

TOWN COUNCIL
MEETING
NOVEMBER 8, 2010
7:00 PM

Mayor Moore-Absent
Vice-Mayor Greer-Present
Councilman Ward-Present
Councilman Massey-Present
Councilman Doughty-Present
Councilman Metz-Present
Councilman Scanlan-Present

STAFF PRESENT: Arthur Miles, Ethel Parks, Chief Potts, Officer Hodgson.

CALL TO ORDER:

The meeting of the Exmore Town Council was called to order at 7:00 pm by Vice-Mayor Greer.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by all present.

INVOCATION:

The Invocation was given by Councilman Greer.

RECONVENE THE RECESSED MEETING OF NOVEMBER 1, 2010.

CITIZEN REMARKS:

There was no one signed up to speak.

NEW BUSINESS:

There was no New Business to discuss.

OLD BUSINESS:

CONVENE TO CLOSED SESSION: (PERSONNEL MATTERS)

Vice-Mayor Greer asked the Council for a Motion to enter into Closed Session.

Councilman Massey made the Motion, in accordance with the Code of Virginia, "that the Council convene in closed session pursuant to Virginia §2.2-3711(A)(1) to discuss and consider the assignment, performance, demotion, disciplining, or resignation of an employee of the Town of Exmore". The Motion was seconded by Councilman Ward. Discussion-None. The Motion was passed by the following vote: Councilman Ward-Aye; Councilman Massey-Aye; Councilman Doughty-Abstained; Councilman Metz-Aye; Councilman Scanlan-Nay.

The Vice-Mayor and Council, along with Mr. Miles and Chief Potts and Attorney David Rowan, convened to Closed Session.

RETURN FROM CLOSED SESSION:

Vice-Mayor Greer announced that they have returned from Closed Session.

Vice-Mayor Greer asked the Council for a vote to determine that they discussed personnel matters only. The vote was as follows: Councilman Ward-Aye; Councilman Massey-Aye; Councilman Doughty-Aye; Councilman Metz-Aye; Councilman Scanlan-Aye. He stated that in accordance with FOIA laws he will read a Resolution and poll the Council on matters that were discussed;

“Whereas, the Council of the Town of Exmore has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of Section 2.2-3712 of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3711(A)(4) of the *Code of Virginia* requires a certification by this Council that such closed meeting was conducted in conformity with Virginia Law;

Now, Therefore, be it resolved, that the Council of the Town of Exmore hereby certifies that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed and (ii) only such business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered”.

BRETT WOODRUFF OF SOUTHERN CORROSION:

Mr. Woodruff stated that Southern Corrosion cleaned and painted Exmore’s water tower in 1993 and it is still in good shape. He noted that their proposal was to paint the exterior every seven years and the interior every five years, inspect the tower every year and give a written report. He said that they use their own crews and own equipment; they do not subcontract any of their work out. He noted that they will take full responsibility for the maintenance of the water tower and that they maintain the Cape Charles water tower and also the water tower in Kilmarnock. Mr. Woodruff said that they will inspect the tower every year but give a written report every five years. After some discussion he agreed to give a written report every year.

PHILLIP BASSETT OF CALDWELL TANKS:

Mr. Bassett stated that Caldwell Tanks stated that they are tank builders as well as tank maintainers. They built the tank at Wallops Island. He said that their original proposal was based on an eight year contract but they can extend it to ten years rather. He said that they will inspect the tank every year and submit an annual report. Mr. Bassett said that they have emergency crews and can respond to an emergency within 24 hours.

Mr. Miles recommended to the Council to look at all three proposals and make a selection during the special meeting.

ADVANTAGE LAWN CARE HAS BEEN CONTACTED FOR AN ESTIMATE AS TO COST OF MONTHLY STREET SWEEPING:

Mr. Miles informed the Council that he has received a proposal from Advantage Lawn Care. The proposal is to clean the streets once every month for \$400.00. The Council discussed trying them out once or twice to see how it works out before entering into a contract.

Councilman Massey made the Motion to try it out a couple of times before entering into a contract. The Motion was seconded by Councilman Ward. Discussion-None further. The Motion was passed unanimously.

DISCUSSION-COUNCIL/CITIZEN INPUT:

Vice-Mayor Greer announced that there will be a special Town Council meeting on Thursday, November 18, 2010 at 7:00 pm.

Mr. Miles noted that Councilman Scanlan gave him a copy of the Law Enforcement Code of Ethics and asked that it be read into the Minutes.

Chief Potts noted that the Law Enforcement Code of Ethics is in the Police Department Policy & Procedure Manual.

LAW ENFORCEMENT CODE OF ETHICS

As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided in me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and the relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear of favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

As requested by Councilman Scanlan, faxed copies of "What is the Law Enforcement Oath of Honor" and "Model Policy on Standards of Conduct" have been attached to these Minutes.

MOTION TO ADJOURN:

Councilman Ward made the Motion to adjourn. The Motion was seconded by Councilman Massey. The Motion was passed unanimously. The meeting was adjourned at 8:10 pm.

Douglas Greer, Vice-Mayor

Ethel Parks, Town Clerk