

**MINUTES OF TOWN COUNCIL MEETING HELD
THURSDAY, FEBRUARY 11, 2010 – 5:00 P.M.
COLONIAL BEACH TOWN CENTER**

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

PRAYER:

Let us Pray. We thank you for this day and we thank you for your presence here with us this afternoon. We ask your guidance upon this meeting so that the needs of our community will be met and for your blessings on all of 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 5:00 p.m. instead of 7:00 p.m. due to inclement weather.

ROLL CALL OF MEMBERS:

Present were Council Member Ridgely, Vice Mayor King, Mayor Rummage, Council Member Lyburn, Council Member Kennedy, Council Member Coombes.

ANNOUNCEMENT OF ABSENCES:

Council Member Payne would be delayed in attending the meeting.

ADDITIONS TO THE AGENDA:

Motion was made by Mr. Ridgely to add Resolution - #08-10 Amendment to Fiscal Year 2009 – 2010 Budget – General Fund to support a grant for police department equipment. Motion was made by Mr. Kennedy to discuss the committee meetings and their time schedule status.

APPROVAL OF THE AGENDA:

Motion was made by Mr. Ridgely to approve the agenda, second by Ms. King. Motion carried and the agenda was approved. *Ms. Payne was absent from the vote. Motion Carried.*

APPROVAL OF MINUTES:

Motion was made by Mr. Lyburn to approve the minutes of the regular meeting of Thursday, January 14, 2010, second by Mr. Ridgely. With no objection the minutes were approved as presented. *Ms. Payne was absent from the vote. Motion carried.*

PRESENTATIONS:

Mr. Roberson stated we had our meeting on Monday and we had the ninth presentation by Mr. Fred Pearson who is in charge of the company that is doing the re-assessments in the Town and the County, that not only you but I have griped about. My property went up 150% and I am not happy with that, but they are going back and reducing non-waterfront land values probably by 15%. As a Board Member we don't have anything to do with the assessment as they are presented to us and at that time we have the right to accept, reject or whatever. When we finally come up with some information or value, then we have to reduce the tax rate by that amount. The State of Virginia does not allow us to make more than 101% from what we did last year. We have to lower it to that rate. The problem I have with that is the people here in Colonial Beach, they receive an average. So if the lower end and all of the farm land didn't come up that high and we are usually higher, it always happens in Colonial Beach that when we set the lower tax rate, Colonial Beach will pay a tad bit more than the rest of the County. It always happens that way. I am fighting it but the law is very specific on what we can or can't do. If we drop it 10% and Colonial Beach is 12%, we will get a 2% increase around here. I am not saying that is the figure, I am just giving you an idea. Colonial Beach always goes up. We do have some areas like Westmoreland Shores and Coles Point who have dropped drastically because they now have sewer. As you know in Westmoreland Shores, there are lots that wouldn't perk and Placid Bay is another area, that wouldn't perk and only worth a couple of grand. Now they are worth \$20,000 because the sewer line is going right by. There are people out there who are going to get hit by this.

Mr. Coombes stated he didn't understand how you are getting the math behind Colonial Beach paying more than the County pays. You said if Colonial Beach is at 12%, what is 12%?

Mr. Roberson responded that the non-waterfront homes are at 106% of the market value, waterfront homes are at 94%, waterfront land is at 95%.

Mr. Coombes asked who determines those percentages?

Mr. Roberson responded the company we hired – Pearson. We determine what we are going to bring the rate down to.

Mr. Coombes stated when all is said and done it comes to the Board of Supervisors for approval.

Mr. Roberson agreed.

Mr. Coombes asked if the Board of Supervisors had the ability to equalize the percentages so that the Town doesn't pay more than the County? If so, why don't you do it?

Mr. Roberson responded we can't, it has to be lowered by State law which is very specific on what we can do. We can lower it, but it is an average at that point. We are usually a kick above the average.

Mr. Coombes stated that the percentages are unequal as far as Colonial Beach is concerned.

Mr. Roberson responded now Westmoreland Shores will be in there also.

Mr. Coombes stated the question is why?

Mr. Roberson responded the prices of our homes are usually higher and the rate goes up quicker. It was done 5 years ago when this started.

Mr. Coombes stated he didn't understand why the rate isn't applicable across the board regardless of the value of the homes.

Mr. Roberson responded it is the same rate across the board for the whole County, but our assessed values go up a little more so therefore you are going to pay a tad more usually. That is where the difference is.

Mr. Coombes stated the value of the homes and land in Colonial Beach is higher than the overall value of the land and homes in Westmoreland County.

Mr. Roberson agreed.

Mayor Rummage stated you also said when the Pearson Company makes a presentation, you can accept or reject or modify.

Mr. Roberson responded we can modify it some yes. They are supposed to assess the property at 100%. If we go below 70% by law you have to have another reassessment. We fell below the 70% last year when we went to 68% or 67%, which is why we had to do it. The State requires it.

Mayor Rummage asked based on the new proposed figures where does that put the County in position with this year for last year – revenue wise?

Mr. Roberson responded we are not supposed to make any more money this year than we did last year – 101% is the most and we will have to drop the tax rate down to adjust that and I believe you all have to do the same thing unless you have a tax increase, do a public hearing and everything else.

Mr. Kennedy stated that the two districts this will affect more than any other will be Washington District and the Cople District?

Mr. Roberson agreed because they have sewer lines.

Mr. Kennedy stated but you are telling me that Placid Bay Estates and Ebb Tide Beach will be affected even when the sewer line hasn't even gone in the ground yet.

Mr. Roberson responded there is some discussion on that. I was told that it would affect those areas, but now there is discussion of whether it will or not. The thing is within the year it will be available. What I think is going to happen in Placid Bay and Ebb Tide is that they won't be affected until the lot you want to buy, if that lot has sewer on it. At that time the assessed value will be affected.

Mr. Kennedy stated you also said the average sales price in the Town of Colonial Beach for 2009 which was the year they looked at, was between \$159K and \$199K. What was the assessed value the last time it was done?

Mr. Roberson responded he did not know and stated he would have to ask. The County doesn't do area by area. I have asked for Colonial Beach separately and have not gotten it and won't get it until they come up with some final figures.

Mr. Kennedy stated he went out of his way to point that out, which in itself told me that our values had dropped.

Mr. Roberson responded the whole County has dropped.

Mr. Kennedy stated he was concerned about the Town. From what I heard Mr. Pearson say, he was looking at a 21% increase overall as an average. That was his statement before the assessment actually came up.

Mr. Roberson responded several of us have gone down to talk to him about it.

Mr. Kennedy stated when I hear that ours is going to be more than somebody else's when our land values have gone down, it disturbs me.

Mr. Roberson stated everyone's land values have gone down.

Mr. Coombes stated what he is saying is that the building values have gone up.

Mr. Kennedy stated the building values have gone down, the land values went up.

Mr. Coombes asked what is the process if Pearson is going to lower them by 15%, what happens? What is Westmoreland County going to do in terms of the citizenry?

Mr. Roberson responded they will be notified of the new value.

Mr. Coombes stated then you will run the whole process again minus 15%.

Mr. Roberson stated Mr. Pearson is personally meeting the people. At the end of that, he will let those people know what their value is, if he has adjusted it or not adjusted it or whatever. At that point, then you have an Equalization Board that will meet. They are appointed by the judge, and they will sit there and listen to your case. If you are not happy with what Pearson did, then you go to these people.

Mr. Coombes stated then it must be an automatic thing for everyone in the County. Whoever wants to take advantage of the 15% or whatever it is, has to go before the Board of Equalization.

Mr. Roberson responded no, the 15% is across the board for non-waterfront property.

Mr. Coombes asked if the Board of Supervisors believes that some type of correction needs to be made.

Mr. Roberson responded wholeheartedly, every last one of them thinks it needs to be corrected.

Mr. Coombes asked because why? Is it over appraised?

Mr. Roberson responded you have people coming in with 400% increases. You have people who will tell you they can't sell their land or their house.

Mr. Coombes stated so there is no equivalence in terms of the Board of Supervisors? Something has to be done.

Mr. Roberson responded something is going to be done, yes. It is unfortunate, but he compared 08-09 prices of things. He had a bunch of 2008 prices of land and property, but he had very little of 2009 because there wasn't a whole lot moving last year. He told us he is having trouble adjusting accordingly. Now that he has done the first run, he realizes that he made a mistake and he is going to lower it.

Mr. Kennedy asked Ms. Grant how this affects us from what we have already done? If the reassessment is reassessed then other notices have to be sent out.

Ms. Grant responded it doesn't affect us at all. I don't get my information until October so they go through as many iterations as they want. I need to get the land book.

Mr. Roberson stated it is a nasty situation but we are rolling through it now.

Mayor Rummage asked Mr. Roberson to represent us well.

Mr. Roberson responded he was trying to get it down quite a bit. The last thing we have not heard from Ms. Foulds or Reid Engineering about the extension or if we can extend the sewer line out that way.

Ms. Foulds responded we are working on it and there are some expenses involved and it needs to be presented to the Budget Committee.

Mr. Coombes stated he did not know what Mr. Roberson was talking about.

Mr. Roberson stated we asked sometime back that we have a few people who want to hook up to the sewer line on Route 205.

Mr. Coombes stated you are talking about going towards Fredericksburg on Route 205?

Mr. Roberson agreed. There are a handful of people that would like to know if they could get the sewer line extended and get hooked up to it. They are beyond Shellfield Shores. At one time, my understanding was that the pump station wasn't big enough at the old Happy Clam. Mr. Murphy did tell me that it had been upgraded and should be able to handle it. One of the problems that you have is that you all have a huge amount per person in sewer capacity. You have to have that here in the Town because of your lines and infiltration that you have. The new lines going into the County doesn't have to be at the higher level because they are brand new pipes.

Mr. Coombes stated you just want to take a handful of homes and put them on our wastewater treatment plant capacity.

Mr. Roberson stated they will write you a check and they pay monthly or whatever.

Mr. Coombes stated it isn't that easy to get a check from the County.

Mr. Ridgely stated for the record, Ms. Foulds is working on that now.

Mr. Roberson stated we have one citizen whose septic is failing. Unfortunately you will find more of that out that way.

Mr. Coombes stated why don't you come to us and say let's do it all? Are we going to take it piecemeal down the road? I know it is money related.

Mr. Roberson stated you have some who don't want to fight it. There are some who are screaming and hollering down at Coles Point about extending the sewer line. That is the hardest thing to do. You have them screaming and hollering about ruining the farmland. Since we are taking it to Placid Bay, the lots that don't perk will now be able to be sold and houses be built on them. You don't have to mess with anyone's farmland. You keep your residential areas where the sewer line is. You keep your urban area growing and leave the farmland alone. Some people don't see it that way.

Mayor Rummage stated Dr. Power will not be here with the Scholastic Bowl Team.

Mr. Trivett was present but did not have any items to speak about.

CITIZENS INPUT:

MARGARET MCMULLEN – 615 WASHINGTON AVENUE

Ms. McMullen stated she just ran across this information today and was told when I went to Town Hall that children who cut grass in the summer, are required to get a business license. I don't know if that is true or if it applies to shoveling snow or raking leaves, but I would hope that this Council can reconsider and if it is absolutely necessary to ask the child to wait until they are 18 before getting a license when they are old enough to be considered an adult. Again, I cannot tell you how important I think this might be to our community and young people.

Mayor Rummage stated Ms. Payne joined the meeting at 5:20 p.m.

WALTER KERN – 813 ROOSEVELT COURT

Mr. Kern stated:

- Public Works Department should be commended on the outstanding job since Christmastime handling the snow
- House numbers are not visible – necessary for E911
- Smoke detectors – test or replace – call the fire station for questions – the signs are available at the firehouse and cost \$20 each. We will put them up for you
- EMS – during the daylight hours – 4 calls went out today, all EMS, all within 30 - 35 minutes of each other. Every one of them ended in Tappahannock or Mary Washington Hospital. I would encourage the County to try during the day time to see if they can get one more EMS squad set up somewhere within the County. It is killing the volunteers during the daytime.
- Fire hydrants need to be cleared in the snow

MIKE LOONEY – 3 MARSHALL AVE

Mr. Looney stated he is currently a member of the School Board but he was speaking as a private citizen and not speaking on behalf of the School Board or any other organization or any other individual. Mr. Looney pointed out when the auditor recently presented the financial report they mentioned that over the years, ending in Fiscal Year 2007 – 2008 the school system had incurred a liability to the Town of \$658,439.00. I want to point out to you that thanks to the efforts of everyone involved in the school system this past Fiscal Year – 2008 – 2009, the school system actually achieved a surplus of \$165,131. It broke the pattern of incurring a deficit every year and increasing its liability to the Town. The pattern was broken with the Fiscal Year 2008 – 2009. The second thing is by achieving that surplus, it reduced its liability to the Town from \$658,439 to \$494,308. This is a reduction in one year of 25% of the entire liability of the school system. I want to praise everyone involved in the school system for achieving that.

Mr. Ridgely commented we actually had five calls come in today in about a 30 minute period. Three had difficulty breathing and chest pains. One was a fall. Another one was a call down in Leedstown. We had every medic unit from the County up here including our volunteers. They transported four ambulances within a half hour period. We were still able to put two ambulances in the County while those four were up the road today. We don't always have that luxury, but we do what we can from this end. They hit right behind each other. There were two of them at one location. We had four up the road with all three paid trucks and one of our trucks and they turned around but we were still able to keep two staffed in the County. Walter is right it does strain you. It taps your resources to the hilt. I want to thank the fire department for their help. Nothing had been shoveled and we had to carry the people from the house and we even rolled the stretcher.

Mr. Roberson presented the County of Westmoreland Audit Report to the Town Manager and stated we got a clean bill of health on it.

UNFINISHED BUSINESS:

There were no issues to discuss in unfinished business.

NEW BUSINESS:

AGENDA - # 05-10

RESOLUTION – AUTHORIZATION OF TOWN OF COLONIAL BEACH TO SPONSOR THE COLONIAL BEACH HISTORICAL SOCIETY IN THE DEPARTMENT OF MOTOR VEHICLES' SPECIAL LICENSE PLATE DEVELOPMENT PROGRAM

WHEREAS, the Town of Colonial Beach recognizes the importance of promoting awareness of the Town both within the local community and beyond; and

WHEREAS, the Colonial Beach Historical Society desires Town sponsorship in the Department of Motor Vehicles' New Special License Plate Development Program; and

WHEREAS, the Colonial Beach Historical Society requests authorization to design a license plate which uniquely conveys the spirit of the Town.

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Colonial Beach hereby offers sponsorship to the Colonial Beach Historical Society and authorizes use of the Official Town Seal in connection with the New Special License Plate Development Program

BE IT FURTHER RESOLVED, that all fees, expenses, and labor associated with this program will be the sole responsibility of Colonial Beach Historical Society.

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

With no discussion on Resolution - #05-10, Mayor Rummage called for a vote. Mr. Coombes **aye**, Ms. Payne **aye**, Ms. King **aye**, Mr. Ridgely **aye**, Mr. Kennedy **aye**, Mr. Lyburn **aye**, Mayor **aye**, motion carried and the **Authorization of the Town of Colonial Beach to Sponsor the Colonial Beach Historical Society in the Department of Motor Vehicles' Special License Plate Development Program was Approved. Motion Carried.**

AGENDA - # 06-10

RESOLUTION – AUTHORIZATION FOR MAYOR AND TOWN MANAGER TO SIGN ON BEHALF OF THE TOWN OF COLONIAL BEACH APPROVING CHARTER CHANGE OF RAPPAHANNOCK REGIONAL CRIMINAL JUSTICE TRAINING ACADEMY

WHEREAS, the Town of Colonial Beach is a charter member of the Rappahannock Regional Criminal Justice Training Academy (the Academy); and

WHEREAS, the charter for the Academy is outdated and needs to reflect current State Code; and

WHEREAS, the Academy requires three-fourths of its membership to agree to the change.

NOW THEREFORE BE IT RESOLVED, that the Colonial Beach Town Council authorizes the Mayor and the Town Manager to sign on behalf of the Town to approve the charter change for the Academy.

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

Chief Hawkins stated this is to bring things into conformance with the changes in State law and bringing them more current where they can operate within legal parameters and make it easier for them to operate in general with the configuration of the Board right now. We are a Charter Agency and one of about 20 agencies of about 40 that are not. They have had two thirds of their Council membership approve a resolution in order to change our by-laws.

Mr. Roberson stated the County just passed the same thing on Monday. We are a Charter member.

With no further discussion on Resolution - #06-10, Mayor Rummage called for a vote. Mr. Ridgely **aye**, Ms. Payne **aye**, Mr. Kennedy **aye**, Mr. Lyburn **aye**, Mr. Coombes **aye**, Ms. King **aye**, Mayor **aye**, motion carried and the **Authorization for Mayor and Town Manager to Sign on Behalf of the Town of Colonial Beach Approving Charter Change of Rappahannock Regional Criminal Justice Training Academy was Approved. Motion Carried.**

AGENDA – #07-10

RESOLUTION –REAPPOINTMENT TO THE COLONIAL BEACH PLANNING COMMISSION

WHEREAS, Mr. Kent Rodeheaver’s term on the Colonial Beach Planning Commission expired January 30, 2010; and

WHEREAS, Mr. Rodeheaver has expressed a desire to serve once again on the Planning Commission.

BE IT FURTHER RESOLVED, that the Town Council meeting in regular session, Thursday, February 11, 2010 hereby reappoints Mr. Rodeheaver to another four year term; such term expiring January 30, 2014.

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

With no discussion on Resolution - #07-10, Mayor Rummage called for a vote. Mr. Coombes **aye**, Mr. Kennedy **aye**, Ms. King **aye**, Mr. Lyburn **aye**, Ms. Payne **aye**, Mr. Ridgely **aye**, Mayor **aye**, motion carried and the **Reappointment of Mr. Rodeheaver to the Colonial Beach Planning Commission was Approved. Motion Carried.**

AGENDA - #08-10

RESOLUTION – AMENDMENT OF FISCAL YEAR 2009-2010 BUDGET – GENERAL FUND

NOW THEREFORE BE IT RESOLVED that the Town Council meeting in regular session, Thursday, February 11, 2010, hereby adopts an amendment to the Fiscal Year 2009-2010 budget as follows:

	FY 2009 – 2010	FY 2009 – 2010	Change
	Approved	Revised	
General Fund	\$5,259,045	\$5,263,028	+ \$3,983 (1,2)

Notes:

- (1) The increase of \$3,983 results from an Anti-Gang grant awarded to the Police Department to support equipment purchases;
- (2) Funds will be identified in the revenue line item 3-100-024010-0009 Anti-Gang Subgrant

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

Mr. Ridgely stated this resolution brings the \$3,983 grant into the budget.

With no further discussion on Resolution - #08-10, Mayor Rummage called for a vote. Mr. Lyburn **aye**, Ms. Payne **aye**, Mr. Ridgely **aye**, Mr. Coombes **aye**, Mr. Kennedy **aye**, Ms. King **aye**, Mayor **aye**, motion carried and the **Amendment to the Fiscal Year 2009 – 2010 Budget – General Fund was Approved. Motion Carried.**

COMMITTEE MEETING DISCUSSION:

Mr. Kennedy stated that Ms. Payne requested since her job now will be a full time job to have adjustments done to the committee meetings which are now on the last Thursday of each month starting at 3:00 p.m. with the last one starting at 6:00 p.m.

Ms. Payne stated her thought was after talking with other Council Members about this to move the Public Works Committee Meeting of which I am the Chair, to the 3rd Thursday of the month. I am particularly interested in continuing with the Budget Committee, I asked if the other members of the Budget Committee would be amenable to change that time as well to the 3rd Thursday of the month. I guess we need to do this by resolution at the next

meeting. That is what I am requesting is for the Public Works Committee Meeting to be moved to the 3rd Thursday of the month starting at 6:00 p.m. and the Budget Committee to begin immediately afterwards.

Mr. Kennedy asked if the Economic Development Committee and Public Safety Committee would stay on the schedule we have now?

Ms. Payne responded that was her idea and that way it would split it up so we don't have back to back meetings and also having these two meetings in the evenings allows the public more access to come in and provide input.

Mr. Kennedy asked Mr. Lyburn and Ms. King if they would like to adjust the time schedule to allow the same thing on the last Thursday of the month instead of having to start at 3:00 p.m.?

Ms. King stated Economic Development starts at 5:00 p.m.

Mr. Coombes stated as I think about it, that takes every Thursday night of meetings in a month for staff. No one is considering the staff time. The first Thursday is the Planning Commission which all of the staff attends including the Town Manager. The second is this meeting. The third is where we are now with the committee meetings and now we are talking about a 4th. I think we should in some fashion work it out so that for staff it is not all four Thursdays in the month. It is too much on the staff. We can ask the Town Manager but the situation is such that surely we can find a way to accommodate Ms. Payne. I think the Planning Commission is such that staff simply has to be there. We should think about some innovative way to marry this and accommodate Ms. Payne.

Mayor Rummage stated our legal counsel will prepare the resolution for us and our Town Manager is readily available at all times day and night.

Mr. Kennedy stated why don't we move all of the committee meetings to the 3rd Thursday?

Mr. Coombes stated Ms. Payne said she needed to be available at 6:00 p.m. not earlier in the day. Mr. Lyburn has the same problem. I don't have a problem with starting at 4:00 p.m. or 5:00 p.m. and running to 7:00 p.m.

Mayor Rummage stated when you think in terms of the staff, staff is entitled to leave normally at 4:30 p.m. which normally doesn't include the leader.

Ms. Payne stated if we want to go that route, then we can keep it on the current day, just rearrange the time schedule. I can be available by 5:30 p.m.

Mayor Rummage stated let's work out the details.

Mr. Looney stated back in August the School Board asked this Town to approve \$102,000 in carryover funds from last year which is in addition to the \$165,000 that I mentioned

earlier. The Council deferred that decision until after the audit report was made. When the audit report was recently made, the Superintendent once again asked the Town to approve those carryover funds. I think the Town said they would wait until the next meeting. This is the next meeting.

Mr. Ridgely stated the auditor said there wasn't a carryover. Those funds do not get carried over. I thought she said that in her presentation.

Mr. Trivett stated those Federal Funds have to be carried over.

Mr. Ridgely asked the Clerk to review the minutes of the audit meeting for clarification.

Mr. Looney stated the minutes from the meeting should say that the Council would act on this request. The Superintendent made the request after the auditor's report was made so I wouldn't think the Superintendent would request something that the auditor had specifically ruled out.

Mr. Ridgely stated the auditor was pretty emphatic about it. We will look at it.

CLOSED MEETING:

There were no issues to discuss in closed meeting.

RECESS/ADJOURNMENT:

Mayor Rummage called for a motion to adjourn the regular meeting of Thursday, February 11, 2010.

Motion was made by Mr. Coombes, second by Ms. Payne. With no objection, the regular meeting of Town Council was adjourned at 5:40 p.m. at the Colonial Beach Town Center.

Motion Carried.

Respectfully submitted:

Barbara A. Goff,
Town Clerk

Frederick C. Rummage,
Mayor

