

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on November 28, 2016, 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 John P. Connolly
Councilman Bébhinn C. Egger
Councilman Bret W. Hrbek
Councilman Jacob L. Meza
Councilman Eugene R. Tewalt
Vice Mayor Hollis L. Tharpe
Town Attorney Douglas W. Napier
Interim Town Manager Joseph E. Waltz
Clerk of Council Jennifer E. Berry, CMC

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

Councilman Tewalt moved, seconded by Vice Mayor Tharpe moved that Council approve the Regular Council Meeting minutes of November 14, 2016 as presented.

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe
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.

Interim Town Manager Joseph Waltz noted that:

- Annual Christmas Parade is this Saturday, at 4 p.m.;
- The annual Christmas tree ornaments are on sale at the Visitor's Center;
- The Town was Holiday Lights Contest once again and the information is available on the Town's Facebook page for those that would like to enter; and
- Town taxes are due on December 5th.

BJ Wilson, the Town's Finance Director, noted that the Sunguard Plus transition took place quite smoothly, with thanks to the Town's IT team. He stated that the Annual Financial Report draft report was finalized and a completed report would be sent to Council once received. Mr. Wilson noted that the Town's annual auction for surplus items was held and it went well. He stated that personal property taxes are due December 5th and the Town's delinquent tax list was posted online, adding that it will continually be updated. Mr. Wilson stated that the water and sewer amounts are tracking higher than anticipated, as are the Town's meals and lodging taxes.

Councilman Egger asked if the delinquent tax amount website posting has caused anyone to pay their taxes. Mr. Wilson noted that he was unaware if the list has prompted individuals to pay, though the Town has received many calls about the list since the posting.

Branch Highways representative, Justin Campbell, stated that the dirt work continues for Leach Run Parkway and the stormwater work is 95% complete. He noted that they have a few crossings across Route 55 that will take place Friday night. Mr. Campbell stated that the traffic signal foundation is complete and mast arms were delivered last week. He added that they have been working toward finalizing the sidewalk installation and the lighting foundation work continues.

Mayor Darr expressed his appreciation for the work on the Parkway, adding that it was a beautiful drive and would be nice once completed.

Councilman Hrbek stated that ITFederal has become highly offended at the accusations vocalized recently. He noted that the owner, Mr. Tran feels that there are accusations that have been made towards him and the company may wish to move their company elsewhere. Mr. Hrbek stated that the EDA had completed extensive work to guard the Town during the ITFederal's development stages and he explained that though the property was purchased for \$1, ITFederal would lose the land or have to pay \$2 million.

Councilman Hrbek stated that there is a pattern that this area has of having projects come to Town and jealousy erupts and then there are then delays. He noted that previously with other projects there have been accusations of bribery and embezzlement have killed different companies moving to the area and this has hurt the community extensively. He noted that the company has been vetted and supported by the Governor's office and the Congressman Goodlatte's office and it has only been delayed because of VDOT and the Department of Environment Quality – not ITFederal.

Councilman Hrbek asked Mr. Tran to continue to be encouraged by the support from Town Council as a whole, noting that he would propose a resolution of Town Council support. He stated that he trusted the people involved and he believes in the project.

Councilman Connolly voiced his support of Mr. Hrbek's comments and noted that it was expressed very accurately. He stated that the Town has not been a barrier to this project, adding that he is convinced that this project would be completed if it were up to ITFederal, though it is not. Councilman Connolly noted that other agencies are bureaucracies in Richmond and Washington are causing delays, not the company.

Councilman Egger noted that having the company come to fruition is her hope and when citizens come to her with concerns, it is not insulting or out of line to ask questions. She stated that they all were excited for the company, though the safety of the community is important and obtaining an awesome deal should not override caution. Ms. Egger stated that she would like a great IT firm at the site, though there were questions to be answered.

Councilman Meza noted that barriers should not be created and he has concerns that ITFederal could be dissuaded from coming to the community. He stated that there is legitimate concern when there is a groundbreaking and then 14-months before dirt moves and therefore he has completed research, and now the delays are clearer to him. Mr. Meza noted that when the public does not see progress take place, it is difficult to see the intent when the infrastructure is not coming to fruition. Councilman Meza stated that he was excited and supportive of ITFederal.

Vice Mayor Tharpe stated that he was entirely in support of ITFederal coming to Front Royal. He noted that ITFederal has been ready to move forward and the bureaucracy has held matters up unfortunately. He noted that the EDA has done a wonderful job and the Town has supported them wholeheartedly and hopefully matters will most likely move forward quickly at this point.

Councilman Tewalt voiced his support of ITFederal, noting that EDA has done an excellent job of bringing this project forward and the Town certainly welcomes Mr. Tran.

Mayor Darr stated that ITFederal was welcome here and he looked forward to their arrival. He added that as an elected official, he admired any councilman who speaks up, as it is their job to speak up. He noted that everyone should realize that comments stated and concerns raised are individual concerns, not the full concerns of the whole Town Council. Mayor Darr stated that as always, individual concerns are encouraged, even when they are not popular. He noted that the Town would most likely receive an official resolution at the next Council meeting supporting ITFederal.

Mayor Darr presented a plaque to Steven M. Burke, former Town Manager, for his dedication to the Town over 14 years of service.

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

CONSENT AGENDA

- A. COUNCIL APPROVAL: Budget Amendment for Sewer User Surcharge
- B. COUNCIL APPROVAL: Lease Agreement Renewal for Use of Carnival Lot
- C. COUNCIL APPROVAL: Proclamation for “Kiwanis Club 60th Pancake Day”

Councilman Tewalt moved, seconded by Vice Mayor Tharpe, that Council approve the consent agenda as presented.

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe

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)

PUBLIC HEARING – Budget Amendment for Outstanding Purchase Orders (1st Reading)

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

Councilman Connolly moved, seconded by Vice Mayor Tharpe, that Council affirm on its IRS reading an amendment to the FY2017 Budget concerning a list of outstanding purchase orders that the Finance Department has compiled totaling \$39,439,320.80 based on the final audit results that need to be carried forward to the FY2017 budget cycle to complete unfinished projects. He further moved that funding will be offset from the appropriate fund balance reserves for each fund indicated, the revenue for these projects having been connected in previous budget cycles, as follows:

General Fund	\$514,832.05	Water Fund	\$2,997,502.48
Special Projects	\$662,810.03	Solid Waste Fund	\$18,366.05
Electric Fund	\$894,353.75	Street Fund	\$8,883,055.69
Sewer Fund	\$25,468,400.75		

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe
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)

COUNCIL APPROVAL – HEPTAD – One Year Extension to Submit Development Plan

Councilman Tewalt moved, seconded by Connolly that Council approve a request from HEPTAD, LLC for a one-year extension to submit their required development plan for property referred to as Swan Estates (HEPTAD) until December 3, 2017.

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

COUNCIL APPROVAL – Extension for Pre-Paid Water & Sewer Connections

Councilman Hrbek moved, seconded by Councilman Tewalt that Council approve an extension ending December 31, 2017 for water and sewer connections purchased prior to November 30, 2015 that have not been installed. He further moved that if connections have not been installed by December 31, 2017 the purchase shall be voided and the purchase price alone shall be refunded without interest to the payer.

Councilman Hrbek inquired how the property owners would be notified. Mr. Waltz stated that each property would be contacted by the Town. Councilman Connolly summarized that this was a process of rectifying the oversight by the Town.

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe
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)

COUNCIL APPROVAL – Funding to Advance Criser Road Trail Project

Councilman Meza moved, seconded by Councilman Tewalt that Council direct staff to advance \$400,000 for the Criser Road Trail Project via an internal loan from the General Fund and to include loan repayments of \$100,000 every year for four (4) years in future budgets.

Councilman Tewalt asked if this would complete the trail. Staff noted that it would complete the trail all the way to Luray boat landing. Mr. Tewalt stated that he was very proud of the project.

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe
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)

COUNCIL APPOINTMENTS – Board of Architectural Review

Councilman Connolly moved, seconded by Councilman Hrbek that Council reappoint Nancy Lebew and to appoint Michael Whitlow to the Board of Architectural Review (BAR), said four-year terms for both appointees, ending November 13, 2020.

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

There being no further business, the Mayor declared the meeting adjourned at 7:40 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council