



**Minutes of the  
Colonial Beach Town Council  
Regular Meeting held on  
Wednesday, March 20, 2019 at 6:00 p.m.**

Colonial Beach Town Center  
22 Washington Avenue

**Present**

Eddie Blunt, Mayor  
Robin Schick, Vice Mayor  
Frank Alger, III, Council Member  
Steve Cirbee, Council Member  
Patrick Ey, Council Member  
Dallas Leamon, Council Member  
Vicki Roberson, Council Member

**Absent**

All Council Members were present.

**Also Present**

Town Manager, Quinn Robertson  
Town Attorney, Jim Cornwell  
Town Clerk, Kathleen Flanagan  
Deputy Town Manager, Rob Murphy  
Zoning Administrator, Allyson Finchum  
Chief of Police, Bruce Hough  
Financial Consultant, Gladys Gomez

**Call to Order**

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

## **Moment of Silence/Pledge of Allegiance**

Mayor Blunt led a Moment of Silence and the Pledge of Allegiance. Mayor Blunt requested the Moment of Silence reflect two recent losses -- Ellie Mae Carruthers and Mildred Grigsby.

## **Roll Call of Members**

Mayor Blunt noted that all Council Members were present.

## **Additions to the Agenda**

Mr. Leamon asked for Council consensus to remove the “For Sale” and “No Trespassing” signs at Eleanor Trailer Park.

As there was Council consensus previously by way of email, Mayor Blunt requested Mr. Robertson remove the signs.

*There was unanimous Council consensus to remove the signs posted on Eleanor Trailer Park.*

## **Approval of the Agenda**

Mr. Leamon made a motion to approve the agenda. Ms. Roberson seconded the motion.

Mayor Blunt called for a roll call vote. Mr. Alger voted “aye,” Mr. Ey voted “aye,” Mr. Cirbee voted “aye,” Mr. Leamon voted “aye,” Ms. Roberson voted “aye,” Ms. Schick voted “aye,” and Mayor Blunt voted “aye.”

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

## **Approval of Minutes**

Ms. Roberson made a motion to approve the Minutes for the March 9, 2019 Special Meeting. Mr. Alger seconded the motion.

Mayor Blunt called for a roll call vote. Mr. Alger voted “aye,” Mr. Ey voted “aye,” Mr. Cirbee voted “aye,” Mr. Leamon voted “aye,” Ms. Roberson voted “aye,” Ms. Schick voted “aye,” and Mayor Blunt voted “aye.”

*The motion to approve the minutes for the March 9, 2019 Special Meeting passed with a unanimous vote of council members.*

## **Council Member Announcements**

Ms. Roberson noted the school is presenting its budget at the School Board office at 6:00 pm on March 21<sup>st</sup>.

Ms. Schick reported on a seminar in Petersburg regarding an alliance between the Department of Housing and Community Development and the Virginia Housing Authority illustrating development in small towns. Ms. Schick will work on bringing a presentation before Council.

Mayor Blunt is looking forward to sunshine filled days with lots of people in town for events.

Mr. Cirbee requested moving up the Public Hearing so that people who have signed up to speak about pier leases can be heard.

Mayor Blunt asked for Council agreement.

### **Consensus to move the Public Hearing under Item 11**

Mayor Blunt queried Council on its agreement to hold the Public Hearing for Resolution #17-19 ahead on the agenda.

Mr. Alger, Mr. Ey, Mr. Leamon, Mr. Cirbee, Ms. Roberson, Ms. Schick and Mayor Blunt all agreed.

*There was Council consensus to move the Public Hearing for Res #17-19 to be heard next.*

### **New Business**

#### **Public Hearing**

#### **Resolution #17-19, Intent to Lease Town-Owned Waterfront Property to Individuals for the Construction and/or Maintenance of Docks or Piers**

Mr. Alger noted this public hearing is only for the properties as shown on the map attached to the resolution, except those north of Beach Avenue.

Ms. Finchum affirmed that and stated that the properties north of Beach Avenue will hold a public hearing at the April Regular Meeting.

Mr. Cornwell reported that the lease agreement is standard and for any special exceptions, those leases would come before Council for approval.

#### **Open Public Hearing**

At 6:10 p.m. Mayor Blunt opened the Public Hearing

Heather Shrader, Monroe Bay Avenue asked Council to define maintenance of docks/piers.

Mr. Cirbee replied the “Statewide Building Code.”

Ms. Shrader then asked who enforces the Code on docks.

Ms. Schick responded that the Zoning Administrator enforces the Code on town property and the Code on the actual docks is enforced by VMRC as far as the permitting process.

Mr. Cirbee responded that our Code Compliance or Building Official.

Ms. Shrader asked who is authorized by the town to enforce who can come onto the dock.

Ms. Finchum noted there are two entities with enforcement power, the Building Official from Westmoreland County and the town Property Maintenance Official in conjunction with Part 3 of the Statewide Building Code. VMRC is the third entity that can enforce the upkeep/condition of docks.

Ms. Shrader then noted that the town is not enforcing maintenance and named the pier located at the end of Sulgrave.

Mayor Blunt responded that pier is in the process of issuance of an RFP to remove it completely, as is the dilapidated pier on 1<sup>st</sup> Street.

Mayor Blunt further noted piers are to be kept free and clear of trash and debris and safety must be maintained.

Vicki Colson, 320 Nelson noted she agreed with Ms. Shrader.

Ms. Colson asked how long the process would take as she would like to get her boat in the water and VMRC has indicated all permits are at a standstill.

Mayor Blunt responded that he is hopeful this will be wrapped up tonight.

Ms. Colson asked if any consideration has been given to selling the parcels to homeowners.

Mr. Cirbee responded that most parcels are rights of way to the road and the town cannot sell road right of ways.

Ms. Colson asked who is responsible for the maintaining the right of way.

Mayor Blunt responded that the structure you have attached to town property that is of benefit to you and your property.

Ms. Schick noted when a lease is signed, it requires the homeowner to maintain the property between the extension of lot lines.

Robert Muma, 320 Nelson asked if erosion occurs, who will replace the area.

Mayor Blunt responded that the homeowner is responsible for erosion control.

Theresa Lamb, agrees with the previous speakers and asked what the \$250 is for.

Ms. Schick responded it was to enforce the lease and maintain the paperwork.

Mayor Blunt noted there are two sides to this. The Town has a liability for having those piers there. It is an improvement for the homeowners' benefit.

Walter Kern, The Meadows reported that the most recent owner of the pier at the end of Ball Street and Monroe Bay Avenue has been passed away for eight years.

Mr. Kern recommended repairing the Town Pier.

Mayor Blunt responded that there is an RFP out for repair of the Town Pier.

John Biemack, noted he has a 40-year lease with the town, arising out of a suit made against the town under the Kintz Trust, with conditions such as erosion control.

Mayor Blunt requested Mr. Biemack provide a copy of his lease to Mr. Cornwell.

Gary Seeber, Irving Avenue noted he had problems with the resolution:

- 1) right of access to the piers – Mr. Seeber does not believe the town has a right to go onto a private pier
- 2) permission to transfer from lease – Mr. Seeber does not believe the town has a right to approve transfer of lease to new owners of the home
- 3) liability issue – Mr. Seeber believes the town has no liability for the pier. If someone falls on a pier, they will sue the owner of the pier, not the town.
- 4) lease area – Mr. Seeber believes the lease is being used to prevent others from public access.
- 5) real estate tax – Mr. Seeber noted his pier has lost value every year.

Justin Bell, Monroe Bay Avenue reported that in 2014 he signed a shoreline maintenance agreement and 40-year lease with the Town.

Terry Gaasterland, Irving Avenue passed out copies of her remarks to Town Council.

Joe Kelly, 415 Wirt Street noted the map is incorrect as to where it stops on Monroe Bay Avenue.

Mr. Kelly further noted the lease does not include renewal provisions.

Marsha Feldman, 1605 Beach Avenue does not have a pier, but noted the right of way owned by the town across the street from her property has not been maintained by the Town.

Mayor Blunt noted that, as in other jurisdictions, people maintain right of ways.

## **Close Public Hearing**

*At 6:48 p.m. Mayor Blunt closed the Public Hearing.*

## **Action on Resolution #17-19, Intent to Lease Town-Owned Waterfront Property to Individuals for the Construction and/or Maintenance of Docks or Piers**

Mr. Alger made a motion to approve Resolution #17-19. Ms. Schick seconded the motion.

Mr. Cirbee noted the town has to get past the issue of leasing the land.

Mr. Cirbee noted riparian rights that are granted to homeowners must be taken into account, as the lines are not always straight and sometimes criss-cross other people's riparian rights.

Ms. Schick referred to the map attached to Resolution #17-19, asking that it be updated.

Mayor Blunt called for a roll call vote. Mr. Alger voted "aye," Mr. Cirbee voted "aye," Ms. Schick voted "aye," Mr. Ey voted "aye," Mr. Leamon voted "aye," Ms. Roberson voted "aye," and Mayor Blunt voted "aye."

*The motion to approve Resolution #17-19 as written passed with a unanimous vote of council.*

## **RESOLUTION #17-19, Intent to Lease Town-Owned Waterfront Property to Individuals for the Construction and/or Maintenance of Piers**

**WHEREAS**, the Colonial Beach Town Council has expressed its intent to lease town-owned waterfront property to individuals for the construction and/or maintenance of docks or piers under uniform conditions; and

**WHEREAS**, those waterfront parcels are identified as:

The land from Weems Street to 1<sup>st</sup> Street along the Potomac River between mean low water line and roads known as Beach Terrace and Irving Avenue identified as Tax Map #3A2-2-PR; the land from the most southern tip of "The Point" to Weems Street along the Potomac River between mean low water line and Irving Avenue identified as Tax Map #3A1-2-PR; the land from the southern tip of "The Point" to Vernon Street along Monroe Bay between mean low water line and Monroe Bay Avenue identified as 3A1-2-MB.

**WHEREAS**, the Colonial Beach Town Council has held a duly advertised Public Hearing pursuant to VA Code Sections 15.2-1800 and 15.2-2101 on March 20, 2019.

**NOW THEREFORE BE IT RESOLVED**, upon the approval by Town Council of a lease instrument, the Town Manager is hereby directed to begin processing applications from individual property owners for the construction and/or maintenance of docks or piers that connect to town-owned parcels.

**BE IT FURTHER RESOLVED** that approval of individual lease agreements shall be made in accordance with all applicable local and state code requirements by the Colonial Beach Town Council.

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**RESOLUTION #18-19, Approves Lease Agreement for Town-Owned Waterfront Property to Individuals for the Construction and/or Maintenance of Piers**

Ms. Schick made a motion to approve Resolution #18-19. Mr. Alger seconded the motion.

Mr. Cirbee noted there are special exceptions that will arise that will require amendments to the lease agreement.

Ms. Finchum noted VMRC is requiring a lease.

Mr. Cornwell noted the lease does not include a right of public transport for the public.

**Amends Resolution #18-19**

Ms. Schick made a motion to amend Resolution #18-19 as per Council discussion (see highlighted revisions). Mr. Ey seconded the motion.

Mayor Blunt called for a roll call vote. Ms. Schick voted “aye,” Mr. Alger voted “aye,” Mr. Ey voted “aye,” Mr. Cirbee voted “aye,” Mr. Leamon voted “aye,” Ms. Roberson voted “aye,” and Mayor Blunt voted “aye.”

**Adopts Resolution #18-19**

Mayor Blunt called for a roll call vote. Ms. Schick voted “aye,” Mr. Alger voted “aye,” Mr. Ey voted “aye,” Mr. Cirbee voted “nay,” Mr. Leamon voted “aye,” Ms. Roberson voted “nay,” and Mayor Blunt voted “aye.”

*The motion to approve Resolution #18-19 as amended in discussion passed with a 5-2 vote of council members present.*

**RESOLUTION #18-19, Approves Lease Agreement for Town-Owned Waterfront Property to Individuals for the Construction and/or Maintenance of Piers**

**WHEREAS**, the Colonial Beach Town Council has expressed its intent to lease town-owned waterfront property to individuals for the construction and/or maintenance of docks or piers under uniform conditions by way of a lease agreement pursuant to VA Code Sections 15.2-1800 and 15.2-2100.

**NOW THEREFORE BE IT RESOLVED**, the following lease agreement is hereby approved by Town Council:

**“LEASE AGREEMENT FOR DOCK/PIER CONSTRUCTION ON TOWN PROPERTY**

**THIS LEASE**, made this the \_\_\_ day of \_\_\_\_\_, 2019 by and between the **TOWN OF COLONIAL BEACH**, a Virginia municipal corporation, Lessor and \_\_\_\_\_(address) Lessee;

WITNESSETH:

**WHEREAS**, the Lessor owns a tract of real estate located between Virginia State Route \_\_\_ and the low water mark of the Potomac River or Monroe Bay in the Town of Colonial Beach, Virginia; Town of Colonial Beach tax map parcel # \_\_\_\_\_ (the “property”); and,

**WHEREAS**, the Lessee owns a parcel of real estate on the other side of Virginia State Route \_\_\_\_ across from the property, Town of Colonial Beach tax map parcel # \_\_\_\_\_ (the homeplace); and,

**WHEREAS**, the Lessee desires to lease a portion of the property between the homeplace owned by the Lessee and the Potomac River or Monroe Bay for the purpose of access to the Potomac River or Monroe Bay, including the construction of a dock; and, the Lessor agrees to lease such portion under the terms and conditions herein contained.

**NOW, THEREFORE**, in and for the consideration herein contained and under the terms and conditions hereof, Lessor hereby leases to Lessee and Lessee leases from Lessor the following portion of the property:

- 1) The portion of the property to be leased and which is the subject of this lease is described and shown upon the plat attached hereto as “Exhibit A” and expressly made a part of this lease (the “parcel”).
- 2) The Term of this Lease is five (5) years from the date of execution by all parties. This lease shall terminate at the end of such term.
- 3) The rent to be paid for the initial term of five (5) years is One Thousand Two Hundred Fifty dollars (\$1,250.00) payable in advance or with an option to pay in installments of Two Hundred Fifty dollars (\$250.00) per year, with the first payment due on the execution of this lease by all parties and subsequent payments due and payable on, or before, January 1 of each succeeding year. Failure to pay further installments of rent, either in the initial term or any extended term, when due, shall entitle the Lessor to terminate and cancel this lease or, in its sole discretion, allow late payment to be made with interest at the rate of five percent (5%) from the date due until paid.
- 4) During the term of this lease the Lessee may construct a dock on the parcel. The dock shall be located on the parcel at the location as shown upon the attached plat. No dock shall be built until it has been approved by permit from the Virginia Marine Resources Commission and or such other governmental entity as required, and the Lessor agrees to cooperate in the filing of any necessary application. The dock shall be inspected and approved in compliance with the Virginia Uniform Statewide Building Code and shall be maintained in conformity with the Virginia Uniform Statewide Building Code. The dock and the parcel shall be maintained in a safe condition and kept free of any waste, litter, debris or unsightly material of any nature. The Lessor’s agents and employees shall have the right to come upon the parcel and dock at anytime to ensure that the dock and the parcel is being properly maintained. Failure to properly maintain the dock or the parcel shall entitle the Lessor, if not corrected within 30 days of notice, to terminate the lease and require the Lessee to remove the dock, any waste, litter, debris or unsightly material and any supporting structures. No other structures of any nature shall be built on the parcel without the express written permission of the Lessor. The Lessee shall conform to all provisions of the Town Zoning Ordinance

and other applicable laws and regulations including the Virginia Marine Resources Commission and the Virginia Department of Transportation. Depending on the shoreline of the leased property, additional shoreline protection may be required to be installed on the property by the Town and maintained during the term of the lease. Such additional requirements shall be itemized on “Exhibit B” attached hereto.

5) During the term of this lease no lien or encumbrance may be placed on the parcel. This lease is not subject to assignment, mortgage, transfer or conveyance. Should the homeplace be sold to another the Lease may be transferred to the new owner of the homeplace. In no event may this lease be transferred to any entity other than the owner of the homeplace.

6) The Lessee has inspected the parcel and accepts it “as is”. During the term of this lease the Lessee shall indemnify, insure and hold harmless the Lessor for any and all liability, claim or loss associated with the parcel. Prior to execution of this lease the Lessee shall furnish to the Lessor a policy of insurance with an insurance company doing business in the Commonwealth of Virginia in the principal amount of \$1 million dollars insuring the Lessor from any claim or loss of any nature related to the parcel and shall keep such policy in full force and effect during the term of this lease. The policy shall also contain a clause that the Lessor shall be notified of any termination of coverage. Failure to insure and keep the policy of insurance in full force and effect shall be grounds for termination of this lease.

7) Thirty calendar days prior to the end of the initial or any subsequent term the Lessee shall completely remove the dock and all accessory structures on the parcel and return the parcel without any structures and free of any waste, litter, debris or unsightly material of any nature. Should this lease be terminated by the Lessor because of a breach hereof the Lessee shall, within thirty (30) days, completely remove the dock and all accessory structures on the parcel and return the parcel without any structures, waste, litter, debris or unsightly material of any nature. Failure to timely remove the dock and other improvements or waste, litter, debris or unsightly material of any nature shall entitle the Lessor to remove the same at the sole cost and expense of the Lessee and seek repayment by court proceedings or otherwise, including imposition of a lien on the homeplace, for payment. This requirement of removal may be waived in the sole discretion of the Lessor.

This lease has been approved and authorized by the Town Council of the Town of Colonial Beach, after public hearing, duly advertised.”

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**RESOLUTION #19-19, Referral to the Planning Commission re: Review and Recommendation of Amendments to Town Code, Section 13, Article III, “Boardwalk Vendors and Peddlers” and the Colonial Beach Zoning Ordinance, Articles 5, 7,8 and 9**

Mr. Leamon made a motion to approve Resolution #19-19. Ms. Roberson seconded the motion.

Mayor Blunt summarized that this is an issue of allowing food trucks to operate within the commercial areas of town, without harm to existing businesses.

Mayor Blunt noted the intent is to accommodate businesses, such as the brewery, when they have races or events at their place of business off the roadway. Another boardwalk vendor has expressed an interest in locating on the NAPA parking lot during off season.

Mr. Cirbee agreed with allowing self-contained trucks.

Mr. Cirbee noted this could contain additional opportunities within the town.

Mayor Blunt called for a roll call vote. Ms. Schick voted “aye,” Mr. Alger voted “aye,” Mr. Ey voted “aye,” Mr. Cirbee voted “aye,” Mr. Leamon voted “aye,” Ms. Roberson voted “aye,” and Mayor Blunt voted “aye.”

*The motion to approve Resolution #18-19 as amended in discussion passed with a unanimous vote of council members present.*

**RESOLUTION #19-19, Referral to the Planning Commission re: Review and Recommendation of Amendments to Town Code, Section 13, Article III, “Boardwalk Vendors and Peddlers” and the Colonial Beach Zoning Ordinance, Articles 5, 7, 8, and 9**

**WHEREAS**, a majority of Colonial Beach Town Council members agree to refer a review of Town Code, Section 13, Article III “Boardwalk Vendor and Peddlers” and the Colonial Beach Zoning Ordinance, Articles 5, 7, 8, and 9 to permit vendors to operate on Right of Ways, public and commercial property throughout the town in: Maritime Commercial (MC) District, Resort Commercial (RC) District, General Commercial (C-1) District, and Commercial Residential (CR) District.

**NOW THEREFORE BE IT RESOLVED** by the Colonial Beach Town Council, at its regular monthly meeting on March 20, 2019 that public necessity, convenience, general welfare, or good zoning practice requires this change, and that therefore the review of this issue is hereby referred to the Colonial Beach Planning Commission for a public hearing and recommendation in accordance with state law

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**Recess**

At 7:20 p.m. Mayor Blunt called for a 10 minute recess.

**Reconvene**

At 7:29 p.m. Mayor Blunt reconvened the meeting.

**Presentations**

**Gladys Gomez, Finance Consultant** presented an overview focusing on of Water Fund revenues.

Ms. Gomez presented a four-year history of revenues for the water fund, including current numbers as of January 31, 2019. Water fund revenue includes water charges, penalties, interest, and water connection fees and totaled in FY 2018 \$841,926.40.

Mr. Cirbee asked if there was usage data or if our consumption had increased.

Ms. Gomez explained that the loan payments that will come due equal approximately \$280,000 per year.

Ms. Gomez then discussed sewer fund revenues, including sewer charges, penalty, interest, connection fees, septage receiving, wastewater processing fee, WWPUP County payments, and county share of capital improvement and totaled in FY 2018 \$1,961,235.56.

Ms. Gomez noted there will have to be an increase in water rates and recommended Council consider this issue.

Ms. Schick noted the last time there was an increase was in 2014.

Ms. Gomez then moved to expenditures and began with totals by department for FY 15 through YTD FY 19.

Mayor Blunt asked if a debt percentage of 14.27% is normal.

Ms. Gomez responded that the FY 19 numbers are not final.

(Multiple conversations)

Ms. Gomez noted that last year Council was presented a General Fund budget first and then was presented a Water and Sewer budget.

*There was Council agreement to be presented with both budgets at the same time.*

Ms. Gomez is looking to present the budget beginning in April.

Ms. Gomez noted the Debt Covenant states as soon as you find out you're not in compliance, you need to increase the rates.

Mayor Blunt suggested Council members meet with Ms. Gomez before spring break.

### **Colonial Beach Schools**

Ms. Roberson reported that the School's Budget will be presented on March 27 at 5:30 in Town Center.

### **Westmoreland County Supervisor**

Mayor Blunt reported that Mr. Roberson had indicated there was savings available as to the purchase of police cars, which the Town was able to take advantage of by partnering with the County.

### **Planning Commission**

Mr. Eric Nelson reported that they are continuing to work on the Comprehensive Plan. The Commission will hold neighborhood meetings in order to collect information to assist in planning out the goals and strategies.

The next work session is tomorrow at 3:00 p.m.

### **Colonial Beach Community Foundation**

Mr. Eric Nelson reported that the Foundation has received a radio license from a Christian school that broadcasts out of Colonial Beach.

### **Downtown Colonial Beach**

Ms. Joyce Reihmerr presented samples of the banners that will, hopefully, soon hang over Colonial Avenue. Ms. Reihmerr also reported on the upcoming Osprey Festival.

Ms. Reihmerr would like to see historic based development. Colonial Beach has been declared 'eligible.' There are twenty or so buildings that are historically significant. Investors who purchase one of those buildings are tasked with historical restoration on the outside of the building and are eligible for a 45% tax credit on the entire renovation, with no covenants and no restrictions.

### **Chamber of Commerce**

Ms. Susan Mack distributed laminated 2019 Event Schedules.

Ms. Mack then reported that the March issue of Chamber Chat was distributed; the Friday Art Walk was successful; and the Chamber held its annual Awards Dinner.

The local non-governmental organizations have structured a team that will meet quarterly in order to create a unified presence. Representatives on the team include the Chamber, the Foundation, Downtown Colonial Beach, the Artist Guild, CB Historical Society, the Museum, CB Public Schools, CB Tourism, CB Rec Association and the Mayor, who represents Town Council. Civic groups, church groups, the Fire Department, the Rescue Squad, RiverDogs, the Humane Society, Sea Scouts, etc are all invited.

The first task for the Team is to create a volunteer list and each month every volunteer will be emailed a list of three month's worth of events that are looking for volunteers.

The Team has agreed that all events for the town should be listed on the CBVA calendar. The Chamber will act as the funnel for that.

## **Monthly Department Reports**

Mr. Robertson presented monthly Department Reports, including:

- Torrey Smith project update
- Flack Shack marketing initiatives
- Parking meter vendor selection
- COMREL meeting
- P-Card procurement initiative
- FY 20 Budget
- Job Evaluations
- Review Riverside Meadows paving costs
- Edmunds software integration
- VML insurance
- Business Licenses and Decal season
- 4<sup>th</sup> Quarter Water and Sewer billing
- Transfer of Building Services to the county
- Coordination with Commissioner of the Revenue re: piers
- Coordination with Commissioner of the Revenue re: sale of public properties
- Efforts on blight remediation
- Code enforcement for property maintenance, inoperable vehicles and nuisances
- Water Meter project
- Road milling and paving
- Klotz Building demolition
- Banners installation
- Pedestrian Plaza
- Santa Maria drainage issue
- Fly Over
- Palm Trees

Mr. Robertson noted there were several items that require appropriations from Council, which include: banner installation, Klotz demolition, implementation of the parking lot, the Fly Over and Palm Trees.

Mr. Robertson noted that discretionary funds have been spent.

(Multiple conversations)

Ms. Schick identified that the (1) Atlantic broadband piping; (2) Klotz Demolition, including implementation of the parking lot; and, (3) the Fly Over are three items that should come from Capital Improvements.

Ms. Schick identified that the following items are not capital improvement items: (1) banner installation; (2) Santa Maria issue; and (3) the palm trees should come from Town Council contingency.

## **Unfinished Business**

### **RESOLUTION #15-19, Amends Fiscal Year 18-19 Budget, General Fund and Transfers from General Fund to Capital Projects Fund**

Ms. Schick made a motion to approve Resolution #15-19. Mr. Ey seconded the motion.

#### **Motion to Amend**

Ms. Schick made a motion to amend Resolution #15-19 “to clarify, in item number 2, that the 50% that is to go to the CIP Fund be specifically allocated to the Capital Improvements that include the (1) Atlantic Broadband piping; (2) demolition of the Klotz Building and parking lot structure; and, (3) the beginning of the storm water management in The Meadows.

The other 50% of that approximately \$111,000 that is appropriated to Town Buildings and Site Repairs be allocated to at least include the installation of the new banners, the Howeth review of the Santa Maria survey; and the new order of palm trees.” Mr. Cirbee seconded the motion.

Mayor Blunt called for a roll call vote. Ms. Schick voted “aye,” Mr. Alger voted “aye,” Mr. Ey voted “aye,” Mr. Cirbee voted “aye,” Mr. Leamon voted “aye,” Ms. Roberson voted “aye,” and Mayor Blunt voted “aye.”

*The motion to amend Resolution #15-19 as amended in discussion passed with a unanimous vote of council members present.*

#### **Motion to Adopt**

Ms. Schick previously made a motion to adopt and Mr. Ey previously seconded the motion.

Mr. Alger asked to clarify that the \$25,002 was not what was left over, that is what we actually spent for that fiscal year. We should have \$43,000 left over.

Ms. Gomez agreed and noted this only addresses FlackShack.

Mayor Blunt called for a roll call vote. Ms. Schick voted “aye,” Mr. Alger voted “aye,” Mr. Ey voted “aye,” Mr. Cirbee voted “aye,” Mr. Leamon voted “aye,” Ms. Roberson voted “aye,” and Mayor Blunt voted “aye.”

*The motion to adopt Resolution #15-19 as amended in discussion passed with a unanimous vote of council members present.*

### **RESOLUTION #15-19, Amends Fiscal Year 2018-2019 Budget General Fund and Transfers from General Fund to Capital Projects Fund**

**WHEREAS**, the Colonial Beach Town Council finds it necessary to make the following amendments to the Fiscal Year 2018-2019 budget.

**NOW THEREFORE BE IT RESOLVED**, that the Town Council regular meeting Wednesday, March 20, 2019 hereby adopts and appropriates and amendment to Fiscal Year 2018-2019 budget as follows:

	FY 2018-19 Approved	FY 2018-19 Revised	Change
General Fund	\$7,098,716.34	\$7,179,346.18	+\$25,002
			+\$55,627.84

1) Increase of \$25,002.00 represents Assigned Fund Balance as of June 30, 2018 related to the marketing contract that was signed for a 1 year period during FY18 and included in the FY18 budget but only 6 months was actually completed since the contract was not finalized until after December 2017. This represents carryover of fund balance and will be recorded in line item 3-100-016080-1000 Carry-Over from Prior Year. The related expenditure account is 4-100-012100-3100 Contracts for Professional Services.

2) \$111,255.69 represents Unassigned Fund Balance as of June 30, 2018 related to amount transferred back to General Fund from the School CIP Fund during FY18. \$55,627.84 (i.e. 50%) represents carryover of fund balance and will be recorded in line item 3-100-016080-1000 Carry-Over from Prior Year. The related expenditure account is 4-100-043100-3350 Town Buildings and Site Repairs.

The 50 percent (Carry-over from Prior Year) include an allocation for: Klotz Building demolition and parking lot and the beginning of storm water management in The Meadows. The other 50 percent (expenditure account: Town Buildings and Site Repair) will include an allocation for the installation of the new banners, the Howeth review of Santa Maria survey, and the new palm trees.

**WHEREAS**, the Colonial Beach Town Council finds it necessary to make the following transfer between funds.

**NOW THEREFORE BE IT RESOLVED**, that the Town Council at the regular meeting, Wednesday, March 20, 2019 hereby approves a transfer from the General Fund to the Capital Projects fund as follows:  
1). \$55,627.85 (i.e 50% of the amount noted above in #2) is to be Transferred to the Capital Projects Fund and designated in the Capital Project Fund Balance as "Assigned".

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## **Citizen Input**

Tim Vaughan, Santa Maria Avenue. Mr. Vaughan thanked Council for their efforts in working to resolve his issues.

Walter Kern, The Meadows Mr. Kern noted that a number of years ago Colonial Beach had a radio station.

Mr. Kern discussed the Memorial Board in the foyer.

Mr. Kern discussed recreation in Town and requested Council discuss having a recreation department.

Joyce Gunderson, Bryant Avenue. Ms. Gunderson noted the Town would benefit from holding an annual Clean Up Day.

### **Closed Meeting**

Ms. Schick made a motion to go into Closed Meeting pursuant to VA Code 2.2-3711(8) for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel: (1) issues relating to the collection of past due water and sewer charges; (2) and issues relating to contract performance in the Waste Water Agreement. Mr. Alger seconded the motion.

Mayor Blunt called for a roll call vote. Ms. Schick voted “aye,” Mr. Alger voted “aye,” Mr. Cirbee voted “aye,” Mr. Ey voted “aye,” Mr. Leamon voted “aye,” Ms. Roberson voted “aye,” and Mayor Blunt voted “aye.”

*The motion to go into closed session passed with a unanimous vote of council members present.*

At 9:23 p.m. Council moved into Closed Meeting.

### **Certification/Reconvene**

At 10:01 p.m. Mayor Blunt reconvened the meeting.

Mr. Leamon made a motion that Council certify that only those matters as were identified in the motion to go into closed meeting were heard, discussed or considered. Ms. Roberson seconded the motion.

Mr. Alger, Mr. Cirbee, Mr. Ey voted, Mr. Leamon, Ms. Roberson, Ms. Schick and Mayor Blunt all so certified.

*All council members present certified that only those matters as were identified were heard, discussed or considered during Closed Meeting.*

### **Adjournment/Recess**

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

*At 10:01 p.m. Mayor Blunt adjourned the meeting.*

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Kathleen Flanagan, Town Clerk