

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on February 10, 2020, in the Warren County Government Center’s Board Meeting Room. Mayor Tewalt led Council and those attending in the Pledge of Allegiance to the flag and a Moment of Silence.

*Councilman Gillispie moved, seconded by Councilman Meza to appoint and recognize Tina Presley as Clerk of the Front Royal Town Council pro tempore for the meeting of Front Royal Town Council on February 10, 2020 Regular Meeting and Work Session; and for such additional and further meetings and times that are a continuation of the February 10, 2020 meetings at her services such as Clerk pro tempore may be needed.*

Vote: Unanimous

**ROLL CALL**

**PRESENT:**

- Mayor Eugene R. Tewalt
- Vice Mayor William A. Sealock
- Councilman Lori A. Cockrell
- Councilman Gary L. Gillispie
- Councilman Chris W. Holloway
- Councilman Jacob L. Meza
- Councilman Letasha T. Thompson

*(The above listed members represent the full body of Mayor/ Council as authorized in the Town Charter.)*

- Town Attorney Douglas W. Napier
- Interim Town Manager Matthew A. Tederick
- Clerk of Council Pro Tempore Tina L. Presley

**APPROVAL OF MINUTES**

*Councilman Gillispie moved, seconded by Vice Mayor Sealock to approve the Regular Council Meeting minutes of January 27, 2020 and Special Meeting Minutes of February 3, 2020 were approved as presented*

Vote: Yes – Sealock, Cockrell, Gillispie, Holloway, Meza, and Thompson

No – N/A

Abstain – N/A

Absent – N/A

*(Mayor Tewalt did not vote as there was no tie to require his vote)*

**RECEIPT OF PETITIONS AND/OR CORRESPONDENCE FROM THE PUBLIC**

Gary Kushner, 1106 Fetchett Road, Bentonville, VA – opined that the Interim Town Manager’s duties were to supervise ongoing operations/projects, guide process of hiring a permanent Town Manager and preparing the 2020-2021 budget, not to change personnel in the current budget. Voiced concerns related to Tourism, water policy, tap fee reductions, Crooked Run and LLC relations and lack of cooperation with the EDA. Suggested Council analyze proposed reorganization, limit outsourcing to only when success can be measured, and the Interim Town Manager’s proposals of significant changes be implemented by the permanent Town Manager.

Marie McDaniel, 1096 Kesler Road, Front Royal, VA – noted she is a volunteer for the Visitors Center. Expressed her overwhelming love and desire of living in Front Royal and assisting visitors that come through the Visitors Center.

Joanne Kearney, 364 Summit Point Drive, Front Royal, VA – noted she is a volunteer for the Visitors Center. Voiced concern over outsourcing Tourism and questioned what loyalty will they have to the businesses, how will the Town's interest be protected and what oversight will they have on how the money is spent? Suggested Council reject the outsourcing plan.

Paul Aldrich, 256 Orchard Street, Front Royal, VA – asked Council to consider approving a Militia Resolution as well as the Second Amendment Sanctuary Resolution that is currently on tonight's Work Session Agenda. Advised of a Volunteer Day being planned for end of April.

Jim Hart, 1120 Ashby Street, Front Royal, VA – voiced concern over water to the north side of Town, recent termination of employees and hiring of a new Town Manager.

Janice Hart, 1120 Ashby Street, Front Royal, VA – opined that the Interim Town Manager's goals are water to a parcel located behind Target and consolidation of Town and County governments. Voiced concern over the recent termination of employees, the cost of finding a reliable firm to handle Tourism, Engineer and Planning/Zoning Departments, Police Department loan and finding a permanent Town Manager. Suggested Council read the Blue Ribbon Committee Recommended Results completed in 2010.

Councilman Meza asked for a point of order regarding comments to Council where language being used was violating proper rules of decorum as listed in the Roberts Rules of Order and Town Code.

Bonnie Gabbert, 1221 Valley View Drive, Front Royal, VA – asked the status of her FOIA request that was placed five days ago. Voiced concern over good employees being "let go."

Paul Gabbert, 1221 Valley View Drive, Front Royal, VA – voiced concern over eliminating Tourism in the upcoming budget and placing liens on properties with a blighted structure.

Linda Allen, 15 Massie Street, Front Royal, VA – advised that a list of questions would be delivered to Tina [Presley] tomorrow. Voiced concern over Tourism being "guttled" and losing out on opportunities for economic development. Advised that she was volunteer for the CDBG Committee and was concerned there was no one managing \$700,000.

Craig Anderson, 110 Sunset Lane, Linden, VA – asked Council to support the Second Amendment Sanctuary Resolution. Noted he had own ideas about a Militia.

Steven Schlosinger, 409 Main Street, Front Royal, VA – asked to keep Tourism in-house and expressed hope that Council will find the right person to oversee it

Skip Rogers, 30 Blue Ridge Avenue, Front Royal, VA – questioned how a temporary employee has the authority to dismiss senior employees. As it relates to Roberts Rules of Order read previously, he reminded Council of a disappointing violation of Council towards one of its own in a meeting held last week.

Ken Dameron, 715 Stockton Road, Front Royal, VA – noted that after looking at the proposed budget, the Interim Town Manager has to make management decision to the best of his judgment, and it was up to Council to approve or disapprove those decisions. Asked that Council remove the

funding from the budget for the redundant water/sewer line to the North Corridor since no one knows if it is legally required to be built

Chris Ramsey, 400 Fulton Lane, Front Royal, VA – noted an inequity on water/sewer tap fees and asked Council for a written response justifying their position on the new policy that has been instituted.

Patricia Failmetzger, 636 River Ridge Drive, Front Royal, VA – noted large amounts of revenue were collected for Warren County from occupancy taxes and meals taxes and would visit Council again with how that revenue was divided. Voiced concern over why the trolley and blighted buildings were Tourism issues.

Susan Tschirhart, 327 Skyline Place, Front Royal, VA – co-chair of the Front Royal-Warren County Appalachian Trail Committee. Noted that Front Royal received Appalachian Trail designation in 2012 and gave of History of the Committee and its designation of Towns. Voiced concern over the termination of employees and the outsourcing of Tourism. Advised Council that letters from the Committee were delivered to the Town Hall for each of them. Noted that the Front Royal Visitors Center is considered a top attraction which is unusual.

Sonja Carlborg, 210 W. 1<sup>st</sup> Street, Front Royal, VA – voiced concern that citizens had no input on how elected officials dramatically reduced government and allocated tax dollars without their consent; and how a temporary manager was able to make changes. Further concerns were voiced on personnel being part of a closed meeting discussion but not reorganization, elimination of staff, the half cent tax cut and obligation of bond debt.

Kali Hart, 12 W. 15<sup>th</sup> Street, Front Royal, VA – noted that some great questions had been asked and urged Council to give them the attention they deserve. Asked the press to compile the questions and publish them.

Gary Green, 120 E. Main Street, Front Royal, VA – owner of Mountain Trails cautioned Council about any quick decisions about Tourism due to the increase of growth in sales and visitors on Main Street. He mentioned that he is a member of the Joint Front Royal-Warren County Advisory Board and voiced concern that the Board was not consulted with regard to any changes to Tourism. He drew Council's attention to the MOA for the Board that was approved jointly with Warren County.

Bruce Rappaport, 300 W. Main Street, Front Royal, VA – disagreed with the Town's direction with regard to a new Assistant Town Manager, removal of the Planning/Zoning Director, and outsourcing. Cautioned about privatization that could include possible fraud, higher cost for consumers, meeting profit rather resident needs, more dollars for oversight and no one-on-one contact.

Fern Vazquez, 120 Gloucester Road, Front Royal, VA – Entered for the Record:

*Town budgets can be contentious, evoking a range of emotions. Tonight, we are experiencing such emotions as the dust begins to settle from some rude awakenings of the projected FY21 budget. Two items clearly stand out.*

*Page 26 of the proposed budget definitively outlines a dramatic change in the way tourism will be managed in FY21. With a sweeping stroke of a pen, nine employees trusted by the proprietors preparing for the upcoming tourist season are gone - to be replaced by an agency - virtual strangers to the area. With tourism season around the corner, I think we deserve more explanation -what are the revenue assumptions that defend this action? Where are the studies that indicate that privatizing tourism is a generally accepted best practice? I decided a little*

*homework was in order, and I contacted the town manager's office in several small towns in Virginia (Luray, Williamsburg, Winchester, Bristle and Abingdom). Only one town - Bristle VA outsourced along with its sister city in TN, and I was told that this is coming up for review by the town council.*

*A look at a second part of the budget contains another rather startling revelation. I refer you to page 20, line item 41001. Front Royal pays its current interim Town Manager \$150,000 annually. In the projected FY21 Budget, this line item 41001 reads \$195,000, a healthy 23% increase. Additionally, the town manager has requested an assistant to the tune of \$124,000. With benefits the bottom line for these two managers is \$397,825.*

*Let's look at this in context: According to several employment websites, the average wage for a Virginia Town Manager is \$96,000- and at the high end is around \$125,000. Here's a little more context-the average median income for a family of four in Front Royal is \$49,631. I ask you, members of the council, how does Front Royal, a small town with a population less than 16,000 afford two salaries in the Town Manager's office totaling nearly \$400,000 annually? How do you defend approving line item 41001 on page 20? Perhaps the answer is -we can't- as ideal as it may seem to add an assistant Town Manager to the staff. Budgets are far from ideal - they are statements of how to prioritize needs using a finite amount of resources. This takes knowledge, wisdom and just plain old common horse sense. I don't see that reflected in this part of the budget. Something doesn't feel right.*

Melanie Salins, 95 Murrays Drive, Front Royal, VA – voiced concern over the way the proposed budget was presented including the termination of employees, the offer of only three options and disregard of citizen input on how tax dollars should be spent. Asked that Council do the right thing.

Amber Morris, 3574 Howellsville Road, Front Royal, VA – recognized the efforts put forth by the Interim Town Manager and Council with regard to the proposed budget. Read the meaning of the word “Manager” and reminded Council that during last year’s budget there was a “cry” for no higher taxes. Noted that it was never agreed that the Chamber of Commerce was the proposed outsource for Tourism. Voiced support for the Second Amendment Sanctuary Resolution.

Scott Jenkins, 3471 Remount Road, Front Royal, VA – delivered letters to Mayor/Council making them aware of his thoughts. Voiced concern over the privatization and reduction of Tourism funding, noting there has been no evidence provided on how this reduction was going to improve the delivery of services to the community. Opined that Tourism was a revenue generator, job creator and improvement of quality of life. Noted that the citizens were caught off guard and suggested more transparency and dialogue.

Tim Ratigan, 6079 Stonewall Jackson Hwy, Front Royal, VA – disheartened by Tourism cuts. Voiced concern over the future of Downtown Front Royal/Main Street. Opined that the U.S. Constitution trumps Robert Rules of Order.

Paul Gabbert, 1221 Valley View Drive, Front Royal, VA – read an excerpt from an article written by a local reporter regarding the outsourcing of Tourism to the Chamber of Commerce.

Ben Ranieri, 233 Virginia Ave, Front Royal – thanked the Mayor/Council for reciting the Robert Rules of Order earlier in the meeting. While he may not agree with everything the Council decides, he believes that Council has the community’s best interest at heart. Suggested that Council take everything said tonight into consideration. Advised that there were numerous people in the County that support them.

Wendy Kurtz – voiced concern that when “Front Royal” is searched on the internet no reviews or leads come up, noting that this kind of search attracts people to the community. Suggested Front Royal needs creativity and new talent. Opined that the Interim Town Manager was well respected in the community and disheartened that he was being disrespected tonight.

Mayor Tewalt closed the Receipt of Petitions and/or Correspondence from the Public. He thanked everyone for attending and reminded them that there would be a Public Hearing on the Proposed Budget and encouraged anyone who wanted to speak to do so at that time.

Mayor Tewalt declared a two-minute break

## **REPORTS**

### **Report of special committees or Town Officials and Interim Town Manager**

Interim Town Manager Tederick noted a number of inaccuracies spoken tonight and took the opportunity to correct those inaccuracies. He explained that the line item 41001 from the proposed budget is for the entire Town Manager Department salaries not just the salary of the Town Manager, the comment quoted in the Royal Examiner article was not his quote and the Blue Ribbon Committee was not a blue print for consolidation. He then entered the following for the record:

*In 2010 five people were asked to look into the Town’s budget and make recommendations to save the Town money. We had a retired Allegany Power Accountant, a commercial banker, a former town finance director, an investment advisor and me. So back in 2010 – guess what the committee unanimously endorsed. **“The town had a spending problem, not a revenue problem.”** While population from 2000-2010 had only grown 8%, the Town’s total expenditures had grown 67% (and was over double the rate of inflation). So what do we have now? From 2009 – 2019? More of the same. Last 10 years – population has only grown 4%, but expenditures (after depreciation and purchase of electric) has increased 35%... 8 times the rate of population growth and again, over double the rate of inflation...I could go on and on....*

*Mr. Mayor, Members of Council, as I’m certain you can attest...we’ve all witnessed the gnashing of teeth by a certain faction in our community regarding reducing the size of our operations through a reduction in force. Like me, I also know you have heard from **other** folks in our community as well. I personally have talked with countless people who have thanked me for focusing on the infrastructure needs in our town, instead of just increasing taxes and growing the size of government.*

*Members of Council, I know like me, you have heard the voices of many thanking you for your willingness to stand up to a vocal group of folks with an agenda, many of whom who have been spreading false, inflammatory information in the hopes of scaring people to be here tonight. But here’s the good part - I know like me; you have received the praise from average citizens for **“doing the right thing.”** Saturday morning alone, I received three phone calls, two of which were from retired widows. One said she was 88 years old and has lived in Front Royal for 80 years. This lady shared with me that in her entire lifetime she has never seen such nastiness against a manager and council who are doing what has needed to be done for years. Members of Council, that’s common speak. That’s an average citizen telling us how it is...*

*Mr. Mayor, Members of Council – this theme is consistent with the many of the calls I have received. Nearly all of them saying, how can people be so upset about reducing the size of government and investing in needed infrastructure? I*

*sincerely believe..... – that’s the belief of the silent majority in this community...the ones who are too scared to speak out. One such person told me that he can’t come forward and speak in favor our proposed budget out of fear for what “they would do.” The people of this Town want and need a properly sized government which provides exceptional service, but they also demand, proper infrastructure so that one day their taxes won’t go up 50 or 100% to pay for kicking the can down the road. We have the individuals who moved here from Herndon. These individuals have been critical of most everything this Council has done. As you’ve just heard...they are really critical of the reduction in force and plans to save \$573,000 from our operating budget. But I remember when I was Interim Mayor, I remember being chastised – READ a statement from July 22, 2019 minutes “noted that she wanted to speak that the citizens feel that there are angry concerned citizens that are not heard. She stated that many people are upset about issues in the community regarding the County assessments and how it affected the Town at the 13 cents. Mrs. Gabbert stated that the electric rate increase was of concern to many citizens as well as utility rates for water and sewer rates. She noted that garbage rates also went up and people in the community cannot afford these price increases. She asked that Council go through the budget line by line to determine areas of savings for the Town”. ... “you see ladies and gentlemen, in July of last year **we need to find cuts**, in February of year, **we need to raise taxes in order to save government jobs**”...Members of Council – that’s what you’re up against...damned if you do and damned if you don’t...just plain politics.*

*As for me Mr. Mayor – I am continuing to press forward. I will not be affected by the factions or politics or fake outrage of some. I have and will continue to listen to the reasonable people who have real and honest questions, concerns. I will continue to answer their questions in order to help alleviate their fears. But the bottom line is this...I have done my job and my duty as Town Manager presenting the Proposed Budget. You now have viable options. You can either move forward with a reduction in force in order to save \$573,000, or you can raise Real estate taxes 15%, Personal Property taxes 23%, and BPOL tax by 25%. Or, you can find some another options;...Staff awaits your direction.*

Interim Town Manager Tederick continued that the Town of Front Royal Business Offices will be closed on Monday, February 17, 2020, in observance of President’s Day. Trash and recycling collection regularly scheduled for Monday will be collected on Wednesday, February 19, 2020. All other regular trash and recycling collection days will remain the same this week. The Drive-Thru at Town Hall will be CLOSED on Saturday, February 15, 2020. The night deposit box, located near the Drive-Thru, is available for your convenience.

### **Requests and inquiries of Council members.**

Councilman Gillispie entered the following into the record:

*Mr. Mayor I would like to address council and the public about some concerns that have been raised by certain citizens. At the regular council meeting of January 27<sup>th</sup>, it was said that we need to work with the EDA and BOS to find a solution for the financing of our police department. As a council, we have been advised not to speak about this issue. So, my general comment is this -- it is our responsibility to retrieve as much monies back for our citizens... I am committed to this! We will at some point resolve this issue, but the hang up is what we were told and promised versus what were the true terms. For example, just hypothetically - if you go to buy a nice brand new car that you needed at the dealership and the fiduciary tells you that your interest rate will be 1.5% and for that matter the dealership will pay you 30% deposit and later that weekend they call you and say no, the interest rate is actually 4% and they will not buy down 30%, due to no fault of your own, would this not be an issue for you? We work for the taxpayers of Front Royal first and foremost. Again, it's our job to fight and protect your money.*

*Every year the Budget process is very difficult. Not just with this council, but every council that has come before us. A lot of times Council is faced with tough decisions that affect not only our citizens but our town staff. This year is no different. Our town is truly facing some tough issues. Our town's infrastructure is literally crumbling under our feet. We have, what is now, a true crisis with what they call I & I water (that is when storm water entered our sanitary system). So, I know some people are like what's wrong with that, it's out of sight and under my feet so what right! Well, the problem is we have no place to put it, so every time we get heavy rain, we have to do what is called a bypass which means we dump raw sewage into the Shenandoah River. Every year we put millions of gallons of sewage in our river, in 2018 alone we dumped 35 million gallons of raw sewage into the Shenandoah... this has got to stop! DEQ is going to make it stop and you're not going to like the price tag or the tax increase to pay for it.*

*The Town of Front Royal just spent 43 million dollars, a few years ago, to revamp our sewer treatment plant, but unless we fix the inflow it's not going to help. Council directed the Town Manager to propose an aggressive plan to fix our infrastructure that includes spending 8 million dollars to fix our crumbling sanitary system. We will be spending 4.8 million dollars to pave our deteriorating streets and sidewalks. So, it goes without saying, you want to fix the aging water lines before you put down new roads and sidewalks, so we will use 2.8 million dollars of enterprise funds to make these repairs. Then there's the really big-ticket item - 12 million dollars to build a second water line in the north corridor. Do any of you know what will happen if there's a water break under the bridge? Do you know how long commercial and industrial businesses could be out of water? I'm practically scared to death just thinking about it. And we have a business that will pay 3.5 million dollars and with their increased rates, we have been told by engineers, that this one business will pay for the line over time.*

*It is my belief that council always looks for ways to save money, by making government more efficient. I asked the Town Manager to take a hard look at the budget and make enough cuts to be able to pay for our infrastructure repairs and balance our budget without a tax increase, because I don't want to raise taxes on our citizens. I want to thank Town staff for meeting our objectives.*

Councilman Thompson – Ms. Thompson responded and clarified the following comments made tonight: 1) Everyone on Council voted against the water except one member; 2) Ms. Gabbert's FOIA request is ready; and 3) Gazebo Nights bring people downtown and visiting businesses. She noted that what she gathered by the comments tonight regarding the proposed budget is the outsourcing of Tourism and she agrees with a suggestion to keep Tourism in-house and that it be reflected in this year's budget.

Councilman Meza – Mr. Meza voiced disappointment on the dismissal of all constituents that took the time to attend and speak at the meeting tonight and unfortunately didn't get to hear the information that could alleviate some of their concerns. He explained that the total compensation for the previous Town Manager was over \$200,000 (including benefits) and the current Interim Town Manager is \$150,000 with no benefits. The figure of \$385,000 in the proposed budget is for total staff for that department. He welcomed anyone that would like to discuss this item with him further.

He suggested that Chris Ramsey's request be placed on the next Work Session. He thanked Mr. Ramsey for his patience.

Mr. Meza reminded the public that the Council came to the same conclusion on what's better for Front Royal. He noted his vote of confidence and integrity for each member on Council and that an unanimous conclusion makes a statement.

For the record, Mr. Meza noted that his integrity was important to him. His response was regarding a statement made tonight. He explained that statements that are completely contrary to the truth, the opposite to that truth would be a lie; therefore, when a unanimous Council states that a particular issue was discussed, and one individual comes out and states something to the contrary, a clarification of fact is necessary.

Mr. Meza thanked Councilman Gillispie for his summary tonight. He expressed that the stance and priority for Town Government is to promote public health, safety and infrastructure.

Councilman Holloway thanked Councilman Gillispie for his comments. He advised that it had been ten years since he was on Council and noted that I & I issues, infrastructure and water lines were discussed at that time with nothing being accomplished. He reiterated that if that water line breaks the businesses in the corridor will be without water in a short amount of time.

Mr. Holloway expressed the changes over the years with the introduction of social media and the ability for social media to “crucify” and threaten Town Council. He noted that being on Council was a thankless job.

Mr. Holloway invited the public to upcoming meetings where the budget will be discussed and encouraged them to voice their concerns during those times. He voiced appreciation for the comments tonight especially the ones involving outsourcing Tourism.

Vice Mayor Sealock noted that when he joined Council three years ago his objective was a new facility for the Police Department. Now, he explained his focus is infrastructure to include not only water and sewer lines but streets, curb, gutter and sidewalk. He further explained that after two years of discussing the crumbling infrastructure it was time to plan to do something.

Councilman Cockrell thanked everyone who attended and spoke tonight. She noted the amount of feedback she has been receiving from the community and encouraged the public to continue their comments either by speaking at a meeting or by email. She reiterated the comments made by Councilman Holloway and voiced disappointment from the comments relayed on social media to burn down Council’s homes and break-into their homes and vehicles. She expressed hope that this would not continue to happen.

### **Report of the Mayor**

Mayor Tewalt thanked everyone who attended tonight’s meeting and reminded them that there would be a public hearing where their views could be heard and that the proposed budget is available to the public. He encouraged the public to ask questions to the Council or the Interim Town Manager at any time.

### **Proposals for addition/deletion of items to the Agenda**

*1) Councilman Thompson moved, seconded by Councilman Gillispie to add an item to the agenda: a Resolution for the Town of Front Royal to be a Second Amendment Sanctuary and for that Resolution to mirror Warren County’s Resolution that was approved December 10, 2019*

Mayor Tewalt clarified that the Resolution to add would remove it from the work session immediately following this Regular Meeting.

Vote: Yes – Sealock, Cockrell, Gillispie, Holloway, Meza, and Thompson  
No – N/A  
Abstain – N/A  
Absent – N/A  
*(Mayor Tewalt did not vote as there was no tie to require his vote)*

2) *Councilman Gillispie moved, seconded by Councilman Meza to add an item to the agenda: a FY20 Budget Amendment for Donation of Scholarship Money*

Vote: Yes – Sealock, Cockrell, Gillispie, Holloway, Meza, and Thompson  
No – N/A  
Abstain – N/A  
Absent – N/A  
*(Mayor Tewalt did not vote as there was no tie to require his vote)*

**CONSENT AGENDA ITEMS - NONE**

**COUNCIL APPROVAL** – Executive Search Firm

*Councilman Cockrell moved seconded by Vice Mayor Sealock that Council approve a Contract for Services from Baker Tilly as the Executive Search Firm to assist Council in selecting the next Town Manager in the amount of \$24,500. I further move to direct the Town Manager to execute all documents.*

Councilman Gillispie advised that Baker Tilly was at the top of Council’s list, noting that while they were not the lowest bid they offered a two-year warranty to include that after the contract is signed and the new Town Manager leaves due to resignation or dismissal by Council, they were to begin the search over again. Councilman Thompson noted that Interim Town Manager Tederick did not select the firm and that Council plans to get community involvement in the interview process.

Vote: Yes – Sealock, Cockrell, Gillispie, Holloway, Meza, and Thompson  
No – N/A  
Abstain – N/A  
Absent – N/A  
*(Mayor Tewalt did not vote as there was no tie to require his vote)*

**COUNCIL APPROVAL** – Resolution Declaring the Town of Front Royal to be a Second Amendment Sanctuary

*Councilman Meza moved, seconded by Councilman Holloway to approve the Second Amendment Resolution as presented.*

Councilman Gillispie voiced his support of the Resolution with every citizen’s right to keep and bear arms and to let the General Assembly and the Governor know that we will not let them “strip” our second amendment rights from us. Councilmen Meza and Thompson thanked Mr. Aldrich for bringing the Resolution to their attention.

Vote: Yes – Sealock, Cockrell, Gillispie, Holloway, Meza, and Thompson

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Tewalt did not vote as there was no tie to require his vote)

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**RESOLUTION**

**Of the Town Council of the Town of Front Royal, Virginia declaring the Town of Front Royal to be a Second Amendment Sanctuary**

**WHEREAS**, the Constitution of the United States is the supreme law of the United States; and

**WHEREAS**, the Second Amendment to the United States Constitution states, "a well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed".

**WHEREAS**, the U.S. Supreme Court found in Miranda v. Arizona, 384 U.S. 436 (1966), that, "where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them".

**WHEREAS**, the U.S. Supreme Court in the District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed that the Second Amendment right to keep and bear arms is not connected in any way to service in a militia.

**WHEREAS**, the U.S. Supreme Court in United States v. Miller, 307 U.S. 174 (1939), stated that firearms which are part of ordinary military equipment that could contribute to the common defense and are protected by the Second Amendment.

**WHEREAS**, the Fourteenth Amendment to the United States Constitution states, " no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws".

**WHEREAS**, the U.S. Supreme Court in McDonald v. City of Chicago, 561 U.S. 742 (2010), affirmed that a person's rights under the Second Amendment to the United States Constitution to "keep and bear arms" is further secured by the "Due Process" and specifically the "Privileges and Immunities" clauses of the Fourteenth Amendment of the Constitution. This decision further protects rights closely related to the Second Amendment rights, specifically the right to manufacture, transfer, purchase, and sell firearms, related accessories, and ammunition.

**WHEREAS**, the Tenth Amendment to the United States Constitution states, "the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the States respectively, or to the People".

**WHEREAS**, the U.S. Supreme Court held in Printz v. United States, 521 U.S. 898 (1997), that the Federal government cannot compel law enforcement officers of the States to enforce federal laws, as that would increase the power of the Federal government beyond that which the Constitution intended.

**WHEREAS**, Article I, Section 13, of the Constitution of Virginia states: "That a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in

time of peace, should be avoided as dangerous to liberty; and in all cases the military should be under strict subordination to, and governed by, the civil power."

**WHEREAS**, Town Council of the Town of front Royal expresses opposition to any law, or any interpretation of law, that would unconstitutionally restrict the rights of the citizens of the Town of Front Royal to keep and bear arms; and

**WHEREAS**, certain legislation may be introduced in the Virginia General Assembly, and certain legislation may be introduced in the Congress of the United States could have the effect of infringing on the rights of law-abiding citizens to keep and bear arms, as guaranteed by the Second Amendment to the United States Constitution and Article I, Section 13 of the Constitution of Virginia.

**NOW THEREFORE, BET IT RESOLVED** by the Town Council of the Town of Front Royal that the Town of Front Royal, Virginia is hereby declared to be a Second Amendment Sanctuary Town in order to preserve for the People of, on, and in the Town of Front Royal their rights guaranteed by the Constitutions of the United States of America and of the Commonwealth of Virginia; and

**BE IT FURTHER RESOLVED** that the Town Council of the Town of Front Royal hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms as secured by the Constitutions of the United States of America and of the Commonwealth of Virginia.

**FURTHER, BE IT RESOLVED** that the Town Attorney is hereby further directed to take all lawful, necessary, and appropriate actions to enforce and carry out this Resolution.

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**COUNCIL APPROVAL** – FY20 Budget Amendment for Donation of Scholarship Money

*Councilman Gillispie moved, seconded by Vice Mayor Sealock to approve a budget amendment of \$500.00 to accept an anonymous donation to be used for a Town Scholarship in the FY19-20.*

Interim Town Manager Tederick advised that the Town had already budgeted for (2) two scholarships for \$500.00 each and this donation will enable three (3) \$500.00 scholarships. He publicly thanked the anonymous donor for his generosity.

- Vote: Yes – Sealock, Cockrell, Gillispie, Holloway, Meza, and Thompson
- No – N/A
- Abstain – N/A
- Absent – N/A
- (Mayor Tewalt did not vote as there was no tie to require his vote)*

*Councilman Meza moved, seconded by Councilman Holloway and Mayor Tewalt declaring the meeting adjourned at 9:19pm with the cancellation of the Work Session that was to follow*

*Vote: Unanimous*

Respectfully Submitted by Tina Presley, Sr. Executive Assistant  
Approved by Council February 24, 2020