



Before the  
**Colonial Beach Town Council**

Held at  
Town Center, 22 Washington Avenue

**Wednesday, January 16, 2019 at 6:00 p.m.**

**Town Council Regular Meeting**

**AGENDA**

1. Call to Order
2. Moment of Silence/Pledge of Allegiance
3. Roll Call of Members
4. Approval of the Agenda
5. Approval of Minutes
6. Council Announcements
7. Presentations
  - Colonial Beach Schools ● Westmoreland County Supervisor ● Planning Commission
  - Downtown Colonial Beach ● Chamber of Commerce ● Colonial Beach Foundation
8. Monthly Department Reports *(Tab A)*
9. Old Business
10. New Business/Organizational Items
  - Res #01-19, Establishment of Dates and Times for Regular Town Council Meetings through January 2020 *(Tab B)*
  - Res #02-19, Establishment of Dates and Times for Town Council Work Sessions through January 2020 *(Tab C)*

- Res #03-19, Adoption of 2019 By Laws and Rules of Procedure *(Tab D)*
- Res #04-19, Appointment of Vice Mayor *(Tab E)*
- Res #05-19, Appoints Nathan Howell to the Colonial Beach Planning Commission *(Tab F)*

11. Citizen Input
12. Closed Meeting (if necessary)
13. Adjournment/Recess

# Tab A



# Town Manager & Department Reports



- Boardwalk Project
- Torrey Smith Project
- New Council integration
- Grants Initiative(s)
- Snow Operations
- Various Survey initiatives with Jeff Howeth
- Attorney related activities
- Currently revising of Event Packet for 2019



# Finance



- **Edmunds software integration**
- **Avenue Analytics**
- **Day to Day operations**
- **Begin Budgeting Cycle**
- **(HR) Employee Actions with internal organizational impacts**



# Police



December:

Significant Activity: Christmas Parade 12/1/2018

310 Officer Calls for Service

18 criminal offenses reported

6 pending on-going investigations

4 subjects arrested

Interviews/background investigations conducted on applicants for Police Officer positions.  
New Police Officer hired, Keith McElfresh

Currently continuing the hiring process for multiple candidates and preparing for upcoming classes (spring 2019)

CBPD would like to thank all the citizens who brought homemade bake goods and other food items to the Police Department during the Christmas Holidays. It is very much appreciated!!!

CBPD would also like to give special thanks to Tommy Edwards who bought lunch for the entire Police Department staff from Dennison's Grocery during the Christmas Holidays!!!



# Public Works



- As per TM request coordinated **Atlantic Broadband** site evaluations to determine feasibility of transferring 21 pump stations communication systems from Verizon to Atlantic – received pricing and submitted to Finance for comparison
- **Robin Grove Facility Upgrade** – attended site visit with engineering, general contractor, inspector, utility supervisor, and subs; coordinated final central Water system control integration (Atlantic Pump company) with RG facility control system (Systems East via Anderson Construction) – scheduled joint onsite coordination 1-16-19 for final adjustments to scada ; system start-up scheduled week of January 21st – attendees needed are Anderson Construction, Systems East, Atlantic Pump & Equipment, Dewberry, and the Town.
- **Water Meter Project** – extension granted to 3-15-2019 for up to 50 more meter box locations/replacements and associated meter installations – 2,235 communicating
- **Pedestrian Plaza** – 100% drawings being finalized - Project Schedule: i. Confirmed that construction must begin prior to July1, 2019 and be completed prior to the end of 2019. Clarification for what “construction start” means is up for some debate, but assumption will be that land disturbing activity and erosion control is a reasonable triggering event. ii. Target date for final contract documents is February 4, 2019 and Bid Advertisement in late February.
- **Klotz Demo RFP**
- **Snow events**
  - o December – 1 low impact
  - o January – 1 medium impact
- **Major road milling and paving scheduled for 1st week** when 4-5 consecutive days above 40 degrees and dry are projected – cold patching as a daily conditions and activities allow



# Zoning & Community Development



- Piers (do we want a public hearing?)
- Torrey Smith Project
- Special Events process
- Development (Mc Donald's)
- Planning Commission (focused Comprehensive Plan)

# Tab B

COUNCIL PAPER

At the meeting held on January 16, 2019 at the Colonial Beach Town Hall

Resolution #01-19, Establishment of dates and times for regular Town Council meetings

WHEREAS, Section 15.2-1416 of the Code of Virginia requires that the Town Council establish its regular meeting schedule by resolution.

NOW THEREFORE BE IT RESOLVED, that the following dates have been established for the Town Council Regular Meetings:

Table with 3 columns: Day of the week, Date, and Time. Rows list meetings from February 20, 2019 to January 15, 2020, all at 6:00 p.m.

BE IT FURTHER RESOLVED, that, unless otherwise determined, all meetings shall be held in the Colonial Beach Town Center, 22 Washington Avenue, Colonial Beach, Virginia.

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

Table for voting records with columns for AYE and NAY for Mayor Eddie Blunt, Frank Alger, Steve Cirbee, Pat Ey, Dallas Leamon, Robin Schick, and Vicki Roberson.

Adopted \_\_\_\_\_ Tabled \_\_\_\_\_

# Tab C

COUNCIL PAPER

At the meeting held on January 16, 2019 at the Colonial Beach Town Hall

Resolution #02-19, Establishment of dates and times for Town Council Work Sessions

WHEREAS, Section 15.2-1416 of the Code of Virginia requires that the Town Council establish its meeting schedule by resolution.

NOW THEREFORE BE IT RESOLVED, that the following dates have been established for the Town Council Work Sessions:

Table with 3 columns: Day of the week, Date, and Time. Rows list sessions from February 6, 2019 to January 7, 2020, all at 6:00 p.m.

BE IT FURTHER RESOLVED, that, unless otherwise determined, all meetings shall be held in the Colonial Beach Town Center, 22 Washington Avenue, Colonial Beach, Virginia.

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

Table for voting records with columns for AYE and NAY for Mayor Eddie Blunt, Frank Alger, Steve Cirbee, Pat Ey, Dallas Leamon, Robin Schick, and Vicki Roberson.

Adopted \_\_\_\_\_ Tabled \_\_\_\_\_

# Tab D

COUNCIL PAPER

At the meeting held on January 16, 2019 at the Colonial Beach Town Hall

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**Resolution #03-19, Adoption of 2019 Bylaws and Rules of Procedure**

**BE IT RESOLVED**, that the Town Council meeting in regular session, Wednesday, January 16, 2019 hereby adopts the attached 2019 Bylaws and Rules of Procedure.

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Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

	AYE	NAY		AYE	NAY
Mayor Eddie Blunt	___	___	Dallas Leamon	___	___
Frank Alger	___	___	Robin Schick	___	___
Steve Cirbee	___	___	Vicki Roberson	___	___
Pat Ey	___	___			

Adopted \_\_\_\_\_ Tabled \_\_\_\_\_

**2019~~8~~ BYLAWS AND RULES OF PROCEDURE**

**Colonial Beach Town Council**

**Preamble**

The Colonial Beach Town Council operates in accordance with federal and state laws at all times. If there should be any conflict between these Bylaws and federal, state, or local law or regulation, the federal, state or local law or regulation shall be followed.

The citizens and businesses of the Town of Colonial Beach, Virginia are entitled to have fair, ethical, and accountable local government, so as to earn the public's full confidence and trust. The effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Colonial Beach Town Council has adopted these Bylaws and Rules of Procedure to assure public confidence in the integrity of local government and its effective and fair operation.

**Section 1 Meetings**

**Section 1-1 Annual organizational meetings**

A. The Town Council shall conduct an organizational meeting at its first meeting in January of every year.

B. At the organizational meeting in January, the Council shall establish the date, time and place for its regular monthly meetings for the remainder of the calendar year. ~~Following the election of a Mayor, at~~ At the organizational meeting, the Town Council shall elect a Vice-Mayor.

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**Section 1-2 Meeting Cancellations and Postponements**

The Mayor may cancel or postpone any meeting because of inclement weather or disaster and will reschedule any postponed meeting at the earliest possible date when a quorum is available.

**Section 1-3 Special Meetings**

A special meeting of the Council shall be held when called by the Mayor, or requested by two or more Members of the Council in accordance with state law.

The Council may hold such special meetings as it deems necessary at such times and places, as it may find convenient.

### Section 1-4 Quorum and method of voting

A. A quorum shall consist of a majority of the members of the Town Council, which is four.

B. It shall be the duty of every member to vote on issues before the Town Council. Each member shall vote by stating "aye," "nay" or "abstain." ~~If a member chooses to abstain, the member shall state the reason for abstaining for the record and shall do so at the time the vote is taken~~

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### Section 2 Officers

#### Section 2-1 Mayor and Vice Mayor

The Mayor shall preside over all meetings of the Town Council. The Vice- Mayor serves in the absence of the Mayor. In the absence from any meeting of both the Mayor and the Vice-Mayor, the members present shall choose one of their members to preside over the meeting.

The Mayor shall appoint individual Council members as the Liaison for the following areas:

- Public Safety – [Frank Alger, III](#)
- Economic Development and Department of Planning & Zoning – [Vicki Roberson](#)
- Finance – [Patrick Ey](#)
- Administration -- [Robin Schick](#)
- Public Works -- [Steve Cirbee](#)
- Schools -- [Dallas Leamon](#)
- NGO's -- [Eddie Blunt](#)

The Mayor may appoint Liaisons for other areas as necessary and may establish other committees when needed. As with nominations for any committee or appointment, the Council Member nominated may decline.

The Liaison shall serve in a role similar to that of a committee chair. The Liaison shall be responsible for ensuring that matters related to the designated area of the Liaison are thoroughly researched so as to then provide the Town Council with a comprehensive overview. The Liaison shall keep the other members of Council informed in a timely manner, but at least on a monthly basis of the matters that the Liaison is addressing. The function of the Liaison is to make the deliberations by the Town Council more efficient.

#### Section 2-2 Preservation of order

At meetings of the Council, the Mayor shall preserve order and decorum.

**Section 2-3 Parliamentarian**

Except as modified herein or as provided by Virginia law, the most current edition of Robert's Rules of Order for Small Groups shall be the parliamentary authority at all meetings of the Town Council with the following exceptions:

- Members may raise a hand instead of standing when seeking to obtain the floor, and may remain seated while making motions or speaking.
- There is no limit to the number of times a member may speak to a debatable question.
- Informal discussion of a subject is permitted while no motion is pending.
- ~~The chairman need not rise while putting questions to a vote.~~
- ~~If the chairman is a member, he may, without leaving the chair, speak in informal discussion and debate, and vote on all questions. MOVE TO SECTION 3.3.~~

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The Town Clerk shall act as Parliamentarian to the Council. Any questions involving the interpretation or application of Robert's Rules of Order shall be addressed to the Town Clerk.

If the Town Clerk is unavailable, the Town Manager shall serve as the Parliamentarian.

**Section 3 Conduct of Business**

**Section 3-1 Order of business**

A. At the Council's meeting, the order of business shall be generally as follows:

- Call to Order
- Roll call of members
- Additions to the Agenda
- Approval of the Agenda
- Approval of the minutes
- Council Member Announcements
- Presentations
- **Citizen Input**
- Unfinished business
- New Business
- ~~Citizen Input~~
- Closed meeting (if necessary)
- Recess/Adjournment

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**Section 3-2 Agenda Details**

Every ordinance or resolution which involves the expenditure of funds shall identify the budget line item number that will be used to fund the expenditure.

### Section 3-3 Motions

~~The Mayor (or presiding officer) may make a motion without relinquishing the chair.~~

~~The Mayor need not rise while putting questions to a vote.~~

~~The Mayor, if the chairman is a member, he may, without leaving the chair, speak in informal discussion and debate, and vote on all questions.~~

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### Section 3-4 Appeal to Council

Any member of the Council may appeal to the Council from the decision of the Mayor on any question of order or the interpretation of these Bylaws. A majority vote of those present is necessary to overrule the Mayor. No second is required on a member's appeal.

### Section 3-5 Suspending Rules

At any time when Council Members wish to proceed on an item or discussion, in a manner that is not in accordance with these Bylaws, a motion to suspend is in order. A vote of two-thirds of the members present is required to suspend the Bylaws.

### Section 3-6. Public Comment

Individuals may speak during the portion of the agenda designated for public comment and may speak for up to three (3) minutes. An individual who is representing a group of people may speak for up to five (5) minutes. The Mayor may exercise discretion in these time limits based upon the circumstances, but should do so only rarely.

Council members may not interrupt citizen speakers.

### Section 3-7 Citizen Questions, Complaints and Suggestions

The purpose of the Public Comment portion of the agenda is to permit citizens an opportunity to address statements to the Town Council. The Public Comment period is not intended as a question and answer session with the Town Council.

Citizen questions, complaints, concerns, requests, etc. ~~may should first instead~~ be addressed to the Receptionist at Town Hall, who will either answer the questions or refer them to the proper administrators for answers.

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~~Citizen complaints should also first be addressed to the Receptionist at Town Hall. The~~

~~Receptionist will either have the complaint taken care of, or refer the complainant to the proper administrator.~~

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~~If citizens have not been satisfied with responses they have received from Town Hall, they may then present their complaints to Council.~~

The Mayor may, in his discretion, answer a question or a complaint if the answer is brief or may recognize a Council Member to respond. For more involved answers to questions, the Mayor will respond to the citizen by saying that the question has been referred to the Town Manager who will see to it that an answer is provided if the citizen provides their contact information.

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Citizen suggestions about the day-to-day practical operations of the Town ~~may~~ should be made to the Receptionist at Town Hall, who will direct them, if necessary, to the appropriate departments

Citizen suggestions about Town Council policies and actions may be made during the Public Comment period of Council meetings. The Town Clerk will keep a record of these suggestions. And the Town Council will consider them at its next work session, to determine which suggestions may be appropriate for action at the next, or later, regular meeting.

### Section 3-8 Work Sessions

When items are to be included in the agenda for consideration at a work session, a summary sheet providing an overview (including pros and cons) shall be prepared by the appropriate liaison member, or Town Manager, provided to the Clerk and distributed to the Council Members in advance of the work session by the Clerk.

At every work session of the Town Council, the Town Manager shall provide a comprehensive list of all pending items and shall include the most recent status of each item.1

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#### ~~MOVE TO SECTION 5-1~~

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~~At least twenty-four (24) hours prior to every work session, the Town Manager shall also provide the Town Council with a written, monthly report as to the current workload being carried and performed by each department so that the Council is aware of pending projects as well as whether additional resources may be needed to support the staff.~~

~~On a quarterly basis during the months of April, July, October and January, at least twenty-four (24) hours prior to the work session, the Town Manager and the Chief Financial Officer shall provide budget updates. These updates shall state the current revenues and expenditures and the projected end of year outcome. The budget update shall include all funds.~~

Routine administrative matters, may be introduced by motion, including but not limited to simple referral of items to the planning commission and authorization to advertise a public hearing, may be voted on by the Town Council at work sessions.

### Section 4 -- Public Hearings

#### Section 4-1 Mayor to conduct public hearings

The Mayor shall conduct all public hearings.

#### **Section 4-2 Hearing presentations**

Hearings shall begin with a brief presentation from a staff member and/or representative from the relevant board, authority, commission or committee. The presentation shall summarize the facts about the issue. Council members' inquiry during the staff's presentation shall be limited to questions about the issue. Discussion or debate about the merits of the proposal shall occur after the close of the public hearing. Council members shall be mindful of their obligation keep an open mind regarding matters involving public hearings.

#### **Section 4-3 Order of public hearings**

The order of public hearings shall be as follows:

- A. The Mayor shall open the public hearing.
- B. The applicant (or his or her representative) shall be the first speaker(s). Any and all representations made by the applicant to the Town on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the Town.
- C. The Mayor shall then solicit comments from the public. Each speaker must clearly state his name and address.
- D. After public comments have been received, the applicant, at his or her discretion, may respond with additional information.
- E. Upon the conclusion of the applicant's comments, the Mayor shall close the public hearing.

#### **Section 4-4 Members' participation**

Council members shall withhold their comments in public hearings to ensure participation by the public without Council interference.

#### **Section 4-5 Close of hearing**

When a public hearing has been closed by the Mayor, no further public comments shall be permitted. Council members, however, may direct questions to the applicant, the representative of the relevant board, authority, commission, committee or a staff member for clarification prior to taking any vote, if a vote is in order.

#### **Section 4-6 Debate**

Following the close of the public hearing, the Mayor entertains a motion and a second to address the issue and the Council may debate the merits of the issue.

## Section 5 – Agenda

### Section 5-1 Preparation

A. The Clerk shall prepare an agenda for each regular and special meeting conforming generally to the order of business specified in Section 3-1(A) entitled "Order of Business". The Town Manager shall coordinate the scheduling of items on the agenda with the Mayor. Every item that is placed on an agenda shall be accompanied by a cover sheet that identifies the action that is recommended, the pros and cons, and relevant background information. Complete agenda packets shall be distributed to the Council and made available to the public by noon on the Friday immediately preceding the Town Council meeting.

B. Council members may request that items be placed on the agenda of a Work Session, for discussion, by contacting the Town Manager and Town Clerk at least eight business days prior to that Work Session. No such item shall be removed without the consent of the requesting Council member.

Before an item is placed on the Agenda of a Regular Meeting for action, that item ~~should~~ shall have been discussed and vetted at ~~the Council work session the previous month~~ a previous work session. While it may not always be possible because of time constraints to discuss a matter at a work session ~~the month before the Council meeting~~, in order to promote thoroughness and attention to detail, this shall be the generally accepted practice.

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C. Appointments may be placed on the agenda for consideration at any time.

~~D. At least twenty-four (24) hours prior to every work session, the Town Manager shall also provide the Town Council with a written, monthly report as to the current workload being carried and performed by each department so that the Council is aware of pending projects as well as whether additional resources may be needed to support the staff.~~

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~~E. On a quarterly basis during the months of April, July, October and January, at least twenty-four (24) hours prior to the work session, the Town Manager and the Chief Financial Officer shall provide budget updates. These updates shall state the current revenues and expenditures and the projected end of year outcome. The budget update shall include all funds.~~

~~F. Any matter not on the printed agenda may be heard, provided that every member of Council shall have been previously notified and that such a request is in the form of a motion to amend the agenda, is duly seconded, and then voted upon by a majority of the Council. If a resolution for consideration by Council is not included with the printed agenda, Council shall not vote on any such resolution unless a copy of the proposed resolution shall have been provided to every member of the Council prior to the start of the meeting.~~

### Section 5-2 Minutes

The Clerk of the Council shall prepare and maintain minutes of the proceedings of the Council, and Council committees, in accordance with the requirements of the Code of Virginia (1950), as amended. Each recorded vote shall indicate how each member of the Council voted as required by law. Preparation of minutes will not include every aspect of the Council's meetings relating specifically to discussion and debate, but will include all significant events relating to official action. The Clerk will make every effort to provide draft minutes to the Council within thirty (30) days or less of the date of the meeting.

## **Section 6 -- General Operating Policy**

### **Section 6-1 Actions by individual members of the Council**

A. It shall be the policy of the Council that no one member shall exert individual action or direct any Town employee or independent contractor(s), or any Council, authority, commission or committee of the Council, to initiate any action that would require a Town employee or independent contractor(s) to perform any action contrary to the laws, ordinances or policies of the Town, or which would require the expenditure of public funds in any amount without the approval of the Council.

No individual member of the Colonial Beach Town Council possesses any individual authority, much less the authority to require Town Manager, Town Attorney, Town Clerk, Chief Financial Officer, the Police Chief, or any other employee of the Town of Colonial Beach, to engage in any work unless that work is requested by a majority of the Colonial Beach Town Council.

When one or more members of Council and/or the Mayor respond to the media, they shall make it clear whether they are expressing a personal opinion or whether they are representing a formal Council position or decision.

B. It is further the policy of the Council that when the Mayor and/or individual members of Council interact with employees or independent contractor(s) of the Town, that the Mayor and/or individual members of Council conduct themselves in a respectful, civilized and appropriate manner at all times. Under no circumstances is it appropriate for the Mayor and/or any individual member of Council to shout or yell at, or shout or yell in the presence of, any Town Employee or independent contractor(s). Neither the Mayor nor any individual member of Council shall make a comment or statement to any Town employee or independent contractor(s) that is vulgar, insulting, or sarcastic. The Mayor and individual members of Council shall support the maintenance of a positive and constructive workplace environment for Town employees or independent contractor(s) and for citizens and businesses dealing with the Town. The Mayor and individual members of Council shall recognize their special role in dealings with Town employees or independent contractor(s) and shall in no way create the perception of any type of inappropriate direction to staff.

C. The conduct of the Mayor and individual members of Council must be above reproach and must avoid even the appearance of impropriety. Under no circumstances shall the Mayor or any member of Council threaten, either directly or indirectly, any Town employee or independent contractor(s) with the loss of his or her job, position, and/or salary.

D. The Mayor and individual members of the Council shall prepare themselves for every meeting by reading and reviewing the Council packet and they shall listen courteously and attentively to all public discussions before the body and focus on the business at hand. They shall refrain from interrupting other speakers and making personal comments that are not germane to the business before the Council or otherwise interfering with the orderly conduct of the meeting.

E. The Mayor and individual members of Council shall not use the public resources that are not available to the public in general, such as Town staff time, equipment, supplies or facilities, for private gain or personal purposes. The Mayor and individual members of Council may seek assistance from Town staff with respect to official Town business, but shall not monopolize Town staff or interfere in any way with the ability of Town staff to perform their jobs.

F. The Mayor and individual members of Council shall respect the confidentiality of information concerning the property, personnel and/or affairs of the Town. They shall neither disclose confidential information without proper authorization of the Council, nor use such information to advance their personal, financial, or other private interests. Likewise, members of Council shall not use their position on Council for any type of personal gain.

G. Recognizing that stewardship of the public interest must be their primary concern, the Mayor and members of Council will work for the common good of the people of the Town of Colonial Beach and not for any private or personal interest, and they will assure fair and equitable treatment of all persons, claims, and transactions coming before the Colonial Beach Town Council. No member of Council should engage in behavior that is self-important or solicitous of special treatment.

H. No individual Council Member may pursue independently any mission, project or commitment that is not in accordance with the majority of the Council, with the exception of carrying out his or her duties consistent with his or her appointment as an advocate for a specific area of Town government where those duties are in accordance with the consensus of Council. Should any staff member have a question as to whether he or she may proceed with work in response to the request of any one particular Council member, the staff member shall ask that the Mayor indicate how the staff member should proceed.

#### **Section 6-2 Discussion of zoning and land use matters**

Town Council members shall not engage in negotiations with applicants on zoning or land use matters.

#### **Section 6-3 Polling Procedure**

The Town Manager or his designee may separately contact members of the Town Council for the purpose of ascertaining a member's position with respect to public business, provided the contact does not constitute a meeting as defined in §2.2-3701 of the Code of Virginia.

#### **Section 6-4 Sanctions**

Individual members of the Town Council may be held accountable for their actions in violation of these Bylaws and/or state law by the Town Council in accordance with these Bylaws and state law. For example, a member of Council may be punished or fined for disorderly behavior in accordance with Virginia Code § 15.2-1400. ~~Alternatively, the~~ Town Council may censure a member of Council for violation of these Bylaws or other grossly inappropriate behavior.

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#### **Section 7 – Amendments**

##### **Section 7-1 Amendments to the By-Laws and Rules of Procedure**

The Bylaws and Rules of Procedure may be amended as necessary by majority vote of the Council.

**Colonial Beach Town Council**

Recognizing that elected officials hold office as a public trust, as a member of the Colonial Beach Town Council, I agree to abide by the Bylaws and Rules of Procedure and I will place the welfare of the community, and the best interests of the Town of Colonial Beach, above my loyalty to individuals or particular groups. I will ensure the integrity of the Town Council by not giving any special favors or privileges to anyone. I will not criticize or embarrass my colleagues, the Town staff, or citizens. I will behave in a professional, civilized manner at all times. I will not use my public position to benefit me personally. I will not make a private promise of any kind to anyone. I will be mindful that I am only one member of Council and that I possess no individual authority. I will preserve the confidentiality of information shared during a closed meeting. I will not use my elected office to gain any personal privilege. I will not engage in business with the Town, either directly or indirectly and I will not use my position on Council to solicit business.

| Given under my hand, this \_\_\_\_ day of \_\_\_\_\_, 20198.

\_\_\_\_\_  
Council Member

**2019 BYLAWS AND RULES OF PROCEDURE**  
**Colonial Beach Town Council**  
**Preamble**

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**Section 1-3 Special Meetings**

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The Council may hold such special meetings as it deems necessary at such times and places, as it may find convenient.

## **Section 1-4 Quorum and method of voting**

- A. A quorum shall consist of a majority of the members of the Town Council, which is four.
- B. It shall be the duty of every member to vote on issues before the Town Council. Each member shall vote by stating “aye,” “nay” or “abstain.”

## **Section 2 Officers**

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If the Town Clerk is unavailable, the Town Manager shall serve as the Parliamentarian.

## **Section 3 Conduct of Business**

### **Section 3-1 Order of business**

A. At the Council's meeting, the order of business shall be generally as follows:

- Call to Order
- Roll call of members
- Additions to the Agenda
- Approval of the Agenda
- Approval of the minutes
- Council Member Announcements
- Presentations
- Unfinished business
- New Business
  - Citizen Input
- Closed meeting (if necessary)
- Recess/Adjournment

### **Section 3-2 Agenda Details**

Every ordinance or resolution which involves the expenditure of funds shall identify the budget line item number that will be used to fund the expenditure.

### **Section 3-3 Motions**

The Mayor need not rise while putting questions to a vote.

The Mayor may, without leaving the chair, speak in informal discussion and debate, and vote on all questions.

### **Section 3-4 Appeal to Council**

Any member of the Council may appeal to the Council from the decision of the Mayor on any question of order or the interpretation of these Bylaws. A majority vote of those present is necessary to overrule the Mayor. No second is required on a member's appeal.

### **Section 3-5 Suspending Rules**

At any time when Council Members wish to proceed on an item or discussion, in a manner that is not in accordance with these Bylaws, a motion to suspend is in order. A vote of two-thirds of the members present is required to suspend the Bylaws.

### **Section 3-6. Public Comment**

Individuals may speak during the portion of the agenda designated for public comment and may speak for up to three (3) minutes. An individual who is representing a group of people may speak for up to five (5) minutes. The Mayor may exercise discretion in these time limits based upon the circumstances, but should do so only rarely.

Council members may not interrupt citizen speakers.

### **Section 3-7 Citizen Questions, Complaints and Suggestions**

The purpose of the Public Comment portion of the agenda is to permit citizens an opportunity to address statements to the Town Council. The Public Comment period is not intended as a question and answer session with the Town Council.

Citizen questions, complaints, concerns, requests, etc. may first be addressed to the Receptionist at Town Hall, who will either answer the questions or refer them to the proper administrators for answers.

The Mayor may, in his discretion, answer a question or a complaint if the answer is brief or may recognize a Council Member to respond. For more involved answers to questions, the Mayor will respond to the citizen by saying that the question has been referred to the Town Manager who will see to it that an answer is provided if the citizen provides their contact information.

Citizen suggestions about the day-to-day practical operations of the Town may be made to the Receptionist at Town Hall, who will direct them, if necessary, to the appropriate departments

Citizen suggestions about Town Council policies and actions may be made during the Public Comment period of Council meetings. The Town Clerk will keep a record of these suggestions. And the Town Council will consider them at its next work session, to determine which suggestions may be appropriate for action at the next, or later, regular meeting.

### **Section 3-8 Work Sessions**

When items are to be included in the agenda for consideration at a work session, a summary sheet providing an overview (including pros and cons) shall be prepared by the appropriate liaison member, or Town Manager, provided to the Clerk and distributed to the Council Members in advance of the work session by the Clerk.

At every work session of the Town Council, the Town Manager shall provide a comprehensive list of all pending items and shall include the most recent status of each item.1

Routine administrative matters, may be introduced by motion, including but not limited to simple referral of items to the planning commission and authorization to advertise a public hearing, may be voted on by the Town Council at work sessions.

### **Section 4 -- Public Hearings**

#### **Section 4-1 Mayor to conduct public hearings**

The Mayor shall conduct all public hearings.

#### **Section 4-2 Hearing presentations**

Hearings shall begin with a brief presentation from a staff member and/or representative from the relevant board, authority, commission or committee. The presentation shall summarize the facts about the issue. Council members' inquiry during the staff's presentation shall be limited to questions about the issue. Discussion or debate about the merits of the proposal shall occur after the close of the public hearing. Council members shall be mindful of their obligation keep an open mind regarding matters involving public hearings.

#### **Section 4-3 Order of public hearings**

The order of public hearings shall be as follows:

- A. The Mayor shall open the public hearing.
- B. The applicant (or his or her representative) shall be the first speaker(s). Any and all representations made by the applicant to the Town on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the Town.
- C. The Mayor shall then solicit comments from the public. Each speaker must clearly state his name and address.
- D. After public comments have been received, the applicant, at his or her discretion, may respond with additional information.

E. Upon the conclusion of the applicant's comments, the Mayor shall close the public hearing.

#### **Section 4-4 Members' participation**

Council members shall withhold their comments in public hearings to ensure participation by the public without Council interference.

#### **Section 4-5 Close of hearing**

When a public hearing has been closed by the Mayor, no further public comments shall be permitted. Council members, however, may direct questions to the applicant, the representative of the relevant board, authority, commission, committee or a staff member for clarification prior to taking any vote, if a vote is in order.

#### **Section 4-6 Debate**

Following the close of the public hearing, the Mayor entertains a motion and a second to address the issue and the Council may debate the merits of the issue.

### **Section 5 – Agenda**

#### **Section 5-1 Preparation**

A. The Clerk shall prepare an agenda for each regular and special meeting conforming generally to the order of business specified in Section 3-1(A) entitled "Order of Business". The Town Manager shall coordinate the scheduling of items on the agenda with the Mayor. Every item that is placed on an agenda shall be accompanied by a cover sheet that identifies the action that is recommended, the pros and cons, and relevant background information. Complete agenda packets shall be distributed to the Council and made available to the public by noon on the Friday immediately preceding the Town Council meeting.

B. Council members may request that items be placed on the agenda of a Work Session, for discussion, by contacting the Town Manager and Town Clerk at least eight business days prior to that Work Session. No such item shall be removed without the consent of the requesting Council member.

Before an item is placed on the Agenda of a Regular Meeting for action, that item should have been discussed and vetted at a previous work session. While it may not always be possible because of time constraints to discuss a matter at a work session in order to promote thoroughness and attention to detail, this shall be the generally accepted practice.

C. Appointments may be placed on the agenda for consideration at any time.

D. At least twenty-four (24) hours prior to every work session, the Town Manager shall also provide the Town Council with a written, monthly report as to the current workload being carried

and performed by each department so that the Council is aware of pending projects as well as whether additional resources may be needed to support the staff.

E. On a quarterly basis during the months of April, July, October and January, at least twenty-four (24) hours prior to the work session, the Town Manager and the Chief Financial Officer shall provide budget updates. These updates shall state the current revenues and expenditures and the projected end of year outcome. The budget update shall include all funds.

F. Any matter not on the printed agenda may be heard, provided that every member of Council shall have been previously notified and that such a request is in the form of a motion to amend the agenda, is duly seconded, and then voted upon by a majority of the Council. If a resolution for consideration by Council is not included with the printed agenda, Council shall not vote on any such resolution unless a copy of the proposed resolution shall have been provided to every member of the Council prior to the start of the meeting.

### **Section 5-2 Minutes**

The Clerk of the Council shall prepare and maintain minutes of the proceedings of the Council, and Council committees, in accordance with the requirements of the Code of Virginia (1950), as amended. Each recorded vote shall indicate how each member of the Council voted as required by law. Preparation of minutes will not include every aspect of the Council's meetings relating specifically to discussion and debate, but will include all significant events relating to official action. The Clerk will make every effort to provide draft minutes to the Council within thirty (30) days or less of the date of the meeting.

### **Section 6 -- General Operating Policy**

#### **Section 6-1 Actions by individual members of the Council**

A. It shall be the policy of the Council that no one member shall exert individual action or direct any Town employee or independent contractor(s), or any Council, authority, commission or committee of the Council, to initiate any action that would require a Town employee or independent contractor(s) to perform any action contrary to the laws, ordinances or policies of the Town, or which would require the expenditure of public funds in any amount without the approval of the Council.

No individual member of the Colonial Beach Town Council possesses any individual authority, much less the authority to require Town Manager, Town Attorney, Town Clerk, Chief Financial Officer, the Police Chief, or any other employee of the Town of Colonial Beach, to engage in any work unless that work is requested by a majority of the Colonial Beach Town Council.

When one or more members of Council and/or the Mayor respond to the media, they shall make it clear whether they are expressing a personal opinion or whether they are representing a formal Council position or decision.

B. It is further the policy of the Council that when the Mayor and/or individual members of Council interact with employees or independent contractor(s) of the Town, that the Mayor and/or individual members of Council conduct themselves in a respectful, civilized and appropriate manner at all times. Under no circumstances is it appropriate for the Mayor and/or any individual member of Council to shout or yell at, or shout or yell in the presence of, any Town Employee or independent contractor(s). Neither the Mayor nor any individual member of Council shall make a comment or statement to any Town employee or independent contractor(s) that is vulgar, insulting, or sarcastic. The Mayor and individual members of Council shall support the maintenance of a positive and constructive workplace environment for Town employees or independent contractor(s) and for citizens and businesses dealing with the Town. The Mayor and individual members of Council shall recognize their special role in dealings with Town employees or independent contractor(s) and shall in no way create the perception of any type of inappropriate direction to staff.

C. The conduct of the Mayor and individual members of Council must be above reproach and must avoid even the appearance of impropriety. Under no circumstances shall the Mayor or any member of Council threaten, either directly or indirectly, any Town employee or independent contractor(s) with the loss of his or her job, position, and/or salary.

D. The Mayor and individual members of the Council shall prepare themselves for every meeting by reading and reviewing the Council packet and they shall listen courteously and attentively to all public discussions before the body and focus on the business at hand. They shall refrain from interrupting other speakers and making personal comments that are not germane to the business before the Council or otherwise interfering with the orderly conduct of the meeting.

E. The Mayor and individual members of Council shall not use the public resources that are not available to the public in general, such as Town staff time, equipment, supplies or facilities, for private gain or personal purposes. The Mayor and individual members of Council may seek assistance from Town staff with respect to official Town business, but shall not monopolize Town staff or interfere in any way with the ability of Town staff to perform their jobs.

F. The Mayor and individual members of Council shall respect the confidentiality of information concerning the property, personnel and/or affairs of the Town. They shall neither disclose confidential information without proper authorization of the Council, nor use such information to advance their personal, financial, or other private interests. Likewise, members of Council shall not use their position on Council for any type of personal gain.

G. Recognizing that stewardship of the public interest must be their primary concern, the Mayor and members of Council will work for the common good of the people of the Town of Colonial Beach and not for any private or personal interest, and they will assure fair and equitable treatment of all persons, claims, and transactions coming before the Colonial Beach Town Council. No member of Council should engage in behavior that is self-important or solicitous of special treatment.

H. No individual Council Member may pursue independently any mission, project or commitment that is not in accordance with the majority of the Council, with the exception of carrying out his or her duties consistent with his or her appointment as an advocate for a specific area of Town government where those duties are in accordance with the consensus of Council. Should any staff member have a question as to whether he or she may proceed with work in response to the request of any one particular Council member, the staff member shall ask that the Mayor indicate how the staff member should proceed.

### **Section 6-2 Discussion of zoning and land use matters**

Town Council members shall not engage in negotiations with applicants on zoning or land use matters.

### **Section 6-3 Polling Procedure**

The Town Manager or his designee may separately contact members of the Town Council for the purpose of ascertaining a member's position with respect to public business, provided the contact does not constitute a meeting as defined in §2.2-3701 of the Code of Virginia.

### **Section 6-4 Sanctions**

Individual members of the Town Council may be held accountable for their actions in violation of these Bylaws and/or state law by the Town Council in accordance with these Bylaws and state law. For example, a member of Council may be punished or fined for disorderly behavior in accordance with Virginia Code § 15.2-1400. The Town Council may censure a member of Council for violation of these Bylaws or other grossly inappropriate behavior.

## **Section 7 – Amendments**

### **Section 7-1 Amendments to the By-Laws and Rules of Procedure**

The Bylaws and Rules of Procedure may be amended as necessary by majority vote of the Council.

**Colonial Beach Town Council**

Recognizing that elected officials hold office as a public trust, as a member of the Colonial Beach Town Council, I agree to abide by the Bylaws and Rules of Procedure and I will place the welfare of the community, and the best interests of the Town of Colonial Beach, above my loyalty to individuals or particular groups. I will ensure the integrity of the Town Council by not giving any special favors or privileges to anyone. I will not criticize or embarrass my colleagues, the Town staff, or citizens. I will behave in a professional, civilized manner at all times. I will not use my public position to benefit me personally. I will not make a private promise of any kind to anyone. I will be mindful that I am only one member of Council and that I possess no individual authority. I will preserve the confidentiality of information shared during a closed meeting. I will not use my elected office to gain any personal privilege. I will not engage in business with the Town, either directly or indirectly and I will not use my position on Council to solicit business.

Given under my hand, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Council Member

# Tab E

COUNCIL PAPER

At the meeting held on January 16, 2019 at the Colonial Beach Town Hall

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**Resolution #04-19, Appointment of Vice Mayor**

**BE IT RESOLVED**, that the Town Council, meeting in regular session on January 16, 2019 hereby appoints \_\_\_\_\_ as Vice Mayor for the Town of Colonial Beach for a term of \_\_\_\_\_.

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Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

	AYE	NAY		AYE	NAY
Mayor Eddie Blunt	_____	_____	Dallas Leamon	_____	_____
Frank Alger	_____	_____	Robin Schick	_____	_____
Steve Cirbee	_____	_____	Vicki Roberson	_____	_____
Pat Ey	_____	_____			

Adopted \_\_\_\_\_ Tabled \_\_\_\_\_

# Tab F

COUNCIL PAPER

At the meeting held on January 16, 2019 at the Colonial Beach Town Hall

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**Resolution #05-19, Appoints Nathan Howell to the Colonial Beach Planning Commission**

**WHEREAS**, there is a vacancy on the Colonial Beach Planning Commission; and

**WHEREAS**, Nathan Howell has indicated his willingness to serve on the Planning Commission and has submitted an application and participated in an interview by the Planning Commission; and

**WHEREAS**, the Planning Commission has considered the submitted application and recommends that Nathan Howell be appointed to serve on the Colonial Beach Planning Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council, meeting on January 16, 2019 hereby appoints Nathan Howell to the Colonial Beach Planning Commission for a four-year term beginning on January 1, 2019 and expiring on January 1, 2022.

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Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

AYE NAY AYE NAY

Mayor Eddie Blunt	___	___	Dallas Leamon	___	___
Frank Alger	___	___	Robin Schick	___	___
Steve Cirbee	___	___	Vicki Roberson	___	___
Pat Ey	___	___			

Adopted \_\_\_\_\_ Tabled \_\_\_\_\_

# NATHAN E. HOWELL

nedwinh@hotmail.com  
[REDACTED]

Colonial Beach, VA

<http://www.linkedin.com/in/nedwinh/>

## **Market Leader-NOVA/DC/MD**

Ferguson Enterprises – Applied Engineered Products  
2016 - Present

## **District Sales Rep**

Nalco Champion an Ecolab Company – Chemical and Mechanical Engineering  
2014 - 2016

## **Business Development and Sales Engineer**

The Joyce Agency, Inc. - HVAC  
2012 - 2014

## **Mechanical Engineering and CAD Tech**

Alliance Engineering Inc. – Industrial Engineering  
2011 – 2012 Newport News, VA

## **Manager**

County Grill Yorktown  
2008 – 2011 Yorktown, VA

## **Principal – Biodiesel**

New Dominion Trading International  
2005 – 2006 Newport News, VA

## **Managing Compliance Coordinator and Consultant**

FDA Registrar  
June 2004 – October 2005 Hampton VA

## **Education**

**M.E. Engineering Management (MEM)**  
Old Dominion University Norfolk, Virginia

August 2014  
3.81 GPA

**B.S. Mechanical Engineering**  
Old Dominion University Norfolk, Virginia

December 2012

A.S. in Engineering  
A.S. in Computer Science  
A.S. in Business Administration  
Thomas Nelson Community College Hampton, VA

December 2009  
May 2008  
May 2008 Merit List Spring 2007

A.A.S in Culinary Arts  
Johnson & Wales University Norfolk, VA

June 2003 Summa Cum Laude



# QUESTIONNAIRE FOR CANDIDATES FOR APPOINTMENTS THE COLONIAL BEACH PLANNING COMMISSION

DATE: 11/8/2018

NAME: NATHAN HOWELL DATE OF BIRTH: ~~11/11/1988~~

ADDRESS: ~~10000~~ COLONIAL BEACH, VA 22443

PHONE NUMBER: MOBILE: (~~757~~) - HOME: ( ) -

EMAIL ADDRESS: nedwinh@hotmail.com

CURRENT EMPLOYER/ TITLE: Ferguson Enterprises, VRF Market Leader Product Specialist

DO YOU RESIDE WITHIN TOWN LIMITS?  YES  NO | WHEN DID YOU MOVE TO COLONIAL BEACH? FEB 2017

DO YOU OWN REAL ESTATE IN COLONIAL BEACH?  YES  NO

PLEASE SUMMARIZE PAST EXPERIENCES, EITHER PERSONAL OR PROFESSIONAL, WHICH WOULD ENHANCE YOUR ABILITY TO SERVE ON THE PLANNING COMMISSION:

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THE CURRENT PLANNING COMMISSION MEETING SCHEDULE IS SET FOR 5:30 PM ON THE 4<sup>TH</sup> THURSDAY OF EVERY MONTH. CAN YOU ACCOMMODATE THIS SCHEDULE?  YES  NO

ARE THERE ANY EVENINGS DURING THE MONTH ON WHICH YOU WOULD NOT BE AVAILABLE?  YES  NO

IF YES, PLEASE SPECIFY: \_\_\_\_\_

HAVE YOU SERVED, OR DO YOU CURRENTLY SERVE, ON BOARDS OR COMMISSIONS OF OTHER JURISDICTIONS?

YES  NO IF YES, PLEASE PROVIDE DATES & DETAILS:

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**ARE YOU CURRENTLY ACTIVE IN ANY OTHER CIVIC OR SERVICE ORGANIZATIONS?  YES  NO**

**IF YES, PLEASE PROVIDE DATES & DETAILS:**

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**WOULD YOUR MEMBERSHIP IN SUCH ORGANIZATIONS, YOUR PROFESSIONAL ASSOCIATIONS(S), OR BUSINESS ACTIVITY POSE ANY POTENTIAL CONFLICT OF INTEREST OR INAPPROPRIATE ASSOCIATION AS A MEMBER OF THE PLANNING COMMISSION?  YES  NO**

**IF YES, PLEASE PROVIDE DETAILS:**

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**ARE THERE CURRENTLY ANY OUTSTANDING DEBTS OR VIOLATIONS WITH THE TOWN WHICH ARE ASSOCIATED WITH YOU OR A PROPERTY YOU OWN?  YES  NO**

**IF YES, PLEASE PROVIDE DETAILS:**

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**IN A FEW WORDS, PLEASE DESCRIBE YOUR INTERESTS IN LOCAL GOVERNMENT AND INDICATE HOW YOUR APPOINTMENT TO THE PLANNING COMMISSION WOULD CONTRIBUTE TO THE OVER-ALL QUALITY OF LOCAL GOVERNMENT IN COLONIAL BEACH:**

My interest in local government is to perform service for our community and contribute meaningfully. I take personal responsibility for making Colonial Beach the best place it can be for our citizens, neighbors, and families. To contribute to the quality of our local government, my skills and experience include executing long term projects across multiple independent organizations. Listening to, as well as abiding by stakeholder concerns and objectives while engaging in collaborative problem solving to achieve the desired outcomes are ways I have provided qualitative support for projects. These skills are directly transferable to the Planning Commission.

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**WHY DOES SERVING ON THE PLANNING COMMISSION INTEREST YOU THE MOST?**

Serving on the Planning Commission interests me most because of my professional experience. My job as an engineer in support of commercial building systems gives me regular interaction with the codes and their enforcement officers. Previously I provided continuing education building inspectors. Additionally, I have experience with long term planning and serving in advisory capacities. I can make determinations withing prescribed decision making frameworks independently of emotion or preference referencing research, data, analytics, rules and regulations.

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**\* OPTIONAL: PLEASE ATTACH EITHER ACADEMIC CREDENTIALS, AN UPDATED RESUME, OR BOTH.**