



**AGENDA  
PURCELLVILLE TOWN COUNCIL MEETING  
JULY 12 2016, 7:00 PM  
TOWN HALL COUNCIL CHAMBERS**

---

- 1. CALL TO ORDER OF REGULAR MEETING** (Mayor Fraser)
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION** (Mayor Fraser)
- 4. SUMMARY OF MOTIONS** (*provided separately*)
- 5. AGENDA AMENDMENTS/APPROVAL** (Town Council and Staff)
- 6. PROCLAMATIONS/RECOGNITIONS**
  - a. Recognition – Police Dept. Homework Club Volunteer (C. McAlister/J. Schroeck)
  - b. Recognition – Former Town Council Members (Town Council)
- 7. PUBLIC HEARINGS**
  - a. None
- 8. PRESENTATIONS**
  - a. None
- 9. STANDING COMMITTEE/COMMISSION/BOARD REPORTS**
  - a. Planning Commission
  - b. Board of Architectural Review (Pat Giglio, Chairman)
  - c. Parks and Recreation Advisory Board (Eamon Coy, Chairman)
  - d. Economic Development Advisory Committee (Daniel Abramson, Chairman)
  - e. Purcellville Arts Council (Liz Jarvis, Chair/Council member Jimmerson, Council Liaison)

**10. CITIZEN/BUSINESS COMMENTS** (Mayor Fraser)  
*(All citizens who wish to speak will be given an opportunity. Limits will be imposed on all speakers. All speakers should sign up prior to speaking. Town residents will be given the first opportunity to speak.)*

**11. MAYOR AND COUNCIL COMMENTS** (Mayor Fraser)

**12. DISCUSSION/INFORMATIONAL ITEMS**

- a. Delinquent Tax Lists as of June 30, 2016 (C. LeMarr) (pgs. 3-4)
- b. Operational Financial Audit (Town Council)
- c. Methods for Receiving Citizen Input (Town Council)
- d. Financial Transparency Software (Town Council)

**13. ACTION ITEMS**

- a. Appointment of Vice Mayor\* (R. Lohr) (pg. 5) (Motion pg. 5)
- b. Appointment of Council members to Committee, Commissions and Boards\* (D. Davis) (pgs. 7-9) (Motion pgs. 8-9)
- c. Meeting Schedule of Town Council\* (D. Davis/R. Lohr) (pgs. 11-14) (Motion pg. 12)
- d. Remote Participation in Council Meetings\* (S. Hankins) (pgs. 15-24) (Motion pg. 18)

**14. DISCUSSION OF ITEMS PROPOSED FOR FUTURE PRESENTATIONS / RECOGNITION**

- a. Recognition Request – Tracy Robinson, Leukemia & Lymphoma Society Efforts (Council member Grim) (pgs. 25-26)

**15. APPROVAL OF MINUTES**

- a. None

**16. CLOSED MEETING** (pgs. 27-29) (Motion pg. 28)

The purpose of the closed meeting is to receive briefings from staff about actual or probable litigation concerning the HVAC system in Town Hall.

**17. ADJOURNMENT**

\*Roll Call Votes

IF YOU REQUIRE ANY TYPE OF REASONABLE ACCOMMODATION AS A RESULT OF PHYSICAL, SENSORY OR MENTAL DISABILITY IN ORDER TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT DIANA HAYS, TOWN CLERK, AT 540-338-7421. THREE DAYS NOTICE IS REQUESTED.



**STAFF REPORT**  
**ACTION ITEM**

Item # 12.a.

**SUBJECT:** Delinquent Tax Lists as of June 30, 2016

**DATE OF MEETING:** July 12, 2016

**STAFF CONTACTS:** Elizabeth Krens, Director of Finance  
Connie LeMarr, Assistant Director of Finance

---

**SUMMARY and RECOMMENDATIONS:**

Pursuant to Virginia Code §58.1-3921 - 3922, a detailed list of delinquent taxpayers and tax amounts is required to be provided to the Town Council that speaks as of June 30th each year. The tax lists have been provided to the Town Clerk and placed on the Town Council reading board.

**BACKGROUND:**

The June 30, 2016 list reflected principal tax balances due of \$41,826.12 for real estate tax and \$110,632.59 for personal property tax.

Although the June 30th list is required by law, the most recent tax bills are less than thirty days in age. Additionally as explained in the May 24, 2016 Council staff report, there were multiple issues with the assessment data provided by the County causing delays in mailing bills. Council approved extending tax billing due dates to June 13<sup>th</sup> for real estate and personal property and June 22<sup>nd</sup> for business personal property.

In a normal billing year there is insufficient time to issue delinquent tax notices and process payments and adjustments generated by these notices. This year there was even less time between the due dates and June 30<sup>th</sup>. With such short time frame between due dates and June 30<sup>th</sup> required reporting Finance provides a more meaningful follow up collection analysis to Council in the fall each year.

**ISSUES:**

Report is informational and does not require Council action at this time.

**BUDGET IMPACT:**

None

**MOTIONS:**

None

**ATTACHMENT(S):**

None



**STAFF REPORT**  
**ACTION ITEM**

Item #13.a.

**SUBJECT:** Appointment of Vice Mayor  
**DATE OF MEETING:** July 12, 2016  
**STAFF CONTACTS:** Robert W. Lohr, Jr., Town Manager

---

**BACKGROUND:**

Under Section 2.3 of the Town Charter, the Town of Purcellville is scheduled to appoint a Vice Mayor, to serve in the absence or disability of the Mayor, at the regular monthly meeting in July of each year. This appointment is for a one year term and is usually rotated through Council in recent years.

**BUDGET IMPACT:**

No direct budget impact will result with this action.

**MOTION(S):**

"I move that we appoint \_\_\_\_\_ to serve a one year term as Vice Mayor with the term expiring in July 1, 2017 once a new appointment has been made by Town Council."

*This page intentionally left blank*



**STAFF REPORT**  
**ACTION ITEM**

Item # 13.b.

**SUBJECT:** Appointment of Council Members to Committees, Commissions, and Boards

**DATE OF MEETING:** July 12, 2016

**STAFF CONTACTS:** Daniel C. Davis, Assistant Town Manager  
Robert W. Lohr, Jr., Town Manager

**SUMMARY and RECOMMENDATIONS:**

The Council may choose to appoint members as liaisons or formal members of its advisory Committees, Commissions, and Boards. Staff recommends Council make the appointments to these advisory groups to assist them in moving forward with their activities.

**BACKGROUND:**

Through authority in State Code and the Town Code, the Town Council may appoint one of its members to serve as voting members on certain Committees, Commissions, and Boards (CCBs), while they may only serve as a “liaison” to certain other CCBs. The Council must approve formal membership to those CCBs where Council members have voting rights, while the Mayor is given discretion to name liaisons to other CCBs.

<b><u>Name of CCB</u></b>	<b><u>Role of Council Member</u></b>	<b><u>Who Appoints?</u></b>
Planning Commission	Voting Member	Town Council
EDAC	Ex-Officio, Voting Member	Town Council
Parks/Rec Adv. Board	Ex-Officio, Voting Member	Town Council
Tree and Beautification	Ex-Officio, Voting Member	Town Council
Purcellville Arts Council	Ex-Officio, Voting Member	Town Council
BAR	Liaison	Town Council
BZA	None	N/A

In 2002, the Town changed most of the committees under the Code to allow for a voting Ex-Officio member but in reality, the Town continued the process of appointing non-voting liaisons to the CCBs with the exception of Planning Commission. At this point, TC will have

to decide whether you want to continue this non-voting role or make council members Ex-Officio members with voting rights. Staff would recommend that you continue to have the CM serve in a liaison role as non-voting members rather than an Ex-officio voting member for the following reasons:

- It doesn't take away from a citizen appointment.
- It allows staff and TC to review, update and consolidate the entire Town Code as it applies to all CCBs.
- It continues the long standing policy of not having TC members serve as voting members in CCBs with the exception of Planning Commission.

In addition to the Town's CCBs, the Town may have a representative serve on regional bodies of which the Town is a member. Traditionally, the Mayor serves in this role. These groups include:

- Northern Virginia Regional Commission
- Towns Association of Northern Virginia
- Coalition of Loudoun Towns

**ISSUES:**

Council may choose to make these appointments for 1- or 2-year terms. Staff suggests 2-year terms, but it is at the Council's discretion.

Council needs to make its membership appointments so that they may formally serve on these bodies.

**BUDGET IMPACT:**

There is no impact to the Town budget.

**MOTIONS:**

1. I move that the Town Council appoint \_\_\_\_\_ to serve on the **Planning Commission** as a voting member for the term of July 12, 2016 to June 30, 2018.
2. I move that the Town Council appoint \_\_\_\_\_ to serve on the **Economic Development Advisory Committee** as a (non-voting liaison or Ex-Officio, voting member) for the term of July 12, 2016 to June 30, 2018.
3. I move that the Town Council appoint \_\_\_\_\_ to serve on the **Parks and Recreation Advisory Board** as a (non-voting liaison or Ex-Officio, voting member) for the term of July 12, 2016 to June 30, 2018.

4. I move that the Town Council appoint \_\_\_\_\_ to serve on the **Tree and Beautification Committee** as a (non-voting liaison or Ex-Officio, voting member) for the term of July 12, 2016 to June 30, 2018.
5. I move that the Town Council appoint \_\_\_\_\_ to serve on the **Purcellville Arts Council** as a (non-voting liaison or Ex-Officio, voting member) for the term of July 12, 2016 to June 30, 2018.
6. I move that the Town Council appoint \_\_\_\_\_ to serve on the **Board of Architectural Review** as a non-voting liaison for the term of July 12, 2016 to June 30, 2018.
7. I move that the Town Council affirm Mayor Kwasi Fraser to represent the Town of Purcellville on the following groups, as well as any other regional body or group that may request representation from the Town of Purcellville:
  - a. Northern Virginia Regional Commission
  - b. Towns Association of Northern Virginia
  - c. Coalition of Loudoun Towns

*This page intentionally left blank*



**STAFF REPORT**  
**ACTION ITEM**

Item # 13.c.

**SUBJECT:** Meeting Schedule of Town Council

**DATE OF MEETING:** July 12, 2016

**STAFF CONTACTS:** Daniel C. Davis, Assistant Town Manager  
Robert W. Lohr, Jr., Town Manager

---

**SUMMARY and RECOMMENDATIONS:**

Per Code of Virginia § 15.2-1416, the Town Council must set its meeting schedule for the year at its first, or organizational, meeting of the year. Staff recommends Council review and approve the resolution included with this item.

**BACKGROUND:**

In order to provide full transparency of meeting dates, times, and locations, the Code of Virginia requires the Town Council to adopt a resolution establishing the regular meeting schedule of Council. As in past years, the regular meetings are proposed to be the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month, beginning at 7:00pm, at Town Hall.

Variations from the regular meeting schedule require either a Special Meeting to be called or require Council to pass a separate resolution and advertise such change in a local paper.

**ISSUES:**

Staff has identified a few items that Council should be aware of regarding the meeting schedule for 2016-17:

1. While none of the meeting dates fall on Town-observed holidays, Council may wish to be aware of the following potential conflicts:
  - a. November 8, 2016 Meeting date falls on Election Day (presidential election)
  - b. November 22, 2016 Meeting date is the Tuesday before Thanksgiving
  - c. December 27, 2016 Meeting date is the day after the Christmas holidays (Friday and Monday are holidays)

In past years, the Council has canceled the second meetings in November and December due to the holidays and many families' travel schedules.

2. According to State Code, the Mayor may postpone a meeting in the event of hazardous/inclement weather. However, the current Town resolution forwards all items to the following meeting and does not anticipate rescheduling the postponed meeting for the next day or week. Council is asked whether it would like the Mayor to have the flexibility to reschedule a meeting, in the event of inclement weather, to the following day or week so that business can be handled more quickly. The benefit of the language in State Code is that any advertised item or public hearing does not require additional advertisement if a meeting is rescheduled due to inclement weather. This saves the Town both time and money.
3. Traditionally, Councils have seen August as a break month (recess) for Council, advisory boards, and staff. A decision is not needed at this meeting, but it would be helpful to have guidance on whether Council intends to cancel its August meetings.

**BUDGET IMPACT:**

There is no impact to the Town budget.

**MOTIONS:**

1. I move that the Town Council adopt Resolution 16-07-01, A RESOLUTION TO PRESCRIBE THE DATE, TIME, AND PLACE OF REGULAR MEETINGS OF THE TOWN COUNCIL, setting the regular meeting schedule of the Town Council for the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month at 7:00pm at Town Hall.

**TOWN OF PURCELLVILLE**  
**IN**  
**LOUDOUN COUNTY, VIRGINIA**

**RESOLUTION NO. 16-07-01**

**PRESENTED:       July 12, 2016**  
**ADOPTED:         \_\_\_\_\_**

**A RESOLUTION: TO PRESCRIBE THE DATE, TIME, AND PLACE OF  
REGULAR MEETINGS OF THE TOWN COUNCIL**

**BE IT RESOLVED** that regular meetings of the Town Council shall be held on the second and fourth Tuesday of each month at 7:00 pm at Town Hall, located at 221 South Nursery Avenue, in Purcellville, Virginia;

**BE IT FURTHER RESOLVED** that should a day established by the Town Council as a regular meeting day fall on any legal holiday, the meeting may be held on the next regular business day without further advertisement or action of any kind by the Town Council; if such meeting is instead canceled by the Town Council, then further advertisement shall be required; and

**BE IT FURTHER RESOLVED** that if the Mayor, or Vice-Mayor if the Mayor is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend a regular meeting, the Mayor shall communicate such finding to all members of Town Council and the press as promptly as possible, and all hearings and other matters previously advertised shall be continued to the next day or, if the next day is unavailable, to the next week, without further advertisement; and

**BE IT FURTHER RESOLVED** that a majority of Council members present and voting at a regular meeting of the Town Council, may, without further public notice, adjourn the meeting to another date, time, and place until the business before the governing body is completed, provided that such continued meeting does not extend beyond the time fixed for the next regular meeting; and

**BE IT FURTHER RESOLVED** that all prior rules governing the date, time, and place of regular meetings of the Town Council are hereby replaced.

**Cross References**

Code of Va. § 15.2-1416. Regular meetings.

**PASSED THIS \_\_\_ DAY OF JULY, 2016.**

---

Kwasi A. Fraser, Mayor  
Town of Purcellville

ATTEST:

---

Diana Hays, Town Clerk



**STAFF REPORT**  
**DISCUSSION ITEM**

Item # 13.d.

**SUBJECT:** Remote Participation in a Council Meeting

**DATE OF MEETING:** July 12, 2016

**STAFF CONTACTS:** Sally Hankins, Town Attorney

---

**SUMMARY:**

At each Town Council organizational meeting, Staff asks Town Council to decide whether it would like to allow each Council member to participate in up to two Council Meetings per year remotely, such as by video or telephone.

Staff recommends approaching the Remote Participation agenda item in the following manner:

1. At the first meeting, on July 12, 2016, it is recommended that Town Council discuss the item as a general matter and reach a consensus on whether the Council is interested in allowing remote participation. A threshold issue to consider at this meeting will be the cost involved, since the Town Council chambers do not currently possess the technology to seamlessly incorporate a remote participant into a Council meeting. A brief test of our recording equipment indicates that a person on speaker phone will not be audibly recorded. If Council is interested in allowing remote participation, then Staff will assess those costs and return to Council at a later date with its findings.
  
2. If Council has so requested, Staff will return to a meeting of Town Council with a report that assesses the costs of installing the equipment or software needed to allow remote participation. Town Council can then decide whether to proceed with such equipment or software installation. If Council's decision is to proceed with the equipment or software installation, then the Council can commence discussion and decision-making concerning the policies that will govern such remote participation (state code requires that such a policy be adopted prior to allowing remote participation). A Draft Policy governing remote participation is attached to this Staff Report, showing in yellow highlight the various decisions to be made by Council.

3. If Council has reached consensus at its second meeting about the policies governing remote participation, then Staff will return to a subsequent Council meeting with a Draft Policy that incorporates all of the provisions requested by Council. Council may then act to adopt the Policy as drafted, or with additional changes.

**RECOMMENDATION:**

Staff makes no recommendation as to whether remote participation should be allowed; it is at the discretion of Town Council. Staff does, however, recommend that if remote participation is to be allowed that technological changes be made to ensure that remote participation is fully audible and does not unduly interfere with operation of the meeting.

**BACKGROUND:**

The 2014 Virginia General Assembly adopted legislation to permit electronic or telephonic participation in a meeting of a public body from a remote location, subject to certain criteria. It is within the public body's discretion to decide whether or not to allow remote participation. However, if the Town Council decides that it *would* like to allow remote participation, then the statute requires that Town Council first adopt a written policy governing remote participation.

Attached for your consideration is a Draft Policy (**Attachment #1**) governing remote participation that meets all the criteria set forth in the adopted legislation, now codified as Section 2.2-3708.1 of the Code of Virginia, which is also attached (**Attachment #2**).

In 2014, Town Council considered this issue and elected not to allow remote participation. Comments from Council Members at that meeting are provided at **Attachment #3**.

**ISSUES REGARDING THE POLICY GOVERNING REMOTE PARTICIPATION:**

**(Relevant only if the threshold decision is made to move forward with remote participation):**

The Draft Policy is attached. Those policies that are discretionary and warrant a decision by the Town Council are marked with brackets and are highlighted in yellow; the remaining policies are required by the statute, as they are written, and cannot be removed if remote participation is to be allowed. Some issues to be decided, if remote participation is to be allowed, are as follows:

1. Section 2.2-3708.1(B)(1) requires that the Town Council have an "approval process" for remote participation. This could take different forms. A "conventional" approval process might be a vote taken as the first item of business once the meeting is called to order. However, I recommend against this approach because all "remote participation"

cases must be treated alike, without regard for the identity of the individual seeking to participate remotely. As such, the value of a vote is questionable, since the vote should always result in approval when the criteria for remote participation are met, and disapproval when the criteria are not met. Instead, I have prepared the Draft Policy (See policy #6) so that approval and disapproval occur automatically, and the outcome is announced by the Mayor.

2. The statute requires the remote participant to notify the Mayor of his inability to attend “on or before” the day of the meeting. Since Staff will need some amount of time to prepare the room for remote participation, I have suggested in Policy #3 (a) a slightly stricter notice deadline of “noon” on the day of the meeting, and (b) that notice be given to the Town Manager in addition to the Mayor.

3. The statute does not require that an announcement be made to the public attending the meeting, alerting them to the remote participation. I advise under Policy #7 that such an announcement be made in order to avoid confusion among the public when the remote participant speaks, but cannot be seen. Such an announcement also clarifies for the public who is actually present and voting at the meeting.

4. Draft Policies 8 & 9 are not required by statute, but are issues that should be considered. The Remote Participation policies, as adopted by Town Council, must be uniformly administered. If the issues raised in policies 8 & 9 are not addressed in the adopted Remote Participation policies, the Council risks dealing with these issues inconsistently, as they arise in a live meeting. Considerations may include the duration of the recess to re-connect, the number of such recesses, and what number the remote participant should call to alert the Clerk he has been disconnected, if only he is aware of the disconnection. In considering these issues, the Town Council should balance the public interest in having full representation by its Town Council against the public interest in having a meeting that is efficient and free from disruption.

5. Draft Policy #10 is not necessarily required by statute (some Action Items are required by law to be adopted by roll call vote, and others are not), but a roll call vote when a member is participating remotely should assist the Mayor in hearing and recording the votes clearly.

**BUDGET IMPACT:**

Staff believes that the Town Council chambers do not currently possess the technology to seamlessly incorporate a remote participant into a Council meeting. A brief test of our

recording equipment indicates that a person on speaker phone will not be audibly recorded. Consequently, there will be costs associated with acquiring the technology that would allow for clear and efficient remote participation. If Council is interested in allowing remote participation, then Staff will assess those costs and report back to Council.

**MOTIONS:**

“I move that Town Council direct staff to assess the costs needed to implement remote participation and report back to Town Council with its findings.”

OR

The consensus of Town Council is to not allow remote participation and no motion is needed.

**ATTACHMENTS:**

1. Draft *Policy Governing Remote Participation in a Town Council Meeting*
2. Va. Code § 2.2-3708.1
3. Minutes from the Town Council meeting of September 9, 2014

## Policy Governing Remote Participation in a Town Council Meeting

**(NOTE: Portions Highlighted in Yellow are Recommended by Staff but Town Council has Discretion to Delete, Amend, or Adopt; Portions that are not Highlighted are Required by Statute)**

If a quorum of Town Council is physically present, then a member who is not physically present at the meeting may attend and participate in the meeting from a remote location by telephone or other audio or video means, subject to the following criteria:

1. The remote participant has had no more than one other instance of remote participation in the same calendar year [*the Mayor shall ask Staff to confirm this in the open meeting*];
2. Remote participation in a closed meeting shall not occur unless the remote participant is in a private location and cannot be overheard by anyone, including family members [*If a closed meeting is on the agenda, the Mayor shall ask the remote participant to confirm that his location is private, with such confirmation to occur in the open meeting*];
3. No later than **noon** on the day of the Council meeting, the remote participant has notified the Mayor **and Town Manager** **by phone, email, or text,** that he is unable to attend the meeting due to either (a) an emergency or personal matter, and identifies with specificity the nature of the emergency or personal matter and the remote location from which he will be participating, or (b) a temporary or permanent disability or other medical condition that prevents the member's physical attendance, and identifies the remote location from which he will be participating [*the Mayor shall confirm in the open meeting that such communication was timely received*];
4. The meeting minutes shall reflect (a) the specific nature of the emergency or personal matter and the remote location from which the member participated, or (b) that a disability or medical condition prevented the member's physical attendance and the remote location from which the member participated [*the Mayor shall announce the reason for remote participation and the location from which the member is participating at the open meeting*];
5. The Town Council shall make arrangements for the voice of the absent Council member to be heard by all persons in attendance at the physical meeting location [*the Mayor shall ask Staff to confirm this in the open meeting*];
6. If the above criteria are all met, the request to participate remotely is automatically approved without a vote of Town Council, and the Town Council can commence the meeting. If one or more of the above criteria are not met, the request to participate remotely is automatically denied and such denial shall be recorded in the minutes with specificity. Even when remote participation is approved, the remote participant remains subject to removal from the meeting under policies 8 and 9, below.

**OR**

[Another process by which remote participation is approved by Town Council];

7. After calling the meeting to order, and prior to the pledge of allegiance, the Mayor, or other meeting chair, will confirm in the open meeting whether all criteria for remote participation have been met.

If all criteria have been met, the Mayor will announce the name of the absent Council member, that the absent Council is participating remotely, and that all conditions for remote participation have been met.

If one or more criteria have not been met, the Mayor will announce that the absent Council member sought to participate remotely, but that such participation was denied because not all criteria for remote participation were met, and shall specify which criteria were not met;

8. If, during remote participation, the electronic or telephone connection is disconnected during the course of the meeting, [the remote participant will be permanently disconnected from the remainder of the meeting and may not call back] or [Council will recess the meeting to re-establish connection a maximum of one time, after which subsequent disconnection will cause the remote participant to be permanently disconnected from the meeting];
9. [The remote participant will be permanently disconnected from the meeting if dogs, children, or other disruptive sounds are audible to those in physical attendance at the meeting];
10. All items listed on the Agenda as “Action Items” and “Agenda Amendments” shall be decided by a roll call vote when one or more Council members is participating remotely.
11. The Town Council shall strictly and uniformly apply these policies, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

(Authority: Va. Code § 2.2-3708.1)

## § 2.2-3708.1. Participation in meetings in event of emergency or personal matter; certain disabilities; distance from meeting location for certain public bodies

A. A member of a public body may participate in a meeting governed by this chapter through electronic communication means from a remote location that is not open to the public only as follows and subject to the requirements of subsection B:

1. If, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that such member is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the public body holding the meeting records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

Such participation by the member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer;

2. If a member of a public body notifies the chair of the public body that such member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the public body records this fact and the remote location from which the member participated in its minutes; or

3. If, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting and the public body holding the meeting records in its minutes the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

B. Participation by a member of a public body as authorized under subsection A shall be only under the following conditions:

1. The public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section. Once adopted, the policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;

2. A quorum of the public body is physically assembled at the primary or central meeting location; and

3. The public body makes arrangements for the voice of the remote participant to be heard by all

persons at the primary or central meeting location.

2007, c. [945](#);2013, cc. [119](#), [694](#);2014, cc. [492](#), [524](#).

within a month. The price quoted to us for OpenGov is a special price made available to us for a limited amount of time. Vice Mayor Nave asked Finance to request an extension on the special pricing for a week following the Town Council Strategic Planning Meeting. Council member McCollum requested that staff add this item to the Strategic Planning Meeting Agenda for further discussion.

**b) Remote Participation in Town Council Meetings**

**Rob Lohr** stated that Town Council requested at the July Meeting that this item come back to a worksession. Rob stated that several Town Council members have spoken to staff about the amount of work involved to implement remote participation versus the benefit it would provide. The information provided in the original staff report remains unchanged.

**Council member McCollum** stated that he has no policy concerns allowing remote participation but is concerned with acoustics in the meeting rooms and how the clarity of sound would be recorded.

Council member McCollum requested that the pronoun “he/she” be substituted with “Council member, etc.” so that the document is neutral.

**Council member McConville** stated that in his two years on Council he does not recall the need for remote access to have a meeting quorum. Council member McConville stated he would like clarification on some of the wording like “personal matter” and requested that Council consider adding video participation as well as voice.

**Council member Jimmerson** stated her concerns with the security aspect and possible technical issues of permitting remote access in the regular meetings as well as closed sessions. Council member Jimmerson stated that she is not in favor of allowing remote access.

**Council member Packard** stated that he stands neutral.

**Council member Lehr** stated that she does not see the need for remote access and that Council members make the effort to attend meetings.

**Vice Mayor Nave** stated that he sees the necessity of remote access but understands the security and technical issues.

**Mayor Fraser** stated that vacations are vacations and believes that all Council believes in that.

Sally Hankins, Town Attorney, stated that this item was prepared as an action item and Council wants to allow remote participation then you do have to vote. Council’s silence

means that you cannot participate remotely. Without policies in place, you cannot participate remotely.

Mayor Fraser stated that is agreed by all that this item is closed.

**c. Northern Purcellville Charette/Comprehensive Plan Review**

**Council member McCollum** stated that Council should schedule and conduct Town Hall meetings before setting up a charrette on the development of land outside of Purcellville north of the Route 7 bypass. Council member McCollum stated that the meetings would consist of attendees presenting their views to Council and to the Planning Commission, and would give the public an opportunity that is not really available in the citizen comments portions of the Town Council Meetings or Planning Commission Meetings. By getting the feedback this would allow Council and the Commission ideas to focus on.

**Council member McConville** had no comments

**Council member Packard** asked about the logistics of doing a charrette for out of town property. Council member Packard stated that other jurisdictions have a joint chapter in the comprehensive plan that is a joint vision with the County. For guidance he suggested reaching out to Charlie Douglas who is on the Planning Commission with the County and who also represents our area.

**Council member Lehr** had no comments at this time.

**Vice Mayor Nave** stated that whatever Council does, we need to extend ourselves to the furthest reach that we can and this will eventually need to be addressed.

**Mayor Fraser** had no comments.

**d) Budget Amendment – Consulting Services for a Feasibility Study and Business Plan for the Creation for a Viticulture and Enology Education Center**

Mr. Lohr stated a budget was developed last year in conjunction with grants at the same time. Council signed an agreement in May 2014 to proceed with the study which is a combination study with the Commonwealth of Virginia, the Governor's office and the County. Because it was not included in the budget and has money coming in from a grant and partnership with the County, he wanted Council to be aware of it because it is a new program. We are obligated to finish the project then Council will determine if we go further.

No comments were made by Council.



## **STAFF REPORT**

Item #14.a.

**SUBJECT:** Request for Future Recognition  
**DATE OF MEETING:** July 12, 2016  
**CONTACTS:** Diana Hays, Town Clerk/Project Manager

---

### **SUMMARY and RECOMMENDATIONS:**

Please see the attached email request from Council member Grim.

## Hays, Diana

---

**From:** Grim, Kelli  
**Sent:** Thursday, July 07, 2016 8:57 AM  
**To:** Fraser, Kwasi  
**Cc:** Lohr, Rob; Hays, Diana; Town Council  
**Subject:** Future meeting- Purcellville citizen Tracy Robinson.

Mayor Fraser,

I would like add Tracy Robinson to a future meeting to be recognized for her efforts as a candidate for Lymphoma, Leukemia Society (LLS). As a campaign overall, in 10 weeks...860 candidates...raised \$37.5 MILLION DOLLARS!!!

Personally, Tracy raised over \$100k in 10 weeks, which equates to two -\$50k research grants funded in 3 very special people's name (to be announced)

Tracy's motto at the end of this effort has been to challenge friends to get involved, and "find something that is important to you, get involved, and make a difference".

Thank you,  
Kelli Grim

Get [Outlook for Android](#)



**STAFF REPORT**  
**ACTION**

Item #16

**SUBJECT:** Closed Meeting

**DATE OF MEETING:** July 12, 2016

**STAFF CONTACTS:** Diana Hays, Town Clerk/Project Manager

---

**SUMMARY and RECOMMENDATIONS:**

Attached are the motions and resolution pertaining to the closed meeting.

**ATTACHMENT(S):**

1. Closed Meeting Motions
2. Resolution 16-07-02

**MOTION TO RECESS THE REGULAR MEETING AND CONVENE A CLOSED MEETING**

“As authorized under Section 2.2-3711(A)(7) of the Code of Virginia, I move that the Purcellville Town Council convene in a closed meeting to consult with legal counsel employed or retained by the public body and to receive briefings from staff about actual or probable litigation concerning the Heating, Ventilation, and Air Conditioning system in Town Hall, because such consultation and briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body.

The following individuals are requested to attend the closed meeting:

- 1) All Town Council members
- 2) Robert W. Lohr, Jr., Town Manager
- 3) Danny Davis, Assistant Town Manager
- 4) Sally Hankins, Town Attorney
- 5) Jeff Gilmore, Akerman LLP (via conference call)
- 6) Alex Vanegas, Director of Public Works”

---

**MOTION BY TOWN COUNCIL TO ADJOURN THE CLOSED MEETING AND RECONVENE THE OPEN MEETING**

“I move that the Town Council reconvene in an open meeting and that the minutes reflect no formal action was taken in the closed meeting.”

---

**MOTION THAT THE RESOLUTION CERTIFYING THE CLOSED MEETING BE ADOPTED AND REFLECTED IN THE MINUTES OF THE PUBLIC MEETING**

“I move that the Purcellville Town Council adopt Resolution 16-07-02 certifying the closed meeting of July 12, 2016.”

---



*This page intentionally left blank*