

**WEST POINT TOWN COUNCIL
WORK SESSION MINUTES
June 28, 2010**

I. Tax Increment Financing for Marina Property *[See Attached]*

Shawn Hershberger presented the attached Tax Increment Financing (TIF) Districts to Town Council and advised it would assist the Town with funding for the installation of public services to the Marina.

Mr. Lawson asked for Shawn Hershberger to proceed with researching additional information on the TIF district and provide the information to the Community Development Committee.

II. Vehicle Purchase

Mr. Funkhouser advised the Finance Committee had instructed the Town Manager to proceed with the purchase of a new vehicle to replace the Ford Taurus. The cost for a new vehicle under State Contract is \$16,570.93 from Capital GMC in Richmond, the cost for a used vehicle with 28,461 miles is \$14,975.

Mr. Gordon asked if the funds are available for the purchase.

Mr. Funkhouser advised yes, funds are available in the Contingency Reserve Account.

Mr. Shreaves stated that the difference for a new vehicle is less than \$2,000; the Town should purchase a new vehicle.

Mr. Funkhouser advised the new contracts would be available in October and that the price for a 2010 might be different.

The consensus of Town Council is to purchase a new vehicle in October.

III. West Point Pharmacy

Mr. Funkhouser advised that power poles will have to be relocated for the West Point Pharmacy expansion project that would include running electrical wires underground. The cost would be approximately \$7,000 that might be able to be reimbursed through Riverwalk Grant funds. Blair Wilson is working on a final cost for the electrical project.

The general consensus of Town Council is for the Town Manager to proceed with assisting West Point Pharmacy with expansion and the cost for Virginia Dominion Power to relocate the power line.

IV. CitySwitch

Andrea Erard advised she recently had a long phone conversation with Julie Lang from the Virginia Department of Historic Resources. Both the FCC and the State Historic Resources would like the Town and the West Point Historical Society to cooperatively work on the mitigation of the tower. The Virginia Department of Historic Resources suggested a Virtual Museum be established to save the cost of a brick and mortar museum that is costly to maintain and operate. The West Point Historical Society would prefer a brick and mortar museum.

Andrea Erard stated that Ty Bland, President of the West Point Historical Society has requested half of the funds the Town would receive from CitySwitch.

The FCC is advising this case is not about money, it's about mitigation.

Mr. Lawson advised the tower is located on public land, any funds received for the tower would be public money. The Historical Society partially assisted with addressing the issues and problems with the Tower, but the funds belong to the tax payer.

Andrea Erard advised the FCC will not approve the CitySwitch request unless the Town and/or Historical Society work on the mitigation site of the tower.

Mr. Hudson suggested the Town be prepared to establish the virtual museum with the knowledge that a brick and mortar museum can be established later when funds are available.

The consensus of Town Council is for the Town Attorney to continue negotiating with the FCC and Virginia Department of Historic Resources and to authorize the Town Attorney to commit Town Council to establish a virtual museum if the West Point Historic Society does not.

Mr. Hudson advised the West Point Historical Society and Virtual Museum will be placed on the Town Council agenda for action.

TOWN COUNCIL MINUTES

June 28, 2010

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, June 28, 2010 . The Honorable James H. Hudson III called the meeting to order at 7:30 p.m. Reverend Betsy Basehore gave the Invocation followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson ; Charlie Gordon; Tina Gulley; Wayne Healy; Jack Lawson; Gail Nichols and Bub Shreaves.

Members Absent: Deborah Ball

Also Present: Paul T. Kelley, Council Member Elect; Trenton L. Funkhouser, Town Manager; Andrea Erard , Town Attorney; Karen Barrow , Town Clerk; Bill Hodges , Chief of Police; Holly McGowan , Community Development Coordinator; Shawn Hershberger , Economic Development Coordinator and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Citizen Recognition

Mr. Hudson presented the attached resolutions to Earl E. Wilson, Jr.; Reverend Marvin Kerby; Wayne Healy and Gail Nichols for their Community Service to the Town of West Point .

B. Citizens Address to Council

Mr. Hudson opened the floor for citizens to address Town Council on any Town related business. There being none, the Citizens Address was closed.

III . COUNCIL RESPONSE

None was noted.

IV. AGENDA CHANGES

Mr. Healy made a motion to place the following items on the Town Council agenda: 1) The Town Manager's Contract was placed under the Finance Committee as item 6. 2) The Historical Society was placed under Old Business as item 1. Seconded by Mrs. Gulley, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

V. ADOPTION OF CONSENT AGENDA

Mrs. Nichols made a motion to adopt the following consent agenda, seconded by Mr. Gordon. Upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

- 1) Minutes of May 24, 2010 Town Council Meeting and Work Session
- 2) Cash Reports
 - a) General Fund
Cash on hand as of May 31, 2010 - \$2,544,224.81
 - b) Water Fund
Cash on hand as of May 31, 2010 - \$506,610.71
 - c) CIP
Cash on hand as of May 31, 2010 - \$1,028,662.60
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of May 31, 2010 - \$424,061.95
- 5) West Point Monthly Police Activity Report
- 6) Building Official Monthly Report
- 7) Public Works Monthly Permit Report
- 8) Community Development Monthly Permit Report
- 9) Treasurer Monthly Report
- 10) Economic Development Monthly Report

V. COMMITTEE REPORTS

A. Finance Committee – Mr. Hudson reported for the Committee

1. Elections

a. Costs – May 2010

Mr. Funkhouser advised that due to amendments to the State Code by the General Assembly the Town is now responsible for Election Costs for May elections. The Town has received an invoice from King William County for \$4,098.75.

Mr. Hudson advised the Town meet with Tommy Redd and King William County representatives regarding the election cost and in accordance with the State Code the Town is responsible for the invoice received. Tommy Redd, a member of the King William Board of Supervisors advised that if there are funds remaining in the Registrar's budget at the end of the fiscal year, Tommy Redd would make a motion for the election cost to

be reimbursed to West Point and that if West Point changed their elections from May to November, West Point would not be responsible for future election cost.

Mrs. Gulley made a motion to authorize the Town Manager to expend up to \$4,098.75 to King William County , and for the Mayor to write a letter to King William Board of Supervisors formally requesting reimbursement of the funds if the registrar has surplus funds in the budget at the end of the fiscal year. Seconded by Mrs. Nichols, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

b. November Elections

Mr. Hudson advised there is information regarding November elections in the Town Council packet. Mr. Hudson asked for Town Council review the information for discussion in the near future.

Mrs. Gulley asked how the terms would run.

Mr. Funkhouser advised the election would be in November, the elected official would take office in January. The Council member whose term would normally be up in June would receive an extension on their term till the end of December.

Mr. Hudson advised that Town Staff are reviewing the required documents to change Town elections from May to November.

2. Budget Amendment Resolution [*See Attached Resolution*]

Mr. Shreaves made a motion to approve the attached Budget Amendment Resolution for FY 09-10, seconded by Mr. Lawson. Upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

3. VRS 5% Pickup Resolution [*See Attached Resolution*]

Mrs. Gulley made a motion to fund all of the required 5% VRS member contribution and approve the VRS resolution, condition upon approval of the resolution for amendments to the FY09-10 Town Budget. Seconded by Mr. Healy, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

4. Personal Property Tax Relief Resolution [*See Attached Resolution*]

Mr. Gordon made a motion to adopt the attached resolution with the personal property tax percentage set at 66%. Seconded Mr. Healy, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

5. Salary Range Adjustment

Mr. Lawson made a motion to adopt the personnel Salary Ranges for all positions to increase the minimum and maximum salaries by 3%. Seconded by Mr. Gordon, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

6. Town Managers Contract Addendum

Mr. Shreaves made a motion to approve the Town Manager's Contract addendum dated June 28, 2010 to extend the term of the Town Manager's employment for three years and to retroactively approve the 2% salary increase which took effect February 2, 2010 and to authorize the Mayor to execute and deliver the contract. Seconded by Mr. Lawson, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

B. Economic and Community Development – Mr. Lawson reported for the Committee

1. Request for Public Land by Robin Bristow

Mr. Lawson made a motion to authorize the Town Manager to advertise for a Public Hearing on the request for public land by Mrs. Robin Bristow at the July 22, 2010 Town Council meeting. Seconded by Mr. Lawson, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

2. Referral of Advertising Fees to Planning Commission

Mr. Lawson made a motion to refer to Planning Commission the review of Town Code Section 28-66, Filing Fees for Advertising and for Planning Commission to submit a recommendation back to Town Council. Seconded by Mr. Healy, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

3. Award of Contract for CDBG Grant in Port Richmond

Mr. Lawson made a motion to select Community Planning Partners, Inc to assist Town staff with the Planning Grant and Community Improvement Grant application referenced in the DHCD award letter dated May 5, 2010 and authorize the Town Manager to execute a contract with Community Planning Partners, Inc., for a fee not To exceed \$25,000. Seconded by Mrs. Nichols, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

C. Education Committee – Mrs. Nichols reported for the Committee

Mrs. Nichols advised there was no report.

D. Public Safety – Mrs. Gulley reported for the Committee

Mrs. Gulley advised there was no report.

E. Public Works – Mr. Gordon reported for the Committee

Mr. Gordon advised there was no report.

VII. TOWN MANAGER'S ITEMS

Mr. Funkhouser advised there was no report.

VIII. OLD BUSINESS

A. Historical Society

1. Virtual Museum

Mr. Shreaves made a motion to give \$10,000 to the West Point Historical Society provided the Historical Society agrees to implement a virtual museum within the next twelve months, and to give the West Point Historical Society additional matching funds not to exceed \$40,000 within thirty-six months contingent upon receipt of mitigation funds from CitySwitch of \$250,000 and the cost of the alley. Seconded by Mr. Gordon, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson and Mr. Shreaves voted "Aye" Mrs. Nichols Abstained from voting.

2. Authorization for Town Attorney to Communicate with the FCC

Mr. Shreaves made a motion to authorize the Town Attorney to indicate to the FCC and the State Department of Historic Resources that in the event the West Point Historical Society declines to implement the virtual museum, the Town would implement the virtual museum within the next twelve months at a cost not to exceed \$10,000. Seconded by Mr. Gordon, upon roll call Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves voted "Aye".

IX. NEW BUSINESS

A. Planning Commission Report - Mr. Hudson

Mr. Hudson advised at the Planning Commission regularly scheduled monthly meeting on June 2, 2010 the Planning Commission acted on the following items: 1) Conducted a public hearing on request for public land by Robin Bristow and submitted a recommendation to Town Council. 2) Planning Commission appointed a sub-committee to review and create a map for sidewalks and bike paths for future development. A work session was scheduled for June 21, 2010 to begin working on the sidewalks and bike paths. Another meeting has been scheduled for July 13, 2010 .

B. Annual Business Meeting

Mr. Hudson advised a swearing in of elected Town Council Official and School Board Officials would be on July 1, 2010 at 5 pm followed by the Annual Business meeting.

X. ADJOURNMENT

There being no further business Mr. Hudson adjourned the meeting at 7:40 pm .

James H. Hudson, III
Mayor

ATTEST:

Karen M. Barrow

Town Clerk



***TOWN OF WEST POINT
RESOLUTION TO HONOR
The Honorable Earl E. Wilson, Jr.***

WHEREAS, Earl E. Wilson, Jr. has faithfully served the Town of West Point as an appointed and elected member of the West Point School Board from July 1st, 1992 through June 30th, 2010; and

WHEREAS, Earl E. Wilson, Jr. was elected by the School Board to serve as School Board Chairman from July 1st, 2001 through June 30th, 2010; and

WHEREAS, while Earl E. Wilson Jr. served on the West Point School Board, the West Point School system has been recognized by the Virginia Board of Education, the Governor, and various agencies and publications as one of the finest school systems in the Commonwealth of Virginia; and

WHEREAS, Earl E. Wilson Jr. was actively involved in the development of the Middle School, and the construction of the Athletic Complex, the Track and Field Center and the W.T Robinson/Sture G. Olsson Civic Auditorium; and

WHEREAS; Earl E. Wilson Jr. has dedicated himself to the education and well being of the children of the Town of West Point for the past eighteen years;

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of West Point , on behalf of all its citizens, expresses sincere thanks to Earl E. Wilson, Jr. for his unselfish dedication to the young people and, indeed, to all citizens of the Town of West Point.

Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held June 28th, 2010 at which meeting a quorum was present and voted throughout.



TOWN OF WEST POINT
RESOLUTION TO HONOR
Marvin F. Kerby, Jr.

WHEREAS; Marvin F. Kerby, Jr. was a member of West Point Town Council from July 1st, 1976 through June 30th, 1994, serving on the Public Safety Committee and the Public Works Committee; and

WHEREAS; Marvin F. Kerby, Jr. then served on the West Point School Board from July 1st, 1994 through June 30th, 2010 . During those years, Marvin was actively involved in the development of the Middle School, and the construction of the Athletic Complex, the Track and Field Center and the W.T Robinson/Sture G. Olsson Civic Auditorium; and

WHEREAS; during Marvin F. Kerby, Jr's. service on the West Point School Board, the West Point School system was consistently recognized by the Virginia Board of Education, the Governor and various agencies and publications as one of the finest school systems in the Commonwealth of Virginia; and

WHEREAS; in total, Marvin F. Kerby, Jr. has provided committed leadership and guidance to the children and all the citizens of the Town of West Point for thirty-four years, giving freely of his time, knowledge, faith and experience.

NOW THEREFORE BE IT RESOLVED; that the Town Council of the Town of West Point , on behalf of all its citizens, expresses sincere thanks to Marvin F. Kerby, Jr. for his endless dedication to all citizens of the Town of West Point for thirty-four years of public service at its best.

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***TOWN OF WEST POINT
RESOLUTION TO HONOR
GAIL C. NICHOLS***

WHEREAS; Gail C. Nichols was elected by the Citizens of the Town of West Point to serve on West Point Town Council from July 1, 2006 through June 30, 2010; and

WHEREAS; Gail C. Nichols distinguished herself as Chairperson of the Education Committee and as a member of the Community Development Committee; and

WHEREAS; Gail C. Nichols brought a unique and necessary perspective to Council, drawn from her career in education and her artistic bent; and

WHEREAS; Gail C. Nichols has given freely of her time, experience and leadership to improve the quality of life for the citizens of West Point ;

NOW THEREFORE BE IT RESOLVED; that the Town Council of the Town of West Point, Virginia on behalf of all its citizens, expresses sincere thanks to Gail C. Nichols for her exceptional leadership and her endless dedication to the Town of West Point.

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***TOWN OF WEST POINT
RESOLUTION TO HONOR
W. WAYNE HEALY***

WHEREAS; W. Wayne Healy was elected by the Citizens of the Town of West Point to serve on West Point Town Council from July 1, 2006 through June 30, 2010; and

WHEREAS; W. Wayne Healy served as a distinguished and involved member of the Public Works Committee and the Public Safety Committee; and

WHEREAS; W. Wayne Healy brought a unique perspective to Council, drawn from his long and successful career in law enforcement; and

WHEREAS; W. Wayne Healy has given freely of his time, experience and leadership to improve the quality of life for the citizens of West Point ;

NOW THEREFORE BE IT RESOLVED; that the Town Council of the Town of West Point, Virginia on behalf of all its citizens, expresses sincere thanks to W. Wayne Healy for his exceptional leadership and endless dedication to the Town of West Point.

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TOWN OF WEST POINT
RESOLUTION BUDGET AMENDMENT AND APPROPRIATION OF FUNDS
FY 09-10 Budget Amendment #04-09

WHEREAS; the Town of West Point desires to amend the Town's Fiscal Year 2009-10 budget with a revenue transfer of \$48,600 from the Economic Development Authority to the Town's Economic Development budget for the salary of the Economic Development Coordinator and to transfer \$24,900 from the Professional Services line item from the Town's Economic Development Department Budget to the Salaries and Wages line item and related line items of that budget to address funding needs caused by changing the Economic Development Coordinator's position from a contractual basis to Town employee status.

NOW, THEREFORE BE IT RESOLVED, The West Point Town Council amends the 2009-2010 Town Budget by adding \$48,600 to the budget and Town Council appropriates \$48,600 for expenditure as cited in this resolution. The total Town budget increases from \$20,709,410.41 to \$20,758,010.41

Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held June 28th, 2010 at which meeting a quorum was present and voted throughout.

ATTEST:

Karen M. Barrow
Town Clerk

VOTE:

Mrs. Ball	Absent
Mr. Gordon	"Aye"
Mrs. Gulley	"Aye"
Mr. Healy	"Aye"

Mr. Lawson "Aye"
Mrs. Nichols "Aye"
Mr. Shreaves "Aye"



TOWN OF WEST POINT

**Resolution Setting the Personal Property Tax
Relief Percentage for the Personal Property 2010
Billing in Accordance with the 2004-2005 Changes
To the Personal Property Tax Relief Act of 1998**

WHEREAS, the Personal Property Tax Relief Act of 1998, Virginia Code 58.1-3523, et seq. (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session 1 (Senate Bill 5005), and the provisions of item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-2006 Appropriations Act, hereinafter cited as the “2005 Appropriations Act”); and

WHEREAS, these legislative enactments required the Town of West Point to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, these legislative enactments provide for the appropriations to the Town of West Point, commencing in 2010, of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax on such vehicles; and

WHEREAS, the Town of West Point enacted Ordinance Number 17-05. An Ordinance implementing the 2004-2005 changes to the Personal Property Tax Relief Act of 1998, in response to these legislative enactments; and

WHEREAS, the Town Treasurer has received the amount of relief in the County’s block grant from the State, and made a projection based upon the Town’s historical growth in personal property tax values of the level necessary to fully exhaust the PPTRA relief fund provided to the Town by the Commonwealth, as called for in the ordinance; and

WHEREAS, it is necessary to set by Resolution the Persona l Property Tax Relief Percentage for the personal property tax billing of 2010.

NOW , THEREFORE, BE IT RESOLVED, by the Town Council of the Town of West Point, Virginia that the Persona l Property Tax Relief Percentage be set a 66% of the first \$20,000 of market value for qualifying vehicles valued at over \$1,000 in accordance with Ordinance 17-05.

Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held June 28, 2010 at which meeting a quorum was present and voted throughout.

Karen M. Barrow
Town Clerk