



**Minutes of the
Colonial Beach Town Council
Regular Meeting held on
Thursday, February 11, 2016 at 7:00 p.m.**

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

Present

Mayor, Mike Ham
Member, Wayne DiRosario
Member, Tommy Edwards
Member, Wanda Goforth
Member, Burkett Lyburn
Member, Mike Looney

Absent

Vice Mayor Eddie Blunt was absent.

Also Present

Town Manager, Val Foulds
Town Attorney, Andrea Erard
Police Chief, Danny Plott
Zoning Administrator, Brendan McHugh
Town Clerk, Kathleen Flanagan

Call to Order

Mayor Ham called the meeting to order at 7:06 p.m.

Roll Call of Members

Mayor Ham requested a roll call of members. Mr. Lyburn responded “here,” Ms. Goforth responded “here,” Mr. DiRosario responded “here,” Mr. Edwards responded “here,” Mr. Looney responded “here,” and Mayor Ham responded “here.”

All Council Members were present, with the exception of Mr. Blunt who was out of town.

Additions to the Agenda

Mayor Ham recommended deleting Agenda Item No. 6 as there were no minutes for approval by council committee.

Mayor Ham queried council on their agreement with the change. All in favor, signify by saying “aye.” Mr. Looney, Ms. Goforth, Mr. DiRosario, Mr. Edwards, Mr. Lyburn, and Mayor Ham all said “aye.” The “ayes” were unanimous. *The agenda was amended as stated.*

Approval of the Agenda

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

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

The motion to approve the agenda, as amended, passed unanimously by council members present.

Approval of Minutes

A motion was made by Mr. Lyburn to approve the minutes for the December 10, 2015 Special Meeting and the December 17, 2015 Work Session. Mr. Edwards seconded the motion.

Mr. Looney noted there was a vote taken at the December 17 Work Session in contrary to Council’s previous agreement. Mr. Looney requested if Mayor Ham’s remarks at the meeting regarding the vote taken could be included in the meeting.

Mr. Edwards made a motion to amend the minutes. Mr. Lyburn seconded the motion.

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

The motion to approve the minutes, as amended, passed unanimously by council members present.

Council Announcements

Mr. DiRosario noted he attended a well-attended meeting held by the Virginia Tourism group. Mr. DiRosario thanked the Town Manager for her efforts to make the meetings a success.

Mayor Ham agreed and noted the second Lunch and Learn session is scheduled for March 9. Mayor Ham reminded everyone to RSVP if you are planning on attending.

Presentations

Proclamation, 124th Anniversary of the Town's Incorporation

Mayor Ham read the Proclamation.

Proclamation

WHEREAS, the Town of Colonial Beach was incorporated on February 25, 1892; and

WHEREAS, the upcoming date of Thursday, February 25, 2016 will commemorate the 124th year anniversary of the Town's incorporation;

WHEREAS, the Mayor and the Colonial Beach Town Council hereby make a public proclamation expressing their pride, commitment and dedication to the founding principles in commemorating this very distinguished date in our Town's history;

THEREFORE, BE IT PROCLAIMED, that the Mayor, Town Council, town staff and all citizens of the Town of Colonial Beach reflect and acknowledge with pride the historical importance of February 25th as the date commemorating and celebrating the incorporation of our town.

Michael S. Ham, Mayor

Dated this 11th day of February 2016

Raechon Coefield, Good Skills Literacy Corps Tutor

Ms. Coefield provided a handout to Town Council. AmeriCorps helps people with reading and writing skills.

Every Tuesday and Friday she is at the Library to assist town residents and encourages people to make an appointment.

Mr. Looney thanked Ms. Coefield and noted that it is a great program.

Ms. Foulds, Town Manager

Ms. Foulds noted in early March the Department of Historic Resources will be in town to do an assessment of properties and resources.

Danny Plott, Police Chief

Chief Plott reported that two Harford County, Maryland deputies were shot yesterday and encouraged everyone to keep the families in prayer.

Chief Plott then gave kudos to members of the Police Department who answered 6,626 total calls in 2015. The Department made 1400 traffic stops and issued 300 summons.

Mr. Edwards thanked the Chief and the Department for the night-time business checks.

Ms. Goforth thanked the Department, noting that every stop they make is dangerous.

Chief Plott then reported that WatchGuard has provided wearable test cameras for thirty days.

Robin Schick, CB Planning Commission Chair

Ms. Schick noted the public hearing for the CIP for the Planning Commission will be at its March meeting.

Larry Roberson, Supervisor, Westmoreland County

Mr. Roberson noted the proposed winery on Rt. 205 received a \$30,000 grant and a grant from the county.

Mr. Roberson noted the Board passed an ordinance allowing the County to charge \$30.00 as a business license tax.

Unfinished Business

There was no unfinished business.

New Business

Resolution #05-16, Procurement-Contractor Debarment/Suspension Policy

Mayor Ham read Resolution #05-16 noted the resolution allows the Town Manager to invoke state law if it comes to her attention that a contractor has had unsatisfactory performance with the town or other entities. Council discussed this at the January 2016 Work Session.

Action by Town Council

Mr. Edwards made a motion to approve Resolution #05-16 as written. Mr. Lyburn seconded the motion.

Vote on Motion to Approve Resolution #05-16 as written

Mayor Ham called for a voice vote. Mr. Lyburn, Mr. Looney, Mr. DiRosario, Mr. Edwards, and Mayor Ham all voted “aye.” Ms. Goforth voted “nay.”

The motion to approve Resolution #05-16 passed with a 5-1 vote.

RESOLUTION #05-16, Approval of Debarment Procedure

WHEREAS Virginia Code § 2.2-4321 authorizes the Colonial Beach Town Council to approve a debarment procedure; and

WHEREAS the Colonial Beach Town Council has carefully considered this matter and finds that it is prudent to adopt a debarment procedure.

NOW THEREFORE BE IT RESOLVED by the Colonial Beach Town Council at its regular monthly meeting on Thursday, February 11, 2016 that the attached Debarment Procedure is approved.

ATTACHMENT

Debarment/Suspension Procedure

The Town Manager, after consulting with the Town Attorney, is authorized to debar a person, entity or company for cause, from consideration for award of contracts. The debarment shall not be for a period of more than three years.

The basis for debarment shall be any unsatisfactory performance of a contract or subcontract for this or any other public body.

The Town Manager shall issue a written decision to debar, shall state the reasons for the action taken, and shall furnish the decision immediately to the person, entity or company.

Decisions of the Town Manager may be appealed to the Town Council within ten days of the issuance of the decision.

Va. Code § 2.2-4321. Debarment.

Prospective contractors may be debarred from contracting for particular types of supplies, services, insurance or construction, for specified periods of time. Any debarment procedure shall be established in writing for

state agencies and institutions by the agency designated by the Governor and for political subdivisions by their governing bodies. Any debarment procedure may provide for debarment on the basis of a contractor's unsatisfactory performance for a public body.

Resolution #06-16, Award of Contract to Retain the Services of a Licensed Real Estate Broker/Firm

Mayor Ham summarized Resolution #06-16.

Action by Town Council

Mr. Edwards made a motion to approve Resolution #06-16 as written. Mr. Looney seconded the motion.

Vote on Motion to Approve Resolution #06-16 as written

Mayor Ham called for a voice vote. Mr. Lyburn, Mr. Looney, Mr. DiRosario, Mr. Edwards, Ms. Goforth, and Mayor Ham all voted “aye.”

The motion to approve Resolution #06-16 passed with a unanimous vote.

RESOLUTION #06-16, AWARD OF CONTRACT TO RETAIN THE SERVICES OF A LICENSED REAL ESTATE BROKER/FIRM

WHEREAS, a Request for Proposals for Real Estate Broker Services was advertised on November 8, 2015 in the Richmond Times and on November 11, 2015 in the Westmoreland News, with a submission/due date of December 16, 2015; and

WHEREAS, in response to the Request for Proposals, one proposal was received that met all submission requirements; and

WHEREAS, after careful consideration of the proposal submitted by Coldwell Banker Commercial Elite, staff recommends award of a contract for real estate services to Coldwell Banker Commercial Elite.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Colonial Beach Town Council, meeting in regular session Thursday, February 11, 2016, hereby approves the awarding of a contract for the provision of real estate services to Coldwell Banker Commercial Elite.

BE IT FURTHER RESOLVED THAT, the Town Manager is authorized to execute the appropriate contract documents in accordance with the December 16, 2015 proposal.

BE IT FINALLY RESOLVED THAT, any costs authorized by this Resolution shall be paid out of funds transferred from the Capital Projects Fund to line item 4-100-012100-3100.

Resolution #07-16, Authorizes Specific Capital Improvement Projects – Repair of the boat launch facility adjacent to Castlewood Park in an amount not to exceed \$200,000

Mayor Ham summarized Resolution #07-16.

Action by Town Council

Mr. DiRosario made a motion to approve Resolution #07-16 as written. Mr. Edwards seconded the motion.

Vote on Motion to Approve Resolution #07-16 as written

Mayor Ham called for a voice vote. Mr. Lyburn, Mr. Looney, Mr. DiRosario, Mr. Edwards, Ms. Goforth, and Mayor Ham all voted “aye.”

The motion to approve Resolution #07-16 passed with a unanimous vote.

RESOLUTION #07-16, Authorizes Specific Capital Improvement Projects -- Repair of the boat launch facility adjacent to Castlewood Park in an amount not to exceed \$200,000

WHEREAS, on June 9, 2011, the Town Council authorized the Town Manager to create a fund known as the Capital Improvement Fund and to place all monies recognized from the sale of all real property in said Capital Improvement Fund; and

WHEREAS, the Colonial Beach Town Council recognizes that we have immediate capital improvement needs; and

WHEREAS, at a Town Council work session held on January 20, 2016, Council reviewed and discussed a list of Goals and Priorities for the upcoming year, taking into account the needs of the town.

NOW THEREFORE BE IT RESOLVED, that the Colonial Beach Town Council, meeting in regular session Thursday, February 11, 2016, hereby approves the immediate funding for repair of the boat launch facility adjacent to Castlewood Park in an amount not to exceed \$200,000.

BE IT FURTHER RESOLVED THAT, any costs authorized by this Resolution shall be paid out of the Capital Projects Fund as services and goods are procured.

Resolution #08-16, Authorizes Specific Capital Improvement Projects – Demolition of the current Public Restroom facility building adjacent to the Wilder Parking Lot, the purchase and installation of a precast public restroom/changing room building, and the purchase of a portable restroom facility in an amount not to exceed \$300,000

Mayor Ham summarized Resolution #08-16.

Action by Town Council

Mr. DiRosario made a motion to approve Resolution #08-16 as written. Mr. Lyburn seconded the motion.

Vote on Motion to Approve Resolution #08-16 as written

Mayor Ham called for a voice vote. Mr. Lyburn, Mr. Looney, Mr. DiRosario, Mr. Edwards, Ms. Goforth, and Mayor Ham all voted “aye.”

The motion to approve Resolution #08-16 passed with a unanimous vote.

RESOLUTION #08-16, Authorizes Specific Capital Improvement Projects -- Demolition of the current Public Restroom facility building adjacent to the Wilder Parking Lot, the purchase and installation of a precast public restroom/changing room building, and the purchase of a portable restroom facility in an amount not to exceed \$300,000.

WHEREAS, on June 9, 2011, the Town Council authorized the Town Manager to create a fund known as the Capital Improvement Fund and to place all monies recognized from the sale of all real property in said Capital Improvement Fund; and

WHEREAS, the Colonial Beach Town Council recognizes that we have immediate capital improvement needs; and

WHEREAS, at a Town Council work session held on January 20, 2016, Council reviewed and discussed a list of Goals and Priorities for the upcoming year, taking into account the needs of the town.

NOW THEREFORE BE IT RESOLVED, that the Colonial Beach Town Council, meeting in regular session Thursday, February 11, 2016, hereby approves the immediate funding for demolition of the current Public Restroom facility building adjacent to the Wilder Parking Lot, the purchase and installation of a precast public restroom/changing room building, and the purchase of a portable restroom facility in an amount not to exceed \$300,000.

BE IT FURTHER RESOLVED THAT, any costs authorized by this Resolution shall be paid out of the Capital Projects Fund as services and goods are procured.

Resolution #09-16, Authorizes Specific Capital Improvement Projects – Repair of the roof at Town Center and purchase of sixteen new chairs and four new speakers in an amount not to exceed \$22,000

Mayor Ham summarized Resolution #09-16.

Action by Town Council

Mr. Lyburn made a motion to approve Resolution #09-16 as written. Mr. Looney seconded the motion.

Mr. Looney noted that the purchase of new chairs will benefit the Town Council. Mr. Looney noted Council's comfort should be placed after the needs of the town and that the current chairs were comfortable.

Motion to Amend

Mr. Looney made a motion to delete the language in the resolution regarding the purchase of new chairs.

There was no second to the Motion to Amend. The motion failed.

Vote on Motion to Approve Resolution #09-16 as written

Mayor Ham called for a voice vote. Mr. Lyburn, Mr. Looney, Mr. DiRosario, Mr. Edwards, Ms. Goforth, and Mayor Ham all voted "aye."

The motion to approve Resolution #09-16 passed with a unanimous vote.

RESOLUTION #09-16, Authorizes Specific Capital Improvement Projects – Repair of the roof at Town Center and purchase of sixteen new chairs and four new speakers in an amount not to exceed \$22,000

WHEREAS, on June 9, 2011, the Town Council authorized the Town Manager to create a fund known as the Capital Improvement Fund and to place all monies recognized from the sale of all real property in said Capital Improvement Fund; and

WHEREAS, the Colonial Beach Town Council recognizes that we have immediate capital improvement needs; and

WHEREAS, at a Town Council work session held on January 20, 2016, Council reviewed and discussed a list of Goals and Priorities for the upcoming year, taking into account the needs of the town.

NOW THEREFORE BE IT RESOLVED, that the Colonial Beach Town Council, meeting in regular session Thursday, February 11, 2016, hereby approves the immediate funding for repair of the roof at Town Center and purchase of sixteen new chairs and four new speakers in an amount not to exceed \$22,000.

BE IT FURTHER RESOLVED THAT, any costs authorized by this Resolution shall be paid out of the Capital Projects Fund as services and goods are procured.

Resolution #10-16, Commits annual funding to improve non-VDOT roads in the Town of Colonial Beach

Mayor Ham summarized Resolution #10-16.

Action by Town Council

Mr. DiRosario made a motion to approve Resolution #10-16 as written. Ms. Goforth seconded the motion.

Motion to Amend

Mayor Ham made a motion to add the words “beginning with the FY 15-16 budget” and “from the Capital Projects Fund.” Mr. Looney seconded the motion.

Mayor Ham called for a voice vote on the Motion to Amend. Mr. Lyburn, Mr. Looney, Mr. DiRosario, Mr. Edwards, Ms. Goforth, and Mayor Ham all voted “aye.”

The motion to amend Resolution #10-16 passed with a unanimous vote.

Vote on Motion to Approve Resolution #10-16 as amended

Mayor Ham called for a voice vote. Mr. Lyburn, Mr. Looney, Mr. DiRosario, Mr. Edwards, Ms. Goforth, and Mayor Ham all voted “aye.”

The motion to approve Resolution #10-16, as amended, passed with a unanimous vote.

RESOLUTION #10-16, Commits annual funding to improve non-VDOT roads in the Town of Colonial Beach

WHEREAS, Town Council is concerned that many roads throughout the town, including roads in Riverside Meadows, remain gravel roads; and

WHEREAS, Town Council has heard requests from citizens in town to put into place a process to begin upgrades on those gravel roads.

NOW THEREFORE BE IT RESOLVED that Town Council indicates its intent to budget and appropriate annual funding beginning in FY 15-16, as well as subsequent budget ears, in an amount not to exceed \$150,000 to begin to “tar and chip” and/or pave grave roads.

BE IT FURTHER RESOLVED THAT, any costs authorized by this Resolution shall be paid out of the Capital Projects Fund as services and goods are procured.

Resolution #11-16, Increases Annual Funding for the Colonial Beach Volunteer Fire Department

Mayor Ham summarized Resolution #11-16.

Action by Town Council

Mr. Edwards made a motion to approve Resolution #11-16 as written. Mr. Lyburn seconded the motion.

Motion to Amend

Mayor Ham made a motion to add the words “beginning with the FY 15-16 budget” and “from the Capital Projects Fund.” Mr. Looney seconded the motion.

Mayor Ham called for a voice vote on the Motion to Amend. Mr. Lyburn, Mr. Looney, Mr. DiRosario, Mr. Edwards, Ms. Goforth, and Mayor Ham all voted “aye.”

The motion to amend Resolution #11-16 passed with a unanimous vote.

Vote on Motion to Approve Resolution #11-16 as amended

Mayor Ham called for a voice vote. Mr. Lyburn, Mr. Looney, Mr. DiRosario, Mr. Edwards, Ms. Goforth, and Mayor Ham all voted “aye.”

The motion to approve Resolution #11-16, as amended, passed with a unanimous vote.

RESOLUTION #11-16, Increases annual funding for the Colonial Beach Volunteer Fire Department

WHEREAS the Colonial Beach Volunteer Fire Department has come before Town Council and requested additional funding; and

WHEREAS this funding will primarily be used to repair the roof to the building, and any monies not used on the roof can fund other improvements; and

WHEREAS Town Council appreciates the time and talents of the many volunteers who staff the Volunteer Fire Department.

NOW THEREFORE BE IT RESOLVED that Town Council commits to increasing the annual funding for the Volunteer Fire Department from \$61,519.00 per year to \$75,000.00 per year for the current budget year and subsequent budget years; and

BE IT FURTHER RESOLVED THAT the Town Manager is directed to prepare the appropriate budget amendment and appropriation measures so that \$13,481.00 can be provided to the Colonial Beach Fire Department in accordance with state law.

Citizen Input

Dr. Peter Fahrney, 3419 Riverview Drive, representing the Colonial Beach Foundation. Dr. Fahrney read from a prepared statement.

Dr. Fahrney informed Town Council that the HVAC system at the Community Center property is no longer operational.

Walter Kern, 2400 McKinney Boulevard, discussed placing a stop sign at the entrance/exit to Public Works. Mr. Kern then noted there are 850 golf carts in the Town. Mr. Kern suggested

that the town use the revenue from the purchase of decals for the golf carts and fix the bike path between 12th and 7th Street.

Robin Schick, 163 4th Street, noted she appreciated the Council's support for the murals and hope to see another community mural program.

General Council Comments

Mr. Lyburn suggested to Ms. Schick that a tee shirt be printed with a copy of the mural on it. Mr. Lyburn asked Dr. Fahrney how much the replacement of the HVAC was estimated to cost. Dr. Fahrney answered "\$5,600.00."

Mr. DiRosario asked that everyone keep in mind that one of the town's previous Council members, Jim Doerr passed away and to keep in mind his family as well.

Ms. Goforth asked Dr. Fahrney if he needed new chairs at the community center.

Closed Meeting

There was no closed meeting.

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. DiRosario, Mr. Edwards, Mr. Lyburn, Mr. Looney, Ms. Goforth and Mayor Ham voted "aye." The motion to adjourn passed unanimously by Council members present.

At 8:18 p.m. the meeting was adjourned.

Kathleen Flanagan, Town Clerk

Mike Ham, Mayor