



**Minutes of the
Colonial Beach Town Council
Regular Meeting held on
Thursday, April 9, 2015 at 7:00 p.m.**

Colonial Beach Town Center
22 Washington Avenue
Colonial Beach, VA 22443

Present

Mayor, Mike Ham
Vice Mayor, Eddie Blunt
Member, Wayne DiRosario
Member, Tommy Edwards
Member, Wanda Goforth
Member, Burkett Lyburn

Absent

Member, Mike Looney

Also Present

Town Manager, Val Foulds
Town Attorney, Andrea Erard
Town Clerk, Kathleen Flanagan
Acting Police Chief, Bruce Hough

Call to Order

Mayor Ham called the meeting to order at 7:02 p.m.

Roll Call of Members

Mayor Ham requested a roll call of members. Mr. Edwards responded "here," Mr. Lyburn responded "here," Mr. Blunt responded "here," Mr. DiRosario responded "here," Ms. Goforth responded "here," and Mayor Ham responded "here." **All Council Members were present with the exception of Mr. Looney who was absent.**

Additions to the Agenda

There were no additions to the agenda.

Approval of the Agenda

A motion was made by Mr. Edwards to approve the agenda. Mr. Lyburn seconded the motion.

Mayor Ham called for a voice vote. All in favor, signify by saying “aye.” Mr. Blunt, Mr. DiRosario, Mr. Edwards, Mr. Lyburn, Ms. Goforth and Mayor Ham all said “aye.” The “ayes” were unanimous. **The motion to approve the agenda passed.**

Approval of the Minutes by full Council

Mr. Lyburn made a motion to approve minutes presented for the March 12, 2015 Regular Meeting, the March 26, 2015 Special Meeting and the March 26, 2015 Work Session. Mr. Edwards seconded the motion.

Mayor Ham called for a voice vote. All in favor, signify by saying “aye.” Mr. Blunt, Mr. DiRosario, Mr. Edwards, Mr. Lyburn, Ms. Goforth and Mayor Ham all said “aye.” The “ayes” were unanimous. **The motion to approve the minutes as presented passed unanimously.**

Council Announcements

Mr. Edwards noted the Easter Egg hunt on Town Hill was successful. Mr. Edwards thanked Rhonda Pitts who coordinated the event on behalf of the Chamber. Mr. Edwards also thanked the Eagles, the VFW and the Moose clubs for their donations.

Mr. Edwards congratulated Antonio Louero who was nominated as Policeman of the Year by the Chamber of Commerce.

Mr. Lyburn thanked Officer Louero and Lieutenant Leaman for their presentation at First Baptist Church.

Mr. Blunt also thanked the police department and all public safety workers. Mr. Blunt reminded everyone that tomorrow night is Second Friday Art Walk.

Ms. Goforth noted that Town Council members are receiving a lot of compliments from citizens regarding police officers.

Mr. DiRosario congratulated Officer Louero.

Mr. Edwards further noted that Fire Chief Dave Robey saved three people in LaPlata, Maryland from a house fire that he noticed as he was off duty and driving through that area.

Mayor Ham added a big thanks to all first responders and asked for a round of applause.

(Applause.)

Ms. Goforth further noted she has been receiving complaints about the town's parking policy. Ms. Goforth asked that Council discuss and decide upon a hourly parking rate.

Ms. Foulds responded saying there is an hourly rate. Signs will be changed at the beginning of tourist season.

Presentations

Downtown Colonial Beach, Co-Chairs, Glenda Chiarello and Carl Thor provided a power point presentation.

Mr. Blunt thanked Ms. Chiarello and Mr. Thor for their presentation and asked if they would consider directing their marketing to DC, Northern Virginia and Richmond.

Mr. Thor agrees with Mr. Blunt and noted that is the plan.

Val Foulds, Town Manager

Ms. Foulds had no reports.

Bruce Hough, Acting Police Chief

Acting Chief Hough reported that the department received 622 calls for service and continued community outreach efforts.

Larry Roberson, Westmoreland County Board of Supervisors

Mr. Roberson noted the county is working on budget items and not contemplating a tax increase. Mr. Roberson further noted the town will have to pay for new radios for the Police Department.

Tim Trivett, Chairman, School Board

Mr. Trivett had no report.

Unfinished Business

There was no unfinished business.

New Business

Public Hearing, Resolution #19-15, Amends FY 14-15 Budget, Utilities and General Fund

Public Hearing

At 8:00 p.m. Mayor Ham opened the Public Hearing. There was no public comment. At 8:00 p.m. Mayor Ham closed the Public Hearing.

Motion to Adopt Resolution #19-15

Mr. Lyburn made a motion to adopt Resolution #19-15 as written. Mr. Edwards seconded the motion.

Mr. Blunt asked if due diligence was performed on the sludge roll off truck. Ms. Foulds answered that it had.

Hearing no further discussion, Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #19-15 passed unanimously.**

RESOLUTION #19-15 AMENDMENT OF FY 2015 BUDGET TO ADD LEASE-PURCHASE FUNDING

NOW THEREFORE BE IT RESOLVED, that the Town Council, after a duly advertised public hearing, meeting in regular session Thursday, April 9, 2015, hereby adopts and appropriates and amendment to the FY 2015 budget as follows:

	FY2014-2015 (Approved)	FY2014-2015 (Revised)	Change
General Fund	\$8,870,027	\$9,168,027	+\$298,000
Sewer Fund	\$2,771,009	\$3,191,009	+\$420,000

Lease Purchase

	Change
General Fund	+\$298,000
Sewer/WWTP Fund	+420,000

CR	3-100-041040-0005	Master Equipment Lease / Purchases	\$298,000.00
CR	3-501-041040-0005	Master Equipment Lease / Purchase	\$420,000.00
DB	4-100-041200-8201	Additions Machinery & Equipment	\$135,000.00
DB	4-100-042300-8201	Additions Machinery & Equipment	\$158,000.00
DB	4-501-046000-8201	Additions Machinery & Equipment	\$170,000.00

DB	4-501-046000-8101	Capital Improvements	\$250,000.00
DB	4-100-012100-3100	Contracts for Professional Services	\$5,000.00

Resolution #20-15, Accepts the final reports of the Dahlgren Joint Land Use Study

Mayor Ham summarized the resolution and reported that there are two copies of the final report available at Town Hall.

Mr. Edwards made a motion to approve Resolution #20-15. Mr. Lyburn seconded the motion.

Hearing no further discussion, Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #20-15 passed unanimously.**

RESOLUTION # 20-15, A RESOLUTION OF THE TOWN OF COLONIAL BEACH, VIRGINIA TO ACCEPT THE NAVAL SUPPORT FACILITY DAHLGREN JOINT LAND USE STUDY

WHEREAS, the Town Council of the Town of Colonial Beach, Virginia desired to participate with King George County, Virginia; Westmoreland County, Virginia; Charles County, Maryland; St. Mary’s County Maryland; Naval Support Facility Dahlgren and the Office of Economic Adjustment Department of Defense, to develop a Joint Land Use Study to identify, confirm, and understand compatibility issues and concerns in an open forum, to encourage cooperative land use and resource planning, and to provide a set of mutually supported tools to implement the Study; and

WHEREAS, this process, facilitated with an outside consultant, has been completed; and

WHEREAS, it is in the best interest of the Town of Colonial Beach, Virginia, to utilize the recommendations pertaining to Colonial Beach, Virginia found within the Joint Land Use Study.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF COLONIAL BEACH, VIRGINIA THAT:

1. Colonial Beach, Virginia accepts and approves the final Joint Land Use Study document, as it pertains to Colonial Beach, Virginia to ensure development around NSF Dahlgren is compatible with continued operation by the Department of Defense;
2. A copy of the final NSF Dahlgren Joint Land Study is hereby attached to this resolution.

Resolution #21-15 Invites Planning Commission regarding town-owned properties

Mr. Blunt made a motion to approve Resolution #21-15. Ms. Goforth seconded the motion.

Hearing no further discussion, Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #21-15 passed unanimously.**

RESOLUTION # 21-15, Invites Planning Commission to make recommendations re town-owned properties

WHEREAS, the Town Council would like to invite the Planning Commission to make recommendations on several issues of concern to the Town Council.

NOW, THEREFORE, BE IT RESOLVED, in order to best serve the citizens of the Town of Colonial Beach, the Town Council hereby invites the Planning Commission to provide Town Council with their recommendations on:

(1) how to use town-owned buildings or properties that are likely to be put up for sale in the future, including the old school property; Irving Avenue where the old police station, old fire station and the Klotz Building, including the old town hall.

(2) The future of and effects on the neighborhoods in which the town-owned buildings exist, including the neighborhood where the new town hall is located (Douglas Avenue).

Resolution #22-15, Amends the 2015 By Laws and Rules of Procedure

Mr. Blunt made a motion to approve Resolution #22-15. Ms. Goforth seconded the motion.

Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #22-15 passed unanimously.**

RESOLUTION # 22-15, Amends the 2015 By Laws & Rules of Procedure

WHEREAS, the Town Council would like to set in place a process to effectively answer citizen questions and respond to citizen suggestions and complaints.

NOW, THEREFORE, BE IT RESOLVED, in order to best serve the citizens of the Town of Colonial Beach, the Town Council will implement the following changes to the 2015 By Laws & Rules of Procedure.

1. Amend Section 3-7 by changing the title from “Citizen Questions and Complaints” to “Citizen Questions, Complaints and Suggestions.”

2. At the end of Section 3-7, add the following two paragraphs:
“Citizen suggestions about the day-to-day practical operations of the Town should be made to the Receptionist at Town Hall, who will direct them, if necessary, to the appropriate departments.”

“Citizen suggestions about Town Council policies and actions may be made during the Public Comment period of Council meetings. The Town Clerk will keep a record of these suggestions. And the Town Council will consider them at its next work session, to determine which suggestions may be appropriate for action at the next, or later, regular meeting.”

Resolution #23-15 Appoints Volunteer Committees

Mr. Edwards made a motion to approve Resolution #23-15. Mr. Lyburn seconded the motion.

Hearing no discussion, Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #23-15 passed unanimously.**

RESOLUTION # 23-15, Appoints Volunteer Committees

WHEREAS, The Colonial Beach Town Council is committed to the successful implementation of the “Downtown Revitalization Plan”, and

WHEREAS, grant funding and support for the revitalization activities are being provided by the Department of Housing and Community Development, and

WHEREAS, in keeping with successful models, established committees are required to oversee various programs that have been approved as conditions of the grant; and

WHEREAS, several members of the Downtown Revitalization Management Team have volunteered to serve on various committees; and

WHEREAS, the Facade Committee and the Revolving Loan Committee will have responsibilities involving monetary impact and ongoing accountability.

NOW, THEREFORE BE IT RESOLVED, that the Colonial Beach Town Council in a regular meeting on Thursday April 9, 2015 expresses appreciation and acknowledges the willingness of those who have volunteered to serve and appoints the following members of the named committees:

Revolving Loan Committee

Mike Ham	Mayor
Val Foulds	Town Manager
Maureen McCabe	Citizen Volunteer
Sue Buzby	Citizen Volunteer
Peter Fahrney, M.D.	Colonial Beach Foundation Representative Volunteer

Facade Committee

Mike Ham	Mayor
Val Foulds	Town Manager
Marion Miller	Citizen Volunteer
Jeannette Holman	Citizen Volunteer
Kelly DeJesus	Citizen Volunteer

Resolution #24-15 Amends Fiscal Year 2014-2015 School Fund – Additional Local Appropriation

Mr. Lyburn made a motion to approve Resolution #24-15. Mr. Edwards seconded the motion.

Hearing no discussion, Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #24-15 passed unanimously.**

RESOLUTION #24-15, Amends Fiscal Year 2014-2015 School Fund – Additional Local Appropriation

NOW THEREFORE BE IT RESOLVED, that the Town Council meeting in regular session, Thursday April 9, 2015, hereby adopts and appropriates an amendment to Fiscal Year 2014-2015 budget as follows:

	FY 2014-2015	FY 2014-2015	Change
School Fund	\$9,471,784	\$9,499,765	\$27,981 ⁽¹⁾

Notes:

- (1) The increase represents additional local funding to the School Board to provide for building permit and zoning fees associated with development activity at the high school campus to accommodate the elementary students by Fall 2014.

The funds will be transferred from the following line items in the 2014-15 budget 3-100-13030 – 007 and 008 (Zoning Permits and Building Permits)

Resolution #25-15 Appointments to the Colonial Beach Planning Commission

Mr. Blunt made a motion to approve Resolution #25-15. Mr. Lyburn seconded the motion.

Hearing no discussion, Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “abstain,” and Mayor Ham voted “aye.” Ms. Goforth noted she abstained because she believes the Planning Commission was influenced and had pressure from outside their commission. **The motion to adopt Resolution #25-15 passed with a vote of 6 ayes and 1 abstention.**

Resolution # 25-15, Appointments to the Colonial Beach Planning Commission

WHEREAS, there are vacancies on the Colonial Beach Planning Commission; and

WHEREAS, D.R. Clopton and Pamela Tolson have indicated their willingness to serve on the Planning Commission and each have submitted an application; and

WHEREAS, the Planning Commission has considered the submitted applications and interviewed both applicants and recommend that D.R. Clopton and Pamela Tolson be appointed to serve on the Colonial Beach Planning Commission.

NOW, THEREFORE, the Town Council, meeting in regular session, Thursday, April 9, 2015 hereby appoints D.R. Clopton and Pamela Tolson to the Colonial Beach Planning Commission for a three-year term expiring on April 30, 2018.

Resolution #26-15 Authorizes the Town Manager to advertise for a Request for Proposals for the demolition of the old elementary school

Mr. Edwards made a motion to approve Resolution #26-15. Mr. Blunt seconded the motion.

Mr. Blunt noted the building is a safety hazard.

Mr. DiRosario agreed with Mr. Blunt.

Ms. Goforth asked who will pay for the demolition.

Mayor Ham noted the town will pay and will be repaid upon any sale of the property.

Mr. DiRosario asked if the demolition would include the gymnasium.

Mayor Ham answered “yes” and noted the gym is attached to the high school. There are three parcels: (1) the building that houses town hall and the parking lot; (2) the street in front of the gymnasium and halfway down the hill; and, (3) the portion that is sitting in the flood plain.

Ms. Goforth suggested asking for duplicate RFPS, one to remove the whole building, and the other to leave the gymnasium intact.

Mayor Ham suggested the town manager include (1) the cost of tearing down the high school; (2) the cost of tearing down the high school and the gymnasium; and, (3) the cost to save 60% to 70% of the façade bricks so that they can be etched and sold as a fundraiser for the school.

Hearing no further discussion, Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #26-15 passed unanimously.**

Resolution # 26-15, Authorizes the Town Manager to advertise for a Request for Proposals for the demolition of the old elementary school

NOW, THEREFORE, BE IT RESOLVED that the Town Council, meeting in regular session, Thursday, April 9, 2015 hereby authorizes the Town Manager to advertise for a Request for Proposals for the demolition of the old elementary school as soon as practicable.

Resolution # 27-15, Authorizes the Mayor to execute a Deed of Easement from Kyle and Relda Schick

Mr. Lyburn made a motion to approve Resolution #27-15. Mr. Edwards seconded the motion.

Hearing no discussion, Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #25-15 passed unanimously.**

Resolution # 27-15, Authorizes the Mayor to execute a Deed of Easement from Kyle and Relda Schick

NOW, THEREFORE, BE IT RESOLVED that the Town Council, meeting in regular session, Thursday, April 9, 2015 hereby authorizes the Mayor to execute a Deed of Easement from Kyle and Relda Schick.

Citizen Input

Robin Schick, Chairperson, Planning Commission, thanked council for approving two new members to the Planning Commission and inviting the Planning Commission to make recommendations on town-owned property.

Closed Session

Mr. DiRosario made a motion to go into closed session for discussion only pursuant to Virginia Code Section 2.2-3711(A)(1) for the purpose of the discussion or consideration of the hiring of a new police chief and pursuant to Virginia Code Section 2.2.-3711(A)(7) for consultation with legal counsel for legal advice pursuant to a legal contractual matter. Mr. Edwards seconded the motion.

Mayor Ham called for a roll call vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to go into closed session passed unanimously.**

At 8:39 p.m. Council moved into Closed Session.

Reconvene

Mr. Edwards made a motion to reconvene. Mr. Lyburn seconded the motion.

Mayor Ham called for a voice vote on the motion. Mr. Blunt voted “aye,” Mr. DiRosario voted “aye,” Mr. Edwards voted “aye,” Mr. Lyburn voted “aye,” Ms. Goforth voted “aye,” and Mayor Ham voted “aye.” **The motion to reconvene passed unanimously.**

Certification

Mayor Ham called for council members to certify that only items identified under Virginia Code Section 2.2.-3711(A)(1) and 2.2-3711(A)(7) were discussed during the closed session. Mr. Blunt certified, Mr. DiRosario certified, Mr. Edwards certified, Mr. Lyburn certified, Ms. Goforth certified, and Mayor Ham certified.

Adjournment/Recess

Mr. Edwards made a motion to adjourn. Mr. Lyburn seconded the motion.

Mayor Ham called for a voice vote on the motion to adjourn. All in favor, signify by saying “aye.” Mr. Blunt, Mr. DiRosario, Mr. Edwards, Mr. Lyburn, Ms. Goforth and Mayor Ham voted “aye.” The motion to adjourn passed unanimously.

At 9:19 p.m. the meeting was adjourned.

Kathleen Flanagan, Town Clerk

Mike Ham, Mayor