



**Minutes of the
Colonial Beach Town Council
Regular Meeting held on
Thursday, March 12, 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, Burkett Lyburn
Member, Mike Looney

Absent

Member, Wanda Goforth

Also Present

Town Manager, Val Foulds
Town Attorney, Andrea Erard
Town Clerk, Kathleen Flanagan
Planning & Zoning Administrator, Brendan McHugh
Acting Police Chief, Bruce Hough

Call to Order

Mayor Ham called the meeting to order at 7:04 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," Mr. Looney responded "here," and Mayor Ham responded "here." **All Council Members were present with the exception of Ms. Goforth who was absent.**

Additions to the Agenda

There were two additions to the agenda. (1) Resolution #17-15, Appoints Brendan McHugh as Zoning Administrator; and, (2) Resolution #18-15, Accepts the resignation of Stephen Cirbee from Planning Commission.

Mr. Edwards made a motion to amend the agenda by adding two items. Mr. Lyburn seconded the motion.

Mayor Ham called for a voice vote on adding two items to the agenda. All in favor, signify by saying “aye.” Mr. Blunt, Mr. DiRosario, Mr. Edwards, Mr. Lyburn, Mr. Looney and Mayor Ham all said “aye.” The “ayes” were unanimous. **Both proposed items were added to the agenda.**

Approval of the Agenda

A motion was made by Mr. Edwards to approve the amended 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, Mr. Looney and Mayor Ham all said “aye.” The “ayes” were unanimous. **The motion to approve the amended agenda passed.**

Approval of the Minutes by full Council

Mr. Lyburn made a motion to approve minutes presented for the February 12, 2015 Regular Meeting and the February 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, Mr. Looney and Mayor Ham all said “aye.” The “ayes” were unanimous. **The motion to approve the minutes as presented passed unanimously.**

Council Announcements

Mr. Looney congratulated the CBHS girls’ basketball team for their success in playing in the state championship games. Mr. Looney then noted that citizen comment is limited to three minutes for individuals and five minutes for those representing a group.

Mr. Edwards also commended the girls’ basketball team, saying it was well-played with very good sportsmanship.

Mr. Lyburn also congratulated the girls’ basketball team and the support shown to the team.

Mayor Ham also congratulated the basketball team and asked for a round of applause.

(Applause.)

Presentations

Val Foulds, Town Manager

Ms. Foulds reported on two items. One, an informal committee consisting of Mr. Blunt and Mr. Looney and Ms. Foulds are coordinating and reviewing options for the town. Two, Ms. Foulds provided Town Council a Memorandum of Understanding from Dana Schrad, the Virginia Association of Police Chiefs and the costs for services is going to be approximately \$1,500 plus expenses.

Bruce Hough, Acting Police Chief

Chief Hough reported that the department received 338 calls for service with 29 total offences, three arrests and continued community outreach efforts.

Larry Roberson, Westmoreland County Board of Supervisors

Mr. Roberson congratulated the girls' basketball team.

Unfinished Business

There was no unfinished business.

New Business

Public Hearing, Resolution #13-15, Authorization to enter into a lease agreement with the Colonial Beach Foundation.

Ms. Erard noted a letter was received today from the Lion's Club requesting to terminate their lease. Prior to considering the lease with the Lion's Club, the lease termination letter should be accepted.

Motion to Accept Termination Letter

Mayor Ham asked for a motion. Mr. Looney made a motion to accept the lease termination letter from the Lion's Club. 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, Mr. Looney and Mayor Ham all said "aye." The "ayes" were unanimous. **The motion to accept the lease termination letter passed unanimously.**

Suggested Change to Resolution #13-15

Ms. Erard suggested inserting "effective March 31, 2015" after the words "a five year lease" in the last paragraph.

There was Town Council agreement with Ms. Erard.

Public Hearing

At 7:19 p.m. Mayor Ham opened the Public Hearing. There was no public comment.

At 7:19 p.m. Mayor Ham closed the Public Hearing.

Motion to Adopt Resolution #13-15

Mr. Blunt made a motion to adopt Resolution #13-15 with the change suggested by Ms. Erard. Mr. Edwards seconded the motion.

Hearing no further discussion, 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,” Mr. Looney voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #13-15 passed unanimously.**

RESOLUTION- # 13-15, Authorization to enter into Lease Agreement with the Colonial Beach Foundation

WHEREAS, the Colonial Beach Town Council seeks to enter into a five year lease with the Colonial Beach Foundation for the property located at 717 Marshall Avenue (Tax Map 3A1, Section 2, Block 40, Lots 11 through 22), commonly known as “The Lion’s Club Property”; and

WHEREAS, the Colonial Beach Town Council conducted a properly advertised public hearing on March 12, 2015; and

WHEREAS, the Colonial Beach Town Council agrees with the terms of the proposed lease between the Town of Colonial Beach and the Colonial Beach Foundation.

NOW THEREFORE BE IT RESOLVED, by the Colonial Beach Town Council on the 12th day of March 2015 that a five year lease, effective March 31, 2015, of the property located at Tax Map 3A1, Section 2, Block 40, Lots 11 through 22 for ten dollars per year to the Colonial Beach Foundation is hereby approved and the Town Manager is authorized to sign the lease on behalf of the Town.

Resolution #14-15, Adopts and Appropriates Budget Transfers and Allocations to the General Fund, School Fund, Water Fund and Sewer Fund

Mayor Ham summarized the resolution.

Mr. Lyburn made a motion to approve Resolution #14-15. Mr. Edwards 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,” Mr. Looney voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #14-15 passed unanimously.**

RESOLUTION #14-15, Adopts and Appropriates Budget Transfers and Allocations to the General Fund, School Fund, Water Fund and Sewer Fund

WHEREAS, The Colonial Beach Town Council adopted Resolution #10-15 to amend the FY 2014-2015 budget to add loan/bond funds in the amount of \$1,946,000 (minus associated fees of \$22,000) to the General Fund and insurance proceeds in the amount of \$1,459,325 to the School Fund.

NOW THEREFORE BE IT RESOLVED that the Town Council meeting in regular session, Thursday, March 12, 2015, hereby adopts and appropriates the budget transfers as outlined below; and

BE IT FURTHER RESOLVED that from the sum of \$1,459,325 transferred from the School Fund to the General Fund, the amount of \$1,264,000 must be placed in a **restricted** fund for future capital investments.

Distribution of GO Bond Proceeds (A)

	Change
School Fund	+\$1,264,000
Water Fund	+\$510,000
Sewer/WWTP Fund	+150,000

(A) CR	3-205-099999-9207	Transfer from Gen Fund (Proceeds)	\$1,264,000.00
CR	3-503-099999-9006	Transfer From General Fund	\$510,000.00
CR	3-501-099999-9008	Transfer From General Fund	\$150,000.00
DB	4-205-064101-3000	Building Additions & Improvements	\$1,264,000.00
DB	4-503-044000-8101	Capital Improvements	\$510,000.00
DB	4-501-046000-8101	Capital Improvements	\$150,000.00

School Insurance Proceeds to General Fund (B)

	Change
General Fund	+\$1,459,325
School Fund	+195,325

(B) CR	3-100-090000-0008	Transfer from School Fund	\$1,459,325.00
DB	To be placed in a restricted fund		\$1,264,000.00
DB	4-100-099999-9004	Transfer to School	\$195,325.00

CR	3-205-099999-9207	Transfer from Gen Fund (Proceeds)	\$195,325.00
DB	4-205-064101-8101	Repairs and Upgrades	\$195,325.00

Resolution #15-15 Policy regarding video taping Town Council meetings

Mayor Ham noted this resolution only speaks to videotaping regular and special Town Council meetings.

Mr. Lyburn made a motion to approve Resolution #15-15. Mr. Edwards 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,” Mr. Looney voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #15-15 passed unanimously.**

RESOLUTION- # 15-15, Policy regarding videotaping Town Council meetings

WHEREAS, in March 2013 the Town Clerk began videotaping Town Council regular meetings, special meetings and work sessions; and

WHEREAS, there was no resolution passed by the Town Council authorizing the Town Clerk to videotape said meetings.

NOW THEREFORE BE IT RESOLVED, by the Colonial Beach Town Council on the 12th day of March 2015 that the Town Clerk videotape Town Council Regular Meetings and Special Meetings.

Resolution #16-15 Policy regarding video taping Town Council work sessions

Mayor Ham noted this resolution only speaks to videotaping Town Council work sessions.

Mr. Lyburn made a motion to approve Resolution #16-15. Mr. Looney seconded the motion.

Mr. DiRosario addressed Ms. Goforth’s prior statement that Council was in violation of its own bylaws, and asked Ms. Erard if she had researched that issue.

Ms. Erard answered “I do not believe that what the Council did at the work session that day violated the bylaws.”

Mr. DiRosario noted violating bylaws is a major problem, whereas videotaping is not, in his opinion.

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,” Mr. Looney voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #16-15 passed unanimously.**

RESOLUTION- # 16-15, Policy regarding videotaping Town Council Work Sessions

WHEREAS, in March 2013 the Town Clerk began videotaping Town Council regular meetings, special meetings and work sessions; and

WHEREAS, there was no resolution passed by the Town Council authorizing the Town Clerk to videotape said meetings.

NOW THEREFORE BE IT RESOLVED, by the Colonial Beach Town Council on the 12th day of March 2015 that the Town Clerk videotape Town Council Work Sessions.

Resolution #17-15 Appoints Brendan McHugh as Zoning Administrator

Mayor Ham read Resolution #17-15.

Mr. Lyburn made a motion to approve Resolution #17-15. Mr. DiRosario 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,” Mr. Looney voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #17-15 passed unanimously.**

RESOLUTION # 17-15, Appoints Brendan McHugh as Zoning Administrator

WHEREAS the position of Zoning Administrator for the Town of Colonial Beach became vacant on August 8, 2014 with the resignation of Gary Mitchell; and

WHEREAS on September 25, 2014, Brendan McHugh was appointed by Town Council as Acting Zoning Administrator by way of Res #64-14; and

WHEREAS the Colonial Beach Town Council appreciates the hard work and many extra hours of time that Brendan McHugh has displayed while performing the duties of the Zoning Administrator in an exemplary fashion; and

WHEREAS Brendan McHugh has been selected to fill the role as head of the Planning and Zoning Department.

NOW THEREFORE BE IT RESOLVED by the Colonial Beach Town Council, at the regular meeting on March 12, 2015, that Brendan McHugh is hereby appointed as the Zoning Administrator for the Town of Colonial Beach.

Resolution #18-15 Accepts the resignation of Stephen Cirbee from the Colonial Beach Planning Commission

Mayor Ham read Resolution #18-15.

Mr. DiRosario made a motion to approve Resolution #17-15, with reluctance. Mr. Blunt 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,” Mr. Looney voted “aye,” and Mayor Ham voted “aye.” **The motion to adopt Resolution #18-15 passed unanimously.**

RESOLUTION # 18-15, Accepts the Resignation of Stephen Cirbee from the Colonial Beach Planning Commission

WHEREAS, Stephen Cirbee was appointed to the Colonial Beach Planning Commission on October 2, 2014; and

WHEREAS, Stephen Cirbee has tendered his resignation effective February 27, 2015.

NOW THEREFORE BE IT RESOLVED by the Colonial Beach Town Council, at its regularly scheduled meeting on March 12, 2015, that the resignation of Stephen Cirbee from the Colonial Beach Planning Commission is accepted.

Citizen Input

Ann Kloeckner, Rappahannock Legal Services, requested that annual funding for Rappahannock Legal Services in the amount of \$800.00 be re-instated. Ms. Kloeckner further stated that there are at least 500 people in Colonial Beach that qualify for services. Colonial Beach residents account for more than 50 percent of the clients served in Westmoreland County this year. **(Mayor Ham noted this request will be discussed at the next work session.)**

Hank Ward, 2800 Dwight Avenue said thank you very much for videotaping the work sessions, it adds a lot of transparency. Mr. Ward also thanked the town for plowing his street during the recent storms.

Mr. Ward asked “what is the purpose of citizen input” for resolutions that have already been passed?

(Mayor Ham noted this question will be discussed at the next work session.)

Linda Brubaker, 17 Lincoln Avenue spoke on behalf of the CBCC and sincerely thanked Council for the decision to continue video taping both the work sessions and the regular meetings.

Ms. Brubaker further expressed that the CBCC hopes this leads to a more cooperative relationship between the Council and the CBCC.

Presentations Continued

Mayor Ham re-opened Presentations in order to say thank you to the Public Works crew, saying they did a very good job and to the Police Department that kept everyone safe during the bad weather.

(Applause.)

Closed Session

There was no motion to move into closed session.

Adjournment/Recess

At 7:44 p.m. Mr. Lyburn made a motion to adjourn. Mr. Edwards seconded the motion to adjourn.

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, Mr. Looney and Mayor Ham voted “aye.” The motion to adjourn passed unanimously.

At 7:44 p.m. the meeting was adjourned.

Kathleen Flanagan, Town Clerk

Mike Ham, Mayor