

1 **Minutes of the New Market**
2 **Town Council Meeting**
3 **Tuesday, February 21, 2023**
4 **6:30 pm**
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6 The New Market Town Council met in the Council Chambers of the Arthur L.
7 Hildreth, Jr. Municipal Building on Tuesday, February 21, 2023 with the following
8 members present: Vice-Mayor Peggy Harkness, Daryl Watkins, Bob King, Scott
9 Wymer, Janice Hannah, and Peter Hughes. Mayor Bompiani was absent.

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11 Town Attorney – Jordan Bowman
12 Town Manager – Buster Nicholson
13 Former Town Manager/Town Consultant – J. Todd Walters
14 Town Treasurer – Teresa Green
15 Administrative Assistant – Donna Lohr
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17 Vice-Mayor Harkness called the meeting to order and established a quorum with
18 all members present. The Pledge of Allegiance was recited in unison. Vice-Mayor
19 Harkness welcomed all visitors and guests.
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21 **Approval of the Agenda:**
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23 **Mr. King made a motion to approve the agenda as presented. Mr. Hughes**
24 **seconded the motion which passed on a unanimous 6-0 voice vote.**
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26 **Consent Agenda:**

27 **Mr. Watkins moved to approve the Consent Agenda which included the**
28 **minutes from the January 17, 2023 Meeting of the New Market Town Council, the**
29 **minutes from the January 17, 2023 Work Session of the New Market Town Council,**
30 **the minutes from the January 21, 2023 Work Session of the New Market Town**
31 **Council, the minutes from the January 30, 2023 Special Called meeting of the New**
32 **Market Town Council, and the Financial Statements for January 2023. Mr. Wymer**
33 **seconded the motion which carried on a unanimous 6-0 voice vote.**
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35 **Public Hearing:**
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37 No public hearings scheduled.
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39 **Citizen Comments and Petitions:**
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41 Mr. Jeff Mongold, of the New Market Volunteer Fire & Rescue Department gave
42 a brief powerpoint presentation summarizing the statistics of call volume for the
43 department for the month of January 2023. A total of 135 calls were handled, with 76 of
44 those calls handled within New Market. Mr. Mongold showed pictures of a few calls and
45 events from January 2023. He also mentioned some upcoming events such as a possible
46 open house scheduled for April 2023. A copy of the Fire & Rescue Department's
47 presentation is on file with the minutes.
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49 There were no comments emailed from the public to the Town Manager.

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Committee Reports:

There were no committee reports.

Staff Reports:

1. Public Works Department Monthly Report – Mr. J. D. Fadley

Mr. Fadley gave a power point presentation summarizing the projects on which his department had worked over the past month. The Maintenance Department repaired a water leak at the North Fork Pump Station and alleviated multiple sewer backups throughout Town. The Maintenance Department continued work on the water line project on Fairway Drive as well as handling the regular cleaning of the park restrooms, street and sidewalk maintenance. The Water Department installed a new turbidity meter at Well #8, completed maintenance on machinery at the Water Plant, repaired a control unit at River Pump Station, and handled several other repairs on CMF units. A copy of Mr. Fadley’s report is on file with the minutes.

2. Planning Department Monthly Report – J. Todd Walters

Mr. Walters commented that he had issued a home occupation permit for 9525 John Sevier Road. The applicant plans to fabricate and build cat playhouses.

3. Public Safety Monthly Report – Chief Chris Rinker

Chief Rinker gave a brief powerpoint presentation highlighting the statistics for the month of January 2023 as well as some notable events for the month. Chief Rinker also mentioned some notable events that he and Benelli had attended, which included a visit to Life Care and a visit to Honey Run Elementary. Chief Rinker stated that at the previous meeting, a question had been asked regarding where New Market stands with its crime data in comparison to other jurisdictions nearby. New Market falls below the average of the surrounding localities. Chief Rinker mentioned that he had provided Council Members with an overview of the police department, their goals, and some biographical information on each of the officers in the department. A copy of Chief Rinker’s report is on file with the minutes.

4. Events & Marketing Monthly Report – Mrs. Amber Smoot

Mrs. Smoot gave a power point presentation summarizing her current projects and upcoming events. Mrs. Smoot mentioned that even with the closing of the Chamber of Commerce, the Fall Festival and Merchant’s Committee Meetings will still be held. The Merchant’s Committee will now fall under the “Our Town Enhancement Committee”. Mrs. Smoot mentioned several meetings and trainings that she had attended. A copy of Mrs. Smoot’s power point presentation is on file with the minutes.

Action Items:

The first action item on the agenda was the discussion and consideration of requests from the New Market Farmer’s Market.

Mr. Hughes made a motion approve the requests from the New Market Farmer’s Market, as stated in the letter included in the packet. Mr. Watkins seconded the motion which passed on the following unanimous 6-0 roll call vote:

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Mr. Wymer	Aye	Mrs. Harkness	Aye
Mrs. Hannah	Aye	Mr. Hughes	Aye
Mr. Watkins	Aye	Mr. King	Aye

The second item on the agenda was the discussion and consideration of appointing a Town FOIA officer. Mr. Walters advised that the Town actually needs to appoint FOIA officers. Since Ms. Rupkey has left and with Mr. Walters' retiring at the end of the month, the Town will have no FOIA officers so it is necessary to appoint two FOIA officers at tonight's meeting. Staff recommends Town Manager Buster Nicholson and Chief of Police Chris Rinker to be appointed as the Town's FOIA officers.

Mr. Hughes made a motion to appoint Mr. Buster Nicholson and Mr. Chris Rinker as the Town's FOIA officers. Mr. Wymer seconded the motion which passed on the following unanimous 6-0 roll call vote:

Mr. King	Aye	Mr. Watkins	Aye
Mr. Hughes	Aye	Mrs. Hannah	Aye
Mrs. Harkness	Aye	Mr. Wymer	Aye

The third item on the agenda was the discussion and consideration of appointing a Town Clerk, as per section 5.1 of the Charter of the Town of New Market. Mr. Walters explained that the Town Manager does also serve as the Town Clerk, per section 5.1 of the Charter of the Town of New Market. Staff recommends that Mr. Buster Nicholson, Town Manager, be appointed as the Town Clerk of New Market.

Mr. King made a motion to appoint Mr. Buster Nicholson as Town Clerk. Mr. Hughes seconded the motion which passed on the following unanimous 6-0 roll call vote:

Mr. Wymer	Aye	Mrs. Harkness	Aye
Mrs. Hannah	Aye	Mr. Hughes	Aye
Mr. Watkins	Aye	Mr. King	Aye

The next action item was the discussion and consideration of the appointment of a zoning administrator. Mr. Walters explained that a zoning administrator is needed. Normally this would be the Town Planner but since the Town does not currently have a planner, a zoning administrator needs to be appointed. Staff recommends the appointment of Mr. Buster Nicholson, Town Manager, as the zoning administrator.

Mr. Watkins made a motion to appoint Mr. Buster Nicholson as zoning administrator. Mr. King seconded the motion which passed on the following unanimous 6-0 roll call vote:

Mr. King	Aye	Mr. Watkins	Aye
Mr. Hughes	Aye	Mrs. Hannah	Aye
Mrs. Harkness	Aye	Mr. Wymer	Aye

148 The fifth action item was the discussion and consideration of a staff member to
149 the Historic Overlay District Review Board. Mr. Walters explained that on this board
150 there are three members that are citizens, three members who own property in the
151 Historic Overlay District, and also a staff member. That staff member has been the Town
152 Manager in the past so staff recommends the appointment of Buster Nicholson, Town
153 Manager to the Historic Overlay District Review Board.

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155 **Mr. King made a motion to appoint Mr. Buster Nicholson, Town Manager,**
156 **as staff representative to the Historic Overlay District Review Board. Mr. Hughes**
157 **seconded the motion which passed on the following unanimous 6-0 roll call vote:**

159	Mr. Wymer	Aye	Mrs. Harkness	Aye
160	Mrs. Hannah	Aye	Mr. Hughes	Aye
161	Mr. Watkins	Aye	Mr. King	Aye

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163 **Mayor's Comments:**

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165 Vice-Mayor Harkness stated that on behalf of Mayor Bompiani, he regrets that he
166 cannot be at the meeting this evening to tell Mr. Todd Walters, as this is his last meeting,
167 that he will certainly be missed. Mayor Bompiani and Vice-Mayor Harkness both
168 welcome Mr. Buster Nicholson, and they are looking forward to working with him.

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170 **Council Comments:**

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172 Mrs. Hannah mentioned that the FOIA training offered online for Council
173 Members does not work well. She advised that it was a huge waste of time trying to get
174 in to take the training.

175 Mr. Bowman responded that there are some options regarding the training. He
176 stated that he had heard reports that there were technical issues with this training. The
177 training offered by Richmond is free, but there may be some other option that could
178 possibly be offered to Council Members to take as a group.

179 Mr. Watkins thanked Mr. Walters for his leadership and he welcomed Mr.
180 Nicholson to New Market.

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182 **Staff Comments:**

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184 Mr. Walters commented that on Thursday, March 2nd, 2023 a Rails to Trail
185 Informational Meeting will be held at the Community Center in New Market. VDOT
186 may be present at that meeting to answer questions. There is some funding pending in
187 the General Assembly which may be enough to get them through being able to construct
188 a phase or two of the trail. That funding is not yet approved but more information may
189 be available on that at this upcoming meeting. The trail does not go through the Town of
190 New Market but it may be something that will need to be addressed in the future.
191 On Monday, March 6, 2023 there will be a joint public hearing with the Planning
192 Commission. That is for a Conditional Use Permit by Alvin Henry for a greenhouse to
193 be installed behind Jon Henry's store. In addition the permit is for the freezer/cooler
194 storage which is an additional use on the property. Mr. Walters then clarified the meeting
195 on March 9, 2023. There are two separate meetings. The meeting from 2:00 p.m. – 4:00
196 p.m. is for oral presentations by the Town of New Market and for Shenandoah County to

197 present their case to the Commission on Local Government. The meeting from 7:00 p.m.
198 to 10:00 p.m. that day is for the public hearing where the Commission on Local
199 Government will hear comments from the public on the amendment to the Voluntary
200 Settlement Agreement. Mr. Walters stated that if Council Members are available to
201 attend both sessions that would be beneficial. The Mayor and a few council members
202 will speak at the 2:00 p.m. session. Mr. Walters will be present at both sessions that day.
203 Mr. Walters stated that he will likely receive some sort of agenda from the Commission
204 on Local Government, but he has not yet received that.

205 Mr. Walters remarked that this is his last meeting. He advised that he is both sad
206 to leave New Market but he is excited to begin his retirement. He thanked Town Council
207 for their support of him, Town staff, and the Town of New Market. Mr. Walters
208 remarked that he had been blessed to work with a great Town Council and Town staff.
209 He stated that no matter what the Town Manager does, he/she must have good people
210 around him/her. Mr. Walters further remarked that if staff supports the new town
211 manager, the Town will keep moving forward. It is the people that work for the Town
212 and the Town Manager that get the work done. The Town Manager only manages them,
213 gives them a vision, supports them, and encourages them. Mr. Walters hopes that he
214 made the Town of New Market better.

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216 **Closed Meeting:** No Closed Meetings.

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218 **Adjournment:**

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220 **With no further business to discuss, at 7:14 p.m. Mr. Wymer made a motion**
221 **to adjourn the meeting. Mr. King seconded the motion which carried on a**
222 **unanimous 6-0 voice vote.**

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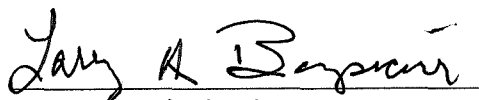
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Buster Nicholson, Town Clerk



Larry Bompiani, Mayor