



**Minutes of the
Colonial Beach Town Council
Work Session
Thursday, March 27, 2014
At 4:30 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

Absent

Member, Gary Seeber

Also Present

Town Manager, Val Foulds
Town Clerk, Kathleen Flanagan
CFO, Joan Grant
Police Chief, William Seay
Dir Public Works, Rob Murphy
Supervisor, WWTP, Jill Tighe
Dir Planning & Zoning, Gary Mitchell

Call to Order

Mayor Ham called the work session to order at 4:30 p.m.

Roll Call of Members

All council members were present, except for Mr. Seeber.

Presentations

There were no presentations.

Mr. Edwards asked Police Chief Seay to summarize his monthly report. Chief Seay read his report to Council.

Town Manager Update

Ms. Foulds discussed several issues: (1) a proposed grant from the Dept of Inland Game and Fisheries, which Ms. Foulds recommended not pursuing at this time; a budget amendment to add and appropriate to the School Fund the amount of \$100,000 to be presented to Council at the April regular meeting; and (3) the \$2,000 service charge for the 500 KW generator being sold by the Dept of General Services and the email that states they do not know the true condition of the generator nor the cost to get it up and running. Ms. Foulds stated she does not recommend purchasing of this generator.

Opening of Sealed Bids

Town Council opened two sealed bids containing proposals to lease 108 Taylor Street, aka the “White Building.”

After discussion, Council agreed to accept the highest bid, \$3,002 submitted by Donna and John Clayborn.

Public Hearing, Lease of 108 Taylor Street

At 5:09 p.m. Mayor Ham opened the Public Hearing.

George Prassenos spoke saying he submitted a bid on leasing the building and explained to Council his business plan for renovation and operation of a gourmet food stand and beach rentals business.

Donna Clayborn, the current lessee, spoke saying she submitted a bid on continuing to lease the building and reported her plans on operation of a food stand and soft serve location.

Steve Cirbee, noted he purchased Potomac River Charters and is looking to expand services by renting chairs, paddle boards, et cetera.

There being no further public comments, Mayor Ham closed the public hearing at 5:15 p.m.

Motion to accept the bid from Donna and John Clayborn as written

Mr. Chiarello made a motion to accept the bid from Donna and John Clayborn as written. Ms. Brubaker seconded the motion.

Ms. Goforth asked if that included the three year.

Mr. Chiarello made a motion to accept the bid from Donna and John Clayborn regarding the lease at 108 Taylor Street for a three year period with 3% incremental increase each year.

Ms. Brubaker seconded the amended motion.

Mayor Ham called for a voice vote on the motion. Ms. Brubaker voted “aye,” Mr. Bone voted “aye,” Mr. Chiarello voted “aye,” Mr. Edwards voted “aye,” Ms. Goforth voted “aye,” and the Mayor voted “aye.”

The motion carries.

Presentations Continued

Mayor Ham reported on a Safewise survey of Virginia’s top cities and towns, noting that the Town of Colonial Beach came in at number 5.

(Applause.)

Town Manager Update Continued

Ms. Brubaker asked for an update on Beachgate; saying the permits have expired.

Mr. Chiarello asked for an update on the easement from Kyle Schick; and asked Ms. Erard to call his attorney.

Recess

Mayor Ham called a recess at 5:44 p.m.

Reconvene

Town Council reconvened at 6:02 p.m.

Old Business

Transient Occupancy Tax

Ms. Grant asked a question on the proposed ordinance: (1) page 4, travel campground – are we allowing them. Mr. Chiarello answered no.

Ms. Grant noted she has a best estimate that there are about 15 cottages which would generate approximately \$5,000 in revenue. Ms. Grant further noted this will go into effect July 1.

Steve Cirbee, citizen, noted there are several permits, licenses and fees that are not being collected and not being enforced. Mr. Cirbee said he gave the town a list of 60 people who did not have licenses.

Ord #646, Nuisances

Ms. Goforth reported that Mr. Mitchell was going to re-write the ordinance.

Mr. Mitchell reported that had been in communication with Mr. Busick and will provide Ms. Goforth a copy of they have developed in May. Included in the new ordinance is language that allows people to have “naturalistic” gardens.

School Bond/Amount of Bond

Ms. Brubaker noted the operational budget for the schools is about even, but they are asking for an additional \$427 from the town due to increases in VRS payments and a 2% increase for staff.

Mayor Ham suggested Council hold a Special Joint meeting with the School Board next week.

Boardwalk Vendor Program

Mr. Bone asked if this discussion had been put off until next year.

Ms. Foulds noted she has applications to approve and will use the existing ordinance.

1617 Irving Avenue and other ROWs on Irving

Ms. Erard noted there are issues that need to be sorted out. Ms. Erard asked if she, the Town Manager and one member of Council could work on this issue. Ms. Goforth volunteered. Mr. Bone volunteered.

2014 Bike Fest

Mr. Bone would like to see coordinated meetings with the Chamber and principals.

New Business

Hiring Police Officers

Mayor Ham noted we are several officers short. Chief Seay answered that two officers have resigned and one is currently on administrative paid leave. On June 1st one officer will retire.

Ms. Foulds noted the positions are being advertised.

Mr. Bone made a motion to authorize hiring of three officers as soon as possible. Ms. Goforth seconded the motion.

Mayor Ham called for a voice vote on the motion. Ms. Brubaker voted “aye,” Mr. Bone voted “aye,” Mr. Chiarello voted “aye,” Mr. Edwards voted “aye,” Ms. Goforth voted “aye,” and the Mayor voted “aye.”

The motion to authorize hiring of three officers as soon as possible unanimously passes.

Chamber request for a donation for the 2014 Jet Ski event

Mayor Ham noted the Chamber is requesting a \$5,000 donation; if they make a profit they will pay the money back.

Mayor Ham noted this will be on the agenda for the April regular town council meeting.

Set meeting schedule for (1) budget work session; (2) public presentation; and (3) joint meeting with the school board

Mayor Ham will set up a meeting next week for a work session with the School Board. Then council can finalize and set a timeline for advertising if council is trying to approve a budget by May 8.

Pending the school board’s availability, Mayor Ham will look to set up a joint meeting for Wednesday, April 2 at 1:00 p.m. or Thursday mid-late afternoon.

Management interaction with staff

Ms. Brubaker noted that several employees have told her about incidences of their managers cursing at them and threatening them with reprisal.

Ms. Goforth added that the employees have also stated they have been threatened and told they are not allowed to talk to council members.

Ms. Brubaker noted “It’s not the town manager, it’s not the CFO. It’s not planning. And it’s not the police department. And it’s not public works.”

Ms. Goforth would like to see a whistle blower resolution to protect employees.

Alternate appointment, EOC

Ms. Brubaker asked how Ms. Wilkerson came to be appointed alternate.

Ms. Foulds read the letter from the Virginia Department of Fire Program.

Additions to Agenda

Employee Compensation Plan

Mayor Ham presented an Employee Compensation Plan and requested Council to authorize the Town Manager to approve it.

Mr. Edwards made a motion to authorize the Town Manager to approve and incorporate the Employee Compensation Plan into the Personnel Manual. Mr. Chiarello seconded the motion.

Mr. Bone made a motion to amend the motion to include language to rescind Resolution # -14, which authorized the Town Manager to spend \$8,000 on an Employee Compensation Plan. Ms. Goforth seconded the motion to amend.

Mayor Ham called for a voice vote on the motion. Ms. Brubaker voted “aye,” Mr. Bone voted “aye,” Mr. Chiarello voted “aye,” Mr. Edwards voted “aye,” Ms. Goforth voted “aye,” and the Mayor voted “aye.”

The amended motion to approve and incorporate the Employee Compensation Plan into the Personnel Manual passed unanimously.

Chief of Police Contract

Mayor Ham noted if Council can come to an agreement on the terms in the new Chief’s contract, it can be executed tomorrow.

Resolution # 23-14

Mr. Bone made a motion to approve Res # 23-14 as written. Mr. Edwards seconded the motion.

Mayor Ham called for a voice vote on the motion. Ms. Brubaker voted “aye,” Mr. Bone voted “aye,” Mr. Chiarello voted “aye,” Mr. Edwards voted “aye,” Ms. Goforth voted “aye,” and the Mayor voted “aye.”

RESOLUTION #23-14, APPOINTMENT OF LIBBY LEGG AS CHIEF OF POLICE

WHEREAS, the Colonial Beach Town Council has conducted interviews of candidates for the position of Chief of Police; and

WHEREAS, Colonial Beach Town Council is impressed with the qualifications and experience of Libby Legg to serve as Chief of Police; and

WHEREAS, after thorough consideration the Colonial Beach Town Council finds that Libby Legg is most qualified to serve as Chief of Police.

NOW THEREFORE BE IT RESOLVED that the Colonial Beach Town Council, meeting in regular session on March 13, 2014 appoints Libby Legg as the Chief of Police effective 31 March 2014 authorizes the Town Attorney to finalize the negotiations as to the Police Chief's contract, and authorizes the Town Manager to execute the contract on behalf of the Town Council.

Closed Session

There was no motion to go into closed session.

Resolution #29-14, Authorizes the Town Manager to sign an agreement (re: employee (T. Davis))

Ms. Goforth recommended a discussion of Resolution #29-14.

Ms. Foulds noted she has not finished her investigation.

Mr. Bone cannot support this resolution until the investigation is complete; Ms. Brubaker cannot support it; and Ms. Goforth cannot support it.

Mr. Bone asked that this meeting be recessed until the Town Manager has finished her investigation.

Adjournment/Recess

Mayor Ham made a motion to recess until 2:00 p.m. on Friday, March 28, 2014. Mr. Bone seconded the motion.

At 8:16 p.m. Mayor Ham recessed the work session.

Kathleen Flanagan, Town Clerk

Mike Ham, Mayor