



**Minutes of the
Colonial Beach Town Council
Work Session held on
Wednesday, February 3, 2021 at 6:00 p.m.**
Colonial Beach Town Center
22 Washington Avenue

Present

Robin Schick, Mayor
Mike Cabrey, Vice Mayor
Powell Duggan, Council Member
Thomas Moncure, Council Member
Vicki Roberson, Council Member
Caryn Self Sullivan, Council Member

Absent

All Council Members were present with the exception of Mr. Ey.

Staff Present

Rob Murphy, Interim Town Manager
Lisa Okes, Chief Financial Officer
Bruch Hough, Chief of Police
Vivian Seay Giles, Town Attorney
Kathleen Easley, Zoning Administrator
Heather Oliver, Town Clerk

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 with the exception of Mr. Ey.

Additions to the Agenda

No additions to the agenda.

Approval of the Agenda

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

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

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

Approval of Minutes

No minutes for approval.

Council Liaison and Committee Reports

Mr. Duggan reported that he is reviewing the budget and will have more information at the next work session.

Mr. Moncure reported he is looking forward to the upcoming scheduled visit at Public Works.

Ms. Roberson reported she has a meeting with Dr. Turner on Friday.

Ms. Self Sullivan reported the following:

1) NGO Coalition:

- The NGO team met on 1-20-21 via Zoom. Members agreed that changing focus and rebranding as the NGO Coalition is important to efficient and effective collaborations. While cross-training/information sharing is important and will be included, it was agreed that we have been missing an opportunity to market our alliance and meet universal needs.
- Several specific projects were enthusiastically discussed including the development of an NGO Coalition website, communicating our projects and events with the community, obtaining volunteers, tracking volunteer hours, developing a universal volunteer skills directory, and creating an NGO calendar.
- Toward this end, an NGO Coalition Planning and Prioritization meeting will be held via Zoom on 2-10-21 at noon. The meeting will focus on prioritizing projects for our group and formalizing our internal communication structure.

2) CB Community Foundation:

- The Foundation is pursuing three initiatives that were launched at the Board's recent retreat. These include: 1) Town-wide Wi-Fi, 2) Transitioning to a new Community Center, and 3) Launching pop-up medical services.
- The Foundation continues to provide gift cards to local food pantries.
- The Foundation is working to fill several board vacancies.

- The Foundation is developing policies and practices to enable accreditation and meet IRS expectations.
- The Foundation started working with Beach to Beer as a fundraiser intended for fall 2021.

3) **CB Greenspace:**

- Steve Kennedy and Bob Smith met with Acting Town Manager, Rob Murphy, and Mayor Robin Schick on 1/15/2021 to discuss Castlewood Park. They presented a vision for Castlewood that includes: 1) Adding trees and plants, 2) Improving the appearance of the restrooms with new paint and shrubs, 3) Expanding the existing fencing to include the green area adjacent to the parking lot, 4) Adding new picnic tables and benches near the playground, 5) Installing crosswalks from the beach, 6) Creating a walking lane along Bancroft Ave. to allow safer passage to the playground, restrooms, and the parking area, and 7) Improving the markings for the existing parking near the playground. CB Greenspace has offered to offset costs by soliciting volunteers to assist with groundwork and fund raising.
- CB Greenspace is investigating a Conservation Easement application for Eleanor Park. They are just starting to review this process and will update as they go forward.

4) **Downtown Colonial Beach:**

- Organizing, promoting, and hosting a Free Webinar on Wednesday, 24 February 2021, at 4:30 PM, entitled *Accessing Tax Credits to Renovate Historic Properties*. The program will focus on helping property owners overcome the challenges involved with accessing state and federal tax credits for historic renovations. You must register in advance for the Zoom Webinar at https://bit.ly/CBVA_Historic See attached Flyer for details
- Surveying businesses, residents and youth for their thoughts and ideas on attracting new retail to the downtown and commercial core. This will feed into our marketing brochure being developed under the Affiliates' Grant and into the COC Economic Development Initiative. The Town Council and staff's responses to the survey would also be appreciated. The link is http://bit.ly/CBVA_Survey01-21
- Continuing work on a "reimagining of our downtown" with historic restorations and other heritage-oriented renovations and new construction under the same grant.
- Working with town government to submit a grant application to the VA Department of Forestry for funds to subsidize trees and landscaping for Colonial Avenue and/or the town's boardwalk and downtown beach.
- Gearing up for a third osprey festival, virtual for a second year, but with a "Do-It-Yourself" twist. <https://www.colonialbeachospreyfestival.org/> Currently confirming sites and platforms needing repair.

5) **Colonial Beach Artists' Alliance:**

- The Artists' Alliance is working with Northern Neck Arts on an extensive program of art workshops that will be starting in the spring. The workshops will

be held at Monroe Bay Winery, whose barn sized building will allow participants to work at socially safe distances.

6) Bamm:

- Bamm will host its annual fundraiser concert on Labor Day Saturday, September 4th. They hope it will be live and on Town Hill. The line-up will include Tommy Tutone, Karen Jonas, Sally and Brian and the Hard to Tell Band.

Mr. Cabrey reported the planning commission will be presenting a text amendment on the CR zoning ordinance in tonight's agenda that has had a public hearing at their meeting. They also had a public hearing on the comprehensive plan. There are some adjustments that have to be made to include recommendations. The timeline for those adjustments should take roughly 6 to 7 weeks. They have provided recommendations for the two vacant seats on the planning commission for appointment by Town Council.

Mr. Cabrey further reported on the status of the COVID vaccinations. The Guadalupe Clinic is currently administering shots for first responders and frontline workers, including school employees.

Mr. Cabrey noted he is going to go talk to Three Rivers to see how much the clinic can do for the community.

Mayor Schick reported that Ms. Roberson and herself visited Dahlgren Naval Warfare Base to observe how they run their vaccination clinic. It was a well-received meeting and eye opening. They have invited more council members to come visit, and they look forward to working with us. There will be monthly meetings between surrounding jurisdictions and Dahlgren to discuss matters and highlight what is happening. Colonial Beach will host this meeting in April. The recruitment profile has been received from the Berkley Group and it will be posted on the Town's Webpage and already posted on numerous government support websites. There is also a community survey that is posted on the webpage and Facebook.

Mayor Schick noted there will be a quarterly newsletter that will be going out with the water bills, expected to start with the next cycle. The Town Council is has started to develop a brief post meeting summary that will be sent out the day after Council meetings.

The RAFT group had a presentation that showed mitigation processes for Storm Water Management. We are hoping the Memorials Advisory Commission will meet soon. There is a plan to get the Classic Shores Committee started up again. This committee helps with build out of the number streets.

Presentations

Tim Trivett, Westmoreland County Supervisor noted he spoke with the County Administrator before he came to the meeting and has confirmed they have the toll-free number up and running to assist the citizens with registering on the VDH website for the vaccination. He noted that availability of the vaccine is limited at this time.

Ms. Self Sullivan asked if the reason it is taking time to receive the vaccine in our area is due to the absence of clinics. Guadalupe is currently the only clinic for the area. She asked if there was anything the county could do to get more vaccines.

Mr. Trivett stated that the county administrator has called three rivers and the governor's office and they supply is just limited right now. First responders are even having a hard time getting vaccinated. It is being worked on and hopefully the availability will increase.

Mr. Cabrey noted an hour before the meeting he was notified to volunteer through VMRC to go to Montross to help with distribution at the high school. He is working on seeing if Three Rivers or VMRC are interested in the high school here hosting distribution.

Mr. Trivett stated there have been conversations between Mr. Risavi and Dr. Williams to work on the distribution plan for our area. We are trying to do everything we can to help the process and make the vaccine available to the area.

Mayor Schick thanked Mr. Trivett for his efforts and told him the town is here to help.

Citizen Input

Steve Kennedy, 220 Boundary Street noted he appreciated Mr. Murphy and Mr. Ruchty meeting with him and going over what can be improved at Castlewood Park.

Paige Williams, 1535 Irving Avenue stated that Irving Ave Association is not the Colonial Beach Residents Association and that they are in the process of obtaining their 501C3. She noted her excitement and the associations excitement of hearing from Mayor Schick that the town has began to look into the beautification of Castlewood Park. The CBRA created a list of concerns for Castlewood Park from neighbors and town residents. *The list was submitted to Town Council for review.*

David Williams, 1535 Irving Avenue reviewed the ordinance for the Parks and Recreation Commission and noted the ordinance did not state the parks and recreation commission to be involved in capital improvements or developing parks. He asked if citizens will be able to see the site plan for Castlewood Park. It needs to be developed with public input and not just between a private group and the town staff. Castlewood is a public space and not just a group's space.

New Business

Resolution #08-21, Authorization of Signature Cards

Mayor Schick stated this resolution was considered housekeeping due to update since many of the people on the accounts are no longer employed with the Town of Colonial Beach and the resolution would be voted on tonight.

Ms. Self Sullivan made a motion to approve Resolution #08-21, as written. Ms. Roberson seconded the motion.

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

The motion to approve Resolution #08-21, as written passed with a unanimous vote of council members present.

Resolution #08-21, Authorization for Signature Cards for all Town Bank Accounts

BE IT RESOLVED that the Town Council, meeting in Work Session Wednesday, February 3, 2021, hereby approves the required signature cards for the Town’s existing banking accounts; and

BE IT FURTHER RESOLVED that the Town Council rescinds Resolution #48-96 (Authorization for Signature Cards for all Town Bank Accounts); and

BE IT FURTHER RESOLVED that the following Town officials and Town employees shall be removed as authorized to sign on the designated accounts; and

BE IT FINALLY RESOLVED that the following Town Officials and Town employees shall be added and are authorized to sign on the designated accounts:

Checking Account, ending in 280

REMOVE:

Edward T. Blunt, Sr
Quinn M. Robertson
Kathleen Flanagan
Patrice Lyburn

ADD:

Richard M. Cabrey
Robert W. Murphy, Jr.
Tara Seeber
Laura H. Corbin

Signers for Account ending in 280: Robin M. Schick, Lisa M. Okes, Richard M. Cabrey, Robert W. Murphy, Jr., Laura h. Corbin, Michelle J. Payne, Karen D. Camlin, Tara Seeber

Repurchase Inv Sweep Account ending in 586

REMOVE:

Edward T. Blunt, Sr
Quinn Robertson
Kathleen Flanagan

ADD:

Robin M. Schick
Laura H. Corbin
Robert W. Murphy, Jr.

Signers for Account ending in 586: Lisa M. Okes, Robin M. Schick, Laura H. Corbin, Robert W. Murphy, Jr.

BZ Bond Account ending in 006

REMOVE:

Edward T. Blunt, Sr
Quinn Robertson
Kathleen Flanagan

ADD:

Robin M. Schick
Laura H. Corbin
Robert W. Murphy, Jr.

Signers for Account ending in 006: Lisa M. Okes, Robin M. Schick, Laura H. Corbin, Robert W. Murphy, Jr.

1994 Water Bond Requirement/Business Savings Account ending 316

REMOVE:

Edward T. Blunt, Sr
Quinn Robertson
Kathleen Flanagan

ADD:

Robin M. Schick
Laura H. Corbin
Robert W. Murphy, Jr.

Signers for Account ending in 316: Lisa M. Okes, Robin M. Schick, Laura H. Corbin, Robert W. Murphy, Jr.

Transit Savings Account/Business Savings Account ending in 513

REMOVE:

Edward T. Blunt, Sr
Quinn Robertson
Kathleen Flanagan

ADD:

Robin M. Schick
Laura H. Corbin
Robert W. Murphy, Jr.

Signers for Account ending in 513: Lisa M. Okes, Robin M. Schick, Laura H. Corbin, Robert W. Murphy, Jr.

2017 Utility Bond Reserve Fund/CD 2 Year/ Account ending in 423

REMOVE:

Edward T. Blunt, Sr
Quinn Robertson
Kathleen Flanagan

ADD:

Robin M. Schick
Laura H. Corbin
Robert W. Murphy, Jr.

Signers for Account ending in 423: Lisa M. Okes, Robin M. Schick, Laura H. Corbin, Robert W. Murphy, Jr.

Donations for Construction of a New Elementary School/ Business Savings Account ending in 711

REMOVE:

Edward T. Blunt, Sr
Quinn Robertson
Kathleen Flanagan

ADD:

Robin M. Schick
Laura H. Corbin
Robert W. Murphy, Jr.

Signers for Account ending in 711: Lisa M. Okes, Robin M. Schick, Laura H. Corbin, Robert W. Murphy, Jr.

Resolution #09-21, Appointment of Planning Commission Members

Ms. Easley introduced Mr. Steve Ale and Mr. Tree Mack. They are the two candidates that the planning commission has recommended to be appointed.

Mayor Schick asked the candidates to come to the podium to introduce themselves.

Mr. Bryon “Tree” Mack introduced himself and is eager to help and dedicate his time to the planning commission.

Mr. Steve Ale introduced himself and noted he has been a homeowner here for 17 years and is happy to serve on the planning commission.

Mayor Schick noted this is another resolution that can be voted on tonight.

Ms. Roberson made a motion to approve Resolution #09-21, as written. Mr. Cabrey seconded the motion.

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

The motion to approve Resolution #09-21, as written passed with a unanimous vote of council members present.

Resolution #09-21, Appoints Steve Ale and Bryon Mack to the Colonial Beach Planning Commission

WHEREAS, there are two vacancies on the Colonial Beach Planning Commission; and

WHEREAS, Steve Ale and Bryon Mack have expressed their willingness to serve on the Planning Commission and have submitted applications and participated in an interview by the Planning Commission; and

WHEREAS, the Planning Commission has considered the submitted applications and recommends that Steve Ale and Bryon Mack be appointed to serve on the Colonial Beach Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Town Council, meeting on Wednesday February 3, 2021 hereby appoints Steve Ale and Bryon Mack to the Colonial Beach Planning Commission for a four-year term beginning on January 1, 2021 and expiring on January 1, 2024.

Discussion, Licensing for the use of Trademark

Mr. Moncure noted that since the Town of Colonial Beach is the owner of a federally registered trademark, the town is obligated to monitor the use of it. There should be a license in place for permission to use the trademark that would be a yearly fee. The suggested amount is \$50 per year but would not apply to non-profit organizations using it in a noncommercial use. There needs to be a properly execute licensing permit. This would be the task of a Town Employee under the Town Manager.

Ms. Self Sullivan asked if the town should include to TM for trademark on the logo, so people are aware it is trademarked.

Mr. Moncure stated it could be done but does not have to be done and is not a requirement.

Mayor Schick noted she wants people to use but the town needs to monitor it.

All council members present were in agreement for Mr. Moncure to draft a resolution enacting a license/permit for use of the trademark.

Draft, Ordinance No. 711, Amends Zoning Ordinance, Article 9

Ms. Easley summarized the amendments for Article 9. The amendments for the Commercial Residential Zone would include changing the minimal lot are from 5,000 sq feet to 750 square feet and the floor ratio area to 1.5. The floor ratio area relates to the density on the lot.

Town Council's public hearing for this ordinance has been scheduled for February 17, 2021 at 6:00 PM and is being properly advertised.

Draft, Ordinance No. 712, Establishment of Rules for Town Dog Park

Ms. Self Sullivan presented the proposed ordinance that would establish rules for the dog park for the safety of the public.

Ms. Seay Giles noted the changes she made to the proposed ordinance in (d) pursuant to VA code. One being the penalty fine to be payable to the Finance Department instead of the county court. The next one is more of a grammar amendment.

Ms. Self Sullivan addressed the typo on paragraph (b)(1), "defines" should be "defined."

Ms. Self Sullivan clarified that only a Judge or a Court can determine if a dog is vicious or dangerous. Those dogs would not be allowed to go in the park. The town manager will have the authority to ban the dog and its owner from the dog park if they continuously break the rules of the dog park.

Ms. Seay Giles noted that under Virginia code §15.2-1800, the town has the authority to regulate the use of town owned facilities.

Town Council's public hearing for this ordinance has been scheduled for February 17, 2021 at 6:00 PM and is being properly advertised.

Discussion, Proposing amendments to Chapter 23 of Town Code, Technology and Tourism Zones and the repeal of Chapter 24 of Town Code, Arts and Culture District

Mayor Schick stated the proposed changes are intended to clean up our town code since the Virginia code section that is referenced in Chapter 24, no longer exist so Chapter 24 is no longer valid and to amend Chapter 23 to cover all economic growth incentives. The proposed changes would include arts and culture, tourism, and technology. The council wants to expand the incentives.

Ms. Seay Giles summarized the repeal of the VA code § 15.2-1129.1 referenced in Chapter 24, being replaced by VA code §15.2-943.1 and the proposed changes in Chapter 23. The proposed changes would be to clarify the definitions and change the titles of the sections to be broader and to amend the requirements for the incentives.

Mayor Schick stated is in favor of combining the incentives into one chapter. This would make it more business friendly. The title of “Economic Incentives” is perfect for the intent of these amendments. This is the time to rejuvenate the Town’s Incentives for businesses.

The Town Council agreed that Chapters 23 and 24 need to be reviewed and not rushed. They directed Ms. Seay Giles to make amendments and repropose to council upon completion.

Status Items

Cares Act

Ms. Okes stated the finance department received the last part of the Cares Act funding from Westmoreland County. We expected to receive approximately \$57,000 and we ended up receiving a little over \$59,000. There are two submitted requests pending reimbursement; \$8,480 for Police Hazard Pay and \$2,429.27 for Qualified Sick leave paid in November 2020. We also had hazard pay expenses of \$10K and additional COVID related costs of \$22K incurred after the 12/04/20 deadline for submissions. If we apply the Cares Act Funds to these items, there will be a balance of \$16,786.24 to offset some of the Colonial Beach Police Department Overtime.

Ms. Okes recommendation is to use the funds to cover the cost of the two items that were previously submitted for reimbursement, and the remainder of the funds would be applied to reimburse the CBPD overtime and the other COVID related cost that were incurred after submission can come from the departments.

Mayor Schick agreed for Ms. Okes to code the expenses as she recommended.

Audit Update

Ms. Okes stated more documentation has been sent to the auditor and that they would decide if they needed to come on site or could complete it remotely. Once that is determined they would schedule a date.

Closed Meeting

Ms. Self Sullivan made a motion to go into a closed meeting pursuant to Virginia Code §2.2-3711 (A)(8), consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring legal advice by such counsel for development and real estate agreement contract analysis. Nothing in this subdivision shall be construed to the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Mr. Moncure seconded the motion.

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

Ms. Roberson made a motion to go into a closed meeting pursuant Virginia Code §2.2-3711 (A)(6), (A)(8) for consultation with legal counsel employed for the discussion of public funds where competition or bargaining is involved regarding real estate acquisition to meet established goals. Nothing in this subdivision shall be construed to permit the closure if a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. Mr. Cabrey seconded the motion.

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

At 7:53 P.M. council moved into closed session.

Reconvene

Mr. Cabrey made a motion to reconvene in open session. Ms. Self Sullivan seconded the motion.

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

At 9:02 p.m. Mayor Schick reconvened the meeting.

Certification

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

Mr. Duggan, Mr. Moncure, Ms. Roberson, Ms. Self Sullivan, Mr. Cabrey and Mayor Schick all so certified.

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

Adjournment/Recess

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

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

At 9:03 p.m. Mayor Schick adjourned the meeting.

Heather Oliver, Town Clerk