

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
June 24th, 2014**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Tuesday, June 24th 2014. The Honorable James H. Hudson III called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Marvin Kerby followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Vice Mayor, Deborah Ball; Tina Gulley; Wayne Healy; Paul Kelley; Jack Lawson and Chris Vincent.

Members Absent: Bub Shreaves.

Also Present: John B. Edwards, Jr., Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; Interim Chief of Police Bobby Mawyer, WPPD; Holly McGowan, Community Development Coordinator; Walt Feurer, Director of Public Works; Tim Sawyer, Building Inspector; Donna Pauley, Human Resource Officer and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. WPPD Officer Recognition

CPR Resolution of Commendation

Mrs. Gulley read the attached resolution in the form of a motion commending Master Police Officer, Eric Mitchell; Master Police Officer Carlos Moran and Officer Richard Morris for responding to a person experiencing cardiac arrest. The officers performed CPR saving the person's life. Mrs. Gulley presented each officer with a Resolution of commendation. Seconded by Mr. Vincent, upon roll call, Deborah Ball; Tina Gulley; Wayne Healy; Paul Kelley; Jack Lawson and Chris Vincent all voted "Aye".

Resolution of Commendation – Officer Richard Morris

Mrs. Gulley read the attached resolution in the form of a motion commending Police Officer Richard Morris for responding to a person on the Eltham Bridge contemplating suicide. Officer Morris was able to avert a disaster by bringing the person off the bridge rail to the safety of the bridge deck. Seconded by Mr. Healy, upon roll call, Deborah Ball; Tina Gulley; Wayne Healy; Paul Kelley; Jack Lawson and Chris Vincent all voted "Aye".

B. Public Hearing – Ordinance 03-2014/ Water Rates

Mayor Hudson read the public hearing advertisement and asked the Clerk if anyone had submitted a request for a copy of the ordinance or if anyone asked for assistance to attend the meeting.

The Clerk advised no request was received.

Mr. Edwards advised that members of the audience received copies of the ordinance prior to the public hearing.

Mr. Edwards reviewed a power point presentation that showed the Water Fund rates have not covered the cost to operate the Water Fund since 2009. The goal of the Town is to maintain an operating reserve, Mr. Edwards suggested the Town build the emergency reserve and operate the Water Fund as an enterprise fund.

Mr. Hudson advised that for the past several years to Water Fund has been using the reserve fund to operate.

Mr. Hudson opened the floor for Citizens to comment on Ordinance 03-2013.

1. Robert South, 1013 10th Street, West Point, Virginia 23181 stated that the citizens in West Point have taken a beating for the past few years, first King William County got us last year on taxes and now HRSD are raising their rates. Mr. South asked how much the cart fee has raised in the last 2 years.

Mr. Edwards advised that the cart fee has generated a little over \$400,000. All but \$80,000 goes towards the operating of the department. The annual revenues of the Refuse Fund are to generate a small amount of funds for the reserve so that the funds are available to purchase a new trash truck when it is needed.

Jack Lawson stated that when the last trash truck was purchased the Town did not have the funds. The funds came from the settlement of the Communication Tower on Kirby Street. The Town needs to save a small amount of money each year so that the funds are there when a new trash truck is needed.

Mr. South stated that there are people in Town that are unable to afford what they have and if the water rates are raised, it will be hard for some people to keep what they have.

2. Brad Philipot, 795 Thompson Avenue, West Point, Virginia 23181 asked if there will be something in place so town residents can see how the increase is being used and how the funds are being appropriated.

Mr. Edwards stated that there is a budget book located in the lobby for the public to review. Mr. Edwards also stated that he is available to review the budget and discuss the appropriation of funds with any town resident at any time.

Mayor Hudson stated that the budget is available for review at any time and if a citizen has an area in the budget that they would like cut, let Town Council know.

3. Wilbur Randall, 2950 Mattaponi Avenue, West Point, Virginia 23181. Mr. Randall stated that he has lived in West Point for 39 years and is proud to live in West Point. There are a lot of homes for sale in West Point and if the water rate is increased there will be even more vacant homes. Mr. Randall also stated that he has noticed a lot of people at the store buying bottled water, the public do not drink the town water, they drink bottled water.

4 Marvin Kerby, 506 Lee Street, West Point, Virginia stated that he has lived in West Point for 43 years. Mr. Kerby stated that he served on Town Council for 18 years then served on the School Board for 18 years after Town Council. Mr. Kerby asked what has caused the reduction in the usage of water.

Mr. Edwards advised conservation.

Mr. Hudson stated that when water rates go up, the consumer cuts back.

5. Melvin Fary, 820 Thompson Avenue, West Point, Virginia stated that he strongly objects to the Water Rate increase.

6 Brad Philipot, 795 Thompson Avenue, West Point, Virginia 23181 stated that he has talked with the Town Manager regarding the water rates and that the water quality is so bad when you take a shower the smell of chlorine makes your eyes water.

7. Will Randall, 2950 Mattaponi Avenue, West Point, Virginia asked if the \$80,000. Surplus can be explained.

Mr. Hudson stated that the surplus is for the Refuse Enterprise Fund, the enterprise fund will collect funds each year that will eventually accumulate until we have enough funds to purchase the next trash truck in approximately 10 years. The \$80,000 is not a surplus for the Water Fund.

Mr. Hudson asked if anyone else wanted to comment on the advertised Water Rates. There being none, Mayor Hudson closed the public hearing.

Mayor Hudson asked if Town Council had any comments.

Tina Gulley asked the Town Manager if Town Staff can comment on the old waterline systems and the funds available for repairs or replacement of lines.

Walt Feurer, Director of Public Works stated that in the future the Town could be facing as much as half a million dollars for repairs to a water line in any one given area of Town. The cost to replace the lines in a small area of Kirby Street was over \$300,000. There is no way of knowing how much repairs will cost in 20 years from now. The town should be proactive and prepare with a reserve fund.

Mayor Hudson stated that the Town has asked for citizens to comment on the budget and services. If there is a service the public thinks we need or don't need, then let us know, tell us what we need to change and how we should fund services.

Jack Lawson stated that there has not been a water rate increase since 2007, there should have been rate increases before now but we did not want to increase rates with the tax issues with King William County.

1. Action

Jack Lawson made a motion to adopt ordinance 03-2014 as advertised, seconded by Mrs. Gulley. Upon roll call, Tina Gulley; Paul Kelley; Jack Lawson and Chris Vincent voted Aye, Deborah Ball and Wayne Healy voted Nay.

C. Citizens Address to Council

Mr. Hudson opened the floor for citizens to address Town Council on any Town related business.

1. Marvin Kerby, 502 Lee Street, West Point, Virginia stated that he knows every person serving on Town Council and that he fully trust each Council Member and that he understands what Town Council has to do. Marvin Kerby thanked Town Council for all that they do.

2 Melvin Fary, 820 Thompson Avenue, West Point, Virginia stated that Mr. Lawson said the town got the funds to purchase the trash truck from the tower. Mr. Fary asked for someone to explain what Mr. Lawson meant by the comment. Mr. Fary also asked what Town Council has done with the \$400,000 earned from the refuse cart fee and that the town should stop spending money.

Mr. Vincent stated that the trash truck cost \$300,000 to buy.

Mr. Edwards reviewed the revenue in the Refuse Enterprise Fund.

Mr. Hudson stated that Town Staff are willing to meet and review the budget with any citizen at any time. If you would like more details regarding the budget please meet with Town Staff and ask your questions.

Mr. Hudson asked if there was any one else that would like to address Town Council. There being none, Mr. Hudson closed the Citizens Address.

III. COUNCIL RESPONSE

Mrs. Gulley stated that West Point Town Council is the most open Town Council that you will find and if you have a question, you can ask the question.

IV. AGENDA CHANGES

Mr. Vincent made a motion to adopt the agenda as presented, seconded by Mr. Kelley. Upon roll call, Deborah Ball, Tina Gulley; Wayne Healy, Paul Kelley; Jack Lawson and Chris Vincent voted Aye.

V. ADOPTION OF CONSENT AGENDA

Mrs. Ball made a motion to adopt the following consent agenda, seconded by Mrs. Gulley. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Healy; Mr. Kelley, Mr. Lawson and Mr. Vincent all voted "Aye".

- 1) Minutes of June 24th, 2014 Town Council Meeting.
- 2) Cash Reports
 - a) General Fund
Cash on hand as of May 31st, 2014 - \$3,830,994.54
 - b) Water Fund
Cash on hand as of May 31st, 2014 - \$289,178.59
 - c) CIP
Cash on hand as of May 31st, 2014 - \$214,619.87
 - d) Solid Waste
Cash on hand as of May 31st, 2014 - \$111,751.18
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of May 31st, 2014 - \$209,056.41
- 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) Human Resource Monthly Report

V. COMMITTEE REPORTS

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

- 1 Authorization to Advertise for a Public Hearing – HRSD Tower

Mr. Lawson made a motion to authorize the Town Manager to advertise for a public hearing for a Special Use Permit for Hampton Roads Sanitation District to construct a 190 foot tower at the Industrial Park, seconded by Mr. Vincent. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Healy; Mr. Kelley, Mr. Lawson and Mr. Vincent all voted "Aye".

B. Education Committee

There was nothing to report.

C. Finance Committee – Mrs. Ball reported for the Committee

- 1 FY 2014-15 Budget Appropriation Resolution

Mrs. Ball read the attached resolution in the form of a motion, seconded by Mr. Vincent. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Healy; Mr. Kelley, Mr. Lawson and Mr. Vincent all voted “Aye”.

2 PPTRA Resolution

Mrs. Ball read the attached resolution in the form of a motion, second by Mr. Healy. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Healy; Mr. Kelley, Mr. Lawson and Mr. Vincent all voted “Aye”.

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

Mrs. Gulley advised there was nothing to report.

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

Mr. Vincent advised there was nothing to report.

VII. TOWN MANAGER’S ITEMS

A Appointment of Building Official

Mr. Vincent made a motion to appoint Tim Sawyer as the West Point Building Official, seconded by Mr. Kelley. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Healy; Mr. Kelley, Mr. Lawson and Mr. Vincent all voted “Aye”.

VIII. OLD BUSINESS

There was nothing to report under Old Business.

IX. NEW BUSINESS

A. Planning Commission Report - Mr. Hudson

Mr. Hudson advised that the Planning Commission meet on June 4th 2014 to conduct a public hearing on the request for a Special Use Permit by HRSD to construct a communications tower at the Industrial Park. The recommendation from the Planning Commission is for Town Council to approve the request.

X. ADJOURNMENT

There being no further business Mayor Hudson adjourned the meeting at 7:40 p.m.

James H. Hudson, III
Mayor

ATTEST:

Karen M. Barrow
Town Clerk



**TOWN OF WEST POINT
RESOLUTION**

***Commending Master Police Officer Eric Mitchell,
Master Police Officer Carlos Moran and Officer Richard Morris
of the West Point Police Department***

WHEREAS, the guiding principles of the Town of West Point reflect a long-standing tradition of providing selfless service to complement and promote a strong community; and

WHEREAS, the West Point Police Department serves as a model in exhibiting such dedicated service in the realm of public safety and community outreach; and

WHEREAS, one of the most important assets of the Police Department is its dedicated and trained personnel, several of whom, on April 19, 2014 responded to an emergency call at a local business to find a citizen in serious medical distress; and

WHEREAS, arriving on the scene of the medical emergency, MPO Eric Mitchell, MPO Carlos Moran and Officer Richard Morris did in fact attend to a person experiencing cardiac arrest with MPO Mitchell performing cardiopulmonary resuscitation; and

WHEREAS, the result of the quick response and ensuing actions of MPO Mitchell, MPO Moran and Officer Morris saved the life of the patient; and

BE IT RESOLVED, by the West Point Town Council, Mayor James H. Hudson, III and John B. Edwards, Jr., the Town Manager, concurring that this Administration commend the aforementioned members of the West Point Police Department; and

BE IT FURTHER RESOLVED, that the Office of the Town Manager prepare a copy of this resolution for presentation to each Officer; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a copy of said resolution be placed in each Officers permanent record to reflect as an expression of admiration and gratitude for dedication and service to the citizens of the Town of West Point.

Given this twenty-fourth day of June, 2014 under the authority of the undersigned.

James H. Hudson, III
Mayor

John B. Edwards, Jr.
Town Manager



**TOWN OF WEST POINT
RESOLUTION**

Commending Officer Richard Morris of the West Point Police Department

WHEREAS, the guiding principles of the Town of West Point reflect a long-standing tradition of providing selfless service to compliment and promote a strong community; and

WHEREAS, the West Point Police Department serves as a model in exhibiting such dedicated service in the realm of public safety and community outreach; and

WHEREAS, one of the most important assets of the Police Department is it's dedicated and trained personnel, of whom, Officer Richard Morris, on June 15, 2014 responded to a situation at the crest of the Eltham Bridge to find a young woman contemplating suicide by jumping from the bridge; and

WHEREAS, through careful and considerate dialogue with the woman, Officer Morris was able to avert disaster by bringing her from the bridge rail back to the safety of the deck; and

WHEREAS, the result of his quick thinking in reacting to the situation and ensuing actions to secure the necessary mental health resources, Officer Morris can be credited with saving the life of the woman.

BE IT RESOLVED, by the West Point Town Council, Mayor James Hudson and John B. Edwards, Jr., Town Manager, concurring that this Administration commend Officer Richard Morris of the West Point Police Department; and

BE IT FURTHER RESOLVED, that the Office of the Town Manager prepare a copy of this resolution for presentation to Officer Morris; and, be it,

NOW THEREFORE BE IT FURTHER RESOLVED, that a copy of said resolution be placed in his permanent record to reflect as an expression of admiration and gratitude for dedication and service to the citizens of our community.

Given this twenty-fourth day of June, 2014 under the authority of the undersigned.

Mr. James Hudson, Mayor

Mr. John Edwards, Town Manager

Adopted: June 24th 2014

ORDINANCE NO. 03-2014
PROPOSED WATER UTILITY RATE INCREASE

ORDINANCE NO. 03-2014 AMENDS SECTION 62-18, “RATES-FOR CUSTOMERS USING WATER SERVICE” OF THE WEST POINT TOWN CODE AND INCREASES THE MINIMUM MONTHLY WATER BILL FOR THE USE OF UP TO 10,000 GALLONS FROM \$30 TO \$44.90 BIMONTHLY, AND FOR EVERY ONE THOUSAND GALLONS THEREAFTER, FROM \$ 4.40 TO \$ 4.80. ORDINANCE NO. 03-2014 IS CONSIDERED PURSUANT TO THE GRANTS OF AUTHORITY CONTAINED IN VA CODE §§ 15.2-2119 & 15.2-107.

BE IT ORDAINED by the West Point Town Council that the West Point Town Code, Chapter 62, “Water, Sewers and Sewage Disposal,” Article II, “Water and Sewer Service Charges,” Section 62-18, “Rates-For customers using water service” be amended to read in its entirety as follows:

“Sec. 62-18. Rates—For customers using water service.

Rates for customers using water service furnished by the town shall be as follows, based on bimonthly water meter readings:

		Bi-monthly Charges	
Minimum bill	Up to 10,000 gallons	\$30.00 \$44.90	
	10,001+ gallons	\$30 + \$4.40 per additional gallon \$44.90 + \$4.80 per each additional 1,000 gallons“	

Vote:

Deborah T. Ball	Nay
Tina Gulley	Aye
Wayne Healy	Nay
Paul Kelley	Aye
Jack Lawson	Aye
O. Bub Shreaves	Absent
Chris Vincent	Aye

James H. Hudson, III
Mayor, Town of West Point

Adopted this 24th day of June, 2014

ATTEST:

Karen M. Barrow
Town Clerk



**APPROPRIATIONS RESOLUTION FOR TOWN, SCHOOLS,
SOLID WASTE AND WATER UTILITY BUDGET
FY 2014-15**

WHEREAS, the West Point Town Council advertised a public hearing regarding FY 2014-15 Budget on April 2, 2014 and April 9, 2014 in The Tidewater Review, and conducted a public hearing on April 22, 2014 as required by §15.2-2506 of the Code of Virginia; and

WHEREAS the West Point Town Council approved a budget for FY 2014-15 on April 29, 2014.

NOW THEREFORE BE IT RESOLVED by the West Point Town Council that a total of \$9,584,984 is hereby appropriated for the West Point School Board for FY 2014-15. This total reflects:

Local Revenue	\$4,005,000
State Revenue	\$4,444,412
Federal Revenue	\$330,672
Other Revenue	\$804,900

BE IT FURTHER RESOLVED by the West Point Town Council, the Town Budget for FY 2014-15 is appropriated on this 24th day of June 2014 in the amount of \$14,168,369 representing \$9,584,984 for the West Point School Board and \$7,823,403 for the Town (inclusive of the Town's contribution of \$4,005,000 for school operating expenses).

BE IT FURTHER RESOLVED by the West Point Town Council, that the Solid Waste Budget for FY 2014-15, in the amount of \$178,600 is appropriated this 24th day of June 2014.

BE IT FURTHER RESOLVED by the West Point Town Council, that the Water Utility Budget for FY 2014-15, in the amount of \$853,582 is appropriated this 24th day of June 2014.

Certified to be a true copy of the Resolution adopted by the Town Council of the Town of West Point on June 24, 2014, at which meeting a quorum was present and voted throughout.

Those members voting:

James H. Hudson	N/A
Deborah Ball	Aye
Tina Gulley	Aye
Wayne Healy	Aye
Paul Kelley	Aye
Joshua Lawson	Aye
Otto Shreaves	Absent
Christopher Vincent	Aye



TOWN OF WEST POINT
Resolution Setting the Personal Property Tax
Relief Percentage for the Personal Property 2014
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 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 Personal Property Tax Relief Percentage for the personal property tax billing of 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of West Point, Virginia that the Personal Property Tax Relief Percentage be set at 67.5% 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 24, 2014 at which meeting a quorum was present and voted throughout.

James H. Hudson, III
Mayor, Town of West Point

Adopted this 24th day of June, 2014

ATTEST:

Karen M. Barrow
Town Clerk

Those members voting:

James H. Hudson	N/A
Deborah Ball	Aye
Tina Gulley	Aye
Wayne Healy	Aye
Paul Kelley	Aye
Joshua Lawson	Aye
Otto Shreaves	Absent
Christopher Vincent	Aye