



**Minutes of the
Colonial Beach Town Council
Work Session held on
Saturday, June 2, 2018 at 8:00 a.m.**

Colonial Beach Town Center
22 Washington Avenue

Present

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

Absent

Councilman Steve Cirbee was absent.

Also Present

Town Manager, Quinn Robertson
Town Attorney, Andrea Erard
Town Clerk, Kathleen Flanagan
Deputy Town Manager, Rob Murphy
Acting Chief of Police, Bruce Hough

Call to Order

Mayor Blunt called the meeting to order at 8:00 a.m.

Roll Call of Members

Mayor Blunt noted that all Council Members were present except Mr. Cirbee.

Approval of the Agenda

Mr. Leamon made a motion to approve the agenda as written. Mr. Lyburn seconded the motion.

Mayor Blunt called for a roll call vote to approve the revised Agenda. Mr. Alger voted “aye,” Mr. Lyburn voted “aye,” Mr. Leamon voted “aye,” Mr. Rogers voted “aye,” Mr. Dellar voted “aye,” and Mayor Blunt voted “aye.”

The motion to approve the agenda passed with a unanimous vote of council members present.

Presentations

There were no presentations.

Old Business

Resolution #__-18, Approves and Adopts Northern Neck Regional Hazard Mitigation Plan 2017

Mayor Blunt summarized the importance of Colonial Beach adopting and becoming a part of the Northern Neck Region in order to stay current with emergency operations.

Council agreed to consideration this Resolution at its June 20, 2018 Regular Meeting.

Discussion of Subdividing Eleanor Mobile Home Trailer Park

Mr. Dellar noted that in April the then Zoning Administrator was tasked with providing steps to achieve a subdividing of Eleanor Mobile Home Park. Upon review, Mr. Dellar noted that the Planning Commission currently has complete authority to approve or disapprove subdivisions. If there is controversy with their decision, then the matter would be adjudicated before a court. Mr. Dellar proposed that the governing body, this Town Council, revise the ordinance.

Mr. Dellar made three recommendations: (1) revise the ordinance; (2) prepare and pass a resolution that makes clear Council’s desire to subdivide the property; and, (3) task the Town Manager to issue an RFP for development of a site appropriate subdivision plat.

Mr. Robertson noted that Council should note that any changes made to the ordinance would affect all future zoning efforts. Mr. Robertson would like to be able to entertain any and all offers to purchase, whether as is or as subdivided.

Mr. Rogers noted that the Planning Commission is an advisory body and that Council should have the final decision as to the sale of town properties.

Mr. Leamon noted the Planning Commissioners are volunteers and are provided specialized training. Mr. Leamon is against totally cutting out the Planning Commission from matters of planning.

Mr. Dellar noted they would not be excluded from the process at the discretion of the governing body.

Mayor Blunt noted currently the Planning Commission does provide recommendations to Town Council.

Mayor Blunt noted that for four years the Town Council has tried to make a decision on Eleanor Park, and, in fact, it's been more like a decade.

Mayor Blunt noted that the only citizens that speak out are the ones who live closest to the property; the rest of the citizens do not seem to be informed or care.

Mayor Blunt further noted Town Council is getting ready to raise taxes and, could be raised against next year, if necessary.

Mr. Leamon disagreed with Mayor Blunt, saying he does not live near Eleanor Park, but does care, as do others.

Mr. Alger asked if Mr. Dellar's changes had been forwarded to the Planning Commission.

Ms. Erard responded that the Town Council would need to refer any changes to the Planning Commission.

Mr. Alger noted that was in accordance to VA Code 15.2-2253. Ms. Erard agreed.

Mr. Alger wants to make sure any changes are done properly and in accordance with State Code.

Motion to Direct Town Attorney

Mr. Dellar made a motion that Town Council direct the Town Attorney to revise the ordinance in accordance with the documents provided by Mr. Dellar. Mr. Rogers seconded the motion.

Mayor Blunt called for a roll call vote to approve motion. Mr. Alger voted "nay," Mr. Lyburn voted "nay," Mr. Leamon voted "nay," Mr. Rogers voted "aye," Mr. Dellar voted "aye," and Mayor Blunt voted "aye."

The motion to direct the Town Attorney failed with a vote of 3 ayes and 3 nays.

Mayor Blunt then noted he doesn't think he is going to vote for the sale of Eleanor Park because "at some point in time, the people have got to speak up." Mayor Blunt noted that only the opposition to the sale of Eleanor Park speaks up.

Mayor Blunt then noted the more the sale of properties are stonewalled; the more there is no support to sell properties; the more it affects everyone, including the school, the police, the emergency responders, all of us.

Public Hearing

Ordinance No. 693, Amends Town Code, Section 20-2, Real Estate Tax

Public Hearing

At 8:24 a.m. Mayor Blunt opened the Public Hearing

Terry Miller, resident, thanked Council members for their service. Mr. Miller cautioned that once you become known as a high-tax area, it's hard to take it back. Mr. Miller noted that he knows of several people who chose not to buy, both residential and commercial, in town because of the taxes. Taxing is not a long term solution.

Eric Nelson, 1321 Lossing, noted he appreciates the financial situation the town is in. Mr. Nelson believes that taxes are necessary and the town needs an injection of resources in order to diversify its revenue. Mr. Nelson is in favor of raising taxes and having an economic development plan.

Mayor Blunt commented that the town has made steps towards economic development and there has been some interest by hotels and other businesses, but cautions that investors will have to consider the taxes before they make a commitment.

Mayor Blunt noted we are a seasonal town with limiting acreage for growth.

Mr. Nelson then announced that he has joined the Northern Neck Chesapeake Bay Economic Development Partnership.

Pam Tolson, 134 10th Street, reported that she was surprised that she never has heard anything back on what was the outcome of the grant to the Virginia Outdoors Foundation. Ms. Tolson reported she received a phone call after the decision was made and was told the town would receive a letter.

Mayor Blunt responded that no one received a letter.

Ms. Tolson continued saying she was told the Board was supportive of giving the town the grant, but because they had been told we would not accept it unless it was the full \$800,000, they felt the town was not sincere in its request.

Mayor Blunt responded that Council has not received anything from the VOF and noted that the town attorney and Delegate Ransone have both contacted the VOF.

Mayor Blunt asked Ms. Tolson to bring Council a written document from the VOF and to provide the name of the staff person from VOF that called Ms. Tolson.

At 8:40 a.m. Mayor Blunt closed the Public Hearing.

Council Discussion

Mr. Dellar discussed a document he had handed out which looked at other sources of revenue, including collecting delinquent taxes and increase personal property taxes.

Mr. Dellar noted that increasing personal property tax back to \$4.00 per hundred would be equal to raising real estate taxes by .02 cents as the town has lost \$100,000 since reducing the tax.

Mr. Blunt responded that Council lowered the personal property tax to provide relief to those people who live here year round.

Mr. Blunt further noted that Council had previously known and agreed that taxes needed to be raised by six cents and would be raised incrementally.

Mr. Dellar noted that the 'deficit' projected for 2019 is \$247,000 with a zero reserve.

Mr. Dellar proposed Council look at other proposed sources of revenue.

Mr. Robertson noted that real estate taxes were a stable revenue source and that many of the potential revenue sources proposed by Mr. Dellar are excellent goals to work towards.

Mr. Dellar urged Council to consider all sources of revenue, not just increasing real estate taxes.

Mr. Dellar then agreed with resident Terry Miller that increasing real estate taxes has a dampening effect on the value of homes in town.

Mr. Dellar asked Mr. Murphy how many stops to pick up refuse does the crew make in the winter versus in the summer.

Mr. Murphy responded that the tonnage is counted on a daily basis.

Mr. Dellar then noted that the Police Department costs the town roughly \$1.2 million each year. Mr. Dellar believes, based on the department losing accreditation and the resignation of the police chief, that now is a good time to consider reaching out to the county to see if there is savings to the county providing law enforcement services.

Mr. Leamon noted that the last thing anyone on Council wants is to pay more taxes or to vote to increase taxes, but it's common sense that when you build a brand new \$9.2 million school, the money has to come from somewhere.

Mr. Dellar noted a .10 cent increase will increase revenues by just under \$500,000. There is a \$248,000 shortfall at .70 cents tax rate.

Mr. Dellar noted the Town Manager is recommending a .06 or .08 cent increase.

Mr. Dellar suggested Council discuss how much of a rate increase.

Mr. Rogers noted that the tax increases should have occurred three or four years ago.

Mayor Blunt noted he owns three homes and a business, so this will be a tremendous tax burden on him, but he does see light at the end of the tunnel. Mayor Blunt noted Council can make adjustments as things get better.

Mr. Leamon said he will be in support of a .10 cent increase.

Mr. Rogers said he made a promise to himself to replace the \$765,000 in order to maintain a healthy financial position.

Mr. Rogers said he will support between a .76 and .78 cent increase.

Mr. Dellar directed Council's attention to page 3 of Mr. Robertson's slide presentation which shows a contingency of \$123,000 with an .08 cent increase and a contingency of \$30,000 with a .06 cent increase. At a .10 increase, the contingency would increase to approximately \$250,000.

Mr. Dellar would like Council to take into consideration the proposals for increased revenues other than tax increases.

Mr. Lyburn noted he would support a .10 cent increase to .80 cents.

Mayor Blunt noted he would support a .10 cent increase because it provides breathing room. Mayor Blunt proposed the tax rate could be lowered as things improve in town.

Consensus on Tax Rate Increase

Mayor Blunt called for a consensus roll call regarding the amount of the proposed tax increase. Mr. Alger said .10 cents; Mr. Lyburn said .10 cents; Mr. Leamon said .10 cents; Mr. Rogers said .10 cents if that is what the majority wants; Mr. Dellar said, in the spirit of compromise, he would be willing to agree to .10 cents that included a sunset provision that makes the increase go away after two years, without that, he does not support a .10 increase; and Mayor Blunt said .10 cents.

Ms. Erard informed Mr. Dellar there could not be any provisions included.

Public Hearing

Resolution, Adopts and Appropriates 2018-2019 Fiscal Year Budget

Public Hearing

At 9:22 a.m. Mayor Blunt opened the public hearing.

Susan McGee, 5th Avenue, spoke as a substitute cafeteria employee for the school system and requested Council change how food service employees are classified and to insure salaries for food service employees are increased.

At 9:28 a.m. Mayor Blunt closed the public hearing.

Council Discussion

Mr. Robertson summarized recent reductions in expenditures.

There was no further discussion from Council Members.

Resolution, Approves Acting Police Chief Employment Agreement

Ms. Erard summarized that at the last meeting Council appointed Bruce Hough as Acting Police Chief and this agreement provides a monthly stipend for the additional responsibilities and will be voted on by Council at the next regular meeting.

Mayor Blunt noted he hoped Council would support the agreement and thanked Mr. Hough.

Mr. Dellar asked who drafted this.

Ms. Erard responded she did and it's the same agreement used in the past.

Mayor Blunt suggested Council have a discussion at the July Work Session regarding moving forward with the search for a new Police Chief.

Discussion of Police Department

Mr. Dellar, in light of the recent resignation of Chief Plott and given that the department failed its reaccreditation, it is a good time to review law enforcement services and research what services the county could provide at what cost versus maintaining our local department.

Mr. Dellar noted that we are spending \$1.2 million on our police department.

Mr. Leamon noted the previous decision to move dispatch to the county was a flop. Mr. Leamon further noted he likes picking up the phone and having a police officer arrive in two minutes.

Mr. Leamon further noted we will lose control of police services in our town and we have too many festivals going on.

Mr. Lyburn has been down this road before and believes moving dispatch was a terrible move for the town.

Mayor Blunt suggested Mr. Dellar meet with the county officials and discuss hard numbers, for example, costs for next five years maintaining the same current level of service.

Mayor Blunt asked if Council agreed.

Mr. Leamon said he will not support any move of the police department. Mr. Leamon noted there are three things you don't mess with in this town, the Police Department; the School System; and the trash – the people want the police department here.

Acting Chief Hough noted the department is currently operating on a shoestring budget. Traditionally the department has had a problem with attracting new officers because of the starting salary and retention of those officers. Both Westmoreland County and King George County have higher salaries.

Acting Chief Hough reminded Council that when they begin talking about consolidation with the County, our officers hear about it and it causes turmoil in the Department.

Mayor Blunt stated that if there is to be any discussion on changing the police department, trash service, water and sewer services, we want hard data. There has to be proven value to the town. Mayor Blunt believes the town would lose value by changing the police department and would lose its ISO rating which affects insurance rates.

Mr. Robertson noted the population of the town is increasing and eventually will be large enough to achieve the status of a city, and, therefore long term planning needs to take place now.

Mayor Blunt called for a consensus roll call regarding if Council was in favor of Mr. Dellar researching moving the Police Department to the County. Mr. Alger said okay; Mr. Lyburn said no; Mr. Leamon said no; Mr. Rogers said okay; Mr. Dellar said yes; and Mayor Blunt said okay.

Mr. Alger asked how much it would cost to get dispatch back.

Mr. Robertson answered roughly, one-half million, not including operational costs.

Mayor Blunt noted that every time there is a tax increase, you have to take a look at all those hard decisions that no one wants to talk about.

Mayor Blunt believes the citizens deserve to know the Council is being fiscally responsible.

Mayor Blunt stated that he would not vote to move the Police Department unless the numbers were so compelling that even Acting Chief Hough would say 'you would be a fool not to.' Mr. Leamon, Mr. Alger, Mr. Lyburn, Mr. Rogers and Mr. Dellar all agreed with Mayor Blunt.

Mr. Dellar stated he just wants to understand the numbers.

Ms. Erard noted that, according to the Charter, Council could decide to dissolve the Police Department; however, if Council did, it would invalidate our golf cart ordinance.

Ms. Erard further noted that to become a city, there is a 5,000 population requirement and then the town would hold a referendum and adopt an ordinance and reach agreement with the county.

If no agreement could be reached with the county as to services, then the town would proceed to court.

Discussion of School Resource Officer Grant

Mr. Robertson noted the necessity for an SRO is extremely high.

Mr. Robertson further noted that the question regarding an SRO position is how will it be funded. Both the town and school are both under budget constraints. The school will be level funded.

Especially this past semester, the Police Department has increased patrols and visibility at the school.

Mr. Lyburn asked how much money is needed to fund a School Resource Officer.

Mr. Robertson answered there are grants out there, but you may only get X amount for this year and then the totals change.

Mr. Robertson noted that currently the patrol officer on duty has increased their regular time at the school and increased the patrol areas both inside and outside the school.

Mr. Robertson replied that, before equipment, before training, before benefits, just salary, the cost is about \$34,000 per year.

Mr. Lyburn asked if the school pays part of the salary.

Mr. Robertson replied that is the current discussion. There is no allocation in either the school's or the town's budget for an SRO.

Mr. Robertson noted the school had original requested \$200,000-\$300,000 more than level funding, which included funding for an SRO.

Mayor Blunt asked if, in the interim, as Council and School decides what they will do, can one of the officers on duty during the day work out of the school.

Acting Police Chief Hough responded that the department has already increased patrols in the schools – literally walking through the school. The department continues to park a car in the parking lot as a deterrent.

Mr. Leamon asked about the recent SRO grant that the town did not apply for.

Mr. Robertson responded he did not sign off on it. Mayor Blunt said he would not have signed off on it, as well.

Mr. Leamon noted “someone dropped the ball.” Mr. Leamon noted the grant was going to cover a police officer; the school had agreed to cover the in-kind contribution of approximately \$13,000.

Mr. Leamon asked Mr. Robertson, moving forward, that we set a timeline, figure out what the school will provide, what the Police Department will provide.

Mr. Leamon realizes the recent grant opportunity was last minute and noted that Council did not know about it until it was done.

Mr. Leamon noted the recent grant opportunity came out on April 12 and the town did not get information until Friday near the deadline. According to Sgt. Morgans, there was information that was not provided by the high school principal and information that was not provided by the town’s Finance Department because they were too busy.

Mr. Leamon noted he was appalled when he received the Mayor’s email that we had this opportunity and we did not seize it.

Mr. Leamon stressed, if we have that opportunity again, he wants to know about it as soon as it happens and we need to get out paperwork in and signed and sent out.

Mr. Robertson recommended that whatever avenue Council chooses, whether it’s a grant or funding, distribution of cost needs to be discussed and agreed to. Mr. Robertson recommends that, if the school receives an individual for 10 months out of a 12-month year, the town should pay only one-third of whatever the cost is and the school should pay two-thirds.

Mr. Robertson recommended that Council decide, moving forward, what should be the distribution of cost.

Mr. Leamon responded the town is paying for it, whether it comes out of the school budget or the town’s budget.

Mr. Leamon recommended active pursuit of a grant with the school board.

Mr. Leamon believes folks in the school system dropped the ball and the town dropped the ball and that is very unfortunate.

Moving forward, Mr. Leamon asked the Town Manager if we have another grant opportunity, that he orchestrate and make it happen – then the conversation can be had about who is going to pay for what.

Mr. Robertson, noted that, given that money is not in the current budget – if we agree to a 1/3-2/3rd costs share, then we can move.

Mayor Blunt asked who pays for Westmoreland County’s SROs.

Mr. Robertson answered the school does, in its entirety out of the school budget.

Mr. Leamon replied the recent missed opportunity grant was known in April and we had over a month to work on it. Mr. Leamon further noted that if the town applies for a grant, we do not have to accept it.

Mayor Blunt offered consideration of a year-round school resource officer.

Mayor Blunt further noted the school currently has a grant writer on their payroll while the town does not.

Mr. Lyburn noted that we are the stewards of those children and need to make sure they are protected and, if the school can't pay for it, we have to pay for it.

Mr. Leamon stated if the intent is to pay for this position with a grant, then we do not want to fund it initially because we then become ineligible for state or federal dollars.

Mr. Leamon noted he will look for more grant opportunities.

Discussion of draft ordinance Airbnb

Ms. Erard noted Mr. Robertson had indicated it would be helpful to have a registry of people who lease their property for less than 29 days, which would allow the town to identify who should be paying transient occupancy taxes.

Mayor Blunt reported on a similar situation in this town which is multi-family living spaces. State law limits how many persons can live in one room.

Ms. Erard responded that that is a zoning issue.

Mayor Blunt noted that there are no checks for compliance with fire code.

Ms. Erard responded she would talk with Ms. Finchum about solutions.

Ms. Erard noted currently all BnBs should be paying transient occupancy taxes, this creates a registry.

Ms. Erard noted currently cottages do not have to get business licenses and that she will look into that.

Mayor Blunt noted the town needs more lodging and relies on Airbnb.

Discussion of Changes to One-Way Traffic on Douglas Avenue

Mr. Robertson stated he had several requests to look into returning Douglas Avenue in front of Town Hall back to two way traffic.

Mr. Robertson believes doing so will improve compliance with handicap parking and ease of use for customers of town hall.

Mr. Dellar noted previously there was a concern over width of the street.

Mr. Murphy responded he is looking into resurfacing the road and including the existing ROW which will allow a shoulder.

Mr. Dellar asked Acting Chief Hough is the new Police Department is handicap accessible. Acting Chief Hough responded currently there is accessibility through the bank.

Mayor Blunt responded all that is needed is a ramp.

Discussion of Changes to Tourism Advisory Council By-Laws

Mr. Robertson reported this change allows town property owners who are part time residents to hold a voting seat on the Advisory Council.

Mr. Robertson then reported that the tourism effort will be moved to the museum which will expand the use of volunteers and extend the hours the tourism site is open.

Mr. Dellar reported that Ms. Betty Whitestone had contacted him and was upset that the tourism function was going to move to the museum.

Mr. Dellar requested Council consider moving the tourism function next year.

Adjournment/Recess

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

At 11:22 a.m. Mayor Blunt adjourned the meeting.

Kathleen Flanagan, Town Clerk