



Before the

Colonial Beach Town Council

Held at

Town Center, 22 Washington Avenue

Wednesday January 29, 2020 at 8:00 a.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
7. Council Member Announcements
8. Presentations
 - Patrick Ey, Colonial Beach Parks and Recreation
 - Susan French Genace, Flack Shack
 - Quinn Robertson and Lisa Okes, Finance Update

 - Colonial Beach Schools ● Westmoreland County Supervisor
 - Planning Commission ● Downtown Colonial Beach
 - Chamber of Commerce ● Colonial Beach Community Foundation
 - Colonial Beach Recreation Association

9. Unfinished Business

10. New Business/Organizational Meeting

- Resolution #03-20, Establishment of dates and times for regular Town Council meetings through January 2021 *(TAB A)*
- Resolution #04-20, Establishment of dates and times for Town Council Work Sessions through January 2021 *(TAB B)*
- Resolution #05-20, Adoption of 2020 Bylaws and Rules of Procedure *(Tab C)*
- Resolution #06-20, Appoints Joe Kelly to Memorial Advisory Commission *(TAB D)*
- Resolution #07-20, Amends and Appropriates Fiscal Year 2019-2020 Budget, School Fund *(TAB E)*

Public Hearing

- Ordinance No. 702, Amends Chapter 7, Section 07-27 (Permit Fees); Town Zoning Ordinance, Article 22-9 (The Chesapeake Bay Preservation Act (CBPA)); and the Town Fee Schedule (Environmental Permit Fees) in relation to increasing woodlot management permit penalties *(TAB F)*
 - i) Public Input
 - ii) Council Action

Public Hearing

- Ordinance No. 703, Amends Chapter 13.1, Article III, Section 1-43 (Application for vendor's permits) in relation to increasing the fee amount of vendor permit fees *(TAB G)*
 - i) Public Input
 - ii) Council Action

Public Hearing

- Resolution #08-20, Disposition of approximately 15,428 square feet of town-owned property adjacent to 413 Wirt Street at Robin Grove Point *(TAB H)*
 - i) Public Input
 - ii) Council Action

11. Citizen Input

12. Closed Meeting (if necessary)

13. Adjournment/Recess



Wednesday January 29, 2020
Beginning at 6:00 p.m.
Town Council Regular Meeting

TAB A

**Resolution # 03-20, Establishment of dates and times for
Town Council Regular Town Meetings through January 2021**

TAB B

**Resolution #04-20, Establishment of dates and times for
Town Council Work Sessions through January 2021**

TAB C

**Resolution #05-20, Adoption of
2020 Bylaws and Rules of Procedures**

TAB D

**Resolution #06-20, Appoints Joe Kelly
to Memorial Advisory Commission**

TAB E

**Resolution #07-20, Amends and Appropriates
Fiscal Year 2019-2020 Budget, School Fund**

TAB F

PUBLIC HEARING
**Ordinance No. 702, Amends Chapter 7, Section 07-27
(Permit Fees); Town Zoning Ordinance, Article 22-9
(The Chesapeake Bay Preservation Act (CBPA));
and the Town Fee Schedule (Environmental Permit Fees)
in relation to increasing woodlot management permit penalties**

TAB G

PUBLIC HEARING
**Ordinance No. 703, Amends Chapter 13.1, Article III, Section 1-43
(Application for vendor's permits) in relation to increasing the
fee amount of vendor permit fees**

TAB H

PUBLIC HEARING
**Resolution #08-20, Disposition of approximately
15,428 square feet of town-owned property adjacent
to 413 Wirt Street at Robin Grove Point**

Tab A

COUNCIL PAPER

At the meeting held on January 29, 2020 at the Colonial Beach Town Hall

Resolution #03-20, 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:

Wednesday	February 19, 2020	6:00 p.m.
Wednesday	March 18, 2020	6:00 p.m.
Wednesday	April 15, 2020	6:00 p.m.
Wednesday	May 20, 2020	6:00 p.m.
Wednesday	June 17, 2020	6:00 p.m.
Wednesday	July 15, 2020	6:00 p.m.
Wednesday	August 19, 2020	6:00 p.m.
Wednesday	September 16, 2020	6:00 p.m.
Wednesday	October 21, 2020	6:00 p.m.
Wednesday	November 18, 2020	6:00 p.m.
Wednesday	December 16, 2020	6:00 p.m.
Wednesday	January 20, 2021	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 _____

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

Adopted _____ Tabled _____

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Federal Holidays 2020							
Jan 1	New Year's Day	Jan 20	Martin Luther King Day	Feb 17	Presidents' Day	May 25	Memorial Day
Jul 3	Independence Day (obs.)	Jul 4	Independence Day	Sep 7	Labor Day	Oct 12	Columbus Day
Nov 11	Veterans Day	Nov 26	Thanksgiving Day	Dec 25	Christmas Day		

Federal Holidays 2021							
Jan 1	New Year's Day	Jan 18	Martin Luther King Day	Feb 15	Presidents' Day	May 31	Memorial Day
Jul 4	Independence Day	Jul 5	Independence Day (obs.)	Sep 6	Labor Day	Oct 11	Columbus Day
Nov 11	Veterans Day	Nov 25	Thanksgiving Day	Dec 24	Christmas Day (obs.)	Dec 25	Christmas Day
						Dec 31	New Year's Day (obs.)

Tab B

COUNCIL PAPER

At the meeting held on January 29, 2020 at the Colonial Beach Town Hall

Resolution #04-20, 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, Date, Time. Rows include Wednesday sessions from February 5, 2020 to December 2, 2020, and a Tuesday session on January 6, 2021, 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.

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Federal Holidays 2020

Jan 1	New Year's Day	Nov 11	Veterans Day
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Feb 17	Presidents' Day	Dec 25	Christmas Day
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Jul 3	Independence Day (obs.)		
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Oct 12	Columbus Day		

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Tab C

COUNCIL PAPER

At the meeting held on January 29, 2020 at the Colonial Beach Town Hall

Resolution #05-20, Adoption of 2020 Bylaws and Rules of Procedure

BE IT RESOLVED, that the Town Council meeting in regular session, Wednesday, January 29, 2020 hereby adopts the attached 2020 Bylaws and Rules of Procedure.

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 _____		

2020 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. At the organizational meeting, the Town Council shall elect a Vice-Mayor.

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.”

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
- Economic Development and Department of Planning & Zoning
- Finance
- Administration
- Public Works
- Schools
- NGO's

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 Town Attorney shall act as Parliamentarian to the Council. In the absence of the Town Attorney, the Town Clerk shall act as Parliamentarian. Any questions involving the interpretation or application of Robert's Rules of Order for Small Groups shall be addressed to the Town Attorney or, if not available, to the Town Clerk. If the Town Attorney and Town Clerk are not available, then the Town Manager shall act as 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.

In order to promote good government, 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.

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 or her 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 regular meeting, 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 regular meeting, 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 Exit interviews

Whenever a Department Head resigns or retires, or a hired specialist (such as an auditor) completes their work for the Town, the Mayor or the Vice Mayor, and the department liaison for the governing body shall conduct an exit interview with that person.

Section 6-2 6-3 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 6-4 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 6-5 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 _____, 2020.

Council Member

Tab D

COUNCIL PAPER

At the meeting held on January 29, 2020 at the Colonial Beach Town Hall

RESOLUTION #06-20, Appoints Joe Kelly to the Memorials Advisory Commission

WHEREAS, Joe Kelly has expressed a willingness to serve on the Memorials Advisory Commission; and

WHEREAS, the Memorials Advisory Commission was created to identify and honor men and women who gave of themselves for the benefit of our town.

NOW, THEREFORE BE IT RESOLVED, that the Town Council meeting in regular session, Wednesday, January 29, 2020 hereby appoints Joe Kelly to serve on the Memorials Advisory Commission; with his respective term expiring January 2024.

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 E

COUNCIL PAPER

At the meeting held on January 29, 2020 at the Colonial Beach Town Hall

RESOLUTION #07-20, Amends and Appropriates Fiscal Year 2019-2020 Budget, School Fund

WHEREAS, the Colonial Beach Town Council finds it necessary to make the following amendments to the Fiscal Year 2019-2020 budget.

NOW THEREFORE BE IT RESOLVED, that the Town Council at its regular meeting held on Wednesday, January 29, 2020 hereby adopts and appropriates an amendment to the Fiscal Year 2019-2020 budget as follows:

	FY 2019-20 Adopted	FY 2019-20 Revised	Change
School General Fund	\$7,494,479	\$7,644,479	+\$150,000
	FY 2019-20 Amended	FY 2019-20 Revised	Change
Capital Projects Fund	\$175,183	\$25,183	-\$150,000

This amount represents the School's request to use some of the Committed Funds – CB Schools established October 16, 2019 by Resolution #43-19 for replacement of the HVAC system at the Colonial Beach High School Gym. Any funds not spent on the HVAC replacement will be returned to the Capital Projects Fund, Committed Funds – CB Schools.

Breakdown of revenue and expenditure allocations:

School

DB 205-064100-3100 – Operations & Maintenance, Contracts for Professional Services
 CR 205-099999-9207 – Transfers from GF Capital Projects Fund

Capital Projects Fund

DB 330-099999-0103 – Transfer to School
 CR 330-041020-0005 – Unspent School Funds

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 _____

RESOLUTION #12-19, Access Capital Reserve Fund Balance

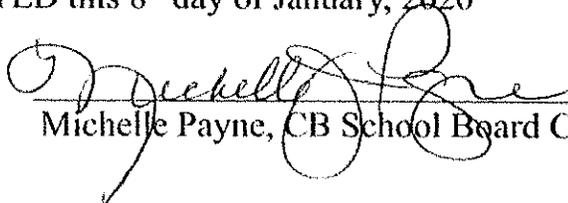
WHEREAS, the Colonial Beach Public School's Board finds it necessary to access the Capital Reserve Fund Balance recently established with the Town Council of Colonial Beach.

NOW THEREFORE BE IT RESOLVED, that the Colonial Beach Public School Meeting Wednesday, January 8, 2020 hereby seeks access of the Capital Reserve Fund Balance up to the amount listed below:

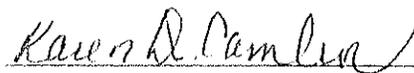
	Capital Reserve
Access Capital Reserve Fund Balance	Up to 150,000.00

1. The above amount represents the funds associated with the needed HVAC project at the Colonial Beach High School Gymnasium. The school division will use up to \$150,000.00 or the amount needed based on the Invitation For Bid Responses. Honeywell, the school division's HVAC service provider projected the cost of replacing the HVAC Gym units at 130K. Any funds that are not spent on the HVAC project will be returned to the Capital Reserve Fund Balance.

PASSED AND ADOPTED this 8th day of January, 2020


Michelle Payne, CB School Board Chairman

Attested to:


Karen Camlin, CB Clerk



Colonial Beach Public School Capital Improvement Plan Update 2020-2025



Estimated Cost Summary	2
Title: Colonial Beach HVAC Replacement	3
Title: Renovation of Old Kindergarten School Building	4
Title: School Bus Replacement	5
Title: CBHS High School Gymnasium Bleacher Replacement	6
Title: School Division Network Upgrades	7

Colonial Beach Public School Capital Improvement Plan Update 2020-2025

Estimated Cost Summary

Title	Priority	Cost
Colonial Beach Gym HVAC Replacement	Urgent	\$140,000.00
Old Kindergarten Building Renovation	Necessary	\$200,000.00
School Bus Replacement	Necessary	\$110,000.00
Colonial Beach High School Gymnasium Bleacher Replacement	Necessary	\$53,785.00
Network Upgrade	Necessary	\$100,000.00
Total		\$603,785.00

Colonial Beach Public School Capital Improvement Plan Update 2020-2025

Title: Colonial Beach HVAC Replacement

Description of Project:

Units that are located atop the gymnasium are nearing the end of life. Replacing the units at this time would be a prudent action as the waiting until the units fail would place a severe financial burden on the school division and town. Newer units may also operate in a more energy-efficient manner saving the division energy cost.

Impact & Benefit of Request:

The school will continue to use obsolete equipment until failure and run the risk of having an increased financial cost should the units fail. This project will provide a more energy-efficient system to condition the gymnasium.

Cost:	\$140,000.00
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Colonial Beach Public School Capital Improvement Plan Update 2020-2025

Title: Renovation of Old Kindergarten School Building

Description of Project:

The school division needs to begin planning for a new school board office. This is due to the town's desire to sell the current school board office in the near future. The Old Kindergarten building needs to be completely renovated to include office space, conference rooms, restrooms, and sitting areas.

Impact & Benefit of Request:

The renovation would allow for the town to sell the current office. This renovation would also place the school board on the campus.

Cost:	\$200,000.00
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Colonial Beach Public School Capital Improvement Plan Update 2020-2025

Title: School Bus Replacement

Description of Project:

Replace the oldest school bus within the fleet. Currently, the bus has over 150K miles and is 14 years old. The bus is currently experiencing engine problems that may require an engine replacement if the bus is not replaced. Engine replacement costs average more than 20,000.00.

Impact & Benefit of Request:

Replacing the school bus will minimize the cost the school division has spent to make bus repairs and allow for a more fuel-efficient travel for long-distance trips. If this bus is not replaced, the school division will be forced to use funds to address the engine issues. The school division has also applied for a grant that may provide funds to support the purchase of an electric bus. The projected cost for the electric bus may exceed the projected cost for a bus fueled by gas.

Cost:	\$110,000
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Colonial Beach Public School Capital Improvement Plan Update 2020-2025

Title: CBHS High School Gymnasium Bleacher Replacement

Description of Project:

The project would provide upgraded seating within the gymnasium to match the home side bleachers. It would include wheelchair accessible areas and safety railing for spectators. Seeking a bleacher system to match the current design may present increased costs as the system has been discontinued. Seating capacity for 434 and 6 wheelchair spaces.

Impact & Benefit of Request:

Improved safety aspects, accessibility, and functionality.

Cost:	Total Delivered and installed): \$ 53,785.00
	Price includes Free Safety Inspection for your existing bleacher group of Irwin Bleachers

Colonial Beach Public School Capital Improvement Plan Update 2020-2025

Title: School Division Network Upgrades

Description of Project:
Replacement of current switches and Access Points

Impact & Benefit of Request:
During the beginning of the 2019 school year, the network experienced some connectivity issues and functionality concerns that were attributed to obsolete equipment and a need to improve the current access points. The recommended changes would strengthen our network and improve user experience (Students & Staff). The cost would include, installation, testing, and configuration of equipment.

Cost:	\$100,000.00
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Colonial Beach Public School Capital Improvement Plan Update 2020-2025

Colonial Beach Capital Improvement Plan

Title:

Description of Project:

Impact & Benefit of Request:

Cost:	
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Tab F

COUNCIL PAPER

At the meeting held on January 29, 2020 at the Colonial Beach Town Center

ORDINANCE NO. 702, amends Town Code, Chapter 7 (Buildings and Construction Regulations), Section 7-27 (Permit Fees); and Articles 20, 8 and 7 of the zoning ordinance. First, this amendment removes the requirement that Town of Colonial Beach building-related fees be identical to Westmoreland County (recommended for housekeeping purposes and to clarify that zoning-related fees are not covered under this section, but under the town fee schedule and applicable zoning ordinance provisions). Second, this amendment removes woodlot management permit violation language from the Building and Construction Regulations section of the town code and places it in Article 22 of the town zoning ordinance (Chesapeake Bay Preservation Area Overlay District). Third, this amendment increases the woodlot management violation penalty from \$200 to \$1,000 (plus \$50 representing a double permit fee). Fourth, this amendment adds language specifying that contractors and other individuals associated with an unauthorized tree removal are subject to the penalty.

NOW, THEREFORE, BE IT ORDAINED by the Colonial Beach Town Council at its regular monthly meeting on the 29th day of January, 2020, that Section 7-27 (b) and (d), "Permit Fees," of the Colonial Beach Town Code be repealed as follows:

~~(b) Fee schedule. The fee schedule shall be and hereby is declared to be the same and identical schedule as adopted and maintained by the County of Westmoreland, Virginia, as the same, from time to time, may be amended by the county board of supervisors.~~

~~—(d) There shall be a twenty-five dollars (\$25.00) building compliance inspection permit fee and a woodlot management violation penalty of two hundred dollars (\$200.00) per tree.~~

BE IT FURTHER ORDAINED that Ordinance No. 702 amends the Colonial Beach Zoning Ordinance, Article 22 (Chesapeake Bay Preservation Area Overlay District), Section 22-9 (Performance Standards), Subsection B (General Performance Standards for Development and Redevelopment), 2.c.ii (Woodlot Management Permit Required), to add provision #6:

"6. There shall be assessed a woodlot management violation penalty of \$1,000 per tree removed without an approved woodlot management permit, and double the woodlot

management permit application fee. Violators must still meet the provisions of this ordinance to include designated tree replacement requirements. Property owners, contractors, and any other individuals associated with the removal of a tree without a woodlot management permit approved by the zoning administrator are subject to this penalty, or subject to the criminal provisions of the zoning ordinance.”

This Ordinance shall take effect upon adoption.

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 _____

**TOWN OF COLONIAL BEACH
PUBLIC NOTICE**

Please take notice that on **January 29, 2020 at 6:00 p.m.** at the meeting of the Colonial Beach Town Council, at Colonial Beach Town Center in Colonial Beach, 22443, the Council will conduct three public hearings to receive public input:

Amends Town Code Chapter 7, Article II, Section 07-27 (Permit Fees), Town Zoning Ordinance Article 22-9 (The Chesapeake Bay Preservation Act (CBPA)) and the Town Fee Schedule (Environmental Permit Fees) in relation to increasing woodlot management permit penalties.

Amends Town Code Chapter 13.1, Article III, Section 13.1-43 (Application for vendor's permits) in relation to increasing the fee amount of vendor permit fees.

Disposition of approximately 15,428 square feet of town-owned property adjacent to 413 Wirt Street at Robin Grove Point.

All documents related to these public hearings are available for review by the public. Anyone having questions may contact Town Hall at 804-224-7181, Monday through Friday, 8:30 a.m. to 4:30 p.m. Written comments may be submitted to Kathleen Flanagan, Town Clerk, 315 Douglas Avenue, Colonial Beach, Virginia 22443. All interested persons may attend and express their views. Any person requiring assistance to participate in the public hearing is asked to contact the Town Clerk prior to the meeting so that appropriate arrangements may be made.

By Order of the Colonial Beach Town Council

Tab G

COUNCIL PAPER

At the meeting held on January 29, 2020 at the Colonial Beach Town Center

ORDINANCE NO. 703, Amends Town Code Chapter 13.1, Article III, Section 13.1-43 (Application for vendor's permits) in relation to increasing the fee amount of vendor permit fees.

NOW, THEREFORE, BE IT ORDAINED by the Colonial Beach Town Council at its regular monthly meeting on the 29th day of January, 2020, that Town Code Chapter 13.1, Article III, Section 13.1-43 (Application for vendor's permits) shall be amended as follows:

"Sec. 13.1-43. - Application for vendor's permit.

(a) A vendor's s permit shall be valid from the time of issuance until the end of that calendar year. Applications for a vendor's permit shall be accepted beginning January 2 of each calendar year. The application for vendors who do not require health department certification for food items shall pay an annual fee of one hundred dollars (\$100.00). Vendors who do require health department certification for food items shall pay an annual fee of ~~one hundred seventy-five~~ seven-hundred fifty dollars (\$750.00). In the event a vendor does not utilize their space for three (3) consecutive weekends, the applicant may be deemed to have forfeited his permit based on the determination of the town manager. All fees shall be paid in full prior to the issuance of a vendor's permit.

(b) Vendor permits shall be conditioned upon a list of available dates, which may exclude special events and holidays. These dates shall be uniformly applied to all vendor permits. One-time vending locations during the celebration of July 4th, Labor Day, or other holidays as designated by the town manager shall require a fee of two hundred fifty dollars (\$250.00), and shall be based upon space availability. The town manager may deny an application based on the need for a variety of products and wares, and to encourage the best use of town property.

(c) The use of loudspeakers, public address systems, amplified radios or other sound devices to attract the attention of the public shall be prohibited.

(d) The vendor shall be responsible for picking up, removing and disposing of all trash or refuse attributable to his vending.

(e) The vendor shall file with the town proof of liability insurance providing coverage for all claims for damage to property and bodily injury, including death, which may arise from the vending operation within the town with a combined single limit of liability of not less than fifty thousand dollars (\$50,000.00) per occurrence. Such policy shall be issued by an insurance company licensed to do business in the Commonwealth of Virginia. Said policy must contain an endorsement naming the town as an additional

insured and providing the town with at least thirty (30) days prior written notice before any cancellation or termination.

(f) The vendor shall comply with all applicable health department regulations.

(g) The vendor shall be responsible for the provision of, and all charges resulting from, the need for and use of utilities, including but not limited to, electricity, water and sewer, trash disposal and telephonic services. The town manager may negotiate an agreement for such services provided that all costs and liabilities are covered.

(h) Vendors shall display all applicable permits and licenses at all times while vending on boardwalk property.

(i) Vendor permits are not transferable and vendor spaces shall not be sublet to any other party under any circumstance.”

This Ordinance shall take effect upon adoption.

Moved By _____ Seconded By _____

AYE

NAY

AYE

NAY

Mayor Eddie Blunt
Frank Alger
Steve Cirbee
Pat Ey

Dallas Leamon
Robin Schick
Vicki Roberson

Adopted _____

Tabled _____

**TOWN OF COLONIAL BEACH
PUBLIC NOTICE**

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Amends Town Code Chapter 13.1, Article III, Section 13.1-43 (Application for vendor's permits) in relation to increasing the fee amount of vendor permit fees.

Disposition of approximately 15,428 square feet of town-owned property adjacent to 413 Wirt Street at Robin Grove Point.

All documents related to these public hearings are available for review by the public. Anyone having questions may contact Town Hall at 804-224-7181, Monday through Friday, 8:30 a.m. to 4:30 p.m. Written comments may be submitted to Kathleen Flanagan, Town Clerk, 315 Douglas Avenue, Colonial Beach, Virginia 22443. All interested persons may attend and express their views. Any person requiring assistance to participate in the public hearing is asked to contact the Town Clerk prior to the meeting so that appropriate arrangements may be made.

By Order of the Colonial Beach Town Council

Tab H

COUNCIL PAPER

At the meeting held on January 29, 2020 at the Colonial Beach Town Hall

RESOLUTION #08-20, Authorizing the Sale of Town-Owned Property

WHEREAS, the Town of Colonial Beach owns a tract of land known as “water reservoir property” and identified as 6B BK 30 Water Reservoir “Robin Grove Park” at Robin Grove Point, adjacent to 413 Wirt Street: and

WHEREAS, the Town of Colonial Beach has determined that approximately 15,428 square feet of this property may be sold; and

WHEREAS, an appraisal performed by Robert T. Lynch, dated October 1, 2019, indicates the current estimated fair market value for this portion of the property to be \$110,000; and

WHEREAS, on January 29, 2020, the Colonial Beach Town Council has conducted a duly advertised public hearing on the sale of this property.

NOW THEREFORE BE IT RESOLVED that the Colonial Beach Town Council, at the regular meeting on January 29, 2020, hereby authorizes the sale of an approximately 15,428 square foot portion of Town-owned property, known as “water reservoir property” and adjacent to 413 Wirt Street at Robin Grove Point, and authorizes the Town Manager to negotiate conditions on a sale that are in the best interests of the Town of Colonial Beach.

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 _____

**TOWN OF COLONIAL BEACH
PUBLIC NOTICE**

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All documents related to these public hearings are available for review by the public. Anyone having questions may contact Town Hall at 804-224-7181, Monday through Friday, 8:30 a.m. to 4:30 p.m. Written comments may be submitted to Kathleen Flanagan, Town Clerk, 315 Douglas Avenue, Colonial Beach, Virginia 22443. All interested persons may attend and express their views. Any person requiring assistance to participate in the public hearing is asked to contact the Town Clerk prior to the meeting so that appropriate arrangements may be made.

By Order of the Colonial Beach Town Council