

The Town Council of the Town of Urbanna held a work session on July 11, 2019 at 6:33 pm in Town Hall. Mayor Diane Gravatt welcomed everyone to the meeting. Council Members present were: Diane Gravatt, Barbara Hartley, Larry Chowning, Bill Smith, Bill Goldsmith and Boyd Wiley and George Devries. Also present were Holly Gailey – Town Administrator, 24 guests and one member of the press.

The first item on the agenda was committee reports. Smith offered an update from the water committee by stating the preliminary work was being finalized for the well project and the committee has completed the water rate structure study. He stated that this will be discussed further at a future meeting possibly August 2019. He also noted that committee members were given a copy of the Water Conversation Plan to review.

Goldsmith made a brief finance report pertaining to the requests for funding that were not included in the fiscal budget. Ms. Gailey explained that the locality has 60 days beyond the closing of a fiscal year to close out.

Mayor Gravatt offered an update from the marina committee stating that they are finalizing the draft commercial use policy for review. She stated that it was not ready for distribution as they are still awaiting all documentation. The committee is also working on rules and regulations for the marina. It was determined that business owner, Michael Sheffield was permitted to run his business from the town marina while the policy was still in an active state of review. Ms. Gailey stated that all supporting documents have been collected from Mr. Sheffield (i.e. insurance coverage).

Mayor Gravatt stated that the museum was opened over the July 4th holiday and we had visitors every day. Also, Mayor Gravatt stated that the town was having a difficult time getting the potential contractor to actually present a proposal. This contractor comes highly recommended for historic structures and the town will continue to contact the company and if the need should arise, an alternative contractor will be sought. At this time, there was discussion about the schedule for the museum. Goldsmith made a motion that the museum return to its normal operating schedule of Thursday, Friday and Saturday from 10:00a.m. to 4:00 p.m. and from 1:00p.m. to 4 p.m. on Sunday. This was seconded by Smith. It was noted that when the repairs are finalized, the schedule will be reviewed again and adjusted accordingly. Ms. Gailey informed council that the HVAC system had failed at the museum and the recommendation was to replace the outside unit as the compressor had been replaced 3 separate times prior and it was not cost effective to purchase yet another compressor. The expense was just under \$5000.00. There was a brief discussion about the repairs that were necessary. At this time, Mayor Gravatt asked for a roll call vote for the motion on the table. Ms. Gailey called the roll to which the following responded aye: Goldsmith, Smith, Chowning, Wiley, Hartley and DeVries.

DeVries made an announcement that the Planning Commission has received the finalized plans for Taber Park and that public meetings will be held to hear the concerns of the public. It was determined that a town hall meeting would be the best avenue to engage the public.

Moving to Administrative comments, Ms. Gailey updated council on several items. She noted the marina dredge was near completion. She also stated that the new town sign has been ordered and would take several weeks to be constructed. It was noted by the town attorney that there was still one outstanding easement issue with the power company but that this was being worked on. Ms. Gailey stated the town was in receipt of the draft audit for FY 17-18. Ms. Gailey added that the town is not required to have an audit and that the cost for this particular company was \$2000.00 and that during an RFP in 2017, the lowest bid was \$11,000. Ms. Gailey stated that she had compiled applications for the position of treasurer for the personnel committees review. Mr. Bury reminded council that this type of information is private and should remain confidential. Ms. Gailey noted that the town is fully engaged with the PDC for the review of the Chesapeake Bay Act and that the cost is \$6000.00. She stated that this was under the budgeted amount of \$8500.00. At this time there was discussion among council about the involvement of Delegate Hodges with the retaining wall and leaning tree on the hillside at the museum. It was noted that this is ongoing.

Under old business, Ms. Gailey updated the council on the new accounting software that the town has purchased, Edmonds GovTec. This was purchased to replace the antiquated Bright software program. She noted the anticipated go live date was late October or early November. Mayor Gravatt discussed how the town got involved with the company Net Interop by stating that during the discussion to move forward with the new accounting software, it became obvious that the town's computer system currently was inadequate. She also noted that this was the same time the council considered a new website design.

At this time, there was an in depth conversation about the Net Interop contract and procedurally how the town engaged with this company. Council Member Hartley expressed concerns about how the town moved forward with a new IT company without the consent of council. It was noted that the original discussion was held during a closed session and that all members were involved in the conversations. Town Attorney, Andy Bury stated that due to the size of the town we are not required to send out RFP's except under certain circumstances with the main one being projects completed using state or federal funding. He also stated that Ms. Gailey can purchase or engage the town without the use of an RFP and that a policy should be in place that outlines the will of council on procedures. Mr. Bury urged members of council to establish policy and procedures for purchasing. He also recommended that in an effort to avoid being arbitrary and capricious it should be followed precisely. Mr. Bury stated that if the governing body wants to micromanage the staff that a policy be put in place to establish the guidelines for contracts and purchases.

Mayor Gravatt announced that signs have been stolen from the exterior of the trolley. These were just installed this year. After collecting advertising money for the signs, Mayor Gravatt stated that this was an additional cost to the town because the signs had to be remade.

Mr. Bury, at this time, stated that he did not want to move forward unless the town council will establish a policy for purchases and contracts across the board. Council Member Chowning asked what the policy was currently and it was announced that there was no policy. Council Member Wiley volunteered to write up a small purchase policy for council to review. It was

agreed that a policy needed to be presented and adopted that all members of council could agree with the provisions within.

At this time, a motion was made by Smith and seconded by Hartley to have Goldsmith research IT companies and gather information about each potential company to bring back to council for consideration. Answering aye to a roll call vote was: Smith, Hartley, DeVries, Chowning, Wiley and Goldsmith.

Following the roll call vote, Mr. Bury wanted to clarify that the town has obligations by statute to protect personal data collected and read a portion of § 2.2-3800 subsection C Short title; findings; principles of information practice. from the Virginia State Code.

C. Recordkeeping agencies of the Commonwealth and political subdivisions shall adhere to the following principles of information practice to ensure safeguards for personal privacy:

1. There shall be no personal information system whose existence is secret.
2. Information shall not be collected unless the need for it has been clearly established in advance.
3. Information shall be appropriate and relevant to the purpose for which it has been collected.
4. Information shall not be obtained by fraudulent or unfair means.
5. Information shall not be used unless it is accurate and current.
6. There shall be a prescribed procedure for an individual to learn the purpose for which information has been recorded and particulars about its use and dissemination.
7. There shall be a clearly prescribed and uncomplicated procedure for an individual to correct, erase or amend inaccurate, obsolete or irrelevant information.
- 8. Any agency holding personal information shall assure its reliability and take precautions to prevent its misuse.**
- 9. There shall be a clearly prescribed procedure to prevent personal information collected for one purpose from being used or disseminated for another purpose unless such use or dissemination is authorized or required by law.**
10. The Commonwealth or any agency or political subdivision thereof shall not collect personal information except as explicitly or implicitly authorized by law.

Council Member Chowning asked for clarification from Mr. Bury by stating that it has been suggested by at least one council member that the town has violated the Virginia Code and broken the law by not vetting or following contractual procedures and ask Mr. Bury would you say it again to which he replied, no.

Moving into new business, Mayor Gravatt introduced a WIFI company named On-Spot WIFI. There was a general discussion about moving forward with reviewing other companies that might be able to fix the WIFI boosting issues at the town marina. Ms. Gailey stated that there

were other options available and that research would be done and then be presented to the council.

At this time, Mayor Gravatt asked if there was any other new business. Seeing there was no further new business, she moved into announcements. It was noted by Chowning that he had received pictures of the renovations occurring at the firehouse with the funds the town provided for the rescue squad. He stated that they were working hard and it looks nice. Ms. Gailey added that the fire chief extended his appreciation to the council as this helped them create a space for the rescue squad.

Being there was no further business, Chowning made a motion to adjourn the meeting, which was seconded by Smith. Answering aye to the roll call vote: Chowning, Smith, Hartley, DeVries, Wiley and Goldsmith. The meeting was adjourned at 8:41p.m.