approve the document, to accept the money and for that money to go into the CARES Fund account.

Mayor Bugg: Excellent. Thank you. Investigation results. Now I want to move to the topic of the investigation report from the law firm of O'Hagan Meyer. Since the investigation is now completed, this is the first public town council meeting that it has been appropriate for me to speak about the report. The following are my takeaways. The whole experience was avoidable. Virtually all of the allegations lacked merit according to the investigators. The town clerk and town attorney were cleared by the investigation report which was not surprising. Specifically, and I quote from page 1 of the report "following its investigation of Mr. Schaschek's allegations, the firm has concluded that there was no misappropriation of funds by any member of town council, the town attorney or the town staff. The firm has also concluded that there was no criminal conduct or other conduct alleged by Mr. Schaschek for which the town could be held civilly liable. The investigation did uncover several instances of clerical and booking errors, most of which had been corrected but the investigation into these did not reveal any instances of intentional wrongdoing or malfeasances for which the town could be held liable. Specifically, our investigation concluded that the Schaschek allegations of December 10th, 2020 regarding any financial misappropriations were unfounded." I remain very disturbed about the manner in which these accusations occurred. Many accusations were made without even asking questions first. The accusations were made very publicly with the perceived intent of running off the staff resulting in embarrassment to this town. I want to personally thank the staff for being so professional and for staying throughout the investigation. No one should have had to endure this experience, least of all, the people who did nothing wrong. This was embarrassing and unprofessional. During my tenure as mayor, I have witnessed numerous examples of unacceptable behavior by some members of council in the form of gratuitous threatening and derogatory comments and actions towards staff. Therefore, I am not surprised that the investigators concluded as outlined on page 20 of the report that derogatory statements made about staff are false and defamatory and it was strongly recommended that council





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stop this behavior. A significant driving force behind my decision to run for mayor were the repeated comments in the community that the town government was dysfunctional. After taking office, this was stated several times in town meetings during public comment. I fully agree. The town government is dysfunctional, but this is still a town with a great future ahead. But that future requires much work to ensure that this town has a functioning government that it deserves. Residents please take note of all of this. Nothing will change in the town's government until you take action. As mayor it has been my duty to protect the town. That is why I reported the litany of allegations to the insurance company for investigation. This is just one aspect. The town needs to take action to correct what has occurred and that action needs to begin now. As I stated during my opening comments at my first meeting as mayor, members of council should make each and every decision based on the best interest of Irvington and its residents. That is council's fiduciary responsibility. As mayor, I do not condone these actions and derogatory statements by members of council and request that they cease immediately. No elected official should be allowed to act as these individuals have done. As you have seen or will see in the investigation report there are numerous recommendations made by the investigators throughout this report and summarized at the end of this report. I believe that these recommendations contained in this report are critical to the future of this town and the long-term improvement of its government. As this report indicates you the residents of Irvington deserve much better. Thank you.

Group: Clapping.

Mayor Bugg: Next item on the agenda will be the town attorney report.

**REPORT FROM THE TOWN ATTORNEY**

Nancyellen Keane: I don't have one.

Mayor Bugg: Lara, zoning administrator report.

**G. REPORT FROM THE ZONING ADMINISTRATOR**

**1. North Commons Update**

- Presentation from Bay Design Group

Lara Brown: Thank you. I have a couple of items I want to address before we see the Bay Design Group presentation. First on the zoning administrator report, we did have one application for a conditional use permit. You will address this later in the agenda for the proposed CUP schedule. This is for 73 Seafood Lane, tax map 33-379, it is the current Quarles Petroleum parcel that is under contract for purchase right now by Mr. Albert Pollard, Jr., he has put in a CUP application to have a boat storage business and, what I am going to ask of you Council tonight, is to amend the old CUP. There is an existing CUP on this parcel for storage of propane tanks down there. I am requesting that we remove that language from the CUP of the storage of propane tanks and add storage of boats. He would like to have a boat storage facility down there much like what's already down there on Mr. Friday's parcel just next door. The storage of boats is a less industrial use on the property. No improvements are being



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made by the applicant. He is not changing the footprint. He is not changing the existing gravel pad that's there, the chain link fence that's there is staying, nothing is being changed to that aspect. If you would consider allowing the zoning administrator to grant administrative approval of this CUP request based on the fact that you don't need to impose any conditions, having a boat storage business doesn't affect hours of operation like say maybe a restaurant where like we did for some other applications you know, you might impose certain hours of time, you might impose a noise ordinance, no noise past this point, anyway if you decide not to grant me the administrative approval to do that, then we will look at the schedule, the proposed CUP schedule and hear it as we would normally hear a CUP, public hearing and so forth, but that is just for you to take under consideration when we look at the schedule later on in the agenda tonight. Do you have any questions about the proposed use that the applicant is requesting for the boat storage use?

Frances Westbrook: So if you do the administrative approval, then you'll remove the language from existing propane tanks and add in the use of boat storage?

Lara Brown: Of boat storage, it is an allowable use in M1.

Bonnie Schaschek: Already in use....

Frances Westbrook: But not enough for that particular CUP.

Bonnie Schaschek: It's already an available use, so...

Lara Brown: It's just language.

Frances Westbrook: I'm fine with administrative approval.

Nancyellen Keane: I think we should just take a vote on to allow her to use administrative approval for it, rather than go through the process.

Wayne Nunnally: I move that we allow our zoning administrator administrative approval to get this done.

Dudley Patteson: Second.

Sharon Phillips: May I ask that you clarify the language to remove propane tanks and add...

Nancyellen Keane: ...to amend the existing CUP to remove propane tanks and add the use of boat storage.

Mayor Bugg: Is there a second?

Bonnie Schaschek: Second.

Mayor Bugg: Any further discussion? All in favor?



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Group: Aye.

Mayor Bugg: Opposed? Thank you Lara.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye

**THE MOTION TO ALLOW THE ZONING ADMINISTRATOR TO GRANT ADMINISTRATIVE APPROVAL TO REMOVE PROPANE TANKS AND ADD THE USE OF BOAT STORAGE TO THE EXISTING CUP IS PASSED 6-0.**

Lara Brown: Also update on Fisher’s Pit. You may have read in the newspaper two weeks ago the Board of Supervisors received a report from Brian Barnes requesting recommending a public hearing on the property known as Fisher’s Pit to remove or revoke the condition use permit and the special exception that was granted to the property owners for running a heap pile more or less. That public hearing is coming up on June 24th. The town has not issued a formal letter to the property owners yet. Staff and I have been working on trying to coordinate communication with DEQ and DMME, Department of Mines and Minerals to work together on accessing the property so that I could go on the property and see what’s there before town issues a formal letter such as a nuisance letter. I would request that we wait until I can go out there. The meeting has been scheduled for June 23<sup>rd</sup>, to meet DEQ out there and DMME and I will give an update after that meeting.

Bonnie Schaschek: That’s the date for the hearing?

Lara Brown: It is. It’s the first available date that the agencies could all meet together.

Wayne Nunnally: ...You have to go to the property?

Lara Brown: That’s just an update where we are right now with that parcel.

Bonnie Schaschek: But they have stopped all burnings right?

Lara Brown: DMME has updated their order to state that there is no more burning to be allowed on the parcel unless they get an explicit permission from the Town of Irvington and Lancaster County. There have been several citizen phone calls on the tall grass along King Carter Drive and West Irvington near where the Aqua water tower is located. The town doesn’t own that property, so we are not responsible for cutting it. That’s a responsibility of VDOT. I did speak to VDOT and that will be taken care of when they start mowing secondary roads. It is considered, it is on their agenda, they did



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Northumberland the last couple of weeks. VDOT said Lancaster is next. They are doing primary roads first and then the secondary roads should be started hopefully sometime next week, weather permitting. So, the road that we have been receiving complaints on shall be mowed as soon as VDOT gets down there.

Bonnie Schaschek: Is it a large area?

Lara Brown: It's probably, do you know where the bench is in West Irvington where VIA has the planters, it's from there all the way down to Hunley Lane. All around that curve. And both of those parcels are owned by Aqua. They keep their, they keep their entryway cut but the right of way belongs to VDOT.

Frances Westbrook: Now how often will VDOT cut that during the summer.

Lara Brown: They cut it twice a season.

Frances Westbrook: Twice during the summer?

Lara Brown: Uh huh.

Frances Westbrook: So, it is going to get high again?

Lara Brown: Right.

Bonnie Schaschek: And we have town maintenance over here on Irvington Road around that pen because VDOT was not cutting it, so that is something that we might want to consider over on West Irvington especially since there is a lot of people that walk that.

Frances Westbrook: A lot of people walk that way, a lot of people from Tide's Inn ride bikes and walking up and down that way and Irvington looks very nice when you come in King Carter or Steamboat Lane and that does look pretty uninviting. It, we could do better.

Bonnie Schaschek: Is that something we can ask Arrowhead to give us a quote on?

Lara Brown: A quote to add to their contract?

Bonnie Schaschek: Yeah. Because doing it twice a year especially this time of year is not going to do much good and we already have then doing Irvington Road and VDOT said it was okay.

Frances Westbrook: I think part of that grass is tall, just past that there is an embankment, so someone walks in that tall grass and not realize that they are going down that bank. Do we want a motion?

Mayor Bugg: Yeah.



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Lara Brown: To ask Arrowhead to....

Frances Westbrook: Yeah.

Lara Brown: ....to add that to their contract for how many times in a season?

Bonnie Schaschek: The same time that he is doing Irvington Road.

Mayor Bugg: That makes sense.

Bonnie Schaschek: I don't know how many times he is doing....

Sharon Phillips: The frequency is a good question to ask. They are generally in town on a weekly basis for some things. Do you want that weekly, biweekly?

Bonnie Schaschek: I would say bi-weekly I would think.

Sharon Phillips: Again, I think that there is enough money left in the Arrowhead contract that it would, there's enough for it to sustain, so biweekly?

Bonnie Schaschek: Yes, please.

Frances Westbrook: Alright so we move that we ask Arrowhead to cut that biweekly on this existing contract?

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed? Motion passes thank you.

**THE MOTION TO ASK ARROWHEAD TO CUT THAT BIWEEKLY ON THIS EXISTING CONTRACT IS PASSED 6-0.**

Lara Brown: And traffic study regarding the speed in Irvington, I did get a phone call regarding this topic that was brought up during last year's discussions of the no through trucks discussions that we have in Irvington. They will set up their equipment and they will start late July or early August. They were waiting for Compass to get open, they were waiting for the Tide's Inn to reopen their season, the pandemic to settle and traffic pick up again, so that traffic study will start this summer. I asked the question, what will this traffic study do, what will it tell us. Basically they will monitor the speed along King Carter and Steamboat if, let me get the formula correct, if 85% or more vehicles are recorded moving greater than 35 miles an hour, then we would qualify for traffic calming measures. Traffic calming measures are described in this 85 page manual. It is on the town website if you want to click



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on the town website and see what some of the options are, I think some are more cuter and more quaint than others, but if we are going to do the study we might as well look and see what our options are if you want it to move forward with the result of the study should they say that yes we have high speeders, that we qualify for something. So, that is something that is there on the town website for you to look at.

Wayne Nunnally: Lara you said 35 miles an hour? Isn't the speed limit 25?

Frances Westbrook: Well it's 25.

Lara Brown: It's 25, what they look at and consider speeding is 35, so, they record 85% or more of the vehicles traveling 35 miles per hour or greater than we would qualify for traffic calming measures.

Anthony Marchetti: Are the roads looked at separately or is it a....

Frances Westbrook: Yes, alright, so help me with this, you know the big thrust of this were the trucks moving through Irvington that aren't stopping in Irvington to deliver any goods, logging trucks, all kinds of dump trucks and stuff, so how are they going to deal with that and it wasn't just the speed, I think it was the sheer volume of traffic....

Lara Brown: Well VDOT does not deal with that, that's law enforcement.

Frances Westbrook: But....

Lara Brown: Nancyellen....

Frances Westbrook: Nancyellen, can you help us here....

Lara Brown: The trucks coming...

Frances Westbrook: The, because we were talking about the no through, that's what I thought generated this traffic study, because of how we were going around...

Nancyellen Keane: There were a couple of things that were evolved, or they were going to look at in a traffic study once Compass and the Tide's Inn opened back up, again, and as I recall, they were looking at, King Carter and Steamboat for what Lara is talking about there and the turning off of 200 coming in both directions going up to King Carter, they were doing a traffic study to see where the traffic you know, how the turn signals and everything were going there. They also were going to look at two other things, one was a cross, I wouldn't call it a crosswalk, but a cross, street cross area for potentially for bicycles and golf carts to use because of the interest from people coming from this side to cross over, then there was the complaint that we were trying to deal with regarding the flashing lights and the cross walk by the post office, and we did do the research and found out that was, we got federal money to have that installed and because it is federal money it has to stay installed for a certain number



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of years or else you have to pay the government to take it out and so I think that runs out the end of this year or early next year, there's a possibility that you can use that somewhere else, move it somewhere, or you don't like where it is, or just have it taken out and not use it. So, he was going to be looking at the fact that you might be getting rid of the cross walk by the post office, and instead of a cross somewhere else that could be used by not just walkers but people on golf carts and bikes, so that would be part of the study and the other part of the study was King Carter and Steamboat for speeding, traffic calming measures and the issue of turning off of 200 on King Carter.

Frances Westbrook: So, now how does all this relate to our issue of dealing with trying to have a no through truck?

Nancyellen Keane: Those are two different things.

Frances Westbrook: I know, but this, I mean that is how a lot of this got started.

Lara Brown: This is, what I'm reporting on right now is concerning the speed concerns that were brought up during the no through truck conversation.

Nancyellen Keane: They are just separate issues that they look at, the no through truck was to eliminate trucks that as you say go straight through Irvington and have another cut through and there was debate over that, there were meetings, we passed a resolution, because at the time that that occurred we were told that Lancaster County would probably not approve it, I think you recall that meeting that we had in here with the sheriff and others....

Frances Westbrook: Yeah, unless we took some other steps, that's right.

Nancyellen Keane: You and the mayor were going to talk to the supervisors or whatever and then there was going to be some discussion about a budget item for some policing or else paying another jurisdiction or participating to get policing because part of what the commonwealth transportation looks at when they approve these is whether you are going to enforce it and you have to be able to and so we had some discussion, it was early last year before the budget was redone in November or whatever...

Frances Westbrook: Yeah, I remember that....

Nancyellen Keane: ...and it never happened is what happened, it just never, nothing yet, but you could....

Frances Westbrook: But see I thought the main reason we were holding off talking you know going and talking to the county pleading our case I guess, was the result of the study.

Nancyellen Keane: No, not really. They are separate issues and you could get each of this independent of the other, so in other words if VDOT comes in and does the study, the results will be that you get a cross walk moved and to get some traffic calming stuffy on the, the other piece is independent of it.



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It's the no through truck is independent of it. You were going to do more work with the county because in order to go before the Commonwealth Transportation Board with a petition to get a no through truck zone, you have to have both jurisdictions that are connected, they have to agree, most likely have to agree.

Frances Westbrook: Yeah.

Nancyellen Keane: In our particular case when we had that presentation that night, you remember back in the fall....

Frances Westbrook: Uh huh....

Nancyellen Keane: VDOT agreed with us, and...

Frances Westbrook: I know, what a major improvement.

Nancyellen Keane: So, the point is, we were in a position where we need to convince the county to support us that's all I'm saying.

Frances Westbrook: So we could do that in January.

Wayne Nunnally: I spoke to Brian Barnes, he basically said that we want....

Bonnie Schaschek: David Beale....

Wayne Nunnally: And he said that we dropped the ball by not sending the letter to the Board of Supervisors and that there is a separate deal completely from the no through trucks, is separate from....

Frances Westbrook: We did send a letter to the Board of Supervisors, didn't we?

Nancyellen Keane: No because we had the meeting here with one of the members of the Board of Supervisors and sheriff and yourself, and the mayor, and me and others and we decided that we needed to do some more work in order to get the Board of Supervisors to favorably consider....

Wayne Nunnally: And this is the first I've heard of that. I knew that we approved the no through trucks and did an ordinance to that and that we had voted to sent it onto the Board of Supervisors, so I am surprised that they haven't gotten it done.

Frances Westbrook: Unfortunately, it is not up to us, just to make an ordinance, I don't think it is there, this has to come through the state, we can't just declare it unfortunately.

Nancyellen Keane: When the hearing happens apparently it is the VDOT, the county and the town.

Mayor Bugg: It is still alive and well.

Nancyellen Keane: It is still alive, it's just.





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Frances Westbrook: Alright, thank you Lara for...

Lara Brown: Okay so that concludes my report so far for the monthly business, and I will move onto the Bay Design Group presentation. So last year council, town council approved hiring Bay Design Group to do like a master site plan on the North Commons for the possibility of building the town office, the new town office over there. And the elements that, sorry, the elements that were considered for this plan, were a town office with parking areas, sewage and drain field. A remote auxiliary storage building, and any event parking lets say, non-paved parking. What Bay Design Group has come up with basically revolves around sewer. Where the drain field needs to go, that's the most important thing, and then the design was built around the nonconventional septic. The soil over there didn't qualify for traditional septic, we have to get engineered septic, which is one of those mounds and humps that you see sometimes. We had a few constraints over there at the North Commons, one being the entryway and the big tree. We also have two abandoned, two wells over there that need to be abandoned before we can move forward with anything so that would have to be considered, some future planning costs if we do not abandon the wells then that is going to put further constraints on the project but right now we are assuming that we are going to abandon those two wells, if we move forward with the project. The building was based on 3,000 square feet. We may not need a building that big, but we decided to go ahead and plan for a building that would allow for meeting space and to encompass approximately this many guests, and I have office space for 2-3 individuals. It also allows for 32 paved parking spaces there at the town office with two handicapped spots and 39 hard surface parking as well. In the back left corner there is a storage building and it is an auxiliary building, I want it to be used for storage of the banners, the Christmas lights, everything that we have stored in other peoples garages and houses around town. Then the front part that is closest to the curb along Chesapeake is vacant. That can be used for more event parking or that can be used for future playground, that can be used for whatever, whatever the town thinks that would go with what they need or what we are lacking. This current design as you see on the board, is greater than the 1 acre threshold that was mentioned in the contract, if we go over that 1 acre threshold which this does, then it prompts the....

Ben Burton: DEQ?

Lara Brown: DEQ, review process basically just because it is going to have a storm water management process now, that went over that threshold. I also asked Ben to provide you a redline copy of what would this look like if we kept it at the 1 acre threshold so that we didn't trigger that DEQ review process and so if you look at the redline version, basically what it does, is it decreases the parking, it takes away the storage building, and just decreases everything. I wouldn't be afraid or alarmed to move forward with the proposed plan, there is really no way to put an exact dollar amount on what that DEQ review process would cost but if we were to give a rough estimate we are looking at somewhere between \$2,500 and \$3,000 extra to go through that review process with DEQ and that is above what is in the contract with Bay Design Group.

Frances Westbrook: So, is what you have in this box right here, that mentions your storm, storm water management, is that what we would be required to do for DEQ or do we even know that.



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Ben Burton: That's what you've got to do no matter what.

Frances Westbrook: Okay.

Ben Burton: No matter what. We have got to have, there is going to be drainage from the parking area and the building down this corridor, to this office site easement, see the big arrows there?

Frances Westbrook: Yes sir.

Ben Burton: That has got to be designed to the DEQ regulations but if in that process we disturb more than an acre on this site, that triggers the need for DEQ to review the plan. If we keep the disturbance area below 1 acre than it can be handled at the county level. We still have to design to the same regulations, it's just a matter of how much area gets torn up to do anything and what the area that gets torn up includes the septic fields even though it is going to be re-grassed, it includes all the parking areas that you would do, so what I suggested to Lara is that we go ahead and design for whatever you want, the bigger thing, not arbitrarily cut it down just to meet a lower level of design because if you decide somewhere in that process to come back and disturb more area and you disturb that area and they catch you at it, then you will get a notice of violation and you will have to answer those questions and go through the process that we should have gone through the first time. So that's, that's the reason we suggest that, think of anything you may want on this piece of property, design the storm water to compensate for it, build what you want, I mean you may build less of it, let's say you decide to only build the building and these 30 parking spaces right here and you don't do anything else, you can do that at a later time but you will have the approval to do that.

Frances Westbrook: Gotcha.

Ben Burton: Site plans are normally approved for a 5-year period....

Frances Westbrook: Can you go back and renew it at any point for another 5-year period....

Ben Burton: Oh yeah.

Frances Westbrook: Is that the process, up the renewal....

Ben Burton: You can go back because the interesting thing is all you have to is resubmit it to the zoning administrator and she says yeah I am going to reapprove this and if any regulations have changed you may have to go up or down the line to do it, but it can be done.

Bonnie Schaschek: But you don't have to go back to anybody else.

Ben Burton: Huh?



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Bonnie Schaschek: You don't go back to DEQ, you just....

Ben Burton: ...if they've come in and said you've disturbed more than a quarter of an acre and our regulations changed, who knows. The interesting thing about site plans is there are site plans that were approved back in 2005 that by General Assembly action over the years have been extended to July of 2022 because of the financial problems, because of intermediate things in there, regulatory changes and just because of COVID....

Frances Westbrook: Yeah.

Ben Burton: You never know how long site plans will be done for, they are a minimum 5 years though.

Wayne Nunnally: How much difficulty would it be to change the building and put it on the street side?

Ben Burton: To put the, to move the building up here?

Frances Westbrook: Facing Chesapeake.

Ben Burton: Yeah.

Bonnie Schaschek: Facing Chesapeake Drive.

Ben Burton: Yeah, we put this concept plan together so that you see a graphic picture of what Lara, and Wayne and I have been talking about and understanding the council's directions original directions were to give you a sense of what we had. The only thing that really can't change is we've got to design our septic field to be in this box, that's the only place that soil there even and we have to drain everything that is done back down this corridor which could very easily involve getting an offsite drainage easement from adjacent landowner. That's one of the things we've suggested council start the process is contacting that adjacent landowner and feeling them out and saying will you work with the town if we need to get a drainage easement and need to do some work offsite on your property to handle this drainage, will you grant us an easement. That is one of the things.

Wayne Nunnally: Do we have eminent domain?

Ben Burton: Huh?

Wayne Nunnally: Do we have eminent domain? Can you take it away.

Ben Burton: You can go right ahead and do it if you want to, go into court and you do it.

Frances Westbrook: I don't think that's a good approach.



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Ben Burton: That's what Tripp would tell you and that's what I would tell you, but I don't think, don't think that would be in your best interest.

Wayne Nunnally: ...that would hold up the entire project.

Ben Burton: Huh?

Wayne Nunnally: ...that would hold up the entire project, if we don't get the easement, it would stop the project?

Ben Burton: Here's the interesting thing, DEQ if they make you go through the review process, they may not require you to get an actual easement there because that is a natural drainage for this whole area. But, we've had projects where they have actually said get that easement to prove that you have discussed this with that owner so that nothing comes up and even if you don't have to get the easement, you don't want to surprise your adjacent landowner by having a construction crew out there grading a new ditch line right in this part and having them to ask arbitrary questions, so you want to have some level of agreement with them.

Frances Westbrook: Now is that how the property naturally drains now in that general direction?

Ben Burton: It..

Dudley Patteson: Anthony and I could tell you....

Ben Burton: It....

Dudley Patteson: It drains so, like, a river after a heavy, not like a river, but it is a stream through the woods into the ditch into the culvert right there and it is a lot of water, and so it's naturally falling in that direction now.

Frances Westbrook: Anyway?

Ben Burton: Yeah, and some cases the property drains to roadside ditches but the majority of this site it's a tabletop and it's a tabletop with a little grade that way enough so that an engineer can call it it's draining to there, and DEQ will accept it, but we will have to go through various design features to compensate for the impervious area that will be made on this site.

Frances Westbrook: Thank you.

Ben Burton: But, yes to answer your question, this type of building could be moved right up into this area and we would move some of that parking back in behind it if you want to have that much parking. One of the things that, I think you understood the issue of the drainage, the sewer issue, the fact that



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we are going to have to have something special, an engineered system to handle the sewage from that building getting it over here and doing the system there, the other type of issue about this whole thing that affects not only cost and storm water management in fact is just how you want to have the parking lot improved. We can do it with asphalt, we can do it all with asphalt and that would require more storm water management, we could do it with what we call the event parking area, let's say in here, it could be left as grass and we could call it event parking and you are grading off that area and if somebody gets stuck in there then tough bananas.

Bonnie Schaschek: That's what we do today.

Ben Burton: One of the things that we have used quite regularly is what is called Tuff Track, it's what Lara just laid out here and we have used it in several projects, one over in West Point, used it down at the boat ramp at Windmill Point and basically what it is is a soil reinforcement grid, you grade the area, you put the proper subgrade below it and you put this gride there, it comes in rolls, it comes in sheets, and it comes in parcels and then you fill it back in with topsoil and seed it, it becomes grass. You put wheel stops out there so you get some designation so people know where to park and how to park but if you do that in this event parking then you have a reinforced parking, you have some extras for the events but it becomes, it remains a pervious area so that lowers what we have to do on the storm water management side. We could go even further and just design let's say an asphalt entrance, an asphalt access road, and every one of these parking spaces could be that. The only thing we'd have to do is we would have to have an impervious handicap parking concrete leading to a sidewalk, leading to the access into the building so it's lots of options there, it's something that needs further discussion between since Lara is bailing out on everybody here and...not bailing out by any stretch of the imagination, but, we need to have that further discussion with whatever committee that the town council directs that we should be working with to proceed with any further design in this direction. We don't want to get way off base before we start proceeding with the plans and the detailed plans that go through regulatory reviews and then find out that you either didn't want a 3000 square foot building and the parking it required or because that affects the septic fields too. To give you an idea of what 3,000 square foot is, this opening right in here that you can see, it's just a little under 2,500 square foot by the time you go to the back door and the restrooms and this front door and gazebo and it's close to 2,700 square foot, so that's the rough size that you are talking about. The old town hall was about 700 square feet.

Frances Westbrook: If that.

Ben Burton: Yeah, if that.

Lara Brown: Let's ask Brian and Jackie on that.

Jacqueline Forrester: Very generous.

Frances Westbrook: So maybe that would be 300 up and 300 down or....



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Ben Burton: Well, there weren't too many people who could get in there and have many discussions at the time. From another perspective if you are interested in comparing it, the Town of Whitestone their building is about 3,500 and it is mixed with offices and an open space in the middle and storage and that type of thing. So it's a, this is where we stand, we are looking for some feedback and what I've heard tonight is whatever building we are thinking about moving it closer to Chesapeake Drive, but we do need some input on what that building is going to look like. At the same time we were tasked with doing the site work and designing the site work I believe the town got a proposal to provide a building and I'm not sure if they gave you any size, shape or layout of what that building was or where you are going with that, but, we don't even know if it is going to be on a slab or a crawl space. We need to know that so we can grade everything on the site to accommodate it so we can have the appropriate access for to meet ADA requirements and that type of thing so, we need some input from that, on that side of it, so, I will open it up to any other questions you may have at this time or however you feel you want to act or if it's....

Mayor Bugg: Thank you.

Frances Westbrook: I guess we need to figure out where we are going next.

Lara Brown: Thank you Mr. Burton, we appreciate it.

Mayor Bugg: Thank you very much. Lara do you have anything further?

Lara Brown: No.

Mayor Bugg: Thank you. Next item on the agenda would be the new business items.

## **H. NEW BUSINESS**

### **1. 1<sup>st</sup> Reading Ordinance 2021-07 Repeal, Reenact Town Code 34.02**

Mayor Bugg: I have #1, would be the first reading of Ordinance 2021-07 Repeal, Reenact Town Code 34.02.

Nancyellen Keane: I just want to ask council since this is your first reading, both of these say they are effective on passage which is the way you guys draft these things but before you read them, it would be to ask you the question as to whether you want these to be effective upon passage which would be July, July 8th, because, and the reason I ask you that is because short-term rental registry is a new item, something you don't have currently, and you would have to develop the application and notify your public as to the passage of the law to let them know to register, and I just don't know if you are ready to do that for July. The other piece of this the other ordinance is merely the change of a definition which applies to the transient occupancy tax and that could probably be objected upon passage or you



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could send out a notice to the public now about the change in the definition, it is probably not going to capture change your, the people, the reason for the change is to make the definition for the transient occupancy tax the same as the definition of a short-term rental for purposes of the registry so that you don't have some people under a 90 day definition and some people under a 30 day definition. We really talk about the same kind of person, or same kind of customer, I'll say customer, so anyway that's my question, sorry to you know interrupt, but I thought it would be helpful to ask the question before we read them.

Bonnie Schaschek: So, can I ask a question, so if in 90 days, say I was going to come and rent for the summer is that going to fall now under a short term rental versus....

Nancyellen Keane: No it would be if it is somebody who is coming for less than 30 days they would be the short term rental.

Bonnie Schaschek: Okay.

Nancyellen Keane: It's either 60 days or 90 days that is considered just a regular rental like you were renting for a year or longer term and they wouldn't pay the short term, or the transient occupancy tax....

Bonnie Schaschek: Okay.

Nancyellen Keane: Or registry....

Frances Westbrook: The trigger is 30 days?

Nancyellen Keane: Yes.

Bonnie Schaschek: Currently it is 90 days and now we are making it 30.

Frances Westbrook: The state says 30 days.

Bonnie Schaschek: This is short term rental.

Frances Westbrook: Well that's what this is, short term rental.

Nancyellen Keane: They don't require 30 days for the transient occupancy tax, but they do have that language in the code section for short term rental.

Bonnie Schaschek: Right.

Nancyellen Keane: So in order to you know, in order to line those up, that's why this has got to change.

Frances Westbrook: Yeah. Okay.



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Nancyellen Keane: Do you want the short term registry to be effective on July 8th or do you want more time.

Frances Westbrook: What would be garnered by gaining more time.

Nancyellen Keane: Let's say it could be effective anything in the future January 1.

Frances Westbrook: I get that, but what would be the advantage in making it later as opposed to going ahead and making it effective upon passage.

Nancyellen Keane: You have to have somebody to implement it in the office.

Frances Westbrook: Okay.

Mayor Bugg: Any further questions, further discussion.

Bonnie Schaschek: Do we want to talk about the enforcement part possibly changing it.

Frances Westbrook: What page are you on.

Bonnie Schaschek: I'm on the last page, on the enforcement. I know we were filling in blanks last week because we got it.

Nancyellen Keane: We filled in on the last page for the period being prohibitive for being off your property for 1 year and if it appeals it go to the mayor and the town clerk is to administer the rental registry program, so those were the fill ins.

Bonnie Schaschek: I thought the 34.44 enforcement, that's where I am.

Nancyellen Keane: Yeah.

Frances Westbrook: You mentioned to us last time about the possibility of including this in our ordinances for sections finance versus zoning.

Nancyellen Keane: That's what this is.

Frances Westbrook: Alright so this is....

Nancyellen Keane: This is in the section on taxes, it is, it is going to be administered by the clerk it is going to be only, all it is is a form and a registration fee that is all a short term rental registry is. It is not a zoning ordinance as such, if you pass other requirements in zoning for the short term rental you could do that, but that is not what this is.

Frances Westbrook: If this were in zoning, then this would fall under review of the zoning administrator.

Nancyellen Keane: Well not this part of it.





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Frances Westbrook: Not this part of it.

Nancyellen Keane: You can't have zoning requirements for short term rentals in the zoning ordinances then the zoning administrator would deal with those but the zoning administrator wouldn't deal with the registration.

Frances Westbrook: Gotcha. Okay.

Bonnie Schaschek: So this is just the registration piece.

Nancyellen Keane: Yeah.

Mayor Bugg: Anything further council.

Wayne Nunnally: Have we made a decision? Is it effective.

Sharon Phillips: This is just first readings.

Mayor Bugg: This is first readings.

Nancyellen Keane: But I want to put it in there so it's got it in the draft, so if you all could let me know what day you want it effective.

Bonnie Schaschek: I would just do effective on passage.

Mayor Bugg: Thank you Sharon. Thank you Nancyellen.

Sharon Phillips: Whereas the Irvington Town Council desires to amend the definition of transient in town code Section 3402 and whereas town code 3402 shall be repealed and reenacted and whereas a notice of public hearing about this ordinance was advertised in the Rappahannock Record on June 24 and July 1, 2021, and whereas a complete public had an opportunity to comment on this ordinance at a public hearing on July 8, 2021, whereas this ordinance was read twice before approval at the June 10th and July 8, 2021 town council meetings be enacted and ordained by the Town of Irvington Virginia as follows.

**2. 1<sup>st</sup> Reading Ordinance 2021-08 Adopt A Short Term Rental Registry**

Sharon Phillips: Ordinance 2021-08 Adopt short term rental registry. Whereas the Irvington Town Council proposes to adopt a short term rental registry requirement in the town and whereas a notice of public hearing about this ordinance was advertised in the Rappahannock Record on June 24th and July 1, 2021, and whereas the public had an opportunity to comment on this ordinance at a public hearing held on July 8, 2021 and whereas this ordinance was read twice before approval at the June 10th and July 8th, 2021, town council meetings.



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Mayor Bugg: Thank you. Next will be the motion to approve the CUP rezoning schedule for Quarles Petroleum/Pollard.

3. Motion to approve a CUP/Rezoning schedule Quarles Petroleum/Pollard

Mayor Bugg: Thank you, we no longer need this.

4. Discussion of Special Called Meeting to select interim mayor.

Mayor Bugg: Next would be the special called meeting to select the interim mayor. I have a suggested time. How about June 15th at 6:00. That's a Tuesday.

Frances Westbrook: That's next Tuesday.

Mayor Bugg: Yeah, I intend to make my resignation effective at 5:00 p.m.

Frances Westbrook: At 5:00 p.m. that day.

Mayor Bugg: Yeah, so the meeting would be at 6:00.

Frances Westbrook: Alright, let's see. That works for me, I don't have that.

Wayne Nunnally: Works for me.

Frances Westbrook: At 6:00 you say.

Mayor Bugg: 6:00 p.m.

Bonnie Schaschek: Here?

Mayor Bugg: Is the church available.

Sharon Phillips: I can ask.

Nancyellen Keane: If it's not available, where would you.

Frances Westbrook: On a Tuesday it's problematic for a planning commission, so.

Sharon Phillips: But it's not the first Tuesday, so I think..

Mayor Bugg: Yeah.

Nancyellen Keane: But if it's not okay would you all consider doing it somewhere else so we can get....



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Frances Westbrook: Notice.

Nancyellen Keane: Call and ask.

Sharon Phillips: Could you do it at the town office.

Nancyellen Keane: The town office on the porch or it won't take very long.

Frances Westbrook: This is going to be a closed meeting.

Nancyellen Keane: Not a closed meeting because you have to vote in public.

Frances Westbrook: I know that, but I'm talking about if a lot of people want to come to the town office.

Nancyellen Keane: I see what you are saying, like how many people can fit in the office.

Frances Westbrook: Yeah, yeah.

Lara Brown: Well at least if you do it at the town office all of you can sit on the front porch there is enough room for you to be under cover on the front porch if it's raining.

Frances Westbrook: So they would get wet, not us.

Wayne Nunnally: Let's see if we understand what this meeting is. After you resign, this meeting is to discuss the appointment not the election of, it is just to discuss what we are going to do.

Nancyellen Keane: It is the appointment of interim mayor.

Mayor Bugg: Among council.

Nancyellen Keane: Among council.

Bonnie Schaschek: So let me ask a question, can I back up, meeting at 6:00, is it a closed session for discussion or is it open session for discussion and then after we come out of closed session then we do a motion for the election.

Mayor Bugg: That's a good question.

Frances Westbrook: Are we going into closed session for this meeting I think is the bottom line.

Nancyellen Keane: You tell me, does it qualify for..

Wayne Nunnally: What I want to know is why wouldn't Fran just assume the mayorship, when you resign.

Nancyellen Keane: Because that's not what the code says.

Frances Westbrook: For too long a period of time.



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Wayne Nunnally: You have 45 days to appoint.

Nancyellen Keane: Right if you would like to wait 45 days.

Wayne Nunnally: So after 45 days she would be acting mayor.

Frances Westbrook: But we would still have to appoint an interim mayor at some point.

Wayne Nunnally: After that.

Frances Westbrook: So why not just do it and get it over with, I mean not get it over with, you know, just do it at some point regardless.

Bonnie Schaschek: Alright so is it a closed session and then or....

Nancyellen Keane: There's really, is there a reason to have a closed session for the interim mayor. You have to vote in public, but is there a reason to have a closed session?

Frances Westbrook: I don't think so.

Bonnie Schaschek: I have no idea.

Mayor Bugg: I would think, I defer to you guys.

Frances Westbrook: I don't think it qualifies for closed session.

Bonnie Schaschek: Given it discusses people because there are several applicants that's why.

Frances Westbrook: I think that in and of itself is allowable. Yeah.

Bonnie Schaschek: That's fine.

Nancyellen Keane: So a special called meeting on Tuesday, the 15th at 6:00, here is first choice, second choice would be the office porch.

Frances Westbrook: Premise of town office I guess.

Nancyellen Keane: And it would just be, that would be the item on the agenda.

Mayor Bugg: Great, that works with everyone. Alright, 6:00 p.m. next Tuesday.

Nancyellen Keane: Well here if possible.

Mayor Bugg: Here if possible.

Nancyellen Keane: Here if possible.

Albert Pollard Jr.: Are citizens allowed to ask questions on this procedurally.

Frances Westbrook: Sure.



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Albert Pollard Jr: If your vice mayor is a candidate and the mayor can't vote and the vice mayor is chairing the meeting, does that not affect the outcome of the meeting.

Nancyellen Keane: The vice mayor is allowed to vote for herself if that's what you are asking.

Albert Pollard Jr: So a vice mayor while they are chairing a meeting acting as mayor is allowed to vote.

Bonnie Schaschek: Yes.

Albert Pollard Jr: Okay thank you, I was confused.

**5. Motion to approve Elbourn Electrical contract**

Mayor Bugg: The next item would be to approve the Elbourn Electrical contract. Council have you had a chance to review this? Is there a motion to approve.

Bonnie Schaschek: I move that we approve it.

Wayne Nunnally: Second.

Mayor Bugg: Any discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed? Contract is approved.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye

**THE MOTION TO APPROVE THE ELBOURN CONTRACT IS PASSED 6-0.**

**I. OLD BUSINESS**

**1. 2<sup>nd</sup> Reading Ordinance 2021-03.uc Adopting Fee Rate Schedule**

Mayor Bugg: Second reading of ordinance 2021-03.uc adopting fee rate schedule.

Sharon Phillips: Ordinance 2021-03.uc adopting 2021-2022 fee rate schedule.

Mayor Bugg: Thank you, that will be second reading of ordinance. We have to vote.

Bonnie Schaschek: We need to vote on this.



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Mayor Bugg: Yes. Council any discussion about that ordinance? Is there a motion to pass.

Bonnie Schaschek: I so move.

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed? That ordinance passes.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye

**THE MOTION TO PASS ORDINANCE 2021-03.UC ADOPTING 2021-2022 FEE RATE SCHEDULE IS PASSED 6-0.**

**2. 2<sup>nd</sup> Reading Ordinance 2021-04.uc Adopting Transient Occupancy Tax Rate**

Sharon Phillips: Ordinance 2021-04.uc Adopting Transient Occupancy Tax Rate.

Mayor Bugg: Council any discussion? Motion to approve.

Frances Westbrook: So moved.

Mayor Bugg: Is there a second.

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed? Motion passes.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye



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**THE MOTION TO PASS ORDINANCE 2021-04.UC ADOPTING TRANSIENT OCCUPANCY TAX RATE IS PASSED 6-0.**

**3. 2<sup>nd</sup> Reading Ordinance 2021-05.uc Adopting Real Estate Tax Rate**

Sharon Phillips: Ordinance 2021-05.uc Adopting Real Estate Tax Rate.

Mayor Bugg: Is there a motion to approve?

Frances Westbrook: So moved.

Bonnie Schaschek: Second.

Mayor Bugg: Further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed?

Wayne Nunnally: Me.

Mayor Bugg: Motion passes.

Wayne Nunnally: I oppose.

Mayor Bugg: I gotcha. Opposed. Motion passes. Next.

Vote:	Frances Westbrook	Aye	
	Bonnie Schaschek	Aye	
	Wayne Nunnally		Opposed
	Anthony Marchetti	Aye	
	Dudley Patteson	Aye	
	Jackie Brown	Aye	

**THE MOTION TO PASS ORDINANCE 2021-05.UC ADOPTING REAL ESTATE TAX RATE IS PASSED 5-1.**

**4. 2<sup>nd</sup> Reading Ordinance 2021-06.uc Adopting an Annual FY21/22 Budget**

Sharon Phillips: Ordinance 2021-06.uc Adopting FY 2021/2022 budget.

Mayor Bugg: Is there a motion to approve this?

Bonnie Schaschek: So moved.

Dudley Patteson: Second.



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Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed?

Wayne Nunnally: Aye.

Mayor Bugg: Motion passes.

Vote:	Frances Westbrook	Aye	
	Bonnie Schaschek	Aye	
	Wayne Nunnally		Opposed
	Anthony Marchetti	Aye	
	Dudley Patteson	Aye	
	Jackie Brown	Aye	

**THE MOTION TO PASS ORDINANCE 2021-06.UC ADOPTING AN ANNUAL FY21/22 BUDGET IS PASSED 5-1.**

**5. Motion to appropriate FY21/22 General Operating budget**

Mayor Bugg: Next item would be the motion to appropriate the fiscal year 2021/22 general operating budget. I will note that I support the annual appropriation for the budgeted general operating expenses for fiscal year 2021/2022 passing this motion will be consistent with the recommendations of the investigators. They advise against continuing monthly appropriations. Any further discussion council?

Frances Westbrook: This is just a general operating aspect, it is not the community events and all that kind of stuff correct. It's the items.

Mayor Bugg: Yeah.

Bonnie Schaschek: Don't you think we should correct an item sheet before we start doing this appropriating.

Frances Westbrook: That's a good point. Can we table this motion and take it up next month so that we can look at the financials once they have been corrected. Is there....

Anthony Marchetti: Can it be passed with a note that we will see updated financials?

Frances Westbrook: I'm sorry.

Anthony Marchetti: Can it be passed with a note that we will see updated financials.

Frances Westbrook: I don't know what do y'all think.





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Dudley Patteson: Is there anything on the updated financials that would...

Frances Westbrook: Well some of the categories, dollar amounts in the categories are going to change not any huge thing, but I'd like to see those year to date figures settled out and we have the right totals in there.

Nancyellen Keane: Next year's budget.

Frances Westbrook: Yes we are. We are talking about this year's year to date totals that we have been using to help come up with next year's budget.

Bonnie Schaschek: Budget.

Frances Westbrook: And because there is a number of categories where we have dollars and they are in the wrong categories, I would just like, I'm just a little uneasy is all I can say. I'd rather have it, and it won't hurt to table it for one more month. That's not going to hurt us.

Anthony Marchetti: It still has to be appropriated.

Frances Westbrook: We can do what we've done...

Anthony Marchetti: I'd like to see it passed tonight, I don't see a good reason to not have it.

Frances Westbrook: We can do utilities, wages and contracts like we've done anything else.

Anthony Marchetti: If you look at this report I suggest we do the annual appropriation, the general operating budget.

Frances Westbrook: Yeah but I don't think they are aware Anthony that we've got some figures and a number of questions on what's been going on this fiscal year and that's why we asked at the beginning of this meeting you and I budget and finance can contact the accountants to see if we can get these things corrected.

Wayne Nunnally: Move to table it to next month.

Frances Westbrook: Well can we go ahead then and appropriate at least wages, and contracts and utilities....

Wayne Nunnally: You are the chairman and I trust you to....

Bonnie Schaschek: The thing that we are doing now which is standard stuff, the salaries, utilities, what else did we say?

Frances Westbrook: Contracts.

Bonnie Schaschek: Those are it. That's all....



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Anthony Marchetti: The whole point is not to piecemeal together like we did for the entire last year.

Frances Westbrook: We are on 30 days.

Sharon Phillips: Who are you setting up for failure this time.

Frances Westbrook: I beg your pardon.

Sharon Phillips: Who are you setting up for failure if there is a breakdown of communication. You have got to go forward with the general operating appropriation.

Frances Westbrook: I'm sorry Sharon. Town council gets to decide that.

Sharon Phillips: You do and you have a recommendation from hour insurance investigation.

Anthony Marchetti: Budget and finance....

Frances Westbrook: No they're not.

Anthony Marchetti: I don't understand.

Mayor Bugg: This is a serious recommendation of the investigators.

Anthony Marchetti: Why do you not want to see us appropriate your own budget. I don't understand.

Frances Westbrook: I would like to see, we have been filing our financials since January of this year, I think, filing it for information until the report is done, the auditor has done his thing and we can get with him and look at all these different categories where the figures are not correct. That's all.

Nancyellen Keane: Can I just add one quick.

Mayor Bugg: Yeah.

Nancyellen Keane: When you are appropriating you are appropriating next year's budget....

Frances Westbrook: Right.

Nancyellen Keane: ...the budget, not what the actuals are for this year or what categories they are in. I just want to make sure there is a complete understanding of that.

Sharon Phillips: I feel that I am compelled to share only with council, the public the way that things are being done right now, the bills continue to be highly out of sync and somewhat should investigate the late fees that the Town of Irvington has approved based on this piecemeal appropriations which is actually continuing to be used as a weapon. Tremendous late fees. Ask your council to push forward with this general appropriation.



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Frances Westbrook: What would you estimate tremendous late fees to be?

Sharon Phillips: I think it is \$40 a month for the printer. Any late fees.

Frances Westbrook: Well that's a contract though, that should be paid late fee.

Sharon Phillips: I asked you to appropriate the printer contract and you said no.

Mayor Bugg: Council, council. It has been strongly recommended that we move forward with an annual appropriation by the investigators and the audit. Do this for the town.

Frances Westbrook: There is a motion on the floor.

Wayne Nunnally: Mr. Mayor, what our concerns is I think the recommendation should be followed but I think it should be followed when we know what we are talking about.

Jeff Ewing: 90 days.

Wayne Nunnally: If the chairman of the finance committee has some misgivings about what we are appropriating there....

Anthony Marchetti: Did you see how many times the chairman's name was mentioned in this report?

Wayne Nunnally: Excuse me.

Anthony Marchetti: I have concerns about.

Wayne Nunnally: I don't see why 30 days would hurt us a bit to make sure it is right, since we have been told we better do it right, let's do it right.

Mayor Bugg: Public, can I see a show of hands of who wants us to appropriate this annual budget.

Brian Forrester: Everyone here.

Sam Van Saun: Listen to your town people. Listen to them. Listen to the residents.

Brian Forrester: Do your fiduciary responsibility.

Sam Van Saun: Learn from the investigation.



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Mayor Bugg: Alright.

Anthony Marchetti: Nothing is going to change.

Mayor Bugg: Council, we've heard the people, you've heard their recommendations of the auditors, you've heard from the law firm investigating this matter, and everyone has spoken in support of appropriating this annual budget, I think you owe it to your fiduciary capacity to pass this annual appropriation. Any further discussion, or a new motion.

Anthony Marchetti: I'll make a motion to appropriate the fiscal year 2021/22 general operating budget.

Dudley Patteson: Second.

Mayor Bugg: All in favor?

Wayne Nunnally: I had a motion on the table.

Mayor Bugg: Further discussion?

Wayne Nunnally: First, I mean I had a motion to table it and there was a second.

Frances Westbrook: Anthony, you'll need to withdraw it. There wasn't a second was there. I don't think there was a second.

Wayne Nunnally: Then you don't have.

Mayor Bugg: Any further discussion? All in favor?

Anthony Marchetti: Aye.

Dudley Patteson: Aye.

Mayor Bugg: Opposed? Motion passes.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye



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**THE MOTION TO APPROPRIATE FY21/22 GENERAL OPERATING BUDGET IS PASSED  
6-0.**

Group: Clapping.

**6. 4<sup>th</sup> of July Parade**

Mayor Bugg: Onto more enjoyable topics, how about that 4th of July parade. Council this is an FYI in terms of the 4th of July parade that others are interested in putting on this parade and championing this parade and making it happen, for the town and Gabe would you like to say anything about the parade.

Gabe Del Rio: Sure, we, given that there is a lot of interest from the town and knowing that we don't have an expense budget for the parade, there is basically a volunteer effort but everyone is welcome to join that 10:00 a.m. this Saturday is the first organizing meeting. IVBA officially supporting this and we will put forward and pay for the application for the road closure but we do need the town's endorsement as an event and ask that we can move forward on that road closure. You've got a map there that we have prepared and we also got a downloaded history from staff and other residents and this is not going to be our normal big parade there would be no tents afterwards or band stands or radio station, I don't think we are going to have the number of cars involved. This is more like your Norman Rockwell sweet little town doing something really cute but also safe by closing the streets and inviting folks to participate in that and you can see the map there and some details about it. This is also proposed to be on a Sunday at 2:30 in the afternoon. Sunday is a church day so we need to be after church time that same Saturday, the day before is the Farmer's Market that would already be pretty busy in town so kind of squishes us into Sunday afternoon but to be short, cute and sweet I think we can get in there and get it done and enjoy our evenings and some fireworks with family. No cost to the town whatsoever. We also had lots of discussion about gee maybe we can ratchet down that budget for the future because it seems like it is a lot but still do the parade.

Mayor Bugg: Thank you. Glad to see us coming back to life. Any comments or discussion council.

Wayne Nunnally: Do we need to make a motion to support Gabe in putting our 4th of July parade together.

Mayor Bugg: Second.

Dudley Patteson: Second.

Mayor Bugg: Any further discussion? All in favor?



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Group: Aye.

Mayor Bugg: Opposed. Thank you.

**THE MOTION TO SUPPORT GAVE IN PUTTING OUR 4<sup>TH</sup> OF JULY PARADE TOGETHER IS PASSED 6-0.**

Group: Clapping.

7. Motion to appropriate \$840.08; US Bank; General Operating

Mayor Bugg: Next up would be motion to appropriate \$840.08; US Bank; General Operating. Is there a motion to appropriate that?

Frances Westbrook: So moved.

Dudley Patteson: Second.

Mayor Bugg: Any discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed? Motion passes.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye

**THE MOTION TO APPROPRIATE \$840.08; US BANK; GENERAL OPERATING IS PASSED 6-0.**

8. Motion to appropriate \$918.75; Robinson, Farmer, Cox; General Operating

Mayor Bugg: Next would be motion to appropriate \$918.75; Robinson, Farmer, Cox; General Operating.

Anthony Marchetti: So moved.

Dudley Patteson: Second.

Mayor Bugg: Discussion? All in favor?



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Group: Aye.

Mayor Bugg: Opposed? That motion passes.

**THE MOTION TO APPROPRIATE \$918.75; ROBINSON, FARMER, COX; GENERAL OPERATING IS PASSED 6-0.**

**9.** Motion to appropriate \$575.00; Arrowhead, General Operating

Mayor Bugg: Next motion to appropriate \$575.00; Arrowhead, General Operating. Motion to appropriate?

Dudley Patteson: So moved.

Mayor Bugg: Second?

Anthony Marchetti: Second.

Mayor Bugg: Discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed? That motion passes.

**THE MOTION TO TO APPROPRIATE \$575.00; ARROWHEAD, GENERAL OPERATING IS PASSED 6-0.**

**10.** Motion to appropriate \$853.31; Rappahannock Record; General Operating

Mayor Bugg: Lastly motion to appropriate \$853.31; Rappahannock Record; General Operating.

Frances Westbrook: So moved.

Mayor Bugg: Second?

Bonnie Schaschek: Second.

Mayor Bugg: Discussion? All in favor?

Group: Aye.



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Mayor Bugg: Opposed? Item passes.

**THE MOTION TO appropriate \$853.31; Rappahannock Record; General Operating IS PASSED 6-0.**

**J. ROUNDTABLE**

Mayor Bugg: Next up will be round table.

Anthony Marchetti: Mr. Mayor.

Mayor Bugg: Yes Mr. Marchetti.

Anthony Marchetti: So I'll start with, I actually have a proposition for my fellow council members and really for people of Irvington. When I took my oath of office I said I would always do what I thought was best for the Town of Irvington and this idea while may be seemingly a bit unorthodox on the surface, I actually think it might be what's best for the Town of Irvington, for the residents. Obviously there has been a lot of smeared headlines, there has been a lot of dysfunction, you know I certainly have been a bit embarrassed that I have been associated with it. I think there is an opportunity for us as a council to try to do something to repair the reputation of the town and give the people a chance to start fresh and maybe move forward wiping the slate clean, so my proposition which will be a conversation is that all six town council members resign right away and we out with Tripp Bugg and we let the town start fresh. Go out with positive headline, leave this all behind, everybody walk away, you want to get back into the ring and continue to box, you can put your hand in the hat for the special election in November, there is already one lined up, there literally couldn't be a better time. I am willing to do it, I think it is best for the town. I think these people from what I heard tonight this is what they want, this is what they deserve and I think we should do what's best for the town as a council and I think this is worth consideration and conversation.

Dudley Patteson: I'm in favor of it. It is a, we are going to cut cleanly with no harm, it is a reboot, it's a reset and more importantly it is a new fresh and there is a way to do it and it's, it takes away all the dissention and all the crap quite frankly we've been through over the past year.

Anthony Marchetti: That we put the town through. See what they think, what other people think, fresh, top to bottom in November and let's make a headline that Irvington is going to start over and hopefully that allows the town to move forward with some unbiased, we can't go anywhere or do anything now without people saying wow, what a mess. I feel like this would show our acknowledgement and and remorse and that we truly care about the town. It certainly wasn't what I thought I'd be proposing 12 months ago but I actually do think it is what's best for the town. To sell it to the council just think in a month from now instead of being here we can all be at Bonnie's hot tub having a drink together.





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Doesn't sound so bad does it. Again, put your name in the hat if you want to get back in it, there is an election in November, let the residents, let the residents choose.

Wayne Nunnally: You can put me on the pole on that and run me through the streets because I do not intend to resign. I think what we need to do is grow up. We had some decent discussion at the last meeting that I thought we had great breakthroughs and I think we owe it to each other to work through this. If we can't work through these problems, these personality problems, then none of us should serve. But I think we have a responsibility to some of the people to be completely transparent and honest and that's one thing I try to do since I've been here. We have been asked to see your calling, I have an idea. We have not communicated and that's been part of our problem. The big problem here is that this information is given to this group. This information is given to this group. Both groups have truth, but we get involved in our own truth and we can't see the other side's truth and we owe it to the town to see the other side's truth and not just to be tunnel visioned. We all have people we love and respect. Tripp is a friend of mine, I consider him a friend of mine. We've had good discussions on things and we remain friends. We don't fight each other. He can hear some things I say. I talk to you and Dudley. Y'all don't hear me. You do not hear what I say and believe me I love this town as much as anybody out there. I have a stake in this town. My son will be the 7th generation on my property and it's not that I don't love this town, I love this town, I want what's best for it and I want what's best for each of you. Gabe and I am confident agree more than we disagree. I am confident we do, but what Gabe has been told about me has given him an entirely different picture. It is the same about everybody else out there. You don't see the whole person. Everybody out there if you come to me and talk to me and sit on my front porch you will love me. You will love me and know that is what I'm here for. I am not going to resign. I am going to challenge you to go on this retreat that is suggested and we get about this town's business instead of fooling with, how would it work practically. If we all resign who is going to run it. Sharon's quit, come on. Now how are we going to get...

Anthony Marchetti: I would argue that we would be more productive than we have been the last 12 months.

Clapping.

Wayne Nunnally: It may be true. We cannot continue to not communicate. It is not going to help us to run away from our problems here.

Dudley Patteson: We are not running from our problems. We are giving the town an opportunity to refresh itself and create an...

Wayne Nunnally: No Dudley what you are trying to do is get rid of four people.

Dudley Patteson: Excuse me.

Wayne Nunnally: You are trying to get rid of four people.



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Dudley Patteson: I'm not trying to get rid of anybody.

Wayne Nunnally: That's exactly what you're trying to do.

Frances Westbrook: Now we are getting into the stuff that gets us in trouble.

Dudley Patteson: You are putting words in my mouth.

Wayne Nunnally: That's exactly what you're trying to do.

Frances Westbrook: I think it is worthy of thinking about and I think we should come back together and talk about it. This has been sprung on us and you know I'd like to give it some consideration. I've never quit in my life, you know, anything I've signed up for, or whatever, I've seen it through. So that ruffles my feathers a little bit just in that regard. So I'd like, I'll think about it.

Wayne Nunnally: Communication, if we communicate we can, if we continue not to communicate....

Anthony Marchetti: I would like to say I've been on town council for 12 months and I'd have to agree with a lot of people here that experience has been frustrating, disappointing and unproductive. I am embarrassed to have been associated with some of the behavior that has taken place in these meetings, in open session in particular the treatment of town staff and officers and some residents. I'm sad that the residents have had to read the headlines and witness the conduct. I'm sure it was embarrassing for you as well. The reputation of the town has been tarnished and that's not fair to the people sitting out there. I want to truly apologize to the residents, most importantly the staff who has endured the brunt of the unprofessional and unacceptable behavior, had to remain quiet during the investigation but I'm going to be loud and clear now and on the record, I don't condone the unprofessional actions and the mistreatment that has taken place. The Town of Irvington has accomplished next to nothing in my first year and I will argue maybe have moved backwards. It seems like all that's happened is town council members have tried to undo votes, find loopholes to invalidate process, avoid legally binding contracts, use appropriations as a weapon on top of the defamation and making baseless accusations. There is an obvious behavior pattern and is the root cause of the unproductivity and dysfunction of this town. My issues with my fellow council members do not stem from a mere difference of opinion. In fact a diverse viewpoint makes for a well rounded governing body. Rather my issues stem from how they choose to conduct their business when their opinions or votes are not adopted. If they don't get their way, they don't get their vote, they attempt to undo it and undermine the process to get their way. It may not be readily there to the residents of Irvington but others before me saw the same behavior and called it out. To quote former council member Mike Bombay from the June 11th, 2020 meeting regarding these fellow council members who are still serving now he says "I'd like one thing added to the minutes please, these are people that were elected by you, the citizens of this town, remember that in 2 years when they come up for election, if they don't get their way, they go home, that's all I have to say. We are not here for our personal benefit. We are here for what's good for our town and they didn't like it so they left. I'd like that in the paper please". So the problem did exist before my time here on council



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and I truly believe that the problem will continue as long as certain people remain on council. That's why I think we should all step down, wipe the slate clean, let Irvington start to repair itself. We are about to embark on a period where we have no staff and the town's reputation has been smeared across headlines. Who is going to want to work for the town now? I mean, after reading the headlines if you sat in one of these meetings. The comments and defamation that occurred in public meetings open session, I can provide dates, minutes, audio, for anyone that wishes to fact check. Those weren't the only occasions. The investigation report is 32 pages and addresses several of those accusations. There is a longer privileged and confidential report that details many other accusations. There is a lot of spaghetti that was thrown at the wall and none of it stuck. When that many accusations are made that all turn out baseless, it seems obvious that it was a targeted, coordinated attack and effort to discredit reputations. Seems glaringly obvious that it was personal and unprofessional. It is also a colossal waste of time, resources and money, all for selfish reasons. Think of all of the good that we as a council, staff, everybody could have done to move Irvington forward to better Irvington, do something productive instead of what we've had to deal with. These meetings are a perfect example. Look how much time we spend doing what we're doing instead of being productive. Again, my reason for suggesting wipe the slate clean. Residents of Irvington should demand transparency and have the utmost concern for the repetitive behavior that continues amongst council members and actions that are detrimental to the town. Actions that leave the town vulnerable to lawsuits as stated in the footnote, the first footnote of the published report. I hope somebody asks for accountability. I hope the residents ask for accountability. I hope residents will be vocal and take action, it is the only way it is going to change. Residents should also be concerned because we may now no longer have a very important necessary checks and balance in our government if the staff leaves. Unconstitutional for elected officials to perform officer appointed functions and if staff is gone, who is going to produce the work we are supposed to vote on. If you have any doubts about the validity of my comments, I would again encourage you to read the verbatim minutes. In particular I was appalled at the condescending way council member Westbrook spoke to and treated our town clerk in open session on January 7th, that is not how you treat anyone, much less a staff member. Real leaders do not conduct themselves that way. Certainly not behavior befitting a mayor, that's not leadership. Real leadership looks like former Mayor Rannie Ransone, looks like Mayor Tripp Bugg. Also, I own and operate small businesses. The most valuable asset in any of my businesses are my employees. A good small business, good people. Now the actions of fellow council members are seemingly going to result in the loss of the town's most valuable asset, our staff. On the other side, if any of my fellow council members had been employees of mine, their actions would have led to termination without a doubt. Since I took my oath of office I promised to always follow a course of action that is best for the town. I am confident in forcing out competent and dedicated staff is not what is best for the town. I hope the residents of Irvington take the next available opportunity to make sure they install candidates who put Irvington first. Please know I remain committed to the town and I want to be part of the solution. My intention is not to run from it, but I am going to make the act of removing myself, if that is what accomplishes the goal, then I am certainly willing to do it. I am truly sorry we are in this position in the first place, that I have to read



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this, that you have to be here to say the things you have to say. I will end by saying there is still an opportunity for council tonight, soon, to do what I believe could be best for Irvington and we can all resign so that the town can select their leaders, and let the town refresh, wipe the slate clean and move forward without any bias, and on a positive note.

Mayor Bugg: Thank you.

Group: Clapping.

Wayne Nunnally: I want to bring up to the round table the through truck problem.

Dudley Patteson: I have a comment that I want to follow Mr. Marchetti, if I could.

Wayne Nunnally: Please do. Please do.

Dudley Patteson: Please if you don't mind.

Wayne Nunnally: I yield. I yield.

Dudley Patteson: We will talk about trucks. Thank you.

Wayne Nunnally: I want to do some business.

Dudley Patteson: We are talking about the business of the town that needs to be changed. First off, I'm very disappointed to see that certain members of this council failed to see the value of this olive branch offered this evening. I'm sure Anthony and I would not want to say some of the things that we are saying tonight if you all had agreed to that, it would have been done and we would have not been saying such things. I want to thank, all the staff of the town. Lara, Sharon and our town attorney, Nancyellen, they have done an exemplary job [very upset]. You have no idea. You have changed lives. You have changed my life. You have changed Sharon's life. They have persevered through this and you all read it, they lived it. That's wrong. Shame on you Wayne for thinking, telling us that you are our friend. You are not. You have not been that from the very beginning.

Wayne Nunnally: Dudley I am going to be honest with you.

Dudley Patteson: I have the floor, I have the floor. I apologize for my emotions, but, it's very dear to me. I support council Marchetti's assessment of this untenable situation brought upon us by the unforgivable actions and words of citizen Klaus Schaschek and certain members of council. It should be apparent based on the public's outcry this evening that certain council members are not acting in a responsible and proper way and certainly not in the best interest of Irvington. This is a serious report that came out. The report primarily addresses financial and human resources issues but it also reveals many management shortcomings, risks, weaknesses in our policies and our town charter. These issues must be addressed and if we at council are going to work together for the good of our town we should take their recommendations to heart because in their words to facilitate operations and move beyond



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this period of contentiousness, let me continue by saying I will not take anyone's time reviewing the allegations of citizen Klaus Schaschek because the investigation as everyone has heard multiple times tonight were quite unfounded and I will only say that Mr. Schaschek's accusations were thoughtless, negligent, unresearched and poorly documented and wasted a year of our time. I should also add that councilman Bonnie Schaschek is his spouse and as a council member and was certainly aware of what he was going to say and therefore has been implicitly supportive. Just a year ago.

Bonnie Schaschek: That is not a correct statement.

Dudley Patteson: What?

Bonnie Schaschek: You have no idea what I knew and didn't know.

Dudley Patteson: I will apologize to you if that be the case.

Bonnie Schaschek: That is not...

Dudley Patteson: I will apologize, strike that. So, just a year ago Tripp Bugg became mayor and Anthony Marchetti and I joined four incumbent members of town council. We were anxious to learn from you and pursue a number of worthy causes that we can only benefit the residents of this town. We believe we were elected by a new demographic of Irvington in a clear majority vote. I can tell you our expectation to learn a valuable lessons from you have never happened. We have learned nothing, we have accomplished nothing. Instead we are forced by your words, actions and deeds to address accusations and allegations regarding financial mismanagement and human resource issues instead of the needs of the town and what these people want. Certain council members actually propagated these claims and added more. So serious were the claims the town's insurance company hired independent counsel and a CPA firm to investigate. Those cited in this investigation should be held accountable in public session and not behind some conveniently closed session so that they say and do whatever they want. I believe council member Westbrook should withdraw as a consideration for interim mayor and also as chair of budget and finance committee. Though she certainly has the experience to serve, her unfounded allegations and derogatory language during the January 7th, 2021, meeting used against staff and according to the public report have potentially put the town in harms way and these readily should show override any experience she brings to the table. I am also aware that prior staff has alleged that they have been similarly treated by Ms. Westbrook and Ms. Schaschek. This demonstrates a continuing pattern. Several of Ms. Westbrook's fiduciary actions according to a report were unauthorized. It was unclear to the investigators that she had an appropriate authority to represent the town. Ms. Westbrook as head of budget and finance should be above reproach. This report says this is not the case. She should not be promoted to interim mayor. Council members likewise should according to the report refrain from language incompetent and liar that could be construed as derogatory or defamatory. Doing so exposes the town and themselves for potential liability of defamation. Such derogatory language delivered in an accusatory fashion, this is what, how they approach things, always with an accusation. All this undermines the comradery and the professionalism of town council and it



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personally affects morale, and the capacity to hire and attain qualified staff and town officers. I refer you to the minutes of January 7th, 2021, and February 25th, 2021, as two examples of members using derogatory language about staff referred to by the investigators as defamatory. I personally witnessed other examples that did not occur in open meetings. Members Schaschek and Westbrook should resign from committee assignments for this reason, especially Ms. Schaschek who was just appointed to all things, the human resources committee. We won't be able to attract qualified candidates should she remain in this role based upon her prior actions. Other past year concluded that council members, Nunnally, Westbrook and Schaschek have not addressed the more pressing needs of the town, they have acted in embarrassing and shameful and reckless ways clearly in their own personal interest. Their actions and words have affected people's lives in a negative way, mine included. So we can move forward. I ask that these members for what they've said and what they've did, actions and words unbecoming a member of council, apologize to our clerk, town attorney, mayor, other members of this council and to the residents of Irvington. It is appropriate for you to do so and hopefully this act will bridge the ill will created. I ask you now to apologize now for your prior conduct, council member Nunnally will you apologize?

Wayne Nunnally: Let me say this. The half-truths that you have just solicited, they are half-truths. The whole thing could have been avoided when the citizen pointed out certain problems, our lawyer Nancyellen, blew this thing up and said misappropriation. I said to her, listen he did not mean anything as far as stealing. I said all he meant there were errors in this accounting. Now the next thing that happened is it gets blown up. We could have stopped it right there but, you....

Brian Forrester: [inaudible].

Wayne Nunnally: Say it again, I didn't hear you.

Brian Forrester: How did you know what he meant? Are you inferring what he meant?

Wayne Nunnally: I knew exactly what he meant.

Brian Forrester: How?

Wayne Nunnally: Because he told me what he meant, myself. I knew that. He pointed that out to me, he had pointed out.

Dudley Patteson: So you were aware of what he was going to say.

Wayne Nunnally: I don't do my own taxes. I don't know anything about accounting. I rely on CPA's and what have you. When a brilliant man like Klaus said....

Brian Forrester: Is he a CPA? Is Klaus a CPA?

Wayne Nunnally: Please let me finish. Says hey this shouldn't have been here...



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Bonnie Schaschek: Yeah.

Wayne Nunnally: ...and if we had submitted this to a bank, we would be in trouble, I am going to listen to him and I am going to ask my staff to check that out and so when I said that, I said he did not mean anything at all about stealing. This report, the public report backs him up. It says the books were a mess. It said that they were not correct. That errors were made and corrected, but that's all he said, so, you can make a mole hill into a mountain if you want to and that is what has been happening here. Every member of council is hard work. Every member of this council wants what is right for this town. What is right for the town may not be right for you individually you know, but, the town is more than this group here tonight. There are 450 residents. And how many are here. Just to give you an example of what I think I face and fear with the motions as far as they were, but if I had known we were going to be attacked like this tonight, guess what I would have bought my voter friends.

Jeff Ewing: Why didn't you?

Wayne Nunnally: I had no idea.

Sam Van Saun: Why didn't you respect that.

Wayne Nunnally: This is a lynch mob. I...but I'm not resigning, y'all will have to get rid of me in the next election.

Sam Van Saun: We will happily.

Wayne Nunnally: Okay.

Brian Forrester: You don't worry about that.

Dudley Patteson: Well then apologize, because you've been cited in this report and I think town deserves.

Wayne Nunnally: Anything that I said that can be interpreted as unprofessional or derogatory, I apologize for. I absolutely do, but I steadfastly go down on my sword that I want what is best for this town.

Dudley Patteson: That....

Wayne Nunnally: That I want what is best for this town as a whole and for its future, so. I've asked you to apologize to me several times and...

Bonnie Schaschek: I don't appreciate that you used my name and said that I made derogatory comments to somebody.

Dudley Patteson: Nothing I said is not in, it was reported in the report by independent counsel. I didn't use any terms that haven't already been said by the public here....



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Bonnie Schaschek: Not by me. I've never made a derogatory comment against anybody. I would like, you are just insinuated that I did in your reading there.

Dudley Patteson: There was a, you called the town council a liar in a public session. That is a derogatory comment.

Bonnie Schaschek: I would like to see the documentation where I did that.

Dudley Patterson: Okay, be happy to do it.

Wayne Nunnally: Can we go back to round table.

Mayor Bugg: We are in round table.

Dudley Patteson: Will you apologize?

Bonnie Schaschek: I don't know that I have anything to apologize, but if you feel I need to apologize, then I apologize, but, I am not sure what I am apologizing for.

Dudley Patteson: And Fran.

Bonnie Schaschek: I have no idea.

Fran Westbrook: Well like you two, I'd like to have that time to prepare a written document and I will do so, and bring that forward, I mean I do feel a little, I feel a little bush wacked if you will...

Dudley Patteson: Excuse me, you asked me a question...

Fran Westbrook: And I'm telling it. So I want to think about what's been said and your accusations as well as Anthony's. I think there are some not to very truthful things that you've said. There's always two sides to every story. Not the whole side has been, everything has not been in my opinion absolutely factually said by you.

Dudley Patteson: I understand there may be some differences, however, what, we are upset, we are angry that we are in this position and the report by an independent counsel has cited that you all have conducted yourself in a way that has put us in a, tenable state where we don't have staff, we...

Anthony Marchetti: Anticipate some litigation.

Dudley Patteson: ...haven not accomplished a damn thing here, I mean I had such great expectations that we could do a lot and all this because we have been tied up in all these webs that you all have been weaving with respect to staff...

Fran Westbrook: See, I take offense at that Dudley, for you to push this off on, just four specific people....

Dudley Patteson: I didn't say, no I didn't, it wasn't four....





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Fran Westbrook: You did at one time in a public meeting, you did just refer to the gang of four and that was very, very...

Dudley Patteson: I did that tonight.

Fran Westbrook: It was very early in your tenure on here, so that wasn't necessarily helpful and that was before all of this even got started, but, I don't speak well right off the cuff. I am going to think about this, I am going to, I need to think about it...

Dudley Patteson: Right.

Anthony Marchetti: I think it is obvious to the public, this group doesn't get along, if we can do this, who is at fault. We all walk away, let new people come in, I think that is a viable solution. I'm not trying to run from the problem. I'm, honestly I think I am part of the problem. I know I'm part of the problem, everybody sitting up here is part of the problem and that is what I am proposing a solution to the problem. It might not be perfect, but it is a solution to the problem. I really believe that. I don't see this getting better. I don't see a retreat, I don't see a retreat, you know we can pretend and get through a meeting, maybe next meeting, but I don't see it changing. I really, truly don't see it changing and that is a terrible feeling to think I've got three more years of enduring this. I don't want to go through that. Fran you said yourself, I hate having butterflies before every meeting.

Fran Westbrook: No, I think what I said is I go out the back door usually telling Bob that I've girded up for war again and that is the way it feels.

Anthony Marchetti: You said something, nobody feels...

Fran Westbrook: And....

Anthony Marchetti: ...everybody feels uncomfortable coming into these meetings and this is a solution.

Fran Westbrook: I'm not willing to give it up at this point. I would like to see us follow through on the recommendations and I for one, think we might could benefit from a retreat situation where we can do the things that we need to do as, when I was interviewed by the attorneys, for the report, I told them that I thought that we were dysfunctional and I also told them I thought we needed a marriage counselor for lack of a better term. I mean we are in this altogether and I am not one to throw in the towel just yet. I think there is some remedies here and I'd like at least to see us try to find the skills and figure out how we are going to get along and make things happen. It has been a big disappointment to me too.

Anthony Marchetti: The problem is this report doesn't instill a whole lot of confidence in the public, in the residents.

Fran Westbrook: Well, we have to start somewhere.



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Mayor Bugg: Public what do you think?

Wayne Nunnally: Mr. Mayor, this is...

Fran Westbrook: ...isn't.

Mayor Bugg: Jackie, anything further.

Female: Mr. Cooper wants to speak.

George Kuper: Is the public allowed to sit on this.

Fran Westbrook: You have been so far.

George Kuper: I think councilman Marchetti's proposal is an interesting one, but an abdication of a responsibility which I don't think is the normal thing that is engaged. I understand the sympathy behind it, but I also understand that you all are responsible people. I know most of you personally, like you personally. Don't particularly like the way that you interact with one another, and that is why there is a good recommendation in the report to go off and iron these issues out. I would start that process tonight by making you articulate what it is you want to have Irvington Town to be and get some common ground behind you so that you are all trying to work on the same agenda because right now that is not at all clear. Secondly I think council members need to pay attention to what you have told in that report, and to Mr. Marchetti's point I think in your summary of this, I think you were an example of the problem as opposed to the solution. And, I am frustrated because I want to see you successful. I don't think quitting is the right answer. I think that a lot of you have put in an awful lot of work and it is just not working together that is the problem. It is time to do that. One citizen, one resident.

Mayor Bugg: Thank you. Anything further council.

Jackie Brown: This has been a very frustrating year for everyone and I don't think these 20 people represent should speak for the whole 400 people in town. I don't think that they represent the majority of the people in town and I'd like to hear from other people.

Mayor Bugg: Thank you. Thank you council.

Wayne Nunnally: I asked about the through trucks.

Mayor Bugg: You asked about trucks yes.

Wayne Nunnally: Are we going to send the letter to the Board of Supervisors or not. The motion that we passed.

Mayor Bugg: It seems like we should.

Wayne Nunnally: Are we going to do that or not. Anthony you want to send it to them. Dudley you want to try to get the through trucks stopped?



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Dudley Patteson: Yeah.

Wayne Nunnally: And I don't know why we didn't follow through with sending the letter to the Board of Supervisors, so should we do it or not.

Anthony Marchetti: Is there a reason to not do it, is there a reason we didn't do it in the first place.

Wayne Nunnally: I never found that out.

Fran Westbrook: Yeah, pretty much and well first of all we were going to go and talk before we sent the letter, but the problem with the letter was one of the supervisors was adamant about not wanting that to happen in Irvington because of some other issues, some being with RWC and a few other things and the route we were looking at choosing. So, and then the traffic study part came into play and we wanted to see what that said. I thought all that was in conjunction but evidently it was two separate issues I thought was all parts 1, 2, and 3. There is no reason why we can't send them a letter. I would recommend that you wait until the first of the year.

Wayne Nunnally: Well knowing that, this is how we communicate, knowing that well surely we wait until that particular councilman is no longer on the Board of Supervisors.

Fran Westbrook: That's what I'm trying to say without getting us in trouble.

Anthony Marchetti: I would say we should send the letter when we have the best chance the letter is well received.

Fran Westbrook: Exactly, exactly.

Anthony Marchetti: ...the details whenever that is, Wayne, whenever that is, I don't...

Wayne Nunnally: I guess that will be after November. Okay, that's all I needed on the round table.

Mayor Bugg: Anything further.

Bonnie Schaschek: Let me ask a question, if they are questioning the route because there is a number of people questioning the route, VDOT is the one that chose that route versus going Harris Road.

Wayne Nunnally: We didn't.

Mayor Bugg: We didn't chose, VDOT.

Bonnie Schaschek: VDOT chose it, but they were going to go back and do another study, they, didn't they say he was going to look at it.

Fran Westbrook: That I don't remember.

Mayor Bugg: We may have to look through the minutes.



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Female: I think he did say he was going to look at it because there were so many protesting.

Bonnie Schaschek: Maybe because of RWC, but I thought he did say he was going to go back and look at it.

Anthony Marchetti: Harris Road would work as an alternate through route, I think the further away it gets from the town, the less likely it was to be....

Mayor Bugg: ...enforceability issues.

Anthony Marchetti: ...so that their recommendation was the closest one which was RWC, Harris Road being further.

Fran Westbrook: That's right, that's right.

Anthony Marchetti: But....

Bonnie Schaschek: Where are they going, when they come through Irvington, they are usually going out to Kilmarnock or the bypass.

Anthony Marchetti: Correct, they are coming it is usually going all the way through so I don't think anybody loses anything, he just said you may there is a less likely chance of getting it passed. He didn't say how much of a chance.

Dudley Patteson: The further away you were from Irvington....

Anthony Marchetti: ...not that it wouldn't or couldn't but, generally speaking they want to go as close to possible which was already the route which obviously had the objection so.

Mayor Bugg: To make it work.

Wayne Nunnally: That's all I have.

Mayor Bugg: Anything further. Yes.

Sharon Phillips: May staff speak at round table.

Mayor Bugg: Sure, you would like to speak now.

Sharon Phillips: So, I just wanted to say thank you to everyone tonight, thank you all for your support. As staff, I am still staff tonight, I would strongly encourage the council to give some consideration to discuss tonight, whether the facts discovered in this investigation warrant further investigation. I was staff, when some of these actions occurred and I think as treasurer when I was still treasurer, some of the actions took place, I would encourage council to have them further investigated. I think they warrant that. I encourage the public to continue to pressure your council to release the private investigation, I actually encourage you to continue to ask them to make the decision that Anthony has proposed tonight.



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And give this private report and make an informative decision. I think that there were some actions by members of council that truly should be brought to light. Personally, I would like to thank Tripp, and Dudley and Anthony it is seriously impossible to thank all of you, but more importantly, I think I am surprised that the vice mayor, and the chair of budget and finance committee has yet to acknowledge me. You have not thanked me for my efforts and you for some reason haven't even apologized to me. Thank you Mr. Mayor.

Mayor Bugg: Thank you. Next item on the agenda will be the announcements.

**K. ANNOUNCEMENTS**

1. In observance of Juneteenth the office will be closed Friday, June 18th
2. In observance of the Independence Day the office will be closed Monday, July 5

Mayor Bugg: In addition to what you see on the agenda, I would like to speak about resignations. I want to thank the voters of Irvington for electing me and trusting this special town to my oversight as mayor. It has been a true honor and one in which I will hold in the highest regard. Accordingly, I am resigning from my position as mayor of the Town of Irvington effective June 15, 2021, 5:00 p.m. My resignation on June 15, 2021, will create the necessary vacancy in order for the town attorney to then be able to file a petition for writ of special election. Something that cannot happen and be filed until my resignation is effective. Although it was a very difficult decision to move outside of Irvington knowing that such a move would necessitate my early resignation, my goal has remained to ensure that completion and public reporting of the investigation necessitated by more than 20 allegations of financial irregularities and inappropriate behavior brought forth in mid December 2021. If you have not already, I urge each and every one of you to read that report. Again, thank you. It has been an honor as all of you know, we will be just right over there, so I will assist in any way I can with this transition. Next we have the resignation of Sharon Phillips, Town Clerk and FOIA Officer. Sharon Phillips who is the Town Clerk and FOYA Officer has advised that she will resign her positions in the immediate future. Sharon has been an incredible asset to the town for the last 4 years. Sharon came to us in June of 2017 and has performed admirably during tenure. She worked tirelessly and well in excess of her required hours. Last year she performed all jobs for the town between February 4 and June 30th of 2020. She worked well with other staff members and the mayors. She will be missed. On behalf of the town, I thank you for your dedication and apologize for your treatment that you have endured by some members of council during your time.

Sharon Phillips: Thank you sir.

Mayor Bugg: Thank you. Nancyellne Keane, Town Attorney. Nancyellen Keane has advised that she will be resigning her office as town attorney in the near future. Before her appointment ends Nancyellen intends to complete the work that was authorized by council in resolution 2021-09 concerning the petitions for writs for special election for the vacancy or vacancies that are caused by



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my resignation. Nancyellen has been a fantastic legal advisor to this town. As an attorney myself, I know what the job involves and she has handled it wonderfully. I have full confidence in her legal advice. There are so many legal issues that apply to this town despite our small population we have more legal issues than some of greater populations, for example, our 8 miles of shoreline and all of our zoning laws. I am very sorry to see her go. Nancyellen has served the town for 3 years. She was contracted to work 5 hours per month but ended up donating hundreds of hours of her time to the town in legal services including beginning our training and orientation programs for all elected officials, appointees, and staff. On behalf of the town I thank you for your dedication and apologize to you for treatment you endured from some members of council which was unprofessional and unwarranted. Lara Brown, zoning administrator. As you are aware Lara gave her notice at the last meeting. She will be leaving around June 30th or shortly thereafter. Lara thank you again for your outstanding work for the Town of Irvington. You will be truly missed and we wish you the best of luck with all of your future endeavors. I state with total confidence that this staff may have been the strongest staff that the town has ever had and I thank each one of you for your hard work and dedication to the Town of Irvington. When you leave, this will be a great loss for the town. Thank you.

Group: Clapping.

Mayor Bugg: The other two announcements will be the observance of Juneteenth the office will be closed Friday, June the 18th and for the observation of Independence Day the office will be closed on Monday, July 5th. To those of you who are not here after closed session. Thank you. The council is now moving into closed session.

**L. CLOSED SESSION**

1. Pursuant to 2.2-3711(A)(1) for personnel matters concerning the town clerk
2. Pursuant to 2.2-3711(A)(8) for legal matters requiring legal advice from counsel

**\*LET THE MINUTES REFLECT THAT CHARLIE MEYER REPRESENTING O'HAGAN AND MEYER JOINED THE CLOSED SESSION VIA CELL PHONE**

Fran Westbrook: You've got to read that.

Nancyellen Keane: You going to read the thing to go in or.

Mayor Bugg: Can we do that with Charlie. Charlie it's Tripp Bugg how are you?

Charlie: Good evening.



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Mayor Bugg: I have you on speaker phone for everyone and we will start with Ms. Westbrook’s reading to take us into closed session.

Charlie: Great.

Fran Westbrook: I Frances Westbrook move to go into closed session pursuant to code 2.2-3711A1 for personnel matters concerning the town clerk and pursuant to 2-2-3711A8 for legal matters requiring legal advice from counsel.

Bonnie Schaschek: Second.

Wayne Nunnally: Second.

Mayor Bugg: All in favor?

Group: Aye.

Mayor Bugg: Opposed? We are in closed session.

Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Jackie Brown	Aye

**THE MOTION TO GO INTO CLOSED SESSION IS PASSED 6-0.**

**M. RETURN TO OPEN SESSION**

Mayor Bugg: Whereas the Town of Irvington has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act and whereas Section 2-2-3712 of the Code of Virginia requires the certification by the board that such closed session was conducted in conformity with Virginia Law now there be it resolved that the board hereby certifies that to the best of each members knowledge one, only public business matters lawfully exempted from open session required by Virginia Law were discussed in closed session to which this certification resolution applies and two, only such public business matters were identified in the motion convening the closed session were heard, discussed, or considered by the board.



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Is there any member who believes there was a departure from the motion to go into a closed session. If so, please state the departure.

I, Tripp Bugg so certify.  
I, Frances Westbrook, so certify.  
I, Bonnie Schaschek, so certify.  
I, Wayne Nunnally, so certify.  
I, Anthony Marchetti, so certify.  
I, Dudley Patteson, so certify.  
I, Jackie Brown, so certify.

**N. ADJOURN**

Mayor Bugg: Excellent I will just state the motion and someone can move. Council authorizes an agreement between the town and Sharon Phillips substantially in the form of a draft provided during a session provided by outside counsel and authorizes the mayor to execute such agreement is there a motion.

Wayne Nunnally: So moved.

Female: Second.

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed. That motion passes and.

**THE MOTION THAT COUNCIL AUTHORIZES AN AGREEMENT BETWEEN THE TOWN AND SHARON PHILLIPS SUBSTANTIALLY IN THE FORM OF A DRAFT PROVIDED DURING A SESSION PROVIDED BY OUTSIDE COUNSEL AND AUTHORIZES THE MAYOR TO EXECUTE SUCH AGREEMENT IS PASSED 6-0.**

Nancyellen Keane: And another one for the document.

Mayor Bugg: Yeah.

Nancyellen Keane: The FOIA request for the larger report that was granted by...

Fran Westbrook: The attorney client.

Nancyellen Keane: Attorney client report.

Wayne Nunnally: Move that we do not release our client, attorney client privilege on the larger report and that it remain confidential.





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Mayor Bugg: Is there a second?

Fran Westbrook: Second

Mayor Bugg: Any further discussion? All in favor?

Group: Aye.

Mayor Bugg: Opposed?

Anthony Marchietti: Opposed.

Dudley Patteson: Opposed.

Mayor Bugg: Motion passes. I believe that is all we have, so.

**THE MOTION THAT THAT WE DO NOT RELEASE OUR CLIENT, ATTORNEY CLIENT PRIVILEGE ON THE LARGER REPORT AND THAT IT REMAIN CONFIDENTIAL IS PASSED 4-2.**

Wayne Nunnally: Move we adjourn.

Mayor Bugg: Is there a second?

Dudley Patteson: Second.

Mayor Bugg: All in favor?

Group: Aye.

Mayor Bugg: That's a wrap.

Respectfully Submitted,

Sharon Phillips, Town Clerk

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Albert D. "Tripp" Bugg, III