



**Minutes of the
Colonial Beach Town Council
Work Session held on
Wednesday, February 22, 2017 at 6:00 p.m.**

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

Present

Mayor, Eddie Blunt
Member, Frank Alger III
Member, Steve Cirbee
Member, Bill Dellar
Member, Dallas Leamon
Member, Burkett Lyburn
Member, Phil Rogers

Absent

All Council Members were present.

Also Present

Town Manager, Val Foulds
Town Attorney, Andrea Erard
CFO, Joan Grant
Police Chief, Danny Plott
Planning Administrator, Brendan McHugh
Town Clerk, Kathleen Flanagan

Call to Order

Mayor Blunt called the meeting to order at 6:00 p.m.

Roll Call of Members

Mayor Blunt noted that all council members were present.

All Council Members were present.

Motion to Adjourn

Mr. Leamon made a motion to adjourn the work session at 8:00 p.m. Mr. Lyburn seconded the motion.

Mayor Blunt called for a voice vote. Mr. Alger, Mr. Cirbee, Mr. Dellar, Mr. Leamon, Mr. Lyburn, Mr. Rogers and Mayor Blunt all voted “aye.”

Council members agreed unanimously to adjourn the work session at 8:00 p.m.

Presentations

There were no presentations.

Town Manager Update

Ms. Foulds distributed and discussed a listing of the most important projects ongoing in the town and asked member of Council to review the list and provide input on priorities within the list.

Mr. Dellar requested Ms. Foulds provide funding estimates when available.

Old Business

Resolution #11-17, Authorizes Town Manager to Issue License Agreements

Mayor Blunt summarized the resolution.

Ms. Erard noted that Council had requested staff come up with a short term solution. Ms. Erard has come up with a temporary solution which can be approved tonight.

Mr. Dellar suggested adding an additional “Whereas” clause that reads “WHEREAS, this process may also now consist of a leasing option; and”

There was no Council objection to the addition of an additional “Whereas” clause.

Ms. Erard explained that for the purpose of the license agreement, the agreement would reference the address and GI Pin for the property – usually across the street – and a photograph be attached of the licensed area.

Mr. Dellar asked if inserting a term was necessary and if it was possible to bring the leases current.

Ms. Erard recommended Council authorize the issuance of the license agreements and then work on a permanent lease or purchase option.

Mr. Cirbee asked if issuing a license means Council does not have to make a decision on whether to lease or sell. Mr. Cirbee further asked if a landowner does not want to purchase a pier, can someone else purchase the pier.

Mr. Dellar noted that, for new piers, a location survey can be done and would show where the pier will sit in relation to the extended property lines.

Mr. Leamon noted Council had requested the Town Attorney bring forth a temporary fix.

Mr. Leamon made a motion to adopt Resolution #11-17, as amended. Mr. Lyburn seconded the motion.

Mr. Alger suggested inserting a notice term.

Ms. Erard noted the resolution authorizes the Town Manager to issue a license agreement for six months with a one-year duration and 30 days written notice.

Mr. Leamon called for the vote.

Mayor Blunt requested a roll call vote. Mr. Alger voted "aye," Mr. Lyburn voted "aye," Mr. Cirbee voted "aye," Mr. Dellar voted "aye," Mr. Rogers voted "aye," and Mayor Blunt voted "aye."

The motion to adopt Resolution #11-17, as amended, passed with a unanimous vote.

Resolution #11-17, Authorizes Town Manager to issue License Agreements re: piers

WHEREAS the Colonial Beach Town Council has initiated the process for selling the property where piers are currently located, and which were formerly leased by the Town; and

WHEREAS this process is lengthy; and

WHEREAS there are some citizens who have a need to obtain permits or otherwise demonstrate that they are lawfully using the pier that they previously constructed.

NOW THEREFORE BE IT RESOLVED by the Colonial Beach Town Council at a lawfully called and duly noticed meeting on February 22, 2017, that the Town Manager shall be authorized to issue License Agreements.

Resolution #10-17, Schedules two Work Sessions

There was consensus among Council to move consideration of Resolution #10-17 to next on the agenda.

Mayor Blunt read Resolution #10-17.

Mr. Alger made a motion to approve Resolution #10-17 as written. Mr. Lyburn seconded the motion.

Mayor Blunt called for a voice vote. Mr. Alger, Mr. Cirbee, Mr. Dellar, Mr. Leamon, Mr. Lyburn, Mr. Rogers and Mayor Blunt all voted “aye.”

The motion to adopt Resolution #10-17, as written, passed with a unanimous vote.

Resolution #10-17, Schedules two Work Sessions

WHEREAS the Colonial Beach Town Council seeks to enhance the efficiency and effectiveness of actions by the Town Council; and

WHEREAS the Colonial Beach Town Council has matters that require in-depth study and review by the Colonial Beach Town Council.

NOW THEREFORE BE IT RESOLVED by the Colonial Beach Town Council at its work session on Wednesday, February 22, 2017 that there will be two work sessions of the Council held on (1) **Saturday, March 11, 2017 from 8:00 a.m. until 10:00 a.m.**; and, (2) **Friday, March 24, 2017 from 6:00 p.m. until 8:00 p.m.**

Status of Revisions to By Laws and Rules of Procedure

Mr. Rogers noted that this is a work in progress. Mr. Rogers has met with the Mayor for his input and has received input from Mr. Cirbee. The next step is for Council Members to review the document and recommend any changes. Finally, the document will be submitted to the Town Attorney for legal review. And, finally, there will be a call for a formal vote on the final version.

Mr. Rogers read a sentence that had been left out of Section 3-5 “Anytime a Council Member wishes to proceed on an item or discussion in a manner that is not in accordance with the ByLaws or Robert’s Rules, a motion is to be made to suspend one or more of these By Laws or Robert’s Rules and shall be suspended after a vote of two-thirds of the members present.”

Mr. Cirbee noted he intends to sit down with the Town Attorney and go over some concerns he has with the By Laws.

Ms. Erard noted that “According to Robert’s Rules, when Council Members speak, they should address their comments to the Chair.”

New Business

Council Member Requests

(A.) Town Council Direct Hires

Mr. Dellar noted he placed two personnel items at the top of the list. Council supervises the Town Manager, the Town Clerk, the Police Chief; the Town Attorney is a private contractor. By putting in place performance evaluation criteria, the employees know what is expected of them.

Mr. Cirbee asked if the assessments that were done in 2013 would be a good place to start.

Mayor Blunt noted that Chief Plott's yearly evaluation is done by the Town Manager.

Ms. Erard asked for a timeframe. Mr. Dellar suggested having evaluation criteria in place by the end of June.

Mr. Cirbee noted the Personnel Policy Manual was updated in 2011.

Without objection, it was agreed that Mr. Cirbee and the Mayor will work with the Town Attorney.

Mr. Dellar then noted that written certifications are needed to insure that training, education and certifications are being obtained by existing employees and/or new hires.

Mr. Cirbee noted that state agencies typically dictate requirements and the town may need a system of checks and balances regarding compliance.

Ms. Erard noted that Council Members are not allowed access to personnel files. Further, the Town Manager hires and fires the employees under her and perhaps she could provide an assurance regarding compliance.

Without objection, Council agreed that the Town Attorney would prepare an ordinance amending the Town Code.

(C.) Mr. Dellar suggesting "skipping" piers.

(D.) Mr. Cirbee noted the sunken boat is not a town issue; it is a state issue. Officer Deemer of VMRC has spoken to both Mr. Cirbee and Mr. Dellar. Mr. Dellar suggested that until the town gets something in writing, this is going to be a can of worms.

Mr. Cirbee noted the town only owns the land connected to the pier and not the pier.

Mayor Blunt reported he talked to Officer Deemer and was told it was the town's responsibility.

Mr. Cirbee reported that fisherman say there used to be live ordinances that were dumped at the end of the pier at Sulgrave.

(E.) Mr. Dellar brought up the issue of fracking out of a lot of recent concerns expressed. Mr. Dellar suggested the town take a position on fracking and present that position to the Board of Supervisors.

Mayor Blunt suggested adopting a resolution on March 11 that the Mayor could present to the Board of Supervisors at its next meeting on fracking scheduled for March 16.

Without objection, the Town Attorney will prepare a resolution for Council consideration at the March 11 Work Session.

(F.) Mr. Dellar requested an accurate count of VMRC citations within the Town.

(G.) Mr. Dellar asked about the status of Eleanor Park, noting that Coldwell Banker has been assessing the property.

Ms. Foulds noted that representatives have asked for documentation, such as the Comp Plan and other additional information as they attempt to come up with an assessed value for several locations.

Mr. Dellar then asked about the town's interest in a conservation easement with the Virginia Outdoor Foundation. Ms. Foulds noted the latest communication with the Foundation indicated their funding had been reduced.

Without objection, the Town Attorney will reach out to the Virginia Outdoor Foundation and report back to Council.

With permission, Ms. Robin Schick, Chairperson of the Planning Commission spoke and noted that the Planning Commission had originally recommended the land not be sold for 4-5 years and that time has passed and that now would be a good time to re-assess the plans.

(H.) Mr. Dellar asked of the status of Beachgate Motel. Mr. McHugh noted that currently the owner is working on a site plan review for the parking lot. The owner indicated the hotel would open "as soon as possible."

(I.) Mr. Leamon asked if consideration of this item could be deferred until the March 11 meeting. Mr. Leamon further requested Ms. Grant provide Council with totals of what the town earned in lodging tax, meals tax, etc for the month of bike fest for the last three years, as well as the overtime payroll for all town employees.

Without objection, consideration of Bike Fest 2017 was deferred until the March 11th Work Session.

Mr. Cirbee requested that Council consider a minimum business license fee for vendors.

(J.) Mr. Dellar asked if Council could get a copy of the format used in presenting the budget to Council for its consideration.

(K.) Mr. Dellar discussed the new 8-1/2 by 11” format for tax bills and asked if the actual property address would appear on the bill.

(L.) Mr. Leamon noted citizens are not happy about leaf and yard debris not being picked up. This service is very valuable and has been provided in the past.

Ms. Foulds responded that leaf pickup is scheduled seasonally at the same time as household refuse. Previously, a leaf pickup was initiated by a citizen call. The requests escalated.

In an effort to refine the process, a week in November was scheduled.

(M.) Mayor Blunt discussed the lack of sidewalks or a crossing guard on 1st Street near the school campus area.

Chief Plott noted that patrol officers usually go to the school area when available after school.

Mr. Cirbee suggesting adding a Capital Improvement item to improve the roadway on 1st Street.

Mr. Leamon noted the crosswalk area should have flashing lights and a 25 MP zone at either end.

(N.) Ms. Schick directed Council to page 3 of the Planning Commission’s by laws and noted this is just a clarification of the position of “clerk.”

Without objection, there was Council consensus regarding the Planning’s Commission’s request for consensus.

Adjournment/Recess

Mr. Leamon previously made a motion to adjourn. Mr. Lyburn previously seconded the motion.

At 8:00 p.m. the meeting was adjourned.

Kathleen Flanagan, Town Clerk