



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL SPECIAL CALLED MEETING
to be held as a WORKSHOP
WEDNESDAY, SEPTEMBER 23, 2020 5:30 PM
IRVINGTON BAPTIST CHURCH**

NOTICE

The Irvington Town Council will hold a special called meeting to be held as a workshop on Wednesday, September 23, 2020 for the purpose of discussing the Amended FY20/21 Budget, Fees, and Tax Rates.

AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: Call this meeting to order. This is the Town of Irvington Virginia Town Council Special Called meeting held as a workshop. It is Wednesday, September 23, 2020, 5:30 p.m. at the Irvington Baptist Church. The first item on the agenda will be call to order.

B. ROLL CALL – S. Phillips, Town Clerk

Members of Council present:

- Mayor Bugg here.
- Bonnie Schaschek here.
- Anthony Marchetti here.
- Frances Westbrook here.
- Jackie Brown here.
- Dudley Patteson (arrived 5:46 PM)

Members of Council absent:

Wayne Nunnally

Staff Present:

- Nancyellen Keane, Esq., Town Attorney
- Sharon Phillips, Town Clerk, FOIA Officer, Treasurer

Guests:

See attached sign in sheet

C. PROPOSED AMENDED FY20/21 BUDGET – Mayor, Council, Staff

Mayor Bugg: Thank you. The next item would be the proposed amended 2020/21 budget. I know that has been circulated I hope everyone has had a chance to look at it. With that I'll turn it over to the budget and finance committee. You can take it in whatever order you deem appropriate.

F. Westbrook: Thank you Mr. Mayor, we want to address the fees and tax rates first, mainly because, this has to go in the newspaper next week, so we want to make sure everyone has a good understanding of what that is going to be to be and we do have some changes to help with revenue.

J. Brown: Go over this with everybody?

F. Westbrook: Can we do this first?

A. Marchetti: We are proposing mostly increases to permits. These are the proposed right?



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F. Westbrook: Yes.

A. Marchetti: You don't have the existing. I see Precious Metals Dealer registration that stays the same from previous. Sign actually stays the same \$20, we are adding?

Nancyellen Keane: You are increasing zoning to the \$100.00 and adding conditional use and board of zoning appeals.

F. Westbrook: Is that not well laid out for you, I'm sorry.

A. Marchetti: Isn't that the previous, I just wasn't sure what the increase was from.

F. Westbrook: Alright so we are increasing CUP to \$200. What order are they in here. Alright, sign stays the same at \$20, subdivision is the same. Zoning is going from \$35 to \$100. Conditional use permit is now going to be \$200.

A. Marchetti: It's currently \$35.00.

N. Keane: Currently 0.

F. Westbrook: Currently 0. It's currently 0. Board of zoning appeals, that is, we've not ever charged a fee.

N. Keane: The code allows you to.

F. Westbrook: The code allows us to. That's going up to \$300. Golf cart fees, we've had the ordinance for golf carts, but we have never actually had a fee in the ordinance.

N. Keane: Now the way we can add this and make the fee authorized is because we are passing all these budget related documents as ordinances so, for example this one would be a fee ordinance, we can say that we are adding this to the code section as related to golf carts which allows us to do that. Remember how we had a conversation maybe a year ago and saying that we weren't collecting a golf cart fee because of the code section that was passed authorizing a golf cart regulation never called for a fee. It called for an insurance policy only.

B. Schaschek: We were just charging \$10.00.

N. Keane: We were charging \$10.00 but we didn't have any authority to do that. We can now fix that through passing this ordinance in assessing a certain fee for whatever you want individual or commercial or the same for both.

B. Schaschek: What's a commercial golf cart?

F. Westbrook: Well, the people at Rappahannock Rentals rents golf carts and so does Neptune. I have seen them deliver them over the past couple of years, so we were thinking, yeah in return they are responsible for the liability as far as any insurance coverage on the cart instead of the renter, they'd be responsible to make sure that it had the items on it like the triangle and the taillights and headlights if it is going to be operated when the sun is down, so they'd be responsible for all this to the renter.

J. Brown: Would this be per cart, per year?



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F. Westbrook: For commercial we are talking about annual.

J. Brown: Is what?

F. Westbrook: Annual.

S. Phillips: Per cart annually.

Mayor Bugg: That's a good call because I do see them a lot especially in the summer.

F. Westbrook: Yeah, so the private or the personal you know that's per year the \$25.00 per cart, for commercial it's just a flat \$200.00 a year.

J. Brown: How many carts now?

Mayor Bugg: Per cart.

S. Phillips: Right so if they have 10 carts that they rent to Irvington, every car that comes into Irvington has to have a sticker. That sticker is \$200.

F. Westbrook: Yeah, so they may only opt to have three of their golf carts in their fleet that they would rent to Irvington.

B. Schaschek: So they would be paying \$600.00 in a fee.

F. Westbrook: Uh huh.

N. Keane: What do they charge in Irvington? I guess there's not that many jurisdictions.

F. Westbrook: When we were talking about it I thought it was \$200.00 for the year period for them.

N. Keane: I don't know.

B. Schaschek: I think \$200 per cart is scary.

S. Phillips: That's up to the council.

F. Westbrook: The cart twice, it was cheaper just paying \$25.00 per cart.

S. Phillips: That's up to ya'll however you want to change it.

Mayor Bugg: Yeah \$200.00 is gonna get up there.

F. Westbrook: Alright so what do you want to do about that?

S. Phillips: But it's a tourist pass through, to the tourist. I think that you should be aware that there are multiple commercial golf carts in town and the town has no way to regulate them.

F. Westbrook: Right and this is a step to do that but the biggest concern to me is that these carts even though we have no way of regulating them actually, they still have to adhere to what the state says, these carts have to be and do, in order to be on the state road. So, by having Neptune and Rappahannock Rentals pay us a fee



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whatever we determine it to be annually for them to bring their golf carts in here then they know what's required so that we can keep, keep our carts going. We don't want to lose them because a renter comes in and is involved in some sort of bizarre accident and some, cops are involved in it and all of a sudden you know there is all kinds of infractions and they wouldn't even know it is a residents golf carts.

J. Brown: Do we have any idea how many carts were rented commercially?

F. Westbrook: No.

S. Phillips: We don't know the total number of carts that are rented, but we know that Neptune also rents in Irvington.

J. Brown: Say that again.

S. Phillips: That Neptune, is located.

S. Phillips: I think that everybody recognizes a 6-seater golf cart, commercial golf carts in town and so, are you interested in regulating a commercial golf cart.

J. Brown: I think we should, but I think it would be helpful to know about how many are being rented so we know whether this fee is a reasonable figure or not.

S. Phillips: I would have no way of knowing that.

J. Brown: Can we call and ask them?

S. Phillips: How would you ask that question, how do you want to handle it, I don't have a relationship with any of those vendors.

B. Schaschek: I would just ask them.

F. Westbrook: I don't know that it's necessarily important that they rent 10 or 100, I don't think it's all that many.

Mayor Bugg: I think its 2 or 3.

F. Westbrook: Yeah 2 or 3.

Mayor Bugg: It might be off but in that range.

F. Westbrook: Well, we don't want to make it prohibitive for them to rent the carts that are coming into Irvington.

J. Brown: No we don't want to but we want to be realistic of what the fees are. I mean they are operating a business and you know if they are renting hundreds of carts then the fee is too low, if they are renting two carts it's probably too much.

B. Schaschek: I can have Kurt call you at the office. You want, if you feel more comfortable with that. I can ask him because I don't think he is renting 10 golf carts. If it's three or four in town, that's a lot.

S. Phillips: Okay.



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B. Schaschek: Now, I got a golf cart from them, Wayne has two from them and somebody else in our neighborhood and so you may see them coming, but that's because they pick up golf carts for service.

Mayor Bugg: Yeah.

B. Schaschek: Even though you see them they may be rentals and one of ours, that's why I'm just trying to mention that. On the conditional use permit where you are going from zero charge to \$200, now is it resident still or the customer, or you whatever you want to call it still responsible for the ad and the letters and who is paying for all that.

F. Westbrook: Not yet.

S. Phillips: So the thought process on the CUP going up to \$200.00 is an interim step. At this time they don't pay anything directly to the town.

B. Schaschek: Right.

S. Phillips: But, they do pay for all of the advertising and that can range upwards of \$200 by the time they pay for the ad itself which is generally just at \$200 for the ads, then they have to pay depending on how many people are within 300', it can be 2, 6, I, also, the three CUPS that we processed in March, they had upwards of 20 a piece and generally at about \$6.00. So right now the applicant pays those fees, this is an effort in partnership with the zoning administrator. She has weighed in on the thought process here. This is, it will be I'm assuming effective January 1, or whenever you make it effective it will carry you through this fiscal year. In the remainder of the fiscal year, you will authorize the town attorney, at your desire, you will authorize the town attorney to rewrite your code because right now your code is written that the applicant pays the advertising and the code probably needs to be rewritten so that the town is responsible so that the town controls the ad and the town controls the affidavit side of things. This is an interim step allowing the town to at least not lose money on the CUP process should you choose to modify your town code you might go up on the CUP again once the town is completely financially responsible turnkey for the CUP. Most jurisdictions charge anywhere from \$300 to \$500 for a CUP.

F. Westbrook: We looked at Middlesex and Lancaster, to see what they were charging so ours is somewhere between and going up to \$200 on the CUP particularly helps reimburse the town for the monies that are being paid to the zoning administrator. I mean it's, what did Lara say she's, 10 or 20 hours. For CUP, so this way at least you know the town is trying to break even a little bit on what it costs us manpower to do it and if we go to us doing the other aspects of it, the mailings and the newspaper ads we may have to go up another \$200 at least.

B. Schaschek: I think you have to do a range there, because if somebody has 40 certified letters.

S. Phillips: You would potentially modify the code to not say within 300 feet but to say adjacent.

B. Schaschek: You have to check the stuff, I think you have to do something.

F. Westbrook: I think the county only says adjacent, I'm not sure.

N. Keane: VMRC says adjacent.

F. Westbrook: Who does?



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N. Keane: VMRC and that's where most of ours come into the issue, VMRC uses the word adjacent we use within 300 feet.

A. Marchetti: Of all property lines?

N. Keane: Of all property lines. I mean, we are not suggesting changing it, but we'll have to come up with some way to figure out the cost to give you all some sort of income for this because you can't afford, I mean the town just can't afford.

F. Westbrook: Well we can't.

J. Brown: [talkerover] Sign fee needs to go up.

F. Westbrook: Well the sign fee will also, there will be a sign fee and a zoning. So it's so much per sign but they need the zoning permit.

F. Westbrook: If it is put in the ground.

N. Keane: Or the sign post then you have to get a zoning permit to put that up and that would be another \$100. So for a sign to be approved up on stake or post, it would be \$20 plus \$100.

J. Brown: Okay what items would be included under the zoning permits, is that sidewalks any buildings.

N. Keane: Any construction.

S. Phillips: So, the zoning permit also follows the CUP.

J. Brown: Pardon me.

S. Phillips: So, if you use an example, the Tides Inn when they did their floating docks they went through the CUP process and once that CUP was approved they then received a zoning permit so using the scenario that's before you, you would have a \$200 CUP fee and when that's concluded it's a \$100 zoning permit.

J. Brown: Okay, what about a homeowner who is making changes to their property.

S. Phillips: If they are just building a garage that's completely within normal everything \$100.

J. Brown: \$100. Sidewalk?

S. Phillips: What would you do to a sidewalk, install a sidewalk.

J. Brown: Install a sidewalk.

S. Phillips: As long as it's not in the RPA it is completely under the zoning administrator's purview it is \$100.

J. Brown: So, every time they want to do something it's \$100.

N. Keane: If they need a permit for it yes. If you need a building permit for something Lancaster County won't give the building permit until we have given a zoning permit. So, they have to pay us for the zoning permit, they pay Lancaster County for the building permit. Whatever they charge.



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F. Westbrook: That's more in keeping with what our neighboring counties are doing.

J. Brown: Okay.

Mayor Bugg: Any other discussion about fees?

F. Westbrook: One other comment would be BZA we have not had a fee on that before but we are allowed to. BZA at the county, if I'm not mistaken that's \$500. It's pretty steep on the county side and what do we have it down there?

Mayor Bugg: \$300.

F. Westbrook: \$300, so I imagine that wouldn't go up.

D. Patteson: I apologize for being late, my dog at 5:30 started howling in pain and I instantly became a veterinarian. Took care of it, but it scared the hell out of me. So, I'm sorry.

Mayor Bugg: No problem.

D. Patteson: I'm here.

F. Westbrook: So are there any questions then on the fees, let's see, tax rates. I was telling Bonnie earlier that this is a hard budget to deal with in that we've had to deal with COVID of course and that has affected not only cash flow but the revenue and it's, we've looked at, the only thing that we thought we could increase was our occupancy rate and given the other expenses which you'll see when we get into it, we figured things at a 1% increase which still left us heavy on the expense side and we figured at a 2% increase which would put us at a total of 4% on occupancy rate would make the current, what we are proposing here, would make it work, we would have about \$13,000 left over if we go to 4%. If we stick with the 3% total rate we are still going to be in the red, so we're going to have to consider going up on the tax rate of the occupancy. We talked about a meals tax but we can't institute a new tax at this time, we can next year when we are doing the new budget for the upcoming fiscal year.

B. Schaschek: This is the amended.

F. Westbrook: Yeah, this is the amended.

A. Marchetti: Pretty limited.

F. Westbrook: Yeah we are pretty limited.

A. Marchetti: Until next July.

F. Westbrook: Yeah.

J. Brown: Does White Stone have an occupancy tax?

F. Westbrook: I have no idea.

J. Brown: Kilmarnock's is what 7 or 8%?



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F. Westbrook: 7 or 8, you know you get into the cities, I mean Richmond is charging 12%, you go to a hotel they slap on 12%.

B. Schaschek: Doesn't Kilmarnock do a \$50 registration or a \$100 fee annually.

N. Keane: Kilmarnock does a business license.

B. Schaschek: Remember when we were at the town meeting and they were putting in the fee for occupancy tax and they had to register all the VRBO's and stuff....

F. Westbrook: Oh, yeah they were charging a registration fee. We haven't gotten to that step yet, yeah, there is an annual registration fee which we would probably, annual registration, I don't know if we are going to attach a fee to it but we will probably will.

B. Schaschek: We should keep it and we can based upon the state and the county.

F. Westbrook: So exactly what percentage that tax rate is going to end up being we'll determine tonight when we go through the budget and we figure out what rate we're going to need to make this darn thing balanced. The other thing we need to look at before we get right down to the budget itself is the amended budget schedule if you will and the synopsis, there's other drafts you have, there's three pages. The first one says advertisement number one, this is how it is going to appear in the paper on this advertisement number one. It's outlining our public hearings, the dates, you will notice that the hearing, this is all on the same day, Thursday, October 8th, this has to go in the paper next week.

S. Phillips: Tuesday.

F. Westbrook: Yeah, and you will notice that the first public hearing will start at 5:00 p.m. and the second, third and fourth will be immediately following the preceding one, so we don't have the structured time frame like we had last time we were sitting and waiting before we could start the next public hearing. This is taken straight off of the budget schedule which we already approved, so this is just the format that is going to be in the newspaper, we've already voted on this and that's how it is going to be listed in the newspaper. The second page that has advertisement, no excuse me, let me go back, the paper that has public hearing number five, this refers to, and this is the fifth public hearing, but it has to be a separate ad in the paper, it won't be a part of advertisement number one.

N. Keane: Wait a minute, can I jump in, are you looking at public hearing number five for the budget announcement?

F. Westbrook: Yes, that is part of advertisement, do I have that backwards.

N. Keane: Yes. That is all one ad and it has five public hearings and it is a two pager because we couldn't fit it all in there.

F. Westbrook: I beg your pardon.

N. Keane: The other one says advertisement two, that's the one.



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F. Westbrook: That's the one I'm, so this will be the increase in the occupancy tax rate and that has to be a separate ad in the paper, so it is very clear, very distinct to the public what we're doing and right now we have this occupancy tax rate 4%, if we decide to do 3, obviously this will change to go in the newspaper. Are there any questions on those? So these two ads will be happening next week for public hearings. Is there anything else we need to add to that? Okay, so that gets that part taken care of. Now down to the final part. I think we will start with the revenue. So, the revenue starts with occupancy rate, real estate tax rate. So the first item on there is the occupancy tax rate and we were just talking about that when I said, you see the \$75,000 the far right hand corner, that far right hand corner is the proposed budget figures at this point. The \$75,000 was arrived at by taking the base rate of both the Hope and Glory and the Tides Inn last fiscal year and using about 70% of that at a 1% increase that will give us \$75,000 projected. That's not quite enough to make the budget balance. If we go to a 4%, in other words a 2% increase then that would give us about \$98,000 which would give us another \$13,000 surplus if we do that, so, if we don't do the 4% on occupancy tax rate we are going to have to figure somewhere else to find some revenue. So once again, a 1% increase at \$75,000, a 2% increase is \$98,000. Real estate tax we have \$63,000, local sales tax at \$25,000, that's mainly because not quite as much spending in town to charge sales tax on so we are going to have a little bit of a decrease in what comes back to us from the state. We kept the auto tags the same at \$10,000, bank franchise we took up just a little bit to \$12,000 because of deposits, cable TV we are keeping.

B. Schaschek: Bank deposits are up.

F. Westbrook: Yeah, based on what they told me, well, Irvington, this is all based on the Irvington branch. Cable TV, communications, we took that down to \$2,000, it was at \$2,000 and we budgeted \$22, but we haven't quite hit that mark so we took it back down to \$2,000. \$1,000 remaining in permits, excuse me, \$1,000 in town property rental which is septic fields, septic tanks over there behind the bank, on the commons area, permit and zoning fees we went up to \$2,500 because of increased fees that we just went over. Interest income went down a little bit to \$5,500. That was just kind of a guesstimate on our part since rates have gone down, they've gone down since.

B. Schaschek: I think they should be lower than that.

F. Westbrook: You think so.

B. Schaschek: We are getting .45 on some of those.

F. Westbrook: What do you think we ought to take it down to 4.

B. Schaschek: Income and then we can figure it out, yeah because the rates have dropped.

F. Westbrook: Yeah but the CDs and stuff we had that rate stays the same for that year right.

B. Schaschek: .45, I think they are due in April.

F. Westbrook: Two due in April, the rest are.

B. Schaschek: They were 13 months.

F. Westbrook: Yeah but they are staggered, they weren't all due in April are they.



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B. Schaschek: Two major ones due in April.

S. Phillips: April?

B. Schaschek: Yeah.

F. Westbrook: No, we had one in September, two in March and one in December.

B. Schaschek: You are getting about \$127 a month in interest income, that's it.

F. Westbrook: It can't be down.

A. Marchetti: What were the rates at last year, down \$5,500.

B. Schaschek: That was like 1.75, yeah.

A. Marchetti: That's like three times as much.

F. Westbrook: We had \$6,000 that we had collected through the end of March or June.

Bonnie Schaschek: Well, that's because you had collected from March to whatever, through March it was still that 1.75. Interest income on P&L for August was \$127 and year to date it's \$254, I think just multiply \$127 out by 12.

F. Westbrook: That's the two big ones, \$103,000 and \$113,000. Alright, and what did you say 4.

B. Schaschek: Yeah .45. Do you have your P&L?

F. Westbrook: I have one here

B. Schaschek: I have the one from August.

F. Westbrook: The one from July, alright we might just.

B. Schaschek: Multiply \$127 by 12 and be done.

F. Westbrook: I think that's, good grief, that's dropping \$4,000. Alright so, interest income we are going to take that all the way down to \$1,500, that's going to hurt. Okay, those are the two big ones, and we are not doing that much on money market, that's, we might be able to get a little more than \$1,500 with money market but it won't do much more. Then the fire grants \$10,000 and that in and out, the Lokey Wiley fund, we will take \$2,000 out of that investment and we use that to donate \$2,000 the libraries so that comes from another source. We have miscellaneous income of \$50 which kind of represents when we sell some books or whatever else happens inside the town office. We have Virginia Tourism grant, we've got \$15,000 that will be coming in, you'll see down below expenses, it will be \$25,000 going out, so that will be a net and then the COVID CARES Act, we put the full \$70,000 in here. We've only received half of it, it is my understanding the county does have receipt of those monies in their possession and we think it is just a matter of us making the request to get the other half in, so we put the \$70,000 in income, you'll also see a corresponding entry later in expenses for the same amount, so that will net to zero, hopefully we spend it all and we are going to have to give some of that back which will reduce the revenue side. Are there any questions on the revenue part?



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B. Schaschek: Based on this I think you should go with the 4%.

F. Westbrook: I would say so yeah.

Mayor Bugg: Yeah.

F. Westbrook: Yeah, now that you've licked the red off my candy here, alright operating expenses, employee expense will kind of hold, we are estimating \$65,000. Professional services is up to \$25,000 and that's because we put in an additional \$10,000 to pay the professionals who will do our financing stuff, they will go and see what our, whether we are, how much we can get loans for and what have you. Credit worthiness.

J. Brown: Pardon me.

F. Westbrook: They will be doing our credit worthiness and we are estimating about \$10,000 is what they'll probably charge us for that. Our VML insurance for overhead, the office, has gone up a little bit, we put it in there at \$4,500, public safety and code enforcement that's \$11,000, \$10,000 of that is where we give the monies that we get from the fire grant. Have I said that wrong, hold on that doesn't sound right?

N. Keane: That's the expense side of it.

F. Westbrook: That's the expense side of it, but we have an additional \$1,000 because we try to give some to Kilmarnock also in addition, so it cost us \$1,000. We get \$10,000 grant in, we pay out the \$10,000 to White Stone, but Kilmarnock also serves our area and we started giving some monies to them but we put them under, that doesn't sound right guys, hold on a minute.

J. Brown: So, you give them \$1,000 and you give White Stone \$10,000.

F. Westbrook: Well, the \$10,000 is a grant and they are the first responders for us for Irvington because they are the closest.

J. Brown: So, who is getting what?

F. Westbrook: Pardon.

J. Brown: So, who is getting what?

F. Westbrook: I've told you all wrong on this.

B. Schaschek: Yeah, last year we gave \$10,000 to the fire grant and \$500 went to code enforcement.

F. Westbrook: That's right.

S. Phillips: Code enforcement is under notice and violations.

F. Westbrook: That's what it is, thank you very much. The \$10,000 is the fire grant, the extra \$1,000 is the ads that go in the paper for code enforcement and Lara has already had a couple of, yeah, that haven't, she's had to deal with them and they haven't done what they should have done the way they should done it.

B. Schaschek: So, you think code enforcement is up by \$1,000.



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F. Westbrook: Well, she is going to have to start putting ads in newspapers and stuff for certain things. Recently she put an ad in the paper reminding people, if you have to come to the town office and get permits, you all saw that ad, but that was posted what maybe 2 weeks ago, so that helps cover that cost. I didn't think that sounded right initially. Office expense we're up \$14,000 that's just to help with some of the papers and things that they need to get into this office but it also.

S. Phillips: Reflects the fact that zoning is now up and operational.

F. Westbrook: Yes, and they are using more papers and stuff. Yes. We have bought some things to help get her outfitted. Municipal expense \$14,000, this is covering, this gets things listed on the website correct.

B. Schaschek: That is the tax collections, collection costs

A. Marchetti: The expense for Lancaster to collect

B. Schaschek: That's what that stuff is.

F. Westbrook: I don't know why I'm so dead tonight.

S. Phillips: Municipal expenses are what it actually cost to collect the tax.

F. Westbrook: To collect our taxes.

A. Marchetti: Collect our taxes from the county.

F. Westbrook: Yeah, that's what we pay the county.

F. Westbrook: Alright, I have to get my act together before this stuff goes public that's for sure. Town council expenses stated \$3,000 that includes our advertisements that go into the newspaper for the meetings and includes some fees if any of us do.

B. Schaschek: Can we municipal expenses because part of that was elections and we had election this past year we don't have one this year.

S. Phillips: So you could reduce it by \$3,000 I think we paid, we generally budget about \$3,000 for election.

F. Westbrook: But we also allowed for the fact that we may be having more ads, more CUPS and things. We haven't been doing those.

S. Phillips: Those fall under town council and planning commission.

F. Westbrook: And planning and zoning.

S. Phillips: And municipal expense is.

F. Westbrook: See we didn't go up in municipal expense, I mean excuse me in planning commission.

S. Phillips: No, no you're right, because it's never been used, we are quite comfortable with that number.

B. Schaschek: I thought that is why we went up to the \$1,000 for the COVID enforcement stuff. Okay.



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S. Phillips: So also the reason that your town council and your planning commission COVID has affected these things, but you had a new mayor, new administration and you have a very new planning commission.

B. Schaschek: Right.

S. Phillips: And we anticipated everybody going to some kind of seminar.

F. Westbrook: Training of some sort. Now these areas right there.

S. Phillips: Orientation fees Fran, so if your planning commission or town council, even so because they can't go away to seminars, it's a way to compensate for the services when they do orientation.

F. Westbrook: So these are areas, I mean between now and the end of this fiscal year we can probably cut from some of that.

B. Schaschek: That's why I was saying we should cut the election. Because we are not paying any of that this year.

F. Westbrook: Alright, so you are recommending the municipal expense we can cut down \$1,000.

B. Schaschek: I would cut \$3,000, we have \$3,500 in there for election expense that we are not going to.

F. Westbrook: Alright so let's look here a minute, so we spent the year before \$8,700, the year prior to that \$11,000, alright I can see that if we cut \$3,000. So, we'll take that down to \$11, okay. Alright town council.

S. Phillips: Again, that's all your advertisements, you're whenever the town council has any kind of public notice, orientations, the same for your planning commission. I think somewhere along in here there was also \$500 for a map.

F. Westbrook: That should have been under planning, usually. Alright so what we have been spending, okay, well we haven't spent the, there is only one year we went over \$3,000, each year for the past 2 years we have been under. So, we might can do \$2,000 there because we did build in some training that would probably.

B. Schaschek: That's built into the \$1,850. We have the \$750 for conferences.

F. Westbrook: \$1,850 is planning commission training, we also had allowed for some for new council members and the mayor to attend a conference, yeah. So I'm thinking that for town council we might can go down to \$2,000.

B. Schaschek: Yeah because they can't travel.

F. Westbrook: They can't travel, I mean, it's almost \$1,000 of three.

N. Keane: The training we have been doing here is orientation.

F. Westbrook: I'm talking about the mayor's conference and things like that in October each year and then for new council members. Planning on that, it happens October 9th or something like that so is that your pleasure then.



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N. Keane: Sure.

F. Westbrook: Planning commission, that's where we are going to get into more ads than we have been having in the past.

B. Schaschek: I would leave that like that.

F. Westbrook: Okay.

F. Westbrook: Utilities, we are anticipating it to be a little bit higher in that bigger building so we are going from \$13,600 to \$15,000.

B. Schaschek: Does it have a decent HVAC system.

F. Westbrook: It's a new one.

Mayor Bugg: Brand new one, huge.

F. Westbrook: We still have to keep the old office, heated and cooled until we sell it. Town maintenance we are leaving at \$15,500.

B. Schaschek: I have a question, did you see, it's just a curiosity thing, any decrease in the Christmas lights because we went LED. They said it is supposed to be more efficient and cost less.

S. Phillips: We normally get, I have not gotten the festoon light bill, so yes it was decreased. But seriously, I haven't gotten it.

F. Westbrook: Alright we are leaving our town maintenance at \$15,500, and then these other, the next few items that are at zeros, they will cycle off this year.

B. Schaschek: So, let me ask you a question.

F. Westbrook: Yeah.

B. Schaschek: Town maintenance is the landscape work included in the rent or.

N. Keane: The rent includes \$200 a month for leaf, snow and grass and seeing how it is like a park, it's gorgeous.

F. Westbrook: We're also, we have the mayor's discretionary fund over the years, we are maintaining at \$750, this allows the mayor to spend obviously at his discretion, sometimes we have council members who are ill or family that has passed away at the mayor's discretion, flowers or what have you, often sent, things like that.

Mayor Bugg: It has been mentioned to me that current affairs and COVID and office that we may want to consider adjusting that figure upwards. I am comfortable with whatever you guys want to do, that was suggested to me, Sharon if you want to say a few things about that.

Sharon Phillips: So examples would be again we just have the office transition and you guys do a fantastic job budgeting but sometimes things just aren't in the budget like lateral files we just found out we needed lateral files



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with the new office there are hardwood floors throughout, and we don't want to damage them so we are looking to protect the floors, spending wisely those things should probably just go under the mayor's discretion.

B. Schaschek: Can we use COVID CARES because we have to move out of the office.

Sharon Phillips: So I think you're going to have a conversation about how you spend your COVID money, you're right but I think there's going to be a thought of how to more efficiently spend that COVID money so whether the carpet and the filing cabinets come out of CARES or mayor's discretion.

B. Schaschek: We could take the lateral files out of office supplies.

F. Westbrook: That's what I was going to say, why don't we just increase office expense?

Sharon Phillips: So the reason is the treasurer is the one that asked that the mayor's discretionary fund come out of community support and tourism because mayor's discretionary fund if it lives in community support and tourism, requires specific appropriation because it's community support and tourism.

B. Schaschek: It's an operating expense.

F. Westbrook: That's what it is supposed to be.

Sharon Phillips: It was in community support and tourism before which required you guys to vote on it. So, it really wasn't his discretion. So, the thought is to bring it back under general operating and again, we have, there are a couple of things that have come along and it is not just flowers for someone or.

F. Westbrook: Rannie used it in the past, there were things going on in the office we were running short in one area or another.

B. Schaschek: The other thing is if you are buying carpet and cabinets and stuff like that, stuff like, those are assets and you put them in your capital expense.

S. Phillips: I don't think carpet squares are a capital expense.

F. Westbrook: What are they 36 x 36 squares? And the rolling chairs on the wood floor.

B. Schaschek: Are you going to put the carpet down, get yourself a plastic mat, static that you create on the rolling chairs and the carpet is not good for your PCs. You have to use those plastic things that go over the carpet.

Sharon Phillips: What we are looking at is carpet squares that are felt back so there is no adhesive, they are weighted, they are commercial and this is only in the board room.

F. Westbrook: I do think maybe that would be more appropriately reflected in office expense as opposed to using the mayor's fund for that, because that's what we are using it for. So if that's the case, Sharon you plan on spending how much \$1,000?

Sharon Phillips: The lateral files are \$400 and the carpet right now is \$500.

F. Westbrook: So if we raise office expense to \$15,000 from \$14,000, does that sound.



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B. Schaschek: I think so. If you think \$1,000 is going to cover it, if you think you need more than \$1,000, you think \$1,000 is sufficient.

Sharon Phillips: The carpet is \$500 and the lateral files are \$400.

B. Schaschek: But that's today, you don't know what tomorrow is. So why don't we add an extra \$500 to it because you don't know, if you don't spend it then it just.

Sharon Phillips: I do think we are in a bit of a state of flus with the new office, we just don't know what we're going to need, when we're going to need it. We were all in one room.

N. Keane: The reason for asking for the increase on the mayor's discretionary is because it's not always going to be an office expense for something that is already in the budget.

B. Schaschek: This we know is an office expense.

F. Westbrook: It's six one way and half dozen the other where we put it, to me it more accurately reflects the use by having it in office expense.

B. Schaschek: Especially since you know, so put it in the budget for it.

F. Westbrook: We still have the discretionary fund if we need to fall back on it for. We only have to get by 6, 7, 8 more months so.

J. Brown: So what figure did you end up with \$15 or?

F. Westbrook: \$15,500 under office expense. Then as I mentioned above the COVID CARES act that is showing up in its entirety as an expense. The town office rent, this reflects.

B. Schaschek: Wait. Did you up the mayor's discretionary fund?

F. Westbrook: I left it at \$750 because we upped office expense, but if you think we need to up the mayor's discretionary fund, then yeah, just give me a figure.

N. Keane: \$1,000, \$2,000. What are you comfortable with?

Mayor Bugg: \$2,000 is fine. \$2,000.

F. Westbrook: Alright I've got it in there. Alright, so COVID I just explained that and then the town office rent, we think that we can use funds past December 31st.

B. Schaschek: How many months is this rent.

F. Westbrook: This right here represents 6 months. January through the end of June, it's likely we won't have that but I'll throw in another part of the conversation, here with the COVID stuff, we are anticipating using about \$40,000 of the total COVID funds as a down payment to get a new office going and that would leave the other \$30,000 to spend on Sharon's buckets that she has given us this list on, and, it would be cleaner I think if we didn't divy up COVID into all these different months of rent, if we had fewer entries on COVID. We have to go through an audit from them, the county, it would be cleaner if we didn't nickel and dime ourselves with the rent



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for the first few months and all the moving and all of that, if we pay for that out of our funds which we pretty much allowed for in these other items here, and had a larger amount that we could put towards the town office like the \$40,000, it's going to be 6 one way half dozen the other. It's just that we'll use it under a new office, a brand new office.

B. Schaschek: And we have confirmed that we can use the funds for that.

F. Westbrook: Uh huh.

B. Schaschek: Because if they come back and say we couldn't do that you have to give it back.

F. Westbrook: I was initially concerned that if we used it for this interim office and then tried to use it again for another office but Nancyellen had a good point when we were talking about that and that we needed to get out of this other office, one we can't meet the COVID regulations in there, secondly we have the mold situation going on downstairs. We had to get out, there's no way we are going to have office space available for us immediately so this interim measure is mandatory, there is no other way that we can do what we need to do, so that was a very valid comment there. We haven't heard about an extension yet past the 31st have we. That's where I'm antsey, the thing is if we had to reimburse any of the monies we have to have a line item in our budget we just can't give that money that we haven't budgeted for. We have to have a line item from which to disburse it to give it back so we have a little bit of a cushion there. Any comments or questions on expenses.

J. Brown: What was your final figure for town maintenance you said \$15,500 but it's \$18,500, did you take 3 out of that.

F. Westbrook: Town maintenance we left at \$15,500.

Sharon Phillips: And I might encourage you to consider the reasons that that number increased was the repairs for the mold remediation, carpet removed.

F. Westbrook: Well that would be office expense though. Town maintenance is where we.

A. Marchetti: Is there a line in capital budget for that.

F. Westbrook: Town maintenance is where we do the grass cutting and all on the other stuff.

A. Marchetti: On the office building.

Sharon Phillips: There's no increase to that contract.

F. Westbrook: Right, so we left it at \$15,500.

A. Marchetti: So is that just a typo because my copy says \$18.

B. Schaschek: Mine says \$18,500 but you said \$15,500.

F. Westbrook: Well mine has \$15,500. Okay so I don't know how that got to \$18,500, but \$15,500 is what we'll go with on that.

B. Schaschek: Yeah you had \$10 in town renovations.



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S. Phillips: Was it \$9,000 to do the foundation repair. Somewhere we need to find money to pull the carpet out and probably some kind of mold mitigation.

A. Marchetti: Is there a plan for if the property is going to be sold. What needs to be done a punch list?

Mayor Bugg: Sharon, will.

B. Schaschek: Capital planning \$10,000 in there.

F. Westbrook: We'll get to that under.

B. Schaschek: You need more than \$10,000.

S. Phillips: Ron Bays is right at \$10.

F. Westbrook: And that's, we've got that under. Okay we'll move onto transport and tourism. We, let's see, charitable donations they remain the same across the board. Under other, community events we left at \$10,000 not knowing whether we will have a parade next year. Flags and banners we did take up \$1,000.

S. Phillips: That \$1,000 is for flag poles and such.

F. Westbrook: Yeah crab festival, is at \$1,200.

B. Schaschek: Are you putting under, or capital, so what's the \$1,080 tourism then. If you take it out of capital.

F. Westbrook: We took it out of the capital budget because there was such a low dollar item and we put under community events, under other where we have all the things that we do for the town.

B. Schaschek: Right.

F. Westbrook: Like we just took flags and banners and added that \$1,000 to it.

S. Phillips: So, under your flags and banners is roughly the \$3,000 contract for Elbourne to install the flags and banners and then the \$1,000, for community, capital budget, again that was just flag poles. Your hardware if you will.

B. Schaschek: Why would you pull it from capital?

F. Westbrook: Because a \$15 flagpole is not capital. Not when they snap, last year we lost a whole.

B. Schaschek: Every time a truck went around that corner and hit them.

F. Westbrook: So, of course we are not doing the WIFI anymore but that has to stay on for 3 budget cycles so that the public sees you know, that will cycle off eventually. Obviously, there is a zero dollar there. The trolley we put at zero.

B. Schaschek: They're not running.

F. Westbrook: They are not running now and by the time this budget cycle is over they may or may not have kicked back in, but if they do it'll be okay for us because we will have the new budget by July 1 and we can



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budget that \$250 on the next budget cycle. Virginia River Realm we left that at \$2,000. Virginia tourism grant, this is the \$25,000 I read earlier, we have the \$15,000 in revenue that comes back to us, we have to spend \$25,000 to make that happen, so the net \$10,000 which is what will be out of pocket. Mayor's discretionary fund we moved to the other category. Irvington Golf Tournament, we left that the same at \$2,000. Any comments or questions on that.

F. Westbrook: So Fran, what does that take your community sport in terms of total number to.

F. Westbrook: That whole category is at \$51, hold on, \$51,400.

S. Phillips: So, you didn't adjust anything in there.

F. Westbrook: No, not just now, we did not.

S. Phillips: May I back up.

F. Westbrook: Yep.

S. Phillips: You did your general operating, after you made all of your adjustments, what was your total general operating.

F. Westbrook: General operating, that, the two adjustments is the occupancy tax up to \$98,000.

S. Phillips: No, general operating expenses.

F. Westbrook: Oh I'm sorry.

S. Phillips: \$273,432.

F. Westbrook: It's at \$246,952.

J. Brown: Is that operating expenses?

F. Westbrook: That's operating expense \$246,952.

N. Keane: What was three, two changes under that Fran it was the office expense going up to \$15,500.

F. Westbrook: Going up to \$15,500.

N. Keane: And you have \$2,000 mayor's discretionary fund and then there was the town maintenance that was a typo, says \$15.

F. Westbrook: It's \$15,500.

F. Westbrook: So, in other words the total is \$246,952.

N. Keane: Right, I just wanted to know what the three changes were.

F. Westbrook: Want me to go down that list real quick.

N. Keane: Yes..



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F. Westbrook: I'll call them out to you starting with employee expense \$65,000, \$25,000, \$4,500, \$11,000, \$15,500, \$11,000, \$2,000, \$1850, \$15,000, \$15,500, going down to mayor's discretionary \$2,000, \$70,490, \$8,112 and that gives it the total of....

N. Keane: Where is the reimbursement contingency fund? Is that still on, that's the.

A. Marchetti: That's on this sheet, does that give you a total of what you said \$240? Yeah but we didn't change \$30,000, \$28,000 worth of stuff there.

B. Schaschek: We did not change that much. Something is not right.

A. Marchetti: Something is not right. We made changes but it wasn't more than a few thousand dollars.

C. Bradley: Town office rent.

F. Westbrook: Yeah the town office rent.

C. Bradley: The number I have is not 81.

F. Westbrook: Yeah, I just checked that, it goes all the way down, let me double check that....

A. Marchetti: \$22,000.

F. Westbrook: \$220 to \$226, yeah that's what.

A. Marchetti: I have a \$35,000 difference if I just do quick math in my head. So, if the \$273 was right then it would have been \$270.

F. Westbrook: I get \$246,952 exactly.

N. Keane: Does everyone agree with the numbers office change of \$15,500.

B. Schaschek: Fran. Your formula is not putting in the reimbursement to the contingency.

A. Marchetti: Yeah, before the thing last night I had the \$246.

B. Schaschek: It's not adding it.

A. Marchetti: \$21,000.

C. Bradley: And that would give you the right number.

F. Westbrook: Alright what's the reimbursement?

B. Schaschek: \$21,360.

F. Westbrook: Alright now that brings it up to \$268,312. Yeah, \$268,312. Alright let's go up to revenue, I have that at \$312, \$312,540, \$312,540.

B. Schaschek: We've got \$293,040. It should have gone down.

F. Westbrook: Well we went up on occupancy tax, we went from 75 to 98.



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N. Keane: Oh, we don't have that on here.

S. Phillips: And you dropped the interest rate.

F. Westbrook: And we dropped the interest rates.

A. Marchetti: So the change would be this needs to go to 98.

F. Westbrook: Alright, I'll read them down the line to you okay. Starting with occupancy tax, \$98,000 that reflects the 4%.

B. Schaschek: Yes.

F. Westbrook: Total, real estate \$63,000, next \$25,000, \$10,000, \$12,000, \$2,000, \$1,000, \$2,500, \$1,500 \$10,000, \$2,000, \$50, \$15,000, \$70,490.

S. Phillips: One adjustment the \$15,000 should be \$15,250.

F. Westbrook: Which you mean down, alright \$15,250. Alright so let's do that, \$15, alright \$15,250, so it would be out of pocket a little bit more than a 10. Alright so the new number under revenue is \$3, excuse me \$312,790, operating \$268,312, community support \$51,400, now, that brings us down to a short fall of \$6,922.

B. Schaschek: What was the short fall?

F. Westbrook: \$6,922.

S. Phillips: Is there a consideration on fractions on your occupancy like 4.25?

F. Westbrook: Let's see what that would give us. Alright, you're saying 4.25.

S. Phillips: Just a thought to see what it gets you. I suspect it's going to be 4.025.

F. Westbrook: I didn't do something right. Alright hold on.

N. Keane: If 4% gives you about \$100,000 which is what it is, a quarter of a percent will give you 4.25.

F. Westbrook: I haven't done something right....it should be roughly that....I'm getting an error, oh I'm down to less than 10% on mine. Alright so if you'll take this x the 4.24. Actually 70% of that x 4.25....that's going to give us \$6,000 more.

A. Marchetti: Almost \$7,000.

A. Marchetti: 4.5 would give us \$5,000.

S. Phillips: So one of the things I'm hearing and seeing is a change in trend, your VRBOs are obviously two key players in your occupancy tax as the Tides Inn and Hope and Glory and a handful of the VRBOs that remitted occupancy tax, I think that with the change in landscape and the change in dynamic in Irvington I'm seeing less and less VRBOs and more long term rentals so I think the point of the conversation is I think the Hope and Glory and Tides Inn will stay strong as destinations but I think that your VRBOs have transitioned to long term rentals



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so those incidental VRBOs are going to not remit occupancy tax so if you go ahead and capture it from your two key players as a pass through tax.

F. Westbrook: The reason we used as the base was those two entities. What we could do, here is a suggestion.

D. Patteson: What's your definition of a long term rental?

F. Westbrook: More than 30 days.

D. Patteson: Anything at the, seasonality and where we are.

F. Westbrook: Has to do with COVID right now.

S. Phillips: There are several properties that have changed hands and they aren't no longer being used as VRBOs they used as permanent residents.

D. Patteson: [laughs]

S. Phillips: Right, so as well as several of the central VRBOs that routinely paid are either A, now a permanent home or they have transitioned to long term.

D. Patteson: Overall the VRBOs and Air B&Bs in most areas are doing very well in COVID because.

B. Schaschek: Yes.

F. Westbrook: They've gone long term. Yeah we don't get any money for the long term. Here's a suggestion for us to consider, we've got the \$21 plus \$1,000 that we owe back to our contingency fund, we could pay half of that this fiscal year and the other half next fiscal year and that would give us....

D. Patteson: A balanced budget.

N. Keane: What do you mean?

B. Schaschek: So they only want to pay half the contingency fee this year and then that would be to bind the next council.

N. Keane: That's basically an accounting thing.

F. Westbrook: That's just an accounting thing, any council can undo what a previous council does so if we paid back \$10,000 instead of the \$21,360 we would leave the occupancy at the \$98,000 that we projected for income, we would pay back \$10,000 to the contingency fund, that would, we would be in the black \$4,400.

D. Patteson: I think that is a smart idea because.

F. Westbrook: We are only talking about 6 or 7 months difference in paying it back.

Mayor Bugg: Yeah I like that.

B. Schaschek: You could bypass that next year because of COVID-19.

D. Patteson: It's fairly reasonable to pay back something over 2 years.



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F. Westbrook: We can wait and see, we don't have to pay it back tomorrow, we can wait until June and you know if we can we do. I mean these are different times we are dealing with now so. Does that look like, alright then what I'll do since I have this, this is updated here, we'll make sure and get Sharon to send you guys a clean copy.

N. Keane: So you're going to take your reimbursement contingency fund down to at or...

F. Westbrook: \$10,000, just \$10,000.

N. Keane: I'm trying to get all the changes because she has to put them in the ad and that brings your operating expenses.

A. Marchetti: \$258,312.

F. Westbrook: You want me to read you those again.

N. Keane: Just need the total Anthony if you figured it out.

F. Westbrook: What are you looking for operating expense?

B. Schaschek: \$252 312 is not right.

F. Westbrook: It's going to be \$256, 952.

S. Phillips: Mr. Mayor with your permission I think Fran is asking what that step might be? Council before you leave this evening everyone take the budget synopsis that you have and handwrite the numbers that we are going to share with you and so everyone is aware of what that ad would be when it hits the paper.

Mayor Bugg: Absolutely.

F. Westbrook: Okay, so that's the second page of the first advertisement. So, the occupancy tax is \$98,000, this is what you are talking about Nancyellen?

N. Keane: I'm on the operating expenses and you were taking a reimbursement contingency fund down to \$10,000 so that reduces it by \$11,360.

F. Westbrook: Yeah.

N. Keane: So, I'm taking \$11,360 off of the total of \$268,312 we had come up with.

F. Westbrook: So it would give you \$256.

N. Keane: So 12 minus \$11,360, it does give us \$256,952.

F. Westbrook: Okay.

N. Keane: So we need that figure for the budget synopsis for the ad, that's why we were interested in that number.

B. Schaschek: So you're at two. Did you change it in both places?



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N. Keane: So, the category \$256,952 is your operating expenses, you've got \$51,400 community support piece that goes in the budget synopsis. Capital is left, community and resource \$312,790.

F. Westbrook: Yeah.

N. Keane: Okay.

F. Westbrook: Alright, that should take care of that.

D. Patteson: Is this the municipal software package that you used.

F. Westbrook: Say that again.

D. Patteson: Is this the municipal software package that you used to pull all this together.

F. Westbrook: No, no, this dates all the way back. That particular was just a spreadsheet that Jerry Latell and Bob Westbrook came up with.

D. Patteson: Okay.

F. Westbrook: There is no package to do, yeah I mean it is just done, get the figures off QuickBooks but.

D. Patteson: So get the figures off of QuickBooks and plug them in.

F. Westbrook: Plug them in.

D. Patteson: Like Excel it does formulas automatically and you use PowerPoint with it?

F. Westbrook: So that's why I brought it in so we could talk about it and change figures and it reflected those changes. So, what I'm prosing is that the one that we've got our changes and the new totals then we will get a clean copy of this proposed budget to you so that it will reflect all the changes we made tonight.

F. Westbrook: We usually do when we do the public meeting. Have you not come to any for the public hearings when we do the budget. We use that big screen.

N. Keane: Fran are you going to go over the -\$31,000 number.

F. Westbrook: Well that changes now, I'm getting ready to do that, so the negative now becomes \$44,438.

N. Keane: \$44,438, takes it to \$31,792.

F. Westbrook: That's a good number, that's where it should be.

F. Westbrook: That is a good figure. That is a good figure.

B. Schaschek: So are you just amending the revenue, operating and tourism expenses, you are not amending the capital budget.

F. Westbrook: No we are getting ready to do that now. This is the last leg. There is not as much on here. The first column we've got obviously more figures and we'll go over all of that. I started with cash assets as of the end, the end of one fiscal year and the beginning of the other. So that date there should read June 31st, 2020.



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N. Keane: June 31st?

F. Westbrook: June 31st, July 1, same thing for cash assets.

N. Keane: June doesn't have a 31.

F. Westbrook: Okay June 30th then.

F. Westbrook: That date has that sheet well, it will say, it can be July 1 since it's the budget because it's the same figure regardless. I used cash assets that was reflected on the balance sheet, this does not have any retained earnings in it. It is strictly the cash assets we have on hand that we can get our hands on. Now that \$31,792 has now changed because of the other changes we made. That \$31,000 negative is a positive number of \$4,438, that's the net if you will off of our budget that we just went through. Let me get to that and I'll make these changes we'll be updating. Alright, our restricted funds is the CD that we have for sidewalks and that's the only thing we can spend it on so we can use that obviously.

J. Brown: CD what?

F. Westbrook: That we have for, sidewalk. I'm sorry what did I say sidewalk, bike path is what I meant. So, we take that out and then we are going to add to that \$85,000 which is just a rough estimate of what we think we can get for the town hall, we may be able to get a little bit more, it is estimated, it is on the tax books for \$90 something I think. I think between \$85 and \$90, \$90 would be good, we just estimated \$85 for right now.

S. Phillips: Does everyone understand that you guys will have to make a decision to sell the town office.

N. Keane: I mean just putting it in the budget doesn't commit you.

F. Westbrook: This doesn't obligate us to anything having it in the capital budget.

N. Keane: Yeah.

D. Patteson: Profit if we sell it.

N. Keane: That's up to you all. It's just the fact of putting it in the budget doesn't make it so.....

F. Westbrook: On the capital budget.

N. Keane: It is still property there is certain things you have to go through publicly and so forth to do that.

B. Schaschek: Is that something we can accomplish in 4 or 5 months

S. Phillips: I would encourage council to consider considering the lucrative real estate market.

B. Schaschek: What renovations have you done?

S. Phillips: Renovations are due to start very soon, let me take a look.

B. Schaschek: As soon as they are done we need to put it on the market.

S. Phillips: The renovations are starting October 19th.



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S. Phillips: This is not on a topic tonight but you should consider that I will need the council to direct staff what to do with the downstairs as far as carpet, do you need to consider if you want to show it with that carpet.

Mayor Bugg: That's a good idea. That's the best idea.

B. Schaschek: You have to take the carpet out. Even if they just come in and paint the concrete slab that's fine, there are actually some nice epoxies that would be gorgeous.

F. Westbrook: There is some good concrete....

B. Schaschek: Especially since you don't know long term how the water is going....

A. Marchetti: Is the water coming back in.

B. Schaschek: Yeah, it's pretty nasty down there.

F. Westbrook: Alright if we were to sell the town hall at \$85,000 that gets added to our readily available cash assets and I've put down in here \$40,000 from the COVID CARES Act which we would use as a down payment towards the new town office, so those are the funds that are available to us. Any questions on that part. Alright down below we have our contingency fund the goal is to bring.

B. Schaschek: Make it \$70,000.

F. Westbrook: Say that again.

B. Schaschek: Just make it at \$70,000, it doesn't have to be \$80.

F. Westbrook: No, I mean just because we've put \$80 there, we put \$80 in there because at that point in time the established the contingency fund what 2 years ago, it represented the occupancy tax if anything happened to the Tides Inn and that.

B. Schaschek: This budget you had it at \$70,000.

F. Westbrook: I'm sorry say it again.

B. Schaschek: Put the \$70,000 and put the \$11,360 in year 2.

F. Westbrook: Alright so you are saying reduce it to \$70,000 contingency. Alright we can do that.

B. Schaschek: So that's putting \$10,000 back in.

F. Westbrook: Alright and then we'll put the balance in.

B. Schaschek: The following year.

F. Westbrook: Yeah, okay, I see what you're saying. So that would bring it to \$70 and then the following year it will go back up to \$80.

B. Schaschek: Yeah.



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F. Westbrook: Alright, we still have those stumps to remove over there on north commons before we can even consider putting in a storage shed. In the past we talked about a good size shed, so 40 x 60, wasn't it somewhere along that line. We have got to get those stumps up before we can have a concrete pad poured to put the building on so we've estimated about \$5,000 to have the stumps removed, tennis court repair we know is at \$8,800.

S. Phillips: May I interrupt.

F. Westbrook: Yeah.

S. Phillips: May I encourage council, every 3 years you need to budget roughly \$10,000 be it maintenance repairs, the tennis courts is generally about a 2 year warranty and I think that the tennis courts usually held up beautifully and that's one of the first projects that staff worked on in 2017 was the tennis court repair and they last roughly 3 years.

F. Westbrook: Alright anything else. Speak up. Alright, the lanterns, this is part of the Christmas decorations, this is where we took.

D. Patteson: Can we go back to the storage shed.

F. Westbrook: Yes.

D. Patteson: I don't think and someone needs to help me go through this, why this is a separate item when it all can be incorporated in the new town office and the consideration of that. The new town office should be a cure for all of that needs including storage and I know, do we have so much that we really need a storage shed for.

F. Westbrook: We have a lot of stuff, it is spread all over, those lanterns, those Christmas lanterns we hang on the flagpoles are huge, and we have all those in an old shed over on the lodge side of the Tides Inn it's a building back up over there, part of their shop, maintenance shop.

D. Patteson: Good place for them.

F. Westbrook: Well, a lot of room.

D. Patteson: I just think a shed on the north commons is going to ruin the ambience of the...

F. Westbrook: Not the style we are talking about, we are in keeping of more residential look and feel to it on the outside, we've looked at a number of styles.

D. Patteson: Is this a temporary shed?

F. Westbrook: No, no, this would go up, supposedly, this is what we've talked about in the past. At the far, well, if you are standing on the north commons looking at, standing on the main commons looking at the north commons, the storage shed will be all the way down to that end, there's a line of trees that we've cut back some of the undergrowth because we had to cut back some trees that were dead and diseased but left stumps but there is, basically wraps that curve and down the side of the field.

D. Patteson: I walk dogs past there every day.



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F. Westbrook: Okay so you know, so that would be a little bit of a buffer for the residential area but would give us an entrance from that side too so that we could theoretically gain access to that building from either side.

D. Patteson: It would be close to the road, to Chesapeake Drive.

F. Westbrook: Not too terribly close. I mean it won't be sitting right on top, I guess it depends where we actually decide.

B. Schaschek: It has to have a setback for ordinances, it has to have a setback.

F. Westbrook: Yeah well we want to probably be able to pull a truck up off the road before you get to the building, you have to have some.

D. Patteson: I have some, heartburn over that and I just want everyone might understand, but I also think.

F. Westbrook: We're not even ready for that, I'm just saying what you're saying.

D. Patteson: I guess the big picture would be have the building and the storage area all in one, why spend money on \$50,000, \$40,000 on a shed that may not have applicability.

J. Brown: I agree with Dudley I think we need to plan a town complex and have it look right and be right and not just stick a shed over there and what we are going to do next.

F. Westbrook: That could be, but that doesn't even come into play on this budget cycle.

D. Patteson: Okay.

F. Westbrook: We are only looking at doing stump removal. So we've got plenty of time.

D. Patteson: And I've got neighbors over there that ask me to deal with those stumps.

Mayor Bugg: You know exactly where they are then.

F. Westbrook: And our guy that cuts the grass over there, he has to weed eat around some of those stumps so that's not really, I don't think that was in his contract necessarily he was just trying to keep the grass down around the stumps. I mean you're right, we have to have the whole situation...

D. Patteson: It needs to be planned out.

F. Westbrook: There will be a lot of talking about that here before long. We are going to have to make some other big decisions.

D. Patteson: Thank you.

F. Westbrook: This is just until the end of June that's all this represents.

D. Patteson: Okay.

F. Westbrook: So it's \$5,000 for stump removal, then we have the tennis court repair which we have already voted on to have done, I did add \$10,000 over again in the 2023/2024 column. Then we come down further still



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under Christmas lights and decorations to update what we have, get new the lanterns we have budgeted \$5,000 for each of the next 4 years. The electrical renovations that goes hand in hand with those lanterns, our flag poles, the wiring on the flag pole to receive the lanterns is not up to date, is not up to code.

B. Schaschek: I thought we did that.

F. Westbrook: We are doing them a few at a time as we buy new lanterns.

Sharon Phillips: I had a phone call today with Blake Smith of Dominion Energy and Dominion Energy is going to reach out to their consultant, their consulting firm and they are going to send us a price to switch out the electricity, to switch out and get a plug-in box.

F. Westbrook: We were told at one time it is going to cost about \$1,000 per pole.

B. Schaschek: Wasn't that Elbourne that said that.

F. Westbrook: Yes.

S. Phillips: It's gotten more complex since then.

F. Westbrook: Should we just ditch that for this year and pick it up again for next year.

Sharon Phillips: Yes you can because Mike Smith with Dominion Energy shared with me the numbers for the bid he is getting us will not be available prior to your October meeting so we can't bring this to you prior to the October meeting, he knows that we hang up Christmas lights the day after Thanksgiving, I'm hoping to have this number before you guys have your second meeting.

F. Westbrook: So that's assuming we get the number and the work done.

S. Phillips: There is no way it is going to be done this calendar year.

F. Westbrook: So we can take out.

B. Schaschek: Take out all the electrical this year.

F. Westbrook: Zero out all the electrical in that column for now.

B. Schaschek: Leave all the other ones.

F. Westbrook: Flags and banners \$1,000. We can take that out too for this year. Alright town hall renovations/repairs at \$10,000 reflects what Sharon was talking about a few minutes ago, that's Ron Bay's contract \$9,800 and some odd dollars.

S. Phillips: A talking point for council again might be a punch list or if you choose to sell it as is, whatever so if you make a decision to sell that property, what would you have to do to it.

F. Westbrook: Well like you said remove that carpet downstairs.

S. Phillips: What administrative things do you have to, have it surveyed, do you have to have, what items should you associate with the sale of that building as it applies to capital.



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F. Westbrook: It probably would have to be surveyed; they'd have to inspect the septic.

B. Schaschek: How do you get past that because part of the building is on somebody else's property?

N. Keane: We don't have to get a survey, the buyer would have to get one.

F. Westbrook: We can also consider doing as is can't we.

N. Keane: Yeah but if you encroach on somebody's property, I don't know.

B. Schaschek: I would say put that up to \$12,000 because we have to get rid of the carpet and we have to paint, you can't sell it even as is like that. I mean it is very bad down there.

F. Westbrook: I know.

B. Schaschek: And I'm assuming you have to get all of that stuff out there.

Sharon Phillips: So the mover moved everything upstairs but because of the mold downstairs, as well as there needs to be a priority given to downstairs what has to move with the town due to record retention and then what will be mold mitigated, I don't know if that's the right word, but everything is covered regardless of type of surface.

B. Schaschek: Are they going to spray all of that.

Sharon Phillips: It is sprayed but you still have dormant mold, so the majority of what's downstairs is 95% paper, and 5% vinyl being parade associated things, the magnetics, not to belabor this workshop but there are 40 foot books, those books need to be prioritized as to what cost is given to the book to keep the book, the maps and other things that are historical and fall under record retention absolutely you are going to have to associate some kind of cost for keeping them. The books I think, I reached out to Bay Restoration to get a quote, I told them they would have to do a site visit, there was no way I could explain like over the phone, books don't fall under record retention so we just have to get a price on what it costs to keep it, whether it's cheaper to buy a new book than it is to pay something to wipe everything, every page.

B. Schaschek: When you say books what do you mean?

N. Keane: Legal books.

Sharon Phillips: Law books.

N. Keane: The Acts of Assembly, the General Assembly, the Code of Virginia.

Sharon Phillips: There's some manuals and some record manuals, you are talking about the prioritization, The Acts of Assembly they are on line and will not be kept. I was going to say 90% of those are trash. 90% of the books there go in the trash unless anyone on council can think of someone.

Mayor Bugg: Yeah.

D. Patteson: Are any of those books left.



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B. Schaschek: I think they went to the regular library.

Sharon Phillips: There are no reading books. There are a couple of manuals, again I think that 90% of the books are trash so we will have to get a cost for what it's worth to keep the remaining 10%, again if it's a manual that we can buy for \$25 it's going to be cheaper than paying for someone to wipe those down. So again that is just a little project we are working on.

B. Schaschek: I would do the \$12,000 in there versus \$10.

F. Westbrook: Alright we have zeroed out lights for renovation, we zeroed out flags and banners. Town hall renovations we are going to put in at \$12,000 is that what I'm hearing. Alright.

B. Schaschek: We're not going to do Muni Code this year so get rid of that.

F. Westbrook: Alright town hall renovations at \$12,000, information, we are looking at trying to get that stuff online, alright.

S. Phillips: Just a point of clarification, to Bonnie's point the, in your capital budget, that \$3,000, I know you put in the Virginia Tourism rate in your budget, but that \$3,000 was appropriated, where would you like for me to take it from if you remove that.

B. Schaschek: That's \$2,000 for Muni Code.

N. Keane: I don't have that in front of me.

F. Westbrook: We are not doing that, not there.

B. Schaschek: You took the \$3,000 from the contingency fund.

Mayor Bugg: Yeah.

F. Westbrook: That came from the contingency fund.

B. Schaschek: That's right, we're not going to do Muni Code in the next 6 months, they have a new representative, so I don't know who's going to talk to them.

F. Westbrook: There are other avenues on that so. Alright so now we are down to the big one, the new town office, this building is going to cost us roughly \$250,000. You want to talk about that.

S. Phillips: So the new town office, the thought process is to use the CARES funds because CARES funds can be used to purchase bricks and mortar. Your total CARES funds is roughly \$70,000. Fran has shared with you potentially using \$40 of the \$70, council can decide what else to use CARES funds for, but you do have upward, up to \$70,000 minus the roughly \$1,500 that had been spent from CARES at this point so you have close to \$70,000 that you can put towards that building. Again, that's free money to purchase bricks and mortar...

N. Keane: The issue that it is important to note about it is you can say well can deal with this later, maybe we just rented a place, we don't need to buy a place. This money has to be spent by December 30th or we lose it. So, if you don't buy something with it, or you don't buy something else with it, you have to give it back.



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S. Phillips: So, the clock is ticking on spending the \$70,000 and the zoning administrator, myself, staff, budget and finance committee, the mayor, have looked at an alternative to an onsite stick-built office, it is possible for the town to actually spend that money and probably buy the 6-month turn around for the product to be delivered once we close on it we would have to have a financial transaction under our belt before December 30th to spend this money. This conversation will come up in much more detail at a later time. I think Wayne Nunnally is also in support of the conversation about the town office but that is why the lease for the town office is only for 2 years is the product that the town is looking at will be delivered in 6 months, probably take another 3 months to get plumbing, electrical and then the town would potentially have a new office in a just under 1,300 square foot town office only to the sole purpose of that building would be to be a town office, it does not include council's desire to have a large facility room but the product that we are looking at you can add onto. It is a stick-built product, it can be added onto. I think that we are potentially looking at 15 to 18 months before the town will be utilizing the north commons as its town office. Utilizing potentially \$70,000 of grant money. Combined with the sale value of the current town office so if you are using \$50,000 of the CARES money, partnered with anywhere from \$50,000 to \$80,000 of your real estate, it's a nice position for the town to have a physical town office while still maintaining your cash reserves.

F. Westbrook: We can have it paid for and still have cash reserves.

S. Phillips: Yeah pay cash.

A. Marchetti: Are you saying you might want to borrow.

S. Phillips: You don't know that you are going to qualify because you've not done, that's Dudley's point about financial.

N. Keane: You could do the transaction with the COVID funds by December 30th you could do something else later.

B. Schaschek: It wouldn't hurt to talk to the bank about it.

F. Westbrook: It is so different when you're a government entity and, they only allow us to even borrow a certain percentage of our financial worth and then that's determined differently for a government than would be for a private entity so, I'm not even sure what all those ramifications are, it is different for us.

S. Phillips: I don't know that you accomplish your loan criteria.

F. Westbrook: In time. Yeah, the time frame.

N. Keane: Really this is free money.

Mayor Bugg: Yeah it is.

B. Schaschek: I have no problem with the COVID money but I'm just saying, we don't want to use our cash for building we should be able to finance.

Mayor Bugg: Correct.



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B. Schaschek: The interest rates aren't going up between now and December if anything they are going to continue going down the way things are happening.

D. Patteson: I agree with Bonnie.

B. Schaschek: We need to pursue looking for a loan.

A. Marchetti: It's worth looking at and finding out what we can and can't do and make that decision.

D. Patteson: It's definitely worth looking at.

F. Westbrook: Here's another aspect of this, this is going to further muddy the water but I mean Bob and I have been getting ready to do an addition on the back of our house, we just last week got the final rendition of the plans and of course our builder is telling us that lumber has almost tripled in price. And, I mean it's outrageous, I mean we've already jumped about \$7,000 in 3 weeks additional cost in lumber for what we want to do. I called a friend of mine, Nelson Flippo, Flippo lumber in Doswell, he's been, it's a family owned, it's been there for almost 50 years now, and I was asking him the question because I wanted to know for Bob and I, is this, he's the manufacturer, they grow the trees, they do rough cut and they send it out to be finished, to sell at Lowe's and whatever, and he told me two things, he's never seen lumber go up this fast, this much in such a short period of time, in his whole 50 years.

B. Schaschek: Is there short demand because there's so much building and renovations.

F. Westbrook: Well the interest rates are low, people are home and they are doing projects, they are adding the garage, they are building the shed, I mean lumber is in high demand, people are building because of the interest rates, storm damage certainly some, but it is just phenomenal how much it has gone up. Now, he also told me yesterday morning that they are starting to see it trickle down a little bit and he firmly thinks that the cost of that lumber is going to come down almost as fast as it went up but it's going to take a little while for it to trickle down to the Lowe's and whatever and the people who build these houses like we're talking about, so it's a possibility if we want to get this going as soon as we can, but we might can build the same thing for \$2,000 less if we wait for spring for it to happen. I don't know how they lock in on that.

B. Schaschek: I think we have several avenues we can do at the same time.

A. Marchetti: Spending the CARES money is not going to preclude us from getting a loan. I think that can happen in parallel. We can spend the money and move forward, I think it is worth noting if we make a decision and move forward in the next 2 months we are still 18 months out from being able to move in, so, we will be renting for another 2 years or longer.

S. Phillips: If the market stays strong, there's just all kinds of options.

F. Westbrook: Yes, our rental lease is 2 years with the option to renew for 1 more year. So we have some place to be for 3 years if we have to be there that long.

A. Marchetti: We have the option but if we could also maybe now we can.

F. Westbrook: Exactly.



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A. Marchetti: Add 2 years on here.

B. Schaschek: Who knows if we start now we still have 2 years that we could put on a conference room or we could put a matching shed up and keep it moving.

D. Patteson: For budgeting purposes the \$40,000 we have there from the CARES Act does, from a budgeting standpoint only not necessarily financially feasible it doesn't marry up with the \$300,00 down at the bottom that you have for the new town office.

F. Westbrook: That's because we changed the year end contributions from a negative number to a positive \$4,438 which was the net.

D. Patteson: I got that that was the \$4,438, what I'm saying is if from a budget standpoint, you're on a budget 20% in cash and borrow 80%.

F. Westbrook: Well, that's a detail that you know....

D. Patteson: My point is that could be 60 if the town allows, it is going to cost the \$250, plus the \$30, plus the \$20 and if you have the ability to get the 60, if this is what the modular cost is going to be.

S. Phillips: I think it was a total of \$250?

N. Keane: No, it was a total of \$205 and \$250 to be on the very high end and then if we were able...

A. Marchetti: They didn't give that to you with the number.

B. Schaschek: Did they give you the foundation and everything with it.

S. Phillips: So Lara hasn't been on the forefront of that conversation and she was confident that the \$205 number, we added about an extra 40 just because I don't think it includes parking lot.

F. Westbrook: The site planning we have to [talkover].

N. Keane: Let's just \$250,000, COVID money or whatever and then money from the sale of the property it brings it down to \$120 or something.

A. Marchetti: It's still a pretty manageable number.

N. Keane: You could get a lot for that or you could....

F. Westbrook: I mean that kind of money, that low. That will keep the cash reserves so.

B. Schaschek: You're not going to raise the cash reserves so the people aren't going to be screaming so.

F. Westbrook: So how about this, I'll rework this part of the capital budget, the other part was the most important part because that's what has to go in the paper and those figures that we needed to make that happen.

S. Phillips: So before everybody leaves.

B. Schaschek, Is offset of what the capital budget will be.



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F. Westbrook: No. It's just a figure, the, I'm sorry I don't understand your question.

B. Schaschek: Do we need to put the capital budget.

S. Phillips: Well no because we amended it, we added it separately.

F. Westbrook: It's there but only in a figure and that figure is the contribution to the capital budget.

S. Phillips: But when you pass your budget it will be these documents.

N. Keane: What you're doing right now is confirming numbers for the ad which is the synopsis only.

S. Phillips: Wait a minute Bonnie you are not happy, what part am I missing. Where do you want to see it on this page?

B. Schaschek: I'd have to go back and look at the one that we did last year.

F. Westbrook: That is the one that?

N. Keane: We did last year in June or July. We used that and we just updated the numbers.

B. Schaschek: So you put it on the door?

F. Westbrook: This is when we do the public hearing and everything that will happen with that.

B. Schaschek: I know we put it somewhere because I came down and.

S. Phillips: Right, so if everybody will take a look at this document, your estimated revenue, your occupancy tax is at \$98,000, your real estate is at \$63,000, personal property is at \$10,000 and we will have to adjust the revenue sources number but the total estimate revenue is \$312,790 and then you move to the right under your estimated expenses, operating expenses are \$256,952, community sport and tourism stayed at \$51,400, your capital improvements changed to a positive \$4,438, again that leaves you balanced on your total estimated revenue and your total estimated expenses, \$312,790. You can't take action at a workshop, just need your consensus that this is what will go in the paper understanding you have gone up on your tax rates, on your rate.

Mayor Bugg: Do we have everyone's approval.

A. Marchetti: Understood.

A. Marchetti: Consent given.

F. Westbrook: Alright so we'll get copies to reflect all the changes to you.

Mayor Bugg: Yes, that'll be great.

F. Westbrook: And that's what we'll go with for the public hearing unless something happens between now and then but this is what is going in the paper, so, this is what we are advertising.

Mayor Bugg: Excellent, job well done.

F. Westbrook: Sorry, I was so incoherent.



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL SPECIAL CALLED MEETING
to be held as a WORKSHOP
WEDNESDAY, SEPTEMBER 23, 2020 5:30 PM
IRVINGTON BAPTIST CHURCH**

Mayor Bugg: No job well done. Thanks for all your efforts.

D. ADJOURN

Sharon Phillips: You need a motion to adjourn.

Mayor Bugg: Motion to adjourn.

B. Schaschek: Second.

Mayor Bugg: All in favor.

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

Mayor Bugg: We are adjourned.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL SPECIAL CALLED MEETING
THURSDAY, DECEMBER 17, 2020 6:30PM
IRVINGTON BAPTIST CHURCH**

NOTICE: Notice is hereby given that the Irvington Town Council will hold a special called meeting on Thursday, December 17, 2020 6:30 PM; Irvington Baptist Church.

AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: First and foremost, I would like to wish the public, counsel and staff a very Merry Christmas and a Happy New Year. I'd like to thank staff for all their outstanding work. I'd like to thank the counsel for all their outstanding work. This has been the most unique year, none of us could have predicted this, but we are doing the work of the town and I truly appreciate all of your efforts. With that said, notice is hereby given that the Irvington Town Council will hold a special called meeting on Thursday, December 17, 2020 6:30 PM; Irvington Baptist Church.

B. ROLL CALL – Mayor Bugg

Members of Council present:

Dudley Patteson here.
Wayne Nunnally here.
Bonnie Schaschek here.
Jackie Brown here.
Frances Westbrook here.

Staff Present:

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

Guests:

See attached sign in sheet

C. PUBLIC COMMENT

Mayor Bugg: I see we have a number of speakers here tonight, we do have some time for you to speak tonight, if you can limit those comments to a couple minutes and not repeat statements that may have already been stated by other members of the public. With that could I get a show of hands who would like to speak. Yes. I'll start with Madam Clerk did you have something.

S. Phillips: From Julie Harris Planning Commission Chair, Since the town is currently receiving several incoming grants and CARES monies perhaps this would be an appropriate time to have an independent audit of accounts. Thank you, Julie Harris, Planning Commission Chair. From the Tides Inn, Good evening Irvington Town Council and Mayor. Based on the statements made during the December 10th meeting we are asking the Town of Irvington to have an independent investigation of the town's finances. An independent audit will help either prove these allegations to be true or false, but we feel it is the only fair way to move forward. Thank you for your time and continued dedication to the well-being of the Town, Susan Williamson, Director of Rooms.

Mayor Bugg: Thank you Madam Clerk, now public, yes Cay.



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C. Bradley: Cay Bradley, President of the Steamboat Era Museum. I would just like to thank Town Council for the action you took last week, and to offer or to appropriate \$2,500 to the museum as a donation as a part of our annual appeal. As you all know we were unable to open because of COVID and the restrictions that were put on us and so, we really greatly appreciate that donation from the town to support the museum in this weird year. So, thank you.

Mayor Bugg; Thank you, thank you and when you speak, just please state your name and address, who wants to speak next? Yes Ann.

A. Meekins: Ann Meekins, 69 Chennis Lane. I want to thank each and every one of you for all of the work and the contributions that you do for the Town of Irvington. After the last town council meeting when there were some discussions about the financial state, I would like to recommend on by myself and on behalf of the IVBA that we pursue an independent audit. It was disconcerting and so, would just strongly like to recommend that we proceed in that direction.

Mayor Bugg; Thank you, anyone else who would like to speak from the public during the public comments sessions? Yes sir. Mr. Kuper.

G. Kuper: George Kuper. Mayor, Council, I'm confused as to the agenda, I thought this was an information session due to the development and plans for North Commons.

Mayor Bugg: We do not typically engage the public during this section. That is next. Anyone else from the public?

D. PUBLIC HEARING

1. Development of the North Commons

Mayor Bugg: With that we will now move to Item D which is the public hearing, Development of North Commons. I promise to hold a meeting to allow the public to comment on development of the North Commons. At a prior meeting council voted to proceed with the North Commons as a site for the new office. Staff has looked at various expenses that could be incurred in preparation for this development using COVID CARES funds. That is the purpose of this meeting. The zoning administrator will report on this later in the agenda. How many speakers do we have? Two. Okay. Not a high number but please just limit your comments to this topic, that would be appreciated, so who would like to start? You just spoke we'll give it to you.

G. Kuper: To the point of order, I don't know what I'm gonna ask until I hear the plans. George Kuper, Haydon Hall.

Mayor Bugg, Thank you.

W. Nunnally: I think we'd all like to hear the plans.



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C. Braly: Chris Braly, 298 Chesapeake Drive. First I'd like to say that I am in favor and agreement with the Town pursuing options to get a new town hall. The existing town hall is not adequate in my opinion for what the town needs, so I applaud the town for moving in that direction. Specifically, regarding the development of North Commons as a bordering adjacent property owner I have a vested interest in the development of the North Commons, and I am in, I have no objections whatsoever of the town developing that area for an office. It makes sense location wise being in the center of town next to the commons, so from the location standpoint it makes perfect sense. What I am concerned about is what happens to event parking of the town develops that lot for the town hall. It is currently used for Farmers Market parking, the 4th of July concert parking, the 4th of July parade parking, etc., and if the town develops that lot and puts a building on it, I just want to make sure that no one forgets about event parking. One day we will have events again and if that lot is taken up with a septic drain field and a building and some parking for those who need to go to the town hall, I'm afraid that event parking will be sacrificed and they'll end up parking on Chesapeake Drive which is difficult to navigate when there is no one on the side of the street but, so as the planning goes on, please think of event parking while you are considering options and making your decisions.

Mayor Bugg: Thank you. Yes, Ms. Bradley.

C. Bradley: Mary Cay Bradley, President of Steamboat Era Museum, again, I am speaking on behalf of the museum. We had a board meeting last night and I was able to raise this with the board very quickly because of course as Mr. Kuper said we don't really know ya'll are planning, but I just want to let you know that the Steamboat Era Museum Board of Directors is in full support of the town developing the North Commons in whatever way is necessary to keep the needs of the town. We are not as direct a neighbor as Mr. Braly, but we are still in the same vicinity, so we just want you all to know that we do support the town making sure that we have the facilities that we need to do the business of the town. Thank you.

Mayor Bugg: Anyone else from the public? Yes Mr. Schaschek

K. Schaschek: Basically I am favor to have come in the town office at the North Commons, however before any decisions are made, we need formal information to be presented to the public, the people showing up today should not be the arbiter since the attendance is largely amplified COVID. I suggest you prepare a presentation of all different options with some basic plans, cost benefits, financing, and impact our local taxes, etc. This presentation should be announced well beyond the current ways of communication and help to the end of the pandemic and its regulations. After all what's incorporated in the plans have a copy to find out everything. Thank you.

Mayor Bugg: Thank you. Anyone else from the public? In taking a look at the agenda, I think it would make sense to consider a motion to move my Mayor report to after the report of the zoning administration since your topics pertain to this, so if you are okay with that, I'd like to have someone make that motion.

D. Patteson: So moved.



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F. Westbrook: Second.

Mayor Bugg: Any discussion. All in favor, all opposed.

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

THE MOTION TO MOVE MY MAYOR REPORT TO AFTER THE REPORT OF THE ZONING ADMINISTRATION IS PASSED 5-0

Mayor Bugg: Excellent, I will move this to after Mrs. Brown’s zoning report. Thank you.

E. REPORT FROM THE ZONING ADMINISTRATOR – L. Brown

L. Brown: Just a reminder On October 15, 2020, a motion was passed designating town staff to research some figures relating to the development of North Commons, the future town office building. I just want to give a brief overview of the former town office, where we are currently, and where we may go in the future. Just a little background information, the former town office which is now under contract was 520 square feet. It was not ADA Compliant; the septic had a limited rating. The possibility of adding on was considered and determined not viable. It does not meet the social distancing guidelines currently for COVID and a motion was passed on 10/15 to list the town office for sale. Presently the town office is located at 4203 Irvington Road, we moved in October 1st, 2020. The Town entered a 2-year rental agreement with an option to renew for 1 year. Our 2-year rental period expires October 2022, if we opt for a third year that will expire October 2023. Our monthly rent is \$1,500 with annual increases. The current space meets the needs of the zoning and land use department and the town clerk and treasurer. The current space is suitable to receive residents. The current space is suitable for our committee meetings and staff meetings as needed. However, the space is not suitable for meetings like this. What is the future of our town hall or office building/community hall, whatever we decide to call it. We have 23 to 25 months to decide on the next steps. The North Commons was purchased on October 28th, 2009. The North Commons is comprised of two parcels totaling 3.2 acres. Our current comprehensive plan mentions discussions of a better situation for a town hall, but no definite plans were mentioned or are they in place. A new town hall has been in the last two budgets. A motion was passed on October 15th, designating North Commons as the location for our new town office. The following figures are estimates from various vendors and their necessary scopes of work in order to get to the process of putting in a new town hall on those parcels. Surveying and engineering services at approximately \$31,000. A master site plan of approximately \$12,500. Septic installation \$25,000 to \$32,000. And then we looked at two options for the actual building: a factory-built building or a stick-built building. Same square footage on both, roughly 2,700 square feet, that would comprise office space as well as a space similar to this room to have our town meetings. So roughly 2,700 square feet of factory-built office would run approximately \$435,000 and a stick-built office would run approximately \$586,000. Then you need to have a parking lot as Mr. Braly mentioned. You need some lighting in the parking lot and some landscaping, \$95,000 to \$120,000 depending on how wild and crazy you would like to get with lighting and landscaping, hardscaping, gravel versus asphalt and so forth.



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Then technology and AV needs within the building. Again, depending on how crazy you get with outfitting the building with technology needs an estimate of approximately \$35,000 was used. I do not have designs to show you, I do know have blueprints, we are not at that point yet, but these are just some basic figures so you know as far as budgeting purposes for the future what all a project like this would cost. Any questions.

Mayor Bugg: Council any questions? Thank you, thank you for putting all of this together and all of your work in regards to all of this. That will bring me to my Mayor's report.

F. REPORT FROM THE MAYOR – Mayor Bugg

Mayor Bugg: Regarding the allegations made by Klaus Schaschek at the last meeting I asked the town attorney to review these serious allegations of misappropriation of checks and several other financial and contract issues. I have seen nothing to date that supports the statements made on December 10th. Based on what I have seen these allegations are unfounded and close to reckless against the town and its officers. We must obtain an independent financial audit to address this. No action should be taken tonight except to authorize an independent audit. Now I will read a statement from Anthony Marchetti who could not be here tonight. 'My fellow council members, I apologize for not being able to attend tonight's meeting. I have a lot to say and I'm sorry I won't have the chance to voice my thoughts in person at this meeting. However, I will make sure my voice is heard through all means possible until the next meeting. I was upset at the accusations and allegations brought forth by a resident at the December 10th meeting. The statement made some bold claims that challenged the professional integrity of both the town and its staff. His implications will have an impact whether they are true or not and have already proven costly to the town. As of today, December 17th I have yet to see any supporting documentation or evidence to support any of the resident's claims. I have only seen evidence to refute them. I encourage citizens and council members to speak freely and demand transparency, however it seems reckless to bring forth such claims without evidence to substantiate them. Decisions should be made on facts not hearsay. There is a process in place for a reason so that both sides have the opportunity to present and defend their case. Let the facts speak and the actions determine then and only then. I support as I have abdicated for previously, an independent, neutral third-party audit by a licensed CPA with municipal audit experience so that the facts are revealed, and the town can be confident in making the future decisions based on the audited financials. I am frustrated and disappointed at the continued lack of communication by members on the council and the unwillingness to address the problems and find solutions through the proper channels. Our Vice Mayor makes a motion at the last meeting to be included in meetings and communications yet has not extended the same courtesy to me. There has been an incredible lack of communication regarding the budget and finance issues and now this personnel issue. Practice what you preach otherwise the request for transparency and communication always seems to be somewhat self-serving. I have emailed and called my fellow council members asking for transparency and communication to no avail. I see the four signatures requesting a closed session meeting regarding personnel matters. You of course have the right to call a meeting anytime you so choose. However, if you truly had the Town of Irvington's best interest at hand you would first, talk with the head of HR Committee, Dudley Patteson, and request a discussion and meeting through the proper channels and B, provide some context to the nature of the request so that fellow council members could prepare for the discussion. Yet the head of the HR



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Committee and myself still have no idea as to the reason behind the meeting. In addition to not following protocol, it is outright disrespectful to suggest alternative motives. You clearly have no interest in working together as is evident by the lack of communication and veil of secrecy behind which you operate. My personal opinion is that the personnel issue is not a performance issue at all as would be suggested by the fact no formal or written performance issue has been reported about any current staff. I have prophesized that the underlying issue is that the personnel is actually doing the job they were hired to do and protecting the integrity of the Town. Personally, I am grateful for such checks and balances otherwise things like a short-term rental ordinance would have moved forward without the input or knowledge of those tasked to prep it. Mr. Mayor I would like to encourage during the discussion of any motion tonight, that each of the council member explain how the motion and their vote to support or reject it has the Town of Irvington's best interest behind it. We were all elected to serve the town, so I think it is only fair to the residents for their council to go on record and explain how their vote serves the town best. Casting a vote is easy, but it comes with accountability. Anthony Marchetti, December 17, 2020'. I will now allow Dudley Patteson to make a statement during this time.

D. Patteson: Mr. Mayor, members of council, all those in attendance, I am addressing you as Chair of the Human Resources Committee of the Town Council and as a council order as well. We were elected to represent the residents of our town and to work together to accomplish goals and objectives that make this town better. This is not being done. We are not a team, in fact a group of four council members are continually doing everything possible to prevent council from doing its job. Three of us consider that they are wasting our time when we have so much more, we can be doing to improve the Town of Irvington. What I'm about to say is addressed to those that live in our town and it's all about the four members of council I call the group of four. Let me begin by saying that I truly regret speaking out about my fellow council members. However, events have taken place that are clearly unacceptable, and I cannot be quiet any longer. Back in the spring of this year I announced that I was interested in serving on town council. The Town was not pursuing the mandates of its comprehensive plan and the group of council members have an anti-tourism agenda in which I did not approve, and the business of the town was conducted in the most unorthodox way that I felt changes were needed. An election was held, it was clear by the votes for me, Mr. Marchetti and Mayor Bugg that the residents wanted change as well. Tonight, I'm sorry to report certain members of town council did not get that message and shenanigans continued. I have four examples of what I consider improper behavior on the part of these four. Example number one, I serve as chair of a two-member human resource committee along with Mayor Bugg. I pass on to you for you to read, right here somewhere, right in front of me, I pass on to you a notice to town council, Chris would you pass these out, this is what you will see what was released from our members of council. It was a notice for an agenda item to be added to a closed session at the end of tonight's meeting involving an HR matter. It was signed by these four members of town council. Not one of them followed proper protocol to notify the Human Resources Committee. We still do not know the nature of this agenda. As I do now and many times, I ask you, are they acting in the best interest of the town? Example number two, at a town council meeting earlier this year I asked the members of Council and the public to bring all HR matters to me as chair of human resources and that matters regarding staff should not be addressed in public. Last Thursday a resident made outrageous allegations about our staff and our town, last Thursday's diatribe was an embarrassment, this is the most common word used by the public to describe his undocumented claims of misappropriation and other matters. The representations of our staff were impugned by him. Can you imagine how they feel? These claims



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were delivered but I suspect very clearly that others in this room were also aware that he was going to speak and were aware of the nature of his comments. Back to the HR issue. There is not one written complaint in the files of these folks on our staff that anyone has brought anything but praise about them. In fact, HR considers their performance to be excellent. They are dedicated to this town. Dedicated to this town and put more hours in that are called for. To call for this tonight, a closed session on a personnel matter cannot be on performance as it was said. Example three, I wish to point out the failure of the chair of the budget and finance committee to include other members of it many budget and finance discussions. Anthony Marchetti was elected to be your voice in town matters and a town council member chooses to exclude him and emails and request to meet. Is this behavior in the best interest of the town? Example number four, STR, Short Term Rental Committee, a member of council was appointed to head it. As a citizen I volunteered to serve because I was not opposed to STRs, but the Tides and the Hope and Glory are historically the two contributors of the lodging tax wanted to make sure that there was a level playing field for all. It's not that we were against it, we just wanted to participate and make it fair. All of us were asked with tasks of making contact with a number of municipalities of similar size to determine their requirements and regulations. My research included Chincoteague, Hancock, Cape Charles, all of us provided this information to the committee chair and we never saw the research again. In fact, there was no subsequent meeting and I heard that this council member and another had then crafted a proposal set of regulations on their own. We have yet to see their product or weigh in on it. Again, are they acting in the best interest of our town? In sum, these four members have chosen to ignore process, proper procedure and challenge and the result is our town is not better for it. They methods have been divisive and disrespectful to our staff, members of council and more important to those who live here. Our town deserves better. The town has so much potential, we need to come together and I ask that all of us in the future be transparent, work together. The citizens of Irvington need to make their elected accountable. Thank you very much.

Mayor Bugg: Thank you Mr. Patteson. Next, we'll move on to old business.

G. OLD BUSINESS

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

Mayor Bugg: First item on the agenda is to appropriate FY20/21 general operating funds. Mrs. Westbrook, I believe you had something to say about this.

F. Westbrook: Yes I just ask that we table that until after our closed session discussion please.

Mayor Bugg, Any cons about that council? Would someone like to make a motion in that regard.

W. Nunnally: I'll move to table it until after the meeting.

D. Patteson: Second.

Mayor Bugg: Any further discussion. All in favor and all opposed.



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

THE MOTION TO TABLE THE MOTION TO APPROPRIATE FY20/21 GENERAL OPERATING FUNDS UNTIL AFTER THE CLOSED SESSION IS PASSED 5-0

Mayor Bugg: We will move that until after closed session. Next item again to you Mrs. Westbrook will be discussion on the purchase of tablets and related infrastructure costs using CRF and a possible motion to appropriate in regard to that.

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

F. Westbrook: You've got some documents in front of you which I think we've all seen, at least the one from Mill Creek Geek from the first time so, I guess we don't know what we are going to do with the, there's a lot of money here. We are looking at the purchase of tablets that are roughly \$400 each, we are looking at setup, if we are looking at 15 tablets that's \$284 each, and then for support we are looking at \$680 each and that is based on 15 tablets, so I guess the bottom line question is do we want to spend \$1,300/\$1,400 each just for tablets and we would use these tablets in lieu of the reams of paper we get for meetings.

Mayor Bugg: Yeah, this evening doesn't look so bad but for those who could make it to the last meeting it was about a ream that we each had so a bunch a trees went down for that.

B. Schaschek: I have a question, how would we do this, would we turn the laptops or the tablets in after every meeting would it be downloaded, would it be our responsibility to download it, how exactly do you envision this working.

Mayor Bugg: We'll take comments from staff, yes.

S. Phillips: The proposal that our IT provider has presented to you is a breakdown of the purchase of tablets not only for six members of council, one mayor, but including seven members of the planning commission. That tablet depending on the device you choose obviously your town based Gmail account, town-based email account, that's how you would receive your documents. You would always access them through your email account, and you could be able to open any documents from email.

B. Schaschek: So you wouldn't be downloading them, you'd be.

S. Phillips: You'd access it through your email and so you would, you can download it, it has memory. Correct. You would be able to conduct, you would be able to have a camera, it would have audio. So should someone need to attend remotely that would be an option. Council had asked for solutions to in person meetings. Council had asked for solutions to be more environmentally friendly. To be cost



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effective. Again, this was provided in response to the request from Council. You will also see two separate proposals, one for the purchase of the physical tablets and the second proposal is a proposal for his services. I believe he suggests about 5 hours per tablet to set them up, once those tablets are set up obviously each member of council depending on their technology ability would have to be trained. So, it's not a definitive price, it just depends on again the user's ability, the end user's ability and I did hear a question earlier in the meeting as to why there was an end date on this. The end date is June 30th for the services provided, not necessarily for the physical structure itself but for the services provided because this would be using CARES Relief Funds and those have to, they can only go through June 30th.

F. Westbrook: So is the end date 2020 or 2021.

S. Phillips: 2020.

F. Westbrook: That's already happened.

S. Phillips: 2021.

B. Schaschek: So have they extended the use of the COVID funds for.

S. Phillips: We would have to appropriate this now.

B. Schaschek: We would have to appropriate now.

S. Phillips: Yes, to pay him now, that is why the proposal for services provided was a challenge because obviously there is no way to know, again the installation and the setup is fairly cut and dry, but it is the services to each end user where there may be some variable.

F. Westbrook: Then the figure for \$10,300 is for support and town council staff that goes through June 30th.

S. Phillips, Correct.

F. Westbrook: Alright, so then that's just 6 months, so then for the following year, are we going to be looking at double that money just for our support.

S. Phillips: I would suspect, no I would not think it would be a double figure because by that time you will have, you will not incur the setup fee.

F. Westbrook: The \$10,00 is not for setup, it's for support, ongoing support is what it looks like, onsite and remote and.



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S. Phillips: I think the figure is a bit high, again it's all based on an estimate depending on end user availability, depending on connectivity, making sure that the end user has connectivity wherever the end user is. If they are in their office, if they are in their home, depending on the type of internet that end user may have. Again, I think there is quite a bit of variable in this proposal because Council would have to determine if this purchase is for council only or planning commission. So again, it is a scale, the decision is councils to make.

F. Westbrook: Do you know if any of us had an issue would we call Mill Creek Geek directly ourself or would we go through the town office.

S. Phillips: I think that, so in fairness I think that this, there is quite a bit to be decided. This proposal is for the purchase of the product and the delivery of the service. I think that in the interim council would have to establish policies and procedures because you must also account for transition of council and commission. So, I suspect that there would be transitional fees there when you have a change of council or commission.

F. Westbrook: Gotcha, thank you.

Mayor Bugg: Anyone else?

D. Patteson, Is this COVID, only for the COVID period or are we going to use this in the future, or.

F. Westbrook: I think it is ongoing, yeah.

Dudley Patteson: Okay.

S. Phillips: You would use the CARES Funds, but you would have these indefinitely. Now the budget and finance committee will have to, when the budget and finance committee takes into consideration the proposed budget starting July 1, that proposed budget would have to have a cost not covered by CARES for the maintenance of the product, of the tablets. Now council would need to understand that you would use your tablet for your meetings and so staff would not print that ream of paper.

F. Westbrook: Which is the big point of all this.

Mayor Bugg, Yeah, I mean that's.

W. Nunnally: That's a lot of paper for \$16,000.

Mayor Bugg: True.

F. Westbrook: Yeah, but it's my money when I'm printing.

Mayor Bugg: Bonnie.



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B. Schaschek: I'm struggling here, and the reason I'm struggling is that this is a tablet. The amount of data that we are downloading from Google for these meetings is horrendous so depending upon, and I even have a problem with my Windows 10, I can't, I have a tablet right now, but I have to take it, break it up into pieces in order to take and put it on there so I'm a little concerned about the size of it because we have one giant PDF, I'm concerned about the downloading. Today even going into Windows 10 I don't know how long it takes you, but it takes a good half an hour to get all that stuff down and the size of it going to a tablet I'm a little concerned with unless we can sort of break it up into pieces. Those are huge files.

F. Westbrook: What we used to get.

Bonnie Schaschek: I have a Windows Surface of Microsoft which is the top of the line and I have to break it up in order to take and send the files to that in order to take and use it, so that's why I'm just struggling here with the size of these files and on a tablet. I don't know if anyone else has tried doing it with their current tablets. You use your regular.

D. Patteson: I use the regular.

B. Schaschek: I use the regular too, and then then break it into pieces to my tablet, so that's why I'm struggling. Those are huge files.

F. Westbrook: I have a desktop also and I would say that I do have issues with downloading one big continuous file as opposed to you know four or five smaller ones that we used to get. Maybe that would be part of the solution if we went to tablets.

W. Nunnally: Has this been committee discussed at all. This is the first time I'm hearing about this. Was it discussed anywhere else?

Mayor Bugg: We mentioned it at the last meeting that we were going to roll our sleeves up kinda the first time to see what we want to do.

S. Phillips: I think it has been discussed in workshops:

Mayor Bugg, Yeah, proposals though, fairly new.

F. Westbrook: At the last meeting if you remember I was talking about some of the packets we were getting.

W. Nunnally: I didn't see any proposals. Is this the only one we've had?

Mayor Bugg: I believe it is, is the first one.



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S. Phillips: So it is one proposal, but you will see three different tiers. Fran, you said you were going to get a proposal. Did you?

F. Westbrook: No. Do you remember at the last meeting I said there were so many variables to consider that I was not able to really in that short amount of time that I spoke to you about before the meeting to get this kind of information together, with any real confidence, so.

Mayor Bugg: Is this something we want?

J. Brown: Is the main purpose to have zoom meetings or to hold the data in one place, what is the main purpose?

Mayor Bugg,: Multiple, multiple purposes.

S. Phillips: Given the concerns from council which were voiced fairly consistently the purpose of the proposal that is sitting in front of you is A, to have zoom meetings, or whatever interface, but also to alleviate printed materials.

J. Brown: To alleviate what?

S. Phillips: Printed materials.

Mayor Bugg: Printed materials.

F. Westbrook: So we would be able to conduct zoom meetings with this, if we had.

S. Phillips: It would have a camera and it would have audio.

B. Schaschek, Depending upon which option we choose, or do they all have it.

S. Phillips: I made it clear to them that the purpose was to conduct online zoom or other online meeting platform.

Mayor Bugg: This takes care of the paper and the paper issue.

W. Nunnally: I'm not sure it would be prudent, that's the first thing I have to say about it, and the second thing I have to say about it is I would like to at least see these bids and proposals before giving it to council in the spirit of cooperation. So, if that's where we are at, I'm against the purchase. I will vote no.

Mayor Bugg,: Understood. Anyone else anything further to say.



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F. Westbrook: I do hate making a decision in a hurry and I know that it is off of COVID funds and what have you, I think it is an excellent idea to do this, I'm just not so sure that this is the deal we should do.

W. Nunnally: I agree, excuse me Fran, I just think there are other reasons, and other options, technology, we should be able to do that at less cost.

Mayor Bugg: Well will there be a motion to table this or.

W. Nunnally: I want to table it until we get all the information we need to vote intelligently.

Mayor Bugg: Any further discussion. All in favor.

B. Schaschek: Yes, I am sorry.

Mayor Bugg: Speak up.

B. Schaschek: I understand we are tabling and it is a fairly good idea and I think it is good that we table it and do a little bit of research. Is it possible that we could, I don't know how to say this, get a sample, and see what the downloads are, the times and what the equipment will and will not do. If we have a couple of different options here. Because I haven't used any of these tablets, so I'd just like to see it in action to see what kind of delay we have as well as how long is it going to take to download, are we going to be able to open the files. Because I can tell you right now on certain tablets you can't open them right now. So, I'd like to see it functional, just the download. I mean if Chris has one of these tablets, he could show us a download would work, I think that would be a good idea.

Mayor Bugg: Alright, thank you. Vote all in favor of tabling. Opposed. Mayor Bugg, Opposed. Tablets are tabled.

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

THE MOTION TO TABLE THE TABLET PURCHASE IS PASSED 5-0.

3. Discuss American Legal Publishing; possible motion to appropriate; L. Brown.

Mayor Bugg: Next item on the agenda would be discussion of American Legal Publishing; possible motion to appropriate. Mrs. Brown, I have you down as saying something about this.

L. Brown: Well I'm not in a position to discuss how we move forward with this project at this time. The last meeting was only this past Thursday, you know there was, Bonnie brought up the other company that I wasn't here on staff when you all saw that research and reviewed that, so. I'm not prepared to discuss one over the other, so, I suggest to table.

Mayor Bugg: Yeah, I agree to table as well, time is not on our side, we met just one week ago, anyone want to entertain that motion.



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W. Nunnally: I'll move.

B. Schaschek: Second

Mayor Bugg: Any further discussion. All in favor of tabling, all opposed. Great.

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

THE MOTION TO TABLE THE DISCUSSION AMERICAN LEGAL PUBLISHING IS PASSED 5-0.

H. NEW BUSINESS

- 1. Motion to appropriate \$600 to Irvington Baptist Church as prepayment for the use of the Memorial Hall for the purpose of town council and planning commission meetings. (JAN-JUN 2021) from CRF – A. Marchetti**

Mayor Bugg: New business, we have the first item the motion to appropriate \$600 to Irvington Baptist Church as prepayment for the use of the Memorial Hall for the purpose of town council and planning commission meetings. Mr. Marchetti is not here I will ask someone else to make that motion.

W. Nunnally: I would like to make a statement.

Mayor Bugg: I was about to turn it over to you sir.

W. Nunnally, I tried without fail to reach the gentleman who was to make this motion, but I never got him to return the call. The church will not rent this facility. The church will allow you to be here with open arms, and we had this discussion at least 6 months ago. The church is not in the business to rent. They would gladly accept a donation, but we don't want to be in the business of renting because it would jeopardize our status as a charitable organization, so, please don't make a motion to pay rent.

F. Westbrook: So we may make a motion to donate.

N. Keane: We cannot donate to a church.

Mayor Bugg: Yeah church and state.

W. Nunnally: Certainly don't mind using it. There are probably 10 other organizations that meet here, we don't judge anybody either.

F. Westbrook,: Nancyellen, can we just term it a motion to appropriate \$600 to Irvington Baptist Church for the use of the hall and not say one way or the other.



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N. Keane: It's not a donation so.

W. Nunnally: There will be no, we went through this. We don't need, the church does not need the money for ya'll to use this, or us to use this building, in fact we built this to be the community hall in town which it usually is. We have weddings and everything else here.

F. Westbrook: Well I guess we screwed up the last umpteen dozen years we have been giving you guys money as a donation for using this place so, now I understand where you are coming from and I understand where ya'll are coming from so we are at a quander as to how to term it or even do it.

J. Brown: How about if we make an improvement for the Irvington Baptist Church in the COVID money and get them the microphones I keep asking for.

S. Phillips: That proposal was submitted. That proposal was distributed at a prior meeting amongst yourselves you decided not to go forward with it.

F. Westbrook: We decided not to move forward with the whole big project and then we started talking about just microphones, is that what you're speaking of?

N. Keane: You can purchase microphones and just decide to leave them here I guess.

F. Westbrook: Can we just leave \$600 on the table.

W. Nunnally, Make George do it. Let's move on.

Mayor Bugg, Yeah, thanks for the good will, please pass that along, I appreciate it and it is nice to be back here so. We'll move on.

2. Motion to appropriate \$3,070 to Elbourn Electric from CST – A. Marchetti

Mayor Bugg, Motion to appropriate \$3,070 to Elbourn Electric from CST. Mrs. Clerk, Madam Clerk, anything to add?

S. Phillips: Does Council have any questions?

W. Nunnally: What is this for again?

S. Phillips: \$3,000, excuse me \$2,400 was for the billing of the regular contract for the flags and banners decorations, \$190 was to unload the new decorations for the town to purchase 10 new lanterns and they had to be assembled, they arrived via freight and had to be delivered by pallet and unboxed and assembled and then there was an additional charge of \$480 for one man at 3 hours and they used a bucket truck to take down the old fixtures and install new ones.

W. Nunnally: Did the finance committee approve all of this?



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B. Schaschek: Some of that is in the capital plan, not in the general. Their yearly contract is in the general, but the others should go to capital.

S. Phillips: It really is in the community sport and tourism.

Mayor Bugg: Would someone like to make that motion.

F. Westbrook: So moved.

Mayor Bugg, Second.

D. Patteson: Second.

Mayor Bugg: Any further discussion. All in favor, all opposed. The motion passes.

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

THE MOTION TO APPROPRIATE \$3,070 TO ELBOURN ELECTRIC FROM CST IS PASSED 5-0.

3. Motion to appropriate \$727.65 to Elbourn Electric from Capital Expense – A. Marchetti

Mayor Bugg: Next item is to appropriate \$727.65 to Elbourn Electric from Capital Expense. I suspect that's related.

S. Phillips: It is related to the installation of the Christmas lights and also has to do with the utility poles and so that's why you will see that that is appropriated from capital expense. It was categorized to the electrical renovation I believe is the line item on the budget.

F. Westbrook: They had to bring the telephone poles up to code or plug ins up to code.

S. Phillips: No, it is not.

F. Westbrook: Who do we pay for that?

S. Phillips: This was simply moving some of the brackets from the old post to the new post, but this has nothing to do with bringing anything up to current standards.

B. Schaschek: I thought Roy had hired somebody?

S. Phillips: I'm not apprised, I could not speak to that. The dual utility poles is something that I'm not familiar with.



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Mayor Bugg: A motion to appropriate that amount.

F. Westbrook: So moved.

Mayor Bugg: Second.

D. Patteson: Second.

Mayor Bugg: Further discussion. All in favor, all opposed. Motion passes.

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

THE MOTION TO APPROPRIATE \$727.00 TO ELBOURN ELECTRIC IS PASSED 6-0.

Dudley Patteson: Mr. Mayor.

Mayor Bugg: Yes.

Dudley Patteson: Is it appropriate for me to bring up a motion at this time?

Mayor Bugg; You can or we can take care of this last bill.

Dudley Patteson: Sorry.

Mayor Bugg: No problem at all.

4. Motion to appropriate \$465.00 to Mosca Design from CST - A. Marchetti

Mayor Bugg: Motion to appropriate \$465.00 to Mosca Design.

S. Phillips: That was just the shipping.

Mayor Bugg: That's what I thought.

S. Phillips: The lanterns were \$500 a piece for 10.

Mayor Bugg: Speaking of the lanterns, any further questions, or discussion. A motion to appropriate that amount for \$465.00.

F. Westbrook: So moved.



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Mayor Bugg: Is there a second.

W. Nunnally: Second.

Mayor Bugg: Any discussion. All in favor, opposed. Motion passes.

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

THE MOTION TO APPROPRIATE \$465 TO MOSCA DESIGN FROM CST IS PASSED 5-0.

Mayor Bugg: Yes Mr. Patteson.

D. Patteson: Based upon what I've heard tonight I would like to follow-up on Mr. Schaschek's recommendation that we call for an audit and I'd like to propose one issue to ask the budget and finance committee to retain the services of an outside, totally independent auditor to address the comments by our resident to review the financials and the town's financial practices and provide a report of its findings to budget and finance committee and ultimately to council. That's a motion.

F. Westbrook: Mr. Mayor, this is a special called meeting and that's not on our agenda, so we can't do this.

S. Phillips: It was allowed twice last week at a special called meeting.

F. Westbrook: It is not on this one. Have to take a vote and it would have to be unanimous.

Mayor Bugg: I'll note that for the record that you mentioned that.

W. Nunnally: We have been told that by our legal counsel, I tried to do it several times. We've got to play by some sort of rules.

S. Phillips, As clerk, I'd just like to remind council that Councilwoman Westbrook made two motions last week that were not on the agenda.

Frances Westbrook: They were within the items that we were discussing.

S. Phillips: HR was not on the agenda.

F. Westbrook: Neither was the discussion.

Mayor Bugg: Well I think the public wants this, I think council wants this.



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Wayne Nunnally: We definitely want it.

Mayor Bugg: We already know that it is not on the agenda and but I highly recommend that we vote on this and I recommend that we approve it.

F. Westbrook: Are we in the discussion part of this, is that what we are doing now.

Mayor Bugg, Yeah, I mean.

F. Westbrook: I think it is a good idea too and I highly recommend it, however, I would think that we would want to postpone on voting on that until after closed session.

W. Nunnally, Be too late after closed session.

A. Gardner: Could I ask that to be clarified, could you repeat the motion that you suggested.

D. Patteson: What.

A. Gardner: I'm sorry, if you don't mind could you just repeat what you had asked to motion.

D. Patteson: Yes the motion was to ask the budget and finance committee to retain the services of an outside totally independent auditor to address the allegations by a resident, review the financials and the town's financial practices and provide a report of its findings to the budget and finance committee and ultimately relayed to council.

A. Gardner: Thank you.

Mayor Bugg: Mrs. Westbrook did you then have a follow motion in regards to table that at the time.

F. Westbrook, Well my motion would be that we would hold voting on that until after.

Mayor Bugg: Okay.

F. Westbrook: I can't make a motion on top of your motion, you can rescind your motion technically.

Wayne Nunnally: I don't think there is a member here who doesn't want an audit. I know Mr. Schaschek and I know him to be a good financier, and if he thinks we have a problem we need to investigate it. It's that simple. I am all in favor of an audit independently. So, if we could just get to it, I will second Dudley's motion which I consider to be out of order, but.

Mayor Bugg: We noted that, if we can get on with it.



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J. Brown: Since we are all in agreement can't we make the motion to amend the agenda and hear Dudley's motion?

Mayor Bugg: We can do that as well.

J. Brown: Since this is a special called meeting.

Mayor Bugg: Yes?

Wayne Nunnally, As long as we've been contacted to do this from the beginning.

Mayor Bugg: We are working on that.

J. Brown: I'd like to make the motion to change the agenda to include a motion for audit by an outside auditor.

W. Nunnally: Second.

Mayor Bugg: All in favor, and all opposed. It is unanimous, the motion passes.

Vote:	Dudley Pattenon	Aye
	Wayne Nunnally	Aye
	Bonnie Schaschek	Aye
	Jackie Brown	Aye
	Frances Westbrook	Aye

THE MOTION TO CHANGE THE AGENDA TO INCLDUE A MOTION TO ASK THE BUDGET AND FINANCE COMMITTEE TO RETAIN THE SERVICES OF AN OUTSIDE TOTALLY INDEPENDENT AUDITOR TO ADDRESS THE ALLEGATIONS BY A RESIDENT, REVIEW THE FINANCIALS AND THE TOWN'S FINANCIAL PRACTICES AND PROVIDE A REPORT OF ITS FINDINGS TO THE BUDGET AND FINANCE COMMITTEE AND ULTIMATELY RELAYED TO COUNCIL IS PASSED 5-0.

N. Keane: Well wait a minute, you changed the agenda so now you are going to have to do the motion.

Mayor Bugg: We're getting it.

D. Pattenon: I would like to make a motion to ask the budget and finance committee to retain the services of an outside totally independent auditor to address the allegations by a resident to review the financials and the town's financial practices and a report of its findings to the budget and finance committee and ultimately to council.

W. Nunnally: Second

Mayor Bugg: Thank you, any further discussion. All in favor, all opposed.



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

Wayne Nunnally: I'd like to make one quick statement, since four of us have been maligned by two of us, I shocked quite frankly. If you would look at my phone, I've called you 15 times and never got a return phone call. I've called Anthony and he has not returned my phone call.

D. Patteson: That's not true.

Mayor Bugg: Hey, let's talk about this in closed session, we are about to go into that.

F. Westbrook: I think that's a good idea.

Mayor Bugg: Anyone opposed of having an investigative private audit. Thank you for that motion. The motion passes. We are now hiring a private independent auditor to conduct an audit. With that we will move to closed session.

THE MOTION TO ASK THE BUDGET AND FINANCE COMMITTEE TO RETAIN THE SERVICES OF AN OUTSIDE TOTALLY INDEPENDENT AUDITOR TO ADDRESS THE ALLEGATIONS BY A RESIDENT TO REVIEW THE FINANCIALS AND THE TOWN'S FINANCIAL PRACTICES AND A REPORT OF ITS FINDINGS TO THE BUDGET AND FINANCE COMMITTEE AND ULTIMATELY TO COUNCIL IS PASSED 5-0.

S. Phillips: Mr. Mayor, may I?

Mayor Bugg: Yes.

S. Phillips: Mayor Bugg and members of council I'd like to express my gratitude to Mayor Bugg and members of the town council and the commission and to the residents of the Town of Irvington for providing me the opportunity to serve as the counterpart for the officer of the Treasurer for the Town of Irvington since June of 2017. It has been my sincere pleasure serving and the comments made by Klaus Schaschek last week were intended to compromise the reputation of the town and to erode public confidence in the treasurer. Therefore, as your treasurer I do fully support the demand for an audit of the town finances by an independent third party CPA specializing in municipal finance. The reputation of the town must be defended, and public confidence must be restored. Unfortunately, this is not the first time Mr. Schaschek has attacked me professionally. Even going so far as to threaten my job if I didn't satisfy his demands. Vice Mayor Westbrook who also serves as the chair for budget and finance committee has called for a closed session tonight for discussion of personnel performance where the attendance of staff is not desired. Rather than to call for a budget and finance committee meeting to refute and defend the reputation of the town because Mayor Bugg and the human resource committee were not included in the call for this closed session where I undoubtedly will be given a performance



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review without the benefit of the human resource committee. I respectfully resign my position as the treasurer of the Town of Irvington effective immediately. Thank you Mr. Mayor.

Mayor Bugg: Thank you. With that we will move into closed session.

I. CLOSED SESSION

F. Westbrook: I move that we go into closed session 1) pursuant to §2.2-3711A7 of the Code of Virginia for consultation with legal counsel for actual or probable litigation and 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 and 3) pursuant to 2.2-3711(A)(1) for personnel matters where discussion of personnel performance is deemed necessary.

Mayor Bugg: Before that motion I got ahead of myself Madam Clerk, thank you for all of your efforts as treasurer.

S. Phillips: Thank you.

Mayor Bugg: Motion to move into closed session.

Wayne Nunnally: So moved.

Mayor Bugg: Second. Any discussion. All in favor, all opposed.

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

S. Phillips, Mr. Mayor, my motion was effective immediately if I could grab some signatures.

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

J. RETURN TO OPEN SESSION

1. Mayor Bugg, We are coming out of closed session now into open session.

F. Westbrook: A motion 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 a 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. No statements Mr. Mayor.

Mayor Bugg: Excellent.



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Vote taken on certification

Present:	Vote:
Bonnie Schaschek	So certify.
Jackie Brown	So certify.
Tripp Bugg	So certify.
Dudley Patteson	So certify.
Wayne Nunnally	So certify.
Frances Westbrook	So certify.

NOTE: L. BROWN, S. PHILLIPS, AND N. KEANE, LEFT THE CLOSED SESSION AFTER A7 AND A3 DISCUSSIONS PER THE REQUEST OF TOWN COUNCIL.

Mayor Bugg: So the first motion will be for the Mayor to accept the proposal from Bay Design for survey and engineering Services for the North Commons using COVID CARES Funds, maximum not to exceed \$35,000 and sign that contract with Bay Design. Would someone like to.

Wayne Nunnally: So moved.

Mayor Bugg: Is there a second?

D. Patteson: Second.

Mayor Bugg: Any further discussion. All in favor, all opposed. Opposed. Motion passes.

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

D. Patteson: That was \$35,000.

Mayor Bugg: Did I say \$3,500?

D. Patteson: You said \$3,500.

Mayor Bugg: I meant \$35,000, not to exceed \$35,000. Motion stands. Motion carries as approved. Next up will be.

THE MOTION TO ACCEPT THE PROPOSAL FROM BAY DESIGN FOR SURVEY AND ENGINEERING SERVICES FOR THE NORTH COMMONS USING COVID CARES FUNDS NOT TO EXCEED \$35,000 IS PASSED 5-0.



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F. Westbrook: Mr. Mayor I'd like to move that we appropriate utilities and salaries for the remainder of fiscal 2021 out of general operating funds. The remainder of invoices due, bills paid will continue on a month-to-month basis until further notice.

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion. All in favor, all opposed. Motion passes.

THE MOTION THAT WE APPROPRIATE UTILITIES AND SALARIES FOR THE REMAINDER OF FISCAL 2021 OUT OF GENERAL OPERATING FUNDS. THE REMAINDER OF INVOICES DUE, BILLS PAID WILL CONTINUE ON A MONTH-TO-MONTH BASIS UNTIL FURTHER NOTICE IS PASSED 5-0.

K. ADJOURN

Mayor Bugg: Motion to adjourn.

Wayne Nunnally: Moved to adjourn.

D. Patteson: Second.

Mayor Bugg: Meeting is adjourned. Thank you.

THE MOTION TO ADJOURN IS PASSED 5-0.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



**TOWN OF IRVINGTON, VIRGINIA
JOINT PUBLIC HEARING
IRVINGTON BAPTIST CHURCH
THURSDAY JANUARY 7, 2021 5:30 PM**

NOTICE: the Irvington Town Council & Planning Commission will hold a Joint Public Hearing on Thursday January 7, 2021 at 5:30 PM; Irvington Baptist Church.

AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: I have called this meeting to order. We will start with roll call and how about we start with the town council, then we will just move to the planning commission.

B. ROLL CALL – Mayor Bugg

Town Council

Frances Westbrook present

Jackie Brown present

Bonnie Schaschek present

Dudley Patteson present

Anthony Marchetti present

Wayne Nunnally (arrived 5:34 pm)

Planning Commission

Lee Capps, Planning Commission – present.

Steve Kimmeth, Planning Commission – present

Chris Braly, Planning Commission – present

Brian Forrester, Planning Commission – present

Tom Chapman, Planning Commission – present

Julie Harris, Planning Commission – present

Absent: Phil Robinson

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

Guests: See attached sign in sheet

Mayor Bugg: I will note for the record that I believe Mr. Nunnally will be present for the town council, however he has not yet arrived.

PUBLIC HEARING

1. CUP Application 2020.CUP.8_Smith

The Town seeks public comment on a application for a conditional use permit for tax map 27 222A; 173 Virginia Road; swimming pool not in the RPA.

Mayor Bugg: The main item on the agenda for this public hearing would be the public hearing itself. Two matters to be discussed. The first would be CUP Application 2020.CUP.8_Smith. Would anyone like to speak to that CUP application from the public. With no one speaking....

T. Armstrong: Which one is that, I'm sorry.



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L. Brown: Smith is a pool not in the RPA it is not the Tides Inn.

Tom Armstrong: I don't recognize them by number.

Lara: It's Allen Smith CUP on Virginia Road for the pool is what it is.

Mayor Bugg: Anyone from the public? Good, no one from the public is going to speak, I'll turn it over to the planning commission or the council. Lara, do you have anything you'd like to add?

Lara: I'll make my comments regarding individual applications during planning commission meeting.

Mayor Bugg: Okay. Excellent then, for the record since I had mentioned Mr. Nunnally here a few minutes, I'll note for the record that Mr. Nunnally is here for the town council.

Wayne Nunnally: Thank you.

Mayor Bugg: Thank you. If there is nothing further to mention from the public concerning CUP Application 2020.CUP.8_Smith we will then move onto the next item on the agenda which is CUP Application 2020.CUP.11_Tides Inn and Exception. Would anyone from the public like to speak concerning that CUP application.

2. CUP Application 2020.CUP.11_Tides Inn And Exception

The Town seeks public comment on application for a conditional use permit and exemption for tax map 33-236; B-1; 480 King Carter Drive; proposed boardwalk, new proposed docks/piers; and CANDOCK; passive recreation trails.

Holmes Ginn: Yeah I would.

Mayor Bugg: Sir could you come up here and just state your name and address.

Holmes Ginn: I'm adjacent property owner 142 Lancaster Road, would you like me to sit or talk or what.

Mayor Bugg: However, you're comfortable.

Holmes Ginn: Yeah, I mean I want to see Wayne's, I've talked to Wayne Savage a bit about it, but I mean my concern is that the boardwalk area is going to come right around the bluff which is right next to my property. It's actually going to be within, I don't know 25' of our property line and I'm concerned that you know having a public, you know, sidewalk if you will right outside my backyard is concerning. You know, also the bluff what it will be used for. I have questions about that. It would be bands, weddings, I mean again, I would invite anyone from the planning commission or the town council to come to my property and take a look. I mean, it is within like 100' of our backyard. The proposed dock I think is 84' from our dock. You know that's public, having a public or commercial dock right by the private dock, so those are my concerns. I mean I've talked to Lara, I've been and seen the diagrams. I haven't seen the presentation yet from Wayne, but, those are my concerns.

F. Westbrook: Can you tell us your last name again, I apologize.

Holmes Ginn: Ginn, G-I-N-N.

F. Westbrook: Oh, okay.

Holmes Ginn: I just moved right there at the end of Lancaster Road. We just moved in in October but we bought this piece or property about 8 years ago.



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Mayor Bugg: That's the new house that was built. Okay. You're welcome.

Holmes Ginn: We came from Richmond, we're glad to get out. I know, nice to see you.

Mayor Bugg: Would anyone else from the public like to speak. Yes sir.

Tom Armstrong: I'm Tom Armstrong, 82 Binnacle Lane, if you throw a stone real hard and I can bounce it off the top of the Tides Inn. I had a list of questions and rather than elaborate in great length, I'll just list the items. This is in reference to page 3 or 4, Kayak/paddle board/swimming access is the title. What navigation restrictions will be imposed on Carter's Creek. How will they impact the nearby dock owners? How far offshore can the swimmers go from the Inn. What buoys and markers will be installed? How far out will the platforms extend? What anchoring restrictions may be imposed and power boat access to the shore and platforms? If we could address those issues one by one I would appreciate it. Thank you.

Mayor Bugg: Thank you. Whose is next from the public? Anyone else?

Wayne Savage: I'll say real quick, I want to kind of address the planning commission, after Lara speaks maybe. I think ya'll know me now. I'm Wayne Savage of Bay Design Group, I'm one of the designers for the project along with Water Street. Our owner representative here Brian Muzynski is here for questions as well. I'd be happy to address, I talked to Mr. Ginn, I actually worked for Mr. Ginn on his project at that house. I've talked to him a little bit. I can certainly maybe address his concerns, maybe personally. It kinda depends on what you guys prefer. I don't have all of his answers right here, right now, I need to do some work back at the office to figure some of them out. The other gentleman that just spoke, some of those I think are VMRC, maybe navigational issues. I don't know how we address any of those. A lot of them we can answer the question about how the dock extends. Again, I don't have it off the top of my head, but we can certainly get that information over to Lara and she can maybe share it with all of you members here. I will inform you guys, I think Lara is going to expand on this a little bit more, but I will let you guys know that VMRC and the Corps of Engineers, I think as you know first and foremost, local wetlands board has approved the project and permitted it at that level for the JPA. VMRC, we actually got some comments from them very recently, right after the holiday and as of this afternoon at about 4:30/5:00 we got some information from Tony Watkins who is their chief executive director who issues the permit. He actually gave us good news that they have no objections to the permit other than shifting a section, a very small section of the boardwalk right behind Fish Hawk, I'm going to walk over here and show you guys. Fish Hawk is right here. It's the restaurant right here where the pool is, there is a little section of boardwalk, let's see if I have an overall that I can show you, so this section right here is just on, just into VMRC's jurisdiction, just below mean water. We are just basically going to take that and just shift it in, it's a few feet. That's pretty much the only change right now that we're seeing coming to us. Again, it is very minor, shouldn't affect. Doesn't affect the overall linear foot, the overall design and concept of what you guys are going to eventually be voting on and hopefully approving in our favor. Other than that again, VMRC is happy with the application. We do have a few minor outstanding comments from the Corps of engineers that again we just received this morning. We do plan on addressing those. We don't anticipate any ill effects from what they are asking for. So again, we are looking to see approvals from, and permits from both of those agencies shortly. Hopefully within the next week or less. Other than that, I will leave it to Lara to address further stuff and then we'll be here, we are here all night as long as you guys are here to answer questions, concerns, anything you may have, we'll be here to answer those. I think that's all I have for now. Thanks guys.

Mayor Bugg: Thank you. Yes sir.

Brian Muzynski: Hey guys, my name is Brian Muzynski as Wayne mentioned. I represent the Tides Inn. I represent the Vice President of Development. Again, I'll just speak for a few minutes, I know Lara is going to be, but just



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wanted to address a couple of things. First of all, certainly welcome any Tides historians, but it is my understanding that this January is the first time the Tides has been open since it was opened 73 years ago and so with this project we do have an intentional desire to continue to bring more guests to the region and in fact one of the things we want to do, and I think a lot of you guys have seen the renovations we did last year, is make more, make the Tides one of the best hotels in the US and so we see the shoreline project as really integral to that. As we mentioned we did get some comments, I know, you Nancyellen had some questions about the VMRC. They did reach out to us yesterday and we just heard back from Tony Watkins. They had some issues, but in talking through them, they have kind of resolved them and they are supporting the, we're calling it now a wharf instead of a boardwalk because it is all water dependent. I got some good news from them today and I know that the planning department kind of wanted to get some feedback about those conversations went and this just wrapped up about an hour ago. Any kind of technical questions, lengths, distances as we mentioned, we will be glade to answer it. Appreciate everyone's support and again are here for any kind of questions. Thanks.

Mayor Bugg: Thank you.

Lara Brown: Brian, can, may ask some questions to because I don't have the answers to some of these and I know that we will be asking you to address them. Maybe you can address them here instead of maybe having to come back to our next meeting. Can you give us an idea, or give the public and commission members and town council members an idea and some of the activities that may be happening on the bluff here next to Mr. Ginn's property. Are there going to be, they attained an excellent job with the supplemental materials and identifying what programming activities on this one here that I just handed out. She did an excellent job in outlining the program and activities and giving descriptions of what would be happening down on the cove on the boardwalk. But for Mr. Ginns you know and anyone else who is interested, let us know what kind of programming activities will be here, you know we noticed that there is some steps that I will go into detail later in my report tonight, but there were some steps coming down here into the bluff. Is that going to be used for weddings, concerts, amphitheater or not going to be above or if you guardrailed it.

Brian Muzynski: Sure, so as you can see the wharf goes around through Fish Hawk what we are calling cove area and over to the bluff. The bluff area was actually one of the reasons why we kind of started this project because the trees are all falling down and it turns out there is a 200 year old, old grove forest up there and with that part of the site really being forgotten for since its inception. You get people coming over there and there is people who do bonfires and stuff. We really want to make this a more integral part of the Tides Inn and so in between Fish Hawk and the bluff is the cove area. That's where some of the oyster grilling and stand-up paddling board programming. We just hired a gentleman, his name is Will Smily, he worked for Christ Church for about 15 years. His first day at the Tides Inn is Monday, and we hired him to be essentially what we are calling a river ecologist and so he is going to be leading outreach and education programs. I think as I mentioned last month, this is a trend we are seeing at a lot of the hotels in the US is people want to come and they want to experience more than just sitting on a beach, they want to experience sort of an education and engagement and learn about the place. So, the idea is that from this section of the property we will be engaging in education about oysters, about ecology, about agriculture, specific to the Rappahannock and specific to Carter's Creek as it relates Lara to your specific question and sir to your question as it comes around on the bluff, it is kinda of just a walking path, so the top section there we potentially see as a future I guess a very quiet part of the site which might be a future spa, so one of the core competencies that our company has is that we run the Alamo which is a destination spa in Sedona, Arizona and we are looking for a site on the property to have again sort of a secluded quiet spot and it won't be you know on top of the bluff because that is in the RPA but behind that we see is probably a future building site for the spa, so nothing too loud going on out there. Just the opposite. And the reason, and I might have mentioned this the last meeting, the reason for the spa, which we see as a destination spa is to again bring more people to the region, during these months. This year we will be closing



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January 31st, we will be closing February to the middle of March. Our goal is 365 days a year, year round resort, so this sort of unlocks this really underutilized section of the site that again has been kind of a place where you see bonfires and trash and stuff, so we hope to really beautify this and draw up a very kind of close connection to the water.

L. Brown: Thank you.

Mayor Bugg: Thank you. Anyone else from the public. Council, planning commission.

B. Forrester: Was there any public comment mailed into the town.

Mayor Bugg: Sharon, do you know if there was any town comment emailed.

Sharon Phillips: No, not emailed.

Mayor Bugg: Do we have a letter.

S. Phillips: Yes, the only, you heard from Mr. Ginn and I did not catch the gentleman's name, I did receive your letter yesterday, is it John Cooper Smith, the gentleman in the blue, yes sir.

Tom Armstrong: Tom Armstrong, you probably won't see a letter there.

L. Brown: This has been on the, did you say you wanted to....

Tom Armstrong: Yes ma'am.

Sharon Phillips: Okay, so maybe it is a neighbor. These same exact questions that you posed tonight.

Tom Armstrong: Cooper Smith would be the name on there.

L. Brown: Okay, it could be the handwriting. Thank you.

Tom Armstrong: I can't either.

L. Brown: His questions and this will be, I'll speak on this later but same questions that you have.

Tom Armstrong: ...submission totally.

L. Brown: That's it, everything else no objection.

Mayor Bugg: Anything further council or commission.

J. Harris: I'd just like to ask, is that boardwalk right down to the water's edge or is it back a ways.

Wayne Savage: In most cases it is out in the water actually. Not like it's, it's not 100 feet, it's not in the middle of the creek. It's kind of you know along the shoreline, but it's in the water except for around the bluff. Around the bluff where it creates a living shoreline and on that living shoreline piece the boardwalk, the wharf is actually what



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our terminology is now, anyway at that point around the bluff it will be tucked in right at the base at that bluff, the newly created slope.

Holmes Ginn: I have one last comment. Just to confirm, so there will be no night activities on the bluff.

Wayne Savage: No, just people walking after dinner, it is certainly again, what's nice is the Fish Hawk is open to the public, our restaurant is open to the public, so we hope people will come, park at the dock and every time I come inside the first thing, I do is sort of walk as much of the dock as I can it is just the way to get people to kind of experience being close to the water. But it will be extremely low-level lighting and it is not going to be noisy or programming-based activities at that by yours house.

Holmes Ginn: Okay, thank you.

Wayne Savage: You bet.

Mayor Bugg: Anything else.

T. Chapman: Tripp.

Mayor Bugg: Yes.

T. Chapman: I have one question. Mr. Ginn, given what you've heard, do you feel more comfortable with the project.

Holmes Ginn: I would ask you to come look at my piece of property and see what you think, um you know honestly yeah, no night activities, I mean I might be obviously, sure if people are just going to be walking around that's fine. We've had issues in the past where kids I think mostly are out there drinking and partying and you know so be it, so we kind of wonder about drawing you know, a boardwalk wharf will draw more people to that area, um, but, yeah somewhat, I mean Wayne has been very forthcoming, I've talked to him several times and Brian and meeting him, sure. I mean Tides Inn has been a good neighbor, we've been a good neighbor to them, so you know. All I can do is come express my feelings and get to know everybody and talk it out.

Mayor Bugg: Thank you. Okay if there is nothing further that will conclude the joint public hearing and I will now turn it over to.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



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AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: the Irvington Town Council will hold a Special Called Meeting on Thursday January 7, 2021 immediately following the Planning Commission Special Called Meeting; Irvington Baptist Church. Thank you, town council, for joining us tonight and also joining us for the previous meetings we had.

I have called this meeting to order. We will start with roll call.

B. ROLL CALL – Mayor Bugg

Members of Council Present: Frances Westbrook present.
Jackie Brown present.
Bonnie Schaschek present.
Dudley Patteson present.
Anthony Marchetti present.
Wayne Nunnally present.

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

Guests: See attached sign in sheet

C. MAYOR'S REPORT

Mayor Bugg: Thank you again council. The first item I have is the mayor's report which unfortunately is a little bit brief. A little bit shorter than what I have presented the past few meetings, but it touches on a number of issues I think need to be mentioned. The first is an independent review. At our last meeting I called for an independent review of the town finances. I want to let you know that we are moving forward on this. The insurance company has engaged the law firm of O'Hagan-Meyer to investigate the allegations made starting in December of 2020 concerning financial, human resources and related matters. The investigation is underway. As part of the investigation, the insurance company will be hiring and paying for an auditor. The auditor is prepared to conduct a full financial review under the following procedural parameters. For the period July 1, 2018 through December 31, 2020, the auditor will review expenditures of \$100.00 or more from the town operating accounts, and also deposits, transfers and withdrawals for all town accounts. I agree with these parameters of the audit. The second item is appointing an interim treasurer. We need to appoint an independent CPA or accounting firm as soon as possible as interim treasurer. The law firm directing the investigation has advised us that the interim treasurer should be independent and not be affiliated in any way with the town, council members, mayor or staff. This interim treasurer will have to work closely with the auditor and the



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law firm directing the investigation. I understand there are some possible firms for consideration. With that I have a document packet to hand out to each one of you. If you could pass them down Mr. Nunnally and take one and pass it along. Council as you can see these are letters of interest submitted by various accounting firms. I would like to thank Mr. Patteson for his efforts as HR Director in securing these possible candidates and having them submit their letters of interest regarding serving as an interim treasurer and I know this is the first time you are getting these packets. Obviously, there is a number of pages in here that you have not had a chance to review them until now. My recommendation is that we consider these and either call a meeting for Tuesday, to select an interim treasurer or else do it next Thursday at our regular meeting. Obviously, we need this appointment as soon as possible. Council, I welcome any comments and thoughts.

W. Nunnally: I don't think we need the expense of this. I mean, why can't we write the checks and pay the bills until this audit is over with. Why do we have to have an independent outside source doing this. I mean, historically when Jackie Burrell was sick, I think it was Fran and Ms. Pollard, they took over the office, paid the bills and wrote the checks. I don't know why we have to continue spending our town money on everything that is outside when we can do a lot of this stuff ourself. So personally, I would oppose any interim treasurer being appointed. The job itself is not interim treasurer. The job is we need an interim clerk and an interim treasurer.

Mayor Bugg: I'm glad you brought up those points because I'm sure they have crossed a number of council members minds and I welcome any comments regarding that. I believe there is a problem with a member of council actually issuing checks and signing checks for legality purposes. I can have Nancyellen discuss that with you and anything Dudley or anyone else would like to add about that arrangement and furthermore about expense and I'll turn that over to Nancyellen. Would the insurance company be paying for the treasurer?

N. Keane: I don't know, not the interim treasurer, we should ask them that question. I don't know.

F. Westbrook: If the interim treasurer is going to be interacting with the audit.

Mayor Bugg: Correct.

F. Westbrook: Is that what I just heard you say.

W. Nunnally: Dudley shouldn't be messing with the finance committee's, I mean he got all upset when we tried to do something with personnel, now he's trying to tell us how to run the treasurer department, which should definitely be a finance department problem, finance committee problem.

F. Westbrook: I would say that this is probably the same reason. In fact if I remember correctly when we decided to go this route, I believe the motion you made and there was some conversation and stuff back and forth, withdrawing and adding with the motion, but I believe this was supposed to have gone to budget and finance and report back to town council.

W. Nunnally: It certainly was.



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F. Westbrook: And if that's the case then somebody has jumped the gun on doing any of this because budget and finance has not had the opportunity nor were, we asked or talked to about any of this. So.

A. Marchetti: It's in front of everybody to review. We don't have to do anything tonight.

F. Westbrook: I agree with that.

D. Patteson: I was asked by the mayor.

F. Westbrook: Just like I had been asked by the mayor and you fussed about.

D. Patteson: Pardon.

F. Westbrook: Just like I had been asked by the mayor and you fussed about that.

D. Patteson: I don't want to address that at the moment.

F. Westbrook: I'm sure you don't.

D. Patteson: Well, it's not for that reason. I will address it, but the mayor asked that I help him find a qualified independent entity to serve as interim, interim treasurer capacity. These two firms that I spoke with all have government practices under their umbrella and they all have people able to serve in this capacity at this time of the year. We did seek out local firms that might be independent of all of us on council. It was tax season and we were politely turned down. So, we needed to reach outside and so we did. Both firms have the ability to electronically deal with the books and will probably make some good suggestions as to how we proceed in the future on Quick Books. They don't think it is going to be many hours. In some cases here, there is a questionnaire of things that need to be answered in order for them to appropriately determine the number of hours but it seems like it is going to be 1 day a week or less on their part because they have extraordinary skill sets and experience and unfortunately the events that have taken place have prompted us to go to outside help to determine what is true and what is not and in order to keep the independence of all things I don't think anyone on town council should serve in any capacity in the finances of the town while this investigation is going on. It puts you in harms way and puts all of us in harm's way if we do that. As much as I would like to save money, this is not a case of, it is not a case, we need to do it the right way and do it quickly and hopefully resolve all this so we can get on to the business of the town which we have not been able to do for quite some time.

F. Westbrook: I agree with just about all you said and I'm sure these are very fine people. My point which evidently I wasn't making very well is that this, the motion that was made and voted on by council and passed, in fact it was a unanimous vote was not properly followed in doing this.

D. Patteson: The motion was for you all to go out and to find somebody. Have you done anything in that regard to follow-up on the motion. I have a town office which is short a treasurer.

F. Westbrook: You don't have one, we all have one.

D. Patteson: But as head of human resources.



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F. Westbrook: I have talked to you throughout the holidays a number of times. I have talked to the mayor a number of times. I have asked you all questions, you have put me off. I ask you the status of things, well we are waiting, we're waiting, we gotta talk, we gotta talk. Not one time did either one of you tell me a town council member just like each of you that any of this was being done. You couldn't give me answers to my questions.

D. Patteson: I think you should thank me quite frankly for doing the work.

F. Westbrook: Well excuse me.

D. Patteson: Because you haven't done the work that you were asked to do.

F. Westbrook: What about all the times I've asked you about this stuff.

D. Patteson: What stuff.

F. Westbrook: The conversations we've had about where we are on everything and my concern about this....

D. Patteson: I don't know what you're, be more specific because I don't know what you're talking about.

F. Westbrook: I don't know that we should go into this right now but I will with you later. But my point is, this does not conform to the motion that was made and voted on.

D. Patteson: Well.

F. Westbrook: That's my point. So as far as I'm concerned that motion was not followed and so this is invalid.

Group: Talkover.

A. Marchetti: It's important for the town to have a treasurer so we can pay bills.

F. Westbrook: That's not what...

A. Marchetti: This is embarrassing. Everyone get off their high horses. It's not about anybody here, it's about the town. The town needs a treasurer. We need to pay bills.

F. Westbrook: It is, but we made a motion and that is legally binding to us unless we want to undo the motion and do it again.

Mayor Bugg: Nothing is being voted on right now.

A. Marchetti: Nothing has been voted on. What's wrong with doing some research, what's wrong with....

F. Westbrook: I'm talking about a procedure.

A. Marchetti:either of these, the....



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Mayor Bugg: There are three actually.

F. Westbrook: I want an outside source, I want an interim.

A. Marchetti: This sounds like a discussion for later, if there is outside, the answer to what the town needs is right here.

F. Westbrook: I agree, but the process that we voted on was not followed. Why did we go outside the motion that was voted on.

D. Patteson: The mayor who serves in the capacity of our leader asked me to as human resources...

F. Westbrook: Well then he was incorrect in doing that because that was not the motion that was voted on.

Mayor Bugg: So we are going to let the town not be able to pay its bills.

F. Westbrook: No we should not. We should.

Mayor Bugg: ...this afternoon.

F. Westbrook: It should have never happened. It should have never happened period.

D. Patteson: Fran, as part of budget and finance you should have taken the initiative to go out and do what I had to do.

F. Westbrook: I touched base with you all all day long.

D. Patteson: I would have loved for you to have taken that role but.

W. Nunnally: Excuse me, I think it's enough of that. The problem is this, Fran can write a check and the mayor can sign it.

N. Keane: No, she cannot do that.

W. Nunnally: We've done it in the past.

D. Patteson: This is not the past Wayne, we're not going to do it the way we've done I the past. That's why we are here.

Mayor Bugg: It's for your protection.

F. Westbrook: I'm fine with that, my point...

W. Nunnally: So the bills don't get paid. We can't put these people on tonight.

A. Marchetti: We can vote on something tonight. Pick one. We can have somebody.

F. Westbrook: No, I'm going to read through this.

Mayor Bugg: That being the case, when do we want to reconvene to discuss this further.

A. Marchetti: The bills aren't getting paid.



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W. Nunnally: We can adjourn anytime, we can come back tomorrow.

N. Keane: You have to give 3 days notice for the next meeting.

Mayor Bugg: Three days, we can....

F. Westbrook: No actually can we just continue this meeting and come back the next day. There's a way to do that.

A. Marchetti: The sooner the better for the town.

F. Westbrook: Yeah, I mean we could do that, we could come right back down here tomorrow. We don't adjourn.

W. Nunnally: You do, you call it adjourn.

F. Westbrook: No, if you are going to continue it to the next day.

W. Nunnally: You adjourn it to the next date.

AnnGardner Eubank: In White Stone we have done it before as town council we table it.

W. Nunnally: I think tabling and adjourning is probably....you know I didn't know this was on the agenda. Is this on the agenda.

F. Westbrook: It's on the mayor's report.

Mayor Bugg: He just got that this afternoon. That's why it is relatively soon, there is a pattern to meet after this meeting, so I'm presenting it as part of the mayor's report. I just got the packet when I walked in here so. I want you guys to have time to review it obviously because there are what 40 pages in there, a little bit less. I'm not asking you to take all of that in and make a decision. But the decision needs to be made as soon as possible.

W. Nunnally: Let me tell you something, if Fran, if the finance committee, I am embarrassed at this statement, that we have not paid our internet, that we have a telephone evidently that was cut off. This is serious stuff, I'm embarrassed and every one of y'all should be embarrassed. You don't cut a phone off without 60- or 90-days notice, a phone call. This is not something that just happened. We need to get it paid and there is no reason that the finance committee and the mayor can't write these people checks and get this stuff off our back and get on about what we need to do. I just, I just can't believe that it's illegal for the finance committee, she is a signatory on the check, you're a signatory on the check, we've done it in the past. In fact, as I understand it, Fran asked for checks so that she could pay the bills.

F. Westbrook: No, I was going to do two payroll checks for the employees.

W. Nunnally: And they wouldn't give you checks.

F. Westbrook: No, the mayor and I talked about it and we decided I would go down there and do that so that they could get paid, so the question is why were we so late in paying the bill that it was cut off. That's what I'd like to know.



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S. Phillips: We pay the bill in advance.

F. Westbrook: Okay, so why did it get cut off when it did.

S. Phillips: It was cut off, I don't know. It's due on the first of the month.

F. Westbrook: So why didn't you pay it the first of the month.

S. Phillips: Who, I resigned the 17th.

F. Westbrook: You resigned as treasurer correct.

S. Phillips: Yes ma'am.

F. Westbrook: The deal is that is not just one position, it is a yolk position, as treasurer and clerk. You don't get to decide as an employee what part of your job you're going to do and what part you're going to resign.

Mayor Bugg: Fran, let's bring back to this.

F. Westbrook: I'm not through, just hold on. The reason it didn't get paid was because our employee was derelict in making sure that happened.

S. Phillips: Careful. She resigned.

Mayor Bugg: Being investigated.

F. Westbrook: She resigned....

S. Phillips: I'm not derelict.

F. Westbrook: I'm not through please, thank you.

S. Phillips: You don't get to say slanderous words on the record with a reporter sitting here.

F. Westbrook: I can say it louder if you want.

S. Phillips: Say it. Please say it. Please say it.

F. Westbrook: Look, you're not supposed to be saying anything at a town council meeting. You're not a town council person.

S. Phillips: I'm not.

F. Westbrook: You're not elected, so I respectfully ask.....

S. Phillips: I am a staff member and you are saying slanderous words to me.

D. Patteson: And you should show a staff member more respect and treat her....

F. Westbrook: It goes both ways.

D. Patteson: As we should treat each other.



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F. Westbrook: It goes both way. Now, having said what I've said, this is not the place for that, there is a method for doing that. So, since that position was resigned and it was a yolk position, I make a motion we consider she resign from both positions.

Mayor Bugg: It's not on the agenda.

F. Westbrook: You opened the door with this discussion of all this.

D. Patteson: I object to that as chair of human resources because I've also had said in my last session with everyone was that if there was a human resources issue you don't take it to council in closed session. You don't take it anywhere but to the human resources committee. We will evaluate it which is the mayor and myself and we will make a recommendation to council based upon our findings and that's the proper way to do it. If you have an issue with one of our staff members, I'm all ears, you have not come to me at all, as you have said I have not come to you and I am more than happy along with the mayor to review and listen to everything that you have to say, but it is unfair to suggest what you have just suggested as a motion.

F. Westbrook: I don't see it as unfair. First of all I see it as part of my duty as an elected official. Secondly, you do not automatically as a council, as a committee assume that you just inherit something like oversight of an employee. These things have to be assigned to our committees as they come up and the committees are needed. I can't just do anything in budget and finance because I'm budget and finance. It comes to town council.

D. Patteson: I can't do, I can't do as you said in human resources, but.

F. Westbrook: It's the same for you.

D. Patteson: But when there is a human resources issue you should bring it to committee. When there is a budget and finance issue I should bring it to you. And that is what I plan to do and will do.

F. Westbrook: Alright there is a motion on the floor.

D. Patteson: I'm going to object.

F. Westbrook: I made the motion.

N. Keane: Could we have a 5 second break, I need to see you outside really quickly, please.

F. Westbrook: No I'm not leaving.

N. Keane: Please, Fran.

F. Westbrook: At this point I will do that.

Mayor Bugg: Thank you. Briefly in recess.

W. Nunnally: In recess, I want to say this, I think we should do away with all committees. There's only six of us. What do we need committees for.



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Mayor Bugg: We are back on the record. Before we discuss these items, where I left things...

F. Westbrook: Excuse me, there is still a motion on the floor.

Mayor Bugg: Your motion.

F. Westbrook: Yes.

N. Keane: It's not on the agenda.

Mayor Bugg: It's not on the agenda.

F. Westbrook: It was an open door when you started.

A. Marchetti: This is ridiculous.

F. Westbrook: You opened the door when you started talking about bills that were unpaid.

A. Marchetti: ...opened the door...

W. Nunnally: ...bills unpaid.

D. Patteson: Human resources got the internet back up and the telephone back up. Not budget and finance.

A. Marchetti: Can we spend time on a solution.

Mayor Bugg: That's why I'm trying to do.

F. Westbrook: You can't ignore a motion that's on the floor. If it dies for lack of a second.

N. Keane: It's not on the agenda.

Mayor Bugg: It's not on the agenda.

N. Keane: There's no motion on the agenda.

F. Westbrook: And you know what on the mayor's report, we don't know what's on there either. He gets to do whatever he wants.

N. Keane: He is not asking you to vote on anything.

F. Westbrook: I understand.

D. Patteson: But you are.

F. Westbrook: I am because you started talking about the issue.

Mayor Bugg: I'm reporting to the council. I'd like to report to the council in terms of trying to resolve this and come up with some solution. I will mention I know tonight we are not going to solve these issues but we have a meeting next Thursday as well. Business is continued. The immediate thing we need to do tonight is come up with a plan for our next immediate meeting to, after you've taken a look at these documents come up with a plan for a treasurer, an interim



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treasurer for the immediate future and my question is not, it's not going to be who are we going to decide on right now, it's when's that meeting going to be and how soon are we going to do it so that we can make that decision at that meeting in the future. I'm open to any suggestion in terms of that date.

A. Marchetti: Tuesday, before the planning commission or, 3 days not enough time to notice.

S. Phillips: No because that meeting, no.

N. Keane: Well, they've already discussed that they could adjourn this meeting to another day and they could do it tomorrow, they could do it Monday, they could do it Tuesday, they could do it Wednesday.

A. Marchetti: It's got to have.

N. Keane: Or you could have it on Thursday at your regular meeting.

F. Westbrook: Actually, if we were not adjourned, we would just do a, meeting, notice tomorrow, that's Friday, Monday, Tuesday, we could have it Wednesday but I want a closed session added onto that meeting.

S. Phillips: For HR.

F. Westbrook: And I'll deliver paperwork to you in the morning.

D. Patteson: If the closed session is on HR it should be coming through human resources.

F. Westbrook: I don't have to come to anyone to ask for a meeting.

W. Nunnally: Absolutely not, any council member can make a motion, any three people...

D. Patteson: Then you are, then my opinion is you are not following the proper procedure with regard to the topic that you are likely to bring up.

F. Westbrook: There is no proper procedure...

D. Patteson: You're putting us in harm's way...

F. Westbrook: I'm asking for a closed session.

D. Patteson: And I don't think that you should.

F. Westbrook: Any of us can ask for that closed session and it will happen. That's state law.

Mayor Bugg: I have some comments about the closed session, Fran. You are welcome to bring those documents to me first. My suggestion is very much that I would then, actually what I would do is bring Dudley up to speed as well and try and see if we can all discuss this towards what it may be that you are seeking and try and solve this issue if it needs to be a closed session.

A. Marchetti: The last closed session was called for personnel matters, the only, it had nothing to do with personnel matters. It was all financial.



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F. Westbrook: It had to do with performance is what it had to do with.

Mayor Bugg: I believe you should reach out to Dudley first, but if you need to reach out to me first, that is fine, just know that I'm then to reach out to Dudley and I'll reach out to you too. We will all be on the same page.

F. Westbrook: I'll withdraw my motion and I'll see you in the morning, how's that.

Mayor Bugg: We can do that.

F. Westbrook: You've got time in the morning.

Mayor Bugg: Just text me in the morning, we'll go from there.

W. Nunnally: Mr. Mayor before we leave this subject I'd like to inquire about the law, if three council members or more ask for a closed session, don't we have to have one.

N. Keane: If you have three members of council who ask for a meeting you can call a meeting, yes.

W. Nunnally: Yeah.

N. Keane: You can call a meeting, you can't, this is a special called meeting tonight, you can't change the agenda unless you have a unanimous vote, okay. That is what the issue is tonight.

W. Nunnally: That was not my question.

N. Keane: Yes, if you want to call a meeting, you've done that before.

W. Nunnally: Alright, I just want to make sure we all understand.

Mayor Bugg: Alright.

N. Keane: With the closed session.

F. Westbrook: Well, we can call it for a closed session, we can call it, obviously we can start as a public meeting then we can go into closed session.

A. Marchetti: Considering the investigation, I'm not sure there's a whole lot to discuss.

Mayor Bugg: That's exactly where I'm heading.

A. Marchetti: We have been advised by legal counsel when taking this claim on to not discuss anything...

F. Westbrook: It doesn't..

A. Marchetti: And it's what you want to discuss.

D. Patteson: Yes it does.



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A. Marchetti: You can, but been advised not to and, and I want to go on the record that we should not discuss things we shouldn't be discussing.

F. Westbrook: We're not going to discuss that stuff. But we can call a closed session.

A. Marchetti: You can, you can, absolutely.

W. Nunnally: May I make a point.

Mayor Bugg: Yes Wayne, that letter says we shouldn't be discussing this outside and probably it should not be discussed in public but it certainly doesn't mean us as a body are forbidden from discussing it and I encourage us to discuss it. I mean I think it is part of our responsibility to do that.

A. Marchetti: The investigation is out of our hands.

W. Nunnally: We're not talking about the investigation. That's nothing, I mean what we got to discuss is, the point I'm trying to make Anthony is that we are not put a gag on our mouth with each other. We can talk to each other.

A. Marchetti: Sure.

W. Nunnally: And I urge us to talk to each other.

Mayor Bugg: I have some final comments about closed session. This is not opening up any doors or I'm hoping this won't open up any doors for further comments. I have a sense where each one of you stand. Communication will continue that is my goal. For the record another closed session was requested for personnel matters by Fran Westbrook early this week. I did not place this topic on the agenda because an investigation is pending and it takes precedence. We have been advised by counsel of O'Hagan-Meyer that the investigation should be completed prior to any decision being made to hold a closed session for this purpose. Again, I am stating that for the record for all of us. Now back to where I was with the next meeting. When do we want to have that?

W. Nunnally: Lets schedule it for Thursday.

Mayor Bugg: You want to handle the treasurer issue on Thursday, that's what I'm talking about.

F. Westbrook: How long can we go without paying bills.

Mayor Bugg: Or the alternative was continuing this meeting until tomorrow sometime.

F. Westbrook: Do you know whether or not the church is even available to us.

W. Nunnally: I'll have to check, I know they use it Wednesday, I don't know about Tuesday.

Mayor Bugg: We can set everything for Thursday and take care of it all then.

W. Nunnally: I suggest we do that.

Mayor Bugg: Okay. Are you guys okay with that, take care of it all Thursday, review the packets between now and Thursday. Is that okay with you Anthony.



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A. Marchetti: Yeah, the sooner, the better if there is a way to do it sooner.

Mayor Bugg: Right now it sounds like Thursday is the most viable option. Dudley.

D. Patteson: I will be available by phone.

Mayor Bugg: Huh.

D. Patteson: I'll be available by phone.

Mayor Bugg: Bonnie.

B. Schascheck: Okay that works with you.

F. Westbrook: We're talking about...

Mayor Bugg: Next Thursday, the 14th, and that works with you too Fran, Wayne, and the church's participation. Alright new business.

D. NEW BUSINESS

1. 1st Reading of Resolution 2020-15 TC_CUP Application 2020.CUP.8_Smith

Mayor Bugg: 1st reading of resolution 2020-15 TC_CUP Application 2020.CUP.8_Smith.

Madam Clerk do you need to read that at this time.

S. Phillips: Resolution 2020-15 TC_CUP Application build pool outside of RVA R1 tax map 27222A is attached and incorporated within.

Mayor Bugg: Thank you. The next item will be the 1st reading of resolution 2020-19 TC_CUP application 2020.CUP.11_Tides Inn.

2. 1st Reading of Resolution 2020-19 TC_CUP Application 2020.CUP.11_Tides Inn

S. Phillips: Resolution 2020-19 TC_CUP application proposed boardwalk CANDOCK in B1 tax map 33236 is attached and incorporated within.

Mayor Bugg: Thank you.



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E. ADJOURN

W. Nunnally: I move we adjourn.

Mayor Bugg: Well that was fast. Is there a second.

B. Schaschek: Second.

A. Marchetti: Second.

Mayor Bugg: All in favor. Meeting is adjourned.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



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AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: I'd like to go ahead and call this meeting to order. First, I'd like to start with a moment of silence. Thank you. Notice the Irvington Town Council will hold a Regular Monthly Meeting on Thursday January 14, 2021 6:30 pm; Irvington Baptist Church. Welcome this evening. I'd like to start with the roll call.

B. ROLL CALL

Mayor Bugg present.

Members of Council Present: Frances Westbrook present.

Wayne Nunnally present.

Bonnie Schaschek present.

Jackie Brown present.

Anthony Marchetti present.

Dudley Patteson present (via telephone).

Mayor Bugg: I will note for the record that Mr. Patteson is participating by phone this evening.

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

Guests: See attached sign in sheet

C. APPROVE AGENDA

Mayor Bugg: Next item on the agenda is approval of the agenda. Any discussion about that council.

Wayne Nunnally: The only thing I'd like to say about it is I don't see any minutes on it.

Mayor Bugg: Thank you Mr. Nunnally. That's noted anything further council. Can I get a motion to approve the agenda.

Frances Westbrook: So moved.

Mayor Bugg: Second.

Anthony Marchetti: Second.

Mayor Bugg: Any discussion. All in favor.

Mayor Bugg: Opposed.

Wayne Nunnally: No.

Vote: Frances Westbrook Aye
Wayne Nunnally Opposed
Bonnie Schascheck Aye



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Jackie Brown	Aye
Anthony Marchetti	Aye
Dudley Patteson	Aye (via telephone)

THE MOTION TO APPROVE THE AGENDA IS APPROVED 5-1

D. PUBLIC COMMENT

Mayor Bugg: Noted. Agenda is approved. Next item is the public comments section. I will note for the public that you are certainly welcome to speak this evening, given the number of people that we have speaking this evening. I would ask you to limit your comments depending on how many people need to speak to anywhere from 2 to 5 minutes and if you are truly not interested in staying for the remainder of this meeting, I would request that you disburse and exit the building at that time because we would like to be in better compliance with the Governor's order regarding COVID restrictions, so thank you for your understanding. I wish you all could stay here all evening, but those are the cards we were all dealt. So with that in mind, thanks again public, does anyone wish to speak. Yes Mr. Braly. Please state your name and address.

Chris Braly: Chris Braly, 298 Chesapeake Drive. Mr. Mayor, members of Town Council. I'm here to speak as a concerned resident of Irvington about the disappointing behavior of town council members and the state of our finances over the last month. First, I will address the behavior. It is obvious to everyone who pays an ounce of attention that town council is dysfunctional to say the least. As a group you do not respect each other, and you do not work together. You spend time at meetings bickering with each other about issues that are not pertinent to the discussions at hand. On several occasions over the past month one or more council members have complained about others not returning phone calls. Others are complaining about tasks not filtering through their committee when they feel it should have. This is not how a town council is supposed to function. You should be working together for us. For Irvington. I know you are all reasonable people and my capacity as a planning commission member I reached out to each and every one of you prior to my meeting this week to discuss the few P's before you tonight. I wanted to hear your thoughts about these projects, and I wanted to share with you what I was thinking. We had reasonable conversations. Productive conversations. This is how government is supposed to function. I was not able to attend the meeting held on January 7th, but I have listened to the recording. I was shocked, dismayed, disappointed and embarrassed. The behavior at that meeting by all involved was reprehensible. As a resident of Irvington, I expect civility and professionalism from our leadership. Honestly, as a person I expect that from everyone and anyone I encounter. Unfortunately, neither of those attributes were exhibited in that moment last week. I hope the meeting last week will be a turning point for this council. I hope that it was the low point. Now is the time to change course. On to our finances. It is inexcusable that the town has stopped paying bills. In our town the treasurer is the only person allowed to make financial transactions of any kind. Our town is small and doesn't have a large staff. Understandably, we do not have the redundancy of larger municipalities. In the last meeting Mr. Nunnally stated and I quote "there is no reason the finance committee and the mayor can't write these people checks." I believe this to be incorrect. The Code of Virginia 15.2-1534 states that "pursuant to article 7, Section 6 of the Constitution of Virginia no person holding the office of treasurer, sheriff, attorney of the commonwealth, clerk of the court, commissioner of the revenue, supervisor, councilman, mayor, board chairman or other member of the governing body of any locality shall hold more than one such office at the same time. The authors of this section wanted to prevent corruption in government. Can you imagine if elected officials were allowed to do whatever they wanted to do with town finances?



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Think for a moment about the corruption possibilities even in a small town like ours if this were to occur. Now if I believe anyone on town council wants to engage in fraudulent and illegal activities I do not. However, we have to keep the function of running a town separate from legislating for it. While the mayor and vice mayor or signatories on checks I do not believe they are allowed to perform the functions of the treasurer including issuing checks. No councilman or woman should be allowed to do so either. It goes without saying without a treasurer no financial transactions will occur. When the treasurer resigned on December 17th, the town council should have immediately begun the search for a temporary bookkeeper and interim treasurer. In fact, town council had the ability to take appropriate action after they returned from closed session on that night. Why didn't you vote immediately to begin this search at that time? At a minimum by the end of December council should have hired a bookkeeper so those staff and bills could be paid. Your inaction resulted in Atlantic Broadband cutting off the phones and internet in the town office. Your inaction has left vendors under contract that you voted to approve from being paid. Your inaction is putting the town at risk with potential lenders for the development of the North Commons. In closing, I hope that tonight you will begin to work together again for Irvington. I appreciate your time.

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

George Kuper: George Kuper, Hayden Hall.

Mayor Bugg: Can you come up here so the recording can get you.

George Kuper: I want to speak to two items please on your agenda, items 6 and 7 under old business. Your rezoning application at the last meeting we heard from two dozen letters proclaiming the talent, skill and desirability of people who want to operate a Pilates studio there. No argument that they sound like fine people, it sounds like a fine idea. The only argument there is one, the neighbors have objected, you did not hear my letter, I did not hear at least one other letter that I know was submitted in opposition. My opposition was based primarily on traffic and I don't know what the other opposition was, and I do hope that you've heard from the immediate neighbors who live cheek by jowl next to that parcel of land that you want to rezone. That's item one, the second aspect of it, I put on your desk a piece of paper that came to us as neighbors asking for our comments regarding the CUP for using property as a Pilates studio and I've underlined the pertinent part that says that based on a very old report by whoever installed the sewer system that it was not to be used as a public facility and I question whether or not you have sufficient explanation as to how this will be addressed before you grant the CUP. Thank you.

Mayor Bugg: Thank you. Anyone else from the public.

Holmes Ginn: I spoke last week. I'd just like to reiterate one thing on the Tides Inn project.

Mayor Bugg: Can you state your name.

Holmes Ginn: Holmes Ginn.

Mayor Bugg: Your address.

Holmes Ginn: 142 Lancaster Road.

Mayor Bugg: Thank you.



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Holmes Ginn: I'm the adjacent proper owner of the Tides Inn property right next to the bluff on the north part of the Tides Inn. We are right next to that property. I spoke last week, but I just wanted to reiterate that I think it's very possible to have and you have the picture up from the view from my backyard. That is about 100 feet from our backyard, 25 feet from the property lines but we think it could be moved, that ramp could be moved ADA accessible on all into the other side on the south side of the bluff without affecting anything that the Tides Inn wants to do. They still have access; they still do that and it keeps that whole project in the cove between the Fish Hawk and the bluff. That's all I have. Thank you.

Mayor Bugg: Thank you sir.

Wayne Nunnally: May I ask him a question. Is it the ramp, the ramps that you are talking about...

Holmes Ginn: The ramp comes around the bluff on the corner which is from our property 80 feet from the dock and probably 50 feet – 80 feet from our actually backyard.

Wayne Nunnally: Thank you.

Homes Ginn: Yes sir.

Mayor Bugg: Thank you sir. Yes Cay.

Cay Bradley: Cay Bradley, 991 King Carter Drive. I wish to express my dismay at how town council has behaved at recent meetings. I would love to see council members work together to make the most of opportunities presented and to solve challenges for the benefit of the town. Having attended recent council meetings on December 10th, 17th and January 7th, I do not feel that is what I have witnessed. As I learned from public comment on January 7th, the town is involved, I mean, not public comment, the mayor's report, excuse me. The town is involved in an investigation with our insurance company in the driver's seat. The investigation is due to allegations by a resident of misappropriation of funds which puts the town as an entity and individuals at risk. Based on comments on January 7th, among you all, it seems the law firm hired by the insurance company recommended council not discuss matters under investigation, however, it seems that some council members feel that that performance is at the top of the closed session that was last night that was canceled so it seems like it may be a topic of conversation. I encourage each individual member and council has and as a whole to protect the town to the best of their ability which includes supporting the investigation and heeding legal advice regarding the investigation. Thank you.

Mayor Bugg: Thank you Cay. Anyone else from the public. Alright if no one else wishes to speak from the public, again, if you are not adamant about staying for this entire meeting, I would ask that you consider disbursing at this time to reduce our numbers, number of people in this building. Onto the next item, which is my mayor's report.

N. Keane: You have one more thing.

Mayor Bugg: I have one more. Oh, I did, I jumped ahead. Steamboat Era Museum, Cay you again.

E. STEAMBOAT ERA MUSEUM – Cay Bradley, President

Cay Bradley: Alright I put my scarf on, so all the Steamboat landings around here because I am not a resident at the moment. I am now speaking to you as president of Steamboat Era Museum Board of Directors. For those of you who are not aware, we have been very successful with bringing in the Pilot House and redoing



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the exhibit. That means that our former executive director Barb Brecker felt that she had done the task put before her and she has unfortunately left us to do other things. So I want to take a moment with you to share that the board conducted a search and we hired Steve Humphrey. Steve has more than 40 years of experience as an executive director for various entities primarily in Easton, Pennsylvania. For 30 years he oversaw the Canal Boat Museum. I still don't get all the names right. So he is well versed in the time period that the Steamboat Era Museum is interested in and Maritime issues. Steve and his wife Sandy have grandchildren in Kilmarnock and so are benefiting from their desire to be closer to the grandchildren. So, I just wanted to take a moment to introduce Steve particularly to council but I also to the members of the public who are here. So, please join me in welcoming Steve.

Mayor Bugg: Welcome.

F. MAYOR'S REPORT

Mayor Bugg: Now back to where I was before I jumped ahead. The mayor's report. Tonight's mayor's report is brief. I would like to start by addressing council and stating that I know that each and every one of you are taking to heart what Mr. Braly said and what Ms. Bradley said and I know that everything you hear from the public you take quite seriously and but the public does not see the work that you do behind the scenes so I wanted to sincerely thank you for all of your efforts and everything you put forth in accomplishing the goals of this town, so thank you. In keeping in spirit also with what Ms. Bradley and Mr. Braly mentioned, this is to reiterate to council and let the public know that it has been suggested by the attorneys for the insurance company that we hire a CPA or accounting firm to handle the bookkeeping task of the town office. Again, it has been strongly suggested that entity or person should be independent and not be affiliated in anyway with the town, council members, mayor or staff. This interim CPA or accounting firm will have to work closely with the auditor and law firm directing this investigation as we go forward. That is all I have to state tonight for the mayor's report. Again, thank you public and thank you council. Next item on the agenda is a report from the town attorney, Nancyellen Keane.

G. REPORT FROM THE TOWN ATTORNEY

N. Keane: I don't have anything. Thank you.

Mayor Bugg: Thank you Ms. Keane.

H. REPORT FROM THE ZONING ADMINISTRATOR

Mayor Bugg: The next item on the agenda is the report from the zoning administrator Lara Brown, I know you've been quite busy, so I'll turn it over to you

Lara Brown: Thank you mayor. In addition to what I have on my zoning administrator report, I have the other staff reports that I will do individual as we go through the second readings for the CUPS and the rezoning's tonight. Aside from that, we have been busy. There was one zoning permit issue that you approved last week. A sign permit for the new town office. Earlier in the meeting tonight I will propose a CUP schedule for six CUPS and one rezoning. We have two joint permit applications that are happening in our backyard so probably next month I'll be presenting those to you for CUPS. Completed two site visits



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this month, with chairwoman, Julie Harris of the planning commission. We went to the Tides Inn and she wanted to review the property. We also went over to Mr. and Mrs. Ginn's property and checked that out, or the site from Tides Inn to Mr. and Mrs. Ginn's property, excuse me. We also went and looked at the pool construction proposed tonight in the RPA down on The Lane. We received one complaint from an anonymous individual complaining about a tent up on Irvington Road that they were in violation. They were not in violation. I called the Lancaster County office, and this individual has a building permit which is required if you would like to put a tent up in your backyard for social gatherings, barbecues, picnics that exceed 250 square feet, so that's taken care of. I want to give an update on the North Commons. I met with Bay Design Group on January 8th for a preliminary meeting to discuss the timeline in moving forward with their work. I forwarded the email to the mayor, but just to give you an idea of next steps for that. Sometime beginning late February or early March Bay Design Group will begin the topographic and boundary surveying which is item B1 on the proposal and contract. In addition to initiating the survey work, soil and septic profiles will also begin. It is anticipated by mid-March that Bay Design Group will have something to show me in regards to the surveys and where the potential drain field location could possibly be. That's necessary before you proceed with any additional site work, you know where you can figure out where the buildings are going to go and so forth. Once that is presented to myself, I propose that mayor, you appoint a committee to work with myself and the building and grounds committee to start looking at this seriously. Once we know where and what we have to work with, what our parameters are, you know what are our next steps and how do we move forward. I recommend that we solicit one member from the planning commission, and two possibly three residents to join us on that committee as we look at the plans, the preliminary designs that Bay Design Group will have. We don't need to do that tonight, but possibly between now and the February meeting we could start looking at, if you agree, you know putting a committee together.

Mayor Bugg: I do.

Lara Brown: Great.

Mayor Bugg: Thank you for that suggestion.

Lara Brown: Thanks. That is all that I have right now. Any questions on anything in the report.

I. OLD BUSINESS

1. Motion to appoint interim treasurer

Mayor Bugg: The first item that is at the very top of this list and very much the top of our to do list is a motion to appoint interim treasurer/bookkeeper. Council, Dudley can you still hear me.

Dudley Patteson: I can hear you.

Mayor Bugg: Okay, Dudley is the head of our HR Department, he has shared some candidates for this position and I circulated that paperwork last week. Hopefully council you have had a chance to review that and I'll let you take the floor from here.

Wayne Nunnally: I thought we were considering hiring Jeff Ewing

Dudley Patteson: Turning it over to me, Tripp.

Mayor Bugg: Sure, speak up.



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Dudley Patteson: Well, there are on the table three qualified candidates, there are two regional public accounting firms, P. B. Mares and Robinson, Cox, Farmer and we also have a request to serve as treasurer from Jeff Ewing whose is an Irvington resident and one has a business in White Stone, several businesses in White Stone and well qualified. What has come from the attorneys that are representing the town in this investigation is that we are not to consider any candidate that has any connections with members of council or staff and Mr. Ewing has a relationship that does not permit him as I see it to be considered. If I'm wrong, I apologize, but that's the way I see it and I think council sees it and in addition to that we have two, one from P. B. Mares and one from Robinson, Cox, Farmer. Both of these firms have many, many, many municipal clients, they both have government practices, they both equally would like to become our acting or interim treasurer and to take care of the business of the town that has been overlooked for too long and either one of these firms is qualified and I would support and ask council after they have reviewed it to let us know their feelings on who of these two firms that should be appointed by motion to serve as our interim treasurer.

Mayor Bugg: Council, any thoughts.

Anthony Marchetti: I would certainly go back, keep in mind this is the temporary treasurer at least throughout the remainder of the investigation by the insurance company. I certainly think Mr. Ewing would be a good fit maybe to fill the role permanent.

J. Brown: Mr. Ewing, what.

Anthony Marchetti: Mr. Ewing would be a good fit to fill the position permanently down the road, I would say during the interim investigation, it would be one of the other two P. B. Mares or RFC because of his relationship. Otherwise I think it would be great to have Jeff, somebody local, and knowledgeable and would like to keep it having community when we can so.

Bonnie Schaschek: May I ask a question here.

Mayor Bugg: Yeah.

Bonnie Schaschek: If we don't bring him in as the treasurer, we don't have to swear him in and all of that, but bring him in as a bookkeeper, is there still a conflict of interest.

F. Westbrook: Are you talking about Mr. Ewing.

Bonnie Schaschek: Yes.

Fran Westbrook: I think we have already determined that. You know here in our immediate area as well as on the Northern Neck at large, we have lots of CPAs, lots of accountants to us, is there a reason why you haven't looked at more local people.

Mayor Bugg: I think Dudley can answer some of that. Dudley, did you hear Fran's questions.

Dudley Patteson: I did not hear the question, if the mic could possibly be taken a little closer that would be very helpful.

Frances Westbrook: Dudley, I was asking about more local CPAs or accountants that might be available to us.



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Dudley Patteson: Well, in my quest to find somebody were local firms and some just outside of our area. With local firms it is difficult to find one independent, but what became very clear through multiple times that these firms, just could not do it. They were in the middle of tax season and some were short-handed, and we did look out for the local firms first, but one of the values of these two firms is they do have government practices and I think that all of us can learn more about how we conduct ourselves on the finance side of our town and they will certainly bring a professional perspective to that.

Frances Westbrook: Thank you.

Dudley Patteson: Thank you.

Mayor Bugg: Dudley I'm really going to keep you on the hot seat here. In speaking with you and looking into this myself both, Robinson, Farmer, Cox and P. B. Mares being extremely qualified it is, both of them would definitely fit the position and take care of the task we need them to do and quite adequately, but do you have any insight as to these two and any preference.

Dudley Patteson: I, if you ask my vote and it is one vote, it is to send this to P. B. Mares. They have again a Williamsburg office which is very close, one of the senior partners has local ties, David Bush and is well respected within Williamsburg and was the one that we went to, to get their level of interest. Their level of interest is high. The other firm Robinson, Cox, great firm, P. B. Mares did come back to us in the interim since our last meeting and inquire where things stood which shows that they are very interested, they also have an accounting system with Quick Books and that can come in very handy. They also have ways to protect not only the town but the people working on the books and we are going to learn a lot from them in addition to the fact that they are going to be able to help us write our checks, pay our staff and pay our bills and move forward.

Mayor Bugg: Absolutely. Mrs. Westbrook just gave me a note. Did P. B. Mares mention anything to you about a cost. I see a cost in Robinson, Farmer, Cox's letter, but I'm not sure I see anything in P. B. Mares.

Dudley Patteson: I would highly suspect that the costs are similar, they as you can see were a little more detailed than Robinson, Cox in a discovery questionnaire in order for them to better ascertain how many hours and who in their firm is better suited to handle the affairs of the town. They are not going to put a CPA to do a bookkeeper's job, but I'd say an outstanding item that we need to make certain that they are in line certainly with the Robinson, Cox rate.

Mayor Bugg: Thank you. Anything further council.

Wayne Nunnally: I didn't understand, the bookkeeper not being eligible. Why can't we get a bookkeeper?

Mayor Bugg: Yes Nancyellen.

N.Keane: I was just going to say Dudley I don't think it matters what position it is, it's they are recommending that whoever does that work not to have a relationship with the town.

Dudley Patteson: If anything is being addressed to me, I'd like a little closer, I've got my phone up to my ear right now, trying to hear everybody.

Mayor Bugg: Nancyellen and Wayne were discussing something about the title bookkeeper versus treasurer.

Dudley Patteson: Got it.



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Wayne Nunnally: As I understand it Dudley we could have a bookkeeper as long as that bookkeeper is not a council member or associated with the council in anyway and Nancyellen told me that was correct. If that is correct I don't see the need of hiring a high-powered CPA who might send like you say a bookkeeper to do the work. So, I would like to see a bookkeeper hired.

Dudley Patteson: Wayne, with all due respect to you, I think the town has never really gone outside for financial advice, we'll get that from hiring a municipal accounting firm and I think the additional cost I regret that, but people and events have prompted us to go in this direction and I think the funds will be well spent because I think we'll get more than a return than a bookkeeper will provide. We don't have a bookkeeper right now, do you have a bookkeeper in mind. It's a little late in the game to...

Wayne Nunnally: If I may interrupt, I didn't understand what we were looking for. I didn't know we were looking for consultants. If that is what we are looking for on top of the bookkeeper's job, then of course we need a CPA to talk to us. But I thought we were just looking to write the checks and keep the lights on.

Dudley Patteson: Well, it's not, we're looking for more than a bookkeeper. A treasurer is more than a bookkeeper and this firm has very good skill sets of a....

Wayne Nunnally: I've heard enough Dudley. Thank you.

Dudley Patteson: Thank you.

Mayor Bugg: Good question. Thank you, Wayne. Anything further council. With that would anyone like to propose a motion for the hiring of either Robinson, Farmer Cox & Associates or P. B. Mares.

Wayne Nunnally: Let me get this straight. Why can't we hire Ewing. I was very impressed with his resume.

Fran Westbrook: We have a relationship with him. I do.

Wayne Nunnally: Oh. I'm sorry.

Fran Westbrook: I contract provide some services to him for tax preparation.

Wayne Nunnally: Okay.

Mayor Bugg: Anthony pointed out we are all very impressed with his resume and possibly should consider him for longer term after this is all over.

Anthony Marchetti: I mean, while I agree it's expensive hopefully, we can get a lot out of it. It seems like they are going to be working with the auditor it would be nice to have somebody with that level of experience in depth.

Wayne Nunnally: Alright, ya'll have convinced me, in the spirit of cooperation.

Fran Westbrook: I might add that I may be in favor of P. B. Mares if they could come in at around the same cost that Robinson, Farmer, and Cox has put in their letter here. I'm just a little bit leary at doing something which we do not know what it is going to cost us. So, I understand what Dudley is saying, but I do think we ought to have some basis to put our vote to.

Wayne Nunnally: How about this, that we give Dudley permission to hire them if they are competitive. If they are not competitive then we go back to...



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B. Schaschek: Yeah, let's okay.

Dudley Patteson: ...go back to Robinson, Cox, I agree with what.

Females: [talkover], no, I don't want to get up in the air.

Bonnie Schaschek: Can I just make a comment or ask a question. Robinson, Farmer, Cox and Associates, they understand that this is a temporary job until we find a new bookkeeper. They are also going to use Quick Books. We currently use a desktop version not the cloud. We never converted to the cloud. So whereas the other one wants to put it out in the cloud, I think we don't want to do that. You know and the fact that they understand it is temporary until we hire somebody, I don't think we have to go through all the swearing in while they are just doing temporary until we hire somebody.

Dudley Patteson: ...how the system works [phone is cutting in and out].

B. Schaschek: Sorry Dudley, I think you're in a hole. Say it again.

Dudley Patteson: Maybe I am. I think once everyone understands how the system works and the [phone cutting out, inaudible].

B. Schaschek: I think he is talking about security. Alright I have three bars, Dudley check yours.

Dudley Patteson: Okay, let me see what I can do to, I'm in the mountains of North Carolina and I can move.

S. Phillips: It's better.

Anthony Marchetti: Obviously, they're reputable, we got to make a decision, we got to get somebody tonight, so if you're not comfortable with the unknowns, for the other candidate, then....

Bonnie Schaschek: We'll just see where....

Fran Westbrook:either one.

Wayne Nunnally: We have to nominate somebody don't we.

Mayor Bugg: Make a motion.

Wayne Nunnally: Yeah, make the motion.

B. Schaschek: I'll make a motion for Robinson, Farmer, Cox and Associates.

Wayne Nunnally: Second.

Mayor Bugg: Second, is there any further discussion? All in favor.

Group: Aye.

Mayor Bugg: Opposed.

Fran Westbrook: Dudley are?

Mayor Bugg: Roll call vote.

Fran Westbrook: Dudley he is going to do a roll call vote. I'll tell you when.



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Roll Call vote: Frances Westbrook yes.
Wayne Nunnally yes.
Bonnie Schaschek yes.
Jackie Brown yes.
Anthony Marchetti yes.
S. Phillips: Your turn.
Dudley Patteson yes. (via telephone).

THE MOTION TO HIRE ROBINSON FARMER COX AND ASSOCIATES IS PASSED 6-0

Mayor Bugg: Excellent council. Robinson, Farmer, Cox and Associates. We'll keep you in the loop. Thank you. Next up we have readings starting with #2. Second reading or resolution 2020-14 TC. Madam Clerk I'll turn it over to you.

2. 2nd Reading of Resolution 2020-14 TC; Conditional Use Permit Application – Replace and Extend Existing Pier, R-1, Tax Map 34F 13_Alga

Sharon Phillips: Resolution 2020-14 TC; Conditional Use Permit – Replace and Extend Existing pier, R-1, Tax Map 34F 13.

Mayor Bugg: Yes.

Lara Brown: May I make a recommendation that after the title of each resolution that if you have any questions for me or I have any updates to provide to you that I may do that before you vote. Would that be acceptable.

Bonnie Schaschek: That would be acceptable, also could we hear what the planning commission had to say upon reviewing these.

Lara Brown: Yes, so this is just a replace an old pier that was once an unsafe structure. The planning commission did vote to approve this. At the public hearing on December 8th at Connemara Corporation, nobody spoke against this application and I have not received any letters of objection.

Wayne Nunnally: Staff approved.

Lara Brown: Yes sir, staff has the approval.

Mayor Bugg: Thank you. Ms. Keane is it now appropriate to vote on this.

Nancyellen Keane: Unless there is any other discussion. Does anyone else have anything.

Mayor Bugg: Alright would somebody like to make a motion to approve this resolution.

Wayne Nunnally: So moved.

J. Brown: Second.

Frances Westbrook: Roll call.

Mayor Bugg: Was there a second. Oh, he did.



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

Mayor Bugg: This resolution is approved. Next item is item 3, 2nd reading of Resolution 2020-16.

THE MOTION TO APPROVE RESOLUTION 2020-14 TC; CONDITIONAL USE PERMIT APPLICATION IS PASSED 6-0

3. 2nd Reading of Resolution 2020-15 TC; Conditional Use Permit Application – build Pool Outside RPA, R-1 Tax map 27-222A_Smith

Sharon Phillips: Resolution 2020-15 TC; Conditional Use Permit Application – build Pool outside RPA, R-1 Tax map 27 222A whereas the Irvington Town Council reviewed the proposed conditional use Permit application CUP2020, CUP 8_Smith to build a pool at a residence outside the RPA, R-1 zoning district tax map 27-222A 173 Virginia Road.

Lara Brown: As noted in the staff report for Mr. Smith's conditional use permit, a joint public hearing was also held on December 8th at Connemara Corporation, nobody spoke against this application and I did not receive any letters of objection, do you have any questions about this. The planning commission did unanimously vote to approve this, to recommend approval, I'm sorry.

Mayor Bugg: If nothing further, is there a motion to approve this resolution.

Wayne Nunnally: So moved.

Frances Westbrook: Second.

Mayor Bugg: Any further discussion? All in favor.

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

Mayor Bugg: This resolution is approved.

THE MOTION TO APPROVE RESOLUTION 2020-15 TC; CONDITIONAL USE PERMIT APPLICATION IS PASSED 6-0

Mayor Bugg The next item is the second reading of Resolution 2020-16.



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4. Reading Resolution 2020-16 TC; Conditional Use Permit Application – Build Pool Inside RPA.

Sharon Phillips: Resolution 2020-16 TC; Conditional Use Permit Application – build Pool Inside RPA, R-1 Tax map 34 21D, whereas the Irvington Town Council reviewed the proposed conditional permit application CUP2009_ Webb to build a new pool at a residence inside the RPA Redevelopment with no further encroachment and increase in impervious cover R1 zoning district tax map 34-21D 391 The Lane.

Lara Brown: This request is for the Webb's to build a pool inside the RPA under the Redevelopment proposal. This proposal meets the guidelines of the Chesapeake Bay Act under the Redevelopment criteria permitted by right. We did have a public hearing also on December 8th. I have not received any letters of objections from those individuals that were noticed. We did have a resident of Irvington, not within the 300 or 500 foot boundary that did have some concerns with understanding what the Redevelopment process meant. I met with that individual at the town office twice to go over the process, the plans, explaining the Redevelopment criteria and that's the thought. He doesn't like it, he doesn't like the idea of redevelopment but there's no objection. Planning commission did vote unanimously to recommend approval.

Wayne Nunnally: Approve.

Mayor Bugg: Second.

B. Schaschek: Second.

Mayor Bugg: Any other discussion? Roll call vote.

Frances Westbrook yes.

Wayne Nunnally yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Dudley Patteson yes. (via telephone).

Mayor Bugg: Resolution is approved.

THE MOTION TO APPROVE RESOLUTION 2020-16 TC; CONDITIONAL USE PERMIT APPLICATION IS PASSED 6-0.

Mayor Bugg Next item is the 2nd Reading Ordinance 2020-11.

5. 2nd Reading Ordinance 2020-11, Repeal, Re-enact Town Code 154.106 Use Regulations in B-2 Zoning District.

Sharon Phillips: Ordinance 2020-11, Repeal, Re-enact Town Code 154.106 Use Regulation in B-2 Zoning District whereas the Irvington Town Council proposes to Repeal and Re-enact town code Section 154.106 regarding B2 zoning district and use regulations.

Lara Brown: We had discussions on this one. As far as rezoning it was recommended by the planning commission that this parcel be rezoned from R1 to B2 to strike the B1 from the language



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N. Keane: We are doing the ordinance now. The rezone is the next one on the agenda after this.

Lara Brown: Did I skip one.

N. Keane: Yes.

Jackie Brown: So this is the Pilates Yoga.

N. Keane: They are putting this specific word so that the town council if it desires to do so will change the ordinance to allow its use, then would consider the rezoning of the actual parcel for that zoning district and that's why it's in this order.

Lara Brown: The planning commission's recommendation was to strike the word music from this use.

Mayor Bugg: Anything further for Ms. Brown. Is there a motion to approve this?

Wayne Nunnally: With the condition with respect to music.

Sharon Phillips: Yes.

Wayne Nunnally: So moved.

B. Schaschek: Second.

Mayor Bugg: All in favor. Roll call.

Frances Westbrook yes.

Wayne Nunnally yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Dudley Patteson yes. (via telephone).

Mayor Bugg: This is approved.

THE MOTION TO APPROVE ORDINANCE 2020-11, REPEAL, RE-ENACT TOWN CODE 154.106 USE REGULATIONS IN B-2 ZONING DISTRICT IS PASSED 6-0.

Mayor Bugg: Next item on the agenda is the 2nd reading of Resolution 2020-17 TC.



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6. 2nd Reading Resolution 2020-17 TC; Rezoning Application – rezone Parcel from R-1 to B-1 or B-2, Tax Map 33-378_ 235 Steamboat Road.

Sharon Phillips: Resolution 2020-17 TC; Rezoning Application – rezone Parcel from R-1 to B-2, Tax Map 33-378, whereas the Irvington Town Council reviewed a proposed rezoning application RZ1 Town of Irvington to rezone Parcel Tax Map 33-378 from R-1 to B-2 at 235 Steamboat Road.

Lara Brown: Exactly what I said the last time. Planning commission recommends approval striking B-1 and going with B-2 going with the rezone of 235 Steamboat Road.

Mayor Bugg: Anything further council.

Frances Westbrook: I'm assuming then that on this document we are also striking the word music that is on the 3rd page, item 21 in the list.

S. Phillips: That's B-1, item 21 you have the wrong.

Mayor Bugg: Yeah, yeah.

Frances Westbrook: Oh, okay. So we are re-enacting town code to say B-2.

Mayor Bugg: Yeah.

Sharon Phillips: Right, so this is the ordinance you just accepted.

N. Keane: The second one is the rezoning application which just means a particular parcel will now be zoned that, so that's the difference in.

F. Westbrook: Thank you sorry.

Mayor Bugg: Anything further council. A motion to approve.

Wayne Nunnally: Again.

Frances Westbrook: Second.

Mayor Bugg: Roll call vote.

Frances Westbrook yes.

Wayne Nunnally yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Dudley Patteson yes. (via telephone).



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Mayor Bugg: Item is approved.

THE MOTION TO APPROVE READING RESOLUTION 2020-17 TC; REZONING APPLICATION IS PASSED 6-0.

Mayor Bugg: The next item is item 7, 2nd Reading of Resolution 2020-18.

7. 2nd Reading Resolution 2020-18 TC; Conditional Use Permit Application – Pilates Studio in B-1 or B-2, R-1, Tax Map 33-378_235 Steamboat Road.

Sharon Phillips: Resolution 2020-18 TC; Conditional Use Permit – Pilates Studio in B-2, R-1, Tax Map 33-378 whereas the Irvington Town Council reviewed a proposed conditional use permit application 2020-10 Town of Irvington to locate a Pilates Studio in B-2 zoning district Tax Map 33-378_235 Steamboat Road.

Lara Brown: So this is for the use of a Pilates Studio at 235 Steamboat Road and I do want to answer or speak to Mr. Kuper's comment earlier. He is absolutely correct. I did not see his letter the night of the joint public hearing and I stated in staff report that a letter was distributed to all of you prior to the meeting because we had it before the materials went out. The reason the other letters were read is because those letters came out after the fact, so that is why they were read for you because you didn't have access to them until the joint public hearing, but Mr. Kuper's letter was distributed to you prior to the meeting. I just want you to be assured that we did get it. Then there was another resident that spoke about it. Mr. Ian Cheyne spoke about this CUP application but the residents on either side I have not heard from objections. Mr. Cheyne had a concern about the music part if that were left in the ordinance if this property were to be sold down the road how would that affect things down the road. That is something that the planning commission took under consideration and the concerns they heard and that's why music was struck from it.

Frances Westbrook: So, wherever it says music in either of these two documents, that is being taken out.

N. Keane: So, this CUP Application is only for a Pilates Studio.

Lara Brown: Correct.

Frances Westbrook: So, you are not even going to have to worry about music. The ordinance....yes.

Lara Brown: So, the document, this is page 2 of a 3 page document. On page 1 of this document, did you get all three pages.

J. Brown: No.

Lara Brown: Okay, so that is only partial. Ann did you do some more research on that.

Ann Meekins: This inspection was in 1978 and on the first page of this document it says that this could only be used for an office, one full time employee. This wording on the second page at the very bottom Ann



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Meekins the realtor representing both the town and seller, I have some information on that. Did she speak to that. If you look at the document that I sent with the contract there is a 3-page document, not 1 page. The first page was an inspection that said it could not be used as public use the way it was. The second one shows the installation, the third one shows the permit that plainly says this septic system is designed for one full time employee. If you look at all three, it is clear.

Mayor Bugg: Thank you.

Frances Westbrook: Clarification.....when this says cannot become a public facility, the public facility means something like a town office that we were using it as pretty much.

N. Keane: I'm not sure that that was what that was for. It was the inspection before. Someone in 1978 did an inspection and wrote this report that has the words you are talking about Fran and then they did something to upgrade it or

Anne Meekins: They came up with the design and then came up with the permit, septic and attached that to it.

N. Keane: I believe that something about the documents that I saw showed that at one time the septic was in one place and then it got moved to the other, directly behind or something and that might have been what it was. Wasn't it some new tank or something..

Anne Meekins: If you look at the entire document it tells you everything you need to know.

N. Keane: It says it can be used for a business with one employee.

Anne Meekins: One full time employee.

Frances Westbrook: So the things that are listed on this B-2 the use regulations, what we're seeing on here....

Sharon Phillips: You have to go to B-2.

Frances Westbrook: ...that's what I was going to ask, aren't these B-1 uses these B-2 uses. Yep, yep, yep.

N. Keane: So, there are possible on B-2 other than what this is going to be which is a Pilates Studio that they could use it for as long as there's only one employee, you see.

Frances Westbrook: But it could be used as a florist shop in the future if there is one employee, or bakery, if there is just one employee.

N. Keane: Or office.

Group: Talkover.



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Frances Westbrook: I know but I'm looking at what the other uses could be in the future, I just want to make sure that we are very much aware of all those uses.

Bonnie Schaschek: And on page 3 Fran, they did do the improvements section to remove it and put that drain on the side.

Lara Brown: It was distributed in your packet for the public hearing, I didn't copy everything, they were in your joint public hearing packet.

Frances Westbrook:something that I don't have.

Mayor Bugg: Anything further council? Is there a motion to approve this resolution?

Anthony Marchetti: Approved.

Mayor Bugg: Second. Is that a second.

Wayne Nunnally: Second.

Mayor Bugg: Roll call vote.

Frances Westbrook yes.

Wayne Nunnally yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Dudley Patteson yes. (via telephone).

Mayor Bugg: Resolution is approved.

THE MOTION TO APPROVE RESOLUTION 2020-18 TC; CONDITIONAL USE PERMIT APPLICATION IS PASSED 6-0

Mayor Bugg: The next item on the agenda is item 8, 2nd reading of resolution 2020-19.

8. 2nd Reading Resolution 2020-19 TC; Conditional Use Permit Application – Proposed boardwalk, docks, candock, in B-1, Tax map 33-236_Tides Inn.

Sharon Phillips: Resolution 2020-19 TC; Conditional Use Permit Application – Proposed boardwalk, docks, candock, in B-1, Tax map 33-236 whereas the Irvington Town Council reviewed a proposed conditional use permit application 2020 CUP11 – Tides Inn to locate a proposed boardwalk, docks, and candock in B-1 district, Tax map 33-236 at 480 King Carter Drive.

Lara Brown: I would like to say I really enjoyed working on this application. This has been a very interesting experience for myself and learning experience and I'm glad to have had the expertise of Nancyellen and Bay Design Group and the Tides Inn staff and their attorney. It has been a joint effort the VMRC, VIMS, this has



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been a big project. This is the largest project the Town of Irvington has ever seen and Brian Barnes told me it's one of the biggest ones that Lancaster County has ever seen, so, having said that, a lot of time has gone into this, I understand if you want to ask questions, I hope we can get all of your questions answered tonight. We have some property owners here, you've heard from them so, let's get to it. This conditional use permit encompasses several different components. We have 1,305 linear feet of boardwalk reaching from Fish Hawk all the way around to North Shore Bluff. It is also for adding an L-platform to an existing pier right there at the Fish Hawk Restaurant, asking for use of a candock, for a floating candock for sail boats. Removing an existing pier and replacing with a new pier with an L on the end. Installing a new pier on the north end of the shoreline, installing four viewing platforms along the boardwalk. Each marsh and break waters will have access points connecting to the boardwalk for pedestrian use and ADA accessibility in connection with service use for Fish Hawk Restaurant. All of the underlying components on the first page of the staff report are the components that you are reviewing for this conditional use permit. I would like to add some additional information that is uncovered, but talking through today. This project has evolved through the months from different reviewing agencies and feedback has been open and transparent with the Tides Inn and their agent. The town has pursued just this week notification from VMRC of the proposed boardwalk meeting the requirements of a water dependent use which is permitted by right. I want to say that this is a unique application with a unique use. Therefore, we have to apply our ordinance that we have for use that we had not contemplated. After seeing the updated Tides Inn drawing with distances showing, the boardwalk as it relates to property lines in R-1 the proper setbacks that apply to the wharf as it is called now will be the same as any other water dependent feature. Which the closest definition in our ordinance would be pier or dock, Section 154.157 section D, waterside setback which does not apply to this boardwalk structure as we are considering as a pier or dock. No setbacks exist for docks. Tides Inn is offering a setback of 27.7 feet due to the needs to have an ADA compliant boardwalk. Tides Inn has offered that it will agree to a condition on the CUP regarding the use at the location adjacent to R-1, Mr. and Mrs. Ginns' property. Mr. and Mrs. Ginn has seen the condition which I will read in just a minute, let me finish this and I'll read the condition. The condition of the wharf and the encroachment along the bluff has favorable from VMRC as in their opinion it is reasonable to get the proper slope to avoid disturbing the upland wooded buffer, the Chestnut oak grove and the living shoreline component as a net gain of habitat. In addition, the VMRC's comments Wayne from Bay Design Group and I have had extensive conversations regarding the ADA requirements and what is required to make this wharf come up to slope. In order to have an appropriate grade for the ramp, the ramp needs to start midline at the bluff in order to meet the ADA specs. The condition that was drafted today for review is stated as such. The northeastern most 10 feet at the terminus of the wharf will be a scenic area of quiet repose used for ADA access and enjoyment of a natural environment and shoreline and unintrusive activities including without limitation yoga and small group education sessions. Consistent with these purposes, no concerts, parties or organized events hosting more than 15 people shall be conducted on the terminus portion of the wharf. Further any improvement, permanent damage, decoration, lighting or signage to be erected on the terminus shall require prior approval of the zoning administrator it being a tenant of this condition to minimize impacts of the terminus portion of the wharf upon the adjoining landowners. Given the lot, the terminus portion of the wharf, Wayne did you bring any diagrams did you, I've got.

Wayne Savage: I have three.

Lara Brown: Do you want to show where that is located.



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Wayne Savage: Let me get the right. This is over in this area. So Mr. and Mrs. Ginn's property is this property here, and we are talking about this section in this area and I know for sure because we have talked about it multiple times. If anyone else wants to see from the public. The area we are referring to is this area in here and this is the Ginn, the Ginn property is here, the property is right about in here so we are talking about that area.

Wayne Nunnally: I move we approve it with the conditions.

B. Schaschek: I second it.

Mayor Bugg: Any further discussion council? Roll call vote.

Frances Westbrook yes.

Wayne Nunnally yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti I'm abstaining from the vote.

Dudley Patteson yes. (via telephone).

Mayor Bugg: Resolution passes. Thank you.

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Wayne Savage: Thank you council.

Mayor Bugg: Thank you. Very exciting. The next item on the agenda is the use of the tennis courts to teach tennis. That was previously tabled. Frédéric has reopened that and is interested to.

Frances Westbrook: So it's not tabled now.

Mayor Bugg: Correct.

Frances Westbrook: It does say tabled, sorry.

9. Discussion of use of tennis courts to teach tennis - Frédéric Cabocel - *tabled*

- Motion to authorize the use of the Town tennis courts
- Motion to authorize town attorney to draft contract and mayor to execute contract

Mayor Bugg: Madam Clerk do you have anything further to add.

Sharon Phillips: He has just reopened the request. I think he would like to proceed with spring tennis lessons. The concern I think at this point is that the tennis courts have not been repaired. The town council approved the repair of the tennis courts but due to the temperature outside, the outside temperature weather, the vendor for the tennis court repairs recommended waiting until the weather warmed up so that you get a better application, and you get more longevity of the repair.



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Mayor Bugg: Table.

Frances Westbrook: I have one thing for us to think about, in the past we have let pretty much anybody everybody use the court and happy for them to do so. The Academy does teach and what have you. I don't think we have ever had anybody use the tennis courts before to earn money, charging for lessons, so the fact that we pay to have the maintenance and now getting ready to do some pretty serious monetary repairs or maintenance on it and then, our insurance policy and what have you, I would for us to entertain a fee to use it for that purpose to help us recoup our repairs for more use. In fact, and the large fact that he is going to be making money.

Bonnie Schaschek: Mr. Mayor what was your intention when you said a contract here, was that a monetary contract or was that to hold harmless the town of liability

Mayor Bugg: Yeah, I'm glad you brought that up. Have the town speak up about this as well. We have not begun discussions yet in terms of the contract so, I'm glad you mentioned these points as well, I think there could be a risk.

N. Keane: The liability one that Bonnie just mentioned, the fee, the other piece that had been mentioned, was that the Chesapeake County had a license to use the tennis courts and so if someone is then going to be using it for business purposes, if they have to have access to it at some pre-agreed time as scheduled, we'd have to have a schedule or something to figure that out. Figure out how to operate that. So that might be in the contract as well.

F. Westbrook: So, it would also be advantageous the sooner we can decide this the better particularly if we decide to add a fee to this use, then that has to be considered for the budget so that we include that you know as revenues so we would, I would like to see us come up with that idea sooner rather than later is all. If we decide to go that route.

Mayor Bugg: I think his purpose was to bring it up now so we can get ahead of it and start working on it.

Anthony Marchetti: It would be a nice service, a nice service to have access to.

Bonnie Schaschek: At one time we did have a tin pan out there that people threw \$.50 in or so. We did a real tin pan. Well, we had the box on the cage or whatever you call it.

Wayne Nunnally: Years ago, any resident of the town for \$5.00 could get a key too and use it.

Frances Westbrook: I paid \$10.00 one year for that and had to go to the town office to get the key.

Mayor Bugg: Do we want table to authorize the use of courts and possibly consider having the town attorney begin working on that contract so that we can discuss it at the February meeting.

Frances Westbrook: Yeah, I would.

Wayne Nunnally: Approve.

Bonnie Schaschek: I'd like to get a schedule and then Chesapeake is going to be there as well, so we can write it accordingly. You moved.

Mayor Bugg: Okay.



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Wayne Nunnally: I moved to table.

Bonnie Schaschek: Second.

Mayor Bugg: Table the item motion listed to authorize use of the town tennis courts. Can we get a vote on that. All in favor.

Wayne Nunnally yes.

Frances Westbrook yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Frances Westbrook: Dudley, Dudley....

Dudley Patteson Call Failed

THE MOTION TO TABLE DISCUSSION OF USE OF TENNIS COURTS TO TEACH TENNIS IS PASSED 5-0.

Mayor Bugg: The motion passes. How about the motion for the town attorney to begin work on that contract and discuss it at the February meeting.

Wayne Nunnally: So moved.

Frances Westbrook: Second.

Mayor Bugg: All in favor.

Wayne Nunnally yes.

Frances Westbrook yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Dudley Patteson Call Failed

Mayor Bugg: Opposed. That motion passes. That's it. New business.

THE MOTION TO FOR THE TOWN ATTORNEY TO BEGIN WORK ON THAT CONTRACT AND DISCUSS IT AT THE FEBRUARY MEETING IS PASSED 5-0.

J. NEW BUSINESS

- 1. Motion to authorize Mayor Bugg to execute deed and related closing documents to effectuate closing of 235 Steamboat Road.**

Mayor Bugg: Nancyellen any further discussion regarding this?



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Nancyellen Keane: I don't think so, I don't think there is anything unusual. There might be a couple of things that you have to sign for closing.

Wayne Nunnally: Doesn't he have that power by charter.

Nancyellen Keane: He's allowed to sign official documents it says in the charter but you have to authorize which ones they are.

Mayor Bugg: We could go to contract, now go to closing documents.

Wayne Nunnally: So moved.

Mayor Bugg: Second?

Anthony Marchetti: Second.

Mayor Bugg: Further discussion. Roll call vote.

Frances Westbrook yes.

Wayne Nunnally yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Dudley Patteson yes. (via telephone).

Mayor Bugg: The motion passes.

THE MOTION TO AUTHORIZE MAYOR BUGG TO EXECUTE DEED AND RELATED CLOSING DOCUMENTS TO EFFECTUATE CLOSING OF 235 STEAMBOAT ROAD IS PASSED 6-0.

Mayor Bugg: Thank you. Next item Ms. Brown NNPDC Mitigation Hazard.

2. NNPDC Mitigation Hazard

Lara Brown: I'm just the messenger, not nearly as exciting as the Tides Inn project, to participate in the Northern Neck Hazard Mitigation plan update, this plan has to be updated every 5 years. The Town of Irvington participated in this 5 years ago and then 5 years before that. Jerry Davis is Executive Director of the Northern Neck planning district commission and I asked him what this was for so I could bring it to you so that you could decide whether or not you were going to reup this. Jerry Davis states that the Northern Neck PDC is submitting a grant application for VDA and FEMA for funding to underwrite the next required update to the regional hazard mitigation plan.



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This letter of intent indicates that your locality will participate in the update planning process. What else can I tell you.

Wayne Nunnally: It's not going to cost us any money.

Lara Brown: It's not going to cost us any money. He said 12 years ago congress passed an act requiring all localities to have a hazard mitigation plan. If the Town of Irvington wants to receive grant funding you should submit the update of your intent. All localities have to agree to participate if they want funding. The local match money is paid by the NNPDC. If a natural disaster were to occur in our area that would require FEMA assistance, we would become ineligible to receive if unless we submit this intent.

Frances Westbrook: Not individual homeowners if they have FEMA insurance, that's not a part of this. That was my understanding. In looking at the codes he references in there, the state codes reference comprehensive plans, and I don't think we have a hazard mitigation plan in our comprehensive plan so I mention that only as to a planning commission member that maybe that needs to be added to, or something we need to address the next time we update our comprehensive plan. I don't know if this applies to us because it is not in our comprehensive plan, but I wouldn't necessarily want us to miss out on any funds that allow FEMA to help especially if it's not going to cost us any money to join this group.

Lara Brown: This is the reup so the Town of Irvington authorized this 5 years ago.

Bonnie Schaschek: They participated only in the kickoff meeting, they provided some data as to the number of residents and they attended the final meeting...I went out and read all 150 pages to find out, I said what is this. I'll tell you what Bob was very involved in it when he was on council with the other ones because this is where they went around and said you're the head of this area, this area and if something happens, they would check on all the neighbors and they had to put that as part of the plan so.

Frances Westbrook: There is some reference from Mr. Davis about attendance to meetings and that's my only concern with part-time staff who is very heavily taxed and their workload, you know attending and keeping up with all of this.

Bonnie Schaschek: That's why I said they only attended three meetings. Five years ago. Let me go back, it was a kickoff meeting, 3 meetings that's it.

Frances Westbrook: Maybe you can talk with staff and zoning and if they can or cannot maybe we could ask a particular council member that would be interested to attend these meetings and bring, maybe depending on the workload that is going on at the time. Tides Inn, done by then or.....



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Mayor Bugg: That's makes sense, I think.

Frances Westbrook: It would be nice if we were present at every meeting, but that is something that zoning has to do.

Mayor Bugg: Absolutely. Do we need a motion to sign, again for this.

Lara Brown: Authorize someone to sign it. We need a signature.

Frances Westbrook: That would be mayor I would think.

Lara Brown: Town manager.

Mayor Bugg: I'll sign it if someone wants to make a motion.

Frances Westbrook: So moved.

Wayne Nunnally: Second.

Mayor Bugg: All in favor.

Frances Westbrook: Roll call.

Frances Westbrook yes.

Wayne Nunnally Did not vote – had stepped out of the meeting

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Dudley Patteson yes. (via telephone).

THE MOTION TO ALLOW THE MAYOR TO SIGN THE NNPDC MITIGATION HAZARD IS PASSED 5-0.

Mayor Bugg: Motion passed.

Frances Westbrook: Wayne Nunnally has stepped out of the meeting.

Dudley Patteson: Okay.

Frances Westbrook: Sorry that's for the recorder.

Mayor Bugg: Rezoning schedule.



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3. CUP & Rezoning Schedule

Lara Brown: So, we have a 4-year schedule for six CUPS and one rezoning. We have four new private piers, we have one full in the RPA under the redevelopment guidelines, we have one rezoning and a CUP to operate a town office. So, we are proposing that the town public hearing be held on February 16th. Please note that this is a different date and I did not mention it Julie at the planning commission meeting but, the mayor has asked that we consider moving the planning commission and town council meeting a week out because he would like to be here for all of these CUPS. Am I saying that right Mr. Mayor.

Mayor Bugg: That's correct. I will be out of town.

Lara Brown: He'll be out of town the week prior and we normally have the planning commission meeting before the town council meeting and his desire for attendance, he's asking if we can adjust our schedules and see if the dates of February 16th and February 18th, would work. We have contacted Ms. Farmer and she has verified that the dates area available here for the 16th and 18th and then planning commission would hear the first reading initially following the joint public hearing, town council would hear this reading on February 18th, the second readings would be on March 9th, and March 11th which are typical dates for planning commission and town council for March. Any questions about the proposed CUP schedule.

Mayor Bugg: Council?

Frances Westbrook: I won't be able to attend the 16th but that is a joint public hearing and as long as everybody else is here I don't think that is any detriment whatsoever.

S. Phillips: The 16th of the joint public hearing, what was the 18th.

Lara Brown: Town council.

Mayor Bugg: Town council. Anything further. Can we get a motion.

Frances Westbrook: To adopt....

Wayne Nunnally: So moved.

Mayor Bugg: Second?

Frances Westbrook: Second.

Mayor Bugg: Any further discussion. Roll call vote.

Frances Westbrook yes.

Wayne Nunnally yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Dudley Patteson yes. (via telephone).

THE MOTION TO APPROVE THE CUP SCHEDULE PASSES IS APPROVED 6-0.

Mayor Bugg Next item is discussion regarding committees, Mr. Nunnally.



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4. Discussion regarding committees – Councilman Nunnally

Wayne Nunnally: I know it is getting late and we still have what could be a lengthy closed session ahead. I would delay my remarks on this topic because of time.

Frances Westbrook: Here here.

Wayne Nunnally: However, I would remind the council that we, the town council have been elected as the committee to govern and operate this town.

Mayor Bugg: Thank you Mr. Nunnally.

Wayne Nunnally: Your welcome.

Frances Westbrook: Will this be on the next regular meeting, is that what you're asking.

Wayne Nunnally: Another time.

Frances Westbrook: Okay.

Mayor Bugg: Just reach out to us when you're ready.

Frances Westbrook: Alright. So that is tabled.

Mayor Bugg: Tabled.

K. ANNOUNCEMENTS

Mayor Bugg: Any additional announcements. From the public. With that, that will take us to your reading. Ms. Westbrook.



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L. CLOSED SESSION

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

Wayne Nunnally: I don't have this in my records, could I request a copy of these readings be sent to me.

Mayor Bugg: Yeah.

Frances Westbrook: I Frances Westbrook move to go into closed session pursuant to §2.2-3711A7 of the Code of Virginia for consultation with legal counsel for actual or probable litigation.

Mayor Bugg: Is there a second.

Wayne Nunnally: Second.

Mayor Bugg: All in favor. Roll call vote.

Frances Westbrook yes.

Wayne Nunnally yes.

Bonnie Schaschek yes.

Jackie Brown yes.

Anthony Marchetti yes.

Dudley Patteson yes. (via telephone).

Mayor Bugg: With that we will move to closed session. Public if you are not here after we're done, thank you.

M. RETURN TO OPEN SESSION

Frances Westbrook: Whereas the Town of Irvington has convened to 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 of the board that such closed session was conducted in conformity with Virginia law. Now there be it resolved that the board hereby certifies to the best of each members knowledge one on public business matters lawfully exempted from open session requirement by Virginia law were discussed in closed session to which this certification resolution applies and two, only such public business matters were identified in the motion convening the closed session were heard, discussed or considered by the board. Is there any member who believes that there was departure from the motion to go into closed session, if so, please state the departure. There being no such departures.

I, Frances Westbrook so certify.

I, Wayne Nunnally so certify.

I, Bonnie Schaschek, so certify

I, Jackie Brown, so certify.

I, Anthony Marchetti so certify.

I, Tripp Bugg, so certify.



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N. ADJOURN

Mayor Bugg: With that, motion to adjourn.

Wayne Nunnally: Motion to adjourn.

Frances Westbrook: Second.

Mayor Bugg: All in favor.

Group: Aye.

Mayor Bugg: Meeting is adjourned. Thank you, council.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



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NOTICE: the Irvington Town Council will hold a Special Called Meeting on Thursday February 4, 2021 5:30 pm; Irvington Baptist Church.

AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg, “I’ll go ahead and call this meeting to order. This is a special called meeting of the Irvington town council February 4, 2021; 5:30 p.m.; Irvington Baptist Church.”

B. ROLL CALL – Mayor Bugg

Members of Council Present: Frances Westbrook
Dudley Patteson
Jackie Brown
Wayne Nunnally
Bonnie Schaschek
Anthony Marchetti

Administrative Staff Present: Nancyellen Keane, Town Attorney
Sharon Phillips, Town Clerk, FOIA Officer

Guests: See attached sign in sheet

C. MAYOR’S REPORT

Mayor Bugg, “At this time I have nothing to report. That will take us item D.

D. OLD BUSINESS

1. Motion to appropriate FY21/21 general operating expenses

Mayor Bugg, “I will start with the budget and finance committee with any comments they may have in regards to that. Any comments or thoughts?” F. Westbrook, “I do know that Anthony and I a couple of times talked about it and tossed around the idea of getting a list to appropriate in that way and we talked about doing it. We talked about doing the whole general operating expenses. I do know there is at least one member who has some different thoughts so I will assume we will all go around and talk about it.” B. Schaschek, “I have some thoughts on it. I don’t think we should be doing a grand motion to appropriate the FY20/21 operating expenses at this time. We haven’t had a valid balance sheet since August. Last one was in July. We haven’t had any financial reports since October. We have no way of knowing what the financial position of the town is right now. Until we do I think we should continue appropriating it month by month. If we have to meet and appropriate some at our regular meeting on the second Thursday of the month and then meet two weeks after to do the other ones until we get the financials out I have no problem with that. But you know we already appropriated, I think the ones that need to be paid are the employee’s salaries, the lawyers salary obviously the utilities.” F. Westbrook, “We already appropriated those.” B. Schaschek, “We appropriated those and the insurance should have been paid already it is usually paid in the beginning. I would say continue paying the processing fees for the Google and email stuff as well as your rubbish disposal and the rest of this stuff can as it comes up you pay.” A. Marchetti, “I’m okay as long as we are not delaying paying people.” D. Patteson, “Or bills.” A. Marchetti, “Correct, people and bills as long as we are being punctual.” F. Westbrook, “One of Bonnie’s points that is worth I think thinking about is simply thinking about we don’t know where we are in the budget we don’t know where we are in these different categories. I think that is at least worth thinking about when trying to appropriate the rest of the fiscal year.” W. Nunnally, “So how should it be worded? How should the motion be worded?” F. Westbrook, “Are we ready for a motion?” W. Nunnally, “I was wondering how it should be done.” Mayor Bugg, “In light of what Bonnie just said so that we pay our bills.” D. Patteson, “Can we pay what is due in the next 30 days.” A. Marchetti, “Can we request that report from RFC so that we can going into the next meeting see what line items are due to be appropriated that were not falling under the appropriated ones.” B. Schaschek,



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“Which is what we have been doing I don’t think it is any change except instead of waiting a month we have a quick meeting like this if it only takes 15 minutes and as soon as we get the financials we can make a decision on where our position is. It should have a list of what comes in within two weeks that needs to be paid.” F. Westbrook, “So we meet every other week. Like our regular monthly meeting and then two weeks later strictly just for appropriations.” B. Schaschek, “It shouldn’t be for any extended period of time, maybe a month or two.” D. Patteson, “Why can’t we as you all have been approve the appropriations at the regular town council meeting but the acting treasurer gets to us 30 days in advance a list of those appropriations and if any of us have any issues with them they can take them to budget and finance so that they are aware of them before the next meeting and hopefully they are worked out before the meeting and then we can approve it and then we don’t have to have these extra meetings. We don’t want to meet ourselves to death.” F. Westbrook, “Theoretically, let me think this through, theoretically bills come in lets just say in the month of February so by the March meeting we have the February stuff which is due and payable in March it may take us a cycle to get caught up but theoretically it could work on a monthly basis.” D. Patteson, “I just want to see the expenses in advance.” A. Marchetti, “I think everybody does.” D. Patteson, “If we have any comments we go back to you guys and say we are concerned about this because or whatever the situation is.” F. Westbrook, “Any concerns from staff that maybe they could come to budget and finance and we could go to the mayor and if we need to call a meeting or whatever.” D. Patteson, “You can still communicate to us via email as to what you all are talking about before the regular meeting and then we get it done.” F. Westbrook, “We have to be careful with the email we can’t hit reply all.” Mayor Bugg, “That is a good reminder.” F. Westbrook, “Maybe we send emails one at a time so that when you reply there is no danger.” A. Marchetti, “At the first of the month March 1, we have to go back I know, for February 1st there could be a report for all bills for January and hopefully a week in advance of the February meeting and then can vote on to appropriate at the February meeting.” F. Westbrook, “If we get the packet the Friday before the Thursday meeting we have time to look at it and if we have any questions staff can answer those questions individually so that when we come to the spending time belaboring what is this for why are we doing this or whatever it would be cut and dry.” A. Marchetti, “A lot of the homework should be done before the meeting.” W. Nunnally, “What we are saying is this motion is to appropriate FY20/21 general operating expenses will be done monthly?” F. Westbrook, “No, we want to appropriate I think is what I am hearing, is that we want to appropriate the general operating expenses tonight but we are going to continue to do it on a monthly basis.” D. Patteson, “I think Bonnies consensus is that we ought to be able to figure out a way to get it done that way.” Mayor Bugg, “Does someone want to make that motion so that we have that taken care of?” W. Nunnally, “Bonnie you make the motion.” B. Schaschek, “Let me ask one question here, the general operating expenses we have already appropriated some of them.” F. Westbrook, “We have done utilities and salaries for the remainder of this fiscal year.” B. Schaschek, “I make a motion that any appropriation of operating expenses with the exception of employee salaries, lawyers salaries, utilities, computer processing fees, and refuse pick up be done a monthly basis.” S. Phillips, “Can you say that again?” W. Nunnally, “Second.” Mayor Bugg, “You had employees...” B. Schaschek, “Employees salary, lawyers salary, utilities and that includes electric, heating fuel, internet, septic and water you know all of those.” F. Westbrook, “Does that include the zoning administrators salary?” B. Schaschek, “Isn’t that employees salary?” F. Westbrook, “Sorry.” B. Schaschek, “Computer processing fees because that is a regular monthly fee and then your monthly fee for Ambrose because he does all the pick-up. I am assuming he does.” W. Nunnally, “What about insurance? I’ve got that written down.” B. Schaschek, “I had insurance but I think you pay the insurance at the beginning? Don’t you pay that in June or July? It is a big bill. It is a one-time shot.” W. Nunnally, “I seconded it.” Mayor Bugg, “Any further discussion? All in favor?”

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



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THE MOTION TO APPROVE OPERATING EXPENSES OTHER THAN EMPLOYEE SALARIES, LAWYERS SALARIES, UTILITIES, COMPUTER PROCESSING FEES, AND REFUSE PICK UP ON A MONTHLY BASIS IS PASSED 6-0.

Mayor Bugg, "The motion passes as amended." A. Marchetti, "Do we need to have a plan in place for DFC to have that report?" S. Phillips, "DFC is Driving Furniture Carefully." A. Marchetti, "Not RFC? Sorry, the treasurer, Robinson Farmer Cox." W. Nunnally, "What is driving furniture responsible?" S. Phillips, "DFC is the company that moved the town office." A. Marchetti, "Robinson Farmer Cox is that correct is that what we are looking for a report?" A. Marchetti, "We should have one at our next meeting." F. Westbrook, "But it is not Robinson Farmer Cox it is the other people." N. Keane, "Robinson Farmer Cox is the interim treasurer and they will have a list of the bills." F. Westbrook, "I thought it was the other company." A. Marchetti, "We just need to be specific in our ask of them." B. Schaschek, "Won't bills come in the mail so are they getting the mail or is the mail coming to the office?" F. Westbrook, "It gets picked up at the post office." S. Phillips, "I have a report from RFC as far as what is due. **Accounts Payable list provided by RFC is attached and incorporated within.**" B. Schaschek, "What is US Bank?" S. Phillips, "The printer lease. Bay Design Group is on your agenda." A. Marchetti, "That is a lot of bills to kick down the road another two weeks." B. Schaschek, "No it is next week. Our meeting is next week." Mayor Bugg, "No, it is the 18th." A. Marchetti, "It is the week after next." B. Schaschek, "No, it is next Tuesday." Mayor Bugg, "It is the 16th and the 18th." A. Marchetti, "It is normally next week but it not next week, correct?" Mayor Bugg, "Correct, right." W. Nunnally, "I'm free." A. Marchetti, "It is the 3rd Thursday this month." B. Schaschek, "Why are we moving it to the 3rd Thursday?" Mayor Bugg, "I'm out of town all week next week." A. Marchetti, "We talked about it at the last meeting." W. Nunnally, "We have an assistant mayor." S. Phillips, "All but three of the bills are overdue." W. Nunnally, "We have to pay or bills." F. Westbrook, "The utilities should be being paid. We appropriated utilities so that should be paid anyway. Nancyellen, are we behind on you?" N. Keane, "Two behind and the third invoice was just delivered." F. Westbrook, "We appropriated the salaries for everybody." N. Keane, "Salaries are for employees." F. Westbrook, "Utilities shouldn't be on the list because we already appropriated those way back when." S. Phillips, "Ambrose is not utilities and Phillips Energy is a new bill." A. Marchetti, "That is for propane at the office." S. Phillips, "Correct." B. Schaschek, "Wasn't heating fuel part of utilities?" D. Patteson, "I consider trash utilities." S. Phillips, "I'm sure you can appreciate my conservative approach to release funds." F. Westbrook, "Can we see a list that includes dollar amounts?" D. Patteson, "Which is what we will get in the future." A. Marchetti, "Hopefully it will be a smaller list that is slightly less overdue." B. Schaschek, "Can we change the agenda?" Mayor Bugg, "If you guys want to change the agenda." B. Schaschek, "Can we make a fifth motion in here to approve all these back bills paid." Mayor Bugg, "To do this by the book we will start with the unanimous vote to change the agenda. You make that motion. Is there a motion to amend the agenda to include all passed due items that Sharon just mentioned?" D. Patteson, "So move." W. Nunnally, "Second." Mayor Bugg, "All those in favor." It is approved."

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

THE MOTION TO AMEND THE AGENDA TO INCLUDE ALL PASSED DUE ITEMS THAT SHARON JUST MENTIONED IS PASSED 6-0.

W. Nunnally, "What are we adding, Bonnie?" F. Westbrook, "A motion to pay all passed due bills." S. Phillips, "Actually what was suggested was what Sharon just mentioned do you want it to be all that Sharon mentioned or do you want all past due?" F. Westbrook, "All past due." A. Marchetti, "You said all but two are past due." S. Phillips, "All but three." W. Nunnally, "I move that we get them next week." B. Schaschek, "I would do it for the list she just read." A. Marchetti, "That would make it easy." B. Schaschek, "I would not say because the other will be past due by, just pay them." Mayor Bugg, "Would someone like to take a stab at that motion?" W. Nunnally,



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“Pay all bills that Sharon read.” B. Schaschek, “Motion to appropriate a list...” D. Patteson, “Make the payables current...” S. Phillips, “Motion to appropriate accounts payable list provided by Robinson Farmer Cox or the interim treasurer.” B. Schaschek, “Correct.” F. Westbrook, “Can you send us that list?” W. Nunnally, “And the rest of that motion is that a list will be provided of said bill to each council member...” D. Patteson, “And in the future that said list will be provided the Friday before each Thursday meeting.” S. Phillips, “Wait...” B. Schaschek, “No...” A. Marchetti, “The longest motion ever.” B. Schaschek, “The motion to appropriate the list from RFC and each one gets a copy of the list.” Mayor Bugg, “That is the motion made by Bonnie.” W. Nunnally, “And I second it.” Mayor Bugg, “Any further discussion? All those in favor and all those opposed.”

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

THE MOTION APPROPRIATE ACCOUNTS PAYABLE LIST PROVIDED BY ROBINSON FARMER COX, THE INTERIM TREASURER AND EACH MEMBER GETS THE LIST IS PASSED 6-0.

Mayor Bugg, “The motion that was added to the agenda is passed.” F. Westbrook, “That was number 5, right.” Mayor Bugg, “Yes.” B. Schaschek, “That includes Item 2, 3 and 4.” S. Phillips, “May I request, you will see that Elbourn Electric is a community support and tourism and that needs a unique appropriation.” B. Schaschek, “That is correct.” S. Phillips, “CARES FUNDS have been appropriated.” Mayor Bugg, “DFC is from CARES FUNDS.” Mayor Bugg, “Just Item 2 needs to be appropriated.” S. Phillips, “I would prefer a motion, please Mr. Mayor, an appropriation for Bay Design Group as that is the work that is being commenced on the North Commons, may I get a unique appropriation for that.”

2. Motion to appropriate Elbourn Electric invoice \$1,000, Community Support & Tourism

Mayor Bugg, “Let’s start with Elbourn.” W. Nunnally, “So move.” B. Schaschek, “Second.” Mayor Bugg, “Further discussion? All those in favor.”

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

THE MOTION TO APPROPRIATE ELBOURN ELECTRIC INVOICE \$1,000, COMMUNITY SUPPORT & TOURISM IS APPROVED 6-0.

3. Motion to appropriate D.F.C invoice \$189, CARES FUNDS

4. Motion to appropriate Bay Design Group invoice \$1,182.50 – CARES FUNDS

Mayor Bugg, “It looks like the last motion is to appropriate Bay Design Group from CARES FUNDS.” W. Nunnally, “I want to add, out of CARES FUND.” Mayor Bugg, “Okay.” F. Westbrook, “Yeah.” W. Nunnally, “I move.” B. Schaschek, “How are we still using CARES FUNDS? I thought we had to return whatever we didn’t use by the 30th of December.” N. Keane, “It was extended until 12/31/21.” Mayor Bugg, “So we have an entire year.” N. Keane, “You can use it all year.” Mayor Bugg, “Excellent. Wayne, did you make that motion?” W. Nunnally, “I did.” Mayor Bugg, “Is there a second.” F. Westbrook, “Second.” Mayor Bugg, “Further discussion?”

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



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Anthony Marchetti Aye

THE MOTION TO APPROPRIATE BAY DESIGN GROUP INVOICE \$1,182.50 – CARES FUNDS IS PASSED 6-0.

E. ADJOURN

W. Nunnally, "Move we adjourn." A. Marchetti, "Second." Mayor Bugg, "All those in favor?" D. Patteson, "I would like RFC to help us assess Bay Design fee because that is a part of capitalized expenses because that is pertaining to a capital project that we are going to be considering in the future and it just is a cleaner way." F. Westbrook, "It will be done like that, it is the only way you can. It is out of the capital fund, like a separate checking account, but it is not a separate account. The offsetting account would be capital" N. Keane, "It is coming out of CARES Funds." F. Westbrook, "Right, the offsetting entry would be to capital asset account you have to have the offsetting entry." D. Patteson, "That is the source but not the treatment." B. Schaschek, "I think we need to take and read what is in the capital CARES act because I don't think you can use the CARES Act for capital improvements." N. Keane, "Capital improvements can use CARES Funds for capital improvements depending on what they are if they are a necessity caused by COVID and they were not budgeted as of March 27, 2020 then you can." W. Nunnally, "Tell me how the capital project is necessitated by COVID?" B. Schaschek, "It is not." D. Patteson, "First we have our town attorney who says and has said that it is an appropriate expenditure within the CARES Act. In the event that one or more of us do not agree with that that is something that can be talked with budget and finance and evidence of that be brought to the table as opposed to just saying I don't think." W. Nunnally, "I have made myself pretty clear what I think." F. Westbrook, "Why don't we leave this to the good graces of RFC." A. Marchetti, "RFC will be able to weigh in on that as well." S. Phillips, "For clarification Item D4, motion to appropriate Bay Design Group invoice \$1,182.50 motion made by Wayne Nunnally to include this money comes out of CARES FUNDS." Mayor Bugg, "Right." F. Westbrook, "Right." Mayor Bugg, "All in favor?"

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

REVOTE ON MOTION TO APPROPRIATE BAY DESIGN USING CARES FUNDS IS PASSED AGAIN 6-0.

Mayor Bugg, "This passes again. We were at adjournment." B. Schaschek, "Why are we changing the meeting because you have a vice mayor that can run the meeting." Mayor Bugg, "It was announced at the last meeting." B. Schaschek, "I thought we were just changing the things for the CUP's that you wanted to be present for the CUPS." Mayor Bugg, "I want to be present for the February meeting as well. It is only one week so hopefully it will add a little free time, that is why. Alright." W. Nunnally, "For clarification so that we know the rules does it take a vote on that?" F. Westbrook, "Yes." W. Nunnally, "I just want to know." S. Phillips, "You need to unadjourn." Mayor Bugg, "I said it." W. Nunnally, "Does it take a vote to change the regular meeting?" F. Westbrook, "But our regular meeting will not become a special meeting, correct?" Mayor Bugg, "That is my goal." N. Keane, "It has to be if it is not on the day you have advertised." F. Westbrook, "If it is properly noticed it should not be a special meeting. We have to have by charter and our ordinance we have to have a regular monthly meeting every month so we can't not have our regular monthly meeting we have done that before and." N. Keane, "If it is not on the day you advertised in July." F. Westbrook, "But we haven't advertised anything for this year yet and if this is properly noticed it should be just fine as a regular monthly meeting." Mayor Bugg, "That is my goal. I would prefer regular meeting so if we can appropriately do that I would like to have it as a regular meeting." F. Westbrook, "If we advertise monthly then the mayor can change the meeting place and time, it says in the ordinance." N. Keane, "You all voted on the schedule last meeting. You voted on it." F. Westbrook, "Well it was for a CUP schedule." N. Keane, "It was



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for a CUP schedule and it had all of the meetings on it.” F. Westbrook, “But it didn’t say regular monthly.” B. Schaschek, “It didn’t say we are moving the regular monthly meeting.” F. Westbrook, “If it is properly advertised I don’t know why it has to be called a special meeting. It should be our regular monthly meeting.” W. Nunnally, “The charter says we have to have a monthly meeting. I think it says 12.” Mayor Bugg, “It should.” W. Nunnally, “I remember reading and it says we have to have regular meetings and I don’t think we met that criteria last year.” Mayor Bugg, “We are making up for it. Anything else?” W. Nunnally, “What are we going to do?” Mayor Bugg, “Adjourn?” W. Nunnally, “We are going to change it.” Mayor Bugg, “What are we changing?” N. Keane, “It was already in the newspaper.” S. Phillips, “Mr. Mayor you may want to unadjourn.” Mayor Bugg, “Yes. I don’t think I adjourned yet. We are unadjourned. Set for the 18th when we have the joint meetings on the the 16th.” W. Nunnally, “So are we calling it special or regular. That becomes the question.” N. Keane, “It has to be a special meeting. We have been over this before.” F. Westbrook, “I know you have but I have talked to a couple of the other local town attorneys and the county and they don’t see it as being a special meeting if it is properly advertised because we’ve got to have to have a regular meeting every month we can’t get around that that is what our charter and ordinance says and by calling it a special meeting it is not a regular monthly meeting so.” W. Nunnally, “Dilemma.” Mayor Bugg, “My preference would be a regular meeting as I just stated but if we can’t legally call it that then we have a dilemma.” F. Westbrook, “That is what I am saying. I believe we can call it that so maybe we need to find out for sure I don’t know how to do that but the people I have talked to have said if it is properly noticed and you want to change your monthly meeting day time place as long as it is properly noticed it remains your regular monthly meeting.” W. Nunnally, “If we put an ad in the paper that says the regular monthly meeting is being changed to the 18th then we can still call it a regular meeting.” F. Westbrook, “That is my understanding.” N. Keane, “I have given you memo’s on it.” W. Nunnally, “If we are in violation of the charter then what do we do? We are under the magnifying glass now somebody may question us not having a regular monthly meeting and where are we then we are subject to a fine I think.” F. Westbrook, “If you look in our minutes, if we had them, you would see that there have been a number of months last year in which we did not have a regular monthly meeting so where do we go with that?” W. Nunnally, “If we can’t do it and our attorney says we can’t do it then the only thing I see to do is have the regular monthly meeting. That is the only solution at this point because then we won’t start the second month and another month with no monthly meeting and as bad as I want you here Tripp.” Mayor Bugg, “I want to be here and my intention is to have a regular meeting but it sounds like we are obviously running into issues with being able to have a regular meeting we have had numerous special meetings in the past leading up to now it is all in the title and different implication with special we announced this at the last meeting.” N. Keane, “You advertised the meeting on the 16th and the 18th.” W. Nunnally, “We advertised the special meeting.” N. Keane, “I would have to go back.” W. Nunnally, “That would not upset the regular meeting schedule so I think the regular meeting is on since we don’t want to have a special meeting or we will have the special meeting but it won’t be. We have to comply with the charter.” Mayor Bugg, “Special meeting complies with the charter, right?” N. Keane, “Yes.” F. Westbrook, “But not as a regular monthly meeting, it doesn’t comply.” N. Keane, “I would be happy to look at this but I am looking up the code and the charter on my phone and the internet is not helpful.” W. Nunnally, “I think there is a shall in there. Shall have monthly meetings. It wasn’t an option.” S. Phillips, “The meeting notice includes that the purpose of the special called meeting is to conduct regular monthly business.” F. Westbrook, “When are you leaving Tripp?” Mayor Bugg, “Tomorrow afternoon.” D. Patteson, “Can we do a regular meeting and a special meeting on the same date?” N. Keane, “Yes. Changing the date of the meeting.” Mayor Bugg, “I think they are trying to fulfill the regular.” N. Keane, “The logic of it is you can, it happened in the last couple of weeks in Kilmarnock, they could not have their regular meeting due to a COVID scare so they moved it a week and it was called a special meeting it was the same thing that they do during the month it was just called a special meeting.” F. Westbrook, “Can I call you tomorrow Nancyellen?” N. Keane, “Absolutely, you can call me anytime.” F. Westbrook, “I don’t know if you are in Richmond.” N. Keane, “I live here.” F. Westbrook, “I know you live here but I don’t know if you are going to Richmond.” W. Nunnally, “I move that we table this until the research is done between Bonnie and Fran and decide whether we have to have a regular meeting on the date assigned or whether.” B. Schaschek, “Nancyellen and Fran. You said Bonnie but it should be Nancyellen and Fran. I second it.” Mayor Bugg, “Any discussion? All in favor.”



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W. Nunnally, "Now I move to adjourn." B. Schaschek, "Second." Mayor Bugg, "All those in favor?"

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

THE MOTION TO ADJOURN IS APPROVED 6-0.

Respectfully submitted,

Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
THURSDAY, FEBRUARY 25, 2021 6:30 PM
IRVINGTON BAPTIST CHURCH**

NOTICE: the Irvington Town Council will hold a Regular Monthly Meeting on Thursday February 18, 2021 6:30 pm; Irvington Baptist Church.

AGENDA

A. CALL TO ORDER – Mayor Bugg

Mayor Bugg: This is the February 18, 2021 Irvington Town Council regular meeting no town council business is being conducted. This meeting is being called to order. We will start with a roll call.

B. ROLL CALL – Mayor Bugg

Members of Council Present: Dudley Patteson here.
Bonnie Schaschek here.
Jackie Brown here.
Frances Westbrook here.
Mayor Bugg present.
Anthony Marchetti present.

Members of Council Absent: Wayne Nunnally

Staff Present: Nancyellen Keane Esq., Town Attorney

Staff Absent: Lara Brown, Zoning Administrator
Sharon Phillips, Clerk, FOIA Officer

Mayor Bugg: We do have a quorum. Again no business is being conducted due to inclement weather. Next I will ask for a motion to adjourn this meeting to next Thursday, February 25th at 6:30 pm.

D. Patteson: So move.

[inaudible]: Second.

Mayor Bugg: Further discussion? I will let the record show that all town council members voted in favor of this.

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

THE MOTION TO ADJOURN UNTIL THURSDAY, FEBRUARY 25 AT 6:30 PM IS PASSED 5-0.

Mayor Bugg: With that is there a motion to adjourn no further business is necessary?

D. Patteson: So move.



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F. Westbrook: Second.

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

MOTION TO ADJOURN IS PASSED 5-0.

Mayor Bugg: This meeting is adjourned. Thank you everyone.

C. CALL TO ORDER – Mayor Bugg

Mayor Bugg: I'm going to go ahead and call this meeting to order. This is the Town of Irvington, Virginia Town Council Meeting. This was originally scheduled Thursday, February 18th, that meeting did take place here at the church at 6:30 p.m. That meeting was adjourned to today which is February 25th, 2021. Town council thank you for all your help on juggling that schedule and making this happen so. I am pleased to announce that we are having a meeting tonight. I call this meeting to order. We will start with the roll call. Ms. Schaschek.

D. ROLL CALL – Mayor Bugg

Members of Council Present:	Bonnie Schaschek here. Wayne Nunnally here. Jackie Brown here. Frances Westbrook here. Mayor Bugg present. Anthony Marchetti (via phone)
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Staff Present:	Nancyellen Keane, Esq., Town Attorney Lara Brown, Zoning Administrator Sharon Phillips, Clerk, FOIA Officer
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Guest:	See attached sign in sheet.
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Mayor Bugg: Anthony can you hear us. I will also note for the record Dudley Patteson is present. He stepped out for a few minutes and will be back.



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E. APPROVE AGENDA

Mayor Bugg: The next item is approval of the agenda.

Wayne Nunnally: Mr. Mayor I would like to add a few items to the agenda. If the board will approve it, I don't know if I can do that or not. I move that we amend the agenda.

Mayor Bugg: What would you like to add Wayne.

Wayne Nunnally: I want to add short term rental discussion. I want to add a discussion of alternatives to building a town office and, you want to do something.

Jackie Brown: I'd like to move my comments from the mayor's report to old business please.

Frances Westbrook: What was the other one? You said the second one.

Wayne Nunnally: Short term rental. Discussion of alternatives to building a town office and the change that Jackie wants.

Mayor Bugg: Jackie you want to move your item from my report to old business.

Jackie Brown: To old business and I think we should add a round table.

Frances Westbrook: Before announcements.

Mayor Bugg: Motion to amend the agenda. Wayne, can you repeat for Mr. Patterson what your two items were.

Wayne Nunnally: Discussion of short-term rental and proposed ordinances, and discussion on alternatives to building a town office.

Dudley Patteson: And your adding that to be done tonight?

Wayne Nunnally: Yes. I want to make a report of that to put in my what am I chairman of.

Mayor Bugg: Building and grounds.

Wayne Nunnally: Building and grounds committee.

Anthony Marchetti: It's a report?

Wayne Nunnally: Correct.

Mayor Bugg: We will take them one at a time and Wayne if you want to make your motion then, point out where you propose putting that in the agenda in that motion, we will take a vote on yours and then we'll move.

Wayne Nunnally: I think we can put it under, I guess we can put it under old business.



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Frances Westbrook: Well actually if it is a report from building and grounds, it should probably go with the other report, so perhaps right after mine, which is Item I, that's where the other reports are listed.

Wayne Nunnally: That's for the alternatives.

Frances Westbrook: And short terms?

Wayne Nunnally: And the short-term rental would come under old business.

Frances Westbrook: Oh, I see what you're saying, okay.

Mayor Bugg: Item 2 under old business is what you're proposing.

Frances Westbrook: Item 3 perhaps.

Mayor Bugg: Okay, yeah.

Jackie Brown: Item 2.

B. Schaschek: Jackie is Item 2.

Mayor Bugg: Okay Item 2 would be Jackie. Alright, Wayne do you want to make your motion.

Wayne Nunnally: I move that the agenda be changed to reflect that under old business short-term rental will be discussed, under reports from committee members, building and grounds make a report of alternatives to building and then move Jackie's comments from mayor to old business and add a round table to the very end.

Mayor Bugg: And where would you like the round table?

Wayne Nunnally: Round table always traditionally went right at the end before adjournment.

Frances Westbrook: Maybe before announcements.

Wayne Nunnally: That's fine with me.

Mayor Bugg: Okay.

Wayne Nunnally: Announcements may generate something to talk about at round table.

Frances Westbrook: So, before announcements.

Wayne Nunnally: I think you should put it after.

Frances Westbrook: Okay, that's fine with me.

Wayne Nunnally: Alright, okay with everybody.

Mayor Bugg: Is there a second?



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Jackie Brown: Second.

Mayor Bugg: Further discussion. All in favor? Opposed. Motion passes and the agenda is, yes.

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

THE MOTION THAT THE AGENDA BE CHANGED TO REFLECT THAT UNDER OLD BUSINESS SHORT-TERM RENTAL WILL BE DISCUSSED, UNDER REPORTS FROM COMMITTEE MEMBERS, BUILDING AND GROUNDS MAKE A REPORT OF ALTERNATIVES TO BUILDING AND THEN MOVE JACKIE’S COMMENTS FROM MAYOR TO OLD BUSINESS AND ADD A ROUND TABLE TO THE VERY END IS PASSED 6-0.

N. Keane: Mr. Mayor, you have three items payment and appropriation for bills?

Mayor Bugg: Yes. Yes we have we have 9 and 11 on the back of your agenda.

Frances Westbrook: These are appropriations.

Mayor Bugg: Appropriations.

Frances Westbrook: I’ll move that we have these three appropriations to consider under new business.

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion? All in favor. Opposed. That motion passes as well.

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

N. Keane: You need to do a roll call vote for people on the phone.

Mayor Bugg: Good point. Let’s do a roll call vote and first let’s just start with Wayne’s motion to add the items previously discussed. Ms. Schaschek could you please state your vote.



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

Mayor Bugg: Excellent the next one will be on the items which were proposed by Ms. Westbrook to be added to the agenda, 9, 10 and 11 at the end, that is appropriations. Let’s take a roll call vote on that as well. Start with you Bonnie again.

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

Mayor Bugg: Thanks, you for the roll call vote as well council.

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

Mayor Bugg: Moving onto the next item which is the approval of minutes and acceptance of treasurer’s reports.

- 1. October 8, 2020 Meeting Minutes
- 2. October 15, 2020 Meeting Minutes
- 3. November 17, 2020 Meeting Minutes
- 4. November 18, 2020 Meeting Minutes
- 5. December 10, 2020 Meeting Minutes

Wayne Nunnally: Mr. Mayor.

Mayor Bugg: Yes.

Wayne Nunnally: Before we vote on that, I have to take the time to say this. I pointed out to this council over and over Section 31.23, it says order of business. The order of business as a town council’s regular meeting shall be as follows: Read the minutes of the last meeting, reports of offices of the meeting, unfinished business and D. new business. We have not had minutes I guess, the pile of minutes that we were given I think were October, November, December. We don’t have September, we, I got this package of minutes and quite frankly they are single spaced, way over 100 pages to read and my first inquiry is I’d like to know who typed them. My second comment would be after only reading a few pages I begin to find errors.

Mayor Bugg: Wayne.

Wayne Nunnally: All of that is to say there is no way in the world I can vote to approve these minutes.



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Mayor Bugg: Before we go further into that and I do not think this is the appropriate time to go further into the actual details of the minutes and things that you may believe are in there by error. I think we should not be discussing such errors at an open meeting right now.

Wayne Nunnally: Transparency is needed and the public needs to know some of the hardships that your town council members are having in staying current. It is impossible for us to do our job. We don't have the minutes from the last meeting. It would have nice to have those so we can review them and at least impress our electorate instead of sitting here like we're not doing anything. I am completely frustrated by us not having the minutes that we are supposed to have, and we are in violation of our own ordinances. So, I've said my piece.

Mayor Bugg: Anything further.

Bonnie Schaschek: I would like to say something. I do not have minutes from November 17th, that are supposed to be in this package.

Mayor Bugg: Are they not attached.

Frances Westbrook: I don't have them either.

Bonnie Schaschek: I don't know if anybody else has them, but I don't have them.

Mayor Bugg: You have them Wayne?

Wayne Nunnally: I have them.

Frances Westbrook: Mine go from October; I go from October to then November 18th.

Bonnie Schaschek: That's what mine do as well.

Wayne Nunnally: November 18th is what I have.

Frances Westbrook: Alright there should be some for the 17th, there is none for the 17th then, they're missing.

Mayor Bugg: Do you recall what that meeting was, that was obviously back.

Frances Westbrook: From November.

Mayor Bugg: Yeah, 17th of November.

Sharon Phillips: Budget.

Mayor Bugg: Okay, that was the budget meeting, budget and finance.

N. Keane: It was the budget and taxes. It was on the commons.

Frances Westbrook: Yeah, the only note I had was it was on the commons, I didn't write on my calendar what it was for.



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Bonnie Schaschek: Yeah, so I have those missing. I do have to say that I did review a lot of these minutes and we do have a lot of errors on who said what and what. I could only address where it has my name to it, I can't address anybody else, unless obviously I have the physical recording.

Mayor Bugg: My recommendation regarding that would be to take it up with outside council who is looking into this and who is, will be discussing this with council so, I'm glad you point that out now and again my recommendation would be to point that out to Charlie Meyer, when you talk to him so.

B. Schaschek: For the minutes.

Mayor Bugg: Any concerns you have.

Dudley Patteson: Mr. Mayor, I would also like to point out that human resources is concerned about the workflow at our office and would like to suggest at some appropriate time council address some of the issues that I have discovered at the town office and I think the[inaudible] slowness in the workflow is a function of the number of meetings that we have had and all the paperwork that has to go with that and I think that is something that we need to talk about, not now but at another time.

Mayor Bugg: Welcome as well and I'm sure council will so.

Wayne Nunnally: Well I don't know when that time will be.

Frances Westbrook: Is someone trying to call you?

B. Schaschek: Yes.

Mayor Bugg: Are you there Anthony.

Anthony Marchetti: Yes.

Mayor Bugg: Okay, just making sure you're still there.

Bonnie Schaschek: Do you have Charles' number that I could call him.

Mayor Bugg: No, but I'll certainly, absolutely.

Frances Westbrook: I'd like to say that, because of some budget and finance questions that I've had I have called Patrick and left three messages, I have left one message for Charlie, I have left three messages for Eileen who is the accountant that is dealing with the accounting aspect, off site and now Eileen and I have left messages back and forth on two rounds, but the other two gentlemen have not returned by phone call.

Mayor Bugg: Okay.

Jackie Brown: I had the same experience.



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Frances Westbrook: It's very disheartening because we are right now getting ready to do budget, we are behind the eight-ball and I need a couple of questions answered.

Mayor Bugg: Yeah.

Frances Westbrook: I don't have the time to wait and they are not returning my phone calls yet both of them told us if you have any questions or need anything call us. So...

Wayne Nunnally: I would like to echo what Ms. Westbrook is saying, I've called and left detailed messages on points that I have requested answers to and have not gotten a return call.

Mayor Bugg: Okay, that's something I will run up the flagpole for all of you.

Frances Westbrook: Yeah, I think you really should, tomorrow if you have the time, because I don't, I'm up against, I'm in the corner, I'm backed up....

Mayor Bugg: I wasn't aware of it, so thank you for mentioning it.

Frances Westbrook: Yes, yes.

Mayor Bugg: And I will do all I can to run your concerns up the flagpole with that, let them know.

Bonnie Schaschek: Jackie has the same....

Mayor Bugg: Okay.

Jackie Brown: You heard me say..

Mayor Bugg: You have the same concern.

Mayor Bugg: Okay.

Frances Westbrook: So I'd like to move that we table these minutes if we will.

Mayor Bugg: Is there a second.

Wayne Nunnally: I don't think there is anything else that we can do.

Bonnie Schaschek: I'll second that. You can't...

Wayne Nunnally: We can't approve them.

Frances Westbrook: No.

Mayor Bugg: Any further discussion? All in favor of tabling these minutes? Opposed. And let me do a roll call vote since Anthony is on the phone.



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	Bonnie Schaschek	Aye
	Wayne Nunnally	Aye
	Jackie Brown	Aye
	Frances Westbrook	Aye
	Anthony Marchetti	Aye (via phone)

THE MOTION TO TABLE THESE MINUTES IS PASSED 6-0.

B. Schaschek: Okay, then I have a question about it.

Mayor Bugg: Go ahead.

B. Schaschek: Can I ask the question first.

Mayor Bugg: Why not.

Bonnie Schaschek: In the agenda you said that there is additional minutes had been drafted however, you guys didn't see fit to send them to us and you were going to wait until March. Based upon the volume of this, I would not wait until the March meeting, I would get them in the mail to us either email or have us pick them up as soon as possible because reading these things and like I said I may have to request the recordings to take and go through a lot of this stuff.

Mayor Bugg: Okay.

Bonnie Schaschek: So I would like these like tomorrow.

Frances Westbrook: Well, I was under the impression that they weren't ready when the two of us talked about them is why we decided to do the October through December.

Mayor Bugg: Mrs. Westbrook and I have already discussed this today and certainly back to checking the status of these minutes so we can get them to you as soon as possible so.

Bonnie Schaschek: Okay.

Wayne Nunnally: Well, are they ready or not, I'd like to know that. If they are ready, I want to pick them up. If they are not ready, why did we say they are ready. So, are they ready for us to pick up?

Mayor Bugg: They are not ready, are they ready?

N. Keane: They haven't been copied.

Mayor Bugg: You want to check in tomorrow.

Wayne Nunnally: I will.

Mayor Bugg: Sounds good. Alright roll call vote.

Bonnie Schaschek: Excuse me, what are we voting on now?



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Mayor Bugg: Tabling the minutes.

Bonnie Schaschek: Okay.

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

Mayor Bugg: **THE MOTION PASSES THE MINUTES WILL BE TABLED.**

6. Treasurer’s Reports (4)

Mayor Bugg: Treasurer’s report will be next on the agenda.

Wayne Nunnally: I’m gonna rely on you Fran.

Frances Westbrook: I’m going to ask that we table simply because the audit has not been completed. The errors that were discussed from the beginning of this that led to the audit are still reflected in here and I suspect they can’t do anything until after the audit and then they’ll recommend whatever changes need to happen. I am glad to have them particularly for the check detail because at least now we know what’s being paid and where the money is being spent so that’s a step in the right direction but until we have the audit and we know those changes and corrections have been made I think we just consider this as informational purposes and let it go at that.

Mayor Bugg: Any further comments about what Ms. Westbrook is proposing.

Wayne Nunnally: You are talking about tabling, what did you say?

Frances Westbrook: We don’t accept them, I’m just saying that right now, they are just for informational purposes until we hear back from audit. I don’t think we can do anything else personally.

J. Brown: Do we know when we’re going to hear back? It’s a long 2 weeks.

Frances Westbrook: Do we have any idea.

Mayor Bugg: Hopefully within the next few weeks. Any further.

Wayne Nunnally: They told us it was going to be a month.

Bonnie Schaschek: Long past a month now.

Frances Westbrook: Well maybe when you run that flag up you can...

Mayor Bugg: Yeah.

Frances Westbrook: ...run a second flag right underneath of it.



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Mayor Bugg: Status check.

Frances Westbrook: At least, it would be good for us to know. Thank you, Mr. Mayor.

Mayor Bugg: Thank you.

Bonnie Schaschek: I make a motion we table the treasurer reports.

Wayne Nunnally: Second.

Mayor Bugg: Any further discussion about the treasurer's report and tabling these reports. All in favor?

Wayne Nunnally: Aye.

Mayor Bugg: Let me do a roll call vote.

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

THE MOTION TO TABLE THE TREASURERS REPORTS IS PASSED 6-0.

Mayor Bugg: Treasurer's report 4 of them are tabled.

G. PUBLIC COMMENT

Mayor Bugg: Next item on the agenda is public comment. Does the public have any comments these evening. Yes Mr. Ewing.

Jeff Ewing: My name is Jeff Ewing, [inaudible] Chesapeake, just two quick items. As we get into budget season and you are thinking about new expenses we have a lot coming up in the next fiscal year. The first is a prepared food tax. Everyone else in the region has one, we do not. I think that is a lot of revenue we are leaving out uncollected. We could implement that 2.5% and match Kilmarnock and White Stone. We could bring in probably \$50,000 to the town a year with no resident really being impacted beyond what you're going out and going to eat like anybody else. I don't think that anyone, is, I moved to Irvington because we don't have this tax and was looking for a price discount coming to Irvington, I just really think that it would be a valuable stream of revenue as we, as the town grows and changes. The second item is the short-term rentals, if that was issued under a license or there was some sort of mandatory registration with the town when you are going to rent your home for more than 15 days a year, that would at least let the town know and check in with these people and make sure that they are paying their share of the occupancy tax that is already on the books. So, there is another stream of revenue that we may or may not be collecting because we don't know who's actually doing the Air B&B right now. I just think that as we budget having this extra revenue would be helpful and hopefully reduce the amount or stopping the amount of the property tax increase. Thank you very much.



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Mayor Bugg: Thank you.

Wayne Nunnally: Mr. Ewing, I'm so glad you are here, I wish you had of been here 8 years ago when I proposed the same thing, and could not get it through, so maybe with your help we'll get some of that done this time.

Jeff Ewing: Now is [inaudible]

Mayor Bugg: Anyone else from the public that would like to comment. Alright if nothing further from the public that would bring us to my mayor's report.

H. MAYOR'S REPORT

1. Discussion of town survey/planning topic from J. Brown

Mayor Bugg: As we heard early on the discussion concerning the town survey and planning topic has been moved. Ms. Brown, I'll just turn to you when we get to that so, we won't be speaking about that right now. That will bring me to the next item on my report.

2. North Commons Development

Mayor Bugg: This was originally from the February 18, 2021, report which was adjourned to February 25, 2021, the first item to speak about is the North Commons Development. At the February 4th meeting I heard discussion about appropriation for Bay Design prep work at the North Commons. Council voted unanimously 6-0 to appropriate the funds and place special emphasis on the payment coming from CARES Funds. At the same time during that discussion a couple of council members stated that COVID is not the reason for the expense. This is the first time that I have heard that statement that the cause is not due to COVID. As you are aware.

Wayne Nunnally: Excuse me, I didn't hear what you just said that what?

Mayor Bugg: That was the first time I have heard any statement that the cause is not related to COVID. As you are aware qualifying expenses under CARES requires certain items, namely they are necessary expenditures incurred due to COVID not budgeted as of March 27, 2020, and thirdly incurred March 1, 2020 through December 31, 2021. Because of the statements made at the last meeting while voting in favor of the appropriation, we need to clarify whether there is agreement of council that the prep sitework expense for a new town office on the North Commons is a necessary expenditure due to COVID. Council must weigh in to determine this question of fact. Council must go on record about this issue. This is not something that can be determined by accountants or lawyers, we determine this. Now I would like to go around the table and get input from each council member about the question of whether the site prep work is a necessary expenditure due to COVID.

Wayne Nunnally: Mayor, before we do that. I'd like to make a quick opening statement regarding that.

Mayor Bugg: We will start with you then.



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Wayne Nunnally: We have relied on the advice of the town attorney. I specifically asked her if this was covered by COVID. I particularly don't think it does, but our attorney has assured us it did. With that assurance I made the motion for the expense on Bay Design, but I only did that, and I want the record to clearly show that I only did that on advice of counsel. So, that is what we are paying her for, and we have to listen to what we've been told. So, that's why I made that motion, but I will go on record to say, is I don't think a town office, a new town office is in anyway a result of COVID. I'm only relying on the attorney's opinion that told us it was, and I think I have put the attorney on notice of that fact. So, if that \$45,000 that we've committed to is not going to come out of COVID money and it is going to come out of their money, then I'm going to be seeking redress in the appropriate form.

Mayor Bugg: Anything else?

Wayne Nunnally: No sir.

Bonnie Schaschek: I can go next.

Mayor Bugg: Bonnie.

Bonnie Schaschek: I'll go next. I also do not feel the funds came come out of COVID-19 and quite honestly, I'm a little bit shocked to hear you say that this is the first time you've heard it, because at many meetings we've said and asked the same question, in fact, at one of the meetings I even asked the lawyer to put it in writing that we could use the COVID funds for building the new town office. This has been on the books, it has been in the capital budget for the last 2 years, it's been talked about for the last 4 to 6 years, so it, this is not something new, it has nothing to do with COVID. I did take and print out from the Federal Register as of January 15, 2021, where it says if capital improvement projects are not necessary expenditures incurred due to COVID-19 public health emergency then funds may not be used for such projects. It goes on to say if you are building a hospital that's something different. We are not building a hospital. We are building a town office which we've talked about over and over for many years now. It's not something new. So, I'm not in favor because I think it is going to come back and bite us. You know, we were relying on the lawyer's advice and I can't agree with it.

Dudley Patteson: I have a question.

Mayor Bugg: Yes.

Dudley Patteson: If COVID is not the reason, what is the reason.

Wayne Nunnally: Well, let's look at our October 8th minutes where it says that our damages were caused by the storm, had nothing to do with COVID. Let's see I think that's page 9 of the minutes I did get through, no, that's another area....

Mayor Bugg: The storm was in August and I believe...



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Wayne Nunnally: It was the result, the damages were the result of hurricane I-S-A-I-A-S. Nothing to do with COVID. So, we cannot say that our damages were caused by this disease.

Mayor Bugg: Let me challenge you with this. What about the inability to use the office because it's so small.

Anthony Marchetti: Hey Tripp...

Mayor Bugg: Yeah.

Anthony Marchetti: ...Just let me know when I can have a turn please.

Mayor Bugg: Okay.

Dudley Patteson: I question the fact that the town office, there is virtually no way anyone on council or anyone from the town attending our meetings could properly submit to you which is a requirement of our protocol and in this pandemic and you don't know how long the pandemic will last, whether another one will occur, and it became very clear to me that since we cannot socially distance in that office it was unacceptable to have the meetings there at all and that is why I believe, one of the reasons why I believe COVID was the cause for us to relocate because we could not comply with COVID protocol in that office. It's great that we can evolve, we can have damage from the storm, those are not good reasons. But COVID protocol is the reason why we need to move and have a new town office.

Bonnie Schaschek: COVID is the reason we moved out of the town office, and why we're renting someplace for the staff. We have always for public hearings have had access to the church whenever we know, well, that we were going to have more than 25 people, we always made a point of moving here. We always knew that that office was not geared for that type of thing and shouldn't have been used for it. But, it was never a new discussion, we've known that it was not capable for a long time.

Dudley Patteson: Well, there was no...

Bonnie Schaschek: And we are using the rent that we are paying to this other place out of COVID funds and that's for 2 years and we have an option for a 3rd year after that, that's being paid out of COVID.

Dudley Patteson: I'm not denying that there is a good use of the COVID money in terms of the rent we pay. What I'm saying is it would have been impossible for us to relocate, move back into that building and to feel safe. I would not attend a town council meeting or any meeting for that matter in that building. We had to find an alternative use and we have traveled from the Baptist church to a corporate warehouse to a variety of places all because we needed to find a place that we could comply with the COVID protocol, period, end, finished.

Mayor Bugg: But for COVID would we have moved out of that office this summer or whenever we did.



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Wayne Nunnally: My answer is no we wouldn't have moved. We moved because of the mold, we moved because of the water damage and then COVID came along. To give us an alleged excuse to spend this free money and so everybody is all excited about getting free money and now we got maybe a way if we stretch the truth that we can use it. The office has been inadequate since it's been there. It is not handicapped accessible. The bathrooms are not even, you can't even get to them. But as far as social distancing goes, the town council could meet there. The staff could easily be 6-feet apart. We put the sign on the door, you can't come in anyway. Now what furthers my argument is we are not meeting in the one we are renting. We are still meeting here at the church which has been available to us for at least 10 years I know that we've been coming here. If we have anybody, any kind of crowd at all. It used to be that nobody came. People started coming after we began to tax them. Then they started taking an interest in coming there. But we never had a bunch of crowd and you know that. So, it was perfectly sound for the staff and the council itself, so to say that it wasn't socially distanced there is error in my opinion and it's a ruse to take money from the government.

Dudley Patteson: Excuse me, I object to your remarks saying that those who feel that COVID was the reason are presenting to this council a stretch of the truth are ruse.

Wayne Nunnally: Well, I think that's exactly what it is.

Dudley Patteson: That is uncalled for, I believe....

Wayne Nunnally: You've told me that before but I'm telling you I don't think it is a stretch of the truth at all, and I think it is time for us to be totally transparent and stop all this hiding stuff.

Dudley Patteson: I agree, and as will hopefully other members of council be transparent, but as I said, there is just no way I could go into that building again because of COVID, period, end, finish.

Wayne Nunnally: Would you go in there because of the mold?

Dudley Patteson: I would go in, the mold is not a reason for me not to attend.

Mayor Bugg: Wonder what the county is doing. Ms. Westbrook do you have any information obtained with what the county is doing with these funds.

Frances Westbrook: I know they just recently renovated the old courthouse building which is where the board of supervisors meet and where other groups and communities and commissions meet. They used some COVID funds particularly for the audiovisual aspect, and a couple other items and then they also had to put their own funds in to do a lot of the structural stuff that had to be redone, so, I don't know how the percentage was split. They used some COVID funds for the things that they felt like qualified and used the county's funds for the other things.

Wayne Nunnally: They used the county funds to do the buildout. They used the COVID funds to purchase and install and do whatever repairs were needed for that, for their video equipment and what have you so that they could broadcast video, but they did not use COVID funds for building,



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and we could use the money for the video stuff, and we talked about that, so. That would have been a legitimate purpose.

Mayor Bugg: Anthony, you there?

Anthony Marchetti: I am.

Mayor Bugg: You're up.

Anthony Marchetti: Thank you. Couple things, couple points, bear with me while I get through it all. I will say that I do believe the reason that we are not currently in that office is because of COVID. Give me a second to support my stance there. I would like to point out that I'm looking at a March 16th, that was posted on the Town of Irvington website and the door that said, "Considering the growing concerns surrounding the potential spread of the Corona virus, known as COVID-19, Mayor Ransone has determined that the stated goal of social distancing is impossible to attain given the size of the town office if it remains open." COVID is absolutely a reason we moved out. I mean we are in a state of emergency because of COVID. We declared a state of emergency, emergency ordinance because of COVID. So, you know I understand and respect what Wayne is saying and some of the others are saying, but, if you say, if you think I'm just saying this because of COVID because of free money, that is an attack on my integrity and I'm not okay with that. However, in the grand scheme of the expenses, the amount of money we have from COVID potentially to use towards this project over 20 or 30 years, honestly it is not that much money. Do I think it is a potentially missed opportunity if we don't do it, I do. It is not Nancyellen's job to decide the reason why we moved out. That was never asked of her. We decided to move out. Her advice that was given, Nancyellen correct me if I'm wrong was, if you moved out of the office because of COVID, then and I trust that she has legitimate sources that she did her homework, if the reason we moved out of the office and can no longer move back into our old office was because of COVID, I mean we could have fixed the mold in 2 weeks, and moved back in, but we knew that COVID still existed, we couldn't move back in even if the mold wasn't there. The office was closed before the mold was there. Again, all things to me that point to the fact that COVID was the cause of us moving out and not being able to have, that office wasn't functioning, it couldn't serve the town if the public couldn't come in. The staff couldn't socially distance. Nancyellen's advice was if the reason we had to move out and find another place for the office for the town to operate out of was because of COVID then in her opinion funds could be used, so, how can funds be used to rent Steamboat, I mean how can funds be used to pay rent for our current town office if it wasn't because of COVID. If we use those funds to pay rent for the current town office, then the same logic would apply they could be used for a build out for a new building. What if we went out and bought a new building, what if we bought the building across the street? That's the same thing as having to rent and spend money because COVID forced us to do that. That's how I feel, that's my logic behind it, again, I'm not trying to do anything unethical, I'm taking the advice of our counsel that if we moved out because of COVID which I think we did then those funds can be used for that project. It seems like the worst case in however long they say, hey you know what you couldn't do it, we owe the money, we are in no different in a position than we are now if we put the money, not trying to do anything unethical

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or shady, but I'm acting on advice of counsel. I believe that we moved out because of COVID, she says we can use the funds for that project so I'm following that advice that it can be done. If we choose not to, again, I think it's a missed opportunity, but in the grand scheme of things, \$30,000 over 30 years, you know is, it's not that big a deal, so, again, I think it's a missed opportunity, but everybody is entitled to their opinion, but that's my opinion and please don't say that I'm saying that just for free money, that to be quite frank, I'm not okay with that. It attacks my integrity, and I won't stand for it.

Wayne Nunnally: Anthony the one error in your argument was that they closed the office, they closed the office to the public. The staff continued to meet there and the public met here at the church when we had those meetings. But the staff did not move out of that office until we rented the new house. So, it was not closed in that regard.

Mayor Bugg: Jackie, what are your thoughts, hate to put you all on the spot, but this is important, but this is an important item, so I don't think we've heard from you yet.

Jackie Brown: No, it's fine, I think it's a difficult question, I'm uncomfortable with saying that we moved out of the office because of COVID because we actually moved out of it because of the mold from the storm and if we were going to build an office big enough to accommodate all the possibilities of the virus then to me that would be a legitimate use, but we're not, I don't think we're going to build an office this big so that everybody can social distance in any event, so we're not building it because of the COVID. If we do build a small office, it doesn't qualify under expenses due to COVID from my point of view. I listened to the advice of the attorney but then after we voted on this motion, I researched it some myself and it clearly says COVID money can't be used for capital expenditures, so I'm very uncomfortable with saying that the expenses are necessary due to COVID for that reason.

Mayor Bugg: Any further comments council.

Frances Westbrook: I'm waiting my turn.

Mayor Bugg: Oh, I just put you on for Lancaster, sorry, Fran.

Frances Westbrook: That's alright. Well, I do sincerely believe that we had to vacate the old office because of COVID. I know that due to protocol, COVID protocol that our staff which two could be in that office because they could social distance, however, if a town citizen walked in there, one of them went out on the sidewalk because we didn't have the proper square footage protocol for three people to be in that office at the same time. It wasn't until after Mayor Ransone decided that we needed to close it and have it by appointment only and that also was due to COVID. But still based on COVID protocol three people were not supposed to be in that building at the same time. That was the big issue there, so, yes we discovered mold a little bit further down the road and that was happening because of the storm we had and we did remediate that and I agree, we probably could have moved back in after, but we still could not have met the COVID protocol. So, we had to find someplace else for the staff to be. Unfortunately, even though it is a much larger building it is still



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not big enough for us to do the COVID protocol and have meetings there except for maybe you know some small committee meetings but that's only if we don't have hardly anyone show up from the town. So, we're still in a little bit in that same boat. But I do agree that the rent is a COVID expenditure and will continue to be. My problem is with building the new town office. I'm sitting the fence on that to some extent.

Dudley Patteson: Fran, can I ask you if there is any other alternative within Irvington that would qualify by COVID protocol that we....

Frances Westbrook: Well, let me tell you what my fence sitting is all about. There is some language in the Federal piece that tells us what we may and may not use COVID funds for and I think it was just recently updated, but it talks about any kind of capital expenditure that has been either in our budget or our comprehensive plan would not be, we could not use it for that and we have had on the comprehensive plan for years the idea of building a new office and in addition to that we have also, we started doing the capital budget as it is, 2 or 3 years ago and a new town office has been on that capital budget each and every time so if for no other reason I feel like those two reasons disqualify us using COVID funds to build a new town office. Now it's unfortunate we only have 2 years, and we can extend it for a third year where we are and if we build that's barely going to give us enough time to get an office built and into it. I don't think we have much other choice, I mean the property here in Irvington is going faster than anybody can possibly list it, we are probably going to have to build a new town office. I think if we could get it done fast enough I think COVID could be used just like the county did for the audiovisual equipment they put in there. That ain't gonna happen, we don't have that kind of time. So, I mean yes we do have access to the church anytime we want to, thankfully and we are very appreciative of that, I do feel like the worst possible thing that could happen if we spent money that wasn't COVID related, they'd just make us pay it back, I mean they aren't going to haul us off to jail because we spent money that we shouldn't have.

Mayor Bugg: That's a good point.

Frances Westbrook: But, I'm, yeah, I can't say with a degree of confidence that building a new town office as a capital asset would be a legitimate COVID expenditure.

Dudley Patteson: Well, take one of your points, I wasn't trying to be insensitive to the mold question, but mold is something that could be remediated as it was and should the building have qualified for COVID protocol we could have moved back in but that is not.

Frances Westbrook: But it was never COVID, it never fit that protocol.

Dudley Patteson: That's the reason why we moved out of the office is because of COVID.

Frances Westbrook: I sincerely believe that yes.

Dudley Patteson: Do you believe that?

Frances Westbrook: Absolutely.



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Dudley Patteson: Because of COVID we moved out.

Frances Westbrook: Absolutely.

Dudley Patteson: I agree.

Anthony Marchetti: And whether we use the COVID money or not doesn't change my opinion on why we did that at the office. Like I said, is it a missed opportunity, probably, but in the grand scheme of things, the money, it's not that much money so, I'd rather see us be productive and figure out what the plan is for the town office whatever that's gonna be then spend so much more time you know what I mean. A lot of conversations, not a lot of action. Get some of these things moving forward than conversations about..

Mayor Bugg: Absolutely.

Wayne Nunnally: Anthony I think one other thing that needs to be pointed out why we moved, we got an offer for this building to be bought and it was a very good offer and all of us knew it was a good offer, all of us knew that the office was not satisfactory and when this offer came along, we jumped on it and that's probably the real reason we moved.

Frances Westbrook: That was after the fact though Wayne.

Mayor Bugg: Yeah.

Frances Westbrook: I do believe.

Wayne Nunnally: Right after the mold because we had to clean the mold up for them. That was one of the conditions of the sale.

N. Keane: We listed it, we had votes on listing it.

Frances Westbrook: We voted to list it. So no one really came along and offered, we listed it and then....

Wayne Nunnally: So what, the first week....

Frances Westbrook: ...but I think that was after the COVID stuff started I do think that was after the fact.

Wayne Nunnally: That to me was one of the motivating reasons to move was the very generous offer that we got for the building.

Mayor Bugg: Bonnie, I think you had some follow-up.

Wayne Nunnally: I need to follow-up Anthony one other thing. Anthony, I never ever had the attorney ask me if I thought the expenditure was due to COVID. I asked the attorney, can we do this, and use COVID funds and the only answer I got was yes you can. I had no discussion



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whatsoever that she asked me well do you think it's this, do you think it's that, that did not happen and it didn't happen with Bonnie and it didn't happen with Jackie.

Anthony Marchetti: The answer was yes because, the answer was yes if we thought the reason was because of COVID. If the reason is not because of COVID then the answer is obviously no.

Wayne Nunnally: But I never got that question asked me.

Mayor Bugg: Bonnie did you have some follow-up?

Bonnie Schaschek: You know what happens when you get old you forgot what you were thinking about 15 minutes ago. I do have a comment to make, yes we moved out, we could no longer meet at the office. COVID was a driving force. The mold was really the issue with the place. We needed to take and clean that up, then as somebody commented we did put it on the market because Irvington, the properties were going and we knew we could never get a good price for it so might as well list it and see what we can do. Our problem was we never had a contractor come in and give a true estimate. We had had ballparks with residents saying well you could do this, you could do that, but we never had a contractor come in and say what kind of renovation they could do to that building to make it acceptable for the staff to be there.

Frances Westbrook: I think we did find out that we didn't own as much property behind it as we thought we did.

Bonnie Schaschek: Uh huh.

Mayor Bugg: Yeah.

Frances Westbrook: And because of the situation with the septic which is shared, that nixed everything right then and there. That killed it all. So, we were left.....

Bonnie Schaschek: But that wasn't COVID that was the septic and stuff....

Frances Westbrook: No, no,no, it addresses any kind of addition or renovation or whatever we thought at one time that we might would do. We did look at that you're right. But I think we got nixed because of those two reasons.

Mayor Bugg: Anyone else. Anything further Anthony.

Anthony Marchetti: No I say let's.....

Bonnie Schaschek: Move on.

Anthony Marchetti:everybody said their piece and let's, at the end of the day we still have to find a place for the town office to live for the next 30 to 50 years, so I'd love to focus all this time and energy towards that and move forward like I said, I think it might be a missed opportunity, but if the rest of council is not comfortable with it, then so be it and let's, we still have to figure out where the town is going to operate from.



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Mayor Bugg: Yeah, and I'm going to simplify things....

Anthony Marchetti:focus on...

Mayor Bugg: I'm going to simplify things in terms of our vote tonight, but a few comments that I wanted to say for the end after hearing from all of you. First, thank you for all of your comments tonight. It is a very important thing for the town. One of the most important endeavors of this town is engaged in so, I definitely want to keep the dialog wide open and keep things going in that regard. In terms of free money, I do not believe, and this includes all of you, I do not believe anyone at this table or anyone in this room was seeking free money in terms of building this office. That is not what I have seen here and I have not seen any evidence to suggest otherwise so I believe that was a mischaracterization, and on behalf of myself and all those who have concerns which would be all of you, I just want to clarify that. Second, I have reviewed the advice of counsel, town counsel I believe it is very sound, I have no concerns about that but for tonight's purposes council has advised I believe the first thing we need to decide is whether or not we believe that COVID was a cause of us moving out. I was going to go a little bit further in the weeds with potential motion tonight regarding the COVID funds but I think that is the appropriate starting point. Simply do we believe that COVID was the cause that we moved out of that office. I believe it was, I believe other council members agree and I believe other council members have expressed their disagreement so all that said, yes....

Frances Westbrook: Well, with all due respect, I feel like that's a moot point, I mean we agreed to move out of there, and we agreed that we would use COVID funds to pay the rent where we are now, so, by virtue of the fact in my opinion that we agreed to use the COVID funds to pay the rent we basically agreed by default that we moved out of there because of COVID.

Mayor Bugg: Uh huh.

Frances Westbrook: How else could we have voted to use money to pay the rent.

Mayor Bugg: For the rent....

Frances Westbrook: So....

Mayor Bugg: That was my next comment.

Anthony Marchetti: That's what I said earlier, how are we using COVID funds for the rent if we didn't move out because of COVID, like we can, to me it seems like it is all or none, we moved out because of COVID or we didn't. If we moved out because of COVID then the rent can be used, COVID funds can be used for rent. If we didn't move out because of COVID we can't use COVID funds to pay rent because we didn't move out because of COVID.

Mayor Bugg: And you brought me right back yeah, you brought Fran and me, brought me right to where I was heading, we need to have a vote on whether or not we feel that COVID was the cause for leaving the old town office.



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Wayne Nunnally: That and, I just want to make my position absolutely clear. I don't want us to spend any money if the Federal government can come back and say give it back to us and we may not have it. If they audit us and all this stuff that we've said tonight comes up, I, they will be knocking on our door for money. So that's why we have to be so careful with this thing.

Mayor Bugg: Okay.

Wayne Nunnally: And I'm telling you, we agreed to pay the rent again because we were told we could spend it out of the COVID funds, we didn't say we moved out, we didn't make that decision, we didn't have that discussion that we are doing this because we moved out. The discussion was simply this, oh, you can pay the rent with COVID money period. Nothing was a predicate to it. Now this is very slick to come in with a motion now to say oh we did it because we moved. We didn't. We agreed to pay the rent because we were told we could pay it out of the COVID funds. Not because we all sit around here and say we're moving because of COVID, so, that's the real truth of the matter. This slick discussion that we are having now about let's make it clear why we moved out, is to cover....

Mayor Bugg: We need to have that vote, you are correct, we need to take that vote.

Wayne Nunnally: I think the way this thing needs to be looked at is can we spend money on a town office and capital expenditures for COVID and is that a legitimate expense. That's the reason question.

Anthony Marchetti: If we got relocated because of COVID then yes, but if we say we didn't get relocated because of COVID then the answer is no.

Wayne Nunnally: That's the discussion we should have had first, not to come in now and say oh, this is what we should have said that we are moving out because of COVID. We didn't say that. We just spent the money.

Anthony Marchetti: Maybe you're right but that's our decision. That's not Nancyellen's decision.

Wayne Nunnally: We have a right to depend on counsel believe me. To rely on counsel.

Anthony Marchetti: So, you're saying you want her to make decisions for us?

Wayne Nunnally: Well, she's doing a lot of it now isn't she?

Mayor Bugg: Jackie.

Jackie Brown: Are you all saying...

Anthony Marchetti: I don't believe Nancyellen has a vote the last time I checked.

Mayor Bugg: Anthony Jackie is about to say something.

Jackie Brown: I just want to, are we visualizing building a town office that is big enough to accommodate these kinds of meeting with social distancing if this ever happens in the future, is that



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what we're talking about now, because I can't imagine that the town wants to build a building that big and spend that kind of money.

Mayor Bugg: I mean, right, I think we need to weigh every option.

Jackie Brown: Yeah, it concerns me because now we are talking about having to meet all these COVID requirements because we are using COVID money and I never visualized that we would build anything that big. I mean are we going to go into millions of dollars into debt over an office because....

Dudley Patteson: No, I don't think so.

Jackie Brown: Realistically what are we doing then.

Dudley Patteson: We will at the time when its right a building will be built to be COVID sensitive if possible and at the same time we need to show financial responsibility to those that live here and we may need to adjust to accommodate larger groups like that. We are not building a building to how do you want to say, having a large gathering of people.

Jackie Brown: Even this large....

Dudley Patteson: Pardon?

Jackie Brown: ...even this large of a gathering is a small gathering for most of our meetings, so are we really thing about building a building that is big enough for everybody....

Dudley Patteson:I don't think anybody has, no one has really gone that far yet, second from a person standpoint I don't think it would responsible for us....

Jackie Brown: I don't either.

Dudley Patteson:so large that it may be COVID compliant but at the same time it would be fiscally irresponsible.

Jackie Brown: I absolutely agree.

Dudley Patteson: There you go.

Jackie Brown: That's why I think that.

Wayne Nunnally: Well the motion is this, I'll read what the motion is. Motion that expenses for North Commons development for a new town office are necessary expenses due to COVID. That's the motion. It's not whether we moved out or what we did. The motion is that expenses for North Commons development for a new town office are necessary expenses due to COVID. The clear answer is no. So now there is discussion to try to change that into well we moved out of the office for COVID and we're paying rent for COVID. That's not the motion that is on the floor. We are being asked to say all the expenses for the North Commons and the new office are a result of COVID. That's the motion and I call to question on it.



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Frances Westbrook: Mr. Mayor, I'd like to call the question on it also please. I do think we need to move on.

Mayor Bugg: I do too. The first motion I'll propose is one on calls.

Wayne Nunnally: Well I made the motion Mr. Mayor.

Frances Westbrook: He already, we didn't have another one, I'm sorry, I beg your pardon.

Wayne Nunnally: I made the motion that is on the agenda and I've called the question.

Mayor Bugg: And you've made that now correct?

Wayne Nunnally: Yes.

Mayor Bugg: Okay is there a second.

Jackie Brown: Second.

Mayor Bugg: Further discussion. All in favor and we will do a roll call vote.

Roll Call Vote: Bonnie Schaschek no.

Wayne Nunnally no.

Dudley Patteson yes.

Jackie Brown no.

Frances Westbrook: It's not often I hate voting but I'm gonna tell you, because of the capital budget and the comprehensive plan I'm going to have to vote no.

Mayor Bugg: Anthony ?.

Frances Westbrook: I think we may have just lost him. [beeping sounds].

Mayor Bugg: You there Anthony.

Frances Westbrook: I guess he's wondering what in the world. You there. {attempts to get Anthony back online, keeps going into voicemail}. Oh dear.

Bonnie Schaschek: I agree with Fran, we've had it in the capital budget.

Frances Westbrook: Too long, yeah. You think his phone may have died.

B. Schaschek: Do you think that's what that beep-beep-beep was?

Mayor Bugg: I think it may have been.

Frances Westbrook: Well at least we do have a quorum present so.

[Tried to get Anthony Marchetti back online and it goes to voicemail].

Frances Westbrook: Okay, let's move on.



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THE MOTION THAT EXPENSES FOR NORTH COMMONS DEVELOPMENT FOR A NEW TOWN OFFICE ARE NECESSARY EXPENDITURES DUE TO COVID IS DEFEATED 3-2.

Mayor Bugg: Alright, the motion does not pass.

Mayor Bugg: The next motion I would like to propose is having someone make would be whether or not COVID was the reason we moved out of the town office. Would someone like to make that motion?

Frances Westbrook: So moved.

Mayor Bugg: Is there a second?

Dudley Patteson: Repeat the motion.

Mayor Bugg: Whether or not COVID was the cause, the motion would be.

Dudley Patteson: Second.

Mayor Bugg: We don't have Anthony here so.

Frances Westbrook: Did you second?

Dudley Patteson: Yes.

Frances Westbrook: Oh, okay,

Mayor Bugg: Actually Fran I said whether or not, I think the motion should be that COVID was the cause and take a vote.

Frances Westbrook: Yes.

Mayor Bugg: Okay, that will be the motion then?

Frances Westbrook: Yes, that's fine.

Mayor Bugg: Second, Dudley, okay. Roll call vote.

Roll Call Vote: Wayne Nunnally no.

Dudley Patteson yes.

Jackie Brown: I recall it, I'm sorry, I don't think.

Mayor Bugg: Don't be sorry.

Wayne Nunnally: No reason to be sorry.

Frances Westbrook: So that's a no for you.

Jackie Brown: Yeah.

Frances Westbrook: I'm gonna say yes.

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Bonnie Schaschek: So it comes down to me.

Mayor Bugg: And Anthony.

Bonnie Schaschek: If you can get him. I'm going to say it's a combination of things, it wasn't totally up to COVID but had to do with the mold, it had to do with the real estate market, for me to sit here and say the only reason that we moved out of that office was COVID that's not true, we moved out because of several other circumstances surrounding it, so.

Mayor Bugg: So, you're going to be a no it sounds like, is that.

Bonnie Schaschek: Is that, then it's a no. I know it was one but it was not the sole reason that we moved out.

[trying to reach Anthony Marchetti's phone again, going to voicemail].

Bonnie Schaschek: Okay then, move on.

Mayor Bugg: Return to the vote on this once we have Anthony.

Frances Westbrook: We do have a quorum here.

C. Bradley: Can I ask, can I make just a random suggestion.

Mayor Bugg: Yes.

C. Bradley: Do you have Anthony's [inaudible].

L. Brown:[inaudible].....not yet done.

Mayor Bugg: Joanna.

Frances Westbrook: You're talking about landline or cell phone.

C. Bradley: I'm just thinking if there's a landline she could hopefully get Anthony. So, it was just another way to try to reach Anthony is what you're trying to do I think.

Wayne Nunnally: Getting close to my bedtime Mr. Mayor.

L. Brown: Could Anthony's phone, we are trying to call him back for the town council meeting and thought maybe.....[inaudible....appears to be talking to someone on the phone]. Okay, thank you.

Frances Westbrook: He might be at the office while everybody else is gone.

Mayor Bugg: He may be.

Wayne Nunnally: Mr. Mayor we have a quorum, a vote has been taken.



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L. Brown: [still appears to be talking on the phone]. Okay thank you, I'm sorry to bother you. He was at the office...

Mayor Bugg: Okay.

Wayne Nunnally: I think the motion has been defeated and ask you to declare it and to go ahead and let's move on.

Mayor Bugg: Hold on one second, I have one more.

Frances Westbrook: Is that the office number?

Mayor Bugg: You are there. Council do we want to revisit this vote once Mr. Marchetti can participate so we can have a full deck of council members participating.

Frances Westbrook: I don't know that we can.

Bonnie Schaschek: We need to move on.

Wayne Nunnally: It's been voted on so.

Frances Westbrook: We have to have a quorum for someone to call in and that's most unfortunate, but I don't know that we can hold the vote when there is a quorum present.

Wayne Nunnally: We've made a vote, so.

Frances Westbrook: I don't know, I've never seen this situation before.

Mayor Bugg: It's unique.

Dudley Patteson: If we know Anthony's position, consideration if it is possible to be made...

Frances Westbrook: There is nothing that says we can't have this vote again.

Wayne Nunnally: Let me tell you what we are talking about. We have 3 votes, you have 3 votes, the mayor has to break and that's what we're fighting over. So, right now the 3 votes win and you are trying to continue this thing so that the mayor can break a tie vote. That's what's happening here, and I want the public to know it so, we made the vote, I've called the question, the motion has failed, now that's how we do it parliamentary procedure. If we do it any other way we are not following the law and parliamentary procedure.

Frances Westbrook: And Wayne you are absolutely correct in that, but also the town council anytime it wants to, it can undo a vote at another meeting and redo it.

Wayne Nunnally: That's right, well let's do it at another meeting.

Frances Westbrook: But right now I think you're right, it stands.

Mayor Bugg: You have him.



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N. Keane: Okay, now he has his charger.

Wayne Nunnally: This will happen as I predicted.

Anthony Marchetti: I'm sorry can you hear me.

S. Phillips: I am going to bring you up to speed. It is your turn to vote.

Mayor Bugg: I don't even know if you heard the motion Anthony, you may have....

Anthony Marchetti: No, I'm sitting in my office and my phone died and my wall charger is at home, so I had to go sit in my car to have enough battery to turn back on, sorry.

Mayor Bugg: The motion proposed by Mrs. Westbrook was that COVID was the reason that we vacated the old town office. You are the last person to vote. What is your vote.

Anthony Marchetti: The motion is the reason we vacated Steamboat was because of COVID.

Mayor Bugg: Yes.

Anthony Marchetti: I vote yes, I agree with that.

Mayor Bugg: Okay, with that we have a tie, and my vote would be as Mr. Nunnally called yes, COVID was the reason we vacated the old town office.

THE MOTION THAT WE VACATED THE OLD TOWN OFFICE WAS BECAUSE OF COVID IS PASSED 4-3.

Frances Westbrook: We had it for a few minutes Wayne.

Mayor Bugg: Yes.

N. Keane: What about the rent and....

Wayne Nunnally: Okay we can get onto something else now.

Mayor Bugg: Yes, yes. Second motion we need to get is that COVID was a reason for the need to rent the new town office and pay the rent. Could I get that motion.

Dudley Patteson: So moved.

Bonnie Schaschek: Didn't we do that back a couple of months ago saying that it was okay to use COVID funds for the rent and we did a motion on it, so why are we doing it again.

N. Keane: There was a motion but there was no vote.

Mayor Bugg: We are cleaning up the record to make sure we....

Wayne Nunnally: We don't know because we haven't seen the minutes.

Mayor Bugg: Motion was put on the table, was there a second?



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Anthony Marchetti: Second.

Mayor Bugg: Any further discussion. All in favor.

Dudley Patteson: Aye.

Mayor Bugg: Roll call vote actually.

Jackie Brown: Mayor, could you repeat the motion.

Mayor Bugg: Motion was that a motion was made that COVID was the reason for renting the new town office and paying rent on that new town office. Any further discussion, and that takes me to the vote. Ms. Schaschek.

Bonnie Schaschek: Well, yes and no. We moved out of the office because of the mold and other circumstances and COVID was one of the reasons, but there were other underlying reasons that we moved out of the office when we did.

Frances Westbrook: But it was one of the reasons.

Bonnie Schaschek: It was one of the reasons. It was not the sole reason, it was one of the reasons. So if you want to sit here and say it was the sole reason, I'm going to say no, it wasn't.

N. Keane: It doesn't have to be the sole reason. It has to be a reason.

Mayor Bugg: Do you want to amend your motion to be....

Dudley Patteson: A reason.

Mayor Bugg: ...a reason. All in favor of amending the motion to a reason. Alright, now we'll take the vote on the amended motion.

Wayne Nunnally: Can we stick to one of the reasons, then I can vote for that.

Frances Westbrook: By all means, amend it again.

Mayor Bugg: Can you amend that Dudley.

Dudley Patteson: ...difference, one of the reasons...

Mayor Bugg: One of the reasons.

Dudley Patteson:one of the reasons.

S. Phillips: COVID was one of the reasons for renting the new office and paying rent.

Frances Westbrook: Out of COVID funds. Okay.

Mayor Bugg: Now let's do roll call on that amended motion.



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Roll Call Vote: Bonnie Shaschek yes.
Wayne Nunnally yes.
Dudley Patteson yes.
Jackie Brown yes.
Frances Westbrook yes.
Anthony Marchetti yes. (via phone)

**THE AMENDED MOTION THAT COVID WAS ONE OF THE REASONS FOR
RENTING THE NEW OFFICE AND PAYING RENT IS PASSED 6-0.**

3. Discussion of draft ordinance regarding CUP's for docks

Mayor Bugg: Moving on. Alright CUPS for docks, ordinance clarifying CUPS for docks. The last council authorized the town attorney in April 2020 to draft amendments to existing town code to clarify with consistency the language requiring CUPS for all docks built in the town. Early in my tenure I asked to delay this until after new council members and I had experienced a few CUP applications so that we would be familiar with the process. The last council directed that all docks require a CUP. Over the last few months, I have been contacted of whether CUPS are needed for every dock and other issues concerning CUPS. These are diametrically opposed concepts. I had hoped to address this tonight, but I discussed this with the vice mayor and we suggest that the topic be covered in a separate meeting possibly the 5:30 hour on March 11, 2021 as a workshop on the subject of CUPS for docks along with related CUP issues. It is simply too much to discuss in a regular meeting. If there is no objection we will place this on the agenda for March 11th at 5:30 p.m. The next item is the revised CUP schedule. Council adopted a CUP schedule on January 14th which called for a joint public hearing of six CUPS and one rezoning on Tuesday, February 16th. Since council did not have a quorum for the joint public hearing on Tuesday, February 16, the planning commission went ahead with the scheduled public hearing. In order to complete the CUP schedule on the original date of March 11, we have added a separate public hearing on March 9, for council to hear public comments on these applications. Staff has contacted members of council about their availability on March 9 at 6:00 p.m. and there is a consensus. Hopefully all of you have had a chance to review that revised CUP schedule. Now because questions were raised during the Tuesday, February 16 meeting about the need to reschedule the public hearing for council, I want to clarify for everyone the reasons why rescheduling the public hearing for council was the proper decision. Council adopted a policy in June 2020 which allows a council member to attend a meeting remotely provided there are four council members physically present in the main meeting location. There were only three council members physically present on that Tuesday. That is a FOIA issue. An electronic meeting may be held during an emergency called by the Governor provided the meeting is held to discuss the emergency. This meeting was not going to discuss the emergency. Council adopted the continuity of government legislation last spring, that's ordinance 2020-001 and later renewed it in ordinance 2020-006 which allows for electronic meetings specifically during the COVID-19 emergency. These ordinances have sunset provision the last one terminated in October 2020. Had this been in effect it would not have been

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useful on Tuesday, February 16th because that meeting was called and advertised as an in-person meeting. A public hearing for a CUP or rezoning parcel is a legal requirement which provides due process to an applicant seeking a permission from the governing body. Even though a vote is not taken during the public hearing for a CUP or rezoning this is not the point. The law requires this take place as part of a process conditional to producing a valid decision on an application. Similarly, there are other laws that require public hearing for public purposes, for example, budget, tax, levies, sale of property, and comprehensive plans. None of these cases would it be acceptable for less than a quorum of the council to hear the public comments associated with the process involved. A public hearing of the council is really a special called meeting of council. A special called meeting requires a quorum to hold the meeting to conduct business which in this case was to hold the public hearing. Lastly, as Mr. Patteson mentioned earlier.

N. Keane: Mr. Mayor

Mayor Bugg: Yes.

N. Keane: I think you were going to get them to vote on this before you went to the next topic....

Mayor Bugg: On the....

N. Keane: The CUP schedule. Actually ask them to vote to accept it.

Mayor Bugg: Did I jump ahead. I did, I was trying to get us moving along. I'm backing up to the revised CUP schedule that I mentioned that has been circulated. Is there a motion to approve that revised.

Wayne Nunnally: So moved.

Mayor Bugg: Is there a second.

F. Westbrook: Second.

Mayor Bugg: All in favor.

Group: Aye.

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

Mayor Bugg: Excellent.

Wayne Nunnally: [inaudible]

THE MOTION TO PASS THE REVISED CUP SCHEDULE IS PASSED 6-0.



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Mayor Bugg: The revised CUP schedule is approved. Again, Dudley Patteson spoke about this, again I want to encourage discussion of topics in advance of meetings. Mr. Patteson asked me to mention tonight the suggestion that we encourage members to place items on the agenda for discussion where the expectation is not to vote on the matter at the same meeting. Council members have said regretfully that they do not discuss issues of the day and wish to do so. This comment is to encourage such discussion with the understanding that there will not be a vote at the same meeting where a topic is introduced for the first time. All of us have chimed in on this regard and I thank you all for all your participation and your comments tonight so. As Mr. Patteson mentioned earlier and I just mentioned please keep that in mind and just bring everything to the table enough in advance so we can have the most productive discussion we can about all this. With that, that concludes my mayor's report.

I. REPORT FROM THE TOWN ATTORNEY – Nancyellen Keane

Mayor Bugg: Nancyellen.

N. Keane: I have a really quick report. On February 4th a discussion was held at that meeting regarding how to change the date, time and place of a regular meeting. I did do the research on that the next day. Virginia Code 15.2-1416B governs the requirements to change a regular meeting. We complied with each of these requirements. One was passing a resolution or motion to change the date, time or place, the second was posting a notice of the new date, time or place, and the third was advertising in a newspaper at least 7 days prior to the meeting. We were lucky with the February 4th meeting that the actual next meeting date was February 18th, because it allowed us the time to advertise in the newspaper. The second item I have I just want to remind you all that on October 15th Council authorized me to perform research on land disturbance issues and to draft an ordinance if necessary. I did the research. After further review, it appears there's no need for any additional ordinance as the current town code contains the process necessary for exceptions and exclusions which were the topics that related to land disturbance that I was concerned about at the time, so I don't need to do anything there. I just wanted to close the loop on that and make sure you all were aware not to expect anything on that. On May 14th of 2020, I was authorized by a vote of 6-0 in favor to draft an ordinance to make a CUP required in all zones for docks and piers. That was an excerpt from the minutes. This topic will be considered along with the other zoning issues that the Mayor described for March 11, 2021, there was some discussion that I would present it tonight, but because the Vice Mayor and the mayor decided it was too much to deal with tonight, now the Mayor is suggesting this be on March 11th so, that's the end of my report.

Mayor Bugg: Thank you. Ms. Brown. Report from the zoning administrator.

J. REPORT FROM THE ZONING ADMINISTRATOR – Lara Brown

Jackie Brown: Thank you. There were four zoning permits issued this year so far. On the second zoning permit I inadvertently left off the name of the applicant, Finley White, was left off. No commons update. I don't know what to say. Probably if you have an update when we discuss further old business. I had some recommendations for you, Mayor, to maybe consider at the next meeting possibly coming



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up with a committee to look at the North Commons development but we can discuss that if council deems appropriate under old business. I will say that I spoke to Ben Burton today from Bay Design Group and the preliminary boundary and demographics survey work has been completed. You may notice the markers out over in the field at North Commons. Soil samples have been sent away and he should find out next week whether or not the soil is conducive for the drain field and how water drains. We will get that next week. Also, be aware due to rescheduling of our public hearing for town council, we are incurring some cost so that the applicants do not have to bear that since it wasn't due to their reasons that we had to reschedule. The cost for rescheduling the meeting will total \$990.28, and that is for the certified mailings to the 37 parcels and for the Rappahannock Record ads to run for 2 weeks for 3 notices. Anyone have questions.

[Female]: What was that figure.

L. Brown: \$990.28.

[Female]: Thank you.

Mayor Bugg: Thank you.

Jackie Brown: That's it. Thank you.

K. REPORT FROM THE BUDGET & FINANCE COMMITTEE – Frances Westbrook

Mayor Bugg: The next item I have on the agenda is the report from the budget and finance committee.

Frances Westbrook: Thank you Mr. Mayor I think you have before you a copy of the proposed schedule for adopting the budget. We are in a major time crunch partly because we have not been able to get started on this typically as soon as we do with an audit in process. So, Anthony and I have talked about this, we are having a hard time getting dates in place where everyone can be present. We are going to be meeting this coming Tuesday, at 4:30 here at the church. It will be a workshop, you're shaking your head no, what....

S. Phillips: 3:30.

Frances Westbrook: Yes, I'm sorry for 3:30, Tuesday, next Tuesday here at the church. It will be a workshop which means anyone can attend and we encourage you to do so. It's just that you won't be allowed to participate. Anthony and I are still working out the details for the other meeting dates. We will be, according to the schedule we will be having a March 18th, town council and budget and finance workshop. This is going to be a very, very important meeting and it is absolutely essential that all town council members be there. This will be the only opportunity that we've built into the schedule for us to come together and discuss the budget that Anthony and I will prepare the worksheets and bring that forward for you to consider. The 18th is important because on the 25th, the figures at the 18th will determine the composite ad that has to go into the Rappahannock Record and that has to occur on March 25th in order to meet the state mandated deadlines, so once again the 18th is a very important time for



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you to be at that meeting. Also, that workshop that we are going to have on the 18th may determine any tax increases or new taxes we may have to consider or contemplate in order to meet the budget that we decide on. Of course, April 8th will be the public hearing and we're hopeful that we'll be able to adopt the budget on the 13th of May. We can have a fallback position for the June town council meeting if we need the extra time. I am hoping that we don't need the extra time. Anthony and I are going to do everything we can so we can get this pushed along so that we can stay with this proposed schedule. A reminder that we need budgetary requests from a number of people. I'd like to have those by March 12th that would be HR, Dudley, zoning/planning commission, the mayor, legal, anything that you see coming up that need to be apprised of monetarily, certainly town council members anything that you may have that you think Anthony and I should consider and staff. And once again if we could have those figures from you by the 12th certainly feel free to give either of us a call, if you have any questions or anything. Anthony is there anything that you need to add to this that I might have forgotten.

Anthony Marchetti: No, I think that's pretty good. I certainly you know, a lot of the budget is more or less can be copy and pasted from previous years so, especially for town council, I'd ask for requests you know if there are several items that you in particular want to discuss, change, remove, you know, let us know, let's talk about it early instead of later. Especially by that March 18th, you know we need the 11th as well if there is any budgetary items we can set aside on the agenda a time to discuss just makes sense to do it on the front end so, you know, let us know what you're thinking, what you want to see changed, you know obviously it will be a working document, but the more you put in the beginning, the easier and better for everybody so. Thanks.

Wayne Nunnally: At that meeting will it be appropriate to talk about the [inaudible] tax and meal tax?

Frances Westbrook: Not at this time no. I mean that is a consideration we may want to discuss at the workshop I think would be the more appropriate time.

Dudley Patteson: Which workshop?

Frances Westbrook: The one I just told you about that is absolutely essential you attend.

Wayne Nunnally: March 18th.

Frances Westbrook: March 18th, 3:30.

Dudley Patteson: I circled it.

Frances Westbrook: Okay, that's the very first one on the proposed schedule.

Bonnie Schaschek: There's one on Tuesday.

Frances Westbrook: Anthony and I are having a budget and finance committee workshop this coming Tuesday, 3:30 here. That's for us to start getting these figures together so that we can come up with the worksheets to present to you all on the 18th.



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Mayor Bugg: Yes.

Nancyellen Keane: Do you want to put your list, it says TBD, do you want to put your list of meeting.

Frances Westbrook: So far the only one we have scheduled is next Tuesday which is March 2nd.

Nancyellen Keane: So you can put March 2nd.

Frances Westbrook: So you can put March 2nd up there 3:30. I don't know why I want it to be 4:30.

S. Phillips: You don't want to move forward with the 4th.

Frances Westbrook: Anthony has come conflicts. He is going to be out of town one of those dates and he had forgotten about that when he and I first came up with these dates, so we are just waiting and seeing.

Nancyellen Keane:2nd....

Frances Westbrook: We are going to have to regroup.

Nancyellen Keane: March 2nd on here, but you don't have anymore.

Frances Westbrook: Don't have anymore March 2nd 3:30, workshop here. March 18th is the biggie for town council. Alright.

Nancyellen Keane: So are you going to vote on it as amended.

Frances Westbrook: We will vote on, well we are going to amend it.

Nancyellen Keane: Vote on it.

Frances Westbrook: Well that was to be determined. Yes, if you want, as amended then, we added March 2nd, so we do need to vote on this proposed schedule.

Wayne Nunnally: Move we accept this schedule as amended.

Bonnie Schaschek: Second.

Mayor Bugg: All in favor. Roll call.

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

THE MOTION TO PASS THE AMENDED BUDGET SCHEDULE IS PASSED 6-0.

Mayor Bugg: Schedule passes.



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Dudley Patteson: Mr. Mayor.

Mayor Bugg: Yes.

Dudley Patteson: I would like to make council aware that we are certainly meeting more often than we have ever met before...

Bonnie Schaschek: Not really

Dudley Patteson: ...in fact in the next 21 days we are going to have about 10 meetings scheduled, all of us are not going to attend all 10 but some of us are and I think when we look at the situation that Mr. Nunnally brought up earlier about the delay in minutes, our staff is being taxed with an enormous amount of work that has never been seen until recently inclusive of last year. So I think that as we look at meetings in the future, I would hope that we all try to consolidate the meetings and try to settle things at council meetings, try to settle and have meetings during staff hours so that we are not causing them the boat load of work that they've got right now. Thank you.

Mayor Bugg: Thank you.

Frances Westbrook: Thank you Mr. Mayor.

Mayor Bugg: Thank you. Wayne I have several lines, I wasn't sure, I just want a refresher from council as to where you want, you put the alternative for town office. Did we put that under new business or after the budget and finance that we had.

Frances Westbrook: That was the committee report.

Bonnie Schaschek: Old business.

S. Phillips: Committee report from.....

Frances Westbrook: Committee report for the town office.

Mayor Bugg: Yeah, yeah, it should be right now.

Wayne Nunnally: Okay.

Mayor Bugg: Wayne.

Wayne Nunnally: What I did, I guess without the Mayor's approval was to go around town and see if there was any other places that might serve as an office that we could move into and buy. One of the places I looked at was the house on Irvington Road. I think it green now, it used to be yellow. The address, it's under contract, but what I think we need to do before we rush into forming committees to develop the North Commons, is to see if there is an existing structure that we should buy and I think that I just quickly went online and there was a lovely little dwelling on Chesapeake Drive that is there for sale that would certainly is much better than the rental office. I'd also like for us to explore at least the possibility of renting as opposed to buying and owning a structure. There are advantages to that. Before we go head long into spending money that surveys has said that they don't want, I would



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certainly like to look at alternatives before we go moving ahead with committees on developing the North Commons. That's the end of my report. The other, you want me to go ahead into the other one now.

Wayne Nunnally: Actually yeah, that's fine. Years ago it seems like now, I went out on a limb and I drew a town ordinance, I don't think town attorney liked me drawing an ordinance but I drew it with the hope that we could get something going on this short-term rental, I never think the one that I've drawn would pass, but it was something to generate a discussion on the short term rental. Everybody here has a copy of this motion, except you mayor, you may have looked at my motion, I mean the ordinance.

Mayor Bugg: You might as well give me a fresh copy.

Bonnie Schaschek: I don't think I have one.

Wayne Nunnally: Except maybe. What I would like to do Mr. Mayor is have my draft ordinance referred to the planning commission for tweaking and revision, but we need to get something going on the short-term rental. We can't just keep ignoring it. It's been put under the table now well since Mayor Ransone was here, I proposed this, so I would like to submit this to the planning commission for review and tweaking.

Dudley Patteson:copy, that's alright I'll get a copy.

Mayor Bugg: Wayne could I suggest that maybe we circulate to all council members and bring it up at the.

S. Phillips: FOIA

Wayne Nunnally: FOIA was given. This was even given to Cay Bradley I think years ago, so I know it has been circulated.

Frances Westbrook: Well, we are going to have to send it to everybody, FOIA.

Mayor Bugg: Yeah.

Wayne Nunnally: Well I think...

Frances Westbrook: But since you've got it at tonight's meeting, everybody is supposed to have a copy according to FOIA, so.

Wayne Nunnally: Yes.

Mayor Bugg: And what I'm suggesting is....

Wayne Nunnally: To give it to Sharon to make copies again.

Mayor Bugg: What Dudley was eluding to was give it to members and we can talk about it at the next meeting because everyone will have had a chance, you know.



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Wayne Nunnally: We're putting it off for another 30 days again and that's the way we run in this council, when we could easily just give it to the planning commission and let them get going on it.

Dudley Patteson: Mr. Mayor, due to circumstances, I was on the short term committee with Mr. Nunnally at the time I was not a council member, there were a number of us on the committee, we were unfortunately not given a copy of this, nor have we had a chance to evaluate the good work of Mr. Nunnally.

Wayne Nunnally: Dudley that is not true, I personally brought you one of these and gave it to you.

Dudley Patteson: You did, but...

Wayne Nunnally: So don't tell me you didn't get it.

Dudley Patteson: I'm not talking about me personally. I'm talking about a committee that you formed and....

Wayne Nunnally: I wrote a letter to the committee and asked that my letter be given to them, that the thing be given to them and evidently it was overruled.

Mayor Bugg: Wayne, I'm offering a sort of framework for you to move forward with this as we do have new council members since this was circulated or whatever happened with this. If not, I'm suggesting that it be circulated to council members to review between now and the next meeting and if council is in favor of sending to planning commission, then we can take that action then as you have proposed.

Wayne Nunnally: I guess that's how it's gonna be, I again want to say, keep postponing things we are not getting anything done and I'm very frustrated. So, okay, I move that we give it to the, you bring it up at the next meeting.

Mayor Bugg: Okay.

Dudley Patteson: Mr. Mayor.

Mayor Bugg: Yes.

Dudley Patteson: In Mr. Nunnally's first discussion brought up something that I think is worthy. I think that I would like, yeah, you heard me, I think council should designate Mr. Nunnally as one that can evaluate other considerations for a town office so that we as a council are not tripping ourselves into spending a lot of money, but if there is an alternative is worthy, I would like our council to designate him as the person to represent us in the search for other alternatives so that when we come to evaluating whether the North Commons is the place we have a better understanding of what other opportunities may be there.

Wayne Nunnally: I accept the assignment if you'll let me have a couple of other committee members to help.



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Mayor Bugg: Yeah, yeah, that certainly sounds like a prudent thing to do.

Dudley Patteson: Designate the town council person to do that.

S. Phillips: Who are the other committee members?

Wayne Nunnally: I don't know at this time.

Mayor Bugg: I think you have Jackie correct.

Jackie Brown: Wayne and I are on the building and infrastructure committee.

S. Phillips: Are you creating a new committee, scope of work....

Mayor Bugg: Yeah.

Wayne Nunnally: Just give me the assignment that I have accepted.

Frances Westbrook: So is the building and grounds committee that can....

Mayor Bugg: Yes and Wayne.

Frances Westbrook: Function under that....

Dudley Patteson: It is a step in the right direction because you know every one of us and I've been guilty of this, you know, I just can't go out and say that we represent our council, we came out as individuals we need to have, on town issues we need to have this council approve it and that is just what we did for a good suggestion by Mr. Nunnally to make certain we are not overlooking something.

Wayne Nunnally: I would really like these minutes, since you did that.

Mayor Bugg: Motion is on the table, is there a second.

B. Schaschek: Second.

Mayor Bugg: All in favor.

Mayor Bugg: Roll call vote.

Roll Call Vote: Bonnie Schachek yes.
Wayne Nunnally yes.
Dudley Patteson yes.
Jackie Brown yes.
Frances Westbrook yes.
Anthony Marchetti yes. (via phone)

Mayor Bugg: Wayne you are the point person.

N. Keane: I have one comment I just wanted...



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Mayor Bugg: Yes.

N. Keane: On October 15th, the council voted in favor of designating North Commons as the site of the new town office, on December 31st, 2020, the mayor signed a contract or proposal with Bay Design to do site prep work over at the North Commons, and they are currently doing that work. If you all are thinking that you are not going to be doing that, maybe, I mean, I'm just calling for you all to advise Lara as to how she should proceed with Bay Design, you know, are they to continue the work, should they stop work, what's the issue there.

Wayne Nunnally: Can they stop it legally? Haven't we signed a contract with them for X number of dollars.

Nancyellen Keane: It's a...

Frances Westbrook: We did some sort of a contract.

Bonnie Schaschek: But it was for a site plan and main overall plan, it wasn't for specifically building the....

Frances Westbrook: No it wasn't, and I think we should move ahead with that.

Bonnie Schaschek: We should continue with it.

Frances Westbrook: We should move ahead with that.

Nancyellen Keane: Per hour rate, it is like pay for services.

Bonnie Schaschek: That's fine.

Frances Westbrook: That's fine, but I think we should move ahead and not stymie that because I mean if they find something and we are in agreement, great, if they don't it will not have cost us any time on this.

Bonnie Schaschek: We still want to know all of our capabilities on the North Commons.

Frances Westbrook: We want to know options and certainly a month, well no actually we meet in 2 weeks so you need to get in gear there babe.

Mayor Bugg: There you go. Alright, thank you Wayne.

L. OLD BUSINESS

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

Mayor Bugg: The next on the agenda is old business, discussion of the use of tennis courts to teach tennis. Madam Clerk any developments in that regard, have you heard anything further.

Sharon Phillips: No sir.



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Mayor Bugg: Okay. Then I think that should be tabled.

Frances Westbrook: Tabled until next time, 2 weeks. So...

Mayor Bugg: We can table that for 2 weeks.

Nancyellen Keane: The one issue that keeps coming up on this every time it comes up is are we going to charge the man a fee and what's the town's policy, you still have to decide that at some point.

Frances Westbrook: I think it may have been the one that is consistently brought up, the idea of charging them, I mean we certainly let Chesapeake Academy do it at no charge and I hope that we would continue to do that, but we just recently put some money into resurfacing or whatever it is that we did, I know there's a technical term for the tennis courts, but we just put some money into it and if we are going to allow someone to be teaching lessons over there and they are making money doing that, I think it would be nice if we charged them and they help defray out cost and the use of the courts, maintenance.

Nancyellen Keane: So, when you come back to this item next month, or whenever, that's one of the terms that will be needed to....

Frances Westbrook: We also are waiting to see the schedule for Chesapeake Academy, I think.

Wayne Nunnally: You definitely need a schedule from him.

Frances Westbrook: From Dudley?

Wayne Nunnally: No from Cabocel, that the....

Frances Westbrook: Oh yes, I thought you said Dudley.

Dudley Patteson: I can teach tennis.

Frances Westbrook: I'm getting tired.

Bonnie Schaschek: That makes two of us. We're running....

Frances Westbrook: We tabled it so.

Mayor Bugg: Moving on to the last item on the agenda under old business would be Jackie.

Jackie Brown: I want to discuss the town survey that I brought up in November and I'm going to pass out the sheets about the statistics for the comprehensive plan 2017, the comprehensive plan 2017 to refresh your memories.

Frances Westbrook: We'll need to give a copy to Sharon because this is also FOIA and she'll have to send this out to everybody too.

Jackie Brown: The survey showed that a very small percentage of the community supported most of the goals that were put forth in the 2017 comprehensive plan. In fact, none of them got higher than 32%, so it seems to me that we need to look strongly at our comprehensive plan. There was a strong



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bias for Irvington remaining a residential community of single-family homes as opposed to other kinds of housing. There was no support for a town hall, or very little support for a town hall or playground or police protection. The only thing that got any level of support was public sewer service and that was only 32%. The leadership of planning commission basically wrote and endorsed goals which were in direct conflict with expressed opinions of the residents. I don't think that's where we should be, I think we need to look at what our community wants and due to the hot real estate market they are having right now, our community has changed quite a bit, so the survey might show different results. I think for us to be responsible about planning for our community and for the planning commission to have the information it needs we have to have a new survey, so I am proposing tonight that we go ahead and have a motion to create, to have the planning commission do a new survey, so that we have good information to work from.

Frances Westbrook: When are we do for the next comprehensive plan review.

Jackie Brown: Well actually the state says that we shall look at a comprehensive plan every 5 years. We did make an amendment to it in 2019, but the whole comprehensive plan was not looked at. I think that the planning commission really needs to review that.

Frances Westbrook: But when did we do it?

Jackie Brown: 2019.

Frances Westbrook: It's one thing to amend it, but the actual comprehensive plan.

Jackie Brown: 2017, so next year it is time for the review to be completed. So anyway I think that we really need to have the survey done, I think that maybe town council members may want to submit questions to the planning commission to include in the survey if you think they might leave something out, but I think we need to make sure that it is comprehensive and that it actually reflects what the community wants so that we can do a better job.

Wayne Nunnally: I think it is a great idea.

Frances Westbrook: We are going to have to hire somebody to do it.

Jackie Brown: I think the planning commission is capable of making...

Frances Westbrook: I don't...

Dudley Patteson: A survey has to be done right.

Frances Westbrook: I think it has to be done professionally.

Dudley Patteson: There are too many ways to craft questions or answers.

Frances Westbrook: The way you work it will often dictate the answer you get.

Jackie Brown: We can't ask just yes/no questions.



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Frances Westbrook: I don't think so.

Dudley Patteson: Fran, since you are budget and finance and this is something that might align for the budget for the next year or two, find a firm to conduct such a survey on behalf of the town.

Frances Westbrook: I think that'd be a good idea, let's find out what it would cost and also thinking if we are this close to a comprehensive plan, then I mean our budget is going to run through July of 2022, we need to be thinking and talking in conjunction with that.

Jackie Brown: You are going to need updated maps and there is an expense for that.

Frances Westbrook: And we've known that for quite some time. Those are the costs that we've not been able to get and that is something that the planning commission needs to bring back to Anthony and I, so maybe that is something that you can talk with.

Dudley Patteson: In the spirit of keeping the trend continuing on having council organize members of council to perform certain functions with outside folks, I would like to suggest if Jackie is willing, that council appoint Jackie to do research on survey firms and come back with a defining statement of what it would cost to have a survey done for our town. Would you accept that.

Jackie Brown: Yeah.

Dudley Patteson: You've got the interest so...

Mayor Bugg: That's a great idea.

Dudley Patteson: We endorse Jackie.

Mayor Bugg: Is there a second?

[Inaudible] Female: Second.

Mayor Bugg: All in favor.

Group: Aye.

Mayor Bugg: Rolle call vote.

Roll Call vote: Bonnie Schachek yes.

Wayne Nunnally yes.

Dudley Patteson yes.

Jackie Brown: Do I vote on this.

Frances Westbrook: Yes.

Jackie Brown yes.

Frances Westbrook yes.

Mayor Bugg: You Anthony.



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Anthony Marchetti: Could you repeat the motion, I'm sorry.

Mayor Bugg: The motion was to make Jackie the point person to track down the cost of having a town survey conducted in related to things Jackie may discover.

Anthony Marchetti yes. (via phone)

THE MOTION TO MAKE JACKIE THE POINT PERSON TO TRACK DOWN THE COST OF HAVING A TOWN SURVEY CONDUCTED IN RELATED TO THINGS JACKIE MAY DISCOVER IS PASSED 6-0.

Frances Westbrook: Could we take about a 5-minute stretch break.

Mayor Bugg: That's fine. Motion passes. Jackie this is a great idea. Thank you for your efforts and your future efforts as well. There has been a request for a brief 5-minute break so with that we pause the recorder.

Mayor Bugg: We have reconvened. Next item on the agenda would be new business.

M. NEW BUSINESS

1. First Reading Resolution 2021-01 TC Rezoning Application – Rezone Parcel from R-1 to B-1 or B-2, Tax Map 33-422

Mayor Bugg: We have the first reading or resolution 2021-01 TC Rezoning Application, I will turn it over to Madam Clerk.

B. Schaschek: Does she have to read this whole thing or just the first part of it.

S. Phillips: Item 2021-01 TC Rezoning Application – Rezone Parcel from R-1 to B-1, Tax Map 33-422 whereas The Irvington Town Council ? the reasoning application 2021- to rezone tax parcel to rezone parcel tax map 33-422 from R1 to B1 or B2 to enable the use of the town office at 4302 Irvington Road and whereas a joint public hearing on the application was advertised in the Rappahannock Record on February 4th and February 11th, whereas the planning commission held a joint public hearing on February 16th to hear the public views and the town council will hold a joint town public hearing on March 9th whereas the planning commission considered the application at its meetings on February 16th, 2021 and March 9th, 2021 and whereas the town council considered the application at it's meeting held on February 25th and March 11th.

Resolution 2021-01 TC Rezoning Application Attached and incorporated within

Mayor Bugg: Thank you. The next item will be first reading Resolution 2021-02 TC Conditional Use Permit Application.

L. Brown: Mr. Mayor.

Mayor Bugg: Yes.



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L. Brown: Do you want to take questions after each reading from town council or if there is any pertinent information you want to ask me or....

Mayor Bugg: Yeah, we can certainly do that.

L. Brown: Is that appropriate.

Mayor Bugg: Do you have any questions for.

L. Brown: This application request from ICN Enterprises to rezone from 4203 Irvington Road from R1 to B1 or B2, the applicant sent by certified mail notices on 01/25/2021 and the town received the notification of listing on 02/02/201. Final letters and responses have been received stating no objections and one stated objection to B1 but not to B2. Are there are any questions that you'd like me to put in my staff report before we have the second reading of the, hear the recommendations from the planning commission.

Bonnie Schaschek: Why are we changing the zoning, what is it they want to do with it. Do we have a reason for changing it?

L. Brown: They stated in the application a request to rezone from R1 to B1-B2 for the town office. We are not the applicant ICN Enterprises is the applicant.

Bonnie Schachek: So why do we need to change it to a B1 or B2, town office has always been in an R1 area.

Matt Terry: I think zoning ordinance requires B1 or B2 excuse me.

L. Brown: Either.

Bonnie Schaschek: Yeah but we are just renting for the time being so.

Matt Terry: ...I understand that.,,[inaudible].

Bonnie Schaschek: Then going forward after we move out.

Matt Terry: I don't know what the plans are, we want to make sure we have as many options as possible. I mean B2 does not allow residential, B1 does. So they want to make sure they have a broad range of uses and Conditional use permit. So this is not cart blanch hey want to use it as because it is not an ideal location for [inaudible].

Bonnie Schaschek: Well the other side is R2 isn't it.

Matt Terry: It's just a happy coincidence.

Bonnie Schaschek: Why didn't this come up when the office was over on Steamboat Road. We were lucky.

Matt Terry: I don't have an answer for that.

Bonnie Schaschek: So this is just because we are sitting right now, the town is renting it.

Matt Terry: No it's because we want to expand the uses that we have.



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Bonnie Schaschek: Okay.

Mayor Bugg: Thank you Mr. Terry.

L. Brown: Any questions from town council on the ordinance.

Wayne Nunnally: So it's from B1 to B2.

L. Brown: Yeah, preferred B1....

Matt Terry: B1 allows residential use, B2 does not.

2. First Reading Resolution 2021-02 TC Conditional Use Permit Application – Town Office in B-1 or B-2; Tax Map 33-422.

Mayor Bugg: First reading Resolution 2021-02 TC Conditional Use Permit Application.

S. Phillips: Conditional Use Permit Application town office in B1 or B2. Did I just, sorry. Tax map 33-422 whereas the Irvington Town Council reviewed proposed conditional use permit application CUP ...[inaudible]

Resolution 2021-02 TC Conditional Use Permit Application is attached and incorporated within.

Mayor Bugg: Thank you.

L. Brown: Any questions.

Mayor Bugg: Any questions.

L. Brown: The town has received three responses all no objections to this CUP for a town office.

3. First Reading Resolution 2021-03 TC Conditional Use Permit Application – Build Pool Inside RPA, R-1, Tax Map 33-361.

Mayor Bugg: First Reading Resolution 2021-03 TC Conditional Use Permit Application.

S. Phillips: Condition Use Permit Application – Build pool inside RPA, R-1, Tax Map 33-361 whereas the Irvington Town Council reviewed the proposed conditional use permit application TOI 2021-03 [inaudible]

Resolution 2021-03 TC Conditional Use Permit Application is attached and incorporated within.

L. Brown: The applicant Stephens sent 8 notices on January 22, 2021 and the town received notification of certifications on February 1, 2021 and 5 responses have been received. All five no objections. This is to construct the pool in the RPA for private use, not to encroach any further. The only difference is on this parcel there is a barn that sits 8 feet from the water and they are removing that structure from the property in exchange for this privilege. Are there any questions regarding this application that I may include in the staff report?



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Wayne Nunnally: Is that in conformity with the law that they can trade square footage?

L. Brown: Yes.

Mayor Bugg: Thank you Mrs. Brown.

4. First Reading Resolution 2021-04 TC Conditional Use Permit Application – Construct New Dock with Boat Lift for Private Use in M-1, Tax Map 33-252B

Mayor Bugg: The first reading of resolution 2021-04 TC Conditional Use Permit Application --

S. Phillips: Mr. Mayor and members of council in an effort to save a little bit of time, at your preference, I can read the following individually or because they are all the same applicant I'd like to consolidate them, the language remains the same across all four but they are independent so I suggest that Resolution 2021-04, 05, 06, and 07, all contain the same language. Would you like for me to read those individually or consolidate them.

Frances Westbrook: If we can consolidate that's be wonderful.

5. First Reading Resolution 2021-05 TC Conditional Use Permit Application – Construct New Dock with Boat Lift for Private Use in M-1/R-1, Tax Map 33-252A
6. First Reading Resolution 2021-06 TC Conditional Use Permit Application – Construct New Dock with Boat Lift for Private Use in M-1/R-1, Tax Map 33-252
7. First Reading Resolution 2021-07 TC Conditional Use Permit Application – Construct New Dock with Boat Lift for Private Use in M-1/R-1, Tax Map 33-253A

S. Phillips: Conditional Use Permit Application – Resolutions 2021-05, 06, 07 are attached and incorporated within.

Mayor Bugg: Thank you. Any questions.

L. Brown: This request is one pier on each of the four parcels. Mr. Robinson purchased this property from Mr. Sanders. The approval of these four proposed CUPS will terminate existing CUP's tax 33-252 specifically CUP 99- ? November 11, 1999 and tax map parcel 33-242A specifically CUP2000-16 dated September 19, 2000, these previous CUPS were for a marina and boat slips. These will terminate the existing ones. The applicant sent via certified mail 20 notices on February 1st, 2021 and the town has received three letters and responses all with no objection.

Mayor Bugg: Yes.

N. Keane: Do you want to say anything about boat lifts?



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L. Brown: Yes, the applicant put on their application their request for pier and boat lift that's why [inaudible] public hearing and planning commission hearing to adjacent neighbors [inaudible] in our ordinance.

Frances Westbrook: I was going to ask that question.

Female: [inaudible]... in any of them.

Mayor Bugg: Thank you.

8. Discussion of use of Town Commons – Animal Welfare Leagues Dog Show

- Motion to Authorize the use of the Town Commons October 9, 2021 (no rain date requested)**

Mayor Bugg: Next item on the agenda is use of Town Commons for the Animal Welfare....

Wayne Nunnally: Move to allow the use of....

Mayor Bugg: Doggone dog show. Is there a second.

Frances Westbrook: As long as they are.

Bonnie Schaschek: What about COVID is it going to be okay by then. Do we want to put a stipulation on it.

Frances Westbrook: They are going to have to follow the COVID, what is that we imposed on the Farmer's Market.

Mayor Bugg: We don't have protocol.

Bonnie Schaschek: We need to sign that whole thing again.

Frances Westbrook: So will we have a contract with them.

Mayor Bugg: Has anyone had any discussion about a contract offer.

Frances Westbrook: Not a monetary contract, just....

Bonnie Schaschek: Write up on what the regulations....

Frances Westbrook: The COVID protocol for them to acknowledge.

Mayor Bugg: Just mirror what we did.

N. Keane: The same thing we did for VIA.

Frances Westbrook: Yeah, that's what we were, what we did for Farmer's Market.



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Frances Westbrook: I think we should. After all the COVID discussion this is the least we can do.

Mayor Bugg: Wayne you want to add.

Wayne Nunnally: We are authorizing use with following COVID protocol.

Frances Westbrook: Yes.

Mayor Bugg: Yes, that's the amendment. Second.

Dudley Patteson: Second.

Mayor Bugg: All in favor.

Group: Aye.

Mayor Bugg: Roll call vote.

Roll Call Vote: Bonnie Schaschek yes.

Wayne Nunnally yes.

Dudley Patteson yes.

Jackie Brown yes.

Frances Westbrook yes.

Anthony Marchetti yes. (via phone)

MOTION TO AUTHORIZE THE USE OF THE TOWN COMMONS OCTOBER 9, 2021 FOR THE AWL FOLLOWING COVID PROTOCOL IS PASSED 6-0.

Mayor Bugg: Excellent.

9. Consideration of a motion to appropriate \$2,778 from Community Support and Tourism; FlackShack.

Mayor Bugg: Next to the last 3 items. Consider a motion to appropriate \$2,778 from Community Support and Tourism to FlackShack.

Frances Westbrook: So moved.

Dudley Patteson: Second. Wait, I have to abstain.

Frances Westbrook: Oh that's right you do.

Mayor Bugg: Can I get a second.

Anthony Marchetti: Second.

Mayor Bugg: All in favor, roll call vote.

Bonnie Schaschek: What is this for.



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Frances Westbrook: It is part of our contractual agreement with them as what we signed a contract for.

Mayor Bugg: Yeah, get them paid.

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

Mayor Bugg: Motion passes.

THE MOTION TO APPROPRIATE \$2,778 FROM COMMUNITY SUPPORT AND TOURISM; FLACKSHACK IS PASSED 6-0.

10. Consideration of a motion to appropriate \$102.38 Town Council and Planning Commission Public Notices; Rappahannock Record from.

Mayor Bugg: Second to last, consideration of a motion to appropriate \$102.38 town council and planning commission public notices for the Rappahannock Record. Is a motion.

Wayne: Move we pay it.

Mayor Bugg: Is there a second.

Bonnie Schaschek: Second.

Mayor Bugg: Roll call vote.

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

Mayor Bugg: Excellent motion passes.

11. Consideration of a motion to appropriate \$1,599 to Bay Design for their work

Mayor Bugg: Consideration of a motion to appropriate \$1,599 to Bay Design for their work. Is there a motion.

Wayne Nunnally: So moved.



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Mayor Bugg: Is there a second.

Jackie Brown: Second.

Mayor Bugg: Roll call vote.

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

THE MOTION TO APPROPRIATE \$1,599 TO BAY DESIGN FOR THEIR WORK IS PASSED 5-0-1.

Mayor Bugg: Motion passes. Madam Clerk any announcements.

N. ANNOUNCEMENTS

S. Phillips: I ask council where is it going to come from?

Jackie Brown: I didn't hear that.

Frances Westbrook: That's a good question.

Bonnie Schaschek: What is it.

Frances Westbrook: Where is it going to come from? Well, we have, Anthony listen to me as I answer this question, you might need to chime in here. The question is where is the money coming from to pay Bay Design the \$1,599. We do have in the capital budget where we have a line item there for new office, I think it needs to come out of there.

Bonnie Schaschek: For site.

Frances Westbrook: For site planning exactly.

Bonnie Schaschek: There was \$10,000 in there.

Frances Westbrook: Was it \$10,000.

Wayne Nunnally: Why isn't it coming from the COVID money.

N. Keane: You defeated the motion.

Wayne Nunnally: The original motion to buy the stuff was dependent on COVID money.

Frances Westbrook: This doesn't have anything to do with COVID at this point. This is just, we need to pay Bay Design and it is coming out of the capital budget for site planning for.



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Wayne Nunnally: The point I'm trying to make, if this is the second payment, we are making to them. Haven't we already paid them some money.

Frances Westbrook: I don't know.

L. Brown: \$1,182.50.

N. Keane: This is the second, the second.

Wayne Nunnally: Did that money come out of the COVID.

Frances Westbrook: It probably did. I don't know the answer off the top of my head.

N. Keane: The motion was to take it out of CARES. You voted tonight the reason for the North Commons was not COVID.

Frances Westbrook: Right. So it will have to come out of the site planning line item of the capital budget. Is my thought, Anthony what do you think.

Anthony Marchetti: I agree.

Mayor Bugg: Okay.

Frances Westbrook: Anybody else any thoughts.

Bonnie Schaschek: No that's where it should be.

Frances Westbrook: Alright.

Anthony Marchetti: ...seems item 4 is correct.

S. Phillips: May I ask what is the dollar amount in that, in that line item.

Frances Westbrook: I don't know off the top of my head. You should have a copy of that whole budget, last year's budget though either on your computer or whatever.

Mayor Bugg: Alright, any announcements.

Wayne Nunnally: Move we adjourn.

Frances Westbrook: You wanted round table on here.

Mayor Bugg: That's why I have that.

Frances Westbrook: Jiminey crickets.

Mayor Bugg: I think we had a good round table.

Frances Westbrook: I have nothing for round table.

Mayor Bugg: I have nothing further.



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Bonnie Schaschek: \$30,000 in there.

Frances Westbrook: \$30,000, Bonnie has got a copy, Sharon, it's \$30,000 that is on site plan.

L. Brown: Hold on we were given an amount not to go over.

S. Phillips: The initial payment was?

Bonnie Schaschek: Don't you need to talk to the accountant about that.

Frances Westbrook: Yeah, we'll talk to the accountant about that.

Mayor Bugg: Okay. Anything further council.

Wayne Nunnally: I think the lawyer should pay that first payment.

O. ADJOURN

Frances Westbrook: Oh Wayne. Alright, let's, can we adjourn.

Mayor Bugg: Can we go to your motion to adjourn.

Wayne Nunnally: Adjourn.

Mayor Bugg: All in favor.

Frances Westbrook: Second and aye.

Mayor Bugg: Roll call vote. All in favor.

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

Mayor Bugg: Adjourned.

Respectfully submitted,
Sharon L. Phillips, Clerk

Albert D. Bugg, III Mayor