



**Minutes of the  
Colonial Beach Town Council  
Regular Meeting held on  
Thursday, June 12, 2014 at 7:00 p.m.**

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

**Present**

Mayor, Mike Ham  
Vice Mayor, Tommy Edwards  
Member, Pete Bone  
Member, Linda Brubaker  
Member, Jim Chiarello  
Member, Wanda Goforth  
Member, Gary Seeber

**Also Present**

Town Manager, Val Foulds  
Town Attorney, Andrea Erard  
Town Clerk, Kathleen Flanagan  
Police Chief, Libby Legg

**Call to Order**

Mayor Ham called the meeting to order at 7:00 p.m.

**Pledge of Allegiance**

Mayor Ham led a recitation the Pledge of Allegiance.

**Roll Call of Members**

All members were present.

**Additions to the Agenda**

Mayor Ham recommended that, under Presentations, the service award for Adam Schaefer be postponed until the July regular Town Council meeting.

Mr. Bone made a motion to add Resolution Nos. 39-14, Authorizes Town Manager to obtain an appraisal for Eleanor Park; 40-14, FY 2014-2015 Budget Process; and, 41-14, Authorizes Town Manager regarding building improvements at Town Hall. Mr. Seeber seconded the motion.

### **Approval of the Agenda**

A motion was made by Mr. Edwards to approve the agenda as amended and seconded by Mr. Bone. Mayor Ham called for a voice vote. All in favor, signify by saying “aye.” The “ayes” were unanimous, the motion to approve the agenda as amended passed.

### **Approval of the Minutes**

Ms. Brubaker made a motion to approve of the minutes for the December 12, 2013 regular meeting, the January 23, 2014 special meeting and the May 8, 2014 regular meeting. Mr. Edwards seconded the motion.

Mayor Ham called for a voice vote. All in favor, signify by saying “aye.” Mr. Bone abstained from the vote because he was not on council for the December 12, 2013 meeting. The ayes have it.

### **Council Announcements**

Ms. Goforth provided copies of “LocalScoop” and noted page 60, which highlighted Colonial Beach. The Chamber of Commerce partially paid for the advertisement.

Mr. Edwards thanked the Public Works staff and gave a “Shout Out” to Mitzi Saffos and Jean Conaty for their hard work on RiverFest weekend.

Ms. Brubaker announced that School Superintendent, Kathleen Beane, has resigned effective June 30<sup>th</sup>.

Mr. Seeber echoed the comments made by Mr. Edwards.

Mayor Ham thanked Mr. Roberson and the Sheriff’s Office for their support on RiverFest weekend.

### **Presentations**

#### **Appreciation Award, Captain Peter Nette, Commanding Officer, Naval Support Activity South Potomac**

Mayor Ham read from the plaque presented to Captain Nette “For your unwavering support of the Town of Colonial Beach and your leadership of the South Potomac Community Relations Council.”

(Applause.)

## **Citizen Input**

Ursula Finney, 214 Meadow Ave, reported that the ditch on Meadow cannot hold all the water from storms. There are about 30-40 houses involved in the ‘ditch issues.’ Ms. Finney asked Council to designate money to fix this problem now and perhaps implement a housing moratorium on building homes in the Meadows.

Ms. Finney also requested the town demand Burgess fix the shoddy work they have already been paid for.

Tim Curtin, 801 Elkin Street and a former council member. Mr. Curtin spoke in support of fully funding the schools. Mr. Curtin asked Council to take this seriously.

(Applause.)

Vicki Roberson, 215 Cedar Avenue, read remarks provided by Mary Feltner, Second Street, in support of fully funding the schools.

(Applause.)

Crystal Scherrer waived her turn to speak.

Angela Brann, Ridge Road, appealed to Council to fully support the schools.

(Applause.)

RJ Brann, Ridge Road, waived his turn to speak.

William Flammer, 2802 Dwight Avenue, noted he supports the school system. There are a lot of people in town, such as the school superintendent, that are way overpaid. Mr. Flammer believes the school does a poor job.

Mr. Flammer believes there is a lot of waste in the police department and public works. Mr. Flammer further believes Council does not communicate with the citizens.

(Applause.)

Robin Baker, 1943 James Monroe Highway, supports the school being fully funded.

(Applause.)

Andre Watts, 5 Bancroft Avenue, asked Council to please don't shut the school down.

(Applause.)

Betty Tiches, 1808 Beach Avenue, reported she has a situation that has gone on two years. She purchased an alleyway adjacent to her property and still does not have clear title.

Mayor Ham advised Ms. Tiches that someone would get back to her on this.

Ms. Erard noted she, Ms. Goforth, Mr. Bone and the town manager have been working on this and will get it straight.

Veronica Reynolds, 95 Lea Road in Placid Bay, thanked supporters of the National Honor Society, the people in town who provide scholarships, and town council members for their hard work. Ms. Reynolds individually thanked Ms. Flanagan and Ms. Brubaker for their help.

(Applause.)

Tracy Jones, 111 11<sup>th</sup> Street, supports fully funding the school.

(Applause.)

Kim Canady, 116 Hawthorn Street, called Mr. Trivett to the podium and gave him a coffee can of change for the school.

(Applause.)

Lois Ayers, 226 Locust Avenue, talked about the “moat” that surrounds her home on Locust and asked for Council’s help in addressing the flooding issues.

Walter Kern, 2400 McKinney Boulevard, complained that the porta potties were placed around the war memorial, which is insulting to veterans.

(Applause.)

Mr. Chiarello noted that the Town Council is genuinely trying to fund the schools, but has been misrepresented to the public. There is no “hate” or “hostility” to the schools by any member of Council. Mr. Chiarello asked all those people who are making those statements to just stop it.

Mr. Chiarello spoke to Monday’s field trip for students to town center, saying it was clearly not a field trip and was against state law.

Mr. Trivett spoke up saying “It’s not against state law.”

(Inaudible. Multiple conversations.)

Mayor Ham noted that state law says not to use school children to influence public policy. Mayor Ham asked Mr. Trivett if the school has a policy regarding that.

Mr. Trivett answered “Yes, we do.”

Mayor Ham asked if Mr. Trivett would show that to Mr. Chiarello after the meeting.

Mr. Chiarello then spoke to the October 13, 2011 letter sent to Dr. Donna Power and Mr. Trivett.

Mayor Ham told Mr. Chiarello “You don’t need to throw this in...)

(Inaudible. Multiple conversations.)

Mr. Chiarello said “These are not accusations. If you want a copy of these pieces of paper, I’ll be more than happy to give them to you.”

Mayor Ham asked Ms. Erard “Do I have to continue to let him talk?”

Ms. Erard answered “It is your discretion to run the meeting, but it’s Council’s decision when Council will speak.”

Mayor Ham asked individual council members if they wanted this to continue. Mr. Seeber answered “I’m torn,” Ms. Brubaker answered “aye,” Mr. Edwards answered “I’ve heard enough,” Mr. Chiarello answered “aye, of course,” Ms. Goforth answered “aye,” Mr. Bone answered “aye.” The Mayor did not vote.

Mr. Bone said “I want to qualify that. We’re coming up for an election. I think everybody needs to know where everybody stands.”

Mr. Chiarello continued “We’re all taxpayers. We all count. We all have to count to each other. We have to come together. I’ve made offers to the school a number of times to help find funding for the school.”

Mr. Chiarello continued “The town is headed in the right direction. We have to try to slow down on our spending. We have to reinforce the infrastructure that is here. You’re not going to be able to have roads to drive on to bring the kids to school unless you fix the roads.”

Mr. Chiarello continued “I’m saying we have to come together as a community to try to brainstorm the solution, to become part of the solution, not part of the problem. Pointing fingers does not work. We can do that all day long.”

Mr. Chiarello continued “You can sell all the property you want, that’s a short term solution.”

### **Presentations Continued**

Ms. Foulds, Town Manager, had no report.

Police Chief Libby Legg, deferred her report.

Larry Roberson, Westmoreland Board of Supervisors, emphasized that saying the town provides \$2.some million to the school is inaccurate, because \$1,146,583 was from the county last year. So the town only gave \$603,000 last year.

Mr. Roberson continued this year \$1,095,000 is coming from the county, so it's not \$2,000,000 from local funds. "And you would not get any of that county money if you didn't have the school system. So you're not paying that much for your school system for the 101 employees and all those kids."

Mr. Roberson noted the county's recommended state minimum is \$4,679,000. The county gives \$8,404,000. "When you tell me you're only going to give the local minimum, that reminds me...Jim, you're a builder, a carpenter, a handyman...you know that things have to be built to meet the minimum code. You wouldn't own a house that came to the minimum code. You would always like to have a whole lot better. I see that same thing with these kids. I want my kids to have a better education than just the bare minimum."

(Applause.)

Ms. Brubaker said "Mr. Roberson, I have to disagree with you. You are out of order. You are not giving a supervisor's report. You're giving a citizen's report."

"If you want to talk about the schools, you need to go to the microphone as a citizen."

Mr. Roberson continued "You're always looking for places to save money. Here's why the county gets upset with the town. We called up here and said 'let's put the water and sewer proposal for the water and sewer, you have to have it set up.'"

(Inaudible. Multiple conversations.)

Mr. Roberson continued "You said you would like to have that done with us. So we put your name on the bid. We bid up Coles Point, Montross and Colonial Beach. When we got it done, you all said 'no, we're not doing it.' Okay?"

Mayor Ham asked Mr. Roberson if he could take this up another time.

Ms. Foulds responded "We have requirements for certain testing, for certain dates and for certain turn-around times that wasn't..."

Ms. Foulds continued "I am not going to debate that here."

Tim Trivett, School Board Chairman said "When we don't show up, we hear a lot about what is said about us. I will tell you, some of you done a real good job of forcing our employees to leave. It's real sad to think you all would stoop that low."

You know, Kathleen's leaving. I'm sure Ms. Brubaker couldn't wait to make that announcement just like she..."

Ms. Brubaker told the Mayor "Mike, that's a personal attack and that is out of order. I am not going to sit here and listen to a personal attack."

### **Recess**

Ms. Brubaker made a motion to recess. Ms. Goforth seconded the motion. Mayor Ham asked the audience to quiet down.

### **Reconvene**

At 8:06 p.m. Mayor Ham reconvened the meeting.

Tim Trivett, Chairman of the School Board Continued, asking if anyone had questions.

Ms. Brubaker asked about the \$600,000 Mr. Trivett alleged the town took from the school and asked him to explain.

Mr. Trivett did not know what Ms. Brubaker was talking about.

Ms. Brubaker clarified that at the meeting at the high school, Mr. Trivett said the town took \$600,000 from the school and that JD had done the research on it.

Mr. Trivett does not know what Ms. Brubaker is talking about.

Ms. Brubaker asked what is the school board's intention of turning over the property on top of the hill.

Mr. Trivett answered "I have no comment on that, either."

Mr. Trivett addressed the Mayor "I apologize for using anybody's name. They use my name." Mr. Trivett told Council that "our teachers deserve some respect and they have been getting just hammered. We accepted several resignations last night and I expect many more."

Mr. Trivett noted he was unclear on the bond issue, saying, "We haven't done anything to move forward. I don't know if those school buses are going to be sitting in front of people's houses come September."

Mr. Trivett noted he cannot sign anything unless he gets something official from Town Council.

Ms. Brubaker noted that "Council voted unanimously to fund the move from Oak Grove to Colonial Beach High School with the bond issue. But a condition of the bond issue was the property with the burnt out school is to be turned over to the town. So if you have no comment, I respect that, but until the property is turned over, I don't see how we can go forward with the bond issue."

Mr. Trivett replied “You raised taxes \$.03 to pay for the bond. So now you want to raise taxes and make every one of these citizens pay for the bond and then you want the school property. The school is going to have to build a building.”

Ms. Brubaker advised Mr. Trivett that he initiated the offer to turn over the property to the town.

Mr. Trivett asked Ms. Brubaker if she said that every member of Council supports the school.

Ms. Brubaker agreed she said that.

Mr. Trivett then began to read an email sent by Ms. Brubaker the day following the meeting at the school gymnasium.

Ms. Brubaker stopped Mr. Trivett saying “That’s private.”

Mr. Seeber said “Robert’s Rules of Order says he can address the body, but he cannot address any particular person.”

Mayor Ham replied “It shouldn’t be done in this venue.”

Mr. Trivett said “Okay. I’ll let these people read it on their own. I’ll pass it around.”

Ms. Goforth addressed Mr. Trivett saying “You sent a resolution to us from your board giving us the property. However, the legal description was incorrect. If you now do not plan on turning that property over, why was a resolution given to us at that time?”

Mr. Trivett responded “I believe the conversations for that property all along was that you would sell it and those proceeds would go back to the school to build a new building. Is there something I’m missing here?”

Ms. Goforth did not remember that.

Mr. Seeber said “That was the statement that I made.”

Ms. Goforth said “He may have made that statement, but it was not voted on by this Council.”

Mr. Trivett answered “If you need the primary building, the thing to do is sit and have a conversation. It’s just the way you all go about doing things. Not you all as in all of you, it’s just a couple of you.”

Mr. Chiarello challenged Mr. Trivett to work with him to come up with the funding for the school.

Mr. Chiarello continued “We need to put down the swords and stop the battling. This is ridiculous. What is at stake here? It’s not your reputation. It’s not my reputation. Because it doesn’t matter. Me and you are insignificant. It’s the damn kids in this school and the teachers whose jobs are at stake.”

(Inaudible. Multiple conversations.)

Mayor Ham intervened saying “The Presentation portion is now over.”

Mr. Bone noted that Council did try to institute a MOU and would like to see that worked out.

Ms. Erard said the last draft of the MOU was sent to Mr. King.

### **Unfinished Business**

Mr. Edwards advised Mr. Trivett to contact and enlist the help of either Congressman Wittman or Senator Stewart regarding the report from the Virginia State Police regarding the fire at the old elementary building.

Mr. Chiarello asked Chief Legg about the testing of the 911 system and asked if there were any issues that need to be addressed.

Chief Legg noted there was another failure at the water tower.

### **New Business**

#### **Public Hearing, Resolution #36-14,** Amends the FY 2013-2014 Budget

There were no comments from the Public.

Mr. Seeber made a motion to approve Resolution #36-14 as written. Mr. Edwards seconded the motion.

Mayor Ham called for a roll call vote on the motion. Mr. Seeber voted “aye,” Ms. Brubaker voted “aye,” Mr. Edwards voted “aye,” Mr. Chiarello voted “aye,” Mrs. Goforth voted “aye,” Mr. Bone voted “aye,” and Mayor Ham voted “aye.” Resolution #36-14 passes.

-----Resolution #36-14-----

#### **RESOLUTION # 36–14, AMENDMENT OF FISCAL YEAR 2013 – 2014 BUDGET – GENERAL FUND AND UTILITY FUNDS**

**NOW THEREFORE BE IT RESOLVED**, that the Colonial Beach Town Council meeting in regular session, Thursday, June 12, 2014 hereby adopts and appropriates the following amendment to the Fiscal Year 2013-2014 budget as follows:

	FY 2013-14 Approved	FY 2013-14 Revised	Change
General Fund	\$6,663,857	\$6,763,799	\$99,942*
Utility – Water Fund	\$968,875	\$1,032,485	\$63,610**
Utility – Sewer Fund	\$1,796,741	\$1,886,741	\$90,000***

*General Fund Revenue Line Items	3-100-24199-0002	\$18,536
	3-100-11030-0001	\$16,000
	3-100-13030-0008	\$32,000
	3-100-11001-0002	\$68,000
	3-100-11001-0001	(\$58,000)
	3-100-11060-0001	\$8,000
	3-100-11060-0002	\$4,000
	3-100-16070-0002	\$8,068
	3-100-24020-0001	\$580
	3-100-24030-0002	\$258
	3-100-18000-0001	\$2,500
**Utility/Water Fund Line Items	3-503-16080-0005	\$54,000
	3-503-16080-0006	\$9,610
***Utility/Sewer Fund Line Items	3-501-16080-0006	\$90,000
<i>General Fund Expense Line Items</i>	<i>4-100-11010-5836</i>	<i>\$7,443</i>
	<i>4-100-12100-3603</i>	<i>\$3,708</i>
	<i>4-100-32200-5606</i>	<i>\$580</i>
	<i>4-100-31400-8104</i>	<i>\$15,000</i>
	<i>4-100-41200-8151</i>	<i>\$31,910</i>
	<i>4-100-43100-8208</i>	<i>\$23,000</i>

	4-100-43100-8211	\$18,043
	4-100-82600-6007	\$258
<i>Water Fund Line Items</i>	4-503-44000-1183	\$40,000
	4-503-44000-8011	\$23,610
<i>Sewer Fund Line Items</i>	4-501-46000-1183	\$23,500
	4-501-46000-2100	\$15,510
	4-501-45000-5836	\$25,000
	4-501-45000-6007	\$25,990

-----End of Resolution-----

**Public Hearing, Resolution #37-14, Lease of 213 Taylor Street**

At 8:21 p.m. Mayor Ham opened the public hearing.

Tim Curtin, 801 Elkin Street said “Sell it.”

Ursula Finney, 214 Meadow Avenue recommended Council put out a bid for a real estate company.

**Recess**

At 8:23 p.m. Mayor Ham called a five minute recess.

**Reconvene**

At 8:35 p.m. Mayor Ham reconvened the meeting.

**Resolution #37-14, Lease of 213 Taylor Street Continued**

Mayor Ham identified the one applicant, Harry George Prassenos, II and Melissa Anne Boulton, who proposed a food concession, beach equipment, and recreational rentals business. Hours of operation would be 6:30 a.m. to 10:00 a.m. for an early bird menu; 10:00 a.m. to 8:00 p.m. for a regular menu. Proposed lease term is 5 years at \$5,000 per year paid monthly at \$416.67. Applicant has asked for a discount of \$100 per month for the first six months or when the doors are open.

Ms. Goforth invited Mr. Prassenos to the podium and went over the written business plan.

Mr. Seeber asked how long they expected before opening.

Mr. Prassenos noted he would love to see a soft opening the week of Bike Fest.

Ms. Goforth suggested the lease term be agreed for 1 or 2 years with an option to renew.

Mr. Seeber noted if Mr. Prassenos would document how much investment money he spends and then the town sells the property after three years, the town would return 40 percent of his investment money. Mr. Seeber is in favor of a 5-year lease.

Mr. Prassenos is not in favor of a 1-year lease.

Ms. Seeber made a motion to approve Resolution #37-14 with a 5-year term, paid monthly, and that “we agree to the \$100 discount until he gets open” because he will not be making any money, and that we put in “Should the town want to terminate the lease for any reason, we would pay him back a percentage of his documented expenses that pertain to the building itself – 20 percent a year.” as written. Mr. Edwards seconded the motion.

Ms. Goforth suggested a 10 percent yearly increase be added to the lease.

Mayor Ham called for a voice vote on the motion. All in favor, signify by saying “aye.” Mayor Ham, Mr. Edwards, Mr. Bone, Mr. Chiarello, Ms. Brubaker and Mr. Seeber and Ms. Goforth voted “aye.” Resolution #34-14 passes.

-----Resolution #37-14-----

**RESOLUTION #37-14, APPROVAL OF LEASE OF 213 TAYLOR STREET**

**WHEREAS** the Town of Colonial Beach has advertised for persons interested in leasing the property located at 213 Taylor Street; and

**WHEREAS** the Colonial Beach Town Council has conducted a duly advertised public hearing at its regular meeting on June 12, 2014 regarding the leasing of 213 Taylor Street.

**NOW THEREFORE BE IT RESOLVED** the Colonial Beach Town Council at its regular monthly meeting on Thursday, June 12, 2014 hereby agrees to lease the building located at 213 Taylor Street, for a term of five (5) years, to Harry George Prassenos, II and Melissa Anne Boulton for the amount of \$5,000.00 per year, payable in monthly installments of \$416.00, with a \$100.00 monthly discount to be applied until the business is open.

**BE IT FURTHER RESOLVED** that should the Town of Colonial Beach want to terminate the lease for any reason, then the Town will pay the lessees back 20% of their documented expenses that pertain to the building itself.

**BE IT FURTHER RESOLVED** by the Colonial Beach Town Council that the Town Attorney is directed to prepare a lease for execution and the Town Manager is authorized to execute said lease on behalf of the Town.

-----End of Resolution-----

**Resolution #38-14, Employer Contribution Rates, VRS**

Mayor Ham asked Ms. Foulds to summarize.

Ms. Foulds staff recommends paying the full increase.

Mr. Seeber made a motion to approve Resolution #38-14 as written. Ms. Brubaker seconded the motion.

Mayor Ham called for a voice vote on the motion. All in favor, signify by saying “aye.” Mayor Ham, Mr. Edwards, Mr. Bone, Mr. Chiarello, Ms. Brubaker and Mr. Seeber and Ms. Goforth voted “aye.” Resolution #38-14 passes.

-----Resolution #38-14-----

**Resolution #38-14 , Employer Contribution Rates for Counties, Cities, Towns,  
School Divisions and Other Political Subdivisions**

**BE IT RESOLVED**, that the Town of Colonial Beach (Employer Code 55309) does hereby acknowledge that its contribution rates effective July 1, 2014 shall be based on the higher of (a) the contribution rate in effect for FY 2014, or (b) eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-2016 biennium (the “Alternate Rate”) provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code Section 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the “Certified Rate”); and

**BE IT ALSO RESOLVED**, that the Town of Colonial Beach does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2014:

- The Certified Rate of 12.21%

**BE IT ALSO RESOLVED**, that the Town of Colonial Beach does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outline the potential future fiscal implications of any election made under the provisions of this resolution; and

**NOW, THEREFORE**, the officers of the Town of Colonial Beach are hereby authorized and directed in the name of the Town of Colonial Beach to carry out the provisions of this resolution, and said officers of the Town of Colonial Beach are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town of Colonial Beach for this purpose.

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Michael Ham, Mayor

**CERTIFICATE**

I, Kathleen Flanagan, Clerk of the Town of Colonial Beach certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Town of Colonial Beach held at Town Center, 22 Washington Avenue, at 7:00 p.m. on June 12, 2014. Given under my hand the seal of the Town of Colonial Beach this 13<sup>th</sup> day of June, 2014.

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Kathleen Flanagan, Town Clerk

-----End of Resolution #38-14-----

**Resolution #39-14, Authorizes Town Manager to obtain an appraisal for Eleanor Park**

Mr. Seeber made a motion to approve Resolution #39-14 as written. Mr. Edwards seconded the motion.

Mr. Seeber noted he doesn't agree with selling properties to cover operational expenses. This property would be easy to sell, and if you pay off a loan with the proceeds, it puts money back into the budget.

Mr. Seeber would like to see the money from a sale of this property put aside for improvements.

Mr. Chiarello agrees with getting the appraisal and agrees if 100 percent of the proceeds goes towards roads, infrastructure, the boardwalk, etc. Mr. Chiarello believes we need to re-invest in this town.

Mr. Bone noted that members of Council were told by consultants a year ago 'that they need to know what they're going to do when they grow up.' Mr. Bone further stated that "we are at our limit right now. We are using every penny, including going into reserve money, as it stands currently."

Mr. Bone asked that a percentage of any proceeds be set aside for fire department, rescue squad and to supplement the school system.

Ms. Goforth noted she does not agree with getting an appraisal before the decision has been made to sell the property.

Mr. Bone noted this has been on the table for a long time and it's about time to do something.

(Applause.)

Mr. Seeber offered to amend the motion.

Mayor Ham called for a roll call vote on the motion. Mr. Seeber voted “aye,” Ms. Goforth voted “nay,” Mr. Chiarello voted “nay,” Ms. Brubaker voted “nay,” Mr. Bone voted “aye,” Mr. Edwards voted “aye,” and Mayor Ham voted “aye.” Resolution #39-14 passes with a vote of 4-3.

(Applause.)

-----Resolution #39-14-----

**Resolution #39-14, Authorizes Town Manager to obtain an appraisal for Eleanor Park**

**WHEREAS** the Colonial Beach Town Council previously decided to sell the property generally known as “Eleanor Park” or “Eleanor Home Trailer Park;” and

**WHEREAS** pursuant to that goal, the Colonial Beach Town Council stopped renewing leases to the tenants who previously resided in Eleanor Park; and

**WHEREAS** all of the tenants have now vacated Eleanor Park and the property is ready to be sold.

**NOW THEREFORE BE IT RESOLVED** by the Colonial Beach Town Council at its regular monthly meeting on June 12, 2014, that the Town Manager is authorized to obtain a new appraisal for Eleanor Park; and

**BE IT FINALLY RESOLVED** by the Colonial Beach Town Council that upon receipt of the new appraisal the Town Council will then identify the process by which Eleanor Park may be sold.

-----End of Resolution-----

**Resolution #40-14, FY 2014-2015 Budget Process**

Mayor Ham noted this resolution directs the Town Manager to meet at least once with the School Superintendent in order to reach a cooperative agreement for funding for the FY 2014-2015 budgets.

Mr. Bone made a motion to approve Resolution #40-14. Mr. Seeber seconded the motion.

Ms. Goforth asked why a resolution was necessary.

Ms. Brubaker asked where the resolution came from.

Mr. Bone explained it was crafted in order to bring back an equitable and fair number and to take Council members out of the discussion.

Ms. Brubaker asked what good it does for the Town Manager to meet when Council is not authorized to tell the school how to spend their budget.

Ms. Foulds noted this process should have taken place at the beginning of the budget process.

Mayor Ham called for a roll call vote on the motion. Mr. Seeber voted “aye,” Ms. Goforth voted “aye,” Mr. Chiarello voted “aye,” Ms. Brubaker voted “aye,” Mr. Bone voted “aye,” Mr. Edwards voted “aye,” and Mayor Ham voted “aye.” Resolution #40-14 unanimously passes.

-----Resolution #40-14-----

### **Resolution #40-14, FY 2014-2015 Budget Process**

**WHEREAS** the budget process for FY 2014-2015 has been particularly challenging due to unforeseen circumstances and increased expenses; and

**WHEREAS** the Colonial Beach Town Council believes that the finer details of the budget are best resolved by the professionals who administer the budget.

**NOW THEREFORE BE IT RESOLVED** by the Colonial Beach Town Council at its regular monthly meeting on June 12, 2014, that the Town Manager is directed to meet at least once with the Superintendent of Schools for the purpose of reaching a cooperative agreement regarding the FY2014-2015 budget.

-----End of Resolution-----

### **Resolution #41-14, Authorizes Town Manager regarding building improvements at Town Hall**

Mayor Ham read Resolution #41-14.

Ms. Goforth made a motion to pass Resolution #41-14. Mr. Seeber seconded the motion.

Mr. Seeber asked if the \$130,000 includes new windows. Mr. Seeber recommended the Town Manager find out if cleaning the system would allow the building be used for a certain period of time, in the meantime, find somewhere else, such as the shopping center.

Mr. Edwards noted this does not cover roof replacement.

Ms. Foulds answered that it does include roof replacement.

Mr. Chiarello suggested the duct work system and AC system be replaced.

Ms. Foulds noted the cost includes sealing the duct work, which is made of wood. Ms. Foulds further noted the cost only include 800 square foot of infected space, so as to provide as little interruption as possible.

Ms. Goforth noted she is in favor of beginning the process of remediation, as time is of the essence, which can be continued over time.

Ms. Erard stated she had added the words “state of emergency” to the resolution, which does not appear on Council copies.

Ms. Brubaker asked Ms. Foulds to share the email sent to Mr. Bone and Mr. Seeber by the receptionist regarding the breakdown of the cost with Council.

Ms. Foulds distributed the printed email to Council.

(Inaudible. Multiple conversations.)

Ms. Brubaker questioned spending the \$130,000. Ms. Brubaker asked why the Health Department or the Fire Marshall have not closed the building.

Ms. Foulds answered the Fire Marshall will close the building if certain items are not completed by the 28 of June.

Mr. Seeber noted that Council needed to either get the employees out of town hall or spend the money to fix it up.

Ms. Brubaker asked Ms. Foulds how much it would cost to update Planning and Zoning’s Brite System in order to be compatible with the CFO’s system.

Ms. Foulds answered “I don’t know. They don’t have all the modules. They don’t need all the modules.”

Mayor Ham called for a roll call vote on the motion. Mr. Seeber voted “nay,” Ms. Goforth voted “aye,” Mr. Chiarello voted “aye,” Ms. Brubaker voted “nay,” Mr. Bone voted “aye,” Mr. Edwards voted “aye,” and Mayor Ham voted “aye.” Resolution #4-14 passes with a vote of 5-2.

-----Resolution #41-14-----

**Resolution #41-14, Authorizes Town Manager regarding Building Improvements at Town Hall**

**WHEREAS** a lab report confirms that there are various types of mold identified in Town Hall; and

**WHEREAS** the presence of these types of mold require its removal and disinfection as well as the prevention of future mold; and

**WHEREAS** building and fire safety deficiencies have been identified with specific recommendations for improvement and correction; and

**WHEREAS** the Town Manager has initiated the process of obtaining cost estimates for the removal of mold, disinfection of Town Hall and the prevention of any future mold; as well as cost estimates to address the building and fire deficiencies immediately; and

**WHEREAS** time is of the essence in addressing this issue because the health of those who work at Town Hall is paramount.

**NOW THEREFORE BE IT RESOLVED** by the Colonial Beach Town Council at its regular monthly meeting on June 12, 2014, that the Town Manager is authorized to undertake any and all measures necessary to protect the health, safety and security of the employees who work at Town Hall, including but not limited to mold removal, disinfection and repairs; and

**BE IT FINALLY RESOLVED** by the Colonial Beach Town Council that the Town Manager is authorized to spend up to \$130,000.00 to fulfill the directives contained in this Resolution and that she is authorized to execute any and all contracts which may be necessary, provided that they are approved by the Town Attorney, and related to the purposes identified in this Resolution.

-----End of Resolution-----

Ms. Brubaker asked Mayor Ham if the motion made on June 9, 2014 stands.

Mayor Ham noted he did make a motion to adjourn, not recess.

Ms. Brubaker asked about the resolution that Mr. Bone presented. It is Ms. Brubaker's understanding that it had not been repeated as Mr. Bone had made it.

Mayor Ham said "Mr. Bone wanted it read back verbatim but there is no verbatim because we had some microphone issues. At this point, I've provided everybody with a document I've put together to show everybody how we've gotten to where we are right now."

Mayor Ham believes that Mr. Bone, at the school, was talking about level funding. The charter Mayor Ham provided shows Council providing level funding.

Mayor Ham continued saying the town had requested \$400,000=-/ more than last year and the school had requested about \$400,000=-/ more than last year.

Mayor Ham noted "When the original budgets were submitted, the request for the general fund and the school fund was \$998,000 short."

"So we proposed a tax increase --- we wound up settling with a \$.04 cent increase which was earmarked for the bond, which included moving the elementary school to the high school and repairs to the high school."

"The level funding that Pete had talked about on Monday would put the General Fund being funded from 2014 to \$4.21million to \$4.995. The school transfer from \$2.13million to

\$2.138million, which means the General Fund would get an increase over last year of \$37,677 and the school transfer would get an increase of \$34,983, for a total increase between the two of \$76,660.”

Mayor Ham continued saying he was not sure where Mr. Bone was—verifying his motion or what.

Mayor Ham noted “We do have to have a budget passed by June 30.

Mayor Ham continued “If we can get a budget passed, it doesn’t matter what the resolution was.”

Mayor Ham continued “In answer to your question, Ms. Brubaker, I have not seen a written motion and I’m not sure if Pete has tried to rewrite the motion.”

Mr. Bone said “I’ll reserve my opinion.”

Ms. Brubaker asked “Mr. Mayor, are we to assume that the schools are going to be funded for the first quarter at the same rate they were funded before? That’s my confusion.”

Mr. Bone answered “We have to have a budget passed by 30 June. That will indicate the amount of funds available. I’m assuming, after that you have an appropriation of funds, which allows spending. A portion of what I had recommended was that that be restricted to first quarter last year because we don’t know what state and federal funding is coming in or if we have the ability to even fund anything that would have been funded by the state. Right now, the whole money is dumped out year long. We can’t afford to do that this year because of the way state funding is. We’re going to have to do it in increments. My recommendations on increments was quarterly until we get a better picture of what state and federal funding is going to come. Then we can do some modifications and re-open it.

But my original thought was that a portion of it was restricted to the first quarter of last year. But that only pertains to local funds.”

Ms. Brubaker asked “If the school board’s budget – and this is a compromise – say everybody is happy with what you come up with, what Mr. Trivett comes up with, and in their budget it calls for a million dollar grant and we approve their budget. Everybody’s happy. If they do not get that grant, does the Council have to fund that million dollars?”

Ms. Erard answered “It depends on what you appropriate. When you appropriate, that’s when you commit your funds. And so, if there’s a grant that’s been applied for, my advice would be not to appropriate until the grant has been awarded.”

Mr. Bone answered “That’s the way I understood it.”

### **Closed Session**

There was no closed session.

**Adjournment**

Mr. Seeber made a motion to adjourn. Ms. Brubaker seconded the motion. The meeting was adjourned at 9:39 p.m.

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Kathleen Flanagan, Town Clerk

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Mike Ham, Mayor