



Before the

Colonial Beach Town Council

Held at

Town Center, 22 Washington Avenue

Wednesday, February 19, 2020 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 January 12th, 2019 Work Session
7. Council Member Announcements
8. Presentations
 - Proclamation, 128th Year Anniversary of Town's Incorporation (Tab A)
 - Palm Tree Donation Podium, Maggie Lane
 - Rivah Dogs, Dr. Caryn Self-Sullivan
 - The RAFT (The Resilience Adaptation Feasibility Tool), Angela King

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

9. Unfinished Business

10. New Business

- Draft Ordinance No. 704, AMENDS CHAPTER 5 “BEACHES, WATERWAYS, BOARDWALK, PARK, RECREATIONAL AREAS AND FACILITIES” ARTICLE I “IN GENERAL”, SECTION 5-9 “ACTIVITIES PROHIBITED ON PUBLIC BEACHES, PARKS, RECREATION AND PARKING AREAS, OR OTHER PUBLIC AREA WITHIN IN THE TOWN” (Tab B)
- Resolution #10-20, Authorizes the Town Manager to Proceed with the Sale of Town Property (Tab C)

11. Citizen Input

12. Closed Meeting (if necessary)

13. Adjournment/Recess

Tab A



Proclamation

WHEREAS, the Town of Colonial Beach was incorporated on February 25, 1892; and

WHEREAS, the upcoming date of Tuesday, February 25, 2020 will commemorate the 128th year anniversary of the Town's incorporation; and

WHEREAS, the Mayor and the Colonial Beach Town Council hereby make a public proclamation expressing their pride, commitment and dedication to our Town and our founding principles in commemorating this very distinguished date in our history.

THEREFORE, BE IT RESOLVED, that the Mayor and Town Council urge all citizens of the Town of Colonial Beach to take a moment to reflect upon and acknowledge the historical importance of February 25th as the date commemorating and celebrating the incorporation of our town.

Edward T. Blunt, Mayor

Dated this 19th day of February 2020

Tab B

COUNCIL PAPER

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

ORDINANCE NO. 704 AMENDS COLONIAL BEACH TOWN CODE, CHAPTER 5 “BEACHES, WATERWAYS, BOARDWALK, PARK, RECREATIONAL AREAS AND FACILITIES,” ARTICLE I, “IN GENERAL”, SECTION 5-9 “ACTIVITIES PROHIBITED ON PUBLIC BEACHES, PARKS, RECREATION AND PARKING AREAS, OR OTHER PUBLIC AREA WITHIN IN THE TOWN”

BE IT ORDAINED BY THE COLONIAL BEACH TOWN COUNCIL THAT the Colonial Beach Town Code, Chapter 5, CHAPTER 5 “BEACHES, WATERWAYS, BOARDWALK, PARK, RECREATIONAL AREAS AND FACILITIES” ARTICLE I “IN GENERAL”, SECTION 5-9 “ACTIVITIES PROHIBITED ON PUBLIC BEACHES, PARKS, RECREATION AND PARKING AREAS, OR OTHER PUBLIC AREA WITHIN IN THE TOWN” be amended to read in its entirety as follows:

CHAPTER 5 – BEACHES, WATERWAYS, BOARDWALK, PARKS, RECREATION AREAS AND FACILITIES

ARTICLE 1. IN GENERAL

“Sec. 5-9. Activities prohibited on public beaches, parks, recreation and parking areas, or other public area within the town.

- (a) The following activities are prohibited on the public beaches, parks, recreation and parking areas or any other public area within the town, any person in violation of this section shall be subject up to a Class 4 misdemeanor;
- (1) No person shall be permitted to carry, place, use or possess any type of device used for cooking, including but not limited to fires or any other device or grill that is gas, wood, or coal fired. The town manager may grant a permit for a fire to civic organizations in connection with one-time events.
 - (2) No person shall litter. All litter shall be placed in appropriate refuse receptacles.
- ~~(b) Any person violating this section shall be guilty of a Class I misdemeanor.~~
- (3) No person shall be permitted to carry, place, use or possess tents, unless permitted by the town manager or his/her designee. Canopies, umbrellas, or shades that provide unrestricted view of occupants and clear view of ground are permitted on the beach.
 - (4) No person shall be permitted to carry, place, use or possess alcoholic beverages of any type, unless otherwise allowed by Special Event Permit.

- (5) No person shall be permitted to carry, place, use or possess glass containers.
- (6) No person shall cause, either directly or indirectly the obstruction of any sidewalk, walkway, or stairway so as to impede the ingress or egress of any public beach, recreation area, park or adjacent area is prohibited.
- (7) It shall be unlawful for any person to fish from the sand beaches or swimming areas except for between the hours of 6:00 a.m. to 10:00 a.m. and 6:00 p.m. to 10:00 p.m. The town pier shall remain open for fishing.
- (8) No person, group or organization shall hold, organize or sponsor any assemblage or gathering in any town beaches, parks and recreational facilities that will be attended by 25 or more people without first obtaining a permit from the town manager or his/her designee. Applications for permits must be received by the town manager at least 48 hours prior to any such event.
- (9) Fishing shall be prohibited by all persons on the rock shoreline public easement on Irving Avenue.
- (10) Town parks are open daily to the public from dawn to dusk.
- (11) Bicycles, skateboards, roller skates and rollerblades are prohibited from use on blacktops and/or tennis courts in town parks.”

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 C

COUNCIL PAPER

At the meeting held on February 19, 2020 at the Colonial Beach Town Hall

RESOLUTION #10-20, Authorizes Town Manager to Proceed with the Sale of 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.

WHEREAS, that the Colonial Beach Town Council, at the regular meeting on January 29, 2020, authorized 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 authorized the Town Manager to negotiate conditions on a sale that are in the best interests of the Town of Colonial Beach.

NOW, THEREFORE, BE IT RESOLVED, that the Town Manager has completed negotiations on the sale that are in the best interests of the Town of Colonial Beach and is hereby authorized to proceed with the sale of the property.

Moved By _____ Seconded By _____

Table with 6 columns: Name, AYE, NAY, Name, AYE, NAY. Rows include Mayor Eddie Blunt, Frank Alger, Steve Cirbee, Pat Ey, Dallas Leamon, Robin Schick, Vicki Roberson.

Adopted _____ Tabled _____

Joe and Natalie Kelly

413 Wirt St.

Colonial Beach, VA 22443

240-375-4484

Mr. Quinn Robertson
Town Manager
Town of Colonial Beach
315 Douglas Avenue
Colonial Beach, VA 22443

February 11, 2020

RE: Robin Grove Boundary Adjustment at 413 Wirt St.

Dear Quinn:

My wife and I have owned our home at 413 Wirt St since June of 2000. The property is located next to the Water Company property at Robin Grove Point. As you and others in town know we have maintained and improved our property and a portion of the Town's property adjacent to ours since 2000. In fact, in 2016 we completed a 117 ft long "Living Shoreline Project" to protect the eastern side of our property.

The Town has approved a \$300,000 CIP Project for the critically needed shoreline restoration improvement of Robin Grove Point, yet no funding source is available to fund this work. Our purchase can provide an initial funding source for some of this needed work. The shoreline we're seeking to purchase is about 10% of the Town's shoreline in need of repair. Accordingly, our offer price reflects a credit for this work. Our work will serve as a demonstration project for the Town on how to best repair the shoreline at Robin Grove Point.

In 2017, we met with the prior Town Manager and the Town's surveyors and requested an opportunity to purchase the property that we've been maintaining over the years. Since then we have continued to express an interest in a boundary adjustment. In accordance with your suggestion, we have expanded our prior request for a boundary adjustment and are now making an offer to purchase a larger portion of the Water Company property.

We engaged the services of Jeffery Howeth, PE, to assist us in determining the correct demarcation for a boundary adjustment. A copy of that drawing is attached for your review.

In order to make a market value offer for the property, we engaged the services of Robert Lynch, a locally known and respected appraiser to assist us in determining a fair market value of the property. A copy of Mr. Lynch's fair market valuation is attached to this letter for your review. Mr. Lynch estimates that the market value of the property, with consideration for the needed shoreline restoration work is \$110,000.

We propose to pay the Town \$110,000 for the property, and we'll commit to undertake, at our expense, our part of the needed shoreline restoration work within a commercially reasonable period following closing on the purchase. We hope that the Town will recognize that our proffer of the shoreline restoration will reduce the cost of the CIP project to the Town and serve as a demonstration project for the balance of the needed work. Further, we will cover the necessary costs relating to the closing, such as the survey, recording and transfer taxes and the like. We do request that the Town perform certain work prior to closing. Those items include the following:

- The Town will move its fence back to the new property line on the west side of the property and then extend the fence on the south side of the current entrance back as shown on the attached Plat;
- The Town will demolish the abandoned well house and permanently seal the existing well head at least a foot below the surface so that there will never be any liability associated with the well in the future. Sealing of the well head must be done in accordance with VA DEQ Regulations and industry standards for well encapsulation.

We are prepared to close within ten (10) business days following written notice from the Town of completion of the agreed to work.

We appreciate your and the Town Council's cooperation in concluding this transaction. Please keep us advised on the next steps to get us to the closing table.

Best,

Joe and Natalie Kelly

BY:

A handwritten signature in cursive script that reads "Joe Kelly". The signature is written in black ink and is positioned below the printed name "Joe and Natalie Kelly".

CC: Mayor Eddie Blunt

