



Before the  
**Colonial Beach Town Council**

Held at  
Town Center, 22 Washington Avenue

**Wednesday, August 21, 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. Additions to the Agenda**
- 5. Approval of the Agenda**
- 6. Approval of Minutes for the**
- 7. Council Member Announcements**
- 8. Presentations**
  - **Darren Hall, Hallmark Tattoo Studio**
  
  - **Colonial Beach Schools ● Westmoreland County Supervisor ● Planning Commission**
  - **Downtown Colonial Beach ● Chamber of Commerce ● Colonial Beach Foundation**
  - **Colonial Beach Recreation Association**
  
  - **Jim Cornwell, Town Attorney, Report on a Legal Matter**

9. Unfinished Business

- Ordinance No. 697, Amends Town Code, Chapter 21, Article VI, Section 21-71  
“Water User Charges” Residential Service (*Public Hearing held June 19, 2019*) (*Tab A*)
- Ordinance No. 698, Amends Town Code, Chapter 21, Article VI, Section 21-80  
“Sewer User Charges” Residential Service (*Public Hearing held June 19, 2019*) (*Tab B*)

10. New Business

Public Hearing

- Ordinance No. 699, Amends Town Code, Chapter 21, Article VI, Section 21-71  
“Water User Charges” Commercial Service (*Tab C*)

- (i) Public Input
- (ii) Council Action

Public Hearing

- Ordinance No. 700, Amends Town Code, Chapter 21, Article VI, Section 21-80  
“Sewer User Rates” Commercial Service (*Tab D*)

- (i) Public Input
- (ii) Council Action

- Resolution #35-19, Authorizes Town Manager to Sign and Submit a Grant Application to the Virginia Land Conservation Foundation (VLCF) (*Tab E*)
- Resolution #38-19, Appoints Colleen Teal as Chief Financial Officer of the Town of Colonial Beach (*Tab F*)

11. Citizen Input

12. Closed Meeting (if necessary)

13. Adjournment/Recess

# Tab A

## COUNCIL PAPER

At the meeting held on August 21, 2019 at the Colonial Beach Town Center

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### ORDINANCE NO. 697

ORDINANCE NO. 697 AMENDS CHAPTER 21, "WATER AND SEWERS," ARTICLE VI, "FEES AND SERVICE CHARGES," SECTION 21-71, "WATER USER CHARGES" TO INCREASE THE FLAT FEE FOR RESIDENTIAL USERS FROM TWO HUNDRED EIGHTY-NINE DOLLARS AND TWENTY CENTS (\$289.20) ANNUALLY, TO FOUR HUNDRED AND TWENTY DOLLARS (\$420.00) ANNUALLY. ORDINANCE NO. 697 INCREASES THE QUARTERLY INSTALLMENTS FROM SEVENTY-TWO DOLLARS AND THIRTY CENTS (\$72.30) TO ONE HUNDRED AND FIVE DOLLARS (\$105.00).

ORDINANCE NO. 697 IS CONSIDERED PURSUANT TO THE GRANTS OF AUTHORITY CONTAINED IN VIRGINIA CODE SECTIONS 15.2-2111 AND 15.2-2119.

**BE IT ORDAINED** by the Colonial Beach Town Council that the Colonial Beach Town Code, Chapter 21, "Water and Sewers," Article VI, "Fees and Service Charges," Section 21-71, "Water user charges; provisions for stopping charges," to read as follows:

**"Sec. 21-71. - Water user charges; provisions for stopping charges.**

(a) *Residential service.* All residential users will pay a flat charge of four hundred and twenty dollars (\$420.00) per residential use per year, payable in quarterly installments of one hundred and five dollars (\$105.00).

(b) (a)

(b) *Commercial service.* All commercial water users will be metered and shall pay a minimum charge of two hundred eighty-nine dollars and twenty cents (\$289.20) per commercial use, per year, payable in quarterly installments of seventy-two dollars and thirty cents (\$72.30). This charge shall allow the user sixty thousand (60,000) gallons of usage for the year. Usage in excess of the sixty thousand (60,000) gallons per year shall be charged at the following rates:

(1) One dollar and fifty cents (\$1.50) per one thousand (1,000) gallons or part thereof on the next one hundred fifty thousand (150,000) gallons.

(2)

(2) One dollar and thirty-eight cents (\$1.38) per one thousand (1,000) gallons or part thereof on the next one hundred fifty thousand (150,000).

(3)

(3) One dollar and twenty cents (\$1.20) per one thousand (1,000) gallons or part thereof on all usage over three hundred sixty thousand (360,000) gallons.

(c)

(c) Rates for water service furnished outside corporate limits shall be one hundred fifty (150) percent of the rate for such service within the town, except for water used to fill swimming pools. Charges for water furnished to fill swimming pools located outside the corporate limits shall be at the following rates:

(1) A minimum of one hundred dollars (\$100.00) per occurrence for each pool. This charge shall allow the user five thousand (5,000) gallons.

(2) Usage in excess of the five thousand (5,000) gallons per quarter shall be charged at the rate of five dollars (\$5.00) per thousand (1,000) gallons on all usage over five thousand (5,000) gallons.

(d) Water user charges shall be stopped only under the following conditions:

(1) *Residential.* For a user to be disconnected from water works and no longer subject to water charges, all plumbing fixtures and visible pipes must be removed from the structure, rendering it unfit for human habitation.

(2) *Commercial.* At a commercial establishment to which a water meter is provided, the user may request water service be disconnected. The town will take a final reading of the meter and remove it, stopping future water charges. When reestablishment of water services is requested, the town will reinstall the meter for a fee of one hundred dollars (\$100.00) and turn on the service after the user pays water fees as provided in [section 21-77](#). Provided, if the user installs a water meter approved by the town at his own expense, said installation fee may be waived.

(e) Minimum and flat usage fees shall apply prospectively for the quarter at the beginning of which they are due. Excess usage fees shall be assessed at the start of one (1) quarter for the quarter immediately preceding.

This Ordinance shall take effect October 1, 2019.

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

AYE

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Mayor Eddie Blunt  
Frank Alger  
Steve Cirbee  
Pat Ey

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Dallas Leamon  
Vicki Roberson  
Robin Schick

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Adopted \_\_\_\_\_

Tabled \_\_\_\_\_

# Tab B

## COUNCIL PAPER

At the meeting held on August 21, 2019 at the Colonial Beach Town Center

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### ORDINANCE NO. 698

ORDINANCE NO. 698 AMENDS CHAPTER 21, "WATER AND SEWERS," ARTICLE VI, "FEES AND SERVICE CHARGES," SECTION 21-80, "SEWER USER CHARGES" TO INCREASE THE FLAT FEE FOR RESIDENTIAL USERS FROM SIX HUNDRED FIFTY DOLLARS AND EIGHTY CENTS (\$650.80) ANNUALLY, TO EIGHT HUNDRED DOLLARS (\$800.00) ANNUALLY. ORDINANCE NO. 698 INCREASES THE QUARTERLY INSTALLMENTS ONE HUNDRED SIXTY TWO DOLLARS AND SEVENTY CENTS (\$162.70) TO TWO HUNDRED DOLLARS (\$200.00). ORDINANCE NO. 698 IS CONSIDERED PURSUANT TO THE GRANTS OF AUTHORITY CONTAINED IN VIRGINIA CODE SECTIONS 15.2-2111 AND 15.2-2119.

**BE IT ORDAINED** by the Colonial Beach Town Council that the Colonial Beach Town Code, Chapter 21, "Water and Sewers," Article VI, "Fees and Service Charges," Section 21-80, "Sewer user rates" to read as follows:

#### **"Sec. 21-80. - Sewer user rates**

a) *Residential service.* All residential sewer users will pay a flat charge of eight hundred dollars (\$800.00) per residential use per year, payable in quarterly installments of two hundred dollars (\$200.00) each.

(b) *Commercial service.* All commercial sewer users pay a minimum charge of six hundred fifty dollars and eighty cents (\$650.80) per commercial use, per year, payable in quarterly installments of one hundred sixty-two dollars and seventy cents (\$162.70) each, for the first sixty thousand (60,000) gallons of usage. Usage in excess of sixty thousand (60,000) gallons will be charged as follows:

(1) Four dollars and fifty cents (\$4.50) per one thousand (1,000) gallons or part thereof on the next one hundred and fifty thousand (150,000) gallons.

(2) Four dollars and fourteen cents (\$4.14) per one thousand (1,000) gallons or part thereof on the next one hundred and fifty thousand (150,000) gallons.

(3) Three dollars and sixty cents (\$3.60) per one thousand (1,000) gallons or part thereof on all usage over three hundred and sixty thousand (360,000) gallons.

Commercial sewer users shall be deemed to have sewer usage equal to their metered water usage. Commercial sewer users not metered for town water shall be required to install a separate meter to ascertain the actual newer usage.

(c) Rates for sewer service furnished outside corporate limits shall be one hundred and fifty (150) percent of the rate for such service within the town.

(d) Sewer user charges may be stopped in the same manner by which water user charges are stopped in subsection [21-71](#)(d).

(e) Minimum and flat fees for usage shall apply prospectively for the quarter at the beginning of which they are due. Excess usage fees shall be assessed at the start of one (1) quarter for the quarter immediately preceding. Commercial sewer users shall be deemed to have sewer usage equal to their metered water usage. Commercial sewer users not metered for town water shall be required to install a separate meter to ascertain the actual sewer usage.

Commercial sewer users shall be deemed to have sewer usage equal to their metered water stage unless a substantial portion of water purchased from the town is for cooling or other purposes that do not require the discharge of each used water into the sanitary sewer system. In such case the establishment's owner may: (1) be deemed to have sewer usage equal to their metered water usage, or (2) at the owner's expense, install a meter of design approved by the manager, or his designee, on the waste line from such commercial establishment. The volume of measured discharge by such commercial user shall be considered to be the volume of discharge into the sanitary system.”

This Ordinance shall take effect October 1, 2019.

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Moved By _____			Seconded By _____		
	AYE	NAY		AYE	NAY
Mayor Eddie Blunt	_____	_____	Dallas Leamon	_____	_____
Frank Alger	_____	_____	Vicki Roberson	_____	_____
Steve Cirbee	_____	_____	Robin Schick	_____	_____
Pat Ey	_____	_____			
Adopted _____			Tabled _____		

# Tab C

COUNCIL PAPER

At the meeting held on August 21, 2019 at the Colonial Beach Town Center

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**ORDINANCE NO. 699**

ORDINANCE NO. 699 AMENDS CHAPTER 21, "WATER AND SEWERS," ARTICLE VI, "FEES AND SERVICE CHARGES," SECTION 21-71, "WATER USER CHARGES;" TO INCREASE THE MINIMUM CHARGE FOR COMMERCIAL USERS FROM TWO HUNDRED EIGHTY-NINE DOLLARS AND TWENTY CENTS (\$289.20) ANNUALLY, TO FOUR HUNDRED AND TWENTY DOLLARS (\$420.00) ANNUALLY. ORDINANCE NO. 699 INCREASES THE QUARTERLY INSTALLMENTS FROM SEVENTY-TWO DOLLARS AND THIRTY CENTS (\$72.30) TO ONE HUNDRED AND FIVE DOLLARS (\$105.00).

ORDINANCE NO. 699 FURTHER ADDS SECTION 21-71(b)(4) WHICH CLARIFIES THAT MINIMUM USAGE FEES IN THE AMOUNT OF 15,000 GALLONS OF USAGE ARE CALCULATED AS PER QUARTER MINIMUM USAGE FEES FOR BILLING PURPOSES.

ORDINANCE NO. 699 IS CONSIDERED PURSUANT TO THE GRANTS OF AUTHORITY CONTAINED IN VIRGINIA CODE SECTIONS 15.2-2111 AND 15.2-2119.

**BE IT ORDAINED** by the Colonial Beach Town Council that the Colonial Beach Town Code, Chapter 21, "Water and Sewers," Article VI, "Fees and Service Charges," Section 21-71, "Water user charges" to read as follows:

**"Sec. 21-71. - Water user charges; provisions for stopping charges.**

(a) *Residential service.* All residential users will pay a flat charge of four hundred and twenty dollars (\$420.00) per residential use per year, payable in quarterly installments of one hundred and five dollars (\$105.00).

(b) *Commercial service.* All commercial water users will be metered and shall pay a minimum charge of four hundred and twenty dollars (\$420.00) per commercial use, per year, payable in quarterly installments of one hundred and five dollars (\$105.00). This charge shall allow the user fifteen thousand (15,000) gallons of usage for the quarter. Usage in excess of the fifteen thousand (15,000) gallons per quarter shall be charged at the following rates:

(1) One dollar and fifty cents (\$1.50) per one thousand (1,000) gallons or part thereof on the next one hundred fifty thousand (150,000) gallons.

(2)

(2) One dollar and thirty-eight cents (\$1.38) per one thousand (1,000) gallons or part thereof on the next one hundred fifty thousand (150,000).

(3) One dollar and twenty cents (\$1.20) per one thousand (1,000) gallons or part thereof on all usage over three hundred sixty thousand (360,000) gallons.

(4) All commercial water users will be metered and shall pay a minimum charge of One Hundred and Five Dollars (\$105.00) per quarter. This charge shall allow the user up to fifteen thousand gallons (15,000) of usage for the quarter. Usage in excess of the fifteen thousand (15,000) gallons per quarter shall be charged at the rates listed above.

(c) Rates for water service furnished outside corporate limits shall be one hundred fifty (150) percent of the rate for such service within the town, except for water used to fill swimming pools. Charges for water furnished to fill swimming pools located outside the corporate limits shall be at the following rates:

(1) A minimum of one hundred dollars (\$100.00) per occurrence for each pool. This charge shall allow the user five thousand (5,000) gallons.

(2) Usage in excess of the five thousand (5,000) gallons per quarter shall be charged at the rate of five dollars (\$5.00) per thousand (1,000) gallons on all usage over five thousand (5,000) gallons.

(d) Water user charges shall be stopped only under the following conditions:

(1) *Residential.* For a user to be disconnected from water works and no longer subject to water charges, all plumbing fixtures and visible pipes must be removed from the structure, rendering it unfit for human habitation.

(2) *Commercial.* At a commercial establishment to which a water meter is provided, the user may request water service be disconnected. The town will take a final reading of the meter and remove it, stopping future water charges. When reestablishment of water services is requested, the town will reinstall the meter for a fee of one hundred dollars (\$100.00) and turn on the service after the user pays water fees as provided in [section 21-77](#). Provided, if the user installs a water meter approved by the town at his own expense, said installation fee may be waived.

(e) Minimum and flat usage fees shall apply prospectively for the quarter at the beginning of which they are due. Excess usage fees shall be assessed at the start of one (1) quarter for the quarter immediately preceding.

This Ordinance shall take effect October 1, 2019.

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

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Mayor Eddie Blunt  
Frank Alger  
Steve Cirbee  
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Adopted \_\_\_\_\_ Tabled \_\_\_\_\_

# Tab D

## COUNCIL PAPER

At the meeting held on August 21, 2019 at the Colonial Beach Town Center

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### **ORDINANCE NO. 700, AMENDS CHAPTER 21, "WATER AND SEWERS," ARTICLE VI, "FEES AND CHARGES," SECTION 21-80, "SEWER USER RATES," (b) COMMERCIAL SERVICE**

ORDINANCE NO. 700 INCREASES COMMERCIAL SEWER RATES FROM ONE HUNDRED SIXTY TWO DOLLARS AND SEVENTY CENTS (\$162.70) PER QUARTER TO TWO HUNDRED DOLLARS (\$200.00) PER QUARTER, WHICH IS A TOTAL ANNUAL INCREASE FROM SIX HUNDRED FIFTY DOLLARS AND EIGHTY CENTS (\$650.80) TO EIGHT HUNDRED DOLLARS (\$800.00).

ORDINANCE NO. 700 IS CONSIDERED PURSUANT TO THE GRANTS OF AUTHORITY CONTAINED IN VIRGINIA CODE SECTIONS 15.2-2111 AND 15.2-2119.

**BE IT ORDAINED** by the Colonial Beach Town Council that the Colonial Beach Town Code, Chapter 21, "Water and Sewers," Article VI, "Fees and Service Charges," Section 21-80, "Sewer user rates" to read as follows:

#### **"Sec. 21-80. - Sewer user rates**

a) *Residential service.* All residential sewer users will pay a flat charge of eight hundred dollars (\$800.00) per residential use per year, payable in quarterly installments of two hundred dollars (\$200.00) each.

(b) *Commercial service.* All commercial sewer users pay a minimum charge of eight hundred dollars (\$800.00) per commercial use, per year, payable in quarterly installments of two hundred dollars (\$200.00) each, for the first fifteen thousand (15,000) gallons of usage per quarter. Usage in excess of fifteen thousand (15,000) gallons per quarter will be charged as follows:

(1) Four dollars and fifty cents (\$4.50) per one thousand (1,000) gallons or part thereof on the next one hundred and fifty thousand (150,000) gallons.

(2) Four dollars and fourteen cents (\$4.14) per one thousand (1,000) gallons or part thereof on the next one hundred and fifty thousand (150,000) gallons.

(3) Three dollars and sixty cents (\$3.60) per one thousand (1,000) gallons or part thereof on all usage over three hundred and sixty thousand (360,000) gallons.

(c) Commercial sewer users shall be deemed to have sewer usage equal to their metered water usage. Commercial sewer users not metered for town water shall be required to install a separate meter to ascertain the actual sewer usage.

(d) Rates for sewer service furnished outside corporate limits shall be one hundred and fifty (150) percent of the rate for such service within the town.

(e) Sewer user charges may be stopped in the same manner by which water user charges are stopped in subsection [21-71\(d\)](#).

(f) Minimum and flat fees for usage shall apply prospectively for the quarter at the beginning of which they are due. Excess usage fees shall be assessed at the start of one (1) quarter for the quarter immediately preceding. Commercial sewer users shall be deemed to have sewer usage equal to their metered water usage. Commercial sewer users not metered for town water shall be required to install a separate meter to ascertain the actual sewer usage.

Commercial sewer users shall be deemed to have sewer usage equal to their metered water stage unless a substantial portion of water purchased from the town is for cooling or other purposes that do not require the discharge of each used water into the sanitary sewer system. In such case the establishment's owner may: (1) be deemed to have sewer usage equal to their metered water usage, or (2) at the owner's expense, install a meter of design approved by the manager, or his designee, on the waste line from such commercial establishment. The volume of measured discharge by such commercial user shall be considered to be the volume of discharge into the sanitary system.”

This Ordinance shall take effect October 1, 2019.

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

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

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

# Tab E

## COUNCIL PAPER

At the meeting held on August 21, 2019 at the Colonial Beach Town Center

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### **Resolution #35-19, Authorizes Town Manager to Sign a Grant Application to the Virginia Land Conservation Foundation**

**RESOLUTION** #35-19, Authorizes the Town Manager to sign and submit a hardcopy plus electronic version of a grant application to the Virginia Land Conservation Foundation ("VLCF") no later than 4 PM on Thursday, August 29, 2019 as required by and in accordance with the VLCF's 2019 Grant Manual (FY20 Program Year), dated June 19, 2019.

**WHEREAS** the Town of Colonial Beach (the "Town") owns a parcel of land consisting of 1.89 acres at the Intersection of Irving Avenue, Dandridge Lane, and Lossing Avenue, known by its USGS placename as Eleanor Park Tourist Camp, as designated by the U.S. Board on Geographic Names, April 20, 1998 (the "Property"); and

**WHEREAS** the Colonial Beach Town Council (the "Council") wishes to explore all options relative to the Property; and

**WHEREAS** the VLCF administers the Virginia Land Conservation Fund (the "Fund") for the purpose of providing grants to state agencies, other public bodies, and qualifying nonprofits to reimburse them for the costs associated with conserving land throughout the Commonwealth in accordance with VA Code §§ 10.1-1020 and 1021.1; and

**WHEREAS** the VLCF awards grants for up to 50 percent of total project costs (e.g., due diligence costs) and 50 percent of the appraised value of the subject property using specific criteria defined in each of the 4 application categories: Farmlands and Forest Preservation, Historic Area Preservation, Natural Area Protection, and Open Spaces and Parks; and

**WHEREAS** one third of VLCF grants funds shall be used to secure open-space easements to be held or co-held by a public body and no less than one half of grant funds shall be used for projects that provide public access; and

**WHEREAS** a number of Colonial Beach full- and part-time residents have requested that the Town submit a grant application to the CLVF to potentially obtain funds for a conservation easement on the Property; and

**WHEREAS** the Council wishes to be responsive to those residents and diligent in the exploration of all options with respect to the Property; and

**WHEREAS** a small group of those residents have volunteered to develop the grant application in coordination with and support from Council members Frank Alger and Dallas Leamon, and with supporting documentation provided by the Town, as necessary; and

**WHEREAS** the Council, should the Town be awarded and accept grant funds, will consider the Property its match contribution.

**NOW, THEREFORE BE IT RESOLVED** by the Council at its monthly meeting held on Wednesday, August 21, 2019, that the Town Manager is authorized to sign and submit the grant application to VLCF for purchase of a conservation easement in an amount up to \$450,000 (50 percent of the Property's purchase price in an offer received by the Town on July 19, 2018) plus 50 percent of project costs, with the Property constituting the Town's match contribution; and

**BE IT FINALLY RESOLVED** that, in authorizing grant application submission to VLCF, the Council is not committing to accept any funds that VLCF may offer.

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 August 21, 2019 at the Colonial Beach Town Center**

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**RESOLUTION # 38-19, Appoints Colleen Teal as Chief Financial Officer for the Town of Colonial Beach**

**WHEREAS**, the Colonial Beach Town Council created by Ordinance the position of Chief Financial Officer in order to provide appropriate oversight and management of Town Funds; and

**WHEREAS**, the Town Council has selected a highly qualified individual, Colleen Teal, to serve as the Chief Financial Officer; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council hereby appoints Colleen Teal as Chief Financial Officer for the Town of Colonial Beach effective immediately.

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

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Frank Alger  
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