

**MINUTES OF TOWN COUNCIL MEETING HELD  
THURSDAY, OCTOBER 8, 2009 – 7:00 P.M.  
COLONIAL BEACH TOWN CENTER**

<b>MAYOR:</b>	<b>FREDERICK C. RUMMAGE</b>
<b>VICE MAYOR:</b>	<b>TRISH KING</b>
<b>COUNCIL:</b>	<b>DAVID COOMBES</b>
	<b>BURKETT LYBURN</b>
	<b>STEPHEN KENNEDY</b>
	<b>KAREN PAYNE</b>
	<b>RONALD RIDGELY</b>
<b>TOWN MANAGER:</b>	<b>VAL FOULDS</b>
<b>TOWN ATTORNEY:</b>	<b>ANDREA ERARD</b>
<b>CHIEF FINANCIAL OFFICER:</b>	<b>JOAN GRANT</b>
<b>TOWN CLERK:</b>	<b>BARBARA GOFF</b>

**PRAYER:**

Let us Pray. We thank you for this day and thank you for your presence here with us tonight. We ask your guidance upon this meeting so that the needs of our community will be met and for your blessing on all the citizens of the Town.

**PLEDGE OF ALLEGIANCE:**

I Pledge Allegiance to the flag of the United States of America and to the republic for which it stands, one Nation under God indivisible with liberty and justice for all.

**CALL TO ORDER:**

Mayor Rummage called the regular meeting of Town Council to order at 7:00 p.m.

**ROLL CALL OF MEMBERS:** Mr. Ridgely, Ms. Payne, Mr. Coombes, Ms. King, Mr. Kennedy, Mr. Lyburn and Mayor Rummage.

**ANNOUCEMENT OF ABSENCES:** Everyone present for the meeting.

**ADDITIONS TO THE AGENDA:** There were no additions to the agenda.

**APPROVAL OF THE AGENDA:** Motion was made by Ms. Payne to approve the agenda, second by Ms. King. With no objection from Town Council, the agenda was approved. **Motion Carried.**

**APPROVAL OF THE MINUTES:** Motion was made by Mr. Lyburn to approve the minutes of the Special Meeting of Wednesday, March 25, 2009 and the regular meeting of Thursday, September 10, 2009, second by Ms. Payne. With no objection from Town Council the minutes were approved as presented. **Motion Carried.**

**PRESENTATIONS:**

Dr. Power, Superintendent of Colonial Beach Schools and several 5<sup>th</sup> grade elementary students presented a “Moment in Time in Colonial Beach”.

### **CITIZEN INPUT:**

Mayor Rummage reminded the audience that the Town Council does not answer questions during Citizen Input.

### **VERA AYRES – 226 LOCUST AVENUE**

Ms. Ayres stated the Rescue Squad and Lions Club had two delicious dinners. People don't support them. I was at both and only a very few people showed up. At last month's meeting, I was very upset that Mayor Rummage took time out of the meeting to complain about a Council member and the Town Attorney. That should have been taken up in executive session with only the people who were involved. The Mayor's job is to keep order and run the Council meeting and not to voice your opinion. It was not appropriate to allow the people from Santa Maria to speak at public comment. You promised to have the dirt roads paved when you were elected. That is not true, you had people campaigning for you and they came around asking me to vote for you. I told them no, so then they said you were going to have our roads paved. I told them I knew people at VDOT, I know Steve very well and he told me that it would be 2010 or longer. It was inappropriate the way things happened last month.

### **WALTER KERN – COLONIAL BEACH FIRE DEPARTMENT**

Mr. Kern reporting for the fire department stated for the month of September there were a total of 49 responses, 33 EMS, 8 fires, 4 accidents and 4 public service calls. On the 13<sup>th</sup> of October, we have 9 people taking their EMT tests which is about 4 ½ to 5 hours long. Out of the 9 who are taking it, 7 of them are junior firefighters and they are high school students. We do have smoke detectors for no charge to the public. All we ask that you call the station and someone will be there within 48 hours to do the inspection. We also have the 911 signs. They are helpful at night time because they are reflective. The Chamber of Commerce has a fishing tournament in November and the fire department has one the following week. We ask that people support those two tournaments. The King George Festival is this weekend and I just want to remind people that traveling on Route 3 may be difficult. I just put in a work request to the Town regarding the fire hydrants mainly to make sure that the weeds are trimmed and that there are no holes that we can slip into.

### **CHARLIE ROBERTSON – COLONIAL BEACH VOLUNTEER FIRE DEPARTMENT**

Mr. Robertson stated this is Fire Prevention Week. Some of you may have gotten returns from your children in the schools from us having visited or from already visiting the fire station. Tomorrow we are going to the elementary school to continue our public education program. This is also the week that we memorialize fallen firefighters, those who have been killed in the line of duty over the last year. In Emmetsburg, Maryland what used to be the original St. Mary's College, is the National Fire Academy and on its ground an area has been set aside for the Walk of Honor which is made up of bricks and the remains of those who have lost their lives and people who have contributed to the academy. Historically it evolved because the cow that kicked over the lantern started the Great Chicago fire. As a trained fire service instructor this is a very important time and we rely most heavily on your schools. The kids are willing to listen to

us and hear what we have to say about fire safety. We are going to change the focus over the next year and add to that some components that address the adult population that are in living assisted programs. We remind you to check your chimneys before you burn fires through the winter.

### **LUKE SYDNOR – 215 BALL STREET**

Mr. Sydnor stated last month when I was here, certain comments were made about the piers and fishing. I did a little bit of homework last month. I was raised here and we were told when we were going downtown to the Boardwalk, “we will meet you in an hour at the big Town pier”. That was our main focal point for our parents, sisters and brothers. It is really our Colonial Beach Municipal Pier. At that time the pier was 555 feet and the Washington Monument is 555 feet five inches. With all of the storms over the years, the pier now measures 460 feet. We are advertising to come to Colonial Beach by car or by boat. We do have some new festivities and new establishments on the Boardwalk. I would like to see us do a little more to the pier. On the north side we have an existing pier and it is 90 feet 10 inches and 10 feet 9 ½ inches wide. We could extend that to 146 feet 8 inches and it would give a total of 237 feet on the north side which would be an extension and put a new one on the south side, 237 feet 6 inches. I talked to Pete Fahrney, and he told me there is still grant money available. It will probably be available for 6 months if we could get things rolling. I talked to some construction people about the north side, we would have to add approximately 15 new pylons and on the south side. We would have to add 24 new pylons. They would be tied into the existing pylons and cost \$400 each. The 39 pylons would cost \$15,600. It doesn’t include any of the bracing or decking or tie in boards. They will all be tied into the pier. We talked about moving the fishing pier. If we could put a pier at the Point 100 foot out with an 80 foot “t” on it coming off the rocks . . . The Town put a building down on the Point and they did a great job, but please put our Town seal on the door so the people know it is the property of the Town of Colonial Beach. Let’s be proud of what we have.

With no further citizen input, this portion of the meeting was closed.

### **UNFINISHED BUSINESS:**

There were no issues to discuss in unfinished business.

### **NEW BUSINESS:**

#### **HALLOWEEN PROCLAMATION:**

**WHEREAS**, Saturday, October 31, 2009 is Halloween; and

**WHEREAS**, large numbers of children are expected to be “trick or treating” on Halloween; and

**WHEREAS**, the Town is concerned for the safety of children.

**BE IT HEREBY PROCLAIMED**, that the interest of safety “trick or treating” should be carried out on Saturday, October 31, 2009.

**BE IT FURTHER PROCLAIMED**, that all adults are urged to watch out for the safety of children “trick or treating” for Halloween.

**BE IT FURTHER PROCLAIMED**, that all drivers operate their vehicles in a careful and cautious manner.

**BE IT FURTHER PROCLAIMED**, that “trick or treating” be limited to the hours of 5:00 p.m. until 8:00 p.m.

**BE IT FURTHER PROCLAIMED**, that all parents are urged to keep a careful eye on the children while “trick or treating” and that they check their children’s candy for safety.

**BE IT FINALLY PROCLAIMED**, that all children and their parents have a happy and safe Halloween.

**FREDERICK C. RUMMAGE, MAYOR**

Motion was made by Ms. Payne to adopt the Halloween proclamation, second by Mr. Lyburn. Mr. Ridgely **aye**, Ms. Payne **aye**, Ms. King **aye**, Mr. Coombes **aye**, Mr. Lyburn **aye**, Mr. Kennedy **aye**, Mayor **aye**, motion carried and the Halloween Proclamation was adopted. **Motion Carried.**

**PUBLIC HEARING:**

**LEASE OF BUILDING AT 106 HAWTHORN STREET TO THE CHAMBER OF COMMERCE**

**LUKE SYDNOR – 215 BALL STREET**

Mr. Sydnor stated last month I brought up the subject of non-profit organizations renting Town property. If you look at the fee of \$500.00 that is a \$1.37 which is less than a half a pack of cigarettes and what a half a gallon of gas will cost. The free ride is behind us. I am glad to see us coming into the 20<sup>th</sup> Century. I am glad to see we are putting that \$10.00 figure to sleep. As a lot of non-profit organizations realized the Town of Colonial Beach does a lot for them. We have had non-profit organizations leave the Town and go out in the suburbs and have functions and realize when they had to pay to have those functions at other locations, they came back very quickly to the Town of Colonial Beach. I am glad to see we are going to step up to bat and do away with no more free rides and everybody pays their fair share. I think we should get the same thing going for Town Hill to the organizations that use it. The Triathlon comes here every year, we have the police, fire, rescue and turn the streets over to them, help them do a lot of things – these people should be made to pay for a permit for their function. It should be a fee adopted put in that permit so that they are picking up some of the burden it is costing us, the taxpayers, for these functions to go on.

**MARGARET MCMULLEN – 615 WASHINGTON AVENUE**

Ms. McMullen stated Mr. Sydnor made some good points. I hope whatever people obtain to use public facilities will at least cover the maintenance and repairs. My understanding is when we relocate public buildings, or change the use of the public buildings, according to the State Code it needs to go to the Planning Commission before it comes to Council. We have had several moves lately and being on the Planning Commission, I am aware that they did not go before the Planning Commission. Before we continue to possibly break the State Code rules, I would appreciate you looking into it.

With no further public comment, this portion of the public hearing was closed.

Ms. Payne asked Ms. Erard to research Ms. McMullen’s comments.

**AGENDA - #77-09**

**RESOLUTION – LEASE OF BUILDING AT 106 HAWTHORN STREET TO CHAMBER OF COMMERCE**

**WHEREAS**, the Town of Colonial Beach has conducted a duly advertised public hearing at a regular meeting on October 8, 2009 to receive comments on a lease proposal for Town owned property at 106 Hawthorn Street; and

**WHEREAS**, the Town Council wishes to continue its support for the business community; and

**WHEREAS**, the Town requested that the Town Manager work with the President of the Chamber of Commerce to relocate their operation.

**THEREFORE BE IT RESOLVED**, that the Town Council authorizes the Town Manager to execute a lease for a term of five years for an amount of \$500 annually.

Motion was made by Ms. Payne to approve, second by Mr. Ridgely.

With no discussion on Resolution, #77-09, Mayor Rummage called for a vote. Mr. Lyburn **aye**, Mr. Kennedy **aye**, Ms. King **aye**, Mr. Coombes **aye**, Ms. Payne **aye**, Mr. Ridgely **aye**, Mayor **aye**, motion carried and the **Lease of the Building at 106 Hawthorn Street to the Chamber of Commerce was Approved. Motion Carried.**

**AGENDA - #78-09**

**RESOLUTION – AMENDMENT TO THE FISCAL YEAR 2010 BUDGET APPROPRIATIONS**

**BE IT RESOLVED**, that the Town Council meeting in regular session, Thursday, October 8, 2009 hereby amends the FY 2010 Budget Appropriations as follows:

	FY 2010 Approved	FY 2010 Revised	Change
General Fund	\$5,251,241	\$5,259,045	\$7,804
		Sale of Town Property – Adjusted Net	

Motion was made by Mr. Ridgely, second by Ms. Payne.

With no discussion on Resolution - #78-09, Mayor Rummage called for a vote. Mr. Ridgely **aye**, Ms. Payne **aye**, Mr. Coombes **aye**, Ms. King **aye**, Mr. Kennedy **aye**, Mr. Lyburn **aye**, Mayor **aye**, motion carried and the **Amendment to the Fiscal Year 2010 Budget Appropriations was Approved. Motion Carried.**

**AGENDA - #79-09**

**RESOLUTION – APPROVAL OF FUNDING FOR AMERICAN POWER BOATING ASSOCIATION EVENT**

**WHEREAS**, the Colonial Beach Town Council has agreed to provide the financial support requested by the Chamber of Commerce for the 2010 American Power Boating Association (APBA) Watercross Tour; and

**WHEREAS**, the event site is expected to be the Town of Colonial Beach.

**NOW THEREFORE BE IT RESOLVED**, that the Town Council in regular session on October 8, 2009 authorizes the Town Manager to encumber \$5,000 from the line item number 011010 5836 Council Contingency for this event.

Motion was made by Mr. Lyburn to approve, second by Mr. Kennedy.

Mr. Kennedy stated the committee met last night to organize this activity. Last night we talked about the logistics and who is going to handle what. We talked about some of the services that were going to be needed, police, trash pickup. Mr. Geddes said this event will be treated the same way as the Potomac River Festival. The Chamber will be putting out the trash cans and be responsible for that. There was a lot of discussion of where it was going to be held, what part of the river, none of that has been cast in concrete, we are still talking about it. Major Blevins joined us last night from a police viewpoint. We don't see it being anymore crowded for this event as the Potomac River Festival has been in the past – estimated from 5,000 to 8,000 people. This can be a big draw for the Town. The County has already authorized by letter the \$5,000 to be paid to the Chamber. There has also been a press release that has gone out, a National press release naming us as one of the sites for the National Forum. We think this is a great opportunity to showcase this Town and the County. We are hoping that it will get big. There is a big following for this type of sport. It could have a lot of residual positive effects economically. We will be looking for volunteers to do things. I am asking this Town to support it financially.

Mr. Lyburn asked Mr. Geddes with the number of people coming into Town, has an area been set aside to stage everything?

Mr. Geddes responded that would be done when we realize we are actually going to have this event. In November, the President of the APBA will be in Town and addressing some concerns about the location they were going to originally stage it. They were talking about some sunken pilings. Once we actually pick out the site which may be moved down a little bit further, then we will be able to figure out the staging areas.

Mr. Lyburn responded we don't want parking in the citizen's front yard.

Mr. Geddes stated we will probably want to utilize Town Hill and the property in front of Town Hill between the Days Inn and the Riverboat. The event is a two day event and they will be coming into Town on Thursday starting to set up at noon and work until 7:00, be here on Friday from 8 to 5, and the event starts on Saturday and runs Saturday and Sunday. It is a two day event.

With no further discussion on Resolution - #79-09, Mayor Rummage called for a vote. Mr. Ridgely **aye**, Ms. Payne **aye**, Mr. Coombes **aye**, Ms. King **aye**, Mr. Kennedy **aye**, Mr. Lyburn **aye**, Mayor **aye**, motion carried and the **Approval of the Funding for the American Power Boating Association Event was Approved. Motion Carried.**

Ms. Payne stated for quite awhile we have a lot of discussion about the paving of the roads in Riverside Meadows. After researching the possibilities of creating a Service District in that area

this subject will be coming up for discussion at the next Public Works Committee Meeting. Anyone interested could attend the meeting.

Mr. Roberson stated the County voted on the personal property tax rate. There are no changes. There is no charge in the County under \$1,000 for a personal vehicle. Because of the Gilmore no car tax, we do get State money for that. This year we will probably offset the actual cost by 51% which is up considerable from last year. If you own a car over \$20,000 then you will pay. There will be a little bit of a break between \$1,000 and \$20,000. You have your own tax rate.

**CLOSED MEETING:**

Mayor Rummage called for a motion to convene to Closed Meeting pursuant to Virginia Code Section 2.2-3711 (A) (1) for the discussion of salaries, contracts and compensation of the Town Manager, Police Chief and Chief Financial Officer.

Motion was made by Mr. Kennedy, second by Mr. Lyburn. Mr. Lyburn **aye**, Mr. Kennedy **aye**, Ms. King **aye**, Mr. Coombes **aye**, Ms. Payne **aye**, Mr. Ridgely **aye**, Mayor **aye**, motion carried and the Town Council convened to Closed Meeting pursuant to the appropriate codes. **Motion Carried.**

Mayor Rummage called for a motion to reconvene to open meeting.

Motion was made by Ms. King, second by Mr. Lyburn. Mr. Ridgely **aye**, Ms. Payne **aye**, Mr. Coombes **aye**, Ms. King **aye**, Mr. Lyburn **aye**, Mr. Kennedy **aye**, Mayor **aye**, motion carried and the Town Council convened to open meeting. **Motion Carried.**

Mayor Rummage called for a motion to certify that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the meeting by the Council.

Motion was made by Mr. Ridgely, second by Ms. Payne. Mr. Lyburn **aye**, Mr. Kennedy **aye**, Ms. King **aye**, Mr. Coombes **aye**, Ms. Payne **aye**, Mr. Ridgely **aye**, Mayor **aye**, motion carried and the Town Council certified that only public business matters were lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed. **Motion Carried.**

**AGENDA - #80-09**

**RESOLUTION – AMENDMENT OF CONTRACT FOR TOWN MANAGER, CHIEF OF POLICE AND CHIEF FINANCIAL OFFICER**

**WHEREAS**, the Colonial Beach Town Council desires to be in conformity with the Code of Virginia 15.2-1503; and

**WHEREAS**, all current contracts between the Town of Colonial Beach and its contracted employees have an expiration date.

**NOW THEREFORE BE IT RESOLVED**, that the Town Council meeting in regular session October 8, 2009 hereby approves three separate contract amendments dated October 8, 2009, for

the purpose of amending the employment contracts with the Town Manager, the Chief of Police and the Chief Financial Officer, so that all contracts shall be without definite terms.

Motion was made by Mr. Ridgely to approve, second by Mr. Kennedy. Mr. Ridgely **aye**, Ms. Payne **aye**, Mr. Coombes **aye**, Ms. King **aye**, Mr. Lyburn **aye**, Mr. Kennedy **aye**, Mayor **aye**, motion carried and the **Amendment of Contract for Town Manager, Chief of Police and the Chief Financial Officer was Approved. Motion Carried.**

**RECESS/ADJOURNMENT:**

Mayor Rummage called for a motion to adjourn the regular meeting of Town Council, Thursday, October 8, 2009.

Motion was made by Ms. Payne, second by Ms. King. Without objection, the regular meeting of Town Council was adjourned at 7:50 p.m., Thursday, October 8, 2009 at the Colonial Beach Town Center. **Motion Carried.**

Respectfully submitted:

Barbara A. Goff,  
Town Clerk

Frederick C. Rummage,  
Mayor