

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on July 9, 2012, in the Warren County Government Center’s Board Meeting Room. Mayor Darr led Council and those attending in the Pledge of Allegiance to the flag and a Moment of Silence. The roll was called at 7:00 p.m.

- PRESENT:**
- Mayor Timothy W. Darr
  - Councilman Daryl L. Funk
  - Councilman Bret W. Hrbek
  - Councilman N. Shae Parker
  - Councilman Thomas H. Sayre
  - Councilman Eugene R. Tewalt
  - Councilman Hollis L. Tharpe
  - Town Manager Steven M. Burke, P.E.
  - Town Attorney Douglas W. Napier
  - Clerk of Council Jennifer E. Berry, CMC

(The above listed members represent the full body of Council as authorized in the Town Charter.)

*Councilman Parker moved, seconded by Councilman Tewalt, that Council approve the Regular Council Meeting minutes of June 25, 2012 as presented.*

- Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre  
 No – N/A  
 Abstain – N/A  
 Absent – N/A  
 (Mayor Darr did not vote as there was no tie to require his vote)

**RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC**

There were no receipts of petitions or correspondence from the public.

**REPORT OF THE MAYOR, COUNCIL & STAFF**

Mr. Burke:

- Reported that Energy Services reacted to the power outage last evening and restored power within three hours to the 100 or so residents affected by the outage; and
- Noted that Wednesday July 18<sup>th</sup> at the Town Hall at 6:30 p.m. the Business Forum would be held.

Martha Shickle, Executive Director of the Northern Shenandoah Valley Regional Commission:

- Noted that they continued their work to prepare for the new stormwater regulations/ordinances that are required. She stated that they were working with the US Fish & Wildlife Services to provide technical support ordinance drafting within each locality; and
- Reported that Jeremy Camp, NSVRC and VDOT representatives visited various sites in order to examine priority projects in the community.

Councilman Tewalt asked about the bridge over the south fork of the Shenandoah River. Ms. Shickle noted that she would check on the construction timeframe and advise Mr. Burke.

In response to Mr. Parker's question, Ms. Shickle noted that the space needs surveys were being reviewed and they were looking at issues relating to centralized files, accessibility to citizens and parking issues at the Department of Energy Services as well. She added that NSVRC hoped to send a preliminary report to Mr. Burke soon.

Councilman Sayre asked about VDOT possibly having a left hand turn over the Larry Andrews easement area. Ms. Shickle noted that she would check into Mr. Sayre's question and advise Mr. Burke.

Janice Hart, Crime Prevention Specialist for the Police Department, noted her quarterly report to Council. She highlighted the various Neighborhood Watch and core group meetings that had been conducted, noted that tours at the Police Department were numerous, stated that the Shred It Day was successful, as was the VIN Etching Program. She stated that the National Night Out preparation continues and that the Open House would be on September 15<sup>th</sup>.

Mayor Darr stated that he appreciates the work Mrs. Hart does for the community. Councilman Sayre asked about a Crime Prevention Specialist at the Warren County Sheriff's Office. Mrs. Hart noted that there was a similar position at the Sheriff's Office that had just arrived to the Department; adding that the gentleman was not certified and she was looking forward to meeting him.

Councilman Hrbek noted that the program work being conducted within the Department. He asked if the Police Department was evaluating the various programs with statistics before Mrs. Hart was in place, or perhaps comparing the Town's efforts with other communities. Mrs. Hart noted that the large citizen reaction at her recent certification presentation shows that the community wants the Crime Prevention Program, though they do not measure statistics on the specific programs. She added that that the Town does receive awards at times that note their comparisons to other localities, such as the VIN Etching Program.

Councilman Hrbek noted that as the work of the Town's Traffic Enforcement Officer had many statistics that showed results since that program was enacted. Mr. Burke noted that it was always hard to quantify crimes that are not committed, though Staff could work in the future to identify areas of measurement.

Councilman Tharpe welcomed Councilmen Tewalt, Funk and Hrbek to the Council.

Councilman Tewalt thanked those that voted him onto the Council, and encouraged citizens to contact him should they need any assistance.

Councilman Hrbek noted it was an honor and privilege to be serving the community on Council once again and to be responsible to the citizens and good stewards of funds and resources.

Councilman Funk thanked those that supported him during the election, noting that he looked forward to the experience and what he would learn in the process.

Mayor Darr welcomed Councilmen Funk, Hrbek and Tewalt to the Council. He added that the Council seemed very excited, and it appeared to be a good working group.

Eric Lloyd, with AMP, presented the AMP Lyle B. Wright Scholarship to Trey Lucie of Riverfront Christian School. Mr. Lloyd noted that over 129 member communities in seven different states, there were only four scholarships given in Mr. Wright’s name. He stated that there were 12 finalists and Trey would be using the scholarship when he attended Lord Fairfax Community College.

Mayor Darr commended Mr. Lucie on his accomplishments at Riverfront and thanked AMP for their support to the young man.

Mayor Darr asked if there were any proposals for additions or deletions to the agenda.

**CONSENT AGENDA ITEMS**

A: COUNCIL APPROVAL: Bid – Stone for use during FY13

*Councilman Sayre moved, seconded by Councilman Tharpe, that Council approve the Consent Agenda as presented.*

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre  
No – N/A  
Abstain – N/A  
Absent – N/A  
(Mayor Darr did not vote as there was no tie to require his vote)  
(By Roll Call)

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**PUBLIC HEARING: Ordinance Amendment to Code Chapter 175 to allow Flea Markets in the A-1 District with Approval of a Special Use Permit (1<sup>st</sup> Reading)**

Mayor Darr opened the public hearing. As no one came forward to speak, the public hearing was closed.

*Councilman Tewalt moved, seconded by Councilman Tharpe, that Council affirm on its first reading an amendment to Town Code Chapter 175 to allow Flea Markets in the A-1 District with approval of a Special Use Permit.*

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre  
No – N/A  
Abstain – N/A  
Absent – N/A  
(Mayor Darr did not vote as there was no tie to require his vote)  
(By Roll Call)

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**PUBLIC HEARING: Ordinance to Amend and ReEnact Section 4-1 of the Town Code Pertaining to Alternate Meeting Dates (1<sup>st</sup> Reading)**

Mayor Darr opened the public hearing. As no one came forward to speak, the public hearing was closed.

*Councilman Sayre moved, seconded by Councilman Tewalt, that Council affirm on its first reading an amendment to Town Code Section 4-1 pertaining to alternate meeting dates as presented.*

Councilman Tewalt asked about the resolution dates in the first paragraph. Councilman Hrbek clarified that the notation was referring to the previous resolution.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre  
 No – N/A  
 Abstain – N/A  
 Absent – N/A  
 (Mayor Darr did not vote as there was no tie to require his vote)  
 (By Roll Call)

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**COUNCIL APPROVAL: Liaison Committee Meeting Agenda Items**

*Councilman Tewalt moved, seconded by Councilman Sayre, that Council approve the following items to be included on the July 19, 2012 Liaison Committee Agenda:*

- 1) Discussion regarding Route 522 Corridor Committee;
- 2) Catlett Mountain Landfill
- 3) Building Inspections Follow-Up
- 4) Harmony Orchard Road Subdivision Water & sewer Request Update
- 5) Leach Run Parkway Project
- 6) Update of Channel 16 Software
- 7) Parks Enforcement
- 8) Cats; and
- 9) Building/ Planning Enforcement Software Package

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre  
 No – N/A  
 Abstain – N/A  
 Absent – N/A  
 (Mayor Darr did not vote as there was no tie to require his vote)

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**COUNCIL APPROVAL: 2012 Virginia Municipal League (VML) Policy Committees**

*Councilman Sayre moved, seconded by Councilman Tewalt, that:  
 Council revise the Finance Committee with the addition of Councilman Daryl L. Funk,  
 in place of former Councilman Conkey, and;  
 Revise the Transportation Committee with the addition of Councilman Bret W. Hrbek,  
 in place of former Vice Mayor Chris W. Holloway, said terms expire December 2012.*

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre  
 No – N/A  
 Abstain – N/A  
 Absent – N/A  
 (Mayor Darr did not vote as there was no tie to require his vote)

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**COUNCIL APPOINTMENT: Audit & Finance Committee**

*Councilman Parker moved, seconded by, Councilman Tharpe, that  
 Council appoint: Councilman Thomas H. Sayre and Councilman Eugene R. Tewalt  
 to a one-year term to the Audit & Finance Committee along with the Mayor, Town Manager, Finance Director  
 and the Town’s Auditor, said terms to expire June 30, 2013.*

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

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**COUNCIL APPOINTMENT: Northern Shenandoah Valley Regional Commission (NSVRC)**

*Councilman Tewalt moved, seconded by, Councilman Sayre that Council appoint:*

*Councilman Daryl L. Funk, as the elected representative to serve on the Northern Shenandoah Valley Regional Commission (NSVRC), said term expires June 30, 2016.*

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

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**COUNCIL ELECTION: Vice Mayor**

*Councilman Hrbek moved, seconded by, Councilman Funk, that*

*Council appoint Thomas Sayre as Vice Mayor for the Town of Front Royal for a (2) two-year term, said term to expire June 30, 2014.*

Vote: Yes – Funk

No – Hrbek, Parker, Sayre, Tewalt and Tharpe

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

(By Roll Call)

*Councilman Hrbek moved, seconded by, Councilman Parker, that*

*Council appoint Hollis Tharpe as Vice Mayor for the Town of Front Royal for a (2) two-year term, said term to expire June 30, 2014.*

Vote: Yes – Funk, Sayre and Tharpe

No – Hrbek, Parker and Tewalt

Abstain – Darr (on the advice of the Town Attorney)

Absent – N/A

(By Roll Call)

*Councilman Hrbek moved, seconded by, Councilman Tewalt, that*

*Council appoint N. Shae Parker as Vice Mayor for the Town of Front Royal for a (2) two-year term, said term to expire June 30, 2014.*

Vote: Yes – Hrbek, Parker and Tewalt

No – Funk, Sayre and Tharpe

Abstain – Darr (on the advice of the Town Attorney)

Absent – N/A

(By Roll Call)

*Councilman Funk moved, seconded by, Councilman Hrbek, that Council reconsider appointing N. Shae Parker as Vice Mayor for the Town of Front Royal for a (2) two-year term, said term to expire June 30, 2014.*

Vote: Yes – Funk, Hrbek, Parker and Tewalt  
No – Sayre and Tharpe  
Abstain – N/A  
Absent – N/A  
(Mayor Darr did not vote as there was no tie to require his vote)  
(By Roll Call)

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**CLOSED MEETING: Consultation with Legal Counsel**

*Councilman Tewalt moved, seconded by Vice Mayor Parker that Council convene and go into Closed Meeting for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia.*

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre  
No – N/A  
Abstain – N/A  
Absent – N/A  
(Mayor Darr did not vote as there was no tie to require his vote)

*Councilman Tewalt moved, seconded by Vice Mayor Parker that Council certify that to the best of each member's knowledge as recognized by each Council member's affirmative vote, that only such a public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened; were heard, discussed or considered during the Closed Meeting by Council; and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.*

Vote: Yes – Darr, Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre  
No – N/A  
Abstain – N/A  
Absent – N/A  
(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at 8:24 p.m.

APPROVED:

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Jennifer E. Berry  
Clerk of Council