

**MINUTES OF TOWN COUNCIL MEETING HELD
DECEMBER 10, 2009 – 7:00 P.M.
COLONIAL BEACH TOWN CENTER**

**MAYOR:
VICE MAYOR:
COUNCIL:**

**FREDERICK C. RUMMAGE
TRISH KING
DAVID COOMBES
STEPHEN KENNEDY
BURKETT LYBURN - *tardy*
KAREN PAYNE - *absent*
RONALD RIDGELY
VAL FOULDS
ANDREA G. ERARD
JOAN GRANT
BARBARA A. GOFF**

**TOWN MANAGER:
TOWN ATTORNEY:
CHIEF FINANCIAL OFFICER:
TOWN CLERK:**

CALL TO ORDER:

Mayor Rummage called the regular meeting of Town Council to order at 7:00 p.m. on Thursday, December 10, 2009 at the Colonial Beach Town Center.

PRAYER:

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 blessings on all the citizens of the Town. Amen.

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.

ROLL CALL OF MEMBERS: All members of Town Council present except for Ms. Payne and Mr. Lyburn.

ANNOUNCEMENT OF ABSENCES: Ms. Payne and Mr. Lyburn.

ADDITIONS TO THE AGENDA: Motion was made by Mr. Kennedy to add Resolution - #93-09 – **Support of Continued State Aid to Localities with Police Departments (599 Program Funds)**, second by Mr. Ridgely. *Ms. Payne and Mr. Lyburn were absent from the vote. Motion Carried.*

APPROVAL OF THE AGENDA: - Motion was made by Mr. Kennedy, second by Mr. Ridgely. *Ms. Payne and Mr. Lyburn were absent from the vote. Motion Carried.*

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THURSDAY, NOVEMBER 12, 2009 AND THE SPECIAL MEETING OF THURSDAY, NOVEMBER 19, 2009. Motion was made by Mr. Kennedy, second by Ms. King. Motion carried and the minutes were approved as presented. *Ms. King and Mr. Lyburn were absent from the vote. Motion Carried.*

PRESENTATIONS:

Colonial Beach School Board: A Moment in History was presented by the 4th Grade class.

Board of Supervisors: Mr. Roberson reported that the Board of Supervisors would be meeting on Monday evening this month. We are finalizing appraisals and the assessments are going through. The assessments are up and at Monday's meeting we will have a review of what is going on.

Employee Service Pin Award – Barbara Goff received an employee service pin for 20 years of service.

CITIZENS INPUT:

PETER FAHRNEY – 3419 RIVERVIEW DRIVE

Mr. Fahrney felt that the Comprehensive Plan that was recently approved by the Planning Commission is the most important positive piece of work that you will contemplate. It sets the direction and the tone for the development of Colonial Beach for the next 20 years and I don't know of anything that I have experienced coming out of this project that it is so important and so far reaching. As speaking as President of the Colonial Beach Foundation, part of the Comprehensive Plan has to do with the development of a Historic District in Colonial Beach. There are a lot of rumors, innuendo's and positive ideas concerning the development of a Historic District. The Colonial Beach Foundation does not take a stand on the development of a Historic District but we are going to provide the citizens of Colonial Beach a forum on Saturday, February 20th at the Colonial Beach Town Center to discuss any and all aspects of a Historic District in Colonial Beach. The time is to be determined.

MIKE LOONEY – 3 MARSHALL AVENUE

Mr. Looney stated there are a lot of gully's that have been eroded into the beach from storm water runoff especially at the end of Weems Street. They actually run all the way down to beach. I urge all Council Members to see the damage that has been done.

Mayor Rummage stated that Mr. Looney has been appointed as the School's representative to attend our meetings.

JOHN NATELSON – CHESAPEAKE TOWNHOME DEVELOPMENT

Mr. Natelson stated he was at the finance committee meeting last month and it was requested that we obtain letters both from our counsel and from our municipal accountant concerning the connection fee proposals that we have made. I came to this meeting so I could deliver copies of the letter which were passed to Town Council, the Town Manager and the Town Attorney. My understanding is that the finance committee does not have a meeting scheduled in December because of the holidays and because of the way the finance committee is scheduled, I am respectfully requesting if there is any possibility that we might be able to schedule a special meeting sooner than that to address this issue, we would really appreciate it.

Mr. Ridgely stated that the Town Manager prepares the agenda. Are these the letters you were going to give to the finance committee?

Mr. Natelson responded yes.

WALTER KERN – 813 ROOSEVELT COURT

Mr. Kern stated this is a County issue as well as the Town. The issue is the rescue squad from 6 in the morning to 6 in the evening. Two times this past week due to the number of calls throughout the County, the County was not covered by an ambulance for at least an hour and a half because of the number of calls they have to respond to. We do have five fire stations in the County and they only have three rescue stations in the County. The biggest station is the Colonial Beach area. We do not have the manpower from a volunteer standpoint during the day time like we had 10 years ago. We just don't have it. The County went to paid personnel five or six years ago. I would like to see another duty squad brought on to offset the number of calls that we have. They either are going to take you to Mary Washington or they

are going to take you to Tappahannock. This should not be a money issue. This is a public safety issue. When it comes to public safety, I am very outspoken. I would like to see our supervisor, Larry Roberson, talk about it at the meeting. I wish everyone a good, safe Merry Christmas.

Mr. Ridgely commented that Walter is right to a degree that on a busy day, we are about the only volunteer squad that turns out during the day. We get strained. There are either no calls or you are on the road all day long. If you could space the calls, we could do it.

Mayor Rummage asked how the rescue squad handles emergency situations?

Mr. Ridgely responded that the volunteers are toned out. The vast majority of times, we can get one crew out which is more than a lot of people can do, but it is something the County association is looking at and plans on talking to Mr. Roberson about. Lately, a lot of Montross' calls seem to be going to Mary Washington which is a long run for them. The problem is the calls are getting heavier. I think there are some alternatives to this. It is not by number, but by the way they come in. You can't control that.

Mr. Kern stated it is a countywide problem. The other night my scanner was going off 2:00 a.m. and continued like that all day long.

Mr. Roberson stated with three rescue squads out, if Colonial Beach gets called out and has to go to Mary Washington, the other ones shift over. Then you are only talking two squads to cover the whole county until Colonial Beach gets back.

Mr. Ridgely stated the association is working on it. The problem is not emergency services and the number of calls you get, it is when they come three and four at a time.

Mr. Roberson stated then you don't have any.

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

Mr. Lyburn was now present for the meeting.

UNFINISHED BUSINESS:

There were no issues to discuss in unfinished business.

NEW BUSINESS:

AGENDA - #88-09

RESOLUTION - BRYANT AVENUE

WHEREAS the Town of Colonial Beach (Town) has received complaints regarding the properties located at 947 Bryant Avenue, 945 Bryant Avenue and 941 and 943 Bryant Avenue [see attachments A, B, C, D] during the past four years; and

WHEREAS the Town has attempted to investigate and respond to all these complaints to the best of its ability in a fair and even-handed manner; and

WHEREAS the Town has expended an inordinate amount of time and resources toward this end without ever reaching a point where the property owners at 947 Bryant Avenue, 945 Bryant Avenue and 941 and 943 Bryant Avenue are satisfied; and

WHEREAS the Town continues to receive complaints regarding 947 Bryant Avenue, 945 Bryant Avenue and 941 and 943 Bryant Avenue [see attachments E & F]; and

WHEREAS the Town is mindful of Virginia Code section 15.2-2311(C) which states that, “In no event shall a written order, requirement, decision or determination made by the zoning administrator or other administrative officer be subject to change, modification or reversal by any zoning administrator or other administrative officer after 60 days have elapsed from the date of the written order, requirement, decision or determination where the person aggrieved has materially changed his position in good faith reliance on the action of the zoning administrator or other administrative officer unless it is proven that such written order, requirement, decision or determination was obtained through malfeasance of the zoning administrator or other administrative officer or through fraud. The 60-day limitation period shall not apply in any case where, with the concurrence of the attorney for the governing body, modification is required to correct clerical or other nondiscretionary errors;”

WHEREAS the Town recognizes that there has been no development and/or construction activity at 947 Bryant Avenue, 945 Bryant Avenue and 941 and 943 Bryant Avenue within the last 60 days and that therefore any violation(s) as to development and/or construction at 947 Bryant Avenue, 945 Bryant Avenue and 941 and 943 Bryant Avenue are most likely no longer enforceable;

WHEREAS the Town has implemented a new procedure for administrative review of all zoning complaints so that notice of all complaints is provided to the Town Manager and not merely the Planning Director (Zoning Administrator) so as to ensure close monitoring of staff actions and the prompt and proper handling of zoning complaints in the future; and

WHEREAS the Town encourages the property owners who reside at 947 Bryant Avenue, 945 Bryant Avenue and 941 and 943 Bryant Avenue to seek to resolve their differences amicably.

NOW THEREFORE BE IT RESOLVED that the Colonial Beach Town Council hereby declares that, until such time as the Department of Conservation and Recreation (DCR) indicates that the Town should take action to investigate and/or enforce an alleged violation of the Chesapeake Bay Act, or until such time as the Town receives a complaint where enforcement action is possible, the Town shall not take any action with respect to the properties located at 947 Bryant Avenue, 945 Bryant Avenue and 941 and 943 Bryant Avenue.

Motion was made by Mr. Kennedy to approve, second by Ms. King.

Mr. Coombes stated he would abstain from any consideration or a vote on the matter to avoid even the appearance of a potential conflict of interest.

Mr. Ridgely felt that this did not go far enough. We have cleaned up our act and our policies and procedures and looked into what we did. If this is a State issue, a Chesapeake Bay issue, some of this has to do with the way zoning was run. I don't think we looked into it enough to draw a conclusion from it to make sure this doesn't happen to everyone. It is party A, party B, party C. It was drug out way too long and I am going to vote against this. I can't support this. It is another shove under the rug.

Mr. Kennedy stated this has gone on long enough. I think we have gotten a ruling from DCR and we should live by that. Any other conflict should be resolved with the party. I don't think this Town has any business getting involved.

Mr. Ridgely stated his point wasn't that we get involved with this, but we make sure that our procedures and our zoning, not just on this issue, but that the policies that are in place are correct so that we don't get into this donnybrook.

Mr. Kennedy stated we are doing that now. Mr. Mitchell is reviewing all of the procedures and policies and we can move on from this point forward. This issue has gone on long enough and if the participants want to fight it out, let them do that. This Town has no business being involved.

Ms. King stated she agreed with Mr. Kennedy. I know that Mr. Mitchell has been working hard at the zoning office. He has put forth some policies and procedures. I think that Mr. Mitchell and Ms. Foulds will work together and have the zoning office on a much higher scale. I think we have done all we can as a Town. We have taken it as far as we can go. We don't need to take sides and be an advocate or witness for either side. They need to work it out themselves.

With no further discussion on Resolution - #88-09, Mayor Rummage called for a vote. Mr. Coombes **abstain**, Mr. Kennedy **aye**, Ms. King **aye**, Mr. Lyburn **aye**, Mr. Ridgely **nay**, Mayor **aye**, motion carried and **Bryant Avenue** was approved. *Ms. Payne was absent from the vote.*
Motion Carried.

AGENDA - #89-09

RESOLUTION - REQUEST FOR AN EMPLOYEE HOLIDAY BONUS

WHEREAS, the Town Council of the Town of Colonial Beach wishes to use the Holiday Season as an opportunity to thank all Town employees for their dedication this past year; and

WHEREAS, the Town Council recognizes that the economic climate has made it financially challenging for most of our Town employees; and

WHEREAS, Town employees have not received any salary adjustments or performance raises this year; and

WHEREAS, the Town Council wishes to assist Town employees whenever possible.

NOW, THEREFORE BE IT RESOLVED, that the Town Council, meeting in regular session Thursday, December 10, 2009 hereby authorized a cash bonus of \$100 net to each employee with said funds coming from line item 012100-1514 in an amount not to exceed \$6,000.

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

With no discussion on Resolution - #89-09, Mayor Rummage called for a vote. Mr. Coombes **aye**, Mr. Kennedy **aye**, Ms. King **aye**, Mr. Lyburn **aye**, Mr. Ridgely **aye**, Mayor **aye**, motion carried and the **Request for an Employee Holiday Bonus was Approved.** *Ms. Payne was absent from the vote.* **Motion Carried.**

AGENDA - #90-09

RESOLUTION - AUTHORIZATION FOR TOWN MANAGER TO PAY EXPENSES RELATED TO 2009 COMMUNITY RELATIONS BREAKFAST

WHEREAS, the Town Council of Colonial Beach wishes to promote community relations with our professional, business and military neighbors; and

WHEREAS, on November 19, 2009, the Mayor had the pleasure of hosting community leaders at an event here in the Town of Colonial Beach; and

WHEREAS, in the past the funding for such events have been paid for by the Town of Colonial Beach.

NOW, THEREFORE BE IT RESOLVED, that the Town Council meeting in regular session, Thursday December 10, 2009 authorizes the Town Manager to transfer \$1,231.90 from line item #011010-5836 (Council Contingency) to cover the expenses related to this event.

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

Mr. Kennedy stated earlier this year the Town Council adopted Bylaws and Rules of Procedures which state that the citizens of this Town are entitled to a fair, ethical and accountable government which has earned the public's full confidence and integrity. This Council approved this document as a tool to guide our actions as Town leaders. In Section 6-1 of this document it states, that 'no member of this Council shall initiate any action that would require the expenditure of public funds in any amount without the prior approval of this Town Council'. This expenditure was not approved by this Council. No one sitting on this Council has the authority to circumvent this or any other part of this document. It is incumbent upon us as elected officials to adhere to these rules. We cannot expect the citizens of this Town to feel comfortable or maintain a level of trust if we violate the rules we established as a means to police ourselves. A blatant disregard of these rules should not be condoned. In a time of economic stress, I find this unexpected expenditure to be both excessive and unwarranted as it puts a burden on an already very tight budget. It simply sends the wrong message. I wrote this earlier and I feel very strongly about this. I don't think the procedures were followed. I think we have rules and guidelines we need to live by. We cannot send mixed messages. Also, playing the devil's advocate, we have a proprietor who is due money. I would vote on this resolution under protest only to see that proprietor is paid. How we resolve this afterwards, it has to be within this Council, but I do not approve of this action.

Mayor Rummage asked Ms. King if she had something to say.

Ms. King responded no, that she agreed with Mr. Kennedy.

Mayor Rummage stated let me remind this Council that you did approve our participation with Dahlgren and the Community Relations Council. You approved that in the first meeting in July of 2008 after I presented it and as a matter of fact I said at the time, that if and when we are financially able I will recommend to this Council that we join the Washington DC Board of Trade. Let me tell you, this Council has really, really made some very good progress. The new post commander, Captain Hanft, is the one who initiated this. She calls it an Outreach Program from Dahlgren. There were 97 in attendance at High Tides Restaurant. They were leading citizens as well as the political leaders from the surrounding counties and Colonial Beach and Indianhead. They discussed all of the new developments that are taking place in Dahlgren. As a matter of fact I was at a meeting this morning of the executive committee of that group and at our next meeting in February we are going to have a considerable expansion and explanation of not only what is taking place at Dahlgren, but also what impact the expansion. Dahlgren is being expanded considerably because of the other base closures etc and other consolidations. This is going to be expanded to include not only what happens at Dahlgren but its impact on the community. Two things that I am particularly interested in that is going to be covered

extensively at our next Council meeting, and a number of us here belong to that Council including the Vice Mayor, is the water conservation system connecting all the military bases in the Potomac and across the area to relieve the roadways of a lot of the problems that we have. I happen to know a little about that because I was involved in the study from that clear back in 1987. Also we are going to have an extensive explanation and review of the graduate center that is going to be built by Mary Washington University just outside the base. There is already a contract that has been negotiated and I think signed both by Mary Washington University on behalf of its graduate school and the Dahlgren scientists. Our Superintendent of schools is interested in this because of the students in particular that are doing very well in science and math. There are other impacts that this Town is going to experience as a result. As a matter of fact I was impressed when I first came on Council three years ago to learn that over 100 people work at Dahlgren live here. Now that number is higher than that and it will continue to rise. Let me tell you, people who work out at Dahlgren do not work for minimum wage. To make the statement that this was a surprise is just not true.

Mr. Kennedy stated this is all well and good, but that is not the issue at hand. The issue at hand is spending money that has not been previously approved by this Council. One thousand, two hundred and thirty one dollars and ninety cents – I find that excessive. Based on what I have heard, that what the other meetings have been, that is way overboard. We did not approve this. The simple thing to do would be to bring it before Council, present it and have it approved. I didn't know about this until it was handed to me and I saw the invoice. Once again, I think it is tremendous that we belong to a group that meets and discusses ideas and concerns, but my obligation is to the citizens of this Town and protecting the assets of this Town. I am not going to circumvent rules in order to do what we want to do. I don't think that is right. I haven't seen any benefit come from the meetings to the Town of Colonial Beach. I am sorry for that and I stand behind that statement. Once again, this is a procedure. It is not an involvement in a country club or any kind of club or group, this is funds that were not approved that were committed by somebody and this Town is now responsible for.

With no further discussion on Resolution - #90-09, Mayor Rummage called for a vote. Mr. Ridgely **aye under protest**, Mr. Coombes **aye**, Ms. King **aye**, Mr. Kennedy **aye under protest**, Mr. Lyburn **aye**, Mayor **aye**, motion carried for the **Authorization for the Town Manager to Pay Expenses Related to 2009 Community Relations Breakfast was Approved**. *Ms. Payne was absent from the vote. Motion Carried*

Mayor Rummage stated the bill will be paid and you will receive a notice of the next meeting which is in February and I suggest that you all attend.

Mr. Coombes asked for a point of order and commented whether or not the Council had taken action at all to have official membership in this organization? Have we passed a resolution and do you think it might be a proper thing to do?

Mayor Rummage responded that it might be a proper thing to do. The way this was handled, I was asked if we would join and I thought it was a golden opportunity because of Dahlgren's impact on the Town and when I went through the list of items that I asked this Council to

approve, that was among them. That was back in the first meeting in July of 2008 when I first came on the Council. Why don't you make that recommendation?

Mr. Coombes stated he would make the recommendation for next month.

Mayor Rummage stated Ms. King has been an active member and I would like her to remain. The Chief has taken an active role in this. There are a couple of other citizens in the community as well.

Mr. Coombes stated he would like a resolution stating that the Town is a member of this and who goes and who comes is up to the Chair.

Mayor Rummage asked the attorney to draft a resolution.

AGENDA - #91-09

RESOLUTION - ADOPTION OF PUBLIC HEARING PROTOCOL

WHEREAS, the Town Council of the Town of Colonial Beach desires to promote fairness and consistency with regard to the ability of citizens to express their comments and provide input.

THEREFORE BE IT RESOLVED, that the attached Public Hearing Protocol is hereby adopted.

PUBLIC HEARING PROTOCOL

1. The purpose of a public hearing is for the Colonial Beach Town council to listen carefully to the verbal expression of position and opinion from the citizens of the Town.
2. All public hearings are advertised weeks prior to the scheduled hearings and the notices indicate where citizens can obtain information pertinent to matters scheduled for public hearing.
3. Public hearings are not question and answer sessions or debates and all statements should be addressed to the Chair.
4. Public hearings are intended to give citizens an opportunity to influence the public decision process based on prior research and discussions with appropriate public officials.
5. When a member of the public offers comment, he/she needs to clearly state his/her name and address prior to making comments.
6. All comments are to be pertinent to the issue being considered.
7. Persons speaking at public hearings are respectfully requested to keep comments brief, not to exceed three (3) minutes, and to address only those issues pertinent to the matters advertised for public hearing.
8. Additional public comments/speakers will not be allowed after the public hearing is closed.
9. Written copies of statements made at a public hearing are requested but not required.

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

Mr. Coombes stated this originated out of the Planning Commission and we have adopted basically this also with some time changes in it. Some of the considerations we have take much longer than they should and they are very opinionated, but we are going to have this printed on the back of the agenda that is distributed to everyone. I would suggest that may be a process we would want to consider as well.

Ms. King stated this sets the record out of what you are supposed to be doing and it is in writing. It is not a question and answer system. This is for the benefit of trying to keep order and everyone knows what you are supposed to be doing and how you are supposed to do it. It makes for a better meeting all the way around. We will have it printed and everybody will be on the same page. I was impressed with Mr. Coombes' meeting so I asked if we could bring this forward.

Mayor Rummage stated he would like to see an addition to it. I think there should be an item #10 that essentially says there shall be no personal attacks on anyone made from the lectern. If there is then the Chair will rule that person out of order.

Mr. Kennedy felt it was appropriate.

Mayor Rummage asked if Mr. Ridgely, who made the motion, and Mr. Lyburn who seconded the motion, would agree to add #10 to the public hearing protocol list?

Ms. Erard stated under the First Amendment if you have a public comment period, people are entitled to make any kind of statements that they want. If the statements are defamatory then that would become a personal cause of action against that person. If the statements are such that they disrupt the meeting an individual can be removed but we are not required to have a general citizen's time on the agenda, but if we do, people are really free to say whatever they want. This has also come up in other context for example when an election is coming sometimes that public forum is used for campaigning and there has been no ability to put restrictions on that either. It is unlike when you have a public hearing on a specific ordinance where we can restrict it to a particular topic.

Mayor Rummage stated you mean that you could not with your training and ability come up with a statement covering this issue very carefully?

Ms. Erard stated she could do it in the form of a request and that we ask that people do that. Would that acceptable?

Mayor Rummage responded it should be brought to their attention because at the last meeting there were personal attacks made on me. I have broad shoulders, I don't care, but I think to allow that to continue is a mistake because eventually you will lose control of the meeting. I have seen that happen.

Ms. Erard responded the point at which it becomes disruptive then the Council does have the ability to have the person removed. There was a case in Chesterfield not long ago where an individual was removed from a planning commission meeting because he became disruptive. I will be happy to draft something.

Mayor Rummage asked that it be brought to the next meeting.

With no further discussion on Resolution - #91-09, Mayor Rummage called for a vote. Mr. Coombes **aye**, Mr. Kennedy **aye**, Ms. King **aye**, Mr. Lyburn **aye**, Mr. Ridgely **aye**, Mayor **aye**, motion carried and the **Adoption of the Public Hearing Protocol was Approved.** *Ms. Payne was absent from the vote. Motion Carried.*

AGENDA - #92-09

RESOLUTION – ADOPTION OF FISCAL YEAR 2010 THIRD QUARTER

APPROPRIATIONS

NOW THEREFORE BE IT RESOLVED, that the Town Council meeting in regular session, Thursday, December 10, 2009 hereby approves and appropriates the following amounts for the Fiscal Year 2010 Third Quarter Appropriations as follows:

	<u>Third Quarter Appropriations</u>	
	FY 2010 Budget	3rd Quarter
General Fund	\$5,251,241	\$1,112,810
Utility Fund	\$2,469,295	\$ 617,413
School Operating Fund		
Instruction	\$5,171,337	\$1,292,834
Administration	\$ 291,270	\$ 92,820
Pupil Transport	\$ 347,670	\$ 86,918
Operations/Maintenance	\$ 568,900	\$ 122,223
School Construction Fund	0	0
School Cafeteria	\$ 286,708	\$ 71,677
State Transfer	<u>\$ 200,000</u>	<u>\$ 50,000</u>
SCHOOL TOTAL	\$6,865,885	\$1,716,472

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

With no discussion on Resolution on #92-09, Mayor Rummage called for a vote. Mr. Ridgely **aye**, Mr. Coombes **aye**, Ms. King **aye**, Mr. Kennedy **aye**, Mr. Lyburn **aye**, Mayor **aye**, motion carried and the **Adoption of Fiscal Year 2010 Third Quarter Appropriations was Approved.** *Ms. Payne was absent from the vote. Motion Carried.*

AGENDA - #93-09

RESOLUTION – TO SUPPORT CONTINUED STATE AID TO LOCALITIES WITH POLICE DEPARTMENTS (599 PROGRAM FUNDS)

WHEREAS, the Commonwealth of Virginia is considering reducing or deleting 599 program funds in the upcoming fiscal year to reflect the downward projection of revenues; and

WHEREAS, Section 9.1-169 and 9.1-170 of the Virginia Code determines the formula for distribution of these funds; and

WHEREAS, it is suggested that the General Assembly and Governor comply with this statute in this regard; and

NOW, THEREFORE, BE IT RESOLVED, that any reductions or deletion to the 599 program greatly impacts the Town of Colonial Beach as allocations derived from this program are used to maintain basic police services; and

BE IT FURTHER RESOLVED, that the Colonial Beach Town Council directs the Clerk of Council to mail a true copy of the approved resolution to Delegate Albert Pollard-and Senator Richard Stuart.

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

Mr. Kennedy stated this resolution concerns the State's 599 Program Funds. These are State funds that support police activities in townships that have police departments. Our revenue has that amount added in that we receive each year from this funding.

Chief Hawkins agreed.

Mr. Kennedy stated this fund has been cut which will affect our overall revenue this year. The State is looking at this as a way to reduce their budget by either limiting or by doing away with this. This resolution is showing our support and asking our Delegate Pollard and Senator Stuart by putting them on notice that we are against any reduction of that or doing away with this program.

Chief Hawkins stated this is being done Statewide. So far we are up to a \$6,000 reduction this year from what was budgeted. It was budgeted \$89,937 and they reduced it to \$83,704. They are still talking more cuts. It is still in motion. This is a stop gap measure that the Town Attorney and Town Manager have come up with and we are hoping we can get them to hold back on any more cuts.

Mayor Rummage stated time is of the essence and new incoming Governor is making drastic changes over the recommendations over the outgoing Governor, because of that and because the new Governor will be coming in January, why don't we ask our Town Manager to prepare a letter to the Governor's Office.

With no further discussion on Resolution - #93-09, Mayor Rummage called for a vote. Mr. Ridgely **aye**, Mr. Coombes **aye**, Ms. King **aye**, Mr. Kennedy **aye**, Mr. Lyburn **aye**, Mayor **aye**, motion carried and the **Support for Continued State Aid to Localities with Police Departments (599 Program Funds) was Approved.** *Ms. Payne was absent from the vote.*
Motion Carried.

Mayor Rummage stated there should be a cover letter with the resolution.

CLOSED MEETING:

There were no issues to discuss in closed meeting.

Mayor Rummage announced that the parade that was scheduled for last Saturday had to be cancelled because of inclement weather has been rescheduled to 3:00 p.m. and the lighting of the tree will take place at 5:00 p.m.

RECESS/ADJOURNMENT:

Mayor Rummage called for a motion to adjourn the regular meeting of Town Council, Thursday, December 10, 2009.

Motion was made by Mr. Kennedy, second by Mr. Lyburn. With no objection the meeting was adjourned at 7:55 p.m. at the Colonial Beach Town Center. *Ms. Payne was absent from the vote. Motion Carried.*

Respectfully submitted:

Barbara A. Goff,
Town Clerk

Frederick C. Rummage,
Mayor

