



**Minutes of the
Colonial Beach Town Council
Work Session held on
Wednesday, January 6, 2021 at 6:00 p.m.**
Colonial Beach Town Center
22 Washington Avenue

Present

Robin Schick, Mayor
Richard “Mike” Cabrey, Council Member
Patrick Ey, Council Member
Thomas Moncure, Council Member
Vicki Roberson, Council Member
Caryn Self Sullivan, Council Member

Absent

All Council Members were present.

Also Present

Interim Town Manager, Rob Murphy
Town Clerk, Heather Oliver
Interim Zoning Administrator, Kathleen Easley
Interim Town Attorney, Vivian Seay-Giles
Chief of Police, Bruce Hough

Call to Order

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

Roll Call of Members

Mayor Schick noted that all council members were present.

Approval of the Agenda

Mr. Ey made a motion to approve the agenda, as written. Ms. Roberson seconded the motion.

Mayor Schick made a motion to amend the agenda, to add a Resolution accepting her resignation from her council seat and to be the first resolution. In addition, move the organizational resolutions to be before the Financial resolution and Parks and Recreation Resolution.

Mr. Ey made a motion to approve the agenda, as amended. Ms. Roberson seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The motion to approve the agenda, as amended passed with a unanimous vote of council members present.

Presentations

Moment of Recognition

Mayor Schick led a moment of recognition. Recognizing Mayor Blunt, Mr. Leamon, Mr. Cirbee and Mr. Alger III, thanking them for their service and the efforts made while on Town Council.

Mayor Schick further recognized the COVID-19 pandemic and the effects it has on this community. She further noted the loss the community had in 2020 and sent her thoughts and prayers to all the families that experienced a loss.

Mayor Schick noted that Colonial Beach will remain strong and continue to be united.

New Business

Resolution #01-21, Accepts the resignation of Council Member Robin M. Schick

Mr. Ey made a motion to approve Resolution #01-21, as written. Ms. Self Sullivan seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick abstained from the vote.

The motion to approve Resolution #01-21, as written passed with a 5 aye to 1 abstain vote of the council members present.

RESOLUTION # 01-21, Accepts resignation of Council Member Robin M. Schick

WHEREAS on November 6, 2018 Robin M. Schick was elected to the Colonial Beach Town Council for a four-year term beginning on January 1, 2019; and

WHEREAS Robin M. Schick has submitted her resignation from the Colonial Beach Town Council effective December 31, 2020 at 11:59PM; and

WHEREAS Va. Code §§ 24.2-226 and 24.2-228, and § 3 of the Colonial Beach Town Charter, permit the Colonial Beach Town Council to appoint an interim member of Council until such time as a member of Council is elected by special election; and

WHEREAS Va. Code §§ 24.2-226 and 24.2-228 and § 3 of the Colonial Beach Town Charter require that a special election be conducted to elect an individual to serve for the remainder of Robin M. Schick’s term.

NOW THEREFORE BE IT RESOLVED that the Colonial Beach Town Council accepts the resignation of Robin M. Schick from the Colonial Beach Town Council at its meeting on January 06, 2021; and

BE IT FINALLY RESOLVED that the Town Attorney is directed to request that a special election be held on November 2, 2021 and to file a Petition for Writ of Special Election on behalf of the Colonial Beach Town Council as required by state law.

Resolution #02-21, Establishment of dates and times for Town Council Work Sessions

Ms. Self Sullivan made a motion to approve Resolution #02-21, as written. Mr. Ey seconded the motion.

Mr. Ey asked what the January 2022 date will be.

Ms. Self Sullivan suggested to leave it as the first Wednesday of the month.

Mr. Ey agreed with Ms. Self Sullivan.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The motion to approve Resolution #02-21 passed with a unanimous vote of council members present.

Resolution #02-21, 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:

Wednesday	February 3, 2021	6:00 p.m.
Wednesday	March 3, 2021	6:00 p.m.
Wednesday	April 7, 2021	6:00 p.m.
Wednesday	May 5, 2021	6:00 p.m.
Wednesday	June 2, 2021	6:00 p.m.
Wednesday	July 7, 2021	6:00 p.m.
Wednesday	August 4, 2021	6:00 p.m.
Wednesday	September 8, 2021	6:00 p.m.
Wednesday	October 6, 2021	6:00 p.m.

Wednesday	November 3, 2021	6:00 p.m.
Wednesday	December 2, 2021	6:00 p.m.
Wednesday	January 5, 2022	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.

Resolution #03-21, Establishment of dates and times for Regular Town Council Meetings

Mr. Ey made a motion to approve Resolution #03-21, as written. Mr. Cabrey seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The motion to approve Resolution #03-21, as written passed with a unanimous vote of council members present.

Resolution #03-21, 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 17, 2021	6:00 p.m.
Wednesday	March 17, 2021	6:00 p.m.
Wednesday	April 21, 2021	6:00 p.m.
Wednesday	May 19, 2021	6:00 p.m.
Wednesday	June 16, 2021	6:00 p.m.
Wednesday	July 21, 2021	6:00 p.m.
Wednesday	August 18, 2021	6:00 p.m.
Wednesday	September 22, 2021	6:00 p.m.
Wednesday	October 20, 2021	6:00 p.m.
Wednesday	November 17, 2021	6:00 p.m.
Wednesday	December 15, 2021	6:00 p.m.
Wednesday	January 19, 2022	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.

DRAFT, Resolution #04-21, Adoption of 2021 Bylaws and Rules of Procedures

Mayor Schick stated there have been a few changes to the Bylaws and Rules of Procedure, so there will only be discussion and no vote on the Resolution.

Mayor Schick summarized the amendments to the Bylaws and Rules of Procedure. The first being the addition of language giving the authority for Town Council to have virtual meetings as needed, it will also allow members to appear virtually when they are unable to attend. The next amendment will be to move citizen input further up on the agenda, it will be after presentations. The next amendment is adding council liaison reports to the work session agenda. In addition, there were grammatical and pronoun changes.

Mr. Moncure noted his suggestion for page 10, taking out the last sentence of the final paragraph and change “criticize” to “intentionally,” in the third sentence. Removing the sentence “I will not make a private promise of any kind to anyone;” from the paragraph. Changing the language in the 7th and 8th sentences to read as follows “I will be mindful that I am only one member of Council and that I possess no individual authority, excepting the Mayor’s statutory duty to preside at meetings. I will preserve the confidentiality of personal and privileged information shared during a closed meeting.”

Mayor Schick noted she appreciated the feedback and that a clean copy with amendments will be voted on at the Regular Meeting.

Election of Vice Mayor

Mayor Schick opened the floor for nominations.

Mayor Schick nominated Mike Cabrey for Vice Mayor.

There were no other nominations.

Mayor Schick closed the floor for nominations.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The nomination for Richard “Mike” Cabrey to serve as Vice Mayor, passed with a unanimous vote of council members present. Mr. Richard “Mike” Cabrey is elected Vice Mayor.

Liaison Assignments

Mayor Schick announced the liaison assignments as follows; Mr. Ey is assigned to Public Safety, Mr. Cabrey is assigned to Economic Development, Mayor Schick is assigned to Administration and to Finance, temporarily, Mr. Moncure is assigned to Public Works, Ms. Roberson is assigned to the School Board, and Ms. Self Sullivan is assigned to the Non-Government Organizations.

All members accepted their assignments.

Liaison reports will be on the upcoming work sessions.

Resolution #05-21, Appointments for the Parks and Recreation Advisory Commission

Mr. Ey stated that he is removing himself from the list of Commission members. Therefore, applications will be accepted to fill the 5th position.

Mayor Schick suggested to leave the submission of applicants for 30 days.

Mr. Cabrey recommended for the Commission to make a recommendation from the applicants to the Town Council for final appointment.

Ms. Roberson made a motion to approve Resolution #05-21, with the four appointees. Ms. Self Sullivan seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The motion to approve Resolution #05-21 as written passed with a unanimous vote of council members present.

Resolution #05-21, Appointments to the Colonial Beach Parks and Recreation Advisory Commission

WHEREAS, the Town Council has created a Colonial Beach Parks and Recreation Advisory Commission to advise and recommend development of policies, funding, and programs to serve the recreational needs and enrichment of the citizens.

WHEREAS, the Colonial Beach Parks and Recreation Advisory Commission has asked for volunteers to participate on this committee.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council in work session, Wednesday January 6, 2021 hereby appoints the following individuals to the Colonial Beach Parks and Recreation Advisory Commission, effective January 1, 2021.

<u>Commission Member</u>	<u>Term</u>
Karen Griesevich	2 years
Melinda Godreau	2 years
Steve Kennedy	1 year
Cody Christensen	1 year

Resolution #06-21, Amends Resolution #07-20, School Fund & Resolution #07-21, Amends and Appropriates Fiscal Year 2020-2021 Budget, School Fund

The resolutions above were discussed together

Mr. Ey noted these resolutions were to move funds from the \$150,000 that was allocated last year for the HVAC from the CIP fund. The school did not spend all of the allocated funds. They would like to return the remainder of funds and dedicate it to the renovation of the building they are moving to.

Mayor Schick noted that the first was the return of the remainder of the allocated funds.

Mr. Ey suggested deleting the last sentence in the second paragraph on Resolution #06-21 “ The Colonial Beach School wishes to use any remaining funds to start the renovation of the Old Kindergarten Building in order to relocate their administrative offices.”

Mayor Schick agreed to strike through the language and that it is not required for Resolution #06-21.

Mayor Schick stated the vote will take place at the Regular Meeting to allow time for updates to the resolutions.

Discussion, Town Manager Transition Assistance

Mayor Schick stated after contacting VML they recommended two main firms, Bakertilly and the Berkely Group that assist with hiring a Town Manager. Bakertilly has been used before by the town and the Berkely Group came highly recommended from other localities. Each firm submitted their proposed agreements for our review.

Ms. Self Sullivan noted her preference for the Berkely Group due to being a smaller company and on a regional level and the cost. In addition, it would be fresh eyes on us in comparison to Bakertilly.

Mr. Cabrey noted his concern with the extra fees in the Berkely Group agreement.

Mayor Schick noted the Berkely Group is a member to most organizations where the job will be advertised, and interviews will most likely be conducted digitally.

Ms. Seay Giles assured the cost will have to be approved before the move forward or to set a cap.

Mayor Schick stated that she would like a direction on which company to move forward with.

Ms. Self Sullivan made a motion to move forward with the Berkely Group. Mr. Ey seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The motion to move forward with the Berkely Group passed with a unanimous vote of council members present.

Discussion, Public Reporting and Transparency

Mayor Schick noted the idea behind adding this to the agenda was to open up discussion with the new council about the concept of a communication plan.

Mr. Cabrey noted having a Facebook page is a baseline and a good start. For the future, have people sign up for an e-newsletter it is a good way to communicate with the community. Council members could take turns writing a section on the newsletter.

Ms. Self Sullivan recommended utilizing NextDoor because a good amount of citizens do not have Facebook. Also, adding a blog on the town webpage that mirrors what is put on social media for those citizens that do not access social media.

Ms. Self Sullivan further recommended expanding our email list for council agendas and utilizing CODE RED for informational purposes.

Mayor Schick noted she was hesitant to utilizing the CODE RED system for informational purposes and use it only for Town Alerts. She agreed with all the other suggestions.

Mr. Ey suggested using a QR code at the local businesses that will link you to what is happening in town.

Ms. Self Sullivan noted using the radio station to provide the citizens with a public service announcement.

Mr. Murphy stated the QR code and utilizing the radio station were some great ideas.

Ms. Self Sullivan inquired about a local cable channel.

Mayor Schick stated they have contacted Atlantic Broadband to speak to their representative and have not heard back. She will keep council informed as she has updates.

Discussion, Appointment of Zoning Administrator

Mayor Schick stated the Town currently has an Interim Zoning Administrator. During the last few years, the power of hiring a Town Manager has been left to the council. Originally it was designated to the Town Manager to hire the position, we would like to revert back to the Town Manager having that authority.

Our Human Resources Manager, Laura Corbin, sent in a report supporting the decision to revert back to the Town Manager having the authority of hiring a Zoning Administrator. The council has full confidence in our Interim Zoning Administrator, Kathleen Easley to become the Zoning Administrator.

Ms. Seay Giles noted the actual appointment of power for the Zoning Administrator must be given by the Council.

Mayor Schick summarized that the hiring of Zoning Administrator shall be under the authority of the Town Manager, with Council appointing the authority of power to the Zoning Administrator.

Ms. Self Sullivan asked if the clarification should be noted in our charter.

Ms. Seay Giles stated it is in Virginia State code 15.2-2286, so there is not a need to amend the charter.

Mayor Schick called for a roll call vote for Kathleen Easley to remain Zoning Administer. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

Status Items

Audit Update

Mr. Murphy summarized the audit report update. Due to COVID-19, staff shortage and personal matters, the audit is delayed this year. In addition, scheduling with the Audit Company has been a challenge due to conflicting schedules. Next year we should be on track to have the audit completed on time.

CARES Act

Mr. Murphy summarized the CARES Act funds update. Out of the \$626,180.80 of funds available to the town, the Town has been reimbursed \$313,795.60 out of \$754,076.69 submitted. The county informed the town that we still have \$57,120.30 remaining for reimbursement. \$312,385.22 of the Town CARES Act funds were used by the county for service expenses that the town also utilizes.

Citizen Input

David Williams, 1535 Irving Ave. stated he was excited about the New Year and congratulated the newly elected officials. He noted he likes that this council wants to be transparent. He wants more time dedicated to all the parks and not just Eleanor. Castlewood needs to be improved and not forgotten about.

Paige Williams, 1535 Irving Ave noted her congratulations for the newly elected and hopes for a positive New Year. Hope to see efforts of beautification of Castlewood Park. She further noted that for a Town that has a high population of seniors, there is facility dedicated to the senior citizens for activities.

Powell Duggan, 1 Given Street summarized his experience of working on a council in Warrenton. He congratulated the council for working so well together. He would be pleased if the council appointed him to the vacant seat to serve along with them.

Steve Kennedy, 222 Boundary Street he noted as speaking for Greenspace, he agrees with Mr. Williams. He did a walkthrough of Castlewood and it is in dire need of attention. He also noted his congratulations to all the newly elected officials.

Dallas Leamon, Wakefield Street Town Clerk, Heather Oliver read comment submitted via email by Mr. Leamon.

“Madam Mayor and members of Town Council, on 12/28/2020 I obtained a copy of an email from Jim Green to Robin Schick in reference to my potential appointment to the Vacant Seat on Town Council. (A copy of the email is attached.)

After consultation with my attorney, I want to address this email and its false allegations with a written statement in so as to address the baseless allegations made by Mr. Green.

I. Mr. Green made a FOIA Request during the election in reference to the Colonial Beach Police Department losing state accreditation. After gaining documents through his request, he posted some of them on Social Media and claimed that I was the reason that CBPD lost their accreditation status. THIS IS FALSE. I am more than happy to discuss, in detail, what happened when CBPD lost their accreditation if anyone wants to talk about it. Mr. Green does not agree with the positions I have taken on issues, and so he seeks to damage my name by blaming me for the CBPD losing its accreditation. This is absolutely not true.

II. In the email, Mr. Green makes vague allegations that I had, in his words, "relations while on duty as a Colonial Beach Police Officer." He goes on to state that these "relations" took place at Public Works. This allegation is not only FALSE, but it is defamatory and absurd.

III. Mr. Green claims that I have "brandished weapons domestically." This too is FALSE and nothing like this has ever happened.

We all know how easy it is for fake news to be posted on social media. It takes just a few seconds to post something that is eye-catching. I hope that the next time you see or hear something that Mr. Green says about me, take it with a grain of salt. Mr. Green does not want to engage in a meaningful discussion about ideas; he would rather resort to personal attacks that are false. It's time to talk about the hard questions that face us as a community and not be distracted by petty personal attacks.”

Closed Meeting

Mayor Schick made a motion to go into closed session, pursuant to Virginia Code § 2.2-3711 (A)(1) for discussion of prospective candidates for appointment to vacant seat on council. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively; and Pursuant to Virginia Code § 2.2-3711 (A)(7) for consultation with legal counsel pertaining to actual litigation for a complaint filed against the town, where such consultation in open meeting would adversely affect the negotiating or litigating

posture of the governing body. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Mr. Cabrey seconded the motion.

Mr. Moncure made a motion to consider the two subjects for closed session separately for vote to go into closed session. Ms. Self Sullivan seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “nay,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The motion to consider the two subjects for closed session separately passed with a 5-1 vote of council members present.

Mr. Cabrey made a motion to go into closed session, pursuant to Virginia Code § 2.2-3711 (A)(1) for discussion of prospective candidates for appointment to vacant seat on council. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively. Ms. Roberson seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “nay,” Mr. Cabrey voted “aye,” Mr. Moncure voted “nay,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The motion to go into closed session pursuant to VA code § 2.2-3711(A)(1), passed with a 4-2 vote of council members present.

Mayor Schick made a motion to go into closed session, pursuant to Virginia Code § 2.2-3711 (A)(7) for consultation with legal counsel pertaining to actual litigation for a complaint filed against the town, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the governing body. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Ms. Self Sullivan seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The motion to go into closed session pursuant to VA code § 2.2-3711(A)(7), passed with a unanimous vote of council members present.

At 8:19 PM council moved into closed session.

Reconvene

Mr. Ey made a motion to reconvene in open session. Ms. Roberson seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

At 9:23 PM, Mayor Schick reconvened the meeting.

Certification

Ms. Self Sullivan, Mr. Ey, Mr. Cabrey, Mr. Moncure, Ms. Roberson, and Mayor Schick all so certified that the only matters as were identified in the motions to go into closed session were heard, discussed, and considered.

Motion to Appoint Powell Duggan to Town Council

Mr. Cabrey made a motion to appoint Powell Duggan to the vacant seat for the remainder of the year. Mr. Moncure seconded the motion.

Mayor Schick stated Mr. Duggan was chosen due to his experience on Warrenton Town Council as Mayor and Council Member and work experience as an attorney.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

The motion to appoint Mr. Powell Duggan to the vacant seat on Town Council passed with a unanimous vote of council members present.

Adjournment

Mr. Ey made a motion to adjourn the meeting. Ms. Self Sullivan seconded the motion.

Mayor Schick called for a roll call vote. Ms. Self Sullivan voted “aye,” Mr. Ey voted “aye,” Mr. Cabrey voted “aye,” Mr. Moncure voted “aye,” Ms. Roberson voted “aye,” and Mayor Schick voted “aye.”

At 9:26 PM, Mayor Schick adjourned the meeting.

Heather Oliver

Heather Oliver, Town Clerk