



**TOWN OF IRVINGTON, VIRGINIA
IRVINGTON BAPTIST CHURCH
TOWN COUNCIL SPECIAL CALLED MEETING
THURSDAY, OCTOBER 8, 2020
IMMEDIATELY FOLLOWING THE PUBLIC HEARINGS**

AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: Go ahead and call this meeting to order. This is the Town Council special meeting at the Irvington Baptist Church on Thursday, October 8, 2020. This is immediately following the public hearings. Notice is hereby given that the Irvington Town Council will hold a special called meeting on Thursday, October 8th, 2020, immediately following the public hearings. The purpose of the special called meeting is to conduct monthly business. Call to order.

B. ROLL CALL – Mayor Bugg

Members of Council present:

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

Staff Present

Nancyellen Keane, Esq., Town Attorney
Lara Brown, Zoning Administrator
Sharon Phillips, Town Clerk, FOIA Officer, Treasurer

Guests:

See attached sign in sheet

Mayor Bugg: To clarify the record that was actually the roll call.

C. APPROVAL OF MINUTES AND ACCEPTANCE OF TREASURER’S REPORTS

Mayor Bugg: The first item we have is Item C approval of minutes and acceptance of treasurer’s report. We have a number of minutes here as you can see on the agenda, four of them actually. They have all been tabled to be formally drafted. If all of you have had a chance to review the agenda, I think we can move onto Item #5 which would be the Treasurer’s Report. Madam Clerk.”

1. August 13, 2020 Meeting Minutes - *tabled*
2. September 10, 2020 Workshop Minutes - *tabled*
3. September 10, 2020 Regular Monthly Meeting Minutes - *tabled*
4. September 23, 2020 Workshop Minutes - *tabled*
5. September 2020 Treasurer’s Reports (4)

S. Phillips: Just a motion to accept.

Mayor Bugg: Could I get a motion to accept those minutes as tabled.

S. Phillips: No, number 5.

Mayor Bugg: Number 5. Have all of you had a chance to review the Treasurer’s Report. Any questions.



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B. Schaschek: There's a number of items that I think are questionable and I think we should table it until Fran has a chance to look at it.

Mayor Bugg: Okay. Fran are you okay with that?

Frances Westbrook: I am, thank you.

Mayor Bugg: Okay. Is there a motion to table that?

W. Nunnally: So moved.

J. Brown: Second.

Mayor Bugg: Discussion. All in favor. Opposed.

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

THE MOTION TO TABLE THE SEPTEMBER 2020 TREASURER'S REPORTS IS PASSED 6-0.

D. PUBLIC COMMENT

Mayor Bugg: Excellent the next item on the agenda is public comment. I would like to limit this to items outside of what we just discussed concerning budget and finance that was at the public hearing at 5:00, thank you for all of your comments then, but if anyone has anything else to add other than what was just discussed, please raise your hand and you will be called upon. Yes, Ms. Harris.

Julie Harris: Hi, Julie Harris, 1099 King Carter Drive, President of the Village Improvement Association, we would like to thank council for allowing us to explore further the possibility of having the Turkey Trot, but after further exploration the membership has decided to cancel the Turkey Trot for this year, and we would just like to advise council and again thank them for their suggestion.

Mayor Bugg: Certainly, and thank you for all of your efforts. I know a lot of effort was put into that and it is a difficult decision to make and I think it was the right one so. Thank you for being here tonight to announce that as well. Any other public comment. Yes.

Cay Bradley: Cay Bradley here, President of Steamboat Era Museum, we would like to thank town council for allowing us to hold our annual membership meeting in September on the town commons. Believe it or not we made quorum, and so we have a new board that has been instated and new officers and that would not have been possible without being able to use the town commons, so thank you all very much for letting us take care of business.

Mayor Bugg: Thank you. That's great to hear. Anyone else for public comments. Yes sir.

J. Crowley: I'm here, J. Crowley from the Tides Inn, I'm here just to speak on behalf of the Virginia Tourism Grant. You can kind of guess which way I'm going to go with this I think, but we are very much in favor of the town council passing this including all of your discussion that we had earlier today. Really appreciate that. We think it is a great investment in the long term plans for the town and I'm not just speaking on behalf of the Tides Inn, I think it is something for the entire town that as the grant as I understand it, is related to improving the tourism in the shoulder season, basically the winter months or the spring and late fall type of time frame. As I mentioned before at the Tides



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Inn at least half of our business comes in during the summertime which leaves 9 months only for the rest of our business and there is a lot of room available at the Tides Inn during those times and part of this we are also at the Tides Inn looking to increase the number of days that the Inn is open including this upcoming year. We are looking at being open through January of 2021 and closing for a short period of time and reopening much earlier than we did this year here in 2020. We really feel that the grant that is being presented would be very, very beneficial, not just for the Tide's Inn but for the entire town. One other point that I'll bring up sort of on behalf of the Tide's Inn, a little bit more personal is, there has been a lot of money and most of you have probably heard, there was a lot of money invested over the past few months at the Inn and a lot of improvements have been made over the last 6 or 8 months and we have seen some really great positive results so far since we have been open. What I think is really neat is we've actually reduced the number of rooms at the resort which actually in its own way reduces the amount of traffic that comes through the town, but what's funny is we are able to charge, we are getting better rates now because of the improved product at the property which in turn generates much more taxes which we would then turn over to the town. So, it is kind of a win-win situation in that it is actually reducing traffic, but the town is getting additional tax revenue at least from the Tide's Inn and I think that as well all saw in the report that Mrs. Westbrook presented a little earlier, the occupancy tax is a huge number part of all of this of your annual budget and with what we're projecting and Mr. Barwise former general manager had given some projections and as I looked at the numbers I actually think in upcoming years those numbers will be very, very achievable and my guess would be we would be exceeding those numbers if not in 2021 then certainly in 2022 as we look to potentially be open year round.

Mayor Bugg: Thank you.

F. Westbrook: Cool.

Mayor Bugg: Excellent thank you. Any further public comment. Thank you again.

E. REPORT FROM THE ZONING ADMINISTRATOR – L. Brown

Mayor Bugg: The next item on the agenda is from the zoning administrator Mrs. Brown.

L. Brown: Thank you Mayor. The planning commission and I just want to let everybody know that this coming meeting on Tuesday has been canceled as we do not have assigned tasks right now we are working on. On my report I've included some site visits that I made during the last month but also would like to put a notice in the Rappahannock Record and the next paper regarding notice to residents of the fire protection and prevention since we have the season coming up where we burn leaves and just want to make sure that residents are aware of what our town ordinance says and that is on the report that was distributed to you.

Mayor Bugg: Has everyone had a chance to review that report.

W. Nunnally: I haven't. I don't have it.

L. Brown: I think it was the third page here.

W. Nunnally: Third.

L. Brown: Right after the financials. It is where the financial started. Do you have any questions.

Mayor Bugg: Anything further. No further questions, we can move onto the next item. Thank you, Mrs. Brown.

F. REPORT FROM THE TOWN ATTORNEY – Nancy Ellen Keane, Esq.

Mayor Bugg: Report from the town attorney. Mrs. Keane.



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N. Keane: No report.

Mayor Bugg: Excellent thank you, that would bring me to the next item which is the mayor's report.

G. REPORT FROM THE MAYOR – Mayor Bugg

Mayor Bugg: The first item I have to report on is the through truck restriction. At the September 10 meeting we outlined the chronology of actions taken by Irvington between May and August 2020 to adopt a resolution seeking a through truck restriction on Route 200. We also heard from the public, namely there were some speakers and some 65 letters and emails from the Golden Eagle and Westminster Canterbury against the through truck restriction which designates Old Salem Road as the alternate route. Finally VDOT explained why it recommended Old Salem Road as the alternate route. VDOT asserts that this alternate route would be the most likely to be approved at the end of the full process by the Commonwealth Transportation Board. VDOT bases this on its evaluation of Harris and Old Salem Roads. According to VDOT these are similar roads in terms of their use. 1900 versus 1600 vehicles per day and design, similar width, lines, sites, etc. VDOT warned that choosing Harris instead of Old Salem would result in making exceptions to the normal practices of VDOT and the Commonwealth Transportation Board thus making the choice of Harris less likely to be approved. Even if one of the localities wants Harris Road as the alternate. Just to remind you in June Irvingtonians turned out in force to express their total support for the passage of the resolution adopting Old Salem Road as a through truck restriction on Route 200. All communications from Irvington residents and business plus one Weems business were in support of our resolution designating Old Salem Road as the alternate route. Based on this and the fact this council unanimously adopted resolutions using Old Salem Road as the alternate under VDOT recommendations the staff and I will be moving forward in the process to the appropriate next step by sending our resolution and supporting materials to the County of Lancaster and asking the county to place this matter on the county's agenda for public hearing. The next item I have to comment on is the September 10, 2020 vote to authorize the mayor as voting member execute vendor contract and appropriate \$3,000 to contractor Flack Shack as part of the VTC grant. I know we just talked a lot about this, but I have some additional details to clarify for the record as well. It was brought to my attention that the vote taken on this motion did not have enough votes cast in favor of the \$3,000 appropriation. You will recall that appropriations required affirmative vote of a majority of all members elected to council. That's article 3 Section 12 of our charter. I reviewed the portion of the September 10 meeting. This was stated as a combination motion. There was only one vote taken instead of three votes. The vote was three in favor, one opposed, one abstained and one recused. Technically the first two parts authorized me to be the point person and authorizing me to execute the contract passed. Later on in the agenda under old business I would like to take a separate vote on the appropriation tonight. The discussion at the last meeting focused on whether the grants had been approved. The grant is a contract, there are five parties to the contract. Irvington is one of the parties, it became a party when it electronically submitted the application. Last month you voted to authorize me to be the point person and to execute the contract. However, we need four votes to appropriate the \$3,000. Everyone at the table agreed the first check to come from was to come from the contingency fund. I agreed that the application process last year was confusing and not how I would have liked to manage these things going forward. However, this has been a learning experience for all of us. We need to move forward with this and get this done. I believe we accomplished a lot of this during our last meeting as well at the 5:00 public hearing, so thank you. That is all I have to say in terms of the mayor's report. That would bring me to old business.

. OLD BUSINESS

1. Virginia Tourism Grant Discussion

a. Motion to appropriate \$3,000 to Flack Shack

D. Patteson: I have a couple of disclosures to make that should go on the record. This one I've had before with a little slight change. Before we get into, the council gets into the discussion of the Virginia Tourism Grant. I have



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two businesses the Hope and Glory Inn at 65 Tavern Road, Irvington and The Dog and Oyster Vineyard at 170 White Fences Drive, in Irvington and they are partners in this grant. This grant was applied for in December 2019 and awarded in February 2020 both of that prior to my taking office. My businesses are not beneficiaries of any monies from the grant. My council term began July 1st, 2020. I looked into the COIA which is a conflict-of-interest act question that might arise and the answer is my businesses may remain partners in the grant. However, I will not be voting or discussing at the council table any matter pertaining to the grant by itself. I am disclosing this under Virginia §2.2-311. 3115F respectfully submitted and with that I come to join the people.

Mayor Bugg: Thank you Mr. Patteson. Naturally as you can see that brings me to Item 1, the Virginia tourism grant discussion. Is there any discussion about the grant in this aspect of it? Great.

Bonnie Schaschek: I do have a question, please.

Mayor Bugg: Yes.

Bonnie Schaschek: Is Flack Shack going to come and show us what they are going to do, there was a suggestion from Lisa Hull that they were going to show up and explain to us how this all works and everything.

Mayor Bugg: Madam Clerk.

Sharon Phillips: Would you like for them to attend the November.

Bonnie Schaschek: Yes.

Mayor Bugg: Any further discussion?

W. Nunnally: Are we going to table this.

Sharon Phillips: No.

Mayor Bugg: That's the thing, motion to appropriate \$3,000 to Flack Shack, would someone like to make that motion.

A. Marchetti: I'll make a motion to appropriate \$3,000 to Flack Shack.

Mayor Bugg: Could I get a second.

F. Westbrook: Second.

Mayor Bugg: Any discussion. All in favor.

Sharon Phillips: You going to do a roll call.

Mayor Bugg: I'll do a roll call vote. We will take it from Schaschek.

Bonnie Schaschek: As roll call what do you have to say.

Mayor Bugg: Your name and how you vote.



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Vote:

Bonnie Schaschek Yes
Frances Westbrook Yes
Anthony Marchetti Yes
Wayne Nunnally Yes
Jackie Brown Yes

Dudley Patteson Abstain

THE MOTION TO APPROPRIATE \$3,000 TO FLACK SHACK IS PASSED 5-0

2. Village Improvement Association – G. Kirkbride, Market Manager

a. Motion to authorize use of Town Commons for Farmers Market under existing contract; November 2020.

G. Kirkbride: Good evening Mr. Mayor and council. My final request for the year for the Irvington Farmer’s Market for the first Saturday in November is what I’m submitting.

W. Nunnally: Move that we authorize the VIA to use the town’s commons in October.

J. Brown: Second.

Mayor Bugg: All in favor. Mayor Bugg: Opposed.

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

Mayor Bugg: Motion passes. Thank you for all of your efforts.

THE MOTION TO AUTHORIZE USE OF THE TOWN COMMONS FOR FARMERS MARKET UNDER EXISTING CONTRACT; NOVEMBER 2020 IS PASSED 6-0

B. Schaschek: How was the last market.

G. Kirkbride: We didn’t have as many people I think because of the holiday. I think we had good vendor turnout.

F. Westbrook: Good.

N. Keane: Are we using it in November or October. I think somebody said October and it says November here.

W. Nunally: Whatever is there.

B. Schaschek: It is for November.

N. Keane: I know but just for the minutes I was going to say, somebody said October.

W. Nunally: Amend that motion it is November.

Mayor Bugg: Do we need to take a vote on this amendment. Just do it over Wayne.



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W. Nunally: Move that we authorize VIA to use the town council, town commons in November for a farmer’s market under present conditions.

Mayor Bugg: Second.

B. Schaschek: Second.

Mayor Bugg: Any discussion. All in favor.

Mayor Bugg: Opposed. Motion passes. Thank you again.

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

THE MOTION TO AUTHORIZE USE OF THE TOWN COMMONS FOR FARMERS MARKET UNDER EXISTING CONTRACT; NOVEMBER 2020 IS PASSED 6-0

3. Centric Business Solutions Discussion

a. Motion to authorize Mayor Bugg to execute lease on printer

Mayor Bugg: The next item on the agenda is the Centric Business Solutions Discussion and Madam Clerk could you give us some.

S. Phillips: Bonnie asked that Centric provide different lease options so that’s, you will see a single page and that simply identifies if you drop, if you go for a 36 month versus a 48 versus a 63.

Group: Talkover.

B. Schaschek: You are pushing this particular printer because it does 11 x 17 and Lara needs to do a lot of 11 x 17 printing, is that.

Sharon Phillips: So, yes this would assist the zoning department.

B. Schaschek: Okay. If it was just 8½ x 11, your standard envelopes and your labels and all of that, for the amount of printing that we do of 11 x 17, can we do that with a printing place over here in Kilmarnock where you just give them the USB drive.

F. Westbrook: I’ll give you a good example. We just had a new survey done and the plat when we sent to the town office as part of the contact list, but the plats are 11 x 17. So when they received that through an email, they need the capability and that puts down a lot more paperwork to be sent to them in that manner if they can print on the larger paper.

B. Schaschek: Is this the only ones that you looked at.

S. Phillips: This was an unsolicited proposal. This gentleman just called, the background was the amount of money that was the office supply budget line item which was roughly \$400 a month in toner cartridge. That was the main, was looking to offset toner cartridge prices and to have a more versatile printer that would be able to make the zoning department a little easier.

B. Schaschek: Now with this would you also retain the existing printer.



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S. Phillips: We would, well that's up to council. If council can decide what to do with that piece of equipment, there is nothing wrong with that piece of equipment. There's nothing wrong with it.

B. Schaschek: There's nothing wrong with it. It's just not cost effective.

S. Phillips: So the concern that council should be looking at is finding the most cost effective solution for a small town office that probably to produce this meeting which is three reams of paper, again \$400 a month in toner cartridge. With the zoning department coming online I see that particular printer just being worked harder.

F. Westbrook: So would you want to keep it as a backup or...

Sharon Phillips: Yes, I think it would be a functional piece of equipment for the office, again we have a bigger office now, there is one room in the new town office that we refer to as the printer/copier room. Everything is wireless so we would just be able to interface that way.

W. Nunnally: Sharon the \$400 a month we are spending in cartridges.

Sharon Phillips: Just on toner cartridges.

W. Nunnally: Alright, I just did a real quick 36 month lease would give us \$436 a month but how much would that cost us with cartridges in it. Do we know.

Sharon Phillips: I'm sorry what was the comparison.

W. Nunnally: The \$400 we know with owning the computer, if we rent this one it is going to cost us \$436, we have to operate it with toner.

Sharon Phillips: No they provide the toner.

W. Nunnally: They provide it.

Sharon Phillips: That's the bells and whistles. For that \$436 you get.

A. Marchetti: Service and maintenance.

W. Nunnally: Service and maintenance.

F. Westbrook: Now that's up to so many copies a month correct. It has a meter on it and it tells you how many copies, so if you go over that then there could be some.

S. Phillips: I'm not sure if you attended the meeting where the original Centric proposal, I'll give you that where it talked about how many pieces of paper, color versus black and white. We are a small office and it is certainly not, but the main point of that was for that monthly value that's what we are spending in toner cartridges anyway.

W. Nunnally: Let me ask this question, if it goes down will they provide us with a new machine right away.

S. Phillips: Oh absolutely.

W. Nunnally: So within 24 hours.

S. Phillips: They do have service yes and they have and I asked this particular vendor if they had any contracts in the Northern Neck area and they were looking to sign a contract with the Sheriff's Department in Lancaster County and they also have I believe it was a contract over in Northumberland. So they do have technicians in this area and they do have a response time.



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W. Nunnally: Just, I don't want you down, depending on somebody else when you're down if you can't get it fixed right away.

F. Westbrook: But we'll have a backup so.

B. Schaschek: With the service they are providing within 24 hours.

J. Brown: Do we still pay for the paper.

S. Phillips: Yes ma'am.

A. Marchetti: How much is the paper.

B. Schaschek: I guess it comes down to whether you want to do a 5 year where technology changes so much or do you want to come down to a 3 year.

S. Phillips: Correct. And so you asked how many reams of paper. I can tell you I probably go through a case of 10 ream case a month.

F. Westbrook: That doesn't count all the paper that we use at home.

S. Phillips: That's one of the reasons, more members of council, as you will notice your agendas are very weighty, they are very.

A. Marchetti: Kind of where I was going with the COVID funds like if there were 6 or 7 how many of them need to be services like Bonnie has and instead of me every week getting 70 pages printed out we all just scroll through on a tablet.

F. Westbrook: On a tablet.

A. Marchetti: Yeah.

W. Nunnally: COVID would pay for it either way.

A. Marchetti: COVID would pay for it and how much money would that save between printing and paper over time. I mean I guess if you want to print it, you print it at home and take the hard copy, but I much prefer to scroll through on a screen like Bonnie is doing, it is simply more efficient.

W. Nunnally: I'd rather have a piece of paper myself.

A. Marchetti: And I understand that, that's why I said.

F. Westbrook: I straddle that fence. I'm trying to make myself be more like that.

W. Nunnally: I'd throw the computer away if I had a chance.

F. Westbrook: I've considered that too at times.

A. Marchetti: You need a printer regardless, it was just the thought that...

B. Schaschek: They obviously have to print so you need to consider now if you do a 3 year it is going to be \$16,000.

W. Nunnally: Yeah \$15.....



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B. Schaschek: If you do a 39 that's \$16,500.

W. Nunnally: Bonnie, I thought you had an excellent point, the technology. It seems like it changes daily.

B. Schaschek: It does.

W. Nunnally: I think 36 months would be the most we should go out.

B. Schaschek: Yeah.

W. Nunnally: In fact, I'll move that we authorize the mayor to do the contract for the 36-month lease.

B. Schaschek: With the provision of a 24-hour replacement.

W. Nunnally: With the provision that they have 24-hour replacement if it goes down.

Mayor Bugg: Is there a second.

B. Schaschek: Second.

Mayor Bugg: Any further discussion. All in favor. Opposed. Let's keep that copy of that provision.

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

THE MOTION TO AUTHORIZE MAYOR BUGG TO EXECUTE 36-MONTH LEASE ON PRINTER WITH THE PROVISION OF A 24-HOUR REPLACEMENT IS PASSED 6-0.

4. Reynolds Tennis Court Repairs Discussion - S. Phillips, Town Clerk

a. Motion to authorize Option 1 from contract dated August 19.

S. Phillips: Again thank you Jackie Brown she noticed at the last meeting the conversation was the distinction between option 1 on your tennis court and option 2 and I reached out to Ben Rennolds who created the proposal for us and option 2 does not include option 1 and I think that the motion last month read that we would go with option 2 only if it included option 1, so that is why I'm bringing this back to the table to make a clear motion if you want to go with option 1 only. Otherwise, it would be a combined cost of the \$5,675 and \$8,845. The motion, the scope of work that was done approximately 4 years ago, 3½ 4 years ago was option 1 and that generally has about a 2½ to 3-year shelf life so again when it comes to your capital budget about every 3 years under capital budget you need to put option 1 until you totally redo your court.

A. Marchetti: How many years do you get if you do option 1 and 2.

S. Phillips: I don't know the answer to that.

A. Marchetti: Does it buy you more time.

S. Phillips: No because.

A. Marchetti: I know option 2 had the warranty.



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S. Phillips: So each of those things comes with their own warranty. I don't know if I can clearly answer your question to option 2.

F. Westbrook: So option 1 they clean out the new cracks but option 2 they don't clean out the new cracks.

S. Phillips: Option 2 is on top of option 1. You have to start with option 1, that's your minimum.

A. Marchetti : Gotcha. Can't just choose option 2.

S. Phillips: Correct.

F. Westbrook: So option 2 would include option.

S. Phillips : No, no. Charges.

A. Marchetti: No, you can't.

B. Schaschek: You can't do option 2 if you don't do option 1. Switch.

A. Marchetti: So option 2 does include...

Mayor Bugg: Thank you Jackie.

A. Marchetti: Nice catch.

F. Westbrook: So it is not \$5,000 versus \$8,000, it's \$5,000 versus \$12,000.

W. Nunnally: \$13,000.

B. Schaschek: \$13,000 and change yeah.

A. Marchetti: You basically have no choice but to do option 1.

F. Westbrook: I think until we realize what the capital budget, all that kind of stuff, where all that is going.

S. Phillips: When Mr. Rennolds came over and assessed the tennis courts, your tennis courts are actually in very good condition. At some point in time if you chose to go with option 2 which is purely cosmetic, that's an option in your future. But right now, for safety reasons, option 1 is your consideration.

A. Marchetti: So option 2 could be done next year.

S. Phillips: Absolutely.

B. Schaschek: Can be done anytime, it is just a surface.

A. Marchetti: It doesn't have to be.

B. Schaschek: And if you limit pickle ball on it, that would save some of the damage.

J. Brown: Is this the only company that does this work, should we have another estimate.

S. Phillips: There are, so the concern is the safety of those courts. During COVID there was a high demand. We had weeds going up through them. The tape that they apply to mend the cracks is in the alleys. If you choose to put this back out to bid you need decide to close your courts.

J. Brown: Say that again.



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S. Phillips: If you chose to put this back out to bid you may have to revisit closing your tennis courts.

B. Schaschek: They are the ones that have been maintaining it for the past couple of years.

F. Westbrook: They have and when we have had repairs done to this several years ago we did look at different people and they were the ones we went with, plus they are in Tappahannock and this is their work.

S. Phillips: The work that is on the tennis courts, the work that is on the tennis courts right now is their work.

F. Westbrook: So I mean we chose them over one or two others the last time that it was done. That's not to say that they are probably the best price now but we did consider others the last time.

W. Nunnally: How much did we put in the projected budget, We put the \$56 in the budget.

F. Westbrook: No we put the \$88 in the budget.

B. Schaschek: It will have to be revised.

W. Nunnally: Mr. Mayor I move that we authorize option 1 for the tennis court.

D. Patteson: Second.

Mayor Bugg: Any further discussion. All those in favor. Opposed. Motion passes.

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

THE MOTION TO AUTHORIZE OPTION 1 FROM CONTRACT DATED AUGUST 19 IS PASSED 6-0.

H. NEW BUSINESS

D. Patteson: Another disclosure. This is regarding transactions regarding the transient occupancy tax and the budget. I am making this disclosure on Virginia Code 2.2-3112H, that I have a personal interest in transactions which appear on the agenda under new business. Mainly the transient occupancy tax and the amended budget because I own the Hope and Glory Inn which is a remitter of the transient occupancy tax and a partner in the VTC grant. These personal interests are permitted because I am a member of a business profession, occupation or group for members which are affected by these transactions under Virginia Code 2.2-3112B1 and I'm able to participate in these transactions fairly, objectively and in the public interest. I will be able to participate in the discussion and the vote on the transient occupancy tax ordinance and the amended budget for this. The amended budget ordinance will include the line items for the grant in the context of the overall budget, therefore I am able to vote on the amended budget ordinance. And I get to stay at the table.

F. Westbrook: We are not voting on tonight.

Mayor Bugg: No, no.

D. Patteson: It's just to make everyone aware since we are discussing the budget.

F. Westbrook: Okay, I was getting ready to say.



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B. Schaschek: Do we have to do that at the second reading and then vote as well.

D. Patteson: Probably.

Mayor Bugg: Keep me busy.

F. Westbrook: You're getting older by the minute.

Mayor Bugg: Thank you Mr. Patteson. We will move onto Items 1 through 4 which are first reading. I would like to note to the council that if you have any additional changes to make those statements now so that the changes can be made on the table. We cannot make any material changes on the second reading, so I'm just letting you all know about that. I think we conquered most of this if not all in our previous meeting, but just letting you know about that, so thank you.

B. Schaschek: What do you mean?

S. Phillips: So I think Mr. Mayor the material change is the 1% rule and the changes that were identified were \$3,000 which would go down, so we are not going up in any expenses. We didn't identify anything that would increase expenses. The \$3,000 that was identified decreased your expenses and increased what you put to your capital budget and the other, that's was the \$3,000 from the tourism grant which impacted the contribution to the capital improvement budget and so I don't think we have any material changes to make.

B. Schaschek: Or any changes to the tennis courts.

B. Schaschek: Again, that's a positive that doesn't necessarily impact the 1%, so it doesn't make a material change. Mr. Mayor, may I read.

Mayor Bugg: You may read.

1. First Reading Ordinance 2020-07.uc Adopting Fee Rate Schedule

S. Phillips: Ordinance 2020-07.uc Adopting fiscal year 2021 fee rate schedule.

Ordinance 2020.07.uc is attached and incorporated within.

Mayor Bugg: Thank you.

2. First Reading Ordinance 2020-08.uc Adopting Transient Occupancy Tax Rate

S. Phillips: Ordinance 2020-08.uc. Adopting transient occupancy tax rate.

Ordinance 2020-08.uc is attached and incorporated within.

3. First Reading Ordinance 2020-09.uc Adopting Real Estate Tax Rate

S. Phillips: First Reading Ordinance 2020-09.uc Adopting Real Estate Tax Rate

S. Phillips: Ordinance 2020-09.uc is attached and incorporated within.

4. First Reading Ordinance 2020-10.uc Adopting an Amended FY20/21 Budget

S. Phillips: Ordinance 2020-10.uc Adopting an Amended FY20/21 Budget

Ordinance 2020-10.uc is attached and incorporated within.



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5. First Reading Resolution 2020-13 (Emergency) Approving The Agreement For The Use of Federal Cares Coronavirus Relief Funds.

S. Phillips: Resolution 2020-13 (Emergency) is attached and incorporated within.

Mayor Bugg: Have we gotten the second \$35,000 check?

S. Phillips: That is what this is for. This will facilitate the deposit.

N. Keane: We don't get it until....

S. Phillips: When you pass this the county will give it to us and Mr. Mayor, this isn't a second reading, it is a one reading.

Mayor Bugg: It's a one reading. Do we need to vote on this.

B. Schaschek: Can I ask.

Mayor Bugg: Certainly.

B. Schaschek: Because they already issued \$35,000 should this say \$35,000 or.

N. Keane: It's the total.

S. Phillips: The other monies will just go into the existing...

B. Schaschek: Okay.

W. Nunnally: Do we need a motion to accept it.

Mayor Bugg: Yes.

W. Nunnally: So moved.

F. Westbrook: Alright do you have to sign something for any of this and do we need to authorize that.

S. Phillips: He just signs the resolution.

F. Westbrook: He doesn't have to sign the agreement with the county.

N. Keane: It's right here.

F. Westbrook: Alright so we need to authorize, as part of the resolution.

W. Nunnally: Call the question.

F. Westbrook: Second.

Mayor Bugg: Any further discussion. All in favor. Opposed. Thank you.



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

THE MOTION TO APPROVE RESOLUTION 2020-13 (EMERGENCY) APPROVING THE AGREEMENT FOR THE USE OF FEDERAL CARES CORONAVIRUS RELIEF FUNDS IS APPROVED 6-0.

6. Financial Assessment - update

Mayor Bugg: The next item is Item #6 which is the financial assessment. I just wanted to update everyone on that. We circulated materials from Davenport and VML and VACO please review these documents. I have asked the budget and finance committee to make a recommendation to the council on this at our next meeting, so thank you for taking a look at all those now and then. Mr. Patteson will move this along. The next item is Dominion Energy. Item #7.

S. Phillips: Do we need a motion authorizing the budget finance committee just tasking them with the financial assessment, do we need a motion?

F. Westbrook: We don't usually get for the other.

S. Phillips: We generally task the committee.

F. Westbrook: I don't think it is necessary. It's part of our function.

7. Dominion Energy – dual utility poles

Mayor Bugg: We have it under control. Dominion Energy I believe we need to table that.

S. Phillips: The information did not come in.

8. Discussion of use of tennis courts to teach tennis - Frédéric Cabocel

Mayor Bugg: Correct. Item #8 would be discussion of use of tennis courts to teach tennis.

W. Nunnally: Is that by the Chesapeake Academy?

Mayor Bugg: This is actually Mr., Coach Cabocel, I'm not sure how to pronounce your last name.

Frederic Cabocel: Frederic Cabocel.

Mayor Bugg: Yes. Thank you for being here tonight, anything that you have to say.

Frederic Cabocel: Sure. Mr. Mayor, Councilmembers, and the Town of Irvington, thank you for the meeting and introduce myself. My name is Frederic Cabocel, my family and I have recently relocated from Arlington,



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Virginia to White Stone, Virginia. I am a PTR and USTA certified tennis coach and have coached for Arlington County and Arlington Public Schools. Feel free to take a look at my resume. I have brought some copies for you as well as the copy of my liability insurance. My goal in the community is to teach tennis and not only to local but as well as school, the tourist and throughout the Northern Neck area. I am currently seeking a partnership with the Town of Irvington for the use of your two tennis courts and I will be happy to meet anyone to discuss in more detail the potential partnership. Thank you.

Mayor Bugg: Great to meet you thank you.

A. Marchetti: A good place to be.

Frederic Cabocel: Yeah we love it.

Mayor Bugg: Welcome.

Frederic Cabocel: It's a beautiful place.

W. Nunnally: Thank you for coming.

Frederic Cabocel: I can leave that with you if you want.

Mayor Bugg: Yeah, that works.

Frederic Cabocel: Thank you.

W. Nunnally: Why don't you give it to Sharon and let her make copies.

Mayor Bugg: As we pass this around I will ask the town attorney to brief us at the next town meeting about the issues related to this request and review the agreement that we already have with Chesapeake Academy for the use of these courts, moving forward with that. Thank you again. Do we take that motion now.

N. Keane: It's up to you all, if you need a motion for me to do any work on this.

F. Westbrook: I think we need to discuss this before we move on anything.

Mayor Bugg: You said Chesapeake Academy has a contract with the town.

N. Keane: Yes there is a license agreement with between the Town and Chesapeake Academy from 3 or 4 years ago and there are some terms in there that Chesapeake Academy has to comply with. You know we would just have to make sure that if we had a contract with someone else there would be a process in place for making sure the courts are available to whomever whether its residents or Chesapeake Academy. So there are just some issues about that that we need to, we all should be aware of. I haven't looked at the agreement other than to put it in a file folder and say hey we need to look at this.

Mayor Bugg: Everyone okay with beginning to look into this. Okay, let's do that then and we can deal with it all next meeting. Take a look at everything. Thank you.

9. Discussion of use of Town Commons for performance by Lancaster Players – Jackie Allen

Mayor Bugg: Next item is item 9, Discussion of use of Town Commons for performance by the Lancaster Players, I have Jackie Allen as the representative.



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S. Phillips: Is Jackie here tonight. Julie do you have anything. She mentioned she was going to partner with the VIA on this.

J. Harris: The only thing I can say is that she came to VIA meeting after the September 3rd concert at the Commons and apparently this was the 50th year of the Lancaster Players so they have all kinds of exciting things planned which they did not get to do. She wanted to have a performance on the commons with an oral reading of several of the members and we informed her that it was a great idea but not sure that there was enough turnaround time between now and when she could do it and we just suggested that she contact council and make a presentation but Corona....

S. Phillips: I received a phone call from Jackie Allen initially and she mentioned the conversation with the VIA. She asked to be on the agenda. She sent a follow-up email last week reminding me to put it on the agenda. She would like to do a small presentation of our town on the town commons just to give people something to do during COVID. We talked about equipment. We talked about what impact it might have on the town commons. She felt confident that it would not exceed 250 according to the governor's including the Lancaster Players including the staff that they might have to have. It would not exceed 250 but without her here to present her own plan, she didn't even share a date as to, I don't know that.

W. Nunnally: I move that we table this request.

J. Harris: She shared with us was late October.

F. Westbrook: It would be helpful if she would be present. So we'll table it, is that what you're saying.

W. Nunnally: I moved to table it.

Mayor Bugg: Can I get a second.

F. Westbrook: Second.

Mayor Bugg: Any further discussion.

W. Nunnally: To table it right.

Mayor Bugg: Table it right. All in favor. All opposed. Thank you.

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

THE MOTION TO TABLE THE DISCUSSION OF USE OF TOWN COMMONS FOR PERFORMANCE BY LANCASTER PLAYERS IS PASSED 6-0.



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10. Discussion of mold remediation proposal for 235 Steamboat Road - Bay Restoration

a. Motion to authorize mayor to execute contract

Mayor Bugg: Next item of discussion is mold remediation proposal for 235 Steamboat Road. That's the Bay Restoration proposal. Should be in your packet.

S. Phillips: That is the motion that is going to be not to exceed.

Mayor Bugg: Okay.

S. Phillips: So members of council, this particular is to have the carpet removed in the basement of 235 Steamboat and it will also include a proposal to remediate the mold from the surface of certain items that would fall under record retention or are related to the parade things that would have to move with the town office. There will be some things that will be thrown away, things that have no purpose or out of date but the things that do have to move with the town office this proposal which did not, they did come and do an assessment, they just did not have time to send the proposal. Mr. Mayor do you want to suggest a motion.

Mayor Bugg: Yeah the motion is not stated on there, but it would be motion to authorize mayor to execute a contract not to exceed \$2,500 that's the missing language.

W. Nunnally: So moved.

D. Patteson: Second.

Mayor Bugg: Any further discussion.

F. Westbrook: Quick question, who will make the decision on what to throw away and what to keep.

S. Phillips: Record retention.

F. Westbrook: Could there be historical stuff that...

S. Phillips: Those things are being kept. So the items that are being considered to be discarded Acts of Assembly.

B. Schaschek: Okay, which are mostly out of line these days.

A. Marchetti: Does any of this fall under COVID insurance claim.

S. Phillips: We do not qualify for the insurance claim. There was a particular storm, we didn't meet the insurance requirements.

W. Nunnally: But it does come under COVID.

S. Phillips: No sir.

W. Nunnally: It doesn't come under COVID.

S. Phillips: No this was water damage from hurricane Isaias.



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F. Westbrook: So it was \$2,000 is the, \$2,500.

S. Phillips: Insurance doesn't cover it. The deductible was very high and our initial thus far, the damage that occurred from that storm, the only invoice that has been paid out was under \$700 and that was for them to come in and get the water out of the basement and run the dehumidifier and dry out.

B. Schaschek: What happens if you add all this stuff because we also had to redirect.

S. Phillips: So the foundation work does not qualify.

W. Nunnally: What is our deductible.

S. Phillips: On that particular item it was several thousand dollars because it was, it could not be clearly attributed to the storm.

Mayor Bugg: Time to vote them. All in favor. Opposed. Motion carries. Again not to exceed \$2,500.

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

THE MOTION TO AUTHORIZE THE MAYOR TO EXECUTE BAY RESTORATION CONTRACT NOT TO EXCEED \$2,500 IS PASSED 6-0.

11. Discussion of audio visual proposal from Entertainment Systems

Mayor Bugg: Item 11 discussion of audiovisual proposal entertainment systems. Discussion on whether to purchase audiovisual equipment. I open that to the council whereas discussion as previous meetings and Ms. Schaschek I know that is one of your areas of expertise as well so.

W. Nunnally: Do I need to do a disclosure since I'm a member and dues paying member of Irvington Baptist Church and on the board. I see that is mentioned in B, that you have to negotiate with the church. So I so disclose.

Mayor Bugg: Excellent. We will open the topic Madam Clerk if you want to bring everyone up to speed.

S. Phillips: In your proposal or in your meeting packet you will see a proposal on entertainment systems. I have met with them two or three times here at the church. I did ask for a bells and whistles bid. There were two primary concerns that council communicated. The first concern was the ability to hear, given the distance from the public, given the distance between yourselves, everyone is wearing a mask. It is very difficult to hear, so you will see that a large portion of this proposal has to do with speakers and microphones. The second concern that council communicated was the ability whether you use a tablet or whether you have a camera installed in here and people from at home would simply click on a link where people would be able to watch the town council meeting from home, from wherever they choose. The concern is that given the price of this proposal that equipment would not live in a town owned facility. So the town attorney is being asked to work to identify this contract would require holes to be drilled, I need a technical term, a jack, a panel, it would involve electricity, it



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would involve the church's part. So I think that a prudent thing to do at this point is for every, if council is concerned as to the dollar value of this, there are alternative ways to meet the ability to hear for probably under \$500 we can come up with a different solution but the only initial component might be to address differently something that council could consider is that this purchase does qualify with our CARES money so this could come out of the \$70,000 for the CARES money. Do you want to purchase this and hold onto it until the new town office is ready, audiovisual equipment updates very quickly. Faster than a printer. So is this something that you would want to hold, is it something that you would want to install here and work on a relationship with the church as to how to handle that or would you like for staff to bring alternative solutions to the table. I truly think that we should rely on Bonnie to identify where we might be able to streamline this proposal or just alternative solutions to those two critical needs.

W. Nunnally: We are between the devil and the deep blue sea.

B. Schaschek: Exactly.

W. Nunnally: I mean we've got this money available and we have to spend it by December and we don't know when we are going to have the new town office, if we have a new town office.

B. Schaschek: I'd like to take and look at all of the components of this and what exactly we are trying to accomplish, there are other ways of doing it. This is very high. We can also talk to the church because without the church buy in and allowing to do an installation it is a mute point.

W. Nunnally: Just to throw it out there, the church will participate. They could use it too.

B. Schaschek: That's what I shared earlier.

W. Nunnally: It may be a win-win situation.

B. Schaschek: That's what I had said earlier so that is something that we should look at. I don't think we can make any decision now based on this right now.

W. Nunnally: I think we need to table this discussion until after Bonnie reviews it.

Mayor Bugg: Thank you for your help Bonnie.

S. Phillips: Do you want to authorize the town attorney to do research or is it...

F. Westbrook: Do what research.

S. Phillips: With the church.

F. Westbrook: I think we ought to wait and see what Bonnie comes back with because it would give her recommendations on which way we might go.

S. Phillips: That puts you at November.

F. Westbrook: I understand the availability of the funds, I'm concerned with spending \$32,000...



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S. Phillips: Oh no, I just said research.

F. Westbrook: Yes.

B. Schaschek: You can spend a lot less and have the same effect and still put it in the church. There has been something similar done over at Grace and it is a shareable product.

F. Westbrook: Shareable with the community you mean.

B. Schaschek: Yeah, well not with COVID but we used to use the equipment that was installed so.

W. Nunnally: It could be a win-win situation so, for us all.

F. Westbrook: Well it is going to be November before Bonnie gets you know before we have another meeting to hear what Bonnie would suggest.

B. Schaschek: I don't think we have enough information to vote on it now anyway.

F. Westbrook: I would not vote on it tonight. Alright, so are we tabling this then to allow Bonnie time to look at it.

W. Nunnally: That's my motion.

Mayor Bugg: Alright, second.

B. Schaschek: Do we want the lawyer to at least talk to the church or do you want to take care of it.

W. Nunnally: I'll take care of that.

Mayor Bugg: Do I have a second.

A. Marchetti: You did.

Mayor Bugg: Any further discussion. Vote. All in favor. Opposed. Matter is tabled to November the AV equipment and again thank you Bonnie and Wayne.

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

THE MOTION TO TABLE THE AUDIO VISUAL PROPOSAL UNTIL NOVEMBER IS PASSED 6-0.

F. Westbrook: They will have to get the town attorney involved when we get ready to do, actually deal with.

Mayor Bugg: Yeah.



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A. Marchetti: The equipment will have to have a permanent installation.

12. Motion to appropriate October general operating expenses not previously appropriated

Mayor Bugg: Item #12 motion to appropriate October general operating expenses not previously appropriated.

F. Westbrook: Actually these are September invoices that are due in October, the same thing happened last month so these are September expenses.

Mayor Bugg: Okay.

S. Phillips: I do have one update of course just an update from your meeting packets. You will see there is one for the security deposit for the town office and during the chaos if you will, of moving the town office, the zoning department purchased a desk and that, I have a receipt and a request for reimbursement there and Barbour printing, I believe that was for the map that was used for VDOT, just an invoice and they did they fuel tank at 235 Steamboat.

B. Schaschek: What is BMS direct postage.

S. Phillips: That's the one that came in. So BMS Direct, Lancaster County has submitted the tax invoices to the printer and that is the postage deposit and that has to be paid very quickly, it could not wait until November.

F. Westbrook: We do that every year don't we.

B. Schaschek: And you have Aqua Virginia here but no dollar amount.

S. Phillips: There is a pending credit. It just populates due to a credit.

F. Westbrook: Oh okay so that is zero.

F. Westbrook: There is nobody owed there.

F. Westbrook: I move that we appropriate these funds as presented.

Mayor Bugg: That would be September correct as you said.

F. Westbrook: Yeah, we don't pay in advance. These were incurred September and are coming due in October.

Mayor Bugg: Great. Is there a second.

A. Marchetti: Second.

Mayor Bugg: Any further discussion. All in favor. Opposed. Motion carries.

Vote: Bonnie Schaschek Aye



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Frances Westbrook	Aye
Anthony Marchetti	Aye
Wayne Nunnally	Aye
Jackie Brown	Aye
Dudley Patteson	Aye

THE MOTION TO APPROPRIATE THE SEPTEMBER GENERAL OPERATING EXPENSES IS PASSED 6-0.

13. Motion to reappoint C. Braly to the Planning Commission for a term expire of June 30, 2024

Mayor Bugg: The next item on the agenda Item 13 motion to reappoint Chris Braly to the planning commission for a term expiring on June 30, 2024, would someone like to make that motion.

J. Brown: How can we appoint him, we already appointed him.

A. Marchetti: He was filling in for finishing for....

Mayor Bugg: Me.

W. Nunnally: I thought that we had to do everytime they expired. We had to readvertise for the job to see if anybody else wanted to do it. That's what we have done in the past. I don't know of anytime we have just reappointed.

F. Westbrook: Advertising is something that came up when Bob was on and he was the one that first asked to start doing that. We don't have to advertise. But we have been doing that for the past 8 or 10 years maybe.

N. Keane: I was just going to mention that he has only been on for a month or month and a half because Mayor Bugg's term on the planning commission ended October 31st in, sort of in the middle of the year.

W. Nunnally: I think he is a wonderful fella but I know our tradition is that we've always when a term ended we readvertised and the fella has always reapplied and the point was that if anybody else ever wanted to do it they had an opportunity to be at least considered because it is a vacancy. It is not, it is not a continuing job. It is a vacancy.

A. Marchetti: How did we chose whether Chris or Brian was filling Tripp's role.

N. Keane: It was the first one that was voted on. Whoever was in the motion first got voted.

A. Marchetti: Circumstantial.

N. Keane: It was circumstantial.

F. Westbrook: You know, I admit, well assumptions are never a good thing, but I did think that we were appointing him for that one year one month vacancy understanding that we would appoint him for the next term.



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W. Nunnally: I don't think we can do that. I think we have to advertise for the term.

F. Westbrook: There is nothing that says we can't.

Male: Let's advertise.

N. Keane: There is no requirement.

F. Westbrook: There is no requirement and I personally think it is kind of a slap in the face to him.

W. Nunnally: We don't have to advertise it to the public.

F. Westbrook: We do not have to do that.

W. Nunnally: But we've only done it for 100 years.

F. Westbrook: No we have not, we have only done it for the past 8 to 10 years.

Mayor Bugg: Madam Clerk.

S. Phillips: You have a current member of the planning commission that was reappointed without readvertisement. Planning Commissioner Capps.

Mayor Bugg: Okay.

W. Nunnally: He reapplied.

B. Schaschek: He reapplied.

W. Nunnally: He reapplied.

J. Brown: Who are you talking about.

W. Nunnally: Capps.

A. Marchetti: Chris probably just applied.

W. Nunnally: I think we should follow the tradition. I mean when we start breaking these rules that we have forever and ever then we are on a slippery slope.

B. Schaschek, Do you want to authorize an ad to be put in the paper then. We don't have to advertise it two times, we can just advertise it, is it advertised two times or once.

W. Nunnally: If we don't have to advertise at all, we can just do it once.

F. Westbrook: Why don't we take a vote on how we'd like to handle it.



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Mayor Bugg: Let's do that.

W. Nunnally: I move that we follow the traditional appointment and assign the positions or committees and that the whatever position is vacated then it is vacated and finish anybody can then run if they want to do that or apply for that vacancy. If we start appointing then who is to say that we won't disappoint the whole commission forever. That is just not what it was meant to do. We were supposed to have new blood coming in and new ideas and I think it is a slippery slope once you stop doing things like you normally do. I don't know of any statute requirement but I know that what we have done since I have been on council and what I have been told before by council what the procedures were. I think that the general public knows what they are. Supposedly X wants to run for vacancy or would like to apply for the vacancy and you say no, we just appointed somebody and it just would not be fair. When a vacancy appears and other people didn't have the right to run, to apply for the vacancy. That's all.

J. Brown: I think consistency is important.

B. Schaschek: I absolutely agree. I agree. I think we put it in the paper, we put a deadline date, all he needs to do is resubmit the same application he had before and we vote on it next month. There is not a meeting this month anyway so.

W. Nunnally: I think I voted for him.

B. Schaschek: I voted for him as well.

W. Nunnally: It's not the man by any means. It's the protocol.

F. Westbrook: I do agree with Wayne that yeah we always need new blood to come in there and this is exactly what this really is. I don't think anybody would apply knowing that they were going to only have one month and then turn around and have to reapply for it.

W. Nunnally: It's done all the time.

F. Westbrook: And he has applied a couple of times on some things, we've, we now have the ability to get him on board and I personally think it would be a slap in the face to tell him sorry you have to reapply again. One month, I mean I can understand if it was 6 months but 1 month really.

A. Marchetti: When everybody voted last month, the month prior, were you planning on voting for just month.

W. Nunnally: Sure. It said the term expired it was expired.

A. Marchetti: How did you know Chris was the first and not Brian. Obviously neither did Chris or neither did Brian.

F. Westbrook: I think it is terribly unfair to him.

A. Marchetti: I agree with you in the setting the precedence, but I would think if there was circumstances were explained it is, we're not just voting.



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W. Nunnally: Oh...I mean it is not that we wouldn't want to do it, he is going to have the votes but if we break protocol in this thing what are we going to break next.

A. Marchetti: To be fair to Chris or to Brian or whoever name got raised first probably should have been explained to him.

F. Westbrook: I agree with that too. He should have known going into it this is what was going to happen and I can guarantee you that neither....

W. Nunnally: Monday morning quarterbacks are real good.

A. Marchetti: I don't disagree with you, I'm just saying look at it from all perspectives. I'm not saying I have the answer, I'm just saying look at it from all perspectives.

F. Westbrook: I think this is our fault. We dropped the ball on this when we didn't make this plan.

W. Nunnally: Well we don't break protocol. We don't compound the mistakes.

F. Westbrook: Well I am willing to break protocol on this.

W. Nunnally: Well I'm not.

N. Keane: This was just for everybody to remember, you all came up with a good idea since you had two good, we added to the planning commission so now it is an extra seat and he ended up getting the one month one for the existing seat and the other person got the new seat is what it was for a full term. It was an additional person, if you remember the meeting.

W. Nunnally: It was an excellent idea and I voted for him, so it's not the person, it is, we have got to maintain a standard for the public to...

A. Marchetti: Did we advertise that there were two seats available.

N. Keane: No.

A. Marchetti: I mean, again I follow the logic and I'm not disagreeing whole heartedly but kind of...

W. Nunnally: Call the question.

F. Westbrook: So what's the question.

W. Nunnally: I move that we follow protocol and that we don't appoint him that he reapply and be considered for the 4 year term, what is it 3 year or 4 year term.

Mayor Bugg: 4.

W. Nunnally: Is that we advertise to see if anybody else wants to do the job.



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Mayor Bugg: One advertisement.

B. Schaschek: One.

W. Nunnally: One.

Mayor Bugg: There is a motion made, is there a second.

B. Schaschek: I'll second it.

Mayor Bugg: Further discussion. Vote. We'll do a roll call vote.

Vote:	Bonnie Schaschek	Aye	
	Frances Westbrook		No
	Anthony Marchetti		No
	Wayne Nunnally	Aye	
	Jackie Brown	Aye	
	Dudley Patteson		No
	Mayor Bugg		No

Mayor Bugg: As mayor I will break this tie vote No. I will explain to the council that we will look into this issue and take what Mr. Nunnally said whole heartedly and very much appreciate his comments.

THE MOTION THAT WE FOLLOW THE TRADITIONAL APPOINTMENT AND ASSIGN THE POSITIONS OR COMMITTEES AND THAT THE WHATEVER POSITION IS VACATED THEN IT IS VACATED AND FINISH ANYBODY CAN THEN RUN IF THEY WANT TO DO THAT OR APPLY FOR THAT VACANCY

IS NOT PASSED 4-3.

N. Keane: You are going to have to vote to appoint. That's your next vote.

Mayor Bugg: Exactly.

F. Westbrook: So you'll have to break that too so.

W. Nunnally: I have no problem with the man.

A. Marchetti: I understand it is not personal and the logic behind your vote.

W. Nunnally: Take a lesson on history.

A. Marchetti: Evolution is inevitable.

Mayor Bugg: Next is motion to reappoint Chris Braly for a term to expire in 2024. Would someone like to make that motion.

W. Nunnally: I'll make that motion.

Mayor Bugg: Do I have a second.

F. Westbrook: Second.



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Mayor Bugg: Any further discussion. All in favor. Opposed. Thank you and again thank you for your comments all of you.

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

THE MOTION TO REAPPOINT C. BRALY TO THE PLANNING COMMISSION FOR A TERM EXPIRE OF JUNE 30, 2024 IS PASSED 6-0.

F. Westbrook: That was an interesting one.

I. ANNOUNCEMENTS

1. In observance of Columbus Day the Town Office will be closed on Monday, October 12.

Mayor Bugg: Announcements. One announcement in consideration of Columbus Day the town office will be closed on Monday, October 12th. Any further announcements Madam Clerk. I turn to Vice Mayor for closed session reading.

J. CLOSED SESSION

Frances Westbrook: I Frances Westbrook move to go into closed session Pursuant to 2.2-3711A7 of the Code of Virginia for consultation with legal counsel for actual or probable litigation and pursuant to 2.2-3711A3 of the Code of Virginia for real estate matters where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town.

Mayor Bugg: Is there a motion to review closed session.

D. Patteson: Second.

Mayor Bugg: All in favor.

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

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

K. RETURN TO OPEN SESSION

F. Westbrook: Whereas the Town of Irvington has convene 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 a certification by the Board that such closed session was conducted in conformity with Virginia law; Now, there, be it resolved that the Board hereby certified that to the best of each member’s knowledge (i) only public business matters lawfully exempted from



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open session requirement by Virginia law were discussed in closed session to which this certification resolution applies and (ii) only such public business matters were identified in the motion convening the closed session were heard, discussed or considered by the Board. Departure from Purpose? Is there any member who believes that there was a departure from the motion to go into a closed session? If so, so state the departure. There are no statements.

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

W. Nunnally: Move we adjourn

S. Phillips: There are no actions to be taken. There was a consensus to hold a special called meeting next Thursday.

L. ADJOURN

W. Nunnally: Call the question.

Mayor Bugg: Vote.

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

THE MOTION TO ADJOURN IS PASSED 6-0.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



**TOWN OF IRVINGTON, VIRGINIA
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TOWN COUNCIL SPECIAL CALLED MEETING
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AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: Wayne can you hear us.

W. Nunnally: Yes sir.

Mayor Bugg: Excellent. Go ahead and call this meeting to order. This is the Irvington Town Council special called meeting on Thursday, October 15, 2020 at 5:00 p.m. Again, we are at the Irvington Baptist Church. Notice is hereby given that Irvington Town Council will hold a special called meeting on Thursday, October 15, 2020 at 5:00 p.m.. I have called this meeting to order with roll call.

B. ROLL CALL – Mayor Bugg

Members of Council Present: Frances Westbrook
Anthony Marchetti
Jackie Brown
Bonnie Schaschek
Wayne Nunnally (via telephone)

Absent: Dudley Patteson

Administrative Staff Present Nancyellen Keane, Esq., Town Attorney
Lara Brown, Zoning Administrator
Sharon Phillips, Clerk, FOIA Officer

Guests: See attached sign in sheet

C. CLOSED SESSION

F. Westbrook: I, Frances Westbrook move to go into closed session pursuant to §2.2-3711A3 of the Code of Virginia for commercial issues regarding possible temporary or replacement of town office for discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town.

B. Schaschek: Second.

Mayor Bugg: All in favor. Opposed.

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

THE MOTION TO GO INTO CLOSED SESSION IS PASSED 5-0.

D. RETURN TO OPEN SESSION

F. Westbrook: Whereas the Town of Irvington has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act;



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and whereas §2.2-3711 A(3) for real estate matters the code of Virginia requires a certification by the Board that such closed session was conducted in conformity with Virginia law; now, there be it resolved that the Board hereby certified that to the best of each member’s knowledge (i) only public business matters lawfully exempted from open session requirement by Virginia law were discussed in closed session to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Board. Is there any member who believes that there was a departure from the motion to go into a closed session? If so, so please state the departure. There is no response.

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

Mayor Bugg: Excellent. We will now move to vote on the various items. The first is the motion to select Ann Meekins as the listing agent for 235 Steamboat Road and to authorize the mayor to sign the listing agreement with Ann Meekins. Would anybody like to make that motion?

B. Schaschek: So move.

J. Brown: Second.

Mayor Bugg: Any discussion? All those in favor and all those opposed? The motion passes.

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

THE MOTION TO SELECT ANN MEEKINS AS THE LISTING AGENT FOR 235 STEAMBOAT ROAD AND TO AUTHORIZE THE MAYOR TO SIGN THE LISTING AGREEMENT WITH ANN MEEKINS IS PASSED 5-0.

Mayor Bugg: Second item would be a motion for the designation of the North Commons as the location for the new town office. Obviously we are just getting this going so we are not putting any details in this motion. Would anybody like to make that motion?

F. Westbrook: I so move.

B. Schaschek: Second.

Mayor Bugg: Any discussion? All those in favor and all those opposed? The motion passes.



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

THE MOTION FOR THE DESIGNATION OF THE NORTH COMMONS AS THE LOCATION FOR THE NEW TOWN OFFICE IS PASSED 4-1.

Mayor Bugg: The third item would be a motion to authorize town staff to proceed with getting proposals related to items discussed concerning a new town office such as a proposal from Chesapeake Homes or a similar contractor; a proposal for a survey; a proposal for a site plan from Bay Design or similar contractor. Can I get that motion?

W. Nunnally: We are just getting figures, is that correct?

B. Schaschek: Yes.

F. Westbrook: Move.

A. Marchetti: Second.

Mayor Bugg: Any discussion? All those in favor and all those opposed? The motion passes.

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

THE MOTION TO AUTHORIZE TOWN STAFF TO PROCEED WITH GETTING PROPOSALS RELATED TO ITEMS DISCUSSED CONCERNING A NEW TOWN OFFICE SUCH AS A PROPOSAL FROM CHESAPEAKE HOMES OR A SIMILAR CONTRACTOR; A PROPOSAL FOR A SURVEY; A PROPOSAL FOR A SITE PLAN FROM BAY DESIGN OR SIMILAR CONTRACTOR IS PASSED 5-0.

Mayor Bugg: The last item would be a motion to authorize the town attorney to proceed with research concerning Irvington’s position in regards to land disturbance and issuing a new ordinance that would give us more of a role in that process. Is there anything else we need to say regarding this?

F. Westbrook: That is the JPA?

N. Keane: Yes. For reference, it is related to section §154.157B(2) of the Town Code.

B. Schaschek: That is the State Code?

N. Keane: No, it’s the Town Code.

Mayor Bugg: Would anyone like to make that motion?



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B. Schaschek: So moved.

J. Brown: Second.

Mayor Bugg: Any discussion? All those in favor and all those opposed. The motion passes.

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

THE MOTION TO AUTHORIZE THE TOWN ATTORNEY TO PROCEED WITH RESEARCH CONCERNING IRVINGTON’S POSITION IN REGARDS TO LAND DISTURBANCE AND ISSUING A NEW ORDINANCE THAT WOULD GIVE US MORE OF A ROLE IN THAT PROCESS IS PASSED 4-1.

E. ADJOURN

Mayor Bugg: Can I get a motion to adjourn?"

W. Nunnally: I move we adjourn.

A. Marchetti: Second:

Mayor Bugg: All those in favor and all those opposed. We are adjourned.

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

THE MOTION TO ADJOURN IS PASSED 5-0

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



**TOWN OF IRVINGTON, VIRGINIA
IRVINGTON TOWN COMMONS
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TUESDAY, NOVEMBER 17, 2020 2:00 PM**

Mayor Bugg, “This is a Town Council special called meeting on Tuesday, November 17, 2020 at 2:00 p.m. in the Irvington Commons. Notice is hereby given that the Irvington Town Council will hold a special called meeting on Tuesday, November 17, 2020, 2:00 p.m. in the Irvington Town Commons. The purpose of the special called meeting is to conduct monthly business. There is a rain date scheduled for tomorrow that is not used, not being used, we do have another meeting tomorrow as everyone knows at 2:00 p.m. I am calling this meeting to order.”

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg, “I am calling this meeting to order. Roll call we can start with Mr. Nunnally.”

B. ROLL CALL –

Members of Council present: Wayne Nunnally
Dudley Patteson
Bonnie Schaschek
Frances Westbrook
Mayor Bugg
Jackie Brown (via telephone)
Anthony Marchetti (arrived 2:03 p.m.)

Staff Present Nancyellen Keane, Esq., Town Attorney
Lara Brown, Zoning Administrator
Sharon Phillips, Clerk, FOIA Officer, Treasurer

Guests Present: See attached sign in sheet

Mayor Bugg, “The next item on the agenda will be the report for the budget and the Finance Committee.”

C. BUDGET REPORT/FINANCE COMMITTEE

F. Westbrook, “Alright you should have in your packet the Cares Small Business Grant, so unless you have any specific questions, anyone? Jackie, do you have any questions.” J. Brown, “I do not.” F. Westbrook, “Okay thank you.” J. Brown, “It looks pretty much like the Kilmarnock grant.” F. Westbrook, “Good, good, good. Alright if there are no questions then, The Budget and Finance recommends that we go with this application and the dates that are included in there in order to go forth with and accept applications and pay the monies out.” Mayor Bugg, “Thank you for all your work on this, so the motion to approve materials and authorize release of Irvington Cares Small Business Grant Program, that’s the first matter in terms of motions. Does anyone have any questions or concerns about any of that?” S. Phillips, “Mr. Mayor would you please let the record show that Anthony Marchetti arrived.” Mayor Bugg, “I would like the record to show that Anthony Marchetti is also present. Thank you for all of your efforts The Budget and Finance Committee especially with the Cares Act and getting that going as well. I know the community will truly appreciate that so would anyone like to make that motion.” F. Westbrook, “So moved.” Mayor Bugg, “Can I get a second.” B. Schaschek, “Second.” Mayor Bugg, “Any discussion. All in favor and all those opposed.” N. Keane, “Can we get a roll call because Jackie is on the phone.”



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Roll Call Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Wayne Nunnally	Aye
	Jackie Brown (via phone)	Aye

MAYOR BUGG, “MOTION TO APPROVE MATERIALS AND AUTHORIZE RELEASE OF IRVINGTON CARES SMALL BUSINESS GRANT PROGRAM IS PASSED 6-0.

D. OLD BUSINESS

1. Second Reading Ordinance 2020-07.uc Adopting Fee Rate Schedule

S. Phillips, “Second Reading Ordinance 2020-07.uc Adopting 2020-21 Fee Rate Schedule; Amending Town Code and Establishing Certain New Fees. Whereas, the Irvington Town Council previously adopted ordinances authorizing the levy of certain fees, namely an administrative fee on May 13, 2019, and three zoning-related fees, (sign, subdivision and zoning permit fees) on April 10, 2003, as more particularly described on the attached Fee Rate Schedule.” Mayor Bugg, “Can I get a motion?” W. Nunnally, “So move.” F. Westbrook, “Second.” Mayor Bugg, “Any other discussion? All those in favor and all those opposed?”

Roll Call Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Wayne Nunnally	Aye
	Jackie Brown (via phone)	Aye

MAYOR BUGG, “MOTION TO APPROVE ORDINANCE 2020-07.UC IS PASSED 6-0.

2. Second Reading Ordinance 2020-08.uc Adopting Transient Occupancy Tax Rate

S. Phillips, “Ordinance 2020-08.uc Adopting Transient Occupancy Tax Rate. I only need to read the title.” Mayor Bugg, “Can I get a motion and a second?” W. Nunnally, “So move.” D. Patteson, “Second.” Mayor Bugg, “Is there any discussion? B. Schaschek, “Is this something that we really want to do? I agree that we need to up it because we have been undercharging. Most towns are doing anywhere between 6% and 8% we are just upping it to 4% but with the second outbreak of COVID and the potential shut downs again is this something that we want to do to our businesses?” F. Westbrook, “I think since it is just a pass through we are not adding anything onerous on any specific business.” S. Phillips, “You would have to amend the budget.” F. Westbrook, “And that is another thing, we would have to amend the budget because this has already had its first reading.” D. Patteson, “As far as the Hope & Glory and the Tides are concerned we are in agreement on 4%. We would probably have heartburn if it were more and we will probably have a significant health event coming. Should we need to address it later we can.” F. Westbrook, “We will be doing the new budget here really really soon.” Mayor Bugg, “Any further discussion? With that can I get a vote? All those in favor and all those opposed?”

Roll Call Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Wayne Nunnally	Aye
	Jackie Brown (via phone)	Aye



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MAYOR BUGG, “MOTION TO APPROVE ORDINANCE 2020-08.UC IS PASSED 6-0.

3. Second Reading Ordinance 2020-09.uc Adopting Real Estate Tax Rate

S. Phillips, “Ordinance 2020-09.uc Adopting Real Estate Tax Rate.” Mayor Bugg, “Can I get a motion to adopt this?” B. Schaschek, “So move.” D. Patteson, “Second.” Mayor Bugg, “Any discussion? All those in favor and those opposed.”

Roll Call Vote:	Frances Westbrook	Aye	
	Bonnie Schaschek	Aye	
	Anthony Marchetti	Aye	
	Dudley Patteson	Aye	
	Wayne Nunnally		No
	Jackie Brown (via phone)	Aye	

MAYOR BUGG, “MOTION TO APPROVE ORDINANCE 2020-09.UC IS PASSED 5-1.

4. Second Reading Ordinance 2020-10.uc Adopting an Amended FY20/21 Budget

S. Phillips, “Ordinance 2020-10.uc Adopting an Amended FY20/21 Budget.” Mayor Bugg, “Can I get a motion?” F. Westbrook, “So move.” A. Marchetti, “Second.” Mayor Bugg, “Discussion? Roll call vote.” F. Westbrook, “Westbrook yes.” B. Schaschek, “Schaschek no. First I want to thank the finance team but I also want to explain why I am not agreeing.” Mayor Bugg, “Is that a tie break?” F. Westbrook, “There are 3 yes and 3 no.” Mayor Bugg, “Mayor Bugg yes.” B. Schaschek, “Can the mayor vote on the budget?” N. Keane, “Yes. He can break the tie on the budget but he can’t break a tie on a tax.” Mayor Bugg, “Motion passes.” B. Schaschek, “We are going to court with this.” S. Phillips, “I’m sorry?” B. Schaschek, “I’m talking to myself.”

Roll Call Vote:	Frances Westbrook	Aye	
	Bonnie Schaschek		No
	Anthony Marchetti	Aye	
	Dudley Patteson	Aye	
	Wayne Nunnally		No
	Jackie Brown (via phone)		No
	Mayor Bugg	Aye	

MAYOR BUGG, “MOTION TO APPROVE ORDINANCE 2020-10.UC IS PASSED 4-3.

E. NEW BUSINESS

1. Motion to adopt CUP schedule – L. Brown, Zoning Administrator

Mayor Bugg, “We have the Cup Schedule.” S. Phillips, “Alright members of Council I am going to pass out the, unless, it’s for your convenience I’m passing out the proposed CUP schedule.” Mayor Bugg, “Sharon I hate to cut you off, but before we get ahead, so we are all on the record, I just want to find out why you voted against the budget.” Mayor Bugg, “I’m just inquiring while we’re still kind of close to the budget why those members voted no to adopt that. I’m just curious.” B. Schaschek, “There’s a couple of reasons, number one is, I have a problem with the wealth management piece of it right now.” Male, “Can’t hear you.” B. Schaschek, “I’m sorry, I have a problem with the wealth management piece of it right now. We never had the chance to discuss it in full, we don’t know what it is that are going. There were several different proposals. We never determined which way we wanted to go. I think it is imperative that you know the Town does an audit of its own books and makes a decision on which way it should go. Which projects it wants before it starts bringing in somebody to arbitrarily decide what we should and shouldn’t be doing and where the funds are coming from and reading some of that stuff they wanted to float bonds. We are not in



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a position to float any bonds. That was the number one problem I had. The second problem I have is with the VCT Tourist Grant. I'm not going to go into the history of it, but the whole thing changed from when the initial application was put in. Now all of a sudden instead of the town being on the hook for \$10,000 it is now on the hook for \$25,000. We have never, we have asked at the last three meetings for an explanation on what it is that these people are going to be doing and how it's going to be done and how is it going to benefit the Town. To date we have gotten no information. Now we've spent money, but I would rather cut the losses now than to continue going forward, because we still don't know what they are giving us, and I see that there is an appropriation for Flackshack again and this is now going to be the fourth time we request information. I just think it is unconscionable that this is going forward, and we have no answers." Mayor Bugg, "And much of that would have been addressed last Thursday, they were going to be present with a fairly, really extensive PowerPoints but obviously that's going to have to wait so." B. Schaschek, "And one last issue I have with it is on the CARES Fund, had we gone ahead and done this budget and had all the special meetings we would not have been putting the CARES funds in the budget. Those CARES funds are not really operating costs of the Town. That is to cover any expenses that we had as a result of COVID-19. Not to aid in the budgeting and I don't think it should be used, I think we are moving too fast on using it for things like the new town hall and stuff like that without further investigating it, so. I have a problem with the COVID funds being there." Mayor Bugg, "That's why I asked, yes." F. Westbrook, "If I might, just a couple of statements, in regard to the Wealth Management Funds, or whatever you care to call it, just because it's in the budget does not mean that it, that we will spend it. It's there if we decide to go ahead with it, we have not had a vote, we have not had a discussion, but should we decide to go ahead, if it is not in the budget then we have no means of funding that project. So yes, we still will have that discussion. The other part, what was your last." F. Westbrook, "I had the VCT Grant." F. Westbrook, "Okay, I have no comment, I guess it was just the first thing. We will be discussing the, not the VTC Grant but the second thing that you spoke of." B. Schaschek, "Isn't that the VCT Grant." F. Westbrook, "We talked about three different things." N. Keane, "First was Wealth Management, I think second was VCT and third was Cares Fund." F. Westbrook, "CARES fund, thank you, thank you, and yes, we will be, well the packet you got with the application form pretty much tells us all that we need to know and doesn't need to come back to the Town Council for individual votes on the applicants because of the way the application is set up." B. Schaschek, "Which one are you talking about now?" F. Westbrook, "I'm talking about the CARES fund stuff. B. Schaschek, "I'm talking about the Virginia Tourists." F. Westbrook, "But you also mentioned the CARES fund." B. Schaschek, "I'm talking the COVID-19 the \$70,000 that is sitting in the budget." F. Westbrook, "Yes, that's the CARES Fund, the COVID CARES Act money and when it comes to, other than the funds that we have allocated to the application for resident businesses the rest will be decided upon on, on vote. We have not had the opportunity to vote or discuss that either, that would have been on our agenda last Thursday, so we will be talking and voting on that Thursday, so we will be talking and voting on that." Mayor Bugg, "Anything else to add." W. Nunnally, "I agree with everything everybody said but in addition I, the main thing is the real estate taxes are too high and it should not be that much." Mayor Bugg, "Thank you Mr. Nunnally." W. Nunnally, "Your welcome." Mayor Bugg, "Your words caused a commotion." W. Nunnally, "Not unusual." Mayor Bugg, "Anyone else. Alright Sharon I want to take this back to where we were which was new business. L. Brown, "Do you all have the proposed Cup Schedule in your packet." S. Phillips, "What's the question." L. Brown, "I was just asking if they all had." S. Phillips, "They do, they do." L. Brown, "On your proposed CUP Schedule there are three applications in the pipeline right now. Have you had a chance to look at the schedule? The first is CUP 7-Alga, Replace and Extend Existing Pier. The second CUP is CUP 8-Smith, build new pool at residence outside the RPA, the third is CUP9- Webb, build new pool at residence inside the RPA Redevelopment, no further encroachment and no increase in impervious cover. Propose that the schedule is adopted today ending on January 14th. No additional meetings are on this proposed schedule. Mayor Bugg, "Thank you. Is there a motion to adopt this schedule? Would anyone like to make that motion?" A. Marchetti, "So moved." Mayor Bugg, "Could I get a second?" B. Schaschek, "Second." Mayor Bugg, Roll call vote."



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Roll Call Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Wayne Nunnally	Aye
	Jackie Brown (via phone)	Aye

MAYOR BUGG, “MOTION TO APPROVE CUP SCHEDULE (7, 8, 9) IS PASSED 6-0.

2. Motion to appropriate FY20/21 general operating funds – F. Westbrook

Mayor Bugg, “Item #2 under new business is Motion to Appropriate 2020/2021 General Operating Funds.” S. Phillips, “For the budget that was just passed.” Mayor Bugg, “For the budget that was just passed.” F. Westbrook, “Okay that was going to be my question because we did pass the amended budget, so now we are going back to the regular allocation of funds.” S. Phillips, “General operating.” F. Westbrook, “General operating only is what we are looking at.” S. Phillips, “No community support and tourism and no capital.” F. Westbrook, “As we typically would be doing.” S. Phillips, “On an annual basis. F. Westbrook, “Okay. I make the motion that we appropriate the general operating funds through the end of this fiscal year, June 2021.” Mayor Bugg, “Thank you, can I get a second.” A. Marchetti, “Second.” Mayor Bugg, “Any discussion.” B. Schaschek, “What general operating funds in addition to what we already appropriated, authorize without appropriation are you adding?” F. Westbrook, “Whatever is on the amended budget for general operating. Just like we normally would do. We ceased doing that because we readopted the previous year’s budget and this was how we were trying to keep a little bit of spending control because we didn’t know what the COVID was going to bring for us and we said we would continue doing that until we did an amended budget.” B. Schaschek, “But we already approved a lot of the buckets that, that’s what I’m asking.” S. Phillips, “There’s very little, just a clean motion for the new operating.” B. Schaschek, I’m going to say no until I find out what it is.” B. Schaschek, “No.” F. Westbrook, “We are not voting yet, we are waiting for a second.” A. Marchetti, “Second, Anthony seconded it.” Mayor Bugg, “Can I get a vote, a roll call vote. “

Roll Call Vote:	Frances Westbrook	Aye	
	Bonnie Schaschek		No
	Anthony Marchetti	Aye	
	Dudley Patteson	Aye	
	Wayne Nunnally		No
	Jackie Brown (via phone)		No

Mayor Bugg, “Can I break this tie? Mayor Bugg yes.”

**THE MOTION TO APPROPRIATE 2020/2021 GENERAL OPERATING FUNDS IS DEFEATED.
3-3.**

Mayor Bugg, “The next item on the agenda would be a motion to appropriate funds, actually, excuse me, I got ahead of myself.” W. Nunnally, , “If this is the appropriation of funds, as I read our charter.” N. Keane, “Oh wait a minute this is appropriation, okay, yeah, you can’t do that. That’s true.” Mayor Bugg, “Okay. “F. Westbrook, “Do you retract.” Mayor Bugg, “I will retract my vote. We have a tie.” N. Keane, “Okay so the motion doesn’t pass.” Mayor Bugg, “Okay, so the motion does not pass.”



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THE MOTION TO APPROPRIATE 2020/2021 GENERAL OPERATING FUNDS DOES NOT PASS. 3-3.

B. Schaschek, “But that’s not to say that at the next meeting we will review what has already been authorized and in addition that can’t be voted in.” Mayor Bugg, “Does this lock up payroll, doesn’t pay our bills.” N. Keane, “Well there’s another motion here to do what you’ve been doing for the last however many months. You’re just appropriating...” B. Schaschek, “Month by month.” N. Keane, “October, the October one is next. Two down. That’s just the way you’ve been doing it before.” Mayor Bugg, “Oh, okay.” N. Keane, “So I think you can continue doing that.”

3. Motion to appropriate prepayment (December 2020 – June 2021) of Rent – F. Westbrook

Mayor Bugg, “Okay. Next item would be motion to appropriate prepayment of December 2020 through June 2021 of rent, Fran, that one is yours.” F. Westbrook, “This is prepayment of the rest of the fiscal year’s rent payments that is coming out of the COVID funds, is that correct. So, I make that motion.” B. Schaschek, “Okay, I will second.” Mayor Bugg, “Any discussion.” B. Schaschek, “Yes.” Mayor Bugg, “Yes.” B. Schaschek, “Sorry, you have this going out to June 21, have we been guaranteed that we can use those funds?” N. Keane, “No and I can explain this in its, and I don’t remember which one it was. It is not a foregone conclusion that the audit that is done on the County will allow us to prepay out the rent. Rent is a qualified expense under COVID Cares, and prepayment is usually okay for an item or to buy something or whatever, so the question it is not 100% clear with accountants or the lawyers involved in interpreting this. We did make some provisions when you all were working on your budget that if you had to bring that, if you had to make a book entry to pay it back in a way, it would be like \$8 or \$9,000 or something like that.” S. Phillips, “Line item.” N. Keane, “It’s a line item that’s in the budget in case. Yeah.” Mayor Bugg, “Any further discussion. Roll call vote.”

Roll Call Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Wayne Nunnally	Aye
	Jackie Brown (via phone)	Aye

THE MOTION TO APPROPRIATE PRE PAYMENT DECEMBER 2020 THROUGH JUNE 2021 OF RENT IS PASSED. 6-0.

4. Motion to appropriate funds from community support and tourism to purchase Christmas Lanterns - F. Westbrook

Mayor Bugg, “The next item would be the motion to appropriate funds for community support and tourism to purchase Christmas lanterns. Again, Mrs. Westbrook, I will turn that one over to you.” F. Westbrook, “We are going to have to start spreading this around. So, this is a motion to buy Christmas lanterns. We are going to buy how many again.” S. Phillips, “10 lanterns.” J. Brown, “Are you going to skip motion #4.” F. Westbrook, “This is motion #4.” J. Brown, “He said Christmas lanterns are #5.” F. Westbrook, “You are on a different agenda Jackie.” J. Brown, “Okay, alright”. F. Westbrook, “Okay so this is Christmas lanterns and we are going to purchase 10 of them, so that is the motion.” W. Nunnally, “How much are they going to cost?” F. Westbrook, “They are \$500 a piece, there’s \$5,000 in the budget.” F. Westbrook, “They are identical to the ones we already have, that’s the good part.” W. Nunnally, “Can this come out of COVID?” Mayor Bugg, “Can I get a second.” W. Nunnally, “Second.” Mayor Bugg, “Any further discussion?” B. Schaschek, “Yes, is this strictly only for the lanterns?” Mayor Bugg, “My understanding



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yes.” B. Schaschek, “Okay so it’s not for all the items that are on this AP list right here.” F. Westbrook, “What else is on there that might be? This is just for the lanterns. B. Schaschek, “Well, the lanterns are also on this, isn’t that Mosca Design, so that is part of the whole list that we just got.” F. Westbrook, “Okay strike that off the list.” B. Schaschek, “This is a new list that we got today. Do you mind if I just ask Sharon something?” F. Westbrook, “No go ahead.” B. Schaschek, “On this list. This total does not add up.” W. Nunnally, “We are transparent here. “ B. Schaschek, “Huh?” W. Nunnally, “Speak up, we are transparent here.” B. Schaschek, “I said the math doesn’t add up.” F. Westbrook, “Well we’ll get to that in a few minutes.” B. Schaschek,” Okay so it is not for the AP Aging Summary, all we are doing right now is authorizing the \$5,000 which is in the Capital current budget for the lanterns.” F. Westbrook, “That’s my understanding, yes correct.” B. Schaschek, “I’m good thanks.” Mayor Bugg, “Any further discussion. If not, we’ll do a roll call vote.”

Roll Call Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Wayne Nunnally	Aye “With the stipulation that it is specifically for the lanterns.”
	Jackie Brown (via phone)	Aye

Mayor Bugg, “Motion passes. Thank you.”

THE MOTION TO APPROPRIATE FUNDS FOR COMMUNITY SUPPORT AND TOURISM TO PURCHASE CHRISTMAS LANTERNS IS PASSED. 6-0.

5. Motion to appropriate October general operating expenses not previously appropriated - F. Westbrook

Mayor Bugg, “The next item is the motion to appropriate October general operating expenses not previously appropriated.” F. Westbrook, “Per Bonnie’s notations the list that we’ll be addressing are those items that were removed from the list such as Mosca, everything else has been appropriated. Mosca should be deleted from the list and everything else is appropriated.” Mayor Bugg, “Thank you, would someone like to make that motion?” F. Westbrook, “So moved.” Mayor Bugg, “Can I get a second.” S. Phillips, “Thought we had a second” D. Patteson, “Second.” Mayor Bugg, “Any further discussion?” B. Schaschek, “Yes, sorry.” Mayor Bugg, “That’s why we’re here. “ B. Schaschek, “You have Flackshack for \$5,556. We just last month allocated \$3,000 an appropriation for \$3,000 for them, and again I know you said you thought they were going to come in this month and talk to us about it. I can’t agree to spending any more money with them until we find out what it is that they are doing for the Town.” S. Phillips, “The terms of the contract is the invoice due payable prior to the month the work is done, so one month is already behind whereas the other invoice would be for the month of December. I’m just trying to meet the terms of their contract.” F. Westbrook, “So, if its payable the month before the work has been done, is that what you’re saying.” S. Phillips, “The terms of the contract are that the invoice is due a month, so December work they needed to.” N. Keane, “The contract, didn’t the Council authorized they mayor to sign the contract last month? Did you sign the contract?” Mayor Bugg, “Yeah, that was back.” N. Keane, “Didn’t we sign the contract?” Mayor Bugg, “Yeah, yeah.” N. Keane, “So we have a contract with them.” S. Phillips, “We are just meeting the terms of the contract.” J. Brown, “I can’t hear.” S. Phillips, “We are just meeting the terms of the contract.” F. Westbrook, “Okay you know I’m inclined to agree with Bonnie in that we anticipated they were going to come to us and answer some questions. I think what we’re saying is that the contract stipulates payment in



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advance of work. The next round of work is to be done in December, if that work is not done until January, we wouldn't owe it until a little bit later, so I would be inclined to agree with Bonnie and let's have them come in and at least talk to us as they were scheduled. We can get them rescheduled I think that would be a good idea." S. Phillips, "But the terms of their contract are, we are going to break the terms of the contract." F. Westbrook, "It says prior to the work being done is what I understand the lawyer, or legal saying." N. Keane, "I don't remember, I just want to make sure everybody realized this is a binding contact we've already signed." F. Westbrook, "Well then we are going to meet again tomorrow, can we find out about that and postpone this vote." S. Phillips, "No, because it's a public hearing." F. Westbrook, "Pardon." N. Keane, "It's not on the agenda." S. Phillips, "Tomorrow is just a public hearing, no action taken." F. Westbrook, "I still think that we need to hear from them. There are some questions out there and I understand about the contract but at this point we are not very clear on exactly when the payments are scheduled. To me, if it's not payable until before the work, if it's payable before the work is done, if the work hasn't been done yet then it is not payable. So, if the work is put off until January we still would be within the terms of the contract. That's all I'm saying." W. Nunnally, "Are we going to delete that and vote on the rest." S. Phillips, "Why wouldn't you at least give them one month." F. Westbrook, "We haven't had them come and give us their presentation." F. Westbrook, "We already gave them \$3,000. I think we gave them that first day, the first amount". S. Phillips, "Which was already behind." N. Keane, "I don't know what the schedule is." S. Phillips, "That's bad business." N. Keane, "I don't know what the schedule is." S. Phillips, "It's the grant." N. Keane, "Did you pay them according to the schedule and the contract." Male, [inaudible, wind]. Mayor Bugg, "Adhere to the contract, do they intend to return in December." S. Phillips, "Yes, the only reason, they didn't fail the terms of their end of the contract, we canceled the meeting. So, because we're going to cancel the meeting, we're going to delay their payment by over 30 days, during COVID-19." B. Schaschek, "It doesn't sound like they did any work, paying them in advance of the work. They haven't done the work yet." S. Phillips, "They've been working since like." W. Nunnally, "We gave them \$3 grand." Mayor Bugg, "Yeah, they've been working on it." F. Westbrook, "Alright we've paid them \$3 grand and they did \$3 grand worth of work, now we're going to pay them \$6, so they can do \$6 grand worth of work." S. Phillips, "So the invoices that were submitted were for the month of November and we're currently on the 18th of November so that invoice is technically 18 days behind." F. Westbrook, "So, but they are not doing the work before they are prepaid are they?" B. Schaschek, "We didn't even approve that until last month so, that was for the \$3,000, so how are we 2 months behind in an invoice." S. Phillips, "Because the terms of the contract are that the invoices are due payable 30 days, so the December invoice is due December 1." F. Westbrook, "And how much is the invoice." S. Phillips, "\$2,700 and." F. Westbrook, "So that's part of that \$3,000 correct." S. Phillips, "Which was the first one which was for what September, but we didn't cut the check until the end of September." B. Schaschek, "We didn't appropriate it until October." S. Phillips, "Right." F. Westbrook, "So this would have been". S. Phillips, "So we've been remiss in the terms of the contract consistently." W. Nunnally, "We only authorized \$3,000." S. Phillips, "To come out of contingency." Mayor Bugg, "Yeah." F. Westbrook, "The first one you're right, came out of that contingency. That was the \$3,000." S. Phillips, "And you just passed your budget." F. Westbrook, "Right." S. Phillips, "And this would." D. Patteson, "Pay it deliverable of a presentation." S. Phillips, "Because that won't be until December and then there is 60 days into their work." W. Nunnally, "We need the lawyers." F. Westbrook, "We are not even sure right now, I would just say..." S. Phillips, "All of you, it's the grant." B. Schaschek, "At the last meeting we authorized..." D. Patteson, "\$3,000..." S. Phillips, "Out of contingency. That \$3,000 came out of contingency and this has a line item in this amended budget." B. Schaschek, "That's not the point. That's not the point at all. In that contingency account it doesn't really exist." N. Keane, "They just want to know when it is due." Mayor Bugg, "Yeah." S. Phillips, "It's due, so the work for November, the invoice for November was due November 1st, it is now November the 17th." B. Schaschek, "So what was the \$3,000 that we authorized in



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October.” S. Phillips, “The work for the previous month.” N. Keane, “September.” Mayor Bugg, “If we would have had the presentation, we would have seen all that work where we haven’t been able to see that yet because of what happened.” S. Phillips, “Through no fault of the vendors. Through no fault of the vendors they, I have their PowerPoint presentation that they were ready to share with Town Council. We had the office, the church set up for that which is another item on your item list. I just.” B. Schaschek, “\$500.” S. Phillips, “I just think that this contractor has met the terms of the agreement and we as a jurisdiction we’ve not met our terms.” W. Nunnally, “May I ask a question Mr. Mayor.” B. Schaschek, “I would like you to send me a copy of that.” S. Phillips, “The grant, it’s the grant.” F. Westbrook, “No the contract, the grant is not the contract.” S. Phillips, “Are you speaking of something else.” B. Schaschek, “Flackshack.” Mayor Bugg, “Flackshack.” S. Phillips, “Okay.” F. Westbrook, “I mean that’s what all this is about right, Flackshack.” W. Nunnally, “Right.” Mayor Bugg, “Right.” W. Nunnally, “And it’s about \$5,500. We just defeated a motion to appropriate the budget, expenses so if this was in that then that was defeated. It didn’t get appropriated.” S. Phillips, “Agreed.” W. Nunnally, “So.” F. Westbrook, “But it is on this list and so, I think that the suggestion might be to reduce the two invoices down to the November invoice. Otherwise, you are looking at December before this vendor would have the opportunity.” F. Westbrook, “It would be pushed back a month all the way down the line, so November would now be December, December would then be January and right on down the line.” S. Phillips, “What if the vendor drops us, what if we are not meeting their terms.” N. Keane, “I mean, I just, I’m wondering if you can just appropriate whatever the contract, whatever the schedule is in the contract, that’s what we have to adhere to, we just don’t have a contract in our hands right here. That’s the problem.” F. Westbrook, “Why are we paying for work before it has even been done. That’s highly unusual.” S. Phillips, “That’s the contract. So, we have Atlantic Broadband. You pay for services a month ahead of time.” F. Westbrook, “Well that’s a subscription.” S. Phillips, “I think that our trash service is done the same way.” F. Westbrook, “Well that may be but this is work we’ve contracted for to do something specific and typically you know you are paying as you go along, once work, a certain phase of work has been done then they bill you for that, then go onto the next phase, that’s the way you build a house, that’s the way you do a number of things. So, I don’t understand why it’s such a big deal if they haven’t done the work yet if it is just postponed until we get a chance to hear from them and we know exactly what they’ve already done that we paid for.” S. Phillips, “Actually what I hear is that it’s going to subjective, that you’re not going to release that payment unless you approve the work they do.” W. Nunnally, “I’m not going to continue to sit out here in the cold and argue this point, the \$5,500 should not be here because it hasn’t been appropriated and it should come out of there as well as the \$5,000. That’s \$10,500 out of the \$14 that we have, so we are down to about \$4,000 is what I move to approve. I agree with you Fran, I’m glad I can do that. I move that we delete the Flackshack \$5,556 appropriation and the Mosca Design \$5,000 appropriation from the list and approve the rest of the items.” Mayor Bugg, “Is there a second.” F. Westbrook, “Second.” Mayor Bugg, “Any further discussion.” F. Westbrook, “I would like to add that if we can find a place to meet inside that maybe they can come and do their presentation and not wait until the December meeting and.” Mayor Bugg, “I agree with that. I totally, that seems to be the rub, no one has seen any of this yet.” F. Westbrook, “That’s exactly right.” Mayor Bugg, “No one has seen the presentation because it got canceled last Thursday of no fault of the vendor.” F. Westbrook, “Or ours.” Mayor Bugg, “Or ours. I think if we can find a way to try and make that work, I’m all-in favor of that. Any further discussion.” D. Patteson, “Can we make that part of the motion.” Mayor Bugg, “Yeah if you’d like to add that to it.” D. Patteson, “I’d like to add that statement as part of the motion that we call a special meeting for learning or viewing the Flackshack presentation for the Town.” F. Westbrook, “Sooner rather than later.” F. Westbrook, “Sooner rather than later.” W. Nunnally, “I accept the amendment.” Mayor Bugg, “Excellent. Can I get a roll call vote?”



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Roll Call Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Wayne Nunnally	Aye
	Jackie Brown (via phone)	Aye

Mayor Bugg, "Motion passes. Thank you."

Mayor Bugg, "The amended motion passed." J. Brown, "The library meeting room." F. Westbrook, "That's possible." Mayor Bugg, "Certainly possible. We'll explore that." J. Brown, "Thank you." Mayor Bugg, "Thank you."

THE MOTION TO APPROPRIATE OCTOBER GENERAL OPERATING EXPENSES NOT PREVIOUSLY APPROPRIATED IS PASSED WITH THE AMENDMENT THAT A SPECIAL MEETING IS CALLED FOR A PRESENTATION FROM FLACK SHACK. 6-0.

F. ANNOUNCEMENTS

Mayor Bugg, "The next item will be announcements. In observance of the Thanksgiving holiday the Town office will be closed November 26th and 27th. Lighting of the Christmas trees has been moved to Saturday, November 28, 2020, Sharon do you have any further details about that." B. Schaschek, "Is that this Saturday?" S. Phillips, "Paul Elbourn called this morning and he'd like to light the tree this weekend. He says it would be a missed opportunity." B. Schaschek, "With weather." S. Phillips, "With weather." F. Westbrook, "It was supposed to be gorgeous next week." S. Phillips, "You make the decision, this weekend or next." Mayor Bugg, "28th yeah that's next." B. Schaschek, "How many trees are we lighting, just..." F. Westbrook, "They are talking about decorating. You are talking about this weekend the 21st is that what you're saying." Mayor Bugg, "I prefer to have it next weekend." F. Westbrook, "Oh, I thought you were saying this weekend. She is saying that." B. Schaschek, "Alright can I make a suggestion, because of the weather he wants to put it up now so he can get the lights up, and the lights on the tree. We don't need to plug it in officially until the following weekend. Is that okay." Mayor Bugg, "That's great. Alright then we'll keep it on the 28th as planned." F. Westbrook, "No that's not what she's saying." B. Schaschek, "We need to have him do the work this weekend." Mayor Bugg, "The work this weekend and then the plug when we deem appropriate. Likely the following Saturday. Santa is coming to town that's Friday, December 11th, that begins at 7:00 p.m. Sharon if you could share a few details about that." S. Phillips, "Members of Council in your packet that was distributed for last Thursday one of the attachments was a presentation from Kilmarnock the Town of Kilmarnock. Ashley their Community Support and Tourism Director had a brilliant and wonderful idea to have an event called Santa is Coming to Towns and they will have Santa drive through Kilmarnock, Irvington and the Town of White Stone. Santa will be escorted by a parade of first responders. They will simply leave Kilmarnock, come down Route 200, at a very slow roll, they will come through the business district on Route 200, turn left, and go into Whitestone and then they will head back to Kilmarnock. They will slow down in each respective town to allow the children to see Santa. Nothing will be thrown from the vehicles." F. Westbrook, "No candy. S. Phillips, "I think the concern is no one wants to create an opportunity where children can cluster, as well as given the time you would absolutely, I think the..." B. Schaschek, "It's pitch black at 7:00 p.m." S. Phillips, "The concern was the safety of children and all of those emergency vehicles." B. Schaschek, "They are just going to come down 200 they are not going to come down." S. Phillips, "Straight down 200." F. Westbrook, "It ought to be pretty." B. Schaschek, "That's when?"



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Mayor Bugg, “The 11th of December. That’s a Friday, 7:00 p.m. Thank you, it looks like we moving to close session. Fran if you could take care of the reading.”

G. CLOSED SESSION

F. Westbrook, Let me get my hands on it. I, Frances Westbrook move to go into closed session pursuant to Section 2.2-3711A3 of the Code of Virginia for Real Estate matters where discussion and an open meeting would adversely affect the bargaining position or negotiating strategy of the Town and pursuant to Section 2.2-3711A8 of the Code of Virginia for consultation with legal counsel employed or retained by the Council regarding specific legal matters requiring their provisions of legal advice by such counsel involving real estate.” Mayor Bugg, “Now a motion. Can I get a motion to move into closed session?” B. Schaschek, “So moved.” W. Nunnally, “Second.” Mayor Bugg, “All in favor.” “I”. Mayor Bugg, “Motion passes.”

Roll Call Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye
	Anthony Marchetti	Aye
	Dudley Patteson	Aye
	Wayne Nunnally	Aye
	Jackie Brown (via phone)	Aye

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

H. RETURN TO OPEN SESSION

F. Westbrook, “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 Information Act and whereas Section 2.2-3712 of the Code of Virginia requires a 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 to the best of each members knowledge, that one only public business matters lawfully exempted from open session requirement 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. Is there any member who believes that there was a departure from the motion to go into a closed session? If so, state the departure. There being no statements we take a vote.”

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

Note Wayne Nunnally left the closed session.

Mayor Bugg, “Out of closed session.” S. Phillips, “Thank you, Jackie, sorry.” Mayor Bugg, “That will leave us with the motion to adjourn.” B. Schaschek, “So moved.” Mayor Bugg, “Second.” A. Marchetti, “Second.” Mayor Bugg, “All in favor.” Mayor Bugg, “Thank you everyone.”

Roll Call Vote:	Frances Westbrook	Aye
	Bonnie Schaschek	Aye



**TOWN OF IRVINGTON, VIRGINIA
IRVINGTON TOWN COMMONS
TOWN COUNCIL
TUESDAY, NOVEMBER 17, 2020 2:00 PM**

Anthony Marchetti	Aye	
Dudley Patteson	Aye	
Wayne Nunnally		Mr. Nunnally left the closed session
Jackie Brown (via phone)	Aye	

THE MOTION TO ADJOURN IS PASSED 5-0.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



**TOWN OF IRVINGTON, VIRGINIA
TOWN COMMONS
SPECIAL CALLED MEETING OF THE TOWN COUNCIL
AND PUBLIC HEARING
WEDNESDAY, NOVEMBER 18, 2020 at 2PM**

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: Notice is hereby given that the Irvington Town Council will hold a special called meeting and public hearing on Wednesday, November 18, 2020; 2pm at the Irvington Town Commons. The purpose of the special called meeting and public hearing is to allow the public to comment on the sale of 235 Steamboat Road, Irvington, VA 22480 and for Council to potentially take action on such sale. The first item, I believe you all have seen the agenda, is there any comment about the agenda.

Sharon Phillips: Do you want to do a roll vote.

F. Westbrook: Mr. Mayor, I'd like to make a motion to amend the agenda in such to reflect Flack Shack. Alright amend the agenda to include the discussion of Flack Shack and the payment of two invoices.

Mayor Bugg: Okay.

F. Westbrook: And we can do that after the public hearing, I think that would be fine. If that suits you.

Mayor Bugg: That does suit me.

N. Keane: Need to roll call.

B. ROLL CALL – Mayor Bugg

Mayor Bugg: Before we address that motion for amendment to the agenda, let's do a roll call. We will do that by name. How about we start.

Bonnie Schaschek present
Frances Westbrook present
Anthony Marchetti present
Wayne Nunnally present
Jackie Brown (via telephone)
Dudley Patteson (via telephone)
Mayor Bugg present.

Mayor Bugg: We'd like to make a unanimous decision to amend the agenda at this time or.

F. Westbrook: You can do it now or you can do it later. You have to do it.

Mayor Bugg: Yeah, Fran thank you for presenting that motion. Would anyone like to make that motion to amend the agenda to include discussion about Flack Shack and payment of their invoices.

F. Westbrook: I will make the motion mayor.

Mayor Bugg: Okay, could I get a second.

A. Marchetti: Second.

Mayor Bugg: Any further discussion.



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W. Nunnally: I'm opposed to it just for the fact that I'm not prepared for it. I'm prepared to do what the agenda said. So, I object to the motion.

Mayor Bugg: Moving on.

N. Keane: The motion did not pass.

Mayor Bugg: **THE MOTION DID NOT PASS.** This will now take us to the public hearing aspect of this meeting and the sale of 235 Steamboat Road. Would anyone like to comment from the public.

C. PUBLIC HEARING

- Sale of 235 Steamboat Road

Mayor Bugg: Yes. Please state your name and your address.

George Kuper: George Kuper, Haydon Hall, I'd like to comment on this particular agenda item which is larger than just the sale of the town hall because it speaks to the purpose of the town and the town's government. First off, my appreciation to the council and staff, there is a lot of work going on. This is the most labor-intensive government for a small community that I've ever heard of and we should really be asking ourselves what do the citizens of Irvington want from their government a little bit more often. I have three points to make about the town hall. It is a charming town hall. Visitors to Irvington that came to see us were amused and commented on our Steamboat Town Hall, the reflection of the laid-back community we have come to love. As a town less than 500 residents, does not need a building for town offices. Maybe it could benefit from a community center, but I haven't heard that being discussed. I'm concerned that rushing to spend free dollars is never a good idea. What does the planning commission think for instance? What do the citizens think. I'm concerned that this sale is being rushed into in the pursuit of free money which I think is never a good idea so I really submit that council would be benefit from asking more broadly, what the community thinks of this whole agenda. I would add to it two other points that the closed meetings associated with this agenda are totally inappropriate. As I read our ordinances meetings are open to the public except "when the public welfare requires executive meetings". I'm unaware that this agenda requires executive meeting agenda. My third point is I would like to see an agenda item raised by council having to do with the quantity of rain the community has received over the last few months and the resulting odors in town from our current sewer systems and instead of hiring a town hall or selling our old town hall and building a new one, let's think about how we spend money dealing with what is going to be a future event given climate change. Thank you.

Mayor Bugg: Thank you. Would anyone else like to comment from the public. Yes, yes sir.

Tom Chapman: Tom Chapman, 62 Old Cove Road. I agree with a number of things George said, but more importantly is the question is what are the alternatives to a new town hall, selling the old one. There hasn't been any discussion on that that I've heard. I don't know whether you have done it in the numerous closed sessions you've had, but I'd say if we are going to get a new town hall, there ought to be some discussion as to what the alternatives are and get public input on that and I don't see that you've done that. Thank you.

Mayor Bugg: Anyone else from the public. If no one else is here to speak from the public we will move to the next item. Before doing that, would anyone else from council like to mention anything related to this. Alright well then we will move into new business. Let me take off my mask, so everyone can hear me.



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D. NEW BUSINESS

- **Action to be determined regarding sale of 235 Steamboat Road**

Mayor Bugg: I have a series of motions to present, I will go ahead and read them out one-by-one and if someone could actually make the motion in favor of it, I would appreciate that. The first motion would be a motion to accept the real estate contract presented by Ann Meekins for the sale of 235 Steamboat Road for \$100,000 with a few word changes to the addendum. Such changes to be agreed to by the mayor. Would someone like to make that motion.

F. Westbrook: So moved.

Mayor Bugg: Is there a second.

A. Marchetti: Second.

Mayor Bugg: Discussion. If no discussion, we will move to a vote. All those in favor.

Sharon Phillips: Roll call.

Mayor Bugg: Oh, roll call. Roll call vote.

B. Schaschek: What are we voting on.

J. Brown: Sharon what was the motion.

S. Phillips: Let me, Mr. Mayor Bugg, would you read the motion.

Mayor Bugg: Motion to accept the real estate contract presented by Ann Meekins for the sale of 235 Steamboat Road for \$100,000 with a couple of word changes to the addendum, such changes should be agreed on by the mayor.

J. Brown: And who made the motion.

S. Phillips: Fran.

Mayor Bugg: Fran made the motion.

J. Brown: Do we know what the changes are.

N. Keane: Those are the two changes that I mentioned to you yesterday. They were word changes that needed to be added to make it more clear.

J. Brown: Okay.

N. Keane: About the things on the addendum.

Mayor Bugg: I believe that goes in line with what Mr. Nunnally mentioned as well.



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Bonnie Schaschek yes.
Frances Westbrook yes.
Anthony Marchetti yes.

W. Nunnally: I will say this that I am torn between a yes and a no. I realize that the building is in need of much repair. That we have had the mold problem, that we've had no handicap access that really cannot be done. The bathroom is inadequate for even us who have no disabilities although some may disagree with that. Me having a disability. But I think the opportunity to reap such a windfall of money for the building is an opportunity that we have to have. So my vote is yes.

S. Phillips: Jackie would you like to vote.

J. Brown: Well, what was Wayne's vote, he said yes.

S. Phillips: Wayne said yes, Bonnie said yes. Fran said yes.

J. Brown: I sort of agree with Mr. Kuper in terms of that the town really needs to have a lot more time to do this but, in view of the contract and in view of the amount of money that's involved I think we should go ahead and do it.

N. Keane: So your vote is?

S. Phillips: So your vote is.

J. Brown: Yes.

S. Phillips: Okay, Dudley.

D. Patteson: Yes.

Mayor Bugg: The motion passes.

THE MOTION TO ACCEPT THE REAL ESTATE CONTRACT PRESENTED BY ANN MEEKINS FOR THE SALE OF 235 STEAMBOAT ROAD FOR \$100,000 WITH A FEW WORD CHANGES TO THE ADDENDUM. SUCH CHANGES TO BE AGREED TO BY THE MAYOR IS PASSED 6-0

The next motion will be to authorize the mayor to execute that contract. Would someone like to make that motion.

F. Westbrook: So moved.

A. Marchetti: So moved.

F. Westbrook: You can have it.

B. Schaschek: I'll second.

Mayor Bugg: Roll call, oh any discussion. Roll call vote.



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Bonnie Schaschek yes.
Frances Westbrook yes.
Anthony Marchetti yes.
Wayne Nunnally yes.
Jackie Brown (via telephone) This is for the mayor to execute the contract, did I hear that right.
Jackie Brown: Okay, Yes.
Dudley Patteson (via telephone) yes.

Mayor Bugg: Thank you, the motion passes.

THE MOTION WILL BE TO AUTHORIZE THE MAYOR TO EXECUTE THAT CONTRACT IS PASSED 6-0.

The next motion will be motion to authorize the mayor and the town attorney to prepare the necessary documents for closing including modifying or terminating any existing contract for 235 Steamboat Road. Would someone like to make that motion.

B. Schaschek: So moved.

Mayor Bugg: Is there a second.

F. Westbrook: Second.

Mayor Bugg: Any discussion.

B. Schaschek: What kind of contracts do we have on that building.

F. Westbrook: Garbage, stuff.

S. Phillips: Yes, so what has been canceled already is waste service, is Atlantic Broadband. What remains and would just be switched into the purchaser's name are the utilities, Dominion Energy, Aqua, we do need to cancel Terminix. We need to modify the lawncare contract and we need to cancel the cleaning services.

B. Schaschek: What about the planters.

S. Phillips: That's a very fair question, I'm sorry that the VIA has not shared with you. I reached out to Julie as president of the VIA and asked about those because they belong to the VIA. The VIA has communicated through Julie that the VIA gave those planters to the town, therefore they should go with the town, so when we have the final movers come along they will move the boxes, but it has been suggested that we should wait for the ferns to die because that is going to triple the weight.

F. Westbrook: Are you sure they're going to die.

Bonnie Schaschek: Only because you want them to, they won't.

Sharon Phillips: So I'm going to let the movers move them unless the VIA, I keep asking the VIA to move them, they are the VIAs stuff.



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B. Schaschek: I put them there and I'm not moving them so, you can have the movers move them.

S. Phillips: So, we will cancel Terminix, the cleaners, modify the lawncare contract to no longer include that property. Fortunately, we are in the off season now anyway but those are the types of things when you sell a property that you would end. Quarles.

F. Westbrook: Okay.

B. Schaschek: So if you get someone in between rains, if you have a week where it hasn't rained and nobody has watered them, they will not be that heavy.

S. Phillips: To Mr. Kuper's point.

F. Westbrook: Have we paid Quarles, is it a full tank over there.

S. Phillips: They just topped it off. I just have a bill for \$137.00 now. So we'll turn the heat back to the 50s to keep the things from freezing or whatever degree you guys want. So we will have to continue to pay that because I can't turn the heat off right.

Mayor Bugg: Roll call vote.

Bonnie Schaschek yes.

Frances Westbrook yes.

Anthony Marchetti yes.

Wayne Nunnally Yes.

Jackie Brown here via telephone – I didn't hear what we were voting on. Changing, terminating the contracts is that what we are voting on.

S. Phillips: The motion is to authorize the mayor and the town attorney to prepare the necessary documents for closing including modifying or terminating any existing contracts and that's where the conversation about Terminix and the utilities.

Jackie Brown: Okay, okay, I'm fine with that.

Dudley Patteson present via telephone yes.

Sharon Phillips: Jackie would you say yes.

Jackie Phillips: I did yes.

Sharon Phillips: Thank you.

Mayor Bugg: The motion passes.

THE MOTION TO AUTHORIZE THE MAYOR AND THE TOWN ATTORNEY TO PREPARE THE NECESSARY DOCUMENTS FOR CLOSING INCLUDING MODIFYING OR TERMINATING ANY EXISTING CONTRACT FOR 235 STEAMBOAT ROAD IS PASSED 6-0.

Mayor Bugg: The next item will be to authorize the treasurer to deposit proceeds of sale into our account. We have left this blank.



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S. Phillips: Waiting for a recommendation from the budget and finance committee as to where you would like the proceeds to go. Do you want them to go into a CD, do you want them to drop into the money market.

F. Westbrook: Anthony what do you think. The proceeds should we drop that into maybe a 30 or 60 day CD of some sort. They're not getting that much right now or just put it in our checking for a 7 month....

A. Marchetti: Can there be discussion about it.

F. Westbrook: That's what we are doing now.

A. Marchetti: The decision has to be made right now.

S. Phillips: No, you can tell me to drop it in a general operating and into the money market and then you can move it later.

F. Westbrook: Okay, let's do that and then you and I can get together.

A. Marchetti: I mean we should do something with it, but I don't know that I can give you the answer right now.

F. Westbrook: Let's table that if we may and then we will get together before the December meeting.

A. Marchetti: Sure.

F. Westbrook: Can we do that. Alright.

Mayor Bugg: Alright the motion to authorize the treasurer to deposit the proceeds into a certain account has been tabled.

S. Phillips: So, Jackie just to keep you up to date, the portion of that motion was to allow the proceeds to be put into a specific account. They tabled that portion of the motion.

F. Westbrook: There is nothing else in that motion.

S. Phillips: So that motion entirely is tabled.

J. Brown: Okay, thank you.

Mayor Bugg: The next motion is motion to authorize the mayor to engage and vendor to perform final cleanup of 235 Steamboat Road for an amount not to exceed \$2,000. Would someone like to make that motion.

F. Westbrook: What are they going to do for \$2,000.

S. Phillips: Make a motion and second it and we'll discuss it.

F. Westbrook: Oh I'm sorry.

S. Phillips: I need a motion.



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F. Westbrook: I'll move.

S. Phillips: A second for discussion.

B. Schaschek: Okay.

S. Phillips: So I have a second. Motion was Westbrook, second was Schaschek, discussion is we have been working with Bay Restoration to do the mold mediation downstairs. This conversation is specific to cleaning up downstairs.

B. Schaschek: Okay.

S. Phillips: And Bay Restoration is 2 to 3 months out so I'm going to have to go with a different vendor but we have to get the property cleaned out.

J. Brown: Okay.

B. Schaschek: And what are you cleaning out down there.

J. Brown: Not to exceed \$2,000 is that correct.

S. Phillips: Yes ma'am. What we are cleaning out down there is what goes to trash and what has to be wiped down.

J. Brown: Okay.

B. Schaschek: All the books and all that kind of stuff.

S. Phillips: The parade stuff.

B. Schaschek: All that has to be wiped down because of where it was stored.

S. Phillips: Yes. So I'm assuming it is not going to exceed \$2,000. We didn't pay, I think we paid \$700 for them to move upstairs.

B. Schaschek: Right.

S. Phillips: So I'm assuming we're going to have to add a little bit more for the mold but I'm thinking it is not going to exceed \$2,000.

B. Schaschek: Okay so this is for the remediation of the mold as well as cleaning.

S. Phillips: And the final broom sweep, yes.

B. Schaschek: Okay.

W. Nunnally: Mr. Mayor.



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Mayor Bugg: I was promised by the town clerk that this meeting was only going to be 5 minutes.

Bonnie Schaschek yes.
Frances Westbrook yes
Anthony Marchetti yes.
Wayne Nunnally yes.
Jackie Brown here via telephone yes.
Dudley Patteson present via telephone Yes.

Mayor Bugg: Excellent. Motion passes.

THE MOTION IS MOTION TO AUTHORIZE THE MAYOR TO ENGAGE AND VENDOR TO PERFORM FINAL CLEANUP OF 235 STEAMBOAT ROAD FOR AN AMOUNT NOT TO EXCEED \$2,000 IS PASSED 6-0.

Mayor Bugg: The next motion will be motion to authorize the town attorney to draft a new ordinance to add a use to the B2 zoning district. Would someone like to make that motion.

A. Marchetti: So moved.

Mayor Bugg: Is there a second.

F. Westbrook: Let one of them make a motion or second.

S. Phillips: They can't hear.

Mayor Bugg: Dudley did. We have a second is there any discussion. With that we will move to roll call vote.

B. Schaschek: We are just drafting this and then we are going to get a chance to talk about it.

N. Keane: It will be presented in December at the December meeting.

B. Schaschek: Alright.

N. Keane: It's basically to add the uses to the B2 district.

B. Schaschek: And this is going to go to the planning commission as well.

N. Keane: Oh sure.

Bonnie Schaschek yes.
Frances Westbrook yes
Anthony Marchetti yes.
Wayne Nunnally yes.
Jackie Brown here via telephone yes.
Dudley Patteson present via telephone yes.



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Mayor Bugg: Excellent. Motion passes.

THE MOTION TO AUTHORIZE THE TOWN ATTORNEY TO DRAFT A NEW ORDINANCE TO ADD A USE TO THE B2 ZONING DISTRICT IS PASSED 6-0.

Mayor Bugg: The next motion is to adopt a rezoning schedule for 235 Steamboat Road. Would someone like to make that motion.

N. Keane: Sharon you have the schedule for the handout.

B. Schaschek: Did they change from yesterday.

S. Phillips: No, they are the same do you need them.

Mayor Bugg: Would someone like to make that motion.

B. Schaschek: So moved.

Mayor Bugg: Is there a second.

F. Westbrook: Second.

Mayor Bugg: Any further discussion. Roll call vote.

Bonnie Schaschek yes.
Frances Westbrook yes
Anthony Marchetti yes.
Wayne Nunnally yes.
Jackie Brown here via telephone yes.
Dudley Patteson present via telephone Yes.

Mayor Bugg: Excellent.

THE MOTION IS TO ADOPT A REZONING SCHEDULE FOR 235 STEAMBOAT ROAD IS PASSED 6-0.

J. Brown: I'd like to make a motion for us to buy some microphones for the town meetings.

Mayor Bugg: I think all would agree.

J. Brown: This is ridiculous.

Mayor Bugg: This is the last item, the CUP schedule.

S. Phillips: Okay.

Mayor Bugg: The last motion will be to adopt the CUP schedule for 235 Steamboat Road. Would someone like to make that motion.



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B. Schaschek: So moved.

Mayor Bugg: Second.

A. Marchetti: Second.

Mayor Bugg: Any discussion. Roll call vote.

Bonnie Schaschek yes.
Frances Westbrook yes
Anthony Marchetti yes.
Wayne Nunnally yes.
Jackie Brown here via telephone yes.
Dudley Patteson present via telephone Yes.

Mayor Bugg: Motion passes.

**THE MOTION WILL BE TO ADOPT THE CUP SCHEDULE FOR 235 STEAMBOAT ROAD IS PASSED
6-0.**

Mayor Bugg: That concludes all the motions.

E. ADJOURN

W. Nunnally: May I move we adjourn.

Mayor Bugg: Thank you Mr. Nunnally. This will conclude town council winter games.

F. Westbrook: Jackie was serious.

Mayor Bugg: What did she say.

S. Phillips: Jackie the microphones will be discussed at another time. They can't discuss them today.

J. Brown: I was just kidding but not really. We really need one for each councilman and one for the public.

Mayor Bugg: We are adjourned.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



**TOWN OF IRVINGTON, VIRGINIA
CONNEMARA
TOWN COUNCIL SPECIAL CALLED MEETING
THURSDAY, DECEMBER 10, 2020**

AGENDA

A. CALL TO ORDER – Mayor Tripp Bugg

Mayor Bugg, “I would like to go ahead and call this meeting to order. This is the Irvington Town Council special called meeting held at Connemara Corporation, Thursday, December 10, 2020. Notice is hereby given that the Irvington Town Council will hold a special called meeting held immediately following the Planning Commission special called meeting. The purpose of the special called meeting is to conduct monthly business. I’ve called this meeting to order and we will start with roll call.

B. ROLL CALL – Mayor Bugg

Members of Council Present: Frances Westbrook
Dudley Patteson
Jackie Brown (left meeting at 7:40 p.m.)
Wayne Nunnally
Bonnie Schaschek
Anthony Marchetti

Administrative Staff Present: Nancyellen Keane, Esq., Town Attorney
Lara Brown, Zoning Administrator
Sharon Phillips, Town Clerk, FOIA Officer, Treasurer

Guests: See attached sign in sheet

C. APPROVAL OF MINUTES

Mayor Bugg, “Thank you council and thank you to the public for joining us this evening. We will start with a number of minutes, it looks like two of these are present in your packet.” W. Nunnally, “May I ask a question? Did we approve the agenda?” F. Westbrook, “I was going to ask the same thing. That is left off again.” Mayor Bugg, “Because this is a special called meeting there is no need to approve the agenda, we are in a different place on a different date.” F. Westbrook, “No I don’t think so and I beg to differ because we could amend this, depending on vote count, if we had a unanimous vote, this could be amended. So to me, the approved agenda should still be on there” Mayor Bugg, “For today’s purposes it is not on there because it still is a special called meeting given the circumstances of COVID-19 and the need to change locations and dates and a meeting was canceled.” F. Westbrook, “I’d like to go on the record as objecting to that please.” N. Keane, “Do you want to change the agenda?” F. Westbrook, “No but if I did I couldn’t even do it because there is no place to do it.” N. Keane, “If you were to propose to change the agenda you would just need a unanimous vote after you make a proposal.” F. Westbrook, “So it should still be on there so we know that that is always an option. So I will respectfully ask that in the future we always include approving the agenda on the agenda.” Mayor Bugg, “Certainly noted for the record. Thank you, Mrs. Westbrook.” W. Nunnally, “The reason I pointed it out is because under announcements, it says we are going to meet at Connemara on December the 15th, and I wanted the guests to know that the Irvington Baptist



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Church has spent over \$3,000 on cleaning it, and it would be available tonight if we had wanted to meet there. So I don't see the point at being at Connemara for \$300 bucks when we could be at the church for nothing. And it was locked into that December 15th meeting, so if we could change it back to Irvington Baptist Church and not Connemara." Mayor Bugg, "Thank you Mr. Nunnally for bringing us up to speed on that, and let's certainly follow up with that tomorrow or early next week. So thank you, it's good to hear. Back to the minutes, we will start with the August 13, 2020 meeting minutes, they should be part of your packet. Has everyone had a chance to review those minutes? Is there a motion to approve those minutes?" D. Patteson, "So move." Mayor Bugg, "Second?" A. Marchetti, "Second." Mayor Bugg, "Any discussion? A vote? All in favor and those oppose?"

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

**THE MOTION TO APPROVE THE AUGUST 13, 2020 MEETING MINUTES IS
APPROVED 6-0**

Mayor Bugg, "The minutes are approved. Looks like September 10, 2020 are tabled. That brings me to the next set of minutes and the only remaining set of minutes that are attached in this packet. The September 10, 2020 regular monthly meeting minutes. Has everyone had a chance to review those?" F. Westbrook, "I do have a question please sir." Mayor Bugg, "Certainly." F. Westbrook, "Who tabled the minutes?" S. Phillips, "I did." F. Westbrook, "Isn't that the function of the council?" S. Phillips, "They're not prepared." F. Westbrook, "Well then they shouldn't even be on the list if that's the case, but the council tables anything that's on the agenda." Mayor Bugg, "I think the purpose given the volume that the staff is dealing with, which is extraordinary right now, Madame Clerk has not yet gotten to those minutes. I want the council to be aware that those minutes are in process, you will be receiving those and that's why they're noted. That is the purpose of it." F. Westbrook, "So why don't we vote to table those? That would be the proper procedure." Mayor Bugg, "That's fine with me." W. Nunnally, "Move that we table those minutes." Mayor Bugg, "Can I get a second?" A. Marchetti, "Second." Mayor Bugg, "Any discussion? All in favor? Oppose? The minutes are tabled."

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

THE MOTION TO TABLE MINUTES MENTIONED ABOVE IS PASSED 6-0.

Mayor Bugg, "Brining me back to that set of minutes that are present in your packet tonight from September 10, 2020, regular monthly meeting minutes. Has everyone had a chance to review those? Is there a motion to approve?" A. Marchetti, "So moved." Mayor Bugg, "Second?" D.



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Patteson, “Second.” Mayor Bugg, “Discussion? All in favor? Oppose? Those minutes are approved.”

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

THE MOTION TO APPROVE THE SEPTEMBER 10, 2020 MINUTES IS PASSED 6-0.

Mayor Bugg, “Is it permissible to approve the minutes in a block or do I have to go through each one?” W. Nunnally, “My motion included them all.” Mayor Bugg, “That’s your motion? To table those all?” W. Nunnally, “Yes, sir.” Mayor Bugg, “Is there a second?” B. Schaschek, “Second.” Mayor Bugg, “All in favor? Oppose? The minutes are tabled.”

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

MOTION TO APPROVE MINUTES MENTIONED ABOVE WAS PASSED 6-0

Mayor Bugg, “The last item which is also tabled, the November 2020 Treasurer’s Report. Sharon is working on that as well. Is there a motion to table that as well?” F. Westbrook, “So moved.” Mayor Bugg, “Second?” A. Marchetti, “Second.” Mayor Bugg, “All in favor and opposed?” W. Nunnally, “Let’s do a little discussion, I would say this Mr. Mayor, it is sort of frustrating to come to a December meeting and not have at least the October minutes. I just wanted to express my frustration.” Mayor Bugg, “Noted. Thank you, Mr. Nunnally. Back to the vote, all in favor of tabling the Treasurer’s Report? And those opposed? The Treasurer’s report is tabled.”

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

MOTION TO TABLE THE NOVEMBER 2020 TREASURER’S REPORT IS PASSED 6-0

C. PUBLIC COMMENT

Mayor Bugg, “Thank you for joining us tonight, Public, for public comment. We will have a brief public comment period tonight. As many of you already have, please sign in with your name and address. Please do not discuss topics covered in tonight’s joint public hearing. Also, if your comments pertain to street signs, traffic, or the North Commons, please hold those for a future meeting. Would anyone from the public like to speak? Yes, sir.” K. Schaschek, “My name



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is Klaus Schaschek, 394 King Carter Drive. Mr. Mayor, I would like to read off this here. Mr. Mayor, my capacity as treasurer of Golden Eagle, LLC, I would like to thank the town for the \$2,000 contribution for the rather successful Irvington Mayor's Golf Tournament, honoring former Mayor Rannie Ransone. Thank you very much." Mayor Bugg, "Thank you, I'm glad to hear about the success of that event, and I'm sorry I couldn't make it that day, but it sounds like it was a wonderful event." K. Schaschek, "Next year." Mayor Bugg, "Exactly." K. Schaschek, "Now, as a resident of the Town of Irvington, I would like to express my deep concern about the handling of the town's finances, and it's incorrect reporting, as well as the handling of contracts. Please let me present some of the facts. We have misappropriated funds for the trolley, the one time bonus for the lawyer, and payments to Lillian Merrill. All of these were never appropriated by the council. Also, the town's balance sheet is a total mess since August. The treasurer mixed equity and retained earnings, liabilities where not recorded properly, resulting in a large net income, which should of in actually a loss of over \$11,000. Furthermore, normal operating funds were comingled with COVID funds, which is against any accounting practice. The COVID bank account was never reduced by the actual COVID expenses. So, that means it came out of a regular, operating account that's comingling. Now to the FlackShack contract. The Mayor signed a contract for this service to the company for \$25,000 on October 5th. The council did approve this on the September 10 meeting after Mr. Patteson's recusal by 3-1-1 vote, and only from appropriation of \$3,000. According to our charter, you need 2/3 of the elected council, which means 4 votes. The mayor could not be the 4th one since it was not a tie. This contract should have never been signed, and these funds should not have been appropriated. I believe that this might become a case for the court. The lawyer's contention expressed in the September council meeting, that the application for \$25,000 grant as a contract is absolutely absurd. She should know that any one contract must be executed by the Mayor or Vice-Mayor, and not the Clerk. She should have objected at the time, since she knew about it, or should have known it since she has spent so much time at the town office. Also, her suggestion to use the contingency fund for this project shows that she does not understand budgeting and the reason for the funds. Since the \$80,000 is only a marker to show the minimum cash balance to operate the town in an emergency like a total income loss from the Tides Inn. You might say, 'Klaus, why did you wait until now?' Well, 4 or 5 months ago, some people from the public basically told me to 'Shut up and let the staff do their job' since they were quote 'performing it so ably'. Here are the results. No oversight, and the lawyer did not do her job when it came to the activities which should become now very expensive for the town. Based on all this evidence so far, and the possibility that the town has to obtain money in the future for large projects, I call for a financial audit so we can ensure that our finances are properly managed and reported, and you can show a clear picture to the lender, and have public support and confidence in the current financial report. Also, I will ask the council to curtail the lawyers involvement in town's affairs give her only very specific tasks. This should reduce her time at the office. Thank you." Mayor Bugg, "Thank you, Mr. Schaschek. Mr. Schaschek?" K. Schauschek, "Yes?" Mayor Bugg, "Can I have that for reference, we can discuss it tomorrow if you'd like." K. Schaschek, "I can give you a copy." Mayor Bugg, "Yes, I would like a copy of that." S. Phillips, "Mr. Mayor?" Mayor Bugg, "Yes?" S. Phillips, "I would just like to add just a brief change or correction to Mr. Schaschek's comment. It was not a contribution to the Golden Eagle. It was actually a contract for services."



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Mayor Bugg, “Thank you.” K. Schaschek, “Thank you.” W. Nunnally, “I would like a copy of it too.” K. Schaschek, “I can forward it to the whole town council.” Mayor Bugg, “Thank you. Yes, Adrienne?” A. Bugg, “Hi.” A. Marchetti, “Let’s try to do something happy, Adrienne, shall we?” A. Bugg, “So, I’m Adrienne Bugg. I am a resident of Irvington, and I also just want to say thank you to the town council, the mayor, and the staff, for everything that you do that’s in the best interest of the town. We really all appreciate that. I’m here tonight to introduce the IVBA, which is the Irvington, Virginia Business Association. A group of obviously I’m involved because I’m up here talking about it, Gabe is walking around giving information about it that is here as well. Ann Meekins is a part of it, there’s some other people that are a part who couldn’t be here tonight. We decided it would be a really great thing to have an association to support the businesses in town. You’ll see the information on the back here, but this is a few highlights. We started in May. We’re a very dynamic and passionate group of people, and we’re very invested in the town. We’re excited to support and promote the businesses here, and really support the culture of Irvington, and to give the small businesses more of a voice for the direction of growth and the protection of the charming and natural history that we all love here in Irvington. It’s funny saying ‘here in Irvington’ when we’re in White Stone, but you know, you get it. So far, we have 22 members, and we’re growing. 8 of those sit on the Board of Directors, I am the Vice-Chair, Sam Van Saun.” G. Del Rio, “Is quarantining, otherwise she’d be here.” A. Bugg, “Exactly. So that’s one reason that Gabe and I are here tonight representing. Ann as well.” G. Del Rio, “Ann’s Secretary, I’m Treasurer.” A. Bugg, “Yep. So we are growing, and obviously we invite any of you that have businesses in the town that want to be a part of it to join. We have a website going already, that’s a little clip of it here on the back, it’s visitirvingtonva.com. It lists the members, there are links to the Town of Irvington website, there are links to the River Realm website, with a new Irvington-focused page coming soon. We also applied for a grant, this is a doosie, you ready? Virginia Tourism Corporation Recovery Marketing Leverage Grant for Tourism Marketing, but we got it. We got it, so what we’re going to do with that is we are going to focus that money on digital advertising, and leveraging the River Realm’s existing high-ranking website to promote the Town of Irvington. So, we are very excited about that, and also, the council, our bylaws allow for a liaison to participate in our board, and I would really love to have one of you come and do that. So, if you’re interested please appoint someone so we can keep a line of communication open. We are definitely interested in collaborating to further efforts in the best interest of the town. So, anything to add?” G. Del Rio, “If anyone has any questions, we’ll be happy to answer them.” A. Bugg, “Yeah absolutely. So, thank you very much.” Mayor Bugg, “Thank you. Exciting stuff. Would anyone else from the public like to speak?” G. Del Rio, “There was a question about memberships joining for a business it’s \$100, to be a founding member it’s \$500, for non-profits or individuals it is \$50, and all those things are on the website just go to visitirvingtonva.com, go to the about, and you can do it all there.” Mayor Bugg, “Thank you. Anyone else from the public like to speak?” W. Nunnally, “Mr. Mayor, I think I’d might like to be on that board, when you consider who you might want to send to them.” Mayor Bugg, “Alrighty, good to know. Thank you. If there’s no one else from the public that would like to speak that’ll move us on to the next item.”



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D. REPORT FROM THE ZONING ADMINISTRATOR – *L. Brown*

Mayor Bugg, “Alright the Report from the Zoning Administrator – Mrs. Brown.” L. Brown, “Thank you. I only have one thing to add to my report since I gave this to all of you on Tuesday. This morning I attended my first Wetlands Board hearing at the Courthouse. It was in regard to the Tides Inn project, and I’m not going to go into detail about that since they have a presentation. It was a very informative, educational experience for me to see the hearing process, I will find more out about what happens between the dual jurisdictions with the Wetlands Board and the Town of Irvington. So, thank you.” Mayor Bugg, “Thank you.”

E. REPORT FROM THE TOWN ATTORNEY – *N. Keane*

N. Keane, “No, I don’t think I have anything.”

F. REPORT FROM THE MAYOR – *Mayor Bugg*

Mayor Bugg, “The first item I have to speak about is research on appointments and reappointments. Several months ago, there was a discussion at the table about whether the town must always place an add to fill an appointment. It was stated that the town always did this. As we discussed at that meeting, there’s no legal requirement to advertise for an appointment positions. I have since reviewed the minutes for the last several years. In several cases, a planning commission member whose term ended was reappointed without advertisements. An example of such reappointment without advertisement, would be Mike Mattheisen, Lee Hood Caps, and Chris Braley. I just wanted to clarify for the record that our past practice on advertising appointments has been mixed. With that in mind, we do have a vacancy on the BZA. Robert Fleet’s term ended a couple months ago. We don’t appoint it to the BZA, we concur with the court on appointment. May I suggest that we recommend that the Circuit Court reappoint Robert Fleet to another term? Council?” W. Nunnally, “I so move.” F. Westbrook, “Do we know that he – does he want to do it?” Mayor Bugg, “Yes Sharon.” S. Phillips, “Mr. Mayor, I spoke with Mr. Fleet this afternoon, and yes, I suggested that the council members would make a decision this evening as to whether he would be interested in fulfilling a new term, and he was interested.” B. Schaschek, “How long is the term?” S. Phillips, “Four years.” Mayor Bugg, “Excellent is there a second?” B. Schaschek, “Second.” Mayor Bugg, “Discussion? All in favor and oppose? Great, Robert Fleet will be reappointed to the BZA and I will take that off my notes.”

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

THE MOTION TO RECOMMEND THE CIRCUIT CORT TO REAPPOINT ROBERT FLEET TO ANOTHER TERM WAS PASSED 6-0



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Mayor Bugg, “The next item I have to discuss is a council directive to require clarifying ordinance regarding cups for docks. At the April meeting, council directed the town attorney to draft an ordinance that would clarify existing, somewhat conflicting language in the town code when a CUP is required for a dock. The council’s direction at that time was to ensure that a CUP is required for all docks built in the town. I have asked the Town Attorney to go ahead and draft the ordinance which was requested by council last April, and I intend to place the topics on the January or February agenda. Separately, I have received questions about the reason for the number of meetings for CUPS. We are using regularly scheduled meetings as much as possible to process CUP’s. Most CUP supplied for in Irvington are for pools and docks. All schedules adopted by council for hearing CUP contains sites to the legal requirements. Requirements in the state statutes, and/or the town code include advertising, hearings, and meetings, with specific timing required as an overlay. Failure to follow the legal procedures renders the action taken invalid. As a protection for the town, and the applicants, we must adhere to what the law requires so that the CUP will be valid. The real issue is whether council wants to continue to require CUP’s for all docks built in the town. Council apparently did, as recently as able. If council were to eliminate the requirement of a CUP for docks inside the navigation line that would likely reduce the number of CUP’s processed by the town. It is worth a public discussion so the council members can go on the record with their definitive positions on this matter. The next item I have to mention is the budget process. We just completed our budget process. I have received some comments about the process, and I have my own additional thoughts. We invested a lot of time in Committee Meetings, at least eight of them over several months, totaling at least 20 hours. The meetings were poorly attended by council and the public. Other than Fran and Anthony, who held the meetings, I think one council member came to one meeting. At the end of this several months’ process, at the second reading, we had three council members vote against the budget. Since then, I am now hearing complaints about the budget. I was never informed by any council member of concerns or complaints about the budget, taxes, or fees. I would like to find out why these concerns are not being communicated in real time to me, or to all members of the Budget and Finance Committee. I broke the tie in favor of passing the budget. I should never have to break a tie on a budget because that means we have not done the work necessary as a body to resolve concerns and solve problems ahead of a vote. We were elected, in part, to be problem solvers. This recent experience does not instill confidence in the town. The new budget process will begin in a few months. I am not in favor of handling this process the way it has been handled, and I will be looking to members to provide feedback about how this can be improved. Specifically, what it will take for members to participate well ahead of readings contemplated for passage. Thank you, council I will be reaching out to all of you. Next item I have is appropriating payment to contractors. Also at the last meeting, a debate was undertaken about appropriations, specifically to contractors of the town. Motions seeking certain appropriations for payment were defeated. My observation is that some council members may be using appropriations or defeating appropriations to include paying vendors that have a valid contract with the town. This is not an appropriate purpose. It is misuse of the appropriation vehicle. Appropriations are required as a safeguard for expenditures to make sure they are budgeted, to make sure the amount is correct, and there is no mistake about the amount or timing of those payments. Appropriating should not be used as a sword for the purpose of defeating a vendor, or



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changing the outcome of a budget. Remember that all of our actions are on the record, and building a record, and the liability of the town is potentially increasing when these actions are taken. We do not want these actions to harm the reputation of the town. Lastly, the North Commons, I promised residents that we would try to hold a public hearing specifically about the development of the North Commons. I would like to do this next week on December the 15th. This is stated later in the agenda. Those are all the comments I have in terms of my Mayor's Report."

G. OLD BUSINESS

1. Motion to appropriate FY20/21 general operating funds – F. Westbrook

Mayor Bugg, "The first item would be the motion to appropriate general operating expenses for fiscal year of 2021. To facilitate the smooth operation of the town, I recommend the council adopt this motion. These are all budgeted expenses. With that, I will turn it over to Mrs. Westbrook for that motion." F. Westbrook, "Thank you, I didn't realize you've got me down for a few motions on here which I wasn't aware I was doing so I'm at a little bit of a disadvantage here. However, at the last town council meetings, because of some questions about the financials, you asked that I meet with Bonnie, which I recently have done. I understand her concerns and concur with the majority of it. And because the majority of those concerns do deal with our general operating funds, at this time I'm not going to recommend that we do an appropriation for all general operating funds. I'd like to see us consider appropriating all payments, whether it's general operating, or even the category on a monthly basis. I do agree that we need to get a little tighter control on some of these things, and I think it'll serve us best to appropriate on a monthly basis." S. Phillips, "Mr. Mayor, in a recent meeting with Mrs. Schaschek, as Treasurer we had a meeting, and she and I reviewed those concerns regarding general operating, and they were clarified. There had been a question asked about the difference between the two budgets, and they were discussed. Are there further questions regarding those? I'm prepared to address them, if it will help council come to an appropriation. B. Schaschek, "Are you asking me?" S. Phillips, "If any member of council has questions." B. Schaschek, "At last meeting there was a motion to appropriate those remaining general operating funds that hadn't already been appropriated. And I had requested a list of what hadn't we already appropriated, so I was looking for a list of items." S. Phillips, "Again, so I think that the main difference is in the general operating that has been validly, through a contract, handled would be under operating expenses, would be the Centrix contract for the new printer. That is under just office expenses, but as far as under operating expenses, there was an increase of \$522. I suspect that was a simple round-up to get to a whole number, so there's no specific vendor involved. Under professional services, no contract has been offered or authorized, but the line item last year was \$15,000, and it is currently \$25,000. That is for wealth management, but again there is no contract for that. So, the appropriation wouldn't occur for that until you address it as a contract, and there's none on the table and none to be considered. Under insurance, that was an increase of \$384. Again, I suspect that the council rounded to a whole number, so it was simply a whole number. Under public safety, there was an increase of \$500, I don't believe that there's a vendor involved. Under office expenses, again those increases are related to the Centrix new contract, which has been authorized. Under municipal expenses, there is actually a reduction of \$2,600. Under town council there was a



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reduction of \$1,000. In utilities there was an increase of \$1,400, so I suspect that the vendor associated there would either be Dominion Energy.” F. Westbrook, “I think the items you are reading are things that are on the budget, as opposed to what I was talking about, as general errors that need to be addressed, and rather than spend all this time tonight doing that kind of stuff,” S. Phillips, “I don’t have a list of appropriations, so I’m not sure how we’ll pay bills between now and the next year.” F. Westbrook, “I would suggest that we table this idea of appropriated general funds until next January, or to the next meeting in January.” S. Phillips, “So no bills will be paid?” F. Westbrook, “And we’ll have time to get with you and go down the list.” S. Phillips, “But again, I think that the question that was asked was what was the difference, and I think I addressed that difference.” Mayor Bugg, “I have a specific list if you’d like to hear it.” W. Nunnally, “I’m totally confused, and I’ll just have to say that, but I am concerned. I happen to know that Mr. Schaschek is a brilliant financier, and I happen to know that Bonnie Schaschek has a career in finance, and has done and organized huge businesses. If they’re having questions about our finances, we’ve got to put a spotlight on this stuff. It’s that simple.” F. Westbrook, “My thought is that perhaps since we will meet on the 15th that we convene about 30 minutes earlier so that we can get a little bit of time and zero in on this, and present it back to you at that time. And we’re only looking at 5 days.” W. Nunnally, “And I thought the printer was done with COVID money. Where did that budget go?” S. Phillips, “No, the printer was not done with COVID money, the printer was done through general operating.” F. Westbrook, “So I’d like to move that we table this until the discussion on December the 15th, and that we meet 30 minutes earlier than when we were going to meet, so we can have that discussion.” W. Nunnally, “I second that.” Mayor Bugg, “Any further discussion?” A. Marchetti, “Yes. Where was this discussion three months ago at all of the meetings? I don’t take personal offence to anyone that opposes a line item under the budget, or every line item under the budget. Why are they waiting until now to engage in this conversation?” F. Westbrook, “Well you all asked me to meet with Bonnie at the last meeting. So now I’ve just recently done that.” B. Schaschek, “In August I objected to approving the finances because they were incorrect. They were tabled. Tripp asked me to meet with Fran, and did Fran agree with me? And she did because I had spoken to her. Tripp asked me to meet with Fran. I did, I met with Fran on multiple occasions, discussing these items. So, it is not just coming up now.” S. Phillips, “Was the Budget and Finance Committee aware of this meeting?” W. Nunnally, “Well Fran is the Budget Committee.” S. Phillips, “Is there anyone else here from the Budget and Finance Committee?” A. Marchetti, “I was unaware of any meetings or any talks or any oppositions to any of the line items.” F. Westbrook, “The request of the meeting came from the mayor that I meet with Bonnie, and that’s what we did.” S. Phillips, “Alright so the concern is, that you had multiple meetings regarding those concerns. And again, we want to instill confidence as we shared the other day. Bonnie, you’re 90 days frustrated, and that’s reasonable, but unfortunately the meetings and the conversations that you had did not go anywhere. Anthony is on the Budget and Finance Committee, and the information was not shared. The treasurer is not aware of these concerns.” W. Nunnally, “Well maybe Anthony should be included in this next meeting.” F. Westbrook, “Well that meeting that the mayor asked for, it was not a Budget and Finance meeting, it was just for me to get together with Bonnie, and any two council members can certainly get together.” S. Phillips, “The treasurer has not been made aware of any of Mrs. Schaschek’s concerns.” F. Westbrook, “Okay, so a motion



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is on the floor, please.” Mayor Bugg, “Any further discussion? Vote? All in favor and all opposed?”

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

**THE MOTION TO TABLE THE GENERAL OPERATING EXPENSES
APPROPRIATION FOR THE FISCAL YEAR OF 2021 WAS PASSED 5-1**

2. Motion to appropriate \$8,334.00 to Flack Shack from CST – F. Westbrook

Motion to appropriate \$8,334.00 to Flack Shack from CST – F. Westbrook Mayor Bugg, “Next item on the agenda is a motion to appropriate an \$8,334 to Flackshack. This is representing three months of payments. I’ve asked the vendor to submit a report of work performed, which it did. You received the report in you packet. I also circulated the report to our partners for feedback on the report. Their responses were very positive. Based on my review of the report, and the positive comments from our partners, I recommend that this appropriation be approved by council. Is there a motion to approve this appropriation?” A. Marchetti, “So moved.” D. Patteson, “Second.” Mayor Bugg, “Discussion?” F. Westbrook, “Yes Mr. Mayor, it looks like I’m on a roll tonight. I feel we do have to pay this because it is a contract, however, I would like to go on the record one more time about how this whole thing has occurred and how it has been handled has not been... We’ve put a lot of stomach with this and there’s still a sour taste in some of our mouths, but given that we signed a contract, I’m in favor of paying it.” Mayor Bugg, “Thank you.” W. Nunnally, “Let me comment on this, I read these minutes, and I started my comments off last time by saying I was confused of what we’re doing. And then in that meeting, the September meeting, there was a \$3,000 motion, and I thought that’s what we were going to spend, and that the mayor was going to design the stuff that needed to be designed. And I don’t think we’ve got a contract, and I would like to humbly submit that we review that and see if we’ve got a contract.” A. Marchetti, “It should probably be in your packet.” F. Westbrook, “I did read the contract and it stipulates we pay them monthly, equal amounts.” W. Nunnally, “Yeah but I’m not sure we’ve got a contract.” F. Westbrook, “Yeah we do, the mayor signed it. We authorized him to sign it. And in addition to that, the unfortunate aspect of this is that by not paying it and paying it in a timely manner, it’s just not us, it’s the other partners in this, which means the Steamboat Era Museum now looks bad, the Tides Inn, and whoever the other partners are, The Hope and Glory. This whole thing has had a series of problems, and I don’t want to see us add to that by withholding payment on a contract that we authorized the mayor to sign on our behalf.” Mayor Bugg “Wayne, I’d be happy to get together with you, and get you up to speed on this as well, I think that would be useful.” W. Nunnally, “I think it would be.” Mayor Bugg, “Alright the motion is on the floor, all those in favor of this appropriation to Flackshack and those opposed?”



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

THE MOTION TO APPROPRIATE AN \$8,334 PAYMENT TO FLACKSHAK WAS PASSED 4-1-1

3. Discussion of audio visual proposal from Entertainment Systems

Mayor Bugg, “Next item on the agenda is the discussion of the use of tennis courts to teach tennis. That item is being tabled to a later date. Next, that brings me to Item 4 which is the discussion of audio visual proposal for entertainment systems. We began this discussion, and I think we are going to move forward with this discussion whether to purchase all of the additional equipment and any potential motion we may want to entertain. Bonnie, anything you would like to say in regards to what you reviewed?” B. Schaschek, “I did take a look at the estimate and I did go out to the website and look at all of the pieces. This is a very expensive proposition at \$31,300. The sound system is we’ve got to do a major installation, and it’s about \$10,000 just for that. The good points on it would be that every member and mayor and council person would have their own mic, so we wouldn’t be screaming across the floor and everyone could theoretically hear. However, there’s an awful lot of cons to it. There was nothing in the estimates for the ongoing support and maintenance required. The setup of the racks and speakers before each meeting would need to be done by somebody. I don’t think it’s something that the existing staff is going to be able to do. It’s very technically complex, and you’re going to need somebody to do that. I don’t think you could use the COVID funds for ongoing maintenance of it. I did draw out a couple of these things, just flowing through it, if anyone was interested in taking a look at it. I guess I’m curious on what you ultimately wanted to get out of this. There is a whole visual part of it, but then again, now you need to go to live streaming. We don’t have the infrastructure in order to do live streaming, you need regular internet, and I’m not sure what they have at the church. So I’m not sure what it is that you are going to get for \$31,000. And then you’d be better off investing in a few microphones around the room than spending on something that you have to do major installation, major setup and takedown, and then continuously pay maintenance on it. That’s just my opinion.” Mayor Bugg, “I share your opinion. I think it’s too expensive. I think we should explore alternatives and move on from this item, so we might lean on you in getting some more info on microphones and things that will be more cost effective. That would move me to the next item, which is New Business.”



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H. NEW BUSINESS

1. Tides Inn Presentation on Shoreline Development

Mayor Bugg, “The Tides Inn asked for time on our agenda to discuss its shoreline development project. This project involves several applications before several government agencies, including Irvington. Due to the length of our agenda, we have designated about 15 minutes of tonight’s agenda for the Tides Inn to give a high-level summary presentation of this project. Please join me in welcoming the Tides Inn.” B. Musinski, “Good evening, thanks everyone for welcoming us, my name is Brian Musinski, I represent the Tang family, and lead all the real-estate for the Enchantment Group. I’ve been with the company for about two years, and that really has represented a major investment in the Tides Inn, and really our first major investment since 2002. We have our design team, who’s going to be walking us through the visual presentation. Waterstreet Studios is a Charlottesville based landscape architecture firm, we have Bay Design, who’s based in Urbanna, and we also have Brian Hoffman from Friends of the Rappahannock. This July, the Tides will turn 74 years old, and in addition to our continued investment in the property, we also look at infrastructure, and we’re looking at the shoreline. And as we started looking at the future of the Tides Inn, and the future hospitality, we’ve seen in our other properties, which are sort of high-end experiential resorts that customers are looking for more than just coming to a place, sitting on a beach, and having a drink. While certainly that’s something that’s important to them, we see the future guests and the current guests wanting to have experiential events and activities with their friends and their family. And the shoreline started as an idea to restore an area of the property that was eroding, and turned into what we see as the future of the Tides Inn, and coincidentally this coincided with something that Lara mentioned at the Wetlands Board hearing is that there’s been some changes in regulation that have been encouraging natural shorelines. And what we see in this project is both a tourism draw to the Tides Inn, another one besides just gathering with friends and family, but also an ecological and educational opportunity, which the team’s going to talk about here today, and then of course if there are any questions we’d be happy to answer those. Thanks for everyone’s time, I am going to introduce Wayne Savage with Bay Design.” W. Savage, “Hey everyone, I’m sure you remember me from the other night. I’m Wayne Savage with Bay Design Group. I’ve been a civil engineer on this project. This is quite the project here, as I’m sure you guys are now seeing. Also you guys have packets here as well that our landscape architects have provided to you guys to get you a good overview of what it looks like and what we’re proposing. I just wanted to give you guys an update on where all the permits stand. We’ve gone through a JPA process, we’ve been working with VMRC, the Corps of Engineers, local Wetlands Board, along with several other agencies for this project. So everyone’s all in on this and trying to get this thing to a point where we can get it permitted. At the local Wetlands Board hearing this morning, they did vote to unanimously approve this project. Based on my conversation this afternoon with the Army Corps of Engineers, there’s no objection from them and we should be receiving a permit next week. As far as we know, there has been no further objection or comment from



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VMRC, and we're expecting a favorable action from them within 10 days from today, that's their general timeline for issuing a permit from then. And the only thing that follows from there is we need this town council, obviously, to give us approval of the project. I think from that, I kind of gave us an update on where our permits for that, I'll turn it over to Waterstreet, and I'll be here to sort of help them along and introduce the project." E. Young, "I'm Eugene Young, we're from Waterstreet Studio, we're landscape architects and environmental planners in Charlottesville and Richmond, Virginia. Thank you all for letting us present to you tonight. I've never presented with a mask on and a coat on so this is a little interesting, and you can't see my expressions, so you won't be able to see our enthusiasm for this project, but we have books that we passed out to you if you want to follow along. We'll give you a quick description of what our design implementation is for the Tides Inn, along the shoreline as Brian and Wayne just described. This is the existing site conditions as we know it, this the Inn here, this is the arrival court as you come in for those of you unfamiliar with the Tides Inn. This is the base map that we are going to use to describe all the respective. And please, if you have any questions while I'm doing this just go ahead and ask them. This is the plan, this is our proposed plan, this rendering here. And what you'll notice is this rendered edge, this colorful edge here, it looks really thin, but there's a lot happening here. One is that we plan to renovate the store and protect this eroding slope, in these areas in particular, like here in the winter house, and here by the bluff. Another thing we want to do is renovate and restore this insufficient marsh land that has occurred right here, and what we call the cove. So it's these three areas that are of particular importance, and we plan to do this by implementing the living shoreline, but with that shoreline, we're also proposing a boardwalk on that edge, and what's most beautiful to us is that this is an example of what we call infrastructure and design. So it's not just design for design-sake, it's where you use infrastructure as the basis for design. So form follows function, but it follows it thoughtfully and beautifully, and makes a statement. So by that I mean, when we take this boardwalk, we're actually using it in these two particular areas, where we are going to attach a sill to the boardwalk discreetly, so you don't even see it. And that's what's going to hold the living shoreline in place in these two particular areas. Here, we have the opportunity to do a stone sill, and that's where we'll put the oyster spat on top because we're trying to restore the cove area, which is a bit of a marshland already. One thing to note, if you see in your books there's a dashed line area and that dashed line indicates the approximate shoreline in 1937. That's on the survey page as we know it now. So the actual shoreline, originally, was out here. But now, it's eroding away here. I'll go into these three particular areas, the Winter House section, this Cove section, and the bluff. This is very important, these section drawings here. The before and after pictures are great, they're beautiful and they really tell the picture, but these technical joints here, are very important, because what you notice here is an existing condition of this slope. It's almost 1.5:1, that's like this. And you notice that these buildings are sitting on that slope like this, so they are very close to that slope edge, and we're proposing here, by putting this sill attached to the boardwalk, is going to hold back this living shoreline and allow us to grade the slope into a 2:1 slope, which is in the plan. That's by code you can plan a 2:1 slope without a problem. So you can see the big change between that eroding shoreline and that proposed slope. And here's a before and after. Here's the Winter House, and you can see how close it is to that slope and how we're losing ground here, and here's the proposal for the boardwalk in place, and



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the living shoreline, and the destroyed slope edge.” W. Savage, “To add to Eugene’s thing real quick, and I’m not meaning to interrupt, but on those slopes, and specifically where the buildings are at, we have actually had a geotechnical firm and geotechnical professionals come in and conduct borings in those locations, we’ve actually installed some helical piles on those two buildings specifically because of their location to the slope, and with those helical piles, along with the regrading of the slope, we’re creating a stable slope. We’ve gone through a slope stability analysis, and currently, the existing slope is not stable, it’s a danger, and it possibly could let the buildings fall in, so in that particular area, we’re actually saving buildings, and creating a positive slope.” F. Westbrook, “I have a quick question if I may.” W. Savage, “Sure.” F. Westbrook, “Would the living shoreline and the sill and the thing that you are proposing to prepare, by any chance are you working with VIMS on that?” W. Savage, “Yes, VIMS is actually a part of this project. They have actually reviewed, commented, provided us their professional opinion based on their science, and we’ve actually responded to those and implemented what we could to the project and we have heard no further objections. So, they’ve had a site visit with them actually on site as well.” W. Savage, “Along with SEAS as well, SEAS is another nonprofit organization, Mike Vanlandingham, some of you may or may not know him, he is a professional who has worked with living shorelines as long as it’s been around, and he also provided his comments as well, which we did address, so we’ve got multiple different agencies that we’ve been working this angle to make sure that everything is right where it needs to be.” F. Westbrook, “Thank you.” W. Savage, “Yes ma’am.” E. Young, “Here, this is the Cove area that we have been talking about. Here’s what we called, this very little section, it is a very little diminished and impaired marsh area, and so in this, you can see from the section, there’s a lot of invasive species here. We propose that we remove those invasive species, and if here, we put a rock sill with oyster spat, so we’re creating an oyster habitat on top of that rock sill to establish a sill that will create this new extended marsh land here, as you can see in the perspective. And lastly, we have... this is really, this is the bluff. It’s occurring in different places along the tidal creeks, and it’s extreme erosional processes. And so a lot of it is not only eroding away but the trees and stuff fall. So what’s really beautiful about this particular bluff at the Tides Inn, is really interesting, there’s a grove of Chestnut Oaks, which is what you’d typically find in the Piedmont, you don’t typically find it in the Coastal Plain out here. So this is like, it’s a climatic species of tree, very special, but they’re starting to fall into the water. So, here the proposal is to actually put a sill right up on the edge so we get that 2:1 slope here, but what we’re proposing, and thankfully the Tides are actually going to go along with it, it actually putting the living shoreline on the outside of that sill, rather than on the inside which likely on the Winter House, and the Cove. So that’s pretty unique, here’s an after picture.” W. Savage, “The purpose of extending all that out is, like Eugene had mentioned those Chestnut Oaks, we’re trying to preserve as much of the upland vegetation as we can, within reason. There’s certainly going to be some trees removed, and some bank stabilization done, some trees are falling in the water that we have to remove, but ideally, we’re trying to save the majority of that Chestnut Oak, and we’re trying to create a natural environment, especially at the Cove to almost create a nature trail and something that people can enjoy, a different experience there. And we’re planting wetland species, living shoreline species, upland species, such as new trees.” E. Young, “There’s 10,000 plus proposed shoreline plans, and there’s 18,000 square feet of proposed living



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shoreline, where now there's none. So, I think for us, what's most exciting is that obviously, environmentally, we know the benefits of this, but we are thinking about it from a cultural perspective as well, because there's an opportunity here as Brian had alluded to, that this is not a private endeavor. We understand that most of the properties in the estuaries and creeks, out into the river, and even the Bay, 85% are privately owned land. So the opportunity for the public to actually come here, and public outreach. And we were just listening to the Irvington Business Association got that tourism grant, so all of a sudden people are allowed to come here, and the public outreach for schools, clubs, classes, they can come and explore and understand what is happening to this shore, especially in estuaries. It's a very critical, in our universe, landscape pathology that we're losing, it's like an endangered species. And it's very important for us, and hopefully for you, to restore this important environment." B. Muskinski, "We really see this as the future of hospitality, and as Eugene mentioned, that combination of infrastructure and design. And I forgot to mention Jason Trollop, who many of you guys have met, our new managing director at the Tides. Let us mention that education for us is big. We want to have programming, we want to teach people about oysters, we want to teach people about how to grow oysters, how oysters help clean the water. We know that the Rappahannock is an area where you can't come and get oysters because of some of the environmental concerns, and so we're excited to do that. I wanted to introduce Brian Hoffman, from the Friends of the Rappahannock to talk a little bit about natural shorelines." B. Hoffman, "Thank you for having me tonight, Brian Hoffman, Deputy Director with Friends of the Rappahannock. We're a nonprofit organization that works to protect and restore the Rappahannock River from the Blue Ridge Mountains down to the Chesapeake Bay, and in interest of respecting your time I'll be brief. We've invested over \$100,000 in Carter's Creek and this area over the last several years in an effort to clean the creek, increase the water quality and beautify it, to help better grow oysters, to help keep the water clear for Rockfish, Crabs, and other juvenile fish species that we all love. Living shorelines, since 2015, Delegate Hodges pushed through some legislation to make it the preferred alternative for shoreline stabilization throughout the Commonwealth. In 2019, we worked with the Northern Neck and Middle Peninsula planning districts, as well as many other partners across the state, to develop a Watershed Implementation Plan for the entire Chesapeake Bay portion of Virginia. This outlines all of the different types of projects that we have to go through to install by 2025, to meet our water quality goals which are mandated by the federal government and EPA. In the Rappahannock River Basin alone, over 150,000 linear feet of shoreline has to be stabilized using living shorelines. 150 acres of oyster reef has to be restored, and 4.8 million trees need to be planted, among about 80 other practices and projects that have to happen. This project is one of those that will help meet those goals. Here in the Northern Neck and Lancaster County, we installed and monitor many living shorelines throughout the lower Rappahannock River. We partnered with Northern Neck Planning Commission to run a cautionary program for living shorelines, and we continue to write grants to help bring money locally here to put in the hands of contractors like Bay Design and some other people who actually install the projects. We bring students out to these projects beforehand and show them the problem. They actually get their hands in the mud, helping us install the projects, and then they're out there taking water samples and other things. Most recently we've done some work with Chesapeake Academy, building an plant garden on their property. We're real excited about these types of projects. We have a clean



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Carter's Creek initiative where we're going to be offering free trees to anyone who lives in this area, because we value the creek so much. We're doing disaster relief with other landowners in Lancaster County who suffered due to the hurricane and tornado, so we're really excited for this opportunity to be involved in the education and the installation of the project. I can answer any questions now or in the future if anybody has them. Thank you for your time." W. Savage, "Thank you Brian. So, we're asking for your guys help. You helped us last year with the conditional use permit for the floating dock in front of Fishhawk, so we could welcome guests and essentially run a restaurant without a parking lot. We appreciated your guys help last year, and as you know, we're staying open this year for much longer than we have in the past, we're staying open through the end of January, and we have a pretty short window to execute this project. So, we appreciate your help and can answer any questions that you guys have. And I'll just add, Lara has a copy of these in full size, I'm sure you guys won't receive them in full size, so I'm willing to leave these with you, maybe if you want to share them as a council, be able to look at it and then pass them along day by day. I'll leave them up here so if you guys want them, you're more than welcome to have them. Other than that I think we'll take questions if you have any." Mayor Bugg, "Any questions council?" W. Nunnally, "Good luck." Mayor Bugg, "Well thank you. Wonderful presentation, this has been very exciting. Thank you."

Mayor Bugg, "For the record it is 7:40 p.m. Jackie Brown has left the building. I just wanted that to be on the record and now we will proceed with the remaining items."

2. 1st Reading Resolution 2020-14 TC; CUP Application CUP-2020.CUP7_Alga

Mayor Bugg, "Starting with the next item under New Business, we have some first readings, first reading of Resolution 2020-14-TC-CUP Application. CUP 2020, CUP 7_Alga" S. Phillips, "Resolution 202014TC Conditional Use Permit Application – is attached and incorporated within."

**3. 1st Reading Resolution 2020-15 TC; CUP Application CUP-2020.CUP8_Smith -
tabled**

Mayor Bugg, "Next item is a 'Smith' first reading, I believe that has been tabled."

4. 1st Reading Resolution 2020-16 TC; CUP Application CUP-2020.CUP9_Webb

Mayor Bugg, "Item 4 is the reading of Resolution 202016TC. That would be Webb." S. Phillips, "Resolution 2020_16TC Conditional Use Permit Application, build pool inside RPA, R1, Tax Map# 34-21-D. is attached and incorporated within."

**5. 1st Reading Resolution 2020-17 TC Rezoning Application 2020.RZ1_Town of
Irvington**

Mayor Bugg, "Thank you Sharon, the next item will be Item #5, that will be the Town of Irvington." B. Schaschek, "Lara, do you have any extra copies of the DCR and the Land Usage that they handed out on Tuesday?" L. Brown, "Not with me, but I'm happy to email them to anyone who would need them." S. Phillips, "Resolution 202017TC Rezoning Application, rezone parcel from R1 to B1 or B2, Tax Map 33-37-8. Is attached and incorporated within."

6. 1st Reading Ordinance 2020-011_Repeal, Re-enact Town Code §154.106



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Mayor Bugg, “The next item will be item #6, first reading of Ordinance 2020-011_Repeal, Re-enact Town Code §154.106.” B. Schaschek, “Are we going to talk about any of these.” Mayor Bugg, “These will be talked about at the January meeting.” B. Schaschek, “I was just wondering because the last item says rezone from R1 to B1 or B2, when do we discuss whether it is going to be a B1 or B2 because this is very confusing.” Mayor Bugg, “Every one is having it’s first reading.” B.Schaschek, “We’re having a first reading of something that hasn’t even been passed on to the Town Council yet.” S. Phillips, “Ordinance 2020-11: Repeal/Reenact Town Code §154.106, Use regulations in B2 zoning. Whereas the Town Council proposes to repeal and reenact Town Code §154.106 regarding B2 Zoning District regulations. And whereas, this ordinance, 2020-11, will create a new sub-section in K. in Town Code §154.106, allowing Pilates, yoga, music, or art studio in the B2 Zoning District. Whereas a notice of public hearing on this ordinance 2020-11 was advertised on November 25, 2020 and December 3, 2020, pursuant to Virginia Code Annotated Section 15.2-2506. And whereas, a public hearing on Ordinance 2020-11, was held on December 10, 2020, and the public also had the opportunity to speak about the ordinance at its meetings held December 10, 2020 and January 14, 2021. Whereas this ordinance, 2020-11, was read twice before approval at the December 10, 2020 and January 14, 2021 Council meetings. Be it enacted and ordained by the Town of Irvington, Virginia as follows: Council hereby repeals Town Code §154.106: Use regulation. 2. Council hereby reenacts Town Code §154.106: Use regulation as follows §154.106: Use regulation. In limited district B2, structures to be erected not to exceed 1,500 square feet of floor area, first and second floor total, can be used for one or more of the following uses with the Conditional Use Permit: a. Town Office and other similar public uses, b. Bed and Breakfast Establishments, c. Office Buildings, d. Professional Offices, e. Antique Shops and Galleries, f. Catering, g. Bakeries, h. Florist Shops, i. Barber Shops and Beauty Shops, j. Hobby and Craft Shops, k. Pilates, Yoga, Music, and Art Studios. 3. This ordinance is effective upon passage.” N. Keane, “You probably want to get Sharon to read the beginning of the other alternate, just so it’s clear that we have it.” F. Westbrook, “It has just occurred to me, like Bonnie’s point a moment ago if we have questions or concerns or issues with any of these that were just read, wouldn’t we rather have that happen now as opposed to waiting till January to find out that you may have a bugaboo or something.” Mayor Bugg, “Sure, yeah.” B. Schaschek, “So let me ask you this. Is the Planning Commission going to meet and discuss these? Or are they just going to meet and just approve it and pass it on?” W. Nunnally, “I told you they were going to discuss it, I asked about that.” B. Schaschek, “Oh you did?” T. Chapman, “We proposed to discuss that at our next meeting.” F. Westbrook, “When is your next meeting?” L. Brown, “January 12th.” B. Schaschek, “Can public come and speak on it as well?” T. Chapman, “Yeah, I don’t see why we can’t add that on the agenda.” L. Brown, “They’ll have a discussion before they vote on it.” T. Chapman, “I’ll make a note that we’re going to have public comment on there.” B. Schaschek, “And that’ll be at 6:30? Usual time?” L. Brown, “Yes, 6:30 on the 12th, not sure where we’ll be.” W. Nunnally, “We’ll be in the safest place around right now, with \$3,300 worth of COVID cleaning.” T. Chapman, “I’ll make sure that there’s a public discussion on there.” B. Schaschek, “I don’t want it to go to the Planning Commission and come back to the Town Council, thinking that we’re going to have a second reading when there’s still some issues to talk about.” L. Brown, “So Planning Commission will have a discussion, and they’ll have a vote, and then they



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have to make the recommendation to the Town Council. And then you'll either accept the recommendation or add conditions."

S. Phillips, "Proposed Ordinance 2020-11, Repeal, Reenact Town Code Section 154086: Use regulations in B1 Zoning District. Whereas the Irvington Town Council proposes to repeal and reenact Town Code Section 154086, regarding B1 zoning district use regulations. And whereas, this Ordinance 2020-11 will create a new subsection B21 in Town Code Section 154086, allowing Pilates, Yoga, Music or Art Studio in the B1 Zoning District. Whereas, a notice of public hearing of this Ordinance 2020-11 was advertised on November 25, 2020 and December 3, 2020 pursuant to Virginia Code Annotated Section 15.2-2506. Whereas, a public hearing on Ordinance 2020-11 was held on December 10, 2020, and the public also had opportunity to speak on the Ordinance at meetings on December 10, 2020 and January 14, 2021. Whereas, this Ordinance 2020-11 was read twice before approval, at the December 10, 2020 and January 14, 2021 Council meetings. Be it enacted and ordained by the Town of Irvington, Virginia as follows: Town Council hereby repeals Town Code 154086: use regulations. Council hereby reenacts Town Code Section 154086: use regulations as follows: 154086: Use Regulations I am not going to read A through..." F. Westbrook, "I think you've read it. We get the idea." S. Phillips, "But I am going to note that item 21 is added: Pilates, Yoga, Music, and Art Studios."

7. 1st Reading Resolution 2020-18 TC; CUP Application 2020-CUP10_Town of Irvington

Mayor Bugg, "Alright, to the last item, 2020-18." S. Phillips, "Resolution 202018TC: Conditional Use Permit Application: Pilates Studio in B1 or B2, R1, Tax Map# 33-37-8. **Resolution 2020-18 TC is attached and incorporated within.**

8. Motion to approve CUP Schedule – L. Brown

Mayor Bugg, "Excellent, I think those are all of the first readings. Well done. The next item on the agenda is Motion to Approve the CUP schedule. I think this should be placed at the end of the agenda, after Close Session. Anyone have any problem with saving this stuff until the end?" F. Westbrook, "It's basically just adding the one extra, compared to the previous CUP schedule." Mayor Bugg, "Okay yeah we're going to move that to the end."

9. Motion to approve Sign Permit 2020-21_Town of Irvington – L. Brown

Mayor Bugg, "The next item is a motion to approve a sign a sign permit for 2020-2021." W. Nunnally, "So moved." F. Westbrook, "Don't you want to know what it's going to cost?" Mayor Bugg, "Is this for the Town Office?" L. Brown, "It is recommended that the Town Office needs a sign at our temporary location for visitors and residents to be able to find the office. So it's to have Mitchell Signs create something that we can put in the front yard. The proposal is no larger than eight square feet, complying with our sign requirements." W. Nunnally, "How much was it? The cost?" S. Phillips, "So if you flip in your packet, there is an image, and Bill Mitchell generously... this is the image, and you'll notice there is a piece of paper laid on top of this, it says Village. In the bottom left, you will see an illustration of the brick pillar that is at the end of the driveway. The illustration on the left is a one-sided sign that would have low visibility. The cost there is \$250. The image to the right is a two-sided sign that would be on a post, which



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would grant visibility on Route 200 in both directions, and the cost there is \$500. Excuse me, \$550.” F. Westbrook, “I move to go with the one that is \$550.” B. Schaschek, “I would go with the \$550, but what is this big blank space? Is that where he was zeroing something out?” S. Phillips, “His original illustration said ‘Village of Irvington’ and it should not reference ‘Village of Irvington’ because it is actually your local government.” B. Schaschek, “Okay so this will just get moved up a little bit?” S. Phillips, “Yes, I suspect that he will respace it appropriately.” W. Nunnally, “I second the motion.” Mayor Bugg, “Any further discussion? All in favor and oppose?”

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

MOTION TO APPROVE SIGN PERMIT 2020-21_TOWN OF IRVINGTON; PICK THE \$550, DOUBLE-SIDED SIGN WAS PASSED 5-0

9. Announcement of Irvington Small Business Grant Winners – Mayor Bugg

Mayor Bugg, “Next item on the agenda is the announcement of Irvington’s Small Business Grant Winners. The grant winners are: Lee Taylor of SewLoveLee, Bryan Byrd of Dredge, Michael Knappick, of The Office Bistro, Objects Art and More, Fore and Aft, Sweet Tea Boutique. Staff, and the Council as well, thank you for all your efforts in making this happen. This is a most unique scenario, and I know it took a lot of effort, but we got it done, so thank you to you all.

10. Motion to release CRF funds to Lancaster EDA for Irvington Small Business Grant Winners – Mayor Bugg

Next item on the agenda is the motion to release CRF funds to Lancaster EDA for Small Business Grant Winners. That goes hand in hand with the other grant. Would someone like to make that motion?” D. Patteson, “So moved.” W. Nunnally, “Second.” Mayor Bugg, “Any discussion? All in favor and oppose?”

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

MOTION TO RELEASE CRF FUNDS TO LANCASTER EDA FOR SMALL BUSINESS GRANT WINNERS WAS PASSED 5-0

12. Discuss purchase of tablets and related infrastructure costs using CRF; possible motion to appropriate; F. Westbrook



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Mayor Bugg, “Fran I’m going to turn this one over to you. Item 12, Discuss purchasing tablets and related infrastructure costs using CRF.” F. Westbrook, “Yes sir, I requested that it be on the agenda. The intent was to discuss type and cost of tablets for each town council member, and in researching and looking at that, I’ve come to the conclusion that I need advice from someone like our IT person that we’ve been using. There’s just too many variables to tackle unassisted, but I did want to go into more detail as to why I wanted to get the tablets for us. For our meeting packets, that’s the main reason. You all may have noticed that if you printed out your own packet, there’s over 100 pages in this meeting packet. Most of us use our personal ink, personal paper. This would have been more if we had printed out all the other minutes that were available. I used a fifth of a ream of paper just getting stuff, and then when I got here, here it is all over again, and it just seems crazy. I think that I’d like to see us start getting all of this information earlier. To receive this, just several days earlier with all this reading, all these documents, they supplement this stuff. I’d like to see us start getting this stuff the Friday, at the very latest, the Friday prior to our upcoming Thursday council meeting. We’re all volunteers, it takes up a lot of our time I mean we signed on for it, but some of the town council, I think four of them are working full time, so if we have this on a Friday, we have the weekend to look at it. This would have us better prepared, I think, for our meetings. And it would be able for us to generate any questions and get answers before the meeting happens. So, having said all of that, I would like to make a motion that we start receiving our packets, in its entirety, at the latest on the Fridays prior to our Town Council meetings. And if we’re going to continue doing paper copies, then I’d like for those to be printed by the town, at the town’s expense, as opposed to ours personally, and have that available at the same time frame, and we can go by the Town Office and pick them up ourselves so that they don’t have to be delivered individually, to us necessarily.” W. Nunnally, “Second.” B. Schaschek, “I’ll second.” A. Marchetti, “Second.” Mayor Bugg, “Okay any further discussion? All in favor and opposed?”

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

**MOTION FOR COUNCIL MEMBERS TO RECEIVE THEIR MEETING PACKETS, IN THEIR ENTIRETY, ON THE FRIDAY PRIOR TO A REGULAR COUNCIL MEETING AND WE CAN GO BY THE TOWN OFFICE AND PICK THEM UP OURSELVES TO THAT THEY DON’T HAVE TO BE DELIVERED INDIVIDUALLY TO US IS PASSED
5-0**

Mayor Bugg, “Just a dovetail on what you said earlier about the tablets, that could be a COVID expenditure. We have a meeting next week and research is just coming in on this, I actually just got an email from the IT guy, so that may be a perfect time to start exploring that concern.” S. Phillips, “Just a clarification with the motion that was just passed. Today is Thursday and we potentially will have a meeting next week. Unfortunately, I will not have that information by



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tomorrow.” Mayor Bugg, “Okay.” S. Phillips, “Or are we just talking our regular council meetings?” S. Phillips, “Nothing is regular right now.” W. Nunnally, “Tripp, when is the COVID guy coming? I thought we were going to have somebody knowledgeable to come and tell us how we can spend the money? To really tell us what we can do. ” Mayor Bugg, “It’s the IT guy.” F. Westbrook, “We have a nice long report that lists everything that we can spend it on, but that’s from several months ago.” Mayor Bugg, “We’ll do all we can to get it updated before and have that in-hand” N. Keane, “We can spend the money on the tablets and for the service if there is some service associated for a certain amount of time. All of these are COVID related if that is what you are asking.” W. Nunnally, “Yes. I just don’t want to have to give any of it back.” B. Schaschek, “Time is running out on all of this .” N. Keane, “They extended the deadline for final return of monies as long as you spend the money by December 31, they’re extending the return of unused money until January 22nd.” W. Nunnally, “We can spend through January 22nd?” N. Keane, “No, we can only spend through December 31st as far as I’m aware.” W. Nunnally, “Okay thank you.” Mayor Bugg, “Thank you, and thank you Mrs. Westbrook.”

13. Motion to appropriate annual donation to Steamboat Era Museum; \$2,500

Mayor Bugg, “The next item, Item #13 is the motion to appropriate annual donation to Steamboat Era Museum. That amount is \$2,500.” W. Nunnally, “So moved.” Mayor Bugg, “Is there a second?” D. Patteson, “Second.” Mayor Bugg, “Any discussion? All in favor and opposed?”

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

MOTION TO APPROPRIATE ANNUAL DONATION TO STEAMBOAT ERA MUSEUM; \$2,500 WAS PASSED 5-0

14. Motion to appropriate \$1,193.45 - Sept-Dec CY2020 and Jan-June CY2021 real estate taxes (4203 Irvington Road) using CRF

Mayor Bugg, “The next item on the agenda is the motion to appropriate \$1,193. 45 September-December CY2020 and January-June CY2021 for state taxes 4203 Irvington Road, using CRF Funds.” W. Nunnally, “We can do that?” F. Westbrook, “I have a question on clarification on this. Real estate taxes are for a calendar year, not a fiscal year. So, I think my guess is we’re paying the calendar year 2020. We’re not paying anything in advance on real estate taxes for 2021, because they won’t be due until December the following year, and we have no idea what they will be.” S. Phillips, “I worked with that vendor, and they have prorated, that is the number from the vendor.” F. Westbrook, “So we’re paying ahead of time for the COVID aspect of it?” S. Phillips, “Yes, with the COVID money you can prepay your real estate taxes.” F. Westbrook, “Excellent. Good. Thank you ma’am.” S. Phillips, “And so your operating budget will need to



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include the remainder of that, which will come out of general operating.” F. Westbrook, “Okay. But this is coming out of COVID?” Mayor Bugg, “Yes.” S. Phillips, “But June through December next year will not.” N. Keane, “This dovetails with the lease we signed with them, so they require us to pay their real estate taxes, under the lease.” F. Westbrook, “Yeah I’ve got that but then why, if the second half does not come out of COVID then why are we paying it ahead of time?” S. Phillips, “Because you’re spending your CARES money now.” N. Keane, “We have to spend whatever we’re going to spend by December 30th. So if you want to only pay for calendar year 2020, you would want to pay it by December 30, and if you wanted to prepay taxes through June 30, just like we’re prepaying the lease, you would have to pay that by December 30.” F. Westbrook, “And we can use COVID for prepaid taxes?” N. Keane, “Yes, because it’s required under the lease, so it’s considered a lease obligation. We wouldn’t pay taxes normally. It’s just a requirement under our lease.” Mayor Bugg, “Alright is there a motion to appropriate that amount?” B. Schaschek, “Can I ask a question. So, did we prepay the rent for January through June as well?” S. Phillips, “Yes.” N. Keane, “I believe you all appropriated that at the last meeting.” B. Schaschek, “And that is coming out of COVID funds and it’s been verified that we can do that?” N. Keane, “Let me make sure everybody remembers, we had this conversation maybe a couple of months ago, I inquired about prepaying those for the rent. The basic advice that I’ve gotten through reading the materials and talking to my sources, is that it’s probably okay, but the only place that we find that it wouldn’t be okay is that if Lancaster County gets audited. With this COVID, they’re going to audit the counties at the end again, and if that gets kicked back to us and they say it doesn’t qualify, you all made arrangements to cover that in the regular budget. Remember Fran you put the funds in our budget in 2 places in case we had to pay from our bucket back.” B. Schaschek, “That was for the rent.” S. Phillips, “Correct.” N. Keane, “And that rent figure included that, because that was all prorated in the contract for leasing the office.” S. Phillips, “No the taxes were not included in the rent.” N. Keane, “It’s in the lease but not a firm number.” F. Westbrook, “We added into it into the rent, in the budget to make sure we had enough if it’s not going to work out, paying it ahead of time.” W. Nunnally, “That word ‘probable’ lawyer, always makes my ears tingle.” N. Keane, “I made it clear before and I want to make sure you all know that it is possible that we might get a ring-a-ding-ding from Lancaster County telling us that we didn’t get away with this but I talked to the County Attorney about it. I talked to the County Attorney, I talked to the accountants, I talked to all my sources, and I think it’s probably okay.” A. Marchetti, “All you can do is try and if you don’t prepay it.” W. Nunnally, “I say give it a shot but don’t be surprised.” F. Westbrook, “You get an automatic no if you don’t at least try.” Mayor Bugg, “All you can do is try. Would someone like to make that motion?” F. Westbrook, “I thought someone did.” Mayor Bugg, “Oh yeah. Did we have a second?” W. Nunnally, “Second.” Mayor Bugg, “Any further discussion? All in favor and those opposed?”

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



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**MOTION TO APPROPRIATE \$1,193.45 - SEPT-DEC CY2020 AND JAN-JUNE CY2021
REAL ESTATE TAXES (4203 IRVINGTON ROAD) USING CRF IS PASSED 5-0**

15. Motion to appropriate \$300 for use of building to Connemara using CRF

Mayor Bugg, “Item 15, motion to appropriate \$300 for use of this building using CRF. Would anyone like to make that motion?” D. Patteson, “So moved.” Mayor Bugg, “Is there a second?” A. Marchetti, “Second.” Mayor Bugg, “Any further discussion? All in favor and opposed?”

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

**MOTION TO APPROPRIATE \$300 FOR USE OF BUILDING TO CONNEMARA
USING CRF IS PASSED 5-0**

16. Motion to appropriate \$158.83 to Rappahannock Rentals using CRF

Mayor Bugg, “16: The motion to appropriate \$158.83 to Rappahannock Rentals, for these tables and chairs. Would someone like to make that motion?” W. Nunnally, “So moved.” Mayor Bugg, “Second?” B. Schaschek, “Second.” Mayor Bugg, “All in favor and those opposed?”

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

**MOTION TO APPROPRIATE \$158.83 TO RAPPAHANNOCK RENTALS USING CRF
WAS PASSED 5-0**

F. Westbrook, “I just have a comment to make on Items 4,5,6, and 7. I wasn’t aware that I was going to speak on any of those, and I wasn’t consulted on them so I would just like to ask in the future before anyone puts my name on any of this kind of stuff, I would like to make a motion or whatever, that you contact me first. And also, as part of that, when they mayor and I first spoke about the position of Vice-Mayor, I had a stipulation just to be included on all these staff meetings. To date, that really hasn’t happened, I’ve inserted myself twice on meetings. Other than that, I have not been a part of it. If I had been, I would have been involved in working on this agenda, and I wouldn’t be in this position. I will add that the mayor is elected at large, but you guys elected me as vice-mayor, and for that fact, I feel like I represent you all, but I can’t represent you all without staff meetings. So, I once again am making a motion that I be included on all meetings with staff, legal and/or the mayor for whatever reason the staff meetings come up.” W. Nunnally, “Second.” S. Phillips, “Wait a minute, did you say legal? Can you state your



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motion again?" F. Westbrook, "I move that I be included in all meetings with staff, legal and/or mayor, for whatever reason." N. Keane, "That would be every day." F. Westbrook, "Well then I can have the option, but I'm talking about staff meetings." Mayor Bugg, "You want to be included in every staff meeting then, is that what you're asking?" F. Westbrook, "Yep." Mayor Bugg, "Okay, I've discussed that with you today, and I'll put you on notice for when we're having actual full staff meetings. I have no problem with it. Any discussion?" W. Nunnally, "I mean anybody can attend a staff meeting." Mayor Bugg, "It should all be out there." F. Westbrook, "Well we don't know when they are." S. Phillips, "No if you have more than two people it becomes a meeting. You have to be very careful." W. Nunnally, "You mean to tell me that I can't come to a meeting of the staff?" S. Phillips, "If Fran is there, no." F. Westbrook, "Two of us can be there." N. Keane, "It's more than two." Mayor Bugg, "We'll adjust it, we'll have it adjusted so don't cause a public meeting." F. Westbrook, "So two of us could be present?" Mayor Bugg, "No, I mean I have no issue with your request, as I expressed today, present during this staff agenda meeting. I think that's what you're alluding to." N. Keane, "We can rotate, and I think Wayne has attended them before, Fran's attended them before." F. Westbrook, "I've only been to two certainly. Anyway, I have the motion on the floor and a second." Mayor Bugg, "Any further discussion?" A. Marchetti, "Is it open to all Council members? The first two that say they would like to attend? If Wayne want's to attend. If Bonnie wants to attend." Mayor Bugg, "That's fair, certainly. I welcome the input." B. Schaschek, "Well personally, Fran represents us, so I don't see why I need to be there and Fran there. If there's something that we need to know, it should be communicated." Mayor Bugg, "And plus it's also what we can accomplish, we have to be aware of the numbers so that we don't have a meeting." A. Marchetti, "Bonnie I understand why you are frustrated." W. Nunnally, "While we are having this lengthy discussion, transparency is needed in everything that we do, and some of the things I hate getting is when I call to ask a question and I'm told I can't have that knowledge. Or I get a contract that says 'we can't tell you who the buyer or seller is'. Well we know who the seller is, and we all know who the buyer is. Secrecy from the staff sometimes bothers me. And as a public representative, I think I'm entitled to the full complete knowledge of what's going on if I asked the question. So, that's my two cents." Mayor Bugg, "Anyone else?" A. Marchetti, "I'll never argue against transparency." S. Phillips, "But I do think it is relevant to know that there are situations where there is confidentiality, such HR and other certain situations, some things can not be revealed." W. Nunnally, "Madam Treasurer, if you know it then the Councilmen should know it." S. Phillips, "You do know it. Is there an example?" W. Nunnally, "So there is no confidentiality that you have that I don't have." S. Phillips, "So what is your example?" W. Nunnally, "I'm not going to argue with you, okay?" S. Phillips, "Okay." W. Nunnally, "But you know exactly what I'm talking about." S. Phillips, "Actually I asked." W. Nunnally, "You know when I asked you who was it? You said 'I'm not going to tell you.'" S. Phillips, "That was HR. That was an HR situation." W. Nunnally, "Yes, well if you knew it then I should have known it." S. Phillips, "That's an HR situation." F. Westbrook, "I think this is a decision for Town Council and no one else. We're the ones that have the control, and we make all the decisions. A motion is on the floor and seconded." A. Eubank, "Could I request that someone clarify that motion one more time." F. Westbrook, "Would you like me to read it to you again?" A. Eubank, "Yes please, if you don't mind." F. Westbrook, "I moved that Vice-Mayor be included in all staff



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meetings, whether it's just one or two or three of the staff from here on out, whatever the meetings are for." N. Keane, "Wouldn't that be every day?" Mayor Bugg "Let's clarify so you mean the agenda discussions?" F. Westbrook, "No, I mean other meetings too. I think it's important. I agree with what Wayne just said I think transparency there's an awful lot that's decided there and we just get informed. And there are a number of times when decisions are made and we are not informed, and things just change and start happening differently. And we're the governing body, we make those decisions, not staff. We have to make the decisions." A. Marchetti, "They have to do a job. You have to trust them to do their job." F. Westbrook, "But we have to make the decisions Anthony, we can't pass that buck to them. We're the ones that were elected. So I think it's time we started acting like that. And I would like to get these meetings just as the motion said, as vice-mayor. And in addition to me being there, if I am ever going to act in the absence of the mayor, it would be really nice to be totally on board and be aware of what's going on." S. Phillips, "I think there needs to be clarifications about..." F. Westbrook, "Sharon listen this is not about you, it's about..." S. Phillips, "No, but your motion... You said this was for every meeting whether it be one staff member, two staff members or three staff members." F. Westbrook, "Yes." S. Phillips, "How are we supposed to manage that? I think you need to change your expectations. The office is open from 9 to 1." F. Westbrook, "When you all have staff meetings, the motion is that I would be there, or that I have the opportunity to be there." S. Phillips, "So does that mean if the Zoning Administrator, and the Clerk sit down, to go over... Give me an example." F. Westbrook, "I'm not talking about zoning, that's what we have Lara for, and then she informs the Town Council." A. Marchetti, "She is staff." B. Schaschek, "I think she's talking about meetings that they mayor is attending." A. Marchetti, "And that's fine, so specify because to Sharon's point there is the point that staff is always meeting all day every day from 9 to 1. So I think what she's trying to achieve is clarification and specification on what meetings that means, otherwise, it's an open invitation for Fran to be there 9-1, 5 days a week." S. Phillips, "Also, I don't want to disrespect your motion. I'm trying to respect your motion." W. Nunnally, "I think that if the mayor is meeting with someone, in any capacity, that you be informed when that happens, and you can be there." F. Westbrook, "That would work." W. Nunnally, "You want me to try and make that motion?" F. Westbrook, "If you'd like, I'll withdraw mine." W. Nunnally, "Mr. Mayor, I move that whenever you meet with a staff person or a legal representative, that you inform the vice-mayor, and give her the opportunity to attend, if she so desires." S. Phillips, "And is the Mayor the one who is going to extend that invitation? We are a small staff, and multiple times a day we will pick up the phone and make a phone call. Is that a meeting?" W. Nunnally, "If it results in a decision, then she should know about it." S. Phillips, "So, before the mayor and staff discuss anything, the mayor needs to call the vice-mayor to let her know that that phone call is going to occur?" W. Nunnally, "Yes. I think that's reasonable." S. Phillips, "On part-time staff?" Mayor Bugg, "That's very cumbersome." D. Pateson, "I think that is too much on staff." F. Westbrook, "I think so too. I mean calling on the phone, if there's something I need to know then you'll let me know. When it's meetings, sit down meetings, then..." S. Phillips, "How about if we discuss potentially again, managing expectations, because again, we pick up the phone multiple times a day. We often will sit and make a phone call. How about if you offered that relationship between the mayor and the vice-mayor? Then that communication is between the two of you. Otherwise,



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you're setting staff up for failure. Because we're going to be non-compliant." F. Westbrook, "That's fine." Mayor Bugg, "Yeah." F. Westbrook, "As long as its going to happen I don't care who does it, I'd just like to see it done. And you all can figure out how." S. Phillips, "Well, if I might make a suggestion, you might have the mayor and vice-mayor do that." F. Westbrook, "I want to be involved when these meetings are happening between the mayor and staff. And that usually happens, for instance, when you all get together and talk about the upcoming meeting, planning all of that, and making the agenda. That's the example." A. Marchetti, "If Sharon picks up the phone and calls Tripp to ask him a question, is that a meeting?" F. Westbrook, "I don't see that that's a meeting. That's a phone call." Mayor Bugg, "The biggest one is the agenda meeting." A. Marchetti, "This sounds more like a mayor and vice mayor meeting." F. Westbrook, "That's the main one but I don't necessarily want to relegate it to just that because there are times when I hear of other meetings that I'd like to be a part of as vice mayor. And I won't know until those things happen. A simple email when anybody else is noticed, can we meet on this day to discuss this and I can say yea or nay." D. Patteson, "Is your role being there because you are an officer or part of council? And therefore you want to be involved because we are Council members. I heard Bonnie say something that you represent us, but I don't necessarily think that you represent each of us individually, I think that we represent ourselves. And so, my point is, at some point it's just going to get, as it is tonight, a little too confusing as to how this runs out. It would be simpler to just say, you know if there's an agenda to be discussed, by the mayor and staff, you have the right to be invited and to attend. And just leave it at that. Otherwise, I think these two ladies are going to be too overwhelmed with trying to please everybody, and..." F. Westbrook "Let's start with this." A. Marchetti, "I think you don't specify a meeting. Well, to me that was a meeting, but then someone else says 'Oh that wasn't a meeting to me'." F. Westbrook, "That's fine." A. Marchetti, "There's just too much gray area." F. Westbrook, "So let's start with that and see how it goes, and the mayor and I will stay in closer contact." A. Marchetti, "That's a great idea." Mayor Bugg, "Great. We will modify the minutes." F. Westbrook, "So the motion now is that the vice-mayor still be included in staff meetings for purpose of upcoming regular monthly meetings and the agenda." Mayor Bugg, "Second?" B. Schaschek, "Second." Mayor Bugg, "Any further discussion? All in favor and all opposed?"

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

MOTION FOR THE VICE-MAYOR BE INCLUDED IN STAFF MEETINGS FOR THE PURPOSE OF UPCOMING REGULAR MONTHLY MEETINGS AND THE AGENDA WAS PASSED 5-0

17. Discuss American Legal Publishing; possible motion to appropriate

Mayor Bugg, "Next item was discussion of American Legal Publishing proposal using COVID funds of approximately \$1,000 to replace a current version of our code and charter online. I asked for this proposal. We have been looking for ways to limit in-person meetings and



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discussions in the office during COVID. We want to post forms on our website, and offer a current and searchable version of our charter and code to make our administrative work easier and avoid some face to face time. This is our current vendor for our code books, the online version would be the same format and numbering, which is what we want. I request that you agree that we spend these COVID funds to purchase this service.” B. Schaschek, “I have something to say about this. This really annoys the hell out of me, because for a year and a half, we were pushing to get this done, and we were using MuniCode. We looked at American Legal, we looked at MuniCode. We went through, we had several seminars, not only the lawyer, but the clerk also said ‘no, we’re not publishing, we’re not going to do this’. We had multiple webinars, which part of the Council attended. I think the lawyer also attended one of them. MuniCode and there’s over 135 municipalities, towns, and counties using MuniCode. American Legal, there’s 6 in the State of Virginia. So, I’m kind of curious as to how this came back around after all the work that had been done, and all the pricing that had been gotten, and now all of a sudden we’re coming back to American Legal.” F. Westbrook, “Do we know what the Town of Kilmarnock uses?” N. Keane, “Kilmarnock has MuniCode but it’s the basic version.” W. Nunnally, “Because of the outlier, I so move that we table this.” Mayor Bugg, “We can discuss this on the 15th since it mentions COVID funds.” B. Schaschek, “And if you go through all the minutes from the last year or so, you’re going to see all of the information that was there.” Mayor Bugg, “Let’s table it to the 15th?” L. Brown, “Okay if you’re going to table it, I think we need to think about... The way I understand it is that if we use something other than American Legal, who, this is the company that did our book. All of our numbers will change, so that will also have to be changed, all of our town documents.” B. Schaschek, “I don’t think so.” Mayor Bugg, “Do you want to table this till next week?” W. Nunnally, “That’s part of the research for the next meeting. That was my motion. Because we don’t have enough information to hack it out.” Mayor Bugg, “Any further comments? Second?” D. Patteson, “Second.” Mayor Bugg, “Any further discussion? All those in favor of tabling this until December 15th? And those opposed?”

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

MOTION TO TABLE THIS ISSUE UNTIL DECEMBER 15 WAS PASSED 5-0

J. ANNOUNCEMENTS

Mayor Bugg, “Next we have the announcements. In observance of the Christmas and New Years holidays, the Town Office will close on December 23rd, and reopen on January 2, 2021. As we already know, the Town Council special called meeting and public hearing to discuss the development of the North Commons, and other related COVID expenditures on December 15, 2020 at 6:30.” N. Keane, “The thing you should probably highlight is the location. The Governor put out a notice today that they are going to reduce places and limit groups to 10 people and I’m not sure we can use this place, I will have to double check, so we might need to find a place where we can have a group of more than 10 people.” W. Nunnally, “The church is available. It is



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the safest place in town. I can't believe it we paid \$3,000 to have it cleaned." Mayor Bugg, "Last announcement, Dominion Energy will be in town February 1, 2021 to trim Crepe Myrtles." B. Schaschek, "I have already trimmed the ones on my property. Do not have them stop at my property. I will call the police." S. Phillips, "Wait, please, Mr. Mayor, I cannot prevent them from coming on property. They are a contractor on their own easement and she does not want them on her property or she will call the law. It is their easement." Mayor Bugg, "They are coming to town and they are a private contractor so we have some time." S. Phillips, "I had a conversation with Anita Powell and the purpose of Dominion Energy trimming the crepe myrtles is to keep the lights on. They trim on a two year cycle and they will trim them so that they will not need to be trimmed for another two years." F. Westbrook, "That is not right. When they came and talked to town council they told us a five year cycle and they were going to get in touch with us before they came here to do it again. It has not been five years since they trimmed them last." S. Phillips, "They will be here February 1 and they have the right to trim the trees." F. Westbrook, "We have time to deal with it." Mayor Bugg, "The purpose of this announcement is to let you know when they will be here." Last item for announcement, the December financials will be distributed for the December 15th meeting.

I. CLOSED SESSION

F. Westbrook, "I Frances Westbrook move to go into closed session pursuant to §2.2-3711A7 of the Code of Virginia for consultation with legal counsel for actual or probable litigation and Pursuant to §2.2-3711A3 of the Code of Virginia for real estate matters where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town and pursuant to §2.2-3711A8 of the Code of Virginia for consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice of such counsel." W. Nunnally, "Second." Mayor Bugg, "We have a motion and a second. All those in favor and all those opposed."

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

THE MOTION TO GO INTO CLOSED SESSION IS PASSED 5-0

J. RETURN TO OPEN SESSION

F. Westbrook, "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 Information Act and whereas Section 2.2-3712 of the Code of Virginia requires a 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 to the best of each members



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knowledge, that one only public business matters lawfully exempted from open session requirement 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. Is there any member who believes that there was a departure from the motion to go into a closed session? If so, state the departure. There being no statements we take a vote.”

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

Mayor Bugg, “We are back in open session and the first motion would be a motion to authorize the mayor to initial changes to the contract addendum reducing the sales price to \$90,000 cash. Would someone like to make that motion?” F. Westbrook, “So move.” B. Schaschek, “Second.” Mayor Bugg, “Any further discussion? All those in favor.”

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

MOTION TO AUTHORIZE AND INITIAL CHANGES TO THE CONTRACT

ADDENDUM REDUCING THE SALES PRICE TO \$90,000 CASH IS PASSED 5-0

Mayor Bugg, “Motion to authorize the proceeds to be deposited in a separate earmarked account labeled, “For Use of New Town Office” at a bank of council’s choosing.” S. Phillips, “I would like a recommendation from the budget and finance committee, would you prefer for the money to be in an account at Chesapeake Bank or VCB?” F. Westbrook, “Let’s keep it a Chesapeake because that is the bank that pays us funds. I say deposit it there. Do you want a whole separate account? Is that what you are saying?” S. Phillips, “The treasurer would recommend that the monies be deposited into a standalone account and not merged into an existing account. I suspect you want this in a CD?” F. Westbrook, “What do you think Anthony?” A. Marchetti, “That makes sense.” B. Schaschek, “You don’t want to take a CD for a couple of years right now.” F. Westbrook, “Nothing is getting.” S. Phillips, “Do you want a six month CD at Chesapeake Bank?” B. Schaschek, “It is either six or seven months.” Mayor Bugg, “Would someone like to make that motion?” W. Nunnally, “So move.” Mayor Bugg, “Motion passes.”



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

THE MOTION TO AUTHORIZE THE PROCEEDS OF THE SALE OF 235 STEAMBOAT ROAD TO BE DEPOSITED IN A SEPARATE EARMARKED ACCOUNT LABELED “FOR USE OF NEW TOWN OFFICE” INTO A SIX OR SEVEN MONTH CD AT CHESAPEAKE BANK IS PASSED 5-0.

Mayor Bugg, “Next is the first reading of Resolution 2021-01 TC Authorizing Execution of Deed and Closing Documents.” S. Phillips, “Resolution 2021-01 TC Authorizing Execution of Deed and Closing Documents to effect transfer of 235 Steamboat Road; Tax Map 33 378 a whereas the Irvington Town Council entered into a contract for the sale of 235 Steamboat Road; Tax Map 33 378; to 235 Steamboat LLC and whereas the council authorized the preparation of documents required for closing of the transaction which is to take place on or before January 29, 2021 whereas as of January 14, 2021 all condition have been met now therefore be it resolved that the Irvington Town council authorizes the mayor to execute the deed and closing documents to effect the transfer.

Mayor Bugg, “Next if the motion to adopt a schedule for New Tides LLC, for exemption and CUP.” L. Brown, “There is a reason for the CUP schedule for the Tides Inn. One thing they forgot or they didn’t address in their project. The time line for planting the living shore line is critical that they do it at the exact right time and the Tides Inn is asking town council to try to start this CUP process as soon as possible and to end it as soon as possible. They would like to start this construction in January so they can get done the shore line part so they can start their plantings in the March/April timeframe. Because of that you are going to see this extra date in here on the proposed CUP schedule of January 7, it is just one extra meeting.” F. Westbrook, “We are moving it up by a week.” L. Brown, “The joint public hearing would be on January 7 and immediately following would be the planning commission first reading and immediately following would be the town council first reading; January 12 is the planning commission regular meeting and your second would be on January 14.” N. Keane, “You are going to send them materials to read over the holiday.” L. Brown, “There is a lot of information on this project and I am going to try to have as much of the staff report and it is all in this binder and you are all able to look at it but I will try to condense it because it is complicated. We have to do a multi-step process to approve the different components for what they are proposing. We need a CUP for the wrap around board walk or wrap around pier and that one CUP will have 18 different units on it. That one CUP will encompass 1, 305 linear feet of wrap around dock. It will have several viewing platforms and finger piers and two upland connector trails that will require an exemption through our planning commission. Just like what happened the other night with educating everyone with how someone can build a pool inside the RPA that scenario is permitted by right redevelopment project. These connector trails that are within the RPA that will be



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connecting to this wrap around boardwalk is considered an exempted activated not an exception not to be confused with an exception that made the news last summer through a board of supervisors thing this is an exemption. It is considered a passive recreation trail to connect from the upland to the water dependent use this wrap around walk it is also being proposed to meet the ADA requirements for their guests to access the water features and this project down below. I have consulted with our compliance office at DEQ and she confirms this is an exempted activity and that is why we have the schedule for the exemption activity for those two passive recreation trails. It is a big project and we are trying to wrap it into one schedule.” N. Keane, “Explain to them that the exemption is not something that they hear it goes to the planning commission.” L. Brown, “When the planning commission hears the exemption for the passive recreation trails they hear that it does not get recommended to the town council. It is just formality. It is how it is in our code.” F. Westbrook, “This sounds like a lot.” L. Brown, “The schedule that starts. I want to run the CUP that was tabled for Mr. Smith, I would like to add that to this schedule. We may as well add them together.” W. Nunnally, “Can I just make a motion to approve the existing schedules.” Mayor Bugg, “Yes.” W. Nunnally, “Mr. Mayor I move we accept these two schedule.” Mayor Bugg, “We have a second. All those in favor.” N. Keane, “For purposes of identification, these are the schedules that end on January 14, 2021.” Mayor Bugg, “Anthony needs to read his recusal. Mayor Bugg, “So noted.” N. Keane, “Did Wayne leave or is he just in the men’s room? We will need to get his vote when he returns because we don’t have enough votes.” L. Brown, “We have to set a location for these meetings because they have to be noticed by Monday.” B. Schaschek, “I think you have to wait for Wayne because only three of us can vote for the Tides.” N. Keane, “Correct. There were not enough votes until Wayne comes back.” L. Brown, “We just have to make sure that on January 7 we can have the joint public hearing at the church because I have put the ad in the Rappahannock Record by Monday.”

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

THE MOTION TO ADOPT A SCHEDULE FOR NEW TIDES LLC, FOR EXEMPTION AND CUP IS PASSED 4-1.

Mayor Bugg, “I need a motion to adopt the CUP schedule for Smith.” W. Nunnally, “So move.” D. Patteson, “Second.” Mayor Bugg, “All those in favor.”

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



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THE MOTION TO ADOPT THE CUP SCHEDULE FOR SMITH IS PASSED 5-0

Mayor Bugg, "Motion to adjourn." W. Nunnally, "It is my great pleasure Mr. Mayor to make the motion to adjourn."

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

THE MOTION TO ADJOURN IS PASSED 5-0

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor