

The Urbanna Town Council held its scheduled meeting on August 22, 2019 at 7:00p.m. in the Council Chambers of Town Hall. Members present and answering aye to the roll call were: Mayor Gravatt, Bill Goldsmith, Bill Smith, Larry Chowning, Barbara Hartley and George DeVries. Boyd Wiley was absent. Also present were Holly Gailey-Town Administrator, Michele Hutton-Town Treasurer and Town Attorney, Andrew Bury. Also in attendance were 40 guests and one member of the press.

Mayor Gravatt called the meeting to order and then led the Pledge of Allegiance.

At this time, Mayor Gravatt introduced Michele Hutton as the new Town Treasurer.

Moving on to public comment, Dr. Paul Malone offered a report from the Founder's Day event by stating that they had a full house and a successful event. He thanked the members of the committee that organized the event as well as others that had a hand in the success of the event.

Town resident, Steve Hollberg discussed his concerns on the planning for the future renovations Taber Park specifically the replacement of the pool. He voiced his opinion on the current conditions of the pool and asked that considerations be made about rehabbing the pool as opposed to building a new pool facility.

Town resident Kristi Anzivino expressed concerns about the minutes and agendas being placed on the website in a timely fashion. She also expressed concerns on the future of the town pool. Ms. Anzivino stated that she would like to see a committee formed to explore different approaches to Taber Park renovations.

Town Resident Sue Warner commented on the recent tree loss in Taber Park due to a direct lightning strike. She suggested that the town look at all the trees on public town property for proper pruning and removal of dead materials.

Moving on, the Mayor asked for a motion to approve the consent agenda. Ms. Hartley stated that council did not receive minutes for review. It was noted that the minutes were included in the work session packet for review. As there were 2 members who had not reviewed the minutes, a decision was made to table the approval until all members could review the documents.

The next item on the agenda was a Public Hearing on the 2019 Oyster Festival Master Plan. Oyster Festival Chairman Joe Heyman presented the plan. It was noted that there were very few changes to the plan. There was a brief conversation about slips at the town marina. Mayor Gravatt opened the public comment period. Resident Billy Mayo asked specifically about the length of the parade and why it does not include all the cars from the Antique Car Show. Heyman noted that the parade has to be limited to 1 hour and it always runs longer and there are just too many cars to include them all. Resident Steve Hollberg asked that port-o-johns be turned away from the front of resident homes. Seeing there were no other comments, Mayor Gravatt closed the public hearing. Mayor Gravatt noted that there was some confusion with a particular slip at the town marina and it was determined that Joe Heyman would speak with the manager of the town

marina to sort the issues out. As there was no further discussion, Barbara Hartley made a motion to approve the master plan. The motion was amended to be approved with the caveat of reaching an understanding concerning the slips at the town marina. George DeVries seconded the amended motion. Ms. Gailey called the roll to which the following responded aye: Hartley, DeVries, Goldsmith, Smith and Chowning.

At this time, Goldsmith gave a brief finance report. He stated that there was an additional budget request from the Beautification Committee. He added that there was a \$4000 buffer but recommended that the town consider a \$1500 contribution to the Christmas decorations. Goldsmith also noted that funds remained in the Boating Infrastructure Grant that was not expensed for the purpose of dredging the boat slips at the town marina. It will be discussed later how the town can utilize these remaining funds for the good of the marina. Goldsmith also discussed the issues surrounding the process in which a computer monitoring company was hired. In an effort to end the ongoing debate, Goldsmith stated that he felt that a continuation of the conversation doesn't serve the town or the town council well and the issue should be put to rest.

Moving on in old business, Mayor Gravatt asked for the pictures of the damaged tree to be displayed on the projector. There was a brief discussion on the decision to remove the tree from Taber Park based on the damage due to lightning.

Mayor Gravatt moved on to the community picnic that is scheduled for September 7 at Taber Park. It was noted that the town pool will be open from 1-4pm and would be free to all.

Ms. Gailey offered a brief update on the covered trolley stop. She noted that she continues to work closely with Bay Transit to glean more information on the associated cost. Ms. Gailey also updated the council on the finalization on the marina dredge project made possible through the Boating Infrastructure Grant. She noted that the total project cost was \$90,957.50 which included \$73,321 in direct cost and \$17,636.50 in associated cost for engineering work and permits. The project is complete and the paperwork is being compiled to file for reimbursement from the State of Virginia Marine Programs. Ms. Gailey added that there was a sum of money left from the grant and that an extension was available to allow the town to expense the funds for additional items for the marina such as the ice machine or WIFI upgrades. At this time, there was a motion by Goldsmith to extend the grant in order to use the remaining funds. This was seconded by Bill Smith. Ms. Gailey called the roll to which the following responded affirmatively: Goldsmith, Smith, Hartley, DeVries, and Chowning.

Moving on to New Business, Mayor Gravatt asked if there was a motion to support the UBI's request for financial support for Christmas. Bill Goldsmith made a motion to expense \$1500 and donate 18 hours of trolley service time to run the Polar Express at Christmas. This motion was seconded by Bill Smith. Ms. Gailey called the roll to which the following responded affirmatively: Goldsmith, Smith, Hartley, DeVries, and Chowning. Larry Chowning stated that supporting this effort is positive.

The next item for discussion was supplying an Urbanna Seal flag for the LUNA to display on the ship when it is out on the water. There was no discussion made as this is an ongoing construction currently.

Moving on, the Mayor recognized Sarah Gordon who was not in attendance. Bill Smith read a prepared statement concerning recent comments placed in the Southside Sentinel by Sarah Gordon. He stating that he believes that person does not exist and therefore should not have an avenue to voice concerns. On a separate issue, Smith added that Net Interop was brought in to assess of current systems adequacy. It was determined that the computer system was not adequate and in fact vulnerable. He stated that all residents and businesses personal information was ready to be exposed and used for illicit purposes or held for ransom. He continued to say that in August, NPR news released a story that a coordinated attack from hackers had gained access to 22 smaller municipalities in Texas costing \$500,000 or more to release their systems. Another location had been held ransom for 2.5 million dollars. Smith continued to say, I for one am appreciative to the Mayor, the Town Attorney and the Town Administrator took the initiative to make sure that our personal information and system was protected. He also added that it would not have been beneficial to expose the town's vulnerability in the RFP process giving hackers an open invitation. He also noted occasions when he felt the town charter was not followed properly by previous governing bodies.

At this time, Larry Chowning asked town council to consider the writing of a letter of support for Bob Montague as he is seeking a historic landmark for property he owns in Urbanna, specifically Sandwich. On a motion from Chowning and seconded by Bill Smith, the council voted to send a letter of support on his behalf. Ms. Gailey called the roll to which the following answered aye: Chowning, Smith, Goldsmith, DeVries and Hartley. Ms. Gailey asked if anyone had approached Mr. Montague about joining the Museum in the Streets and adding a panel for Sandwich as opposed to applying for the historic distinction or in addition to the historic sign. It was noted that this had been discussed.

During the second public comment period, resident Kristi Anzivino noted that she also believed that Sarah Gordon is not a real person. She stated that she signs her name to everything that she writes. Ms. Anzivino asked if the computer security was that serious of an issue, why were town council members unaware that a contract had been initiated. She also noted that she has a right to question the actions of council if she feels that the job is not being done.

Next Steve Hollberg defended his right as a citizen to express his concerns of the conditions of the town and its properties as well as complaints that he may have regarding the town.

At this time, George DeVries responded to an earlier public comment about the town pool. He agreed that the town should consider options before jumping into a new facility.

Goldsmith responded to public comments. He stated that his earlier comments were to expose the selectivity of outrage on issues that the town council has been involved in the past is no different than the process at hand in the signing of a contract for internet/computer security.

George DeVries stated that council could not respond to something that they were unaware of (referencing the Net Interop contract). Bill Smith stated that under the provisions of the administrator by definition gives Ms. Gailey the right to sign these types of contracts within the definition of the position of Chief Executive Officer of the town. Town Attorney, Andy Bury stated that this was discussed at previous meetings and the governing body was made aware of the insufficient security in the town's computer system. Barbara Hartley stated that it is not about the contract itself but yet about the steps that were not followed in the procurement of the company. She stated that she felt the town attorney was running the town and this simply got pushed through without following procurement. She also stated that her comments were directly related to the process.

At this time, Town Attorney, Andy Bury, stated he felt slandered and that he gives advice to the town but does not "run" the town. He stated that he introduced the company to the town and then separated himself from the negotiations. Mr. Bury stated that for it to be suggested that he pushed the company through is completely false, misleading, misrepresenting and was slanderous. He noted that the insinuation that the procurement of the company was not handled properly was false. He addressed council directly stating the governing body must establish a purchasing policy and set financial boundaries so that there would be no question what authority the town administrator would possess. He continued to state that this council has accomplished many things and that it was his hope that this would continue on that course and work together, disagree, fine, but do it in a civil manner. Mr. Bury also noted that when he reviews a contract it is not for the deliverables but more for legal purposes to protect the town. He ended his comments by saying that he is hopeful that the town can put this aside and move forward and to keep in mind that Net Interop served a purpose and continues to serve a purpose.

With there being no further business, George DeVries moved to go into executive session pursuant to Sections 2.2-3711(A)(4), Privacy Protection and Section 2.2-3711(A)(29), Awarding Contract . Bill Smith seconded the motion. Ms. Gailey called the roll to which the following answered aye: DeVries, Hartley, Chowning, Smith, and Goldsmith.

Goldsmith made a motion to re-enter open session to which Bill Smith seconded. Ms. Gailey called the roll to which the following answered aye: George DeVries, Barbara Hartley, Larry Chowning, Bill Smith and Bill Goldsmith.

Upon returning to open session, DeVries moved to approve the following Certificate of Executive Meeting to which Hartley seconded

Whereas, the Urbanna Town Council has convened an Executive Session meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.1-344.1 of the Code of Virginia requires a certification by the Urbanna Town Council that such executive meeting was conducted in conformity with Virginia law;

Now, Therefore Be It Resolved that the Urbanna Town Council 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 in the executive meeting to which this certification resolution applies, and (i) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Urbanna Town Council.

VOTE:

Ayes: George DeVries, Barbara Hartley, Larry Chowning, Bill Smith and Bill Goldsmith

At this time, Mayor Gravatt opened the meeting for the public. A motion by George Devries was put forth to lift a no trespass for a town resident at the town marina. This motion was seconded by Goldsmith. Ms. Gailey recorded a roll call vote in which the following approved the motion: DeVries, Goldsmith, Smith, Chowning and Hartley.

Next, there was a motion by Bill Smith to have Ms. Gailey expense \$2800.00 from the water fund to have a survey completed by Bay Design Group on the water tower lot. This was seconded by Hartley. Ms. Gailey called the roll to which the following answered aye: Smith, Hartley, Chowning, DeVries and Goldsmith.

There was a third motion by Goldsmith to continue with Net Interop Inc. for computer services and to use the remaining grant funds to upgrade the WIFI system at the town marina. This was seconded by Smith. The following answered aye to a roll call vote: Goldsmith, Smith, Hartley, Chowning and DeVries.

With there being no further business, Hartley made a motion to adjourn. This was seconded by DeVries. Ms. Gailey called the roll to which the following answered aye: Hartley, DeVries, Smith, Goldsmith and Chowning. The meeting was adjourned at 10:45PM.

Clerk