



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

IMMEDIATELY FOLLOWING THE PLANNING COMMISSION SPECIAL CALLED MEETING

NOTICE: Notice is hereby given that the Irvington Town Council will hold a special called meeting on Thursday, December 10, 2020 immediately following the Planning Commission Special Called Meeting. The purpose of the special called meeting is to conduct monthly business.

AGENDA

- A. CALL TO ORDER** – Mayor Bugg
- B. ROLL CALL** – S. Phillips, Town Clerk
- C. APPROVAL OF MINUTES AND ACCEPTANCE OF TREASURER’S REPORTS**
 - 1. August 13, 2020 Meeting Minutes
 - 2. September 10, 2020 Workshop Minutes - *tabled*
 - 3. September 10, 2020 Regular Monthly Meeting Minutes
 - 4. September 23, 2020 Workshop Minutes – *tabled*
 - 5. October 8, 2020 Meeting Minutes – *tabled*
 - 6. October 15, 2020 Meeting Minutes – *tabled*
 - 7. November 11, 2020 Meeting Minutes - *tabled*
 - 8. November 17, 2020 Meeting Minutes – *tabled*
 - 9. November 18, 2020 Meeting Minutes – *tabled*
 - 10. November 2020 Treasurer’s Reports (4)
- D. PUBLIC COMMENT**
- E. REPORT FROM THE ZONING ADMINISTRATOR** – L. Brown Zoning Administrator
- F. REPORT FROM THE TOWN ATTORNEY** – Nancyellen Keane, Esq.
- G. REPORT FROM THE MAYOR** – Mayor Bugg
- H. OLD BUSINESS**
 - 1. Motion to appropriate FY20/21 general operating funds – F. Westbrook
 - 2. Motion to appropriate \$8,334.00 to Flack Shack from CST – F. Westbrook
 - 3. Discussion of use of tennis courts to teach tennis - Frédéric Cabocel - *tabled*
 - a. Motion to authorize the use of the Town tennis courts
 - b. Motion to authorize town attorney to draft contract and mayor to execute contract
 - 4. Discussion of audio visual proposal from Entertainment Systems
 - a. Discussion of whether to purchase audio visual equipment, potential motion
 - b. Motion to authorize mayor, town attorney and staff to negotiate with Irvington Baptist Church regarding installation/storage of equipment
- I. NEW BUSINESS**
 - 1. Tides Inn Presentation on Shoreline Development
 - 2. 1st Reading Resolution 2020-14 TC; CUP Application CUP-2020.CUP7_Alga
 - 3. 1st Reading Resolution 2020-15 TC; CUP Application CUP-2020.CUP8_Smith - *tabled*

4. 1st Reading Resolution 2020-16 TC; CUP Application CUP-2020.CUP9_Webb
5. 1st Reading Resolution 2020-17 TC Rezoning Application 2020.RZ1_Town of Irvington
6. 1st Reading Ordinance 2020-011_Repeal, Re-enact Town Code §154.106
7. 1st Reading Resolution 2020-18 TC; CUP Application 2020-CUP10_Town of Irvington
8. Motion to approve CUP Schedule – L. Brown
9. Motion to approve Sign Permit 2020-21_Town of Irvington – L. Brown
10. Announcement of Irvington Small Business Grant Winners – Mayor Bugg
11. Motion to release CRF funds to Lancaster EDA for Irvington Small Business Grant Winners – Mayor Bugg
12. Discuss purchase of tablets and related infrastructure costs using CRF; possible motion to appropriate; F. Westbrook
13. Motion to appropriate annual donation to Steamboat Era Museum; \$2,500 F. Westbrook
14. Motion to appropriate \$1,193.45 - Sept-Dec CY2020 and Jan-June CY2021 real estate taxes (4203 Irvington Road) using CRF – F. Westbrook
15. Motion to appropriate \$300 for use of building to Connemara using CRF – F. Westbrook
16. Motion to appropriate \$158.83 to Rappahannock Rentals using CRF – F. Westbrook
17. Discuss American Legal Publishing; possible motion to appropriate; L. Brown

J. ANNOUNCEMENTS

1. In observance of the Christmas and New Year's holiday the town office will close December 23 and reopen January 2, 2021
2. Town Council Special Called Meeting and Public Hearing discuss development of the North Commons - December 15, 2020 6:30 pm; Connemara Corporation

K. CLOSED SESSION

1. Pursuant to §2.2-3711A7 of the Code of Virginia for consultation with legal counsel for actual or probable litigation.
2. 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.
3. 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.

L. RETURN TO OPEN SESSION

1. Action to be Determined

M. ADJOURN



**TOWN OF IRVINGTON, VIRGINIA
IRVINGTON BAPTIST CHURCH
TOWN COUNCIL REGULAR MONTHLY MEETING
THURSDAY, AUGUST 13, 2020 6:30 PM**

A. CALL TO ORDER – *Mayor Bugg*

Mayor Bugg, “I’d like to call this meeting to order. This is the Irvington Town Council monthly meeting, Thursday, August 13, 2020 6:30 pm; Irvington Baptist Church. I would like to start with a moment of silence remembering those who have suffered so much damage and destruction in the recent tornado. Thank you. Thank you for being here as we have a lot to cover but we will move as efficiently as possible. I would like to start with roll call.”

B. ROLL CALL – *S. Phillips, Clerk*

Members of Council present: Frances Westbrook
Jackie Brown
Anthony Marchetti
Dudley Patteson
Bonnie Schaschek

Absent: Wayne Nunnally

Administrative Staff present: Lara Brown, Zoning Administrator
Sharon L. Phillips, Town Clerk, Treasurer
Nancyellen Keane, Keane Law PLLC, Town Attorney

Guests: see attached sign in sheet

C. PUBLIC HEARING

Mayor Bugg, “The first matter on the agenda moving forward involves a public hearing regarding the Through Truck Restriction – proposed for Route 200 alternate Route 646 to Route 3. Can I get a show of hands from the public as to who would like to speak on this matter?” S. Phillips, “Please let me know when you would like for me to read into the record the emails that have been received from residents who are not able to attend tonight’s meeting.” Mayor Bugg, “Let me get a show of hands first. There are 7 of you that would like to speak. Given that number I would like to restrict your comments to 1.5 minutes. Sharon, please start with the emails.” **The emails are attached and incorporated within.** Mayor Bugg, “Back to the public for comments.” S. Van Saun, “60 The Pony Pasture, Irvington VA. I agree with everything said in the emails and I know that there are a lot of people here, I don’t know if we can do a hand raise and count how many people support this effort to shorten the time.” N. Keane, “We need to have this on the record for the Commonwealth Transportation Board.” A. Pollard, “48 Steamboat Road, Irvington VA. I would like to make 4 points. First of all I disagree with the person that said there are a lot of trucks. There are more trucks than there were 5 years ago. There are more pedestrians than there were 5 years ago. I would also note that Tommy Kellum of Kellum’s Seafood has been trying to re-route their trucks and he noted they are supportive of this and I think that is important to get into the record. Lastly, I look forward to looking to working with Town Council on other traffic calming measures after we get this one done. Good design can slow down existing traffic that we will have.” G. Kirkbride, “364

Chesapeake Drive, Irvington VA. I think the truck issue is an addendum to what we see with traffic generally coming around Route 200. I think it is a slingshot. We are cyclist, walkers and drivers and it definitely makes this a more dangerous atmosphere to live in. Thank you.” S. Kirkmeyer, “4736 Irvington Road, Irvington VA. We have three family homes on one side of the road and one family home on the other side. We are totally in support of major restriction for through trucks. Thank you.” B. Forrester, “437 The Lane. My house overlooks Sam’s Cove and I can see the trucks barreling through definitely going closer to 50-60 mph through there. I am also a runner and I have been in near collisions with trucks that fly around and they are definitely going way over the speed limit. I am in favor of the no through truck zone. Thank you.” C. Bradley, “991 King Carter Drive. I want to echo particularly what Al Pollard said. I move to Irvington 4 years ago and most of you know I used to walk with 2 dogs tied around my waist all the time. The number of trucks that come through the center of Irvington has gone up dramatically. There have been a number of times when I was really nervous that the truck was not going to stay on the road and where was I going to go when the truck went off the road. I do think the through trucks is a great idea.” L. Capps, “242 The Lane, Irvington VA. I want to echo those that have been said and particularly note that we do have Old Salem which is an alternative route which is **reclamate** in VDOT’s regulation in terms of pulling away from going through a main street or downtown area. Also note that other communities in the Northern Neck particularly Warsaw and Kilmarnock have taken this action to benefit of their businesses and it has not been seen as a detriment to those businesses that are inside the core that need the deliveries because they are not restricted from this restriction. So, I urge both the council, the county, and the Commonwealth Transportation Board to authorize this restriction.” P. Robinson, “90 Railway. One thing to consider is enforcement. We have talked about speeding and we have talked about trucks but if there is no one here to enforce the law the trucks are not going to go on this road. There probably needs to be a conversation with the sheriff or with whoever else will be enforcing this. We can do anything we want here but unless there is some methodology over the enforcing whatever we choose to do whether it is speeding or trucks then it is a bit of a waste.” Mayor Bugg, “I share in that opinion we will be touching on that later in the meeting. Anyone else from the public? While we are on the topic, and since this is on the record for the Commonwealth Transportation Board, let me see a show of hands from the public who supports this measure, raise your hand. Let the record reflect that everyone in the room this evening raised their hand in favor of this measure. Thank you for raising your hand and showing your support.” S. Phillips, “Please make sure you have signed in because this information will be forwarded to the Commonwealth Transportation Board.”

D. APPROVE MINUTES AND TREASURER’S REPORT

Mayor Bugg, “Item D on the agenda is the approval of treasurer’s report. First item is the July 9, 2020 meeting minutes. Council, have you received a copy of that and have you had a chance to review that? Could I get a motion to approve the minutes? B. Schaschek, “So move.” J. Brown, “Second.” Mayor Bugg, “All in favor and all those in favor say aye and all those opposed.”

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

THE MOTION TO ADOPT THE JULY 9 MINUTES IS PASSED 5-0.

Mayor Bugg, “The second item is the July 2020 treasurer’s report. Council have you received a copy and have you had an opportunity to review? Can I get a motion to approve the July 2020 treasurer’s report?” D. Patteson, “So move.” J. Brown, “Second.” Mayor Bugg, “Any discussion? All those in favor and all those opposed.”

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

THE MOTION TO ACCEPT THE JULY 2020 TREASURER'S REPORT IS PASSED 5-0.

E. PUBLIC COMMENT

Mayor Bugg, "It is now general public comment. Again, I will see how many would like to speak and I would ask that if we have a large number of people wishing to speak that you limit it to 1.5 minutes." K. Schaschek, "394 King Carter Drive. I just would very much support the issues of the town as discussed in a prior meeting. I think someone on council should take the lead because time is of the essence to get this grant so therefore you have experienced technology people on your council with project management experience and you should take advantage so I think you should streamline that effort. The second in regard to traffic and golf carts. On Sunday, I was pumping gas and I see 2 golf carts with teenagers going onto King Carter Drive from Irvington Road. Not looking to the right and there was a car coming the corner. They swerved around the golf carts. If someone were coming from the other way we would have had a disaster there. Something has to be done about the golf carts." C. Bradley, "Today I am here as president of Steamboat Era Museum. I hope that all of council received the letter that I put in your boxes on Monday. I hope that those of you that were a part of the Grab-a-Crab enjoyed yourself. I heard that the crabs were small but I also heard they were good. The museum respectfully requests the use of the Town Commons on the afternoon of Saturday, September 12, 2020 to hold our annual membership meeting. Those of you who have been around know that the annual membership meeting is typically held in April or May however because of COVID-19 we unable to do so. We will abide by and enforce any state, county or local guidelines related to outdoor gatherings of less than 250 people. I promise it will be less than 250 people. Our staff will work with town staff to make sure that the Town is aware of how we will plan to follow all guidelines. We would like to request a rain date of Saturday, September 26 which is 2 weeks later. Thank you for considering that request." Mayor Bugg, "Job well done on the Grab – a – Crab. Mr. Kirkbride I know you are on the agenda for later but job well done to you as well." R. Carter, "I hope you can indulge me for than a minute and a half. I am the chairman for the economic development authority for Lancaster County. Last Friday I had the privilege of writing 37 \$1,000 checks for businesses in Kilmarnock because of the CARES Act money that was given to them. As you know, tomorrow we get our second funding and that means that you all get an additional \$32,000 and I hope that some of that will go to small businesses. The Lancaster County board of supervisors asked Julien Patterson, Paul Shacatoan, Jimmy Carter, Susan Cockrell, and Jeff Serpersik who is the CEO of Chesapeake Bank to form a citizens' business advisory board. Jeff is the liaison for that board. We have passed a resolution that the board of supervisors has approved. We have now engaged a funding operation to apply for over \$500,000 in funding for Lancaster County. We have hired a firm who works with rural communities and they have been very successful in getting loan grants. The federal EDA has \$1.6 billion and they have targeted \$60,000,000 in the Mid Atlantic so we hope to be able to get \$500,000. Those monies can go toward a business assistance center that will hopefully be located very close to you all. Business assistance center purpose is to accelerate our regions opportunity to track the work from home sector that is growing exponentially because of the pandemic. With many seeking a quality of life place to relocate we think that we are right in the heart of places to relocate between Washington, Tidewater, and Richmond. We engaged the public private partnership. Chesapeake Bank put in half and the EDA put in the other half to engage the firm to write a grant process for us. This business assistance center will be funded for approximately 3 years and the center will be staffed by an executive director who will be focused on providing cautionary services to individuals considering moving here. Services will include what is for sale and what is for rent which will help the real estate market. The status of the internet services that we have here will be duplicated with duplicity in high speed internet. We will also coordinate local contractors for home and office equipment installations and anything else people may need when moving to this area. The center will also provide a connectivity fiber for these needing access that can't get in their homes. Secretarial and related support. A place to co-work environment and an opportunity to collaborate, socialize with like-minded individuals. We believe in investing in the happiness of the work from home will pay in attracting others. We validate their satisfaction and can attract businesses that are concerned about retaining new workers in this area. There is a lot more to this, some of the Rappahannock Record had a big article about this. If there is any information you need to know about this please let us know. In writing these checks, the municipalities cannot

write checks to the businesses for grants but an EDA can assist and we can write checks and distribute them. You do not have to do the vetting. Kilmarnock had \$45,000 set aside for 45 \$1,000 grants. They only had 40 applications and 37 were approved. Hopefully you can get some money to small businesses because right now are hurting. A couple of months ago restaurants were closed. I realize you need it for your offices. I know 1 member of council got a check for \$1,000 last week. If you have any questions about the EDA, we were formed in 1974 and the last 2 years we have moved towards funding private enterprise and new businesses. Previously, we were almost all non-profits. Two members of your community just got a \$10,000 check for the Chesapeake Donut Company. We looked at their business and saw four employees that they employee and \$10,000 which is our maximum grant that we can give unless there is a special exception. We get our money through bonds. We can float up to \$10,000,000 a year in bonds but it is getting tough to do that because all of the counties are looking to fund initiatives. We are looking at different initiatives so that we can get different kinds of funding. We just created our strategic goals and mission statement. The representative from this district is Bruce Sanders. We have 5 board members, one from each district, and 2 at-large members Jeff Syperski and Dr. Charlotte Silverman." Mayor Bugg, "Thank you. We appreciate all that the EDA does." B. Forrester, "437 The Lane. I would like to thank Mr. Carter, that was very helpful. I would like to echo his comments and ensure that some of this CARES money makes it to small businesses of this town that were impacted by COVID-19. I would urge the Council to proceed with the grant that Dudley and the Tides were able to leverage through the Virginia Tourism Commission. A large percentage of this Town's revenue comes from tax that is levied through the tourism industry and this grant is a great opportunity for us to market and drive more tourism to the area during the shoulder season where there is typically less tourism so that we can increase our taxes and hopefully by doing that continue to keep our resident taxes lower. I would be in favor of the town leveraging those tax dollars which is somewhere in the neighborhood of \$10,000 - \$15,000 that we will get from VTC by leveraging those grants and as Mr. Carter mentioned there are very few of these grants that are gifted around. Dudley did a fantastic job and it would be a shame to let that go to waste." C. Braly, "298 Chesapeake Drive. I just wanted to introduce myself. I submitted an application to be on the planning commission. For those of you that don't know me I have been in Irvington since 2007. I would appreciate the opportunity to participate in the town government and I look forward to working with you to plan and develop Irvington." Mayor Bugg, "Thank you for your input. We will move on to the next time on the agenda."

F. REPORT FROM BUDGET & FINANCE COMMITTEE

F. Westbrook, "Thank you Mr. Mayor. You should have in front of you a streamline report from the budget and finance committee. We have met and are beginning the amended FY20/21 budget process. We will begin the weekly meetings starting next week and those dates are listed for you. If we get lucky we won't need all of them. Our proposed budget schedule has been prepared for Council to consider. You will find on there weekly workshops that we will be doing. You will also see where town council has a workshop with us. Also the advertising and noticing calendar for you all to reference. We are hopeful that we can have an amended budget for you all and can vote by the November 12 meeting. After that we will move into our normal budget process. We are going to be considering projected revenues, we had to reassess due to COVID-19 and some of those taxes what we will reassess will be occupancy tax, local sales tax, potential increase or decrease in existing taxes, fees and or rates. We will also consider new taxes, fees and or rates. Those things are nothing new because we talk about them every year but I want to remind Council those things will be considered and talked about. We are requesting that all of our committees and commissions and staff get to the budget and finance committee their projected expenses for the rest of this fiscal year. They already have some contracts from staff but we will need contacts from vendors and professionals. We are also looking at cost regarding possible police coverage and that will be a biggie for us. We will need that information. Our capital budget will be reviewed. Items of concern are the condition of the tennis courts, age and condition of the septic system at the Commons which we rent to Chesapeake Bank and ongoing repairs to the town office versus a new facility of some sort. I will draw to your attention on your financial report, the balance sheet that you see for July we have updated the real estate valuation based on the county's latest reassessment. That gives us a better position financially, credit wise which is important to us. Anthony, do you want to add anything? Are there any questions. We will vote on

the calendar later in the agenda.” Mayor Bugg, “We will move on to item to which is to adopt the proposed budget schedule. You have all had a chance to review the schedule. Is there a motion to approve the budget schedule?” D. Patteson, "So move." Mayor Bugg, “Can I get a second?” B. Schaschek, “These meetings are going to be at noon?” Mayor Bugg, “Those are for the committee not for us.” A. Marchetti, “Second.” Mayor Bugg, “Any discussion? All of those in favor and all of those opposed.”

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

THE MOTION TO ADOPT THE AMENDED BUDGET SCHEDULE IS PASSED 5-0.

Mayor Bugg, “Next is a motion to authorize the town attorney to research the legal parameters on policing. This goes along with what Fran just mentioned in terms of what will be required with the budget. We would like to begin that process. I believe the public shares that sentiment as well. Is there a motion?” F. Westbrook, “So move.” Mayor Bugg, “Is there a second?” A. Marchetti, “Second.” Mayor Bugg, “Discussion? All those in favor and all those opposed.”

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

THE MOTION TO AUTHORIZE THE TOWN ATTORNEY TO RESEARCH THE LEGAL PARAMETERS ON POLICING IS PASSED 5-0.

G. REPORT FROM HUMAN RESOURCE COMMITTEE – D. Patteson, Chair

D. Patteson, “One month on the job and we have gone through an orientation with staff. The Mayor and I are the human resource committee for the town council. We valued the orientation and it was abely provided. We have reviewed the applications for the planning commission. Both candidates being present in this room both quality candidates. We discussed the appointment with the zoning administrator who is the most likely person to interface with this position. We have also revisited contracts with staff. That concludes the human resources report.” Mayor Bugg, “Anything else for Mr. Patteson?”

H. REPORT FROM THE ZONING ADMINISTRATOR – L. Brown

L. Brown, “Thank you Mr. Mayor. At their last meeting, the planning commission set their next meeting for September 8 at 6:30 pm here at the Irvington Baptist Church. Since the last town council meeting I have completed the flood plain training as required by DCR, all five components have been passed and completed. I have responded and communicated with 16 residents in the last 4 regarding various issues such as noise ordinance, burn laws, sign and fence ordinances, tree removal within RPA, pool construction within the RPA, deck removal and replacement options within the RPA; tall grass on neighboring property, bushes encroaching on roads, construction and farm equipment on residential property, dock piling concerns on Carter’s Creek, missing street signs in Vineyard Grove and individual zoning. A lot of this is concerning recent property bought in Irvington. Just general what can I do and what is the process type questions. I continue to provide assistance to the applicants and prepare staff reports for CUP 5 and CUP 6 specifically post notice in the Rappahannock Record and provide a list of adjacent land owners within 300’ of applicant. Answer questions regarding those notifications and ensure timelines are met with CUP schedule. Gather data pertinent to applications for the staff report. I have met with the planning commission chair to review recommended revisions to the CUP application. Provided assistance to the chair preparing for August planning commission meeting. Two site visits with Lancaster officials regarding zoning administrator concerns with land disturbance within RPA. Landscape mitigation meetings will occur shortly with the landowners. Responded and provided technical assistance to 2

residents requesting to remove trees within the RPA. Educating land owners on the Chesapeake Bay Act performance standards and then provided technical assistance as needed to those residents. As a follow up with an issue that I was charged with when I first started which was the removal of the abandoned property on Tax Map 34-I- that resident is working hard to get the abandoned structures removed. She has called two companies and has one estimate of the two and is waiting on the second estimate. The issue is due to the tornado last week the contractor is backed up 2 months and is not high on a priority list because the contractor is having to prioritize his workload right now and if he is hired to do the work for this property owner it will be another 2 months. I assured her I would adjust the timeline that we gave her as long as soon as she told us who the contractor was and the timeline would be I would let the town council know so we can see if we are in agreement that the timeline would be about 60 days. Because of the request and education that I have been doing with residents regarding RPA issues, I felt it would be prudent to put an ad in the newspaper noticing the current and existing rules because there is confusion regarding what the can and cannot do with within the RPA with docks, repairs, new pilings, expand use on docks, they need to come to the office and get the proper permits or at least ask the questions before doing it on their own. The notice in the paper will represent what our existing codes are. This has been done in the past and I think it is time to do this again. Call the office before you disturb the RPA.” Mayor Bugg, “Council is there anything else for Mrs. Brown?” F. Westbrook, “Can we go ahead and allow them to put the ad in the paper or does it need to come back to us?” S. Phillips, “It will be paid by invoice therefore will get an appropriation next month.” Mayor Bugg, “Great idea, thank you.”

I. REPORT FROM THE TOWN ATTORNEY

N. Keane, “This a follow up to prior reports on Through Truck Restriction.” VDOT determined that Route 646 to Route 3 is an appropriate route for us. After Mr. Kellum spoke at the last meeting about the trees on Route 646 I reached out to VDOT and asked them to prune which they did. VDOT has now added Route 646 to its maintenance contractor pruning services. Second item is the difference between regular and special meetings, that question was asked of me during the last meeting during roundtable by Councilman Nunnally. I have since the meeting researched this and had a phone conversation with Councilman Nunnally and Mayor Bugg. Councilman Nunnally understands the issues now. I do not want to take up extra time during the meeting with a report on this but if anyone has a question I would be happy to take a call or meet with you to discuss the difference between regular and special meetings.” Mayor Bugg, “Thank you.”

J. REPORT FROM THE MAYOR

Mayor Bugg, “First item I would like to mention is utility poles and the stump removal. Mrs. Schaschek, I think you brought this to our attention and I thank you for doing that. I have since walked the grounds of the North Commons and looked at the stumps and telephone poles with Mrs. Westbrook and the Clerk. We have taken a look and have discussed the location and need for attention.” S. Phillips, “Working with Arrowhead there enough downed limed and trash to require additional work. Do I need to request any permissions from Council allowing for this to be included in their monthly invoice? Once that is done we can proceed with the existing contract to move forward. The tree that needs to be removed has never been identified. I believe it is the wish of Council to have proceed with the other work regardless of identifying the tree that was being considered to be removed. For the budget and finance committee, how would you like for me to proceed because this is under the capital budget? Do we do this work now because it is lush and green or would you prefer me to wait until there is a frost?” F. Westbrook, “I don’t know it would be under the capital budget.” B. Schaschek, “Stump removal is under capital budget because it was for the slab for the shed at one time.” F. Westbrook, “That is correct.” S. Phillips, “Arrowhead is in the annual appropriation but the budget and finance committee requested only lawn care – no street cleanings, no leaf removal or similar work performed due to the cash flow concern. I do know that we will have to utilize Arrowhead before we can remove the stumps.” F. Westbrook, “That is already in the capital budget.” S. Phillips, “What about the timing? Do we need an appropriation now? Due to the tornado damage I don’t know that companies are going to prioritize this work. Is it okay if this moves out 60-90 days given the volume of storm related work?” F. Westbrook, “We don’t have a choice in this.” Mayor Bugg, “You have heard mention during the workshop and this meeting the issues we have had with the town

office. You may or may not know we suffered basement flooding at the town office as a result of the hurricane. There was some flooding in the basement and if you recall there was a significant rainfall the following Thursday which also flooded the basement again which resulted in a very moldy environment. The stench was unbearable for staff. As a result we have had Bay Restoration move in as soon as possible to fix the problem related to immediate water and mold. That is primarily why the office was closed Friday because the office was unworkable environment. There are also problems with our current office and the ability to social distance. It is extremely difficult to social distance in that office. We have submitted the flooding to the insurance company. Bay Restoration is on top of things and have provided a report. With this and with COVID temporary office space is being explored and I will be discussing this further in closed session but I wanted the public to be aware. We need to address this now because Mother Nature is bringing this even more to the forefront. Thank you to all who have communicated tonight and through emails about Truck Restriction. The Transportation Board is going to hear the record and consider this. I think it is a very important thing to have and I am very much in favor of seeing this happen. As you heard me mention, the town attorney is going to research enforcement issues and policing so the Council is moving forward to make sure that we have all of the research we need to make this happen. I have also taken the step to speak with Mayor Reeve of White Stone about the possibility of sharing a police officer. The various shift arrangement that could involve and ways we can make this work. During our initial conversation he was not entirely favorable because Chief of Police Cliff Dawson is also in Kilmarnock is stretched thin and we definitely don't want stretch our police departments too thin. We are going to be revisiting that with him. I appreciate his concerns and seeing about other avenues that we can explore whether with Kilmarnock or White Stone or Lancaster. I did notice that a deputy was on King Carter today. Speeding is an issue and enforcement is also an issue and if you connect that to the golf carts that were mentioned earlier enforcement is something we are trying to find the best way to make that happen. Thank you for all of your input. Next, I have 2 issue that were raised during the July 9 meeting. They were raised in a public forum and the newspaper has commented on them and we have been addressing them so I want to make a statement tonight speaking to those issues. Any council members whose names are mentioned it is done with all due respect and I just want to clear things up as much as I can tonight. The first issue is Irvington Town Charter Article III, Section XII. B. Schaschek asked for an opinion about Charter Article III, Section XII and the vote that I took to break a tie to extend the legal services contract for 2 years. Mrs. Schaschek suggested that the tie vote that I took in favor of extending the regarding the legal services contract was not allowed by Charter Article III, Section XII because in her opinion, a legal services contract is the same as contracting for debt which would require a super majority vote of 4 council members. Since this question involves the legal services contract the town attorney advised me as well as Mrs. Schaschek and all other council members that she is not able to provide a legal opinion about a legal services contract between herself and the Town because it is a conflict. In an effort to resolve this matter I met with Mrs. Schaschek twice since the last meeting to discuss this and other issues. I also met individually with Vice Mayor Westbrook, Councilman Patteson and Councilman Marchetti. I participated in a conference call with Councilman Nunnally. Mrs. Brown, I welcome the opportunity to meet with you as well. I have not met with you regarding this but I welcome the opportunity to do so. Yesterday Mrs. Schaschek changed courses and told me that she is no longer concerned about the legal services contract being a contract for debt. Now she is proceeding with the allegation that the appropriations made for general operating expenses including payroll for staff and the legal services provider are invalid. The Mayor of Irvington has a duty and authority from the General Assembly under Charter Article III, Section VII among other things to see that the bylaws, ordinances, acts and resolutions of the council are faithfully executed and obeyed. The mayor is the parliamentarian of this town. Presiding over meetings of the council is another significant duty of the mayor. I take this duty and authority very seriously. I have reviewed the question about whether my vote to break a tie in favor extending the legal services contract was proper. I reviewed the additional question about the validity of appropriations of general operating expenses. I have looked at the Charter Article III, Section XII, the section requested by B. Schaschek and the corresponding provisions of the State law, the Constitution of Virginia, the Town Code and the minutes of the last meeting and the legal services contract. The Town's position is the vote I took on July 9, 2020 to break a tie and extend the legal services contract was proper. The mayor may break a tie on a services contract. There were only 4

specific votes on which the mayor cannot break a tie and a services contract is not one of them. The legal services contract is not a contract for debt. Contract for debt or debt instruments like bonds, notes, other obligations our own Charter provide clarity on the definition of contracting debts in Article IV. Legal services contract is not a debt because it is terminable at any time by the Town, is paid after the services are performed, and not a debt instrument. If legal services are debt then every service contract for the Town like the landscaping, IT services, accounting and consulting services contracts would be debt requiring a super majority vote. This was not intended by the General Assembly and would greatly hamper the ability to operate local governments. The appropriations for general operating expenses were approved June 11 and July 9. Both votes were unanimous in favor of making the appropriations. Mrs. Schaschek as well as all other council members voted in favor. Mrs. Schaschek obviously voted both times in favor of the appropriations and is now taking a position against her own votes and the Town in general in seeking to invalidate these votes. The approved appropriations include staff payroll, and a legal services provider. The appropriations are valid and properly adopted. I am very confident that my analysis is correct. It is simply time to move on. Many hours have been spent on this issue which was never on the agenda. Second item, comments made at the July 9 meeting and stated in two separate editions of the Rappahannock Record about an alleged lack of transparency of the Town government. I have reviewed the statements made by Councilmember Brown suggesting we would be failing in our fiduciary duty to vote on contracts we had not seen. This comment relates to votes taken at the last meeting on motions about staff contracts. The suggestion that members voted on contracts without ever having seen them is not true for a couple of reasons. First, the prior town council unanimously voted to approve these contracts in 2019 and in previous years after vetting and drafting by the human resources committee. Four current members including Ms. Brown took those votes. Speaking for myself, I can tell you that I have seen them. Second, we did not vote on the contracts we voted on specific motions to amend or extend those contracts. Based on the comments of the meeting and the subsequent reporting, I can tell there is certainly confusion. We voted on motions that specified the specific changes to the existing contracts which had been previously approved. The motions that were approved at the last meeting were very simple. They were to add the words FOIA Officer to the clerk/treasurer contract and to extend the legal services contract for 2 years. Each proposed change to an existing contract was stated in the motion on the agenda. The votes taken were to approve the motions which were on the agenda. To Ms. Brown's point however, councilmembers who wanted to see the contracts could have inspected them at any point and some did inspect them. Contracts are public records that are available for inspection at the town office by councilmembers as well as residents. I have asked the clerk to post all the current staff contracts on the town website. Those contracts were also reviewed by the human resource committee. I am disheartened about these and other negative comments I have heard this year. Procedural challenges and questions are repeatedly raised. This is not the best use of meeting time. These issues can be addressed before a meeting and not at the table or by the appropriate committee. Doing so would increase efficiency to allow more substantive work for the town. The residents of Irvington want a smart forward thinking government and I aim to see to it that we deliver on that expectation. My door is always open. With that, that concludes my Mayor's Report and we will now move on to old business."

K. OLD BUSINESS

S. Phillips, "Resolution 2020-10 Through Truck Restriction" The resolution is incorporated herein. Mayor Bugg, "Next we need to vote on the adoption of the resolution. Can I get a motion?" F. Westbrook, "So move." A. Marchetti, "Second." Mayor Bugg, "Discussion? All those in favor and all those opposed."

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

THE MOTION TO ADOPT RESOLUTION 2020-10 THROUGH TRUCK RESTRICTION IS PASSED 5-0.

Reinstating Emergency Ordinance 2020-06 (extension of Emergency Continuation of Government

S. Phillips, "Members of Council, this is an opportunity to discuss if you want to extend this resolution. The previous resolution expires August 25th. So if you want to extend we can request the town attorney to draft otherwise the resolution would lapse." F. Westbrook, "How long did we extend it?" B. Schaschek, "We extended it 60 days last time but we have the town office open with the door closed and by appointment only. What do we need to do in an emergency? Do we need to have an emergency declared for the CARES Act?" N. Keane, "We have declared a disaster already under the current resolution and that has no end date, it ends when the emergency ends. This is a separate initiative allowing electronic meetings and the ability to have the mayor restrict who goes in and out of our property for emergency purposes and other things related to COVID. Originally the first ordinance that you passed was for 60 days and it stated that it can only last for 6 months. The reason it was drafted that way is, it is not a requirement for the Town of Irvington to limit it to 6 months. You can wait and reinstate it when we need electronic meetings if you think that is the way to go or we could modify and reinstate without an end date and have it run coincidentally with the resolution that declared the disaster and have it be open ended." F. Westbrook, "But it can only be for 6 months." N. Keane, "No, 6 months is for counties whereas towns can do this for longer." B. Schaschek, "We also passed another resolution. Is that just for conference calls, telephone calls, calling into meetings?" N. Keane, "That one was a resolution under FOIA the new section for attending meetings by phone." F. Westbrook, "That was just updating our policy." B. Schaschek, "So now we can dial into the meeting if we cannot attend." N. Keane, "We just need direction on whether you all want to, since it is an emergency ordinance, you can pass it again tonight and it will be for 60 day. If you want it to be open ended I will have to change the words to make it open ended or you could do both – pass it tonight and next month make it open ended. There are several paragraphs that deal with allowing the mayor to determine when the office is closed. If the phasing went back he may have that authority under police power so he may not need that in there because it was put in everybody's." F. Westbrook, "Maybe we should consider doing this for another 60 days if something pops up at least we are not scrambling to get something done." N. Keane, "I can just change it next month and you can decide if you want to extend it further at all for an open ended period. So you want to pass it again tonight." B. Schaschek, "That's fine." F. Westbrook, "We will pass it for an additional 2 months." Mayor Bugg, "Can I get a motion to extend the emergency declaration for another 60 days?" F. Westbrook, "Move." B. Schaschek, "Second." Mayor Bugg, "Any discussion? All those in favor and all those opposed."

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

THE MOTION TO ADOPT RESOLUTION 2020-06 (extension of Emergency Continuation of Government) IS PASSED 5-0.

Reinstating Emergency Ordinance 2020-06 (extension of Emergency Continuation of Government The resolution is incorporated herein.

S. Phillips, "Point of order Mr. Mayor. The next two items should be under new business as they are first readings." First reading Resolution 2020-11 TC **[Resolution 2020-11 TC is incorporated herein]**

S. Phillips, "Again, Mr. Mayor this item should be under new business as it is a first reading." **[Resolution 2020-12 TOWN COMMONS is incorporated herein]**

D. Patteson, "I'd like to have the town attorney help me with this particular motion which is a motion to authorize her to amend the zoning administrator job description to include additional authorizations. Can you provide us with some background?" N. Keane, "Yes, the job description in the contract was the one that was in the ad for the position. After Lara has been on the job for the last 6 weeks we determined there are a couple of sections of the Code that are not listed in the original job description. The inquiries from residents who have

come with complaints or questions that were not in the land use section of the Code. The zoning administrator will have to enforce other sections of the Code other than zoning and land use because they relate to it. For example, the nuisance section of the Town Code is not in the land use and zoning section it is in another section. We want to update her job description so that when she is taking action on behalf of the town she is authorized to do so. She is the zoning administrator but because she would have to do work in the floodplain ordinance she is called the floodplain administrator in the ordinance so we need to have to add that wording into her job description because she might be signing documents as the floodplain administrator. She would also serve as staff not only to the planning commission but to the facilities, streets, and sidewalks committee. Those are the 3 issues. I would draft and redline the contract for the next meeting.” Mayor Bugg, “The motion would be a motion to authorize the town attorney to amend zoning administrator job description to include additional authorizations. Would anyone like to make that motion?” D. Patteson, “So move.” B. Schaschek, “Second.” Mayor Bugg, “Any discussion? All those in favor and all those opposed.”

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

THE MOTION TO AUTHORIZE THE TOWN ATTORNEY TO AMEND ZONING ADMINISTRATOR JOB DESCRIPTION TO INCLUDE ADDITIONAL AUTHORIZATIONS IS PASSED 5-0.

Mayor Bugg, “Next, is the discussion of appointing a planning commission liaison. Bonnie?” B. Schaschek, “No. We had this discussion the other day.” Mayor Bugg, “I am fine with leaving that position open.” F. Westbrook, “Is it absolutely necessary that we have this position? With Lara attending all of the meetings and we have a planning commission chair so it seems that between the two of them we have things covered.” N. Keane, “No you do not have to fill the position because that position does not vote, they are not a voting member of the planning commission.” B. Schaschek, “When the new by-laws came out the liaison position had no function.”

Discussion of consensus regarding CARES workshop – *F. Westbrook, Chair*

F. Westbrook, “I don’t know that we reached a consensus. It sounds to me like we are going to continue that discussion in the near future there may be some further information coming such as cost on certain items.” S. Phillips, “Do you want to make any kind of a motion about the opening of the town office?” F. Westbrook, “You mean by appointment only?” S. Phillips, “A suggestion might be to close the town office to the public except by appointment only.” F. Westbrook, “I’ll make the motion to close the town office to the public except by appointment only.” A. Marchetti, “Second.” Mayor Bugg, “Any further discussion? All those in favor and all those opposed?”

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

THE MOTION TO CLOSE THE TOWN OFFICE TO THE PUBLIC EXCEPT BY APPOINTMENT ONLY IS PASSED 5-0.

A. Marchetti, “We are going to discuss this again so it may be premature but if pursuing money is set aside for town businesses it has to go through that process with the EDA because we authorized the mayor to execute the MOU with Lancova if there is no money to distribute then that is okay right?” F. Westbrook, “Are we ready to take that step or do we want to take more?” S. Phillips, “You do not have to take action now it would just be a proactive measure. You can table this until September.” B. Schaschek, “Do you want to table until September

because you have to use the funds by December 30 and that doesn't give you much time." A. Marchetti, "The motion authorizes that process to begin so if we decide not to put money into it that is fine." B. Schaschek, "I don't think you want to wait a month and a half." B. Schaschek, "I make the motion to have the mayor move forward." A. Marchetti, "Second." Mayor Bugg, "Further discussion? All those in favor and all those opposed?"

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

THE MOTION TO AUTHORIZE MAYOR TO EXECUTE MOU WITH LANCOVA EDA FOR CARES SMALL BUSINESS PROGRAM IS PASSED 5-0.

S. Phillips, "In this capacity I am acting once again as the acting zoning administrator as a best practices measure. The application is in your packet and is submitted by David Brown and Andrea Boardman. It is a joint application for 77 Mad Calf Lane Tax Map 33-265, R-1 and is for a 10"x12" sign. The reason there are two applicants is because there is a fence and Mrs. Boardman owns the fence and the other applicant has the sign. The sign would be posted on the other property owners fence. The actual sign is a private drive. The applicant has expressed an increase in volume in unwanted pedestrian traffic and was hoping to deter the unwanted traffic. You might question why this is being presented to you, your §Town Code 154.194 *Illegal Signs* states that sketch, blueprint or similar presentation drawn to scale showing all pertinent structural details and display materials in accordance with the county building code. The design is to be approved by the town council. Once you approve the design the acting zoning administrator will sign off on the sign permit. I need a motion to approve the design?" J. Brown, "Lara, which side of the road?" L. Brown, "Left." J. Brown, "There is already a sign on the right that says private drive." L. Brown, "The bushes are so tall we never saw that until a couple of days ago and you can barely make out the letters on the old sign and it probably just needs to be repainted." J. Brown, "They should be cut down. I don't have a problem with it but it just seems redundant." Mayor Bugg, "Is there a motion to approve the sign permit?" J. Brown, "So move." B. Schaschek, "Second." Mayor Bugg, "Any further discussion? All those in favor and all those opposed?"

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

THE MOTION TO APPROVE THE SIGN PERMIT, 77 MAD CALF LANE, D. BROWN IS APPROVE 5-0.

Discussion/update on removal of telephone poles and stump removal of North Commons. Are we going to try and salvage Christmas Lanterns or replace a portion of them? We really need to look into the shed again for the storage of items that are currently at the Tides property" – **B. Schaschek, Councilwoman**

B. Schaschek, "We did discuss the stump removal. Do we have an update on the telephone removals?" F. Westbrook, "Are we talking about the North Commons or the one in front of your house?" B. Schaschek, "The one in front of the post office, my house, there are several of them. There a couple that are hazardous." S. Phillips, "I suspect with current conditions related to the recent hurricane and tornado that Dominion Energy resources are being utilized for storm remedy. Otherwise I have no new information." A. Marchetti, "But the request has already been made?" S. Phillips, "Yes, and we have been put on their calendar. They communicated it was a multi month turn around." B. Schaschek, "It has been 2.5 years. The other thing is the Christmas lanterns. Last year we had decided that some of them were in pretty bad shape and we replaced the bulbs and now they look quite nice except half of them were missing their bows. Fran and I were going to make bows but it was too late then to get the materials and make them. Do we want to make the bows for these? We looked for

stuff but have never decided on something to replace. We are only going to replace 10 at a time.” S. Phillips, “The value that was put in the budget was in anticipation of \$500 per item. We have new committee members so we should ask the committee to assess how many require immediate replaced. That money was in last years budget but not spent and it is in this budget as a capital expense. Do you want this to occur so that the new lanterns are in place for this holiday season?” F. Westbrook, “If you are talking about this holiday season we are almost too late.” S. Phillips, “I think the most time consuming part of this process is to choose the lantern design. There had been a conversation with a resident where suggestions were being considered. We can have a workshop where council can decide or council can instruct that if that existing lantern is available again we simply replace with the same design.” B. Schaschek, “That is what we were looking for.” S. Phillips, “The committee and council need to determine which lanterns to replace and one of the tools we might use is the Dominion Energy has a fantastic app for streetlight outages that identifies the position of each streetlight in Irvington on a map and from there if we go with a different style lantern how do you intend to phase the replacement?” B. Schaschek, “We did that last year.” S. Phillips, “If you only replace 5 where do you want them?” B. Schaschek, “We were going to purchase 10.” F. Westbrook, “We were going to replace a whole area at a time.” S. Phillips, “Is that something that can go back to the committee to decide? Can we purchase the lanterns if the same style is available or do you want to consider the style lantern that was selected by a resident? Does council want to decide on the style?” F. Westbrook, “If we are only going to replace a few at a time we want to stay with the same style so that it is uniform. Maybe we should go back to the committee?” B. Schaschek, “I don’t know who the committee is.” F. Westbrook, “We are going to miss the boat for ordering.” B. Schaschek, “We need to order the stuff to make the bows.” S. Phillips, “Mayor Bugg and Councilman Marchetti are on the committee.” S. Phillips, “Do I need an appropriation to spend monies from capital budget?” B. Schaschek, “Let’s find out what they are going to do first.” S. Phillips, “I will come back to you in September with a proposal.” F. Westbrook, “Are you going to address the shed?” B. Schaschek, “Rannie used to have the relationship with the Tides Inn and we store our stuff over at the Lodge in an open type shed that is not closed in and there are a lot of interesting critters.” F. Westbrook, “There are snakes and mice.” B. Schaschek, “Stuart is no longer here. Rannie is no longer here. Rannie had the key to get in and out of there so do we need to take rent someplace to move this stuff? We are obviously not going to build a shed in the next 6 months so do we need to move this to a storage unit? There are a lot of tubs with bulbs and all of the lanterns are hanging there.” F. Westbrook, “Hanging is the way to keep them in the best shape that they can be kept in but it takes up a lot of room because we have 30 lanterns and at least 5 or 6 lanterns that are not working.” B. Schaschek, “There are extras for parts.” F. Westbrook, “We have kept the ones that are not working for parts. We really do need to get some direction sooner rather than later.” Mayor Bugg, “Now on to new business.”

L. NEW BUSINESS

1. Motion to authorize use of Town Commons for Farmers Market under existing Contract; September 5, 2020

G. Kirkbride, “Yes we request being able to use it for the September market and we would do it according to the agreement in place between the VIA and Town Council and we would hold it in the manner we used for the August Farmers Market.” D. Patteson, “How many people did you have at the August Farmers Market?” G. Kirkbride, “We estimate that we had 150 people on the property but overall we estimate around 300 people.” D. Patteson, “What is the mask policy that you have?” G. Kirkbride, “The mask policy is that the vendors are required to be masked and we strongly encourage the patrons to wear a mask.” D. Patteson, “Viewing from across the street there was a very large gathering and it might be prudent to put signage up that masks are required.” G. Kirkbride, “We can increase the signage and also we will make available masks for the next one so that there will not be any excuse because we have already purchased those.” F. Westbrook, “I have heard a lot of positive comments, congratulations.” G. Kirkbride, “Thank you.” Mayor Bugg, “Thank you for all your efforts. Can I get a motion?” B. Schaschek, “So move.” F. Westbrook, “Second.” Mayor Bugg, “Further discussion? All those in favor and those opposed.”

Vote:	Frances Westbrook	Aye
	Jackie Brown	Aye

Anthony Marchetti	Aye
Dudley Patteson	Aye
Bonnie Schaschek	Aye

THE MOTION TO AUTHORIZE USE OF TOWN COMMONS FOR FARMERS MARKET UNDER EXISTING CONTRACT; SEPTEMBER 5, 2020 IS PASSED 5-0.

2. Motion to authorize use of Town Commons for Steamboat Era Museum Annual Membership Meeting; September 12

Mayor Bugg, "Ms. Bradley spoke earlier but would you like to add anything?" C. Bradley, "The museum has looked at the agreement for the VIA." N. Keane, "I have drafted an agreement for Sharon to give you all." F. Westbrook, "When is the rain date?" C. Bradley, "The 26th the following week." F. Westbrook, "Does that need to be a part of the motion? Can we amend the motion?" Mayor Bugg, "Would somebody like to make that motion?" F. Westbrook, "So move." B. Schaschek, "Second." Mayor Bugg, "Further discussion? All those in favor and all those opposed?"

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

THE MOTION TO AUTHORIZE USE OF TOWN COMMONS FOR STEAMBOAT ERA MUSEUM ANNUAL MEMBERSHIP MEETING; SEPTEMBER 12 (RAIN DATE SEPTEMBER 26) IS PASSED 5-0.

3. Motion to appropriate September general operating expenses and to amend annual appropriation to include Mill Creek Geek

Mayor Bugg, "Council, this is attached to your meeting packet." S. Phillips, "The appropriation is attached as a part of your meeting packet. Mill Creek Geek is a monthly contractor. We are amending this to include Mill Creek Geek is included in the annual appropriation rather than the process of a monthly appropriation." F. Westbrook, "Is this the same amount each month or does it depend on what we have called on him to do?" S. Phillips, "It does vary although not tremendously. We just on boarded new council and new commission and this is where variance occurs. Depending on the scope of work we have requested, we have one contractor performing routine town business and that same contractor may also be performing work under the CARES Act so how we classify this work will be important." F. Westbrook, "You are requesting he be included in the annual appropriation for this fiscal year." S. Phillips, "Similar to Arrowhead, Foster & Sons." B. Schaschek, "Are you going to have the work done under COVID come through a different appropriation?" S. Phillips, "COVID monies are already appropriated." B. Schaschek, "That goes somewhere else." S. Phillips, "I would ask the vendor to submit a separate invoice from general town business." Mayor Bugg, "Would anyone like to make that motion?" F. Westbrook, "Move." D. Patteson, "Second." Mayor Bugg, "All those in favor and all those opposed."

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

THE MOTION TO APPROPRIATE SEPTEMBER GENERAL OPERATING EXPENSES AND TO AMEND ANNUAL APPROPRIATION TO INCLUDE MILL CREEK GEEK IS PASSED 5-0.

4. Tennis Court Repairs

S. Phillips, "As the agenda suggests the report from Rennolds Tennis Court Repairs has not been received as of this meeting. For new members of council, the tennis courts were repaired in approximately fall of 2017. The work that was done came with a 2 year warranty and obviously we are passed the 2 year warranty and the membrane that was previously repaired has returned. I was looking for a report from that contractor to provide pricing for three options the first being an immediate fix, a larger fix and finally a major overhaul of the tennis courts but the report has not come in so I suggest this be tabled until October." D. Patteson, "I would like to suggest that the landscaping folks address the grass that is growing up through the courts." S. Phillips, "I spoke with the contractor regarding this specific topic and he suggested the roots of the ornamental grasses have not corrupted the surfaces of the tennis courts. We can ask our lawn care contractor to remove the portion of the ornamental grasses that are growing through the fence." D. Patteson, "There is grass in the playing court." S. Phillips, "I have spoken to Arrowhead and requested they spray the grass growing in the playing court. It is not recommended to pull the grass when it is green because it will make a larger hole in the membrane." F. Westbrook, "Why would Arrowhead do this and not the repair guy?" S. Phillips, "It is up the lawn care contractor to apply the weed/grass killer." F. Westbrook, "I didn't think we could use chemicals." S. Phillips, "I have confirmed with both of the contractors that using a weed eliminator will not compromise the surface of the tennis courts. This will be a line item above and beyond routine grass mowing on his monthly invoice. When the tennis court contract is received you will make the decision as to how to repair the tennis courts. Someone has suggested that the ornamental grasses growing through the tennis courts be addressed. This is included in the scope of work requested from Arrowhead or the repair contractor." F. Westbrook, "The VIA is responsible for the ornamental grasses. Maybe give the VIA the opportunity to deal with this since they have done all of the hard work and they have been really good about the upkeep. Maybe we could talk to Julie and see what she wants to do. I don't want to box out the VIA because they have spent so much time and money there." Mayor Bugg, "Thank you. Next will be round table."

M. ROUNDTABLE DISCUSSION

F. Westbrook, "When we have the need to contact town council members for an emergency situation what is the protocol? What is our preferred method of getting in touch with someone in an emergency? A couple of years ago a tornado chewed through here. What would we do if we needed to meet within a couple of hours? Maybe we could give our preferred contact information to Sharon." Mayor Bugg, "Sharon may have more information." S. Phillips, "I have not done this for the current council but I did touch on this during orientations. I keep both public and private contact information for council and commission. Jackie you mentioned you have had a change in your home phone." J. Brown, "It is the same now." S. Phillips, "All members of council can share their preferred method of communication so that the mayor has that information."

N. ANNOUNCEMENTS

1. Labor Day Holiday - Town Office closed September 4 - September 7

Mayor Bugg, "The town office will be closed in observation of the Labor Day holiday."

O. CLOSED SESSION

F. Westbrook, "I Frances Westbrook move to go into closed session pursuant to §2.2-3711A.1 of the Code of Virginia for discussion of prospective candidates for appointment to the planning commission to fill a vacancy and pursuant to §2.2-3711A.3 of the Code of Virginia for commercial issues regarding possible temporary or replacement of town office where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town." D. Patteson, "Second." Mayor Bugg, "Discussion? All those in favor and all those opposed."

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

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

P. 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 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 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."

I, Frances Westbrook, so certify.

I, Jackie Brown, so certify.

I, Anthony Marchetti, so certify.

I, Dudley Patteson, so certify.

I, Bonnie Schaschek, so certify.

I, Tripp Bugg, so certify.

N. Keane, "For the record, Dudley Patteson recused himself and left the closed session after the first agenda item." Mayor Bugg, "We are now ready to return to open session. There will be a modification to this motion. This will be a motion to appoint both Chris Braly and Brian Forrester to the planning commission vacancy." F. Westbrook, "We couldn't decide." Mayor Bugg, "Would someone like to make that motion?" B. Schaschek, "So move." J. Brown, "Second." Mayor Bugg, "Discussion? All those in favor and all those opposed. Welcome to both of you."

THE MOTION TO APPOINT CHRIS BRALEY [TERM EXPIRE OCTOBER 30, 2020] AND BRIAN FORRESTER [TERM EXPIRE JUNE 30, 2024] IS PASSED 5-0.

Mayor Bugg, "Would someone like to make the motion to authorize mayor to lead efforts regarding town office repairs and possible temporary relocation with staff; Mayor will involve as required chairs of budget and finance, facilities, and human resources committees?" F. Westbrook, "So move." A. Marchetti, "Second." Mayor Bugg, "Discussion? All those in favor and all those opposed?"

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

THE MOTION TO AUTHORIZE MAYOR TO LEAD EFFORTS REGARDING TOWN OFFICE REPAIRS AND POSSIBLE TEMPORARY RELOCATION WITH STAFF; MAYOR WILL INVOLVE AS REQUIRED CHAIRS OF BUDGET AND FINANCE, FACILITIES, AND HUMAN RESOURCES COMMITTEES IS PASSED 4-0; 1 ABSTAIN.

Q. ADJOURN

Mayor Bugg, "Thank you for your time this evening. Can I get a motion to adjourn?" D. Patteson, "Move." F. Westbrook, "Second." Mayor Bugg, "All in favor?"

THE MOTION TO ADJOURN IS PASSED 5-0.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



**TOWN OF IRVINGTON, VIRGINIA
IRVINGTON BAPTIST CHURCH
TOWN COUNCIL REGULAR MONTHLY MEETING
THURSDAY, SEPTEMBER 10, 2020 6:30 PM**

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg, “This is the Irvington town council regular monthly meeting, Thursday, September 10, 2020 6:30 pm at the Irvington Baptist Church. I’d like to start.”

B. ROLL CALL – S. Phillips, Clerk

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

Administrative Staff present: Lara Brown, Zoning Administrator
Sharon L. Phillips, Town Clerk, Treasurer
Nancyellen Keane, Keane Law PLLC, Town Attorney

Guests: see attached sign in sheet

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

1. August 13, 2020 Meeting Minutes – *tabled until October*

F. Westbrook, “Mr. Mayor why are we no longer approving the agenda? After roll call we should approve the agenda.” S. Phillips, “It was an administrative oversight.” F. Westbrook, “I would like for us to consider amending the agenda, perhaps under new business, an agenda item to discuss COVID protocols to keep things safer for staff. If that is the pleasure of the council.” Mayor Bugg, “I’m in favor of this. How about council?” B. Schaschek, “I thought we had discussed at the last meeting. I thought you had to call for an appointment.” F. Westbrook, “That has not been worked out.” Mayor Bugg, “Would anybody like to make that motion?” F. Westbrook, “So move.” D. Patteson, “Second.” Mayor Bugg, Discussion? All those in favor and all those opposed. Because Mr. Nunnally is on the phone we will do roll call votes tonight.”

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO AMEND THE AGENDA TO INCLUDE UNDER NEW BUSINESS THE DISCUSSION OF COVID PROTOCOLS IS PASSED 6-0.

Mayor Bugg, "Back to the approval of minutes and acceptance of treasurer's reports. The August 13, 2020 minutes are being tabled until October. Has everyone had an opportunity to review the August 2020 treasurer's reports?" S. Phillips, "Mr. Mayor and Members of Council, I distributed revised financial documents this afternoon. Please let me know if you need a copy." B. Schaschek, "What is the item for Kilmarnock on the aging report?" S. Phillips, "The Town of Kilmarnock has requested \$2,000 for the River Realm be dispersed." F. Westbrook, "On the check list, we expended \$250 to Mitchell Signs is that a different request?" S. Phillips, "Correct. That check was for the first sign Mitchell Signs repaired for us." B. Schaschek, "By Pop's? And this request is for the sign on the White Stone side." S. Phillips, "We should thank Bill Mitchell for running an ad in the newspaper for the missing sign." Mayor Bugg, "Any other comments? Moving along to public comment."

D. PUBLIC COMMENT

Mayor Bugg, "Thank you to the public for being here. In attempting to get a sense for what everyone wants to discuss tonight can I see a show of hands for anyone who wants to speak on the Through Truck Restriction and the Turkey Trot? I would ask that you limit your comments to 1.5 minutes or so. Come up to the table when you speak and please state your address." D. Headley, "David Headley 51 Edgewood Lane. Wayne Nunnally why aren't you here to support me? Is the use of Salem Road as a bypass for Irvington as far as the transfer trucks is that still under consideration? My wife and I are concerned about the transfer trucks coming through Irvington and we see them all the time. We own two lots on Salem Road. If you turn on Salem Road before you get to the curve we own 2 parcels on the left. We bought the first parcel in 2008 and realized right away that we had a problem coming out of the driveway. The curve was too close to us and we have taken our life in our hands getting out of that traffic. About 4 or 5 years ago we came closer to Route 200 and purchased the second parcel adjacent to ours. That driveway which is the one we use gives us a longer view up towards the curve where the traffic is. I don't think anybody realizes as we do because we are up there working on that land cutting grass and trying to raise a garden the volume of traffic on that road is tremendous. The thing that is the most alarming is that most people don't pay attention the speed limit. What you have got is heavy traffic and going fast because of the traffic and heavy volume we think the road is too narrow and curvy too many residents on the road, a golf course, Westminster Canterbury, there is just too much traffic on in. We believe that if you put those transfer trucks on that road you are going to have a problem. We were hoping that one or two of you or all of you could go and sit in our driveway for an hour or two and watch the traffic go by and you will be amazed at the speed. I would invite you to do that and to consider an alternative to Old Salem Road." J. Roberts, "John Roberts, 132 Lancaster Drive. Thank you for this opportunity to address you all. I ate my very first ever soft shell crab at the dining room of the Irvington Beach Hotel down Steamboat Road in 1942 and there was a lot less traffic back then. More recently I have live at Westminster Canterbury for the past 6.5 years and I am the president of the residents association. The action taken by the Irvington Town Council at its August 13 meeting as reported in the Rappahannock Record on August 20 has awakened a sleeping giant. We at RWC, the folks at the cottages community at the Golden Eagle, and the folks living on Ring Farm Road support your desire for speed control in Irvington. Irvington is our town too. To borrow from one of the almost 90 letters and emails I have received on this subject and I quote, we attend church, eat, shop, buy gas, use the bank and post office, have accounting and legal business in Irvington, end quote. We want it to be safe and welcoming and a destination for local folks and visitors alike. However, we fail to understand your proposed course of action namely to convince the county board of supervisors and VDOT to reroute truck onto Old Salem Road that may be going 50-60 mph which was reported in the last meeting. Old Salem is at its center a narrow winding blind curved thoroughfare that serves as the only road accessible to the largest concentration of senior citizens in Lancaster County. The combined number of residents of the above mentioned communities and of their support staff, vendors and charitable organizations which use these communities is excess of 500 people per day. It would be unconscionable to add trucks to Old Salem. If the through trucks which you wish to reroute are tractor trailers from out of the area there is a roadway for them outside of Kilmarnock and they should be directed to it. If through trucks are, as I suspect, large trucks belonging to local business that should be addressed with the owners of those businesses. As I stated in my letter to the Rappahannock Record on August 27 there are other options for controlling traffic speed among which is a traffic light which is activated

by approaching vehicle speed. Let's work together to solve this issue but not by simply moving it into another neighborhood in our town. Thank you." D. Lowdy, "Dean Lowdy, Westminster Canterbury. I have also lived in Irvington and I think it is a great town but I think it is a terrible mistake to put any more traffic especially truck traffic on Old Salem Drive. I wonder if any of you realize, or if you have not driven I suggest that you do, that there are no shoulders on Old Salem Road. If you meet a bicycle or pedestrian something has to happen they cannot pull off because the ditches are 4 feet deep. It is a terrible idea to put more traffic and that kind of traffic on Old Salem Road. I will say, I have seen or I came out right after it happened a head on collision on one of those curving roads lined by trees where 2 automobiles one of them over the line just a little bit and that is all that it took. It is a very dangerous road. It is a very dangerous option to put more traffic on Old Salem Road. Thank you." S. Bunting, "Stuart Bunting, I spend most of my time at 132 Lancaster Drive but I don't live there. To echo what our residents have shared with you today. I appreciate you giving us time this evening recognizing that we are not actual town citizens but as Mr. Roberts said we do consider Irvington our town as well. What I have to share with you are written comments that Mr. Roberts has referenced, his comments. I won't go through those but to make the same points that my colleagues have made we are concerned about the additional traffic volume and the size of the traffic that will be on Old Salem Road if that is the solution that is advanced. To that we are more than willing to engage in any dialogue necessary to help to find a solution because we don't see any advantage to excess speeding through the town of Irvington any more so than you folks who actually town business and representatives do. There is a viable alternative that already exists through Harris Road that we don't feel needs to be duplicated by adding Old Salem Road to the package of options for large vehicular traffic. You have heard about some of the inherent risks to the road with respect to no shoulder, bicyclist use that road frequently this time of year. It is not uncommon to find 2 or 3 together in a pack moving along and they have absolutely no option of 2 vehicles are passing each other. There is no way for the vehicles to give way to the bicyclist and the bicyclist has a very unattractive list of options available to get themselves out of the situation because there is no shoulder. With that we invite ourselves to the party to the extent which we can find a solution here and hope that solution is something other than Old Salem Road. Thank you for your time. I will leave these with your clerk." A. Pollard, "Albert Pollard Jr. 48 Steamboat Road. I am here to speak on behalf of the Village Improvement Association on the specific topic of the Turkey Trot. Michelle Lyberger could not be here tonight. The VIA wants to pull together a very modified and slimmed down Turkey Trot this year. We hope that you all could appoint an informal subcommittee of a town council member and staff and we have a subcommittee that can work through the protocol. We are confident that we can work with town staff to come up with guidelines that meet the spirit of the letter of the Governor's Phase III code guidelines. Our idea is to have a rolling start every 2-5 minutes spread over 2 hours and that way we are confident that any one time there will only be a fraction of 450 people that started last year. Further we have no plans for registration because that involves crowding. We will have multiple tables with clipboards to set up with waiver forms. Socially distanced stations for participants to queue off for the rolling start to avoid lines. Everyone will wear a mask until they start. We will not have any awards or food which would result in folks congregating in one place. Our goal is for folks to come to Irvington, start moving and have a good time at the Trot and leave relatively quickly. If you want to appoint a working group and we can come back to the October meeting." J. Harris, "Julie Harris, 1099 King Carter Drive. I'm coming tonight as president of the VIA and on behalf of the VIA I would like to thank council for allowing the VIA to have the concert on the Commons on September 3. There were approximately 150 people in attendance. Everyone practiced social distancing and had a good time so again, thank you." Mayor Bugg, "Anyone else? One more thing, for those of you addressing the through truck restrictions we are going to be addressing a lot of the points you brought up in this meeting. If you can stay, I ask that you do so that you can hear what we have to say later in this meeting because I think it is important to all of us."

E. REPORT FROM THE ZONING ADMINISTRATOR – L. Brown

L. Brown, "Thank you Mr. Mayor. My report for this month involves this past planning commission meeting. Mayor Bugg swore in 2 new planning commission members Chris Braly and Brian Forrester. Also, at the last planning commission meeting the planning commission recommended approval of the following CUP

applications to the town council for review tonight; CUP 2020.5 and CUP 2020.6. Last month we had 2 road issues that VDOT handled quickly and efficiently when we reported them. One had to do with some drain pipes along Railway after the hurricane and the other, again because of the hurricane, a downed tree on King Carter. A tree permit was issued, a fence permit, there will be 5 sign permits tonight that you will address, 2 after the fact permits were also handled. I completed 2 site visits this month. A preliminary site visit for a resident who wishes to put in a pool and a post construction site visit for a property owner regarding impervious credits. One citizen complained regarding tall grass that was handled. The zoning notice was put in the Rappahannock Record on September 3 regarding residents and contractors to contact the zoning department before commencing work. Thank you.”

F. REPORT FROM THE TOWN ATTORNEY – *Nancyellen Keane, Esq.*

N. Keane, “I have no report tonight.”

G. REPORT FROM THE MAYOR – *Mayor Bugg*

Mayor Bugg, “I will begin reporting on the through truck restriction on Route 200. I want to report to council about the subject of through truck restriction on Route 200. This restriction was adopted at the August 13, 2020 meeting of council following a public hearing. Since its passage we have received 3 emails and 2 phone calls from persons associated with RWC speaking against this action. Let me provide a brief chronology. On May 14, 2020 council authorized efforts to proceed toward adoption of through truck restriction. May 14; June 11, July 9 and August 13, 2020 the through truck restriction was discussed publically on at least 4 occasions. Next, May 28 and 29 Irvington at that time reached out to Lancaster County officials to advise of this proposed restriction and to establish open channels for communication. July 6, 2020 VDOT settled on Old Salem as the appropriate alternative route. VDOT road Old Salem, Route 646, at that time prior to making the making the recommendation to Irvington. July 9, 2020 was the first reading held for Resolution 2020-10 for Old Salem Road. July 30, 2020 the public hearing for the restriction was advertised in the Rappahannock Record. August 13, 2020 the public hearing was held and all those in attendance and all those who wrote emails were in favor. Resolution 2020-10 Old Salem Road was adopted. The restriction was passed. May 21, June 18 and August 20, 2020 the Rappahannock Record reported several times on Irvington’s actions related to the restriction. August 21, 2020 Irvington was called by supervisor Westbrook who advised of a complaint by RWC regarding Old Salem Road as an alternative route. August 31, 2020 Irvington called a meeting which was attended by VDOT, Irvington, and Lancaster County to discuss the issues and to hear from VDOT about its reasoning. As a result of that meeting all in attendance have a better understanding of the matter. This evening I have asked Mr. David Beal, VDOT to attend tonight to provide everyone with a brief history of this matter and VDOT’s reasoning. With that, David would you please come forward?” D. Beale, “I’ll start this with a couple of policy documents. The first part of step one is the locality request. When we started talking about a through truck restriction we were very early in the process and we notified the town this would be a joint request from the town and the county and until the county is on board with what the town wants to do there is no request of VDOT. Mayor Bugg gave a good chronology of the events that got us here but one thing I would revise is VDOT has not decided anything we can only make recommendations. The next part of this process because there are 3 more steps, we have to go to the district traffic engineer who does an engineering study, signs in a sealed bid, and he reports to the district engineer. We advertise for a public hearing or at least post willingness. We know that Pride of Virginia trucking association, we have talked to the Commonwealth Transportation Board (CTB) member and from there it goes to the safe traffic engineer who reviews the request for compliance and finally it makes it to CTB with a recommendation of approval or denial for consideration for final action. That process and the regulations which we are required to complete within 9 months from the localities request. Once the resolution is passed there is still a lot that happens before the through truck restriction could be posted. As an example, the through truck restriction in Kilmarnock is the most recent in local example that we have to follow so I printed an exhibit that shows the restricted route and the alternate route. You can see the red is the route through Kilmarnock and the blue is the alternate route. The alternate route is slightly longer and follows parallel generally to the restricted route. When the CTB considers the request they do so and I

understand from reading the policy document that it's the philosophy of the CTB that all vehicles should have access to the roads on which they are legally entitled to travel. Truckers pay taxes and fuel tax just like everybody else so the thought is that they have access to the roads that they have a legal right to travel. It is a balancing act before the approval it is not an easy consideration. We look at all the users of the roadway and what makes sense. In doing that we try to minimize the length of the alternate route. If you look at this board, if we restrict truck traffic through Irvington on Route 200 the shortest alternate route is Route 3 and across Old Salem. I believe the distance from White Stone to Pittman's Corner is 2.8 miles. If you take Old Salem it is 3.2 miles. The requested alternate route is .4 of a mile further than the restricted route. My recommendation, we drove Old Salem, we drove Harris and Harris has already been deemed a suitable alternate route so the question for me is Route 646 Old Salem an acceptable route. They are similar in width they both have double yellow center line, a white edge line, the lanes are approximately the same on Harris as they are on Old Salem. The location of the hospital on Harris Road the lines of sight are much clear because the vegetation has been removed. That is one main difference. The ride on the two routes are very similar. I made the recommendation that Old Salem and we were certainly not aware of any objections from the county but knowing we still have to move through the process with the county there is an opportunity for that. That was the recommendation, use Old Salem because the route from White Stone to Harris Road and back down Route 200 which is the way we would measure the alternate route is almost 5 miles further than the direct route so the ask for the CTB for the consideration just gets bigger and is less likely to be approved. I can't say it won't be approved and I can't say it will be approved. I can just say the alternate route is now almost 5 miles longer than the alternate route being less than half a mile. It is just a bigger ask. We also talked through other possibilities such as restricting the entire route of Route 200 from Harris all the way back to White Stone but then anybody wanting to get to Weems from the north or south would have to drive on the restricted route because there is no other way to get there. There would be more trucks coming through town legally because they could go into Weems legally coming through town but with the through truck restriction if their manifest does not show that they have a delivery in town or within the restricted route then they are not supposed to be there. That was my thought to use Old Salem but again Lancaster County has to weigh in on what is appropriate for them as an alternate route. I just have a couple of pictures, I'm sure you have seen signage but if you don't drive trucks you may not have noticed it before. Signage on Route 3 part of VDOT's role on a through truck restriction, once it is approved we have to have a sign plan. We will have signs on 3 of the 4 legs at White Stone advising trucks not to come down Route 200 and then signs on Route 200 advising trucks not to come that way. All of this is worked out after the request is finalized and this is just one part of the sign plan. This one is at the intersection of Route 3 and Harris Road. This is an example that says part of the other part of detour if you use Harris Road as the detour you include Route 200 to get back to the northern part of the Kilmarnock town limits. Signing plan becomes much more complicated and you end up with at least 3 times the amount of signs because you have to sign every route and intersection and tell people as they approach Route 200 not to return through the restricted route. Mr. Mayor, that is all I have prepared. Did you want me to speak to anything else or have any questions of me?" Mayor Bugg, "I imagine it would interest the public to know more about the signage. Is there going to be a particular sign directing them down Old Salem or will it say no through trucks in Irvington?" D. Beale, "Like I said, I think the signing plan would be done once the request was approved. A lot of that is dependent on the starting and ending point of the restricted route but looking at the board there would be signs in White Stone and likely signs on Route 3 designating that a route and Old Salem and then we have signs here off of Weems Road, we have signs coming out of Kilmarnock town trucks use Harris Road and not come down through town. A lot of that needs to be thought through. It would be something similar to the signing plan that we did for Kilmarnock." Mayor Bugg, "Thank you David. Both the public and you have provided a lot of information that we will take under advisement and discuss at the next meeting." D. Patteson, "You mention that the primary reason for choosing Old Salem is because of the shortness of distance which makes it easier to get approved with CTB is there any other factor like shorter distance that you weigh in on when you make the decision. You have Harris Drive with a high concentration of commercial enterprises from the hospital to the rescue squad, doctor's offices and then yet Old Salem is primarily comprised of residences for seniors. Where do people come into your equation and the type of dwellings that line the roads that you are assessing?"

D. Beale, "I think 2 parts. People come in the localities request because the request comes from the locality. For us, we tend to look at traffic volumes and engineers like numbers so the traffic volume on Old Salem is 1,300 vehicles per day that was counted last year and Harris Road I didn't write it down so I want to double check but if my memory serves the traffic volume is 1,600 per day which makes them comparable and for a 2 lane road both routes are considered fairly low volume relatively speaking." Mayor Bugg, "Thank you David. We will take this under advisement and discuss at the next meeting. The next item in my report is the COVID workplace policy, I believe you all have received this today. I asked staff to create a draft policy to bring to the town in compliance with Virginia Department of Labor and Industry regulations related to COVID-9. We should consider this document and either pass it tonight as emergency legislation or put it on the agenda for next month. What are your thoughts?" D. Patteson, "Is this something that can be amended as we move forward or should we adopt it tonight and find things might be difficult." Mayor Bugg, "A lot of this we are already doing." F. Westbrook, "Is this informational or do we need to take action." N. Keane, "We need to have a policy in order to enforce some of the things in here. The regulation site, Virginia Department of Labor and Industry which is sited at the top of the page, provides the framework but if you don't have a policy for your particular jurisdiction then you can't do some of it. For example, the Governor's Executive Order requires plans but not others if you have a policy you can require someone who has been exposed to or has COVID to have a test before they come to the office or a meeting that is not a requirement that is a general requirement in the state executive orders but you can adopt a policy that requires that. If you look at our draft, mandatory for all employer's certain things we put in there come under the regulation that requires you to have a policy similar to the FOIA law that allows you to adopt a policy to let a councilmember attend by phone like Wayne is doing now but you can't do it if you don't have the policy. You can't do some of the things on this page unless you adopt a policy. Wayne, this is the document that you received that has letterhead at the top." W. Nunnally, "Found it." F. Westbrook, "This seems to me to be something we should adopt as policy and as you said we are already doing some things but there are some things we need to give serious thought to." N. Keane, "For example, if you adopt this policy if you look at J, 5 screen entrance to meetings. If you adopt this policy we would be required to screen people coming to our meetings the people in the audience as well as the participants for temperature, asking if they have been exposed in the last 10 days. This is what a lot of organizations are doing and as a local government we should be meeting those requirements." Mayor Bugg, "Any further comments? Can I get a motion to approve and adopt?" D. Patteson, "So move." F. Westbrook, "Second." Mayor Bugg, "Further discussion? All those in favor and all those opposed."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

**THE MOTION TO ADOPT VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY:
TEMPORARY EMERGENCY STANDARD 16VAc25-220 IRVINGTON STANDARDS IS
PASSED 6-0.**

Mayor Bugg, "That concludes the mayor's report."

H. OLD BUSINESS

1. Second reading Resolution 2020-11 TC

S. Phillips, "Resolution 2020-11 TC conditional use permit to build a private dock; R-1; Tax Map 34-20."

Mayor Bugg, "Can I get a motion to adopt this resolution?" F. Westbrook, "So move." W. Nunnally, "Second."

Mayor Bugg, "Further discussion? All those in favor and all those opposed."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO ADOPT RESOLUTION 2020-11 TC IS PASSED 6-0.

S. Phillips, "Is the council interested in hearing the staff report?" L. Brown, "Regarding CUP 2020.5 Forrester; Town Code §154.051 (e) 11; the contemplated use is authorized in R-1 under boat docks for private use. This property is located in a residential area with similar piers of the same size. The contemplated use of this property is consistent with the amended comprehensive plan. Piers are allowed in the R-1 district. The location of the proposed pier is appropriate and not in conflict with the amended comprehensive plan. The proposed application does not adversely affect the public health safety, moral, and general welfare, and is in compliance with the Chesapeake Bay Act. The proposed project does not adversely affect the environment or surrounding properties. Private residential pier will not have any impact on hours of operations as in the business district. No application has been made for a sign permit at the time of this application. Notice to property owners within 300' were mailed or delivered in person by the applicant Brian Forrester. The certification of listing was received August 6, 2020. No opposing letters were received. Notice of the joint public hearing of the planning commission and council about this application was advertised twice in the Rappahannock Record one week apart on July 30 and on August 6. With the joint public hearing taking place 5 days after the last advertisement on August 11, 2020. Staff recommendation – this application meets all legal and regulatory requirements and I recommend approval. The planning commission recommends approval of the CUP application." Mayor Bugg, "Thank you. Now I need a motion to approve the CUP."

2. Second reading Resolution 2020-12 TC

L. Brown, " Under Town Code §154.126 Use Regulations for Industrial Limited District M-1 any structure to be erected or land to be used shall be for all permitted uses in R-1, R-1, B-1, B-2, or one or more uses in M-1 (a-i). The contemplated use, 1 office building and 2 apartments is mixed use and is authorized in the business district therefore allowed in M-1. The proposed use is similar in nature as the Dredge shops, offices, apartment and also similar to Ann Meekins professional office and the Vine, Kip building with an apartment above. The duplex on Tax Map Parcel 33-377A is a duplex on a similar lot in size which is also an approved use in R-1. For lots recorded prior to March 9, 1989 the minimum lot area shall be exempt from the 1.5 acre requirement. This lot was recorded on July 31, 1975. This property is located within area serving mixed uses in residential, professional offices, apartments, industrial uses, and government office. In the amended comprehensive plan there is a goal to provide more affordable housing options for younger adults and persons of more limited income such as teachers such as Mr. Pollard is proposing as possible renters for this establishment. The mixed use established by similar properties in B-1 is consistent with the amended comprehensive plan. The proposed application does not adversely affect the public health safety, morals, and general welfare. The proposed project is not adversely affect the environment or surrounding properties. Parking will be provided for each apartment of 2 spaces and the applicants office is already served with 1 parking space. There is room for 8 parking spaces. No application has been made for a sign permit at the time of this application. Notice to property owners within 300' were mailed or delivered in person via the applicant. Certification and listing was received July 28, 2020. Of the 18 letters, 11 responded favorably; none opposed. Notice of a joint public hearing of the planning commission and the council about this application was advertised in the Rappahannock Record one week apart

on July 30 and August 6 with the joint public hearing taking place 5 days after the last advertisement on August 11. The planning commission recommends approval of this application.” Mayor Bugg, “Thank you. Nancyellen can you make sure I make the appropriate motion on this one.” N. Keane, “Use the first one, the motion to adopt Resolution 2020-12 TC.” Mayor Bugg, “Is there a motion to adopt Resolution 2020-12 TC?” F. Westbrook, “So move.” W. Nunnally, “Second.” Mayor Bugg, “Further discussion? All those in favor and all those opposed.”

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO ADOPT RESOLUTION 2020-12 TC IS PASSED 6-0.

3. Zoning Administrator job description

D. Patteson, “All members of council have received an amended zoning administrator position description and the changes are redlined for convenience. This is a housekeeping request. We need to update the zoning administrator job description to include certain roles such as a floodplain administrator and a building official. The reason for this request is the Town Code actually refers to these parties as having roles in the process of evaluating obviously floodplains and buildings. It is a natural choice to have the zoning administrator also be the one to review all things regarding floodplains and buildings. In addition to that there was additional Town Code titles added, the ones that were in there pertained only to zoning and land use which she already has but we have added Titles IX, XI, and XIII to it and all of which is just part of cleaning up and making more precise and more accurate of what the zoning administrator can do. We have just added a few more things for her to do. I would like to suggest to have a motion to approve the amended zoning administrator job description and to direct Mayor Bugg to update the contract with the amended job description.” Mayor Bugg, “Thank you. Can I get that motion?” A. Marchetti, “Motion to change the job description as outlined.” J. Brown, “Second.” Mayor Bugg, “Discussion? All those in favor and all those opposed.”

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO AMEND ZONING ADMINISTRATOR JOB DESCRIPTION AND TO DIRECT MAYHOR BUGG TO UPDATE ZONING ADMINISTRATOR CONTRACT WITH AMENDED JOB DESCRIPTION PASSED 6-0.

4. Discussion of consensus regarding workshop

F. Westbrook, “I don’t think there is a lot left to say on this because it was discussed earlier in the workshop. It is just a matter of someone making the motion.” W. Nunnally, “The thing we didn’t discuss is the appropriation. Can we do the appropriation of \$3,000 in this motion? Tripp has excellent taste and I would be more than happy for him to design anything, he is very artistic. I never did understand what you were talking about Fran when you said we have to amend the budget over \$3,000.” F. Westbrook, “That is what I am concerned with. I welcome comments from other councilmembers on that regard.” W. Nunnally, “Can we make the motion to allow the mayor to be the voting member of the Town as a grant partner and to execute contract with vendor chosen by grant partners and leave it at that? I make that motion if it is appropriate.” N. Keane, “I have a question about the appropriation. If you come into an expense that you weren’t thinking you were going to have, there is a contingency fund that you use for certain things. I don’t know whether you would consider using that for this or any portion of it but I’m sure there is a way to appropriate funds if you want to do

it. It just matters if you want to do it or not.” F. Westbrook, “You are right and we have done that when we have had unexpected expense come forward. For the sake of discussion, should we ask for a new motion or let this one die, or have him retract his motion?” S. Phillips, “Break it into 3 separate motions.” F. Westbrook, “I suggest we appropriate the budgeted \$3,000 from the contingency fund.” Mayor Bugg, “Wayne, would you like to make that motion again?” F. Westbrook, “Nancyellen is asking that we make 3 separate motions.” F. Westbrook, “You don’t have to. Go back to the one that is on the agenda, that one should cover it. It is not budgeted but from contingency.” F. Westbrook, “We will make it from the contingency fund. Let’s do that.” W. Nunnally, “I withdraw my motion. You state the motion you want.” Mayor Bugg, “This will be a motion to allow Mayor Bugg to be the voting member of the Town as a grant partner; execute contract with vendor chosen by grant partners; appropriate budgeted \$3,000 to the chosen marketing vendor from the contingency fund. Would someone like to make that motion?” F. Westbrook, “So move.” A. Marchetti, “Second.” Mayor Bugg, “Further discussion?” B. Schaschek, “Does this mean that we are moving forward with this grant?” F. Westbrook, “It means we are going to appropriate the \$3,000 so they can start their preliminary work.” B. Schaschek, “Council never approved it.” F. Westbrook, “I don’t understand.” B. Schaschek, “Council never put funds in there for that.” F. Westbrook, “We are not spending any of those we are just moving this \$3,000 from contingency which will have to be paid back once this has been voted on the \$25,000. It is like when we used the contingency fund last year the contingency fund has to be repaid so we keep that balance. That is the way I am looking at it.” J. Brown, “That is the only way you can do it.” F. Westbrook, “We are allowed to have the contingency fund for items that do come up that are not in the budget.” N. Keane, “You have a motion and a second Mr. Mayor.” Mayor Bugg, “This was the discussion. Now we can vote. All those in favor and all those opposed.” W. Nunnally, “I’m voting no. I just don’t understand about the \$3,000 works at this point and since I’m confused I’m going to vote no.” F. Westbrook, “Are there some questions you think you would like to ask?” W. Nunnally, “I don’t understand where if we don’t add it into the budget but we have not approved the grant how can we approve an authorization for \$3,000 from the contingency fund to do what we may not do. I guess that is what I am saying.” N. Keane, “I don’t think there is the ability to approve the grant because you have already signed a contract saying you submitted this and there are 5 people on the contract. It is what it is.” F. Westbrook, “Did you hear that Wayne?” W. Nunnally, “Yes but I’m still confused. Bonnie do you have any insight on this?” B. Schaschek, “I don’t. I don’t understand. We never signed a contract.” N. Keane, “The grant itself when it was submitted was a contract.” B. Schaschek, “It wasn’t approved by the council.” N. Keane, “It was submitted by all 5 partners.” B. Schaschek, “How could it be submitted if council never approved?” N. Keane, “Council approved the application and there was probably some sort of conversation at the table but they were authorized to submit the application.” F. Westbrook, “I think when the ball got dropped with the partners never coming back to council for us to see that is where the confusion is happening and the town council never saw this.” N. Keane, “I guess you are saying you want the ability to vote on it but it is already a contract.” F. Westbrook, “It was never voted on because we never saw it, I think this is where the confusion is happening.” W. Nunnally, “I think you are right Fran.” Mayor Bugg, “We still have a vote on the table.” B. Schaschek, “I am going to abstain because I don’t think this whole thing was handled appropriately.”

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Bonnie Schaschek	Abstain
	Wayne Nunnally (via telephone)	No

THE MOTION TO ALLOW MAYOR BUGG TO BE THE VOTING MEMBER OF THE TOWN AS A GRANT PARTNER; EXECUTE CONTRACT WITH VENDOR CHOSEN BY GRANT PARTNERS; APPROPRIATE BUDGETED \$3,000 TO THE CHOSEN MARKETING VENDOR FROM THE CONTINGENCY FUND IS PASSED 3-1-1.

I. NEW BUSINESS

1. Sign permit, Vineyard Grove

L. Brown, "Vineyard Grove has submitted 5 applications for sign permits. The first permit is to repurpose an old sign that they had existing but the old sign did not have an original sign permit on file. They are going to repurpose the same 4x4 post that is in the ground, the same sign and Creative Design is removing old vinyl lettering and applying new vinyl lettering. The small issue with this sign is that for a no trespassing residential sign our Town Code sign dimension is limited to 1 square foot and this is 1.33 square feet which is just a little over what the Town of Irvington allows and since this has been in place since 2008 I am asking that the town council approve this sign permit and give them a waiver on the small size variance." W. Nunnally, "Motion to approve the sign permits." Mayor Bugg, "We have a motion to approve. Is there a second?" D. Patteson, "Second." Mayor Bugg, "Discussion?" F. Westbrook, "We have to approve signs on private property in residential?" L. Brown, "Yes you do." N. Keane, "Only town council has discretion. There is no discretion with the zoning administrator in this town. That is why you will be approving sign permits." F. Westbrook, "If I want to put a sign in my backyard that says no dogs allowed, I have to come to the town and get approval for that?" L. Brown, "And they have to approve your design." N. Keane, "There is a process in the Town Code on the enforcement of signs. It is very unusual and very detailed." F. Westbrook, "That may be something we want to visit at some point." L. Brown, "Do you want to vote on them one by one or vote together? Sign permit #2 and #3, these are 2 proposed new signs. These are directional signs. One of them is being purposed from an old sign and again we allow 2 square feet for directional signs and because one of these is being repurposed it is 2.11 square feet. Again, asking for a small variance. Sign #3 is also a directional sign of the same size, 16x19 (2.11 square feet). Sign permit #4, there are no issues and they fall within the required 2 square feet. That is for sign #4 and sign #5." W. Nunnally, "I amend my motion to approve all 5 signs." Mayor Bugg, "So amended." B. Schaschek, "Second." Mayor Bugg, "Discussion? All those in favor and all those opposed."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO APPROVE 5 SIGN PERMITS FOR VINEYARD GROVE IS APPROVED 6-0.

2. Motion to authorize use of Town Commons for Farmers Market under existing Contract; October 2020

G. Kirkbride, "Mr. Mayor we request we be able to have a Farmers Market on the first Saturday in October using the provisions that we have and the precautions that we have been taking. We ended up with 55 vendors and organizations that time. That was an increase from 42 in the previous market." J. Brown, "I've heard some nice compliments." Mayor Bugg, "It was an outstanding event. We are all jumping through hoops and will continue to do so." W. Nunnally, "Move we authorize the use of the Town Commons for Farmers Market under existing contract." D. Patteson, "Excellent job. How many people were there?" G. Kirkbride, "We had counters and in an hour we saw about 200 patrons at the max coming through the different gates." D. Patteson, "Is it possible to up signs at the entrance about masks because they were not there. I didn't see them when I walked over there." G. Kirkbride, "They should have been there. Are you referring to the entrance on Tavern?" D. Patteson, "Yes." G. Kirkbride, "Thank you for pointing that out." Mayor Bugg, "We have a motion is there a second?" J. Brown, "Second." Mayor Bugg, "Discussion? All those in favor and all those opposed."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

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

3. Motion to authorize the VIA to hold 2020 Turkey Trot subject to conditions

W. Nunnally, "So move." Mayor Bugg, "I believe we heard Mr. Pollard and Mrs. Harris speak in detail about this. Would anyone else like to comment or discuss in further detail?" W. Nunnally, "I will not be Thanksgiving if we don't have the Turkey Trot." F. Westbrook, "I do think we need to be aware with the COVID for athletic activities outside is different than holding a Farmers Market. I guess we need for, is there anyone here for the Turkey Trot?" J. Harris, "I'm here." F. Westbrook, "There are some considerations for people who are running, moving and breathing so it might be worth them having that information. I am a little antsy about having the event." Mayor Bugg, "I don't think you are alone." N. Keane, "In looking into this there were some discussions about whether other people are having in person racing and it looks like, for example, Monument Avenue 10K is being held virtually over a period of 3 or 4 days. Three River Health District does not recommend in person races. The problem is you have to have 10' for social distancing rather than 6' and our road is either 12' or 15' wide. The question is, how would they control the number of people? We are going to call the sheriff's office to be here for any public event and I'm guessing the sheriff's office would want to see the road closed." F. Westbrook, "Doesn't that have to be done by the state police?" W. Nunnally, "I withdraw my motion and suggest we table this until they get all of that information." F. Westbrook, "They can't wait for us to table it because time is of the essence for them they only have 2 months." Mayor Bugg, "Mrs. Harris could you speak tabling this?" J. Harris, "I don't know the details. There was a race in Williamsburg last weekend. The VIA is considering, it was an actual race and not virtual, what we are considering is having staging areas on the Commons so that you are running with your family or people that you know. As Mr. Pollard stated it would be rolling so everybody is not going at the same time that was our thought of being able to ensure social distancing." Mayor Bugg, "Can we table this until October so we can see where things are at that time?" B. Schaschek, "There is a deadline because they send the letters to sponsors and then they get the funds in and have to open the online registration because a lot of the registration is done online and that normally opens end of September." J. Harris, "There is not going to be an actual registration because there is no timing of the race. You can just get out there." B. Schaschek, "You are not going through Sports this year? So there are no fees or anything else?" J. Harris, "No." B. Schaschek, "Oh, well I don't think I would vote for this." F. Westbrook, "There is no registration and there is no time. Well, I don't know." J. Harris, "There is no fees and no registration but they will ask for sponsors for the shirts but there is not timing, no medals, no food, you just start the rolling time. Mr. Pollard is planning to be the announcer if we are able to have the event and he would call Group A to run and 2 minutes Group B would start and so forth." A. Marchetti, "There is a 250 person limit, how does that apply?" N. Keane, "If you are going to be on the Commons staging people there would probably be a requirement to enclose that and make sure not to exceed 250. You usually have a lot more people for the Turkey Trot but if you are not charging people how will you monitor?" D. Patteson, "Has this been done like this somewhere else?" J. Harris, "I don't know how Williamsburg did theirs but I know they did a 5K. If you approve the go ahead to investigate that to add to what we are thinking of doing we could investigate more races." D. Patteson, "I think we need more facts before we vote. The informality of what they are describing may very well work but because it is so informal a late notice might also be a part of what they just have to live with. Not getting out 30 days ahead of time, not 60 days, just 30." Mayor Bugg, "Are we going to table as Wayne suggested?" J. Brown, "Can we add this to the September 23 workshop meeting?" F. Westbrook, "You can't vote at a workshop." N. Keane, "You can call a special called meeting at the end of the workshop." F. Westbrook, "That is a budget and finance workshop, right?" N. Keane, "It is a town council workshop used for budget and finance and the amended budget." F. Westbrook, "The reason we didn't get to do it this time is because that time slot got usurped for something else so I am hesitant, personally, to lend that time because we only have an hour allocated so I am hesitant to give up that time yet again." Mayor Bugg, "Other thoughts?" B. Schaschek, "Since you are not going to go through the online registrations with Sports Workshop maybe you can get more details and come back to the October meeting since it is so informal." J. Harris, "We can check with some of the other places that have town races." B. Schaschek, "Do you have anything to add Greg?" G. Kirkbride, "No, we can talk more later on with the race community. Our intention was to have someone from council to work with to flesh out the details and particular provisions that are

being required by the state and present a packet at the October meeting.” F. Westbrook, “Are you asking to meet with staff perhaps?” G. Kirkbride, “Can you tell us maybe not tonight if there is some provision that will allow us to interact with staff and one member of council so that we can have serious conversations prior to the October meeting.” Mayor Bugg, “That is a great idea.” G. Kirkbride, “The reality is we are a hybrid and not a real race but more of a social event and we don’t know how many people we can have on the course.” F. Westbrook, “Sounds good.” Mayor Bugg, “We will table this until the October meeting. We will certainly be in touch about the contact person since we are all on the same page with this one. Thank you for your input tonight.

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

F. Westbrook, “Don’t we mean we are appropriating the August expenses that occurred in September?” Mayor Bugg, “Motion to appropriate August general operating expenses not previously appropriated. Would someone like to make that motion?” F. Westbrook, “So move.” B. Schaschek, “Second.” Mayor Bugg, “Discussion. All those in favor and all those opposed.” B. Schaschek, “Are you going to tell what you are appropriating?” F. Westbrook, “The list.” B. Schaschek, “The AP aging? I didn’t realize that was the list.” S. Phillips, “Are there any questions?” B. Schaschek, “I asked you already before the meeting.” Mayor Bugg, “That brings me back to the roll call vote.”

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO APPROPRIATE AUGUST GENERAL OPERATING EXPENSES NOT PREVIOUSLY APPROPRIATED IS PASSED 6-0.

5. Tennis Court Repairs

S. Phillips, “Does Council have any questions about the various options.” F. Westbrook, “It is all expensive. This is the same group that did our stuff 4 years back.” S. Phillips, “Yes, they did the repair 4 years ago. This is something that Council should consider including in the budget on a 2 to 3 year rotation. The cracks will reoccur because it is the nature of the product. The tennis courts are in good health overall.” F. Westbrook, “Are you looking to get started on this soon?” S. Phillips, “It is a safety concern because the membrane, the patching material is in the alleys of the tennis courts.” F. Westbrook, “Bonnie do you remember what we put on the capital budget for tennis courts? We had addressed this previously.” B. Schaschek, “Actually we didn’t put anything in the budget for this year but it is in the budget for next year.” F. Westbrook, “We were counting on going a little bit further out but there is in the capital budget plan it is in the column for next year and not this year. How do we do that?” N. Keane, “Contingency.” F. Westbrook, “We could do that.” S. Phillips, “It is at the point where you would have to close the courts.” F. Westbrook, “They are closed now because of this. We could do the contingency but then when we do the amended budget this needs to be in there so it can be replenished.” B. Schaschek, “There were several different options. Which option do you want to go with?” A. Marchetti, “Option 1 or 2 because option 3 was brand new courts. The difference between option 1 and option 2, note that option 2 has a 2 year warranty and it will look nice and new. Option 1, I get the impression, it will look patched. Option 2 does have a 2 year warranty and it will look like it should.” D. Patteson, “There are a lot more people playing tennis.” J. Brown, “Do you have to do the crack repair before you do option 2? Is the real cost of option 2 really those 2 added together because it says the crack repair system is installed over the repaired cracks. It doesn’t have any wording in option 2 that says the cracks are going to be repaired. Is the real cost \$20,000 as opposed to \$9,000.” F. Westbrook, “No, I don’t think so.” J. Brown, “If you read the fine print it says the crack repair system is installed over the repaired cracks but you don’t have crack repair except in option 1.” B. Schaschek, “This is option 1 plus the other steps. That is how I read it.” W. Nunnally, “Does that mean they are repairing the cracks and then they are putting the stuff over them?” J. Brown, “The way it reads it is not clear if we are paying for option 1 and option 2.” S. Phillips, “I met with the representative but I didn’t capture Jackie’s question in my conversation. If you are interested in moving forward, the motion might be, if

you are interested in option 2 you make the motion to move forward to option 2 only if it is turn-key and includes the crack repair.” W. Nunnally, “It says right there, over the repaired cracks.” F. Westbrook, “I would like to remind everyone that the capital budget includes \$5,000.” W. Nunnally, “Can we use the COVID money?” K. Schaschek, “You only have \$10,000 in your emergency fund. You have already spent \$3,000.” F. Westbrook, “No, there is \$80,000 in contingency.” B. Schaschek, “No.” F. Westbrook, “The contingency fund has \$80,000 and we have used 3,000.” B. Schaschek, “You also used \$6,600 and we have spent \$10,000-\$15,000.” Mayor Bugg “Are we comfortable with option 2 with the contingency stated that it includes crack repair?” B. Schaschek, “That is how I am reading it but we should verify it.” A. Marchetti, “I think it is better safe to confirm rather than to assume.” B. Schaschek, “Can we make a motion?” S. Phillips, “The motion would be contingent on the verification that option 2 includes the items in option 1 if they are not included we will only move forward with option 1.” Mayor Bugg, “Can I get that motion? Motion to authorize mayor to execute the contract authorizing option 2 contingent on it including crack repair as well.” A. Marchetti, “So move.” D. Patteson, “Second.” Mayor Bugg, “Discussion? All in favor and all opposed.”

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO AUTHORIZE MAYOR TO EXECUTE THE CONTRACT AUTHORIZING OPTION 2 CONTINGENT ON IT INCLUDING CRACK REPAIR AS WELL IS PASSED 6-0.

6. Repairs to Town Office

S. Phillips, “For any members of Council that are not aware, on the right side of the office building ground water is coming under the foundation and allowing water to stand in the basement. It has also caused general erosion and there are 2 or 3 factors that cause the water to come under the foundation. The topography of the ground simply causes the water to accelerate down the hill. There is a tree growing at the foundation of the apartment building that is higher than the town office building. The tree and the existing gutter system force the water to run under the foundation. The gutters on the town office should be leveled to prevent further damage. The contractor intends to cap the gutter that is closest to the front door and force the water to the back of the building. The bid is to install window wells around the access hatch, when you remove the hatch you have access to oil burning furnace so you have to maintain access. The erosion has been going on for so long has eroded and forces the water into the basement. As the contract states, Mr. Bay’s will dig that out, install gravel and window wells. Window wells are rounded thus allowing access to the furnace hatch but will force the water to move away from the building.” W. Nunnally, “Sounds like a COVID repair to me.” B. Schaschek, “Were there 2 estimates?” S. Phillips, “No. After the last hurricane water came into the town office and into the basement that caused black mold so the \$690 from Bay Restoration was in response to the emergency. Bay Restoration brought in dehumidifiers and air dryers. The next step is to pull the carpet out of the basement and to prevent the water from coming under the foundation.” B. Schaschek, “What is the cost of the outside piece?” S. Phillips, “\$9,535 per his email. The scope of work is as follows: on the right hand side dig down at least 4’ to expose the foundation and footing where leaking is occurring. Pardge, paste, and plastic the foundation wall, install gravel, drain pipe for future drainage, install metal window wells at access door for window, fill wells 2/3 gravel for drainage, backfill and raise grade elevation along building to allow water to run away from building, seed and straw for erosion control, install new 6” commercial gutter and downspout on the right side of building. Total cost: \$9,635.” W. Nunnally, “Mr. Mayor, as chairman of the facilities committee I would like to table this particular problem and discuss it in connection with what we need to discuss in closed session before we spend \$9,000.” B. Schaschek, “Does this affect the neighbors on either side?” S. Phillips, “That is an excellent question. This is an expedited minimized project because there could be a much larger solution. The larger solution would involve property owners to the right and left of the town office. The town office building is over the property line on the left side of the property. It is only a few feet to the right hand side of the town

office. There is a reasonable size tree that is pushing the foundation of the apartment building. If the project were to be completed on a larger scale we would remove the tree and grade the earth which would then involve 3 different property owners and the project would become much more complex. This solution only involves the town office. Wayne, I appreciate your concern but I think from a health safety stand point the town office needs to be relieved of the serious mold situation which is exacerbated every time it rains due to the ground erosion. The rains from yesterday will leave water and subsequent mold in the basement.” F. Westbrook, “I don’t think it is good to have staff working in a mold situation and I think we should mediate that. Wayne, I understand this is a lot of money and some things are up in the air but I think we should repair it now.” B. Schaschek, “There is money in the capital plan.” Mayor Bugg, “Anything further? With that, would someone like to make the motion to authorize Mayor Bugg to execute the contract with Ron Bay?” J. Brown, “Where is this money coming from?” F. Westbrook, “This also is in the capital improvement budget but it is also a year away. It could do this the same way we have done the other 2, it comes out of contingency and then when we amend the budget we will have to move these up and then reimburse contingency. It is a paper process.” Mayor Bugg, “Anything else? This sounds urgent.” B. Schaschek, “I will make the motion.” A. Marchetti, “Second.” Mayor Bugg, “Further discussion. Roll call vote. I heard Wayne’s vote. The motion passes.”

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	No

THE MOTION TO AUTHORIZE MAYOR BUGG TO EXECUTE CONTRACT WITH RON BAYS IS PASSED 5-1.

7. Centric Business Solutions

S. Phillips, “This vendor called the town office one day as an unsolicited phone call. This vendor has a contractor in Tappahannock and is working on a contract for Lancaster County Sheriff’s office. The initial question was how much do you spend on toner cartridges per month. On average we spend \$400 per month on toner cartridges and due to anticipated increased volume in other departments and considering that town council meeting packets are on average upwards of 60 pages. The vendor stated he could provide a bigger, better, and more efficient printer for less than we are spending on toner cartridges right now. One thing that has changed substantially is the deliverables generated by the zoning department. Our current printer is limited to 8.5x11. I have provided you with the specs on the potential new printer. This is not a new conversation as we have discussed the viability of the current printer several times in the past.” F. Westbrook, “The new printer will print 11.5x17 in addition to 8.5x11? We are currently spending \$457 and they are telling us they can do this for \$355.08 but then they mention on page 5 they are allowing only so many copies per month at a particular rate and that was factored into the \$355.08 and they will read the meter and if we go over.” S. Phillips, “These questions were factored into the conversation, how much toner is used, how many reams of paper are used, how many black and white versus color. We use about 75% black but if we had options that were not cost prohibitive we would use more color.” F. Westbrook, “Lara, do you see the size of 11x17 being advantageous to the zoning department?” S. Phillips, “We will also be able to scan large plats and surveys.” B. Schaschek, “And this will scan also?” S. Phillips, “This agenda item does not require immediate action.” B. Schaschek, “We should look at other options as well.” S. Phillips, “If you purchase a printer you are still burdened with the cost of the toner.” B. Schaschek, “The only thing that concerns me about a lease option is 63 months is 5 years of the same printer and technology changes too fast.” F. Westbrook, “Would they consider a 3 year lease but the monthly cost would increase.” B. Schaschek, “Has the toner cost gone up that much.” S. Phillips, “We pay between \$450-\$470 with current usage and with the anticipated increase in usage I expect the cost will only increase.” B. Schaschek, “I know you had switched to a less expensive toner.” S. Phillips, “I had to switch back to using Cannon cartridges because the off brand cost more in down time.” F. Westbrook, “Would this mean that with the 60 page packets that we are getting that perhaps the town would be willing to print the packages for members of council?” S. Phillips, “The town office is currently printing over 50% of the

packets for members of council. At this point it is more of an opt out for members of council otherwise I print packets for council.” Mayor Bugg, “Do we want to move on this now?” B. Schaschek, “I think we want to look at more options.” Mayor Bugg, “We will table this until October.”

8. Bill Mitchell Signs

Mayor Bugg, “Motion to approve proposal to repair or replace sign.” S. Phillips, “After the last storm Mr. Mitchell who is very kind and generous to the town, noticed the town sign was missing. Part of the frame is still in the ground but the sign and part of the frame is broken and missing. Mr. Mitchell also wrote a letter to the newspaper asking if anyone had seen the sign. I suspect when they harvest the corn in that field they will find the missing sign. A couple of members of council and Mr. Mitchell walked into the field but were not able to find the missing sign. As you can see the proposal is \$320 for him to rebuild the frame and to build a new sign.” Mayor Bugg, “Are we okay with this? Can I get that motion?” B. Schaschek, “So move.” D. Patteson, “Second.” Mayor Bugg, “Discussion? Roll call vote.”

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO APPROVE PROPOSAL FROM MITCHELL SIGNS TO REPAIR OR REPLACE SIGN IS PASSED 6-0.

9. Office Protocol

Mayor Bugg, “Mrs. Westbrook requested office protocol be placed on the agenda.” F. Westbrook, “There seems to be a lot of traffic in and around the town office and necessarily so but in order to protect the staff and to be serious about COVID we have council members who have spouses that are somewhat compromised, we have staff with school aged children, and council members with school aged children. I think we should be a little bit more careful than perhaps we have been. I am offering suggestions so that we can get a conversation going but I do think that since we have asked that the office is by appointment only otherwise it is closed to the public. I ask that the door remain locked to prevent people from just walking in. The office should be by appointment only. I would like to ask that council members refrain from going in to the office if a phone call will take care of it. I would like to ask that committees, if you have questions or things you need perhaps you work through the committee chair or the commission chair, work through the committee chair and let them work with the town office. The main thing is to keep the traffic down so that we are reducing exposure. We passed some more cases and I just think we should be more careful all it takes is one slip up. I invite discussion.” B. Schaschek, “I agree with you as well and that is why I thought we were closing the office and locking the door and only allowing 3 people in the office. That is what we had discussed. Maybe we should put a doorbell out there. Right now the office is open and people walk in and out because it is convenient but if they can’t open the door then it will slow them down.” N. Keane, “The policy that you did earlier is basically the framework that you are talking about. The policy talks about limiting people in public spaces.” F. Westbrook, “I think 3 people is pushing it as far as square footage goes. I go in there and I have my mask with me but I do not necessarily have it on and I need to be more mindful of that and we need to make sure we are keeping that protocol.” A. Marchetti, “I think keeping the door locked is the first step.” Mayor Bugg, “Anyone else?” N. Keane, “Before you get out of new business I want to remind vice mayor Westbrook about the amended revised budget schedule.” F. Westbrook, “She did pass the amended budget schedule. As you will notice tonight’s meeting, the workshop, was not spent on budget so we are going to use September 23 workshop for budget and that will start at 5:30. Anthony and I will meet another time before then and we will get the worksheets to you all that have our proposed numbers and that is just so that you can take a look at it and formulate any questions or concerns and hopefully you will bring those with you to the workshop and hopefully that will make the workshop go smoother and faster. Any questions?” B. Schaschek, “It falls in the exact same time frame as before it is just a change.” N. Keane, “One thing you might want to point out is the

ads going to the Rappahannock Record for the budget and all of the other ordinances that are going to be passed, you have to know your budget numbers by that day for the advertisement. That is why it is important for people to come to the committee meeting because there are only 2 more meetings before the ad goes in the paper.” F. Westbrook, “That is right, the ad has to go into the paper by October 1. Are there any other comments?” B. Schaschek, “You can’t really have people at the committee meeting and if you limit the office to 3 people and you are running out of time.” N. Keane, “You could notice it for the church by tomorrow.” W. Nunnally, “Can we just lock the door and say by appointment only with the phone number for the office? That would seem to solve people from coming in if you lock the door and put a sign on the door. Let’s get on with this because we still have closed session.” N. Keane, “The October meeting where we have a public hearing scheduled, there is a question about the start time and that we would need to know the time for the ad. Today is probably the time to decide that and the following meeting that usually starts at 6:30, if you want it to be immediately following you have to make it a special called meeting, that is the way it works.” F. Westbrook, “Yes, we want it to be immediately following so we need to be careful how we craft that agenda. The October 8 meeting has to be advertised in the October 1 edition of the Rappahannock Record so we need to decide if we are going to start the public hearing at what time? We typically will have these meetings and then immediately following will go from the public hearing into the regular meeting. We need to decide the time so it can go into the paper correctly. This is the public hearing on October 8 and this is where we usually have comments and questions. This is amending the existing budget so I don’t know how to gauge attendance but I would think it would be as many but who knows because our town has surprised us before.” W. Nunnally, “Can we just start at 5:30.” F. Westbrook, “We would have to start at 5:30 and the next meeting is immediately following as opposed to a specific time for the second meeting so that we don’t cut this short for the public hearing.” W. Nunnally, “I call for that. Do it and get it done.” F. Westbrook, “October 8 meeting will start at 5:30.” N. Keane, “And the next meeting will start immediately following and it will be a special called meeting.” F. Westbrook, “Yes, the next meeting will not start at 6:30 it will be immediately following and it will be a special called meeting.” W. Nunnally, “Can you tell me why it will be a special called meeting again?” F. Westbrook, “Because the next meeting is going to say immediately following as opposed to a specific time which means we don’t know what time it will start. It will start whenever we are through with the first one.” W. Nunnally, “And the difference that makes is that you can’t make a change to the agenda unless everybody agrees.” F. Westbrook, “That is right.” Mayor Bugg, “Can I get that motion to amend the budget schedule?” B. Schaschek, “So move.” W. Nunnally, “Second.” Mayor Bugg, “Further discussion. Roll call vote.”

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO ADOPT THE AMENDED BUDGET SCHEDULE IS APPROVED 6-0.

J. ANNOUNCEMENTS

D. Patteson, “I’d like to suggest that council consider a motion to ask the clerk to explore with municipal finance firms the financial capabilities of the Town of Irvington. We have a number of large capital projects that the Comprehensive Plan of 2017 has asked the council to explore and pursue and in order to do so you have to understand what the financial condition of the town is able to do from a leveraging standpoint if needed or not and municipal finance firms are in the business of providing towns to do this. I think we should go before we decide to take on a capital project whatever it is we need to know what our capabilities are and when we do decide to look at a capital project we can have these firms advise us where we might be able to find ways to subsidize and ways to use the resources that the town has. We need some help and we need to know where we stand what we can do.” W. Nunnally, “Bonds would be a wonderful thing but we would certainly have to have these finance firms tell us how to issue bonds.” D. Patteson, “We have to take that into consideration. Certain firms being in municipal finance do issue bonds. The Town of Kilmarnock and Lancaster County has used

advice from outside. Our town has just never asked for it and it is time to ask because as we go over budgets we need to make decisions but we can't make decisions 3-5 years out without knowing where we stand today." W. Nunnally, "Maybe we should ask our lawyer and the county who they use." D. Patteson, "We pretty much know who they use and we fully expect that firm to be a candidate but we should also look at others. We can learn a lot from other proposals coming from other resources. We can put them all together and decide who is best to represent the town going forward." W. Nunnally, "I think it is a very good idea." Mayor Bugg, "Any further discussion?" W. Nunnally, "I move that the clerk be authorized to contact municipal finance firms and check on their rates, etc., how we might use them." S. Phillips, "Amend to treasurer." Mayor Bugg, "We will take your motion and amend to town treasurer. With that amendment, is there a second?" A. Marchetti, "Second." Mayor Bugg, "Further discussion. Roll call vote."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO AUTHORIZE THE TOWN TREASURER TO CONTACT MUNICIPAL FINANCE FIRMS AND CHECK ON THEIR RATES, ETC., HOW MIGHT USE THEM IS PASSED 6-0.

Mayor Bugg, "There is one announcement. There is free COVID testing on Rappahannock General Hospital on September 24 from 10 am -2 pm." W. Nunnally, "Do you have to make an appointment?" Mayor Bugg, "According to Bonnie you do have to make an appointment. Any other announcements? With that we will move into closed session."

K. CLOSED SESSION

F. Westbrook, "I Frances Westbrook move to go into closed session pursuant to §2.2-3711A.3 of the Code of Virginia for commercial issues regarding possible temporary or replacement of town office where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Town and pursuant to §2.2-3711A.8 of the Code of Virginia for legal issues concerning certain equipment in R-1 zoning." A. Marchetti, "Second." Mayor Bugg, "Roll call vote."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

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

L. 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 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 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. 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. None."

I, Frances Westbrook, so certify.

I, Bonnie Schaschek, so certify.

I, Jackie Brown, so certify.
 I, Anthony Marchetti, so certify.
 I, Dudley Patteson, so certify.
 I, Wayne Nunnally, so certify.
 I, Tripp Bugg, so certify.

W. Nunnally, "I move that we authorize Mayor Bugg to execute/negotiate a lease and spend up to \$1,000 to move under CARES funds." Mayor Bugg, "Thank you Wayne but we need to break down the motions. I will go through those as quickly as I can. The first motion is to authorize Mayor Bugg to execute the lease if we can resolve the indemnity issue." W. Nunnally, "So move." A. Marchetti, "Second." Mayor Bugg, "Discussion. Roll call vote."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO AUTHORIZE MAYOR BUGG TO EXECUTE THE LEASE IF WE CAN RESOLVE THE INDEMNITY ISSUE IS PASSED 6-0.

Mayor Bugg, "Next, motion to authorize Mayor Bugg to spend up to \$1,000 for an insured mover under CARES." W. Nunnally, "So move." D. Patteson, "Second." Mayor Bugg, "Discussion. Roll call vote."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO AUTHORIZE MAYOR BUGG TO SPEND UP TO \$1,000 FOR AN INSURED MOVER UNDER CARES IS PASSED 6-0.

Mayor Bugg, "Next, authorize Mayor Bugg to lead efforts related to temporary relocation with staff." W. Nunnally, "So move." D. Patteson, "Second." Mayor Bugg, "Discussion. Roll call vote."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO AUTHORIZE MAYOR BUGG TO LEAD EFFORTS RELATED TO TEMPORARY RELOCATION WITH STAFF IS PASSED 6-0.

Mayor Bugg, "The next motion will be modified. Motion regarding letter from Barksdale that nothing in the Town Code would prevent the list of vehicles being parked in R-1. Can I get that motion?" W. Nunnally, "So move but I don't think we should use the word authorize." Mayor Bugg, "Correct." F. Westbrook, "Strike that work." Mayor Bugg, "a motion regarding the letter from Barksdale to state that nothing in the Town Code would prevent the list of vehicles from being parked in R-1." W. Nunnally, "So move." F. Westbrook, "Second." Mayor Bugg, "Discussion. Roll call vote."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea

Anthony Marchetti	Yea
Dudley Patteson	Yea
Bonnie Schaschek	Yea
Wayne Nunnally (via telephone)	Yea

THE MOTION REGARDING THE LETTER FROM BARKSDALE TO STATE THAT NOTHING IN THE TOWN CODE WOULD PREVENT THE LIST OF VEHICLES FROM BEING PARKED IN R-1 IS PASSED 6-0.

M. ADJOURN

W. Nunnally, "Motion to adjourn." A. Marchetti, "Second." Mayor Bugg, "Discussion. Roll call vote."

Vote:	Frances Westbrook	Yea
	Jackie Brown	Yea
	Anthony Marchetti	Yea
	Dudley Patteson	Yea
	Bonnie Schaschek	Yea
	Wayne Nunnally (via telephone)	Yea

THE MOTION TO ADJOURN IS PASSED 6-0.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor