

**WEST POINT TOWN COUNCIL  
WORK SESSION  
October 27th 2015  
6:00 p.m.**

**I Closed Session**

Mrs. Ball made a motion to enter into closed meeting pursuant to Virginia Code §2.2-3711(A)(4) for the discussion of personal items not related to public business. Seconded by Mr. Lawson, upon a unanimous vote, the motion was approved.

Reconvene

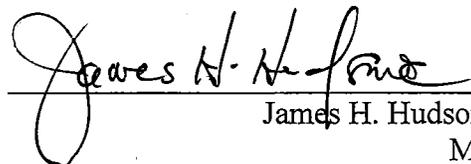
Mr. Lawson made a motion to enter into open session, seconded by Mr. Kelley. Upon a unanimous vote, the motion was approved.

Certification

Mr. Vincent made a motion to certify that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Council. Second by Mr. Kelley.

Roll Call Vote:

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

  
James H. Hudson, III  
Mayor

ATTEST:

  
Karen M. Barrow  
Town Clerk

**TOWN OF WEST POINT  
TOWN COUNCIL  
MINUTES  
October 27th, 2015**

**I. CALL TO ORDER**

The West Point Town Council held its regular monthly meeting on Tuesday, October 27th 2015. The Honorable James H. Hudson III called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Barbara Marks followed by the Pledge of Allegiance.

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

Members Absent: Tina Gulley.

Also Present: John B. Edwards, Jr., Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; Chief of Police Bobby Mawyer, WPPD; Holly McGowan, Community Development Coordinator; TC Moore, Town Treasurer; 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. Public hearing – Ordinance 05-2015, Temporary Health Care Structures

Mr. Hudson read the advertisement then asked the Town Clerk if there were any request to review the Ordinance.

The Town Clerk advised that there were no requests received.

Mr. Hudson asked if there were any requests for assistance to attend the public hearing.

The Town Clerk advised that there were no request received.

Mr. Hudson opened the floor for citizens to comment on Ordinance 05-2015. There being none, the public hearing was closed.

1 Action

Mr. Vincent made a motion to adopt Ordinance 05-2015, seconded by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Healy, Mr. Kelley, Mr. Lawson. Mr. Shreaves and Mr. Vincent all voted "Aye".

B. Citizens Address to Council

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

**III. COUNCIL RESPONSE**

None was noted.

**IV. AGENDA CHANGES**

No changes were made to the agenda.

**V. ADOPTION OF CONSENT AGENDA**

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

- 1) Minutes of August 10<sup>th</sup> 2015 and September 29<sup>th</sup> 2015.
- 2) Cash Reports
  - a) General Fund  
Cash on hand as of September 30<sup>th</sup>, 2015 - \$7,793,926.18
  - b) Water Fund  
Cash on hand as of September 30<sup>th</sup>, 2015 - \$364,143.12
  - c) CIP  
Cash on hand as of September 30<sup>th</sup>, 2015 - \$124,769.49
  - d) Solid Waste  
Cash on hand as of September 30<sup>th</sup>, 2015 - \$121,542.91
- 3) Monthly Budget Report
- 4) School Fund Cash Report
  - a) Cash on hand as of September 30<sup>th</sup>, 2015 - \$133,878.33
- 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

## **VI. COMMITTEE REPORTS**

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

Mr. Lawson advised there was nothing to report.

B. Education Committee

Mr. Hudson advised that Laura Abel, the new School Superintendent gave a report on the status of the schools, enrollment, test scores and the current recognition the schools have received nationally and from the State.

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

Mrs. Ball advised there was nothing to report.

D. Public Safety

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**

1 Budget Resolution

Mrs. Ball made a motion that Town Council approve the attached Budget Amendment Resolution for FY 2015-16, seconded by Mr. Shreaves. Upon roll call Mrs. Ball, Mr. Healy; Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

## **VIII. OLD BUSINESS**

## **IX. NEW BUSINESS**

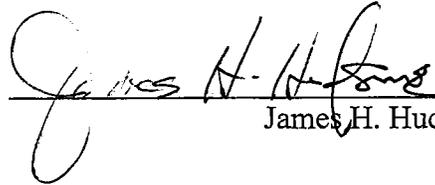
A. Planning Commission Report - Mr. Hudson

Mr. Hudson advised that the Planning Commission did not meet in October and that the next meeting will be on November 4<sup>th</sup> 2015 for a Joint Meeting with Town Council for a

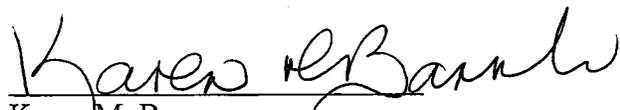
scheduled public hearing at 5:00 P.M. on a Temporary Health Care Special Use Permit for Creative Critters.

**X. RECESS**

Mr. Healy made a motion for Town Council to enter into Recess until November 4<sup>th</sup> 2015 at 5:00 P.M. at Town Hall, 329 6<sup>th</sup> Street, West Point, Virginia 23181. Seconded by Mrs. Ball, upon a unanimous vote, the motion was approved.

  
James H. Hudson, III  
Mayor

ATTEST:

  
Karen M. Barrow  
Town Clerk

ORDINANCE 05-2015

ARTICLE XIX. - SUPPLEMENTARY REGULATIONS

Sec. 70-327. - Applicability of article.

The regulations set forth in this article are exceptions to, and qualify, supplement or modify, as the case may be, the regulations and requirements set forth in the district regulations contained in this chapter.

(Ord. of 3-27-89, § 15-140)

Sec. 70-328. - Street or road access required.

Every building erected after the effective date of this chapter shall be located on a lot of record having frontage on an improved public street or road or having access thereto by way of a private street or road which is of sufficient width and character to provide access for service and emergency vehicles, and which is approved by the zoning administrator.

(Ord. of 3-27-89, § 15-141)

Sec. 70-329. - More than one main building on a lot.

Except in the R-1, R-2 and R-4 Districts, more than one building housing a permitted principal use may be located on a single lot, provided that all applicable requirements of the district in which such lot is situated shall be met.

(Ord. of 3-27-89, § 15-142)

Sec. 70-330. - Lots recorded prior to effective date of chapter.

A lot of record lawfully established prior to the effective date of this chapter or subsequent amendment thereto and which does not conform with the minimum lot area or minimum lot width requirements applicable in the district in which such lot is situated may nonetheless be devoted to single-family detached dwelling use, provided that, in any case, all other applicable provisions of this chapter and applicable health regulations shall be met.

(Ord. of 3-27-89, § 15-143)

Sec. 70-331. - Yard exceptions.

- (a) Front, side and rear yard requirements shall not apply to fences or walls not exceeding 6½ feet in height, or to permitted signs and customary yard ornaments and accessories, except as provided in section 70-334. Fences and walls exceeding 6½ feet in height shall be construed as structures, and shall be subject to all yard requirements.
- (b) Permitted docks, piers, bulkheads, boat landings, boat houses, marinas, marine railways and similar structures which, by their nature and intended use, must abut, be adjacent to or extend into a waterway, shall not be subject to required side or rear yards which follow the edge of or lie within such waterway.

(Ord. of 3-27-89, § 15-144)

Sec. 70-332. - Projections into required yards.

- (a) Sills, belt courses, eaves, normal roof overhangs, chimneys, pilasters and similar architectural features of a building may project into required yards.
- (b) Uncovered porches, steps, landings, patios, decks and similar building features may project into required yards only in the R-3 and R-4 Zoning District, provided such features do not exceed a height of 18 inches above the adjacent natural ground level. Covered building projections and projections exceeding 18 inches in height shall be subject to all minimum yard requirements.
- (c) Residential ramps and landings necessary for use by physically disabled persons may project into required yards a distance not exceeding 12 feet.

(Ord. of 3-27-89, § 15-145; Ord. No. 07-09, 9-28-09)

Sec. 70-333. - Yards on corner lots and through lots.

- (a) On a corner lot in any district in which a front yard is required, the front yard shall be deemed to be the shorter of the two sides fronting on streets and shall meet the required front yard setback and the corner side yard facing the side street shall be as follows:
  - (1) Fifteen feet or more for both main and accessory buildings in the R-1 and R-2 Zoning Districts;
  - (2) Ten feet or more for both main and accessory buildings in the R-3 and R-4 Zoning District.

- (b) On through lots, there shall be a front yard, as required in the district, along each street frontage.
- (c) Where more than one front yard is required on a lot, yards other than those along street frontages shall be considered side yards, and no rear yard shall be required.

(Ord. of 3-27-89, § 15-146; Ord. No. 09-03, 9-29-03; Ord. No. 07-09, 9-28-09)

Sec. 70-334. - Visibility at intersections.

On a corner lot in any residential district, nothing that would materially obstruct the vision of operators of motor vehicles shall be erected, placed, planted or allowed to grow between the heights of three and eight feet above the grade of the intersection of the centerlines of the adjacent intersecting streets and within an area bounded by the street right-of-way lines abutting such corner lot and a line joining points on said street right-of-way lines 20 feet from the point of their intersection.

(Ord. of 3-27-89, § 15-147)

Sec. 70-335. - Location and screening of swimming pools and tennis courts.

Swimming pools, pool deck areas and tennis courts shall not be located within required front and side yards. A swimming pool, pool deck area or tennis court situated within 50 feet of any property line shall be screened from view from such property line by solid fencing or evergreen vegetative material not less than six feet in height.

(Ord. of 3-27-89, § 15-148)

Sec. 70-336. - Accessory buildings.

- (a) *Yards.* Except as provided below, no accessory building shall be located within any required yard:
  - (1) An accessory building not exceeding 14 feet in height may be located within a required rear yard, but not within five feet of any lot line provided that, where a rear yard abuts a side lot line of an adjoining lot, no accessory building shall be located nearer such side lot line than a distance equal to the minimum side yard requirement for the adjoining lot.
  - (2) An accessory building not exceeding 14 feet in height may be located within a required side yard, other than a required street side yard, when attached to an accessory building on the adjoining lot.
- (b) *Use for dwelling purposes.* No accessory building shall be used for dwelling purposes except by domestic employees or caretakers whose principal occupation is rendering services on the premises for the benefit of persons who occupy or use the main building on the lot, provided that, in the R-3 District, accessory buildings may be used in whole or in part for dwelling purposes when the lot area requirement of the district is met for the total number of dwelling units located within main buildings and accessory buildings situated on the lot.
- (c) *Construction and use.* No permanent accessory building shall be constructed on a lot until construction of the main building is commenced, and no permanent accessory building shall be used, except for temporary storage of materials related to construction on the premises, until the main building is completed and a certificate of occupancy is issued.
- (d) *Height.* No accessory building shall exceed the height of the main building located on the lot, nor shall any accessory building exceed the maximum permitted height in the district in which it is located.

(Ord. of 3-27-89, § 15-149; Ord. of 11-24-97)

Sec. 70-337. - Satellite dishes.

Satellite dishes shall be permitted in any district, provided that the satellite dishes shall not exceed one meter in diameter in any zoning district and satellite dishes larger than one meter in diameter in commercial and industrial zoning districts shall apply for a special use permit.

(Ord. of 3-27-89, § 15-150; Ord. No. 12-11, 1-30-12)

Sec. 70-338. - Exceptions to height regulations.

- (a) The height regulations set forth in this chapter shall not apply to church spires, belfries, cupolas, antennae attached to buildings, water towers, ventilators, chimneys, flues or similar appurtenances attached to the roof of a building and not intended for human occupancy, provided that the height of such appurtenances shall not constitute a hazard to the safe operation of aircraft.
- (b) The height of public buildings and churches may exceed the maximum height limit applicable in the district in which they are located, provided that all required yards are increased a minimum of one foot for each one foot of building height in excess of the height limit applicable in the district in which such building is located, and provided further that in no case shall any such building exceed a height of 60 feet.

(Ord. of 3-27-89, § 15-151)

Sec. 70-339. - Recreational vehicles.

- (a) No recreational vehicle shall be parked or stored within any portion of a front yard or within a required side yard on any lot in a residential district.
- (b) No recreational vehicle shall be occupied for dwelling purposes.  
(Ord. of 3-27-89, § 15-152)

**Cross reference**— General prohibition against occupancy of motor vehicle for residential purposes, § 38-3.

Sec. 70-340. - Mobile homes.

No mobile home, whether occupied or unoccupied, shall be parked or stored outside of an approved mobile home park, provided that unoccupied mobile homes may be offered for sale, stored, serviced, repaired or manufactured in districts where such use is specifically authorized by this chapter.

(Ord. of 3-27-89, § 15-153)

Sec. 70-341. - Temporary buildings and construction trailers.

When used only in conjunction with construction work taking place on the site, temporary buildings and construction trailers shall be permitted in any district during the period when construction work is in progress as evidenced by a valid building permit. Such temporary facilities shall be removed immediately upon completion of the construction work.

(Ord. of 3-27-89, § 15-154)

Sec. 70-342. - Outdoor lighting.

Outdoor lighting, when provided as accessory to any use or to illuminate any sign or similar device, shall be located, directed or shielded so as not to shine directly on nearby properties or to create a traffic hazard as a result of glare or similarity to or confusion with traffic signals, warning lights or lighting on emergency vehicles.

(Ord. of 3-27-89, § 15-155)

Sec. 70-343. - Piers and overwater accessory structures.

- (a) Open pile piers and overwater accessory structures, shall comply with requirements of the U.S. Army Corps of Engineers, the Virginia Marine Resources Commission, and the local wetlands board, where applicable. In addition, the following requirements shall also apply:
  - (1) *Height and width*: The deck of piers constructed from property within the jurisdiction of the Town of West Point shall not be elevated more than five feet above mean high water (MHW). The width of the pier walkway shall not exceed six feet in width. Pier head may not exceed one foot in width for every three feet of water frontage.
  - (2) *Setbacks and side clearances*: There shall be a side setback of at least 15 feet on each side of the property line as it would continue unrestricted over water to the center point of the waterway. For the purpose of this article, the continuation of the land line of the property over water, without deviation in angle, shall be the basis of the side setback requirement.
  - (3) *Boat house dimensions*: Where the land approach to the water has less than a ten-foot drop to mean high water (MHW) from any point within the property or within 150 feet of the shoreline (as measured by mean low water (MLW)), the maximum height of the boat house shall not exceed 16 feet from the deck of the pier. Height shall be measured to the highest peak or top of the roof. Where the land approach to the water has greater than a ten-foot drop to mean high water (MHW) from a point not greater than 100 feet from the shoreline (as measured by mean low water (MLW)), the height of the boat house may increase by one foot for every five feet of drop up to a maximum of 20 feet from the deck of the pier. The allowed width of the boathouse as measured in the same or closest surface of the structure to the shoreline (exclusive of a pier or pier head) shall not exceed two feet per each ten feet of shoreline.
  - (4) *Maintenance, appearance and upkeep*: The property owner shall be responsible for the ongoing maintenance and upkeep of piers and overwater accessory structures. Deteriorated, decaying or rusting materials shall be replaced or restored immediately upon request by the zoning administrator or his designee if they endanger the public health or safety of other persons, or which might constitute an obstruction or hazard to the lawful use of the waters within or adjoining the Town of West Point. If such property is deemed to be abandoned, the zoning administrator or his designee shall ascertain the lawful owner of such property and have the owner repair, remove or secure such property.
- (b) The Town of West Point, through its own agents or employees, may remove, repair or secure pier or overwater accessory structure which might endanger the public health or safety of other persons or which might constitute a hazard or obstruction to the lawful use of the waters within the Town of West Point, if the owner of such property, after reasonable notice and reasonable time to do so, has failed to remove, repair or secure such pier or overwater accessory structure.

- (c) In the event the Town of West Point, through its own agents or employees removes, repairs or secures any pier or overwater accessory structure after complying with the notice provisions of this section, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and to the extent applicable may be collected by the Town of West Point as taxes are collected.
- (d) If the identity or whereabouts of the lawful owner is unknown or not able to be ascertained after a reasonable search and after lawful notice has been made to the last known address of any known owner, the Town of West Point, through its own agents or employees, may repair such pier or overwater accessory structure or remove such property after giving notice by publication once each week for two weeks in a newspaper of general circulation in the area where such property is located.
- (e) Every charge authorized by this section with which the owner of any such property has been assessed and which remains unpaid, to the extent applicable, shall constitute a lien against the owner's real property, and such lien shall be recorded in the judgment lien docket book in the Circuit Court for King William County. Such lien may also be reduced to a personal judgment against the owner.

(Ord. of 3-30-91; Ord. No. 01-04, 4-26-04)

**Editor's note—**

An Ord. of Mar. 30, 1991 repealed in their entirety the provisions of § 70-343 which pertained to the special use permit required for boat houses and derived from the Ord. of Mar. 27, 1989, § 15-156.

*Sec. 70-344. - ~~Reserved.~~ Temporary family health care structures*

*(a) For properties zoned R-1, R-2, R-3, R-4, R-5, SD-1, MU-1, and used for single-family residential use, one temporary family health care structure is permitted on a lot as an accessory use provided:*

- 1. The temporary family health care structure is used by a caregiver in providing care for a mentally or physically impaired person;*
- 2. The temporary family health care structure is located on property owned or occupied by the caregiver as his residence;*
- 3. The temporary family health care structure complies with all setback requirements that apply to the primary structure;*
- 4. The caregiver has obtained a permit for the temporary family health care structure, as set forth in subsection b;*
- 5. The temporary family health care structure is connected to all water, sewer, and electric utilities that serve the primary residence on the property and shall comply with all applicable requirements of the Virginia Department of Health; and*
- 6. There is no signage advertising or otherwise promoting the existence of the structure either on the exterior of the temporary family health care structure or elsewhere on the property.*

*(b) Before a temporary family health care structure can be placed on a property, the caregiver must obtain a permit for such structure. The Zoning Administrator shall issue a permit allowing for such use if the following evidence is provided by the caregiver that:*

- 1. The property on which the temporary family health care structure is to be located is the caregiver's primary residence;*
- 2. The person to be cared for meets the requirements set forth in the definition of "mentally or physically impaired person", below; and*
- 3. The proposed temporary family health care structure will comply with the provisions of this section.*

*(c) The permit issued by the Zoning Administrator pursuant to this section shall be valid for one year and may be renewed annually. The permit shall be renewed only if the caregiver provides evidence that the requirements set forth above continue to be satisfied. The temporary family health care structure shall be removed within 30 days of the date that the mentally or physically impaired person no longer receives care on the property or when the mentally or physically impaired person no longer needs the assistance described in this section.*

*(d) The Zoning Administrator may inspect the property, at reasonable times convenient to the caregiver, in connection with the issuance or renewal of a permit issued pursuant to this section.*

*(e) The Zoning Administrator may revoke any permit granted hereunder if the permit holder violates any provision of this section, in addition to any other remedies that the city may seek against the permit holder, including injunctive relief or other appropriate legal proceedings to ensure compliance.*

*(f) For purposes of this section:*

*1. "Caregiver" means an adult who provides care for a mentally or physically impaired person within the commonwealth. The caregiver shall be either related by blood, marriage, or adoption to or the legally appointed guardian of the mentally or physically impaired person for whom he is caring.*

*2. "Mentally or physically impaired person" means a person who is a resident of the commonwealth and who requires assistance with two or more activities of daily living, as defined in section 63.2-2200 of the Code of Virginia, as certified in a writing provided by a physician licensed by the commonwealth.*

*3. "Temporary family health care structure" means a transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person, that*

*a. Is primarily assembled at a location other than its site of installation,*

*b. Is limited to one occupant who shall be the mentally or physically impaired person,*

*c. Has no more than 300 gross square feet, and*

*d. Complies with applicable provisions of the Industrialized Building Safety Law and the Uniform Statewide Building Code as set forth in the Code of Virginia. Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.*

**Editor's note—**

Ord. No. 14-05, adopted Feb. 27, 2005, deleted § 70-344, which pertained to buffering and screening and was derived from an ordinance enacted Mar. 30, 1998.

**Sec. 70-345. - Fences and walls**

Fences and walls shall be erected, altered or reconstructed in accordance with the following regulations:

- (1) Fences shall not encroach upon right-of-way or adjacent properties.
- (2) All fences shall be in conformance with the requirements for visibility at intersections and driveways listed in the following section.
- (3) The height of a fence in a residential area shall not exceed four feet in height in the front yard, four feet in height in side yards as measured from the front property line to points parallel to the front of the structure and six feet in height in side yards parallel to the front edge of a structure and extending to the rear property line and six feet in the rear yard. Fences that need to exceed the height(s) referenced in this subsection, may apply for a special use permit.
- (4) The finished side of any fence or wall in any residential zone shall have the finished side facing the street or adjacent or abutting properties.
- (5) Security fences around commercial, industrial or institutional uses shall not exceed 12 feet.
- (6) Fences shall not be erected of barbed wire, topped with metal spikes or glass, nor constructed in any manner which may be dangerous to persons or animals, except further that fences around commercial or industrial uses may be topped by a five-strand protective wire barrier.
- (7) All fences shall be maintained in sound condition. Whenever a fence or portion thereof is determined to be structurally unsafe the building official/zoning administrator shall order the owner in writing to repair said fence or remove it within ten days.
- (8) Electric fences shall be prohibited. It shall be unlawful for any person to erect, install or maintain any electrically charged fence within the town, except that the building official may issue a permit for an electrically charged fence to retain animals upon proof that the fence will not be hazardous to life.

(Ord. of 3-30-98; Ord. No. 01-08, 5-19-08)

Sec. 70-346. - Buffering and screening requirements.

- (a) *Generally.* In general, the intent of buffering and screening requirements is to minimize any adverse impact or nuisances of commercial and industrial uses and residential subdivisions on adjacent areas and to improve the physical appearance of sites. Specifically, the purpose of buffering is to soften the visual impact of the proposed use and to provide a visual break between adjacent uses of the same type. The specific purpose of screening is to block an objectionable view, such as outside storage of building materials, supplies, equipment, machinery or wrecked or partially dismantled vehicles, or to prevent nuisance characteristics of the proposed use such as noise, trash or light from extending beyond the limits of the property. In addition, the development of buffering, screening and landscaping standards contained in this article will promote the public health, safety and welfare by providing for the preservation, installation, and maintenance of buffering, screening and landscaping elements which will:
- (1) Ensure development which is consistent with the goals of the comprehensive plan;
  - (2) Retain the historic and natural character of the Town of West Point by reducing the visual impact of signs, parking lots, buildings and structures and protecting, preserving and enhancing its natural character with emphasis on preserving the existing tree canopy and other indigenous vegetation and providing such canopy and vegetation where it does not exist;
  - (3) Minimize the environmental and land use impacts of developments associated with noise, glare, dust and movement; changes in appearance, character and value of neighboring properties; and effects on air and water quality, stormwater runoff, groundwater recharge and soil erosion by preserving existing tree canopies and indigenous vegetation and restoring such canopies and vegetation and providing other landscape features;
  - (4) Promote traffic safety by controlling views and visually defining circulation patterns;
  - (5) Provide more comfortable exterior spaces and conserve energy by preserving and providing tree canopies and other landscape features which provide shade and windbreaks; and
  - (6) Ensure the location, type and maintenance of plant materials creates and maintains a safe environment for users of the site.
- (b) *Applicability.* The standards contained in subsection (c) shall apply to any commercial and industrial use requiring approval of plan of development and located in any nonresidential zoning district. Sites developed prior to the effective date of this article shall be permitted expansion of the existing floor area of any existing building up to a cumulative total of 250 square feet without the provision for landscaping if no modifications to the parking area or vehicular circulation system are required. When modifications to the parking area or vehicular circulation system are required, and the floor area expansion is less than a cumulative total of 250 square feet, landscaping shall be installed within the parking area in accordance with section 70-351. In addition, the standards contained in subsection (c) of this section shall apply to all new residential subdivisions for which an application has been submitted after the effective date of this article and subject to the requirements of subsection (c) of section 54-13
- (c) *Development standards.* When buffering and screening is required under the provisions of this article or any provision of chapter 70 or chapter 54 of the Code of the Town of West Point, the following minimum standards shall apply:
- (1) Where a buffer is specified, such buffer shall consist of landscaping such as trees and shrubs as applicable and specified below in sections 70-347, 70-348, 70-349, 70-350 and 70-352. Buffer zones shall be maintained their natural state when forested.
  - (2) Where screening is specified, such screen may be comprised of either plant materials in accordance with section 70-353 or structural materials, such as masonry walls or wood fencing, in accordance with subsection (3) below. Fences, walls, high hedges, berms, mounds and dense tree plantings are examples of effective screening methods.
  - (3) Where a wall or fence is specified, such structure shall be at least six feet in height and shall be so constructed as to provide a permanent, year-round visual barrier from surrounding properties. Any proposed fence or wall shall complement the structural type and design of the principal buildings. The use of fences with high transparency (e.g., chain link fences) shall not be considered an adequate screen unless complemented by landscaping. Acceptable materials for fences shall be redwood, cedar, or other woods which have been pressure-treated, or 9-gauge polyethylene tubular slats in wood tones (slats shall have a minimum density of .951).
  - (4) Where dense natural barriers, dense tree plantings, or high hedges are specified, such plantings shall be acceptable evergreen shrubs, trees or plants planted in accordance with standards specified in section 70-353. If plant material dies within an existing vegetative screen installed prior to the effective date of the ordinance, replacement trees or shrubs may be installed under the standards contained in this same section.
  - (5) When the buffer or screen includes the use of berms or mounds, these elements shall have a minimum height of three feet, a maximum side slope ratio of three horizontal feet to one vertical foot, and a level crown with a minimum width of three feet for maintenance and planting purposes. All berms shall be designed and constructed to ensure that proper erosion prevention and control practices have been utilized.

- (6) Where there is a conflict between any of the requirements of this section, and any other provision of chapter 70 of the Town Code pertaining to landscaping, buffering, or screening standards, the requirements of this section shall apply.
- (d) *Findings for acceptance of modifications, substitutions, or transfers.* The zoning administrator may modify, permit substitutions for any requirement of this section, or permit transfer of required landscaping on a site upon finding that:
  - (1) The proposed site and landscape plan will satisfy the intent of this section and its landscape area requirements to at least an equivalent degree as compared to a plan that strictly complies with the minimum requirements of this section;
  - (2) The proposed site and landscape plan will not reduce the total amount of landscape area or will not reduce the overall landscape effects of the requirements of this section as compared to a plan that strictly complies with the minimum requirements of this section;
  - (3) Such modification, substitution or transfer shall have no additional adverse impact on adjacent properties or public areas; and
  - (4) The proposed site and landscape plan, as compared to a plan that strictly complies with the minimum requirements of this section, shall have no additional detrimental impacts on the orderly development or character of the area, adjacent properties, the environment, sound engineering or planning practice, comprehensive plan, or on achievement of the purposes of this section.

In addition, the zoning administrator may modify, permit substitutions for any requirement of this section, or permit transfer of required landscaping if the proposed site and landscape plan is part of a mixed-use project that has a governing set of design guidelines.

- (e) *Cases for modifications, substitutions, or transfers.* Requests for modifications, substitutions or transfers may be granted in the following cases:
  - (1) The proposed landscape plan, by substitution of technique, design or materials of comparable quality, but differing from those required by this section, will achieve results which clearly satisfy the overall purposes of this section in a manner clearly equal to or exceeding the desired effects of the requirements of this section;
  - (2) The proposed landscape plan substantially preserves, enhances, integrates and complements existing trees and topography;
  - (3) Where, because of unusual size, topography, shape or location of the property or other unusual conditions, excluding the proprietary interests of the developer, strict application of the requirements of this section would result in significant degradation of the site or adjacent properties;
  - (4) The proposed landscape design or materials involve a readily discernible theme, historic or otherwise, or complements an architectural style or design;
  - (5) Where it is necessary to allow the subdivision of property on which commercial or industrial units will be for sale, for sale in condominium or for lease, and such units are constructed as part of a multiunit structure in which the units share common walls or are part of a multiple-structure development, and the entire development has been planned and designed as a cohesive, coordinated unit under a single master plan; or
  - (6) Where transfers of required landscape areas to other areas on a site are necessary to satisfy other purposes of this section, including transfers to increase screening or preserve existing trees, provided such transfers do not reduce overall landscape requirements for a development.
- (f) *Process for requesting modifications, substitutions, or transfers.*
  - (1) Requests for modifications, substitutions or transfers shall be filed in writing with the zoning administrator and shall identify the specific requirement of this section and the reasons and justifications for such request together with the proposed alternative. Depending upon whether the landscape plan is subject to commission or administrative review, the commission or zoning administrator shall approve, deny, conditionally approve or defer action on such request and shall include a written statement certifying the above findings. The commission or zoning administrator may require the applicant to provide plans, documentation or other materials to substantiate these findings.
  - (2) In the case of approvals or conditional approvals, this statement shall include a finding as to the public purpose served by such recommendations, particularly in regard to the purposes of this section. The zoning administrator shall notify the applicant in writing as to the reasons for such action within 30 days of submittal of administrative plans meeting all applicable submittal criteria or within five working days of such decision by the planning commission.

(Ord. No. 14-05, 2-27-06)

Sec. 70-347. - Landscaping requirements.

- (a) *Landscape plan; when required.* A landscape plan is required for any construction plan or plan of development and shall be submitted at the time of application for plan approval. The landscape plan shall be reviewed and approved in accordance with the applicable procedure contained in sections

70-51 and 54-40. The landscape plans shall also indicate the location of all existing and planned utilities.

- (b) *Landscape plan; who prepares.* A Virginia registered landscape architect, a member of the Virginia Society of Landscape Designers, a Certified Virginia Nurseryman, a professional engineer, or other appropriate professional with experience preparing planting plans and landscape construction drawings, shall prepare landscape plans where required as indicated above in subsection (a).
- (c) *Installation of required landscaping, performance guarantee.* Where a landscape plan is required, landscaping shall be installed and existing trees shall be preserved in conformance with the approved landscape plan. A certificate of occupancy shall not be issued until all landscaping has been installed in accordance with the approved landscape plan.
- (d) *Maintenance of landscaping.* The owner, or his agent, shall be responsible for the maintenance, repair and replacement of all landscaping materials, fences and barriers as may be required by the provisions of this section. All plant materials, including existing trees preserved to meet the requirements of this section, shall be tended and maintained in a healthy growing condition, replaced when necessary, and kept free of refuse and debris. Fences and walls shall be maintained in good repair. Replacement material shall conform to the original intent of the approved landscape plan and any replacement planting shall meet the minimum requirements of this section.
- (e) *Tree protection and criteria for tree removal.*
  - (1) All existing viable mature trees (eight inches or greater diameter at breast height (DBH)) and specimen trees (24 inches or greater DBH) shall be preserved within the required landscape area. All understory trees of two inches or greater DBH shall be preserved. Existing mature and specimen trees shall be integrated into the overall plan of development and shall be preserved so as to promote the intent of this section. All trees to be preserved shall be protected before, during and after the development process in accordance with specifications contained in the Virginia Erosion and Sediment Control Handbook. Groups of trees shall be preserved rather than single trees. Trees or groups of trees to be preserved shall be clearly marked in the field.
  - (2) Trees below the size thresholds stated above and underbrush may be hand-removed from the landscape area. No grading shall be permitted; however, hand grooming is permitted. Overstory tree limbs may be removed/"limbed-up" to a maximum height of ten feet above the base of the tree. Understory tree limbs may be removed/"limbed-up" to a maximum height of six feet. These height limitations shall not restrict the removal of dead, diseased, or injured tree limbs above the height limits mentioned above.
  - (3) The required landscape area shall be fully protected by a substantial, temporary fence or barrier with a minimum height of 40 inches. The location, type, and installation standards for this fence shall be clearly shown on the site plan. This fence shall be installed prior to the issuance of a land disturbance permit and shall remain standing until all construction activities on site have been completed.
  - (4) Required landscape areas shall be supplemented where necessary with planted trees and shrubs to achieve the minimum number of trees and shrubs specified in subsection (a) of section 70-348
- (f) *Size requirements for new plantings.* Planted trees and shrubs shall conform to the minimum size requirements outlined in the following table:

Category	Type	Minimum Size at Planting
Trees	Deciduous shade tree (D)	Minimum caliper is = 1.5".
	Evergreen (E)	If multi-stemmed, minimum height shall be 8 feet. If single-stemmed, minimum caliper shall be 1.25" with minimum height of 8 feet.
Ornamental tree	Single-stemmed (D) or (E)	1.25" in caliper and 8 feet in height.
	Multi-stemmed (D) or (E)	8 feet in height.
Shrub	Low growing woody plant having several permanent stems.	18" if evergreen. 22" if deciduous.
Caliper: The diameter of a tree trunk measured 6" above ground for nursery stock.		

(g) *Summary of definitions for trees and shrubs.* Outlined below is a quick reference of the definitions for trees and shrubs.

Type	Character	Minimum Size
<i>Specimen tree</i>	Free of disease and significant damage or which is notable by virtue of its outstanding size and quality for its particular species.	Diameter at breast height (DBH) is 24" or greater.
<i>Mature tree</i>	Free of disease and significant damage.	DBH is 8" or greater.
<i>Understory or ornamental tree</i>	Trees that typically do not exceed a height of 40 feet at maturity. Understory are those trees typically found within a native plant community. Common understory examples include: Wax Myrtle, American Holly, and Dogwood. Examples of ornamental trees include Japanese Maple and Crape Myrtle.	
<i>Overstory tree</i>	Trees that typically exceed a height of 40 feet at maturity. Common examples include: Loblolly Pine, Oaks, Red Maple, and London Plane Tree.	
Diameter at breast height (DBH): The diameter of a tree trunk measured 4.5 feet from the ground.		

(h) *Plant material standards.*

- (1) All required plantings shall conform with the most recent edition of *American Standard for Nursery Stock*, published by the American Association of Nurserymen, and shall be planted in accordance with the most recent edition of *Guidelines for Planting Landscape Trees and Planting and Care of Trees and Shrubs*, published by the Virginia Cooperative Extension Service.
- (2) Required planting materials shall be of a species that promotes the intent of this division and that is compatible with the proposed planting environment. Examples of species that are compatible with the proposed planting environment can be found in *Bayscapes: A Guide to Homeowner Design*.
- (3) Transplanting for the purpose of achieving a larger size tree may be approved, provided it is done in accordance with accepted horticultural and silvicultural practices.

(Ord. No. 14-05, 2-27-06)

Sec. 70-348. - General landscape area standards.

(a) *Tree preservation and the minimum number required.* Existing trees shall be retained to the maximum extent possible in all landscape areas. All required landscape areas, other than within parking lots, shall contain at least a minimum number of trees and shrubs as specified in the following chart:

Quantity Requirements		
General Landscape Area Standards		
Number of Trees	Number of Shrubs	Per
1	3	500 square feet of total landscape area provided.

(b) *Size and mixture requirements.*

Size and Mixture Requirements		
General Landscape Areas		
Percentage	Of	Shall Be:
At least 35%	Trees	Minimum Caliper of 1.5" at planting.
Minimum of 15% and maximum of 25%	Trees	Ornamental trees.
At least 35%	Trees	Evergreen trees which will achieve a minimum height of 40 feet at maturity.
At least 40%	Trees	Deciduous shade trees which will achieve a minimum height of 50 feet at maturity.
At least 35%	Shrubs	Evergreen.

- (c) *Distribution, mixture and placement.* Planted trees and shrubs shall be reasonably distributed throughout the site singly or in groups, with an appropriate mix of planting types and species which achieves the purposes of this section. Required landscape areas shall be designed so as to not create vehicular and pedestrian hazards.
- (d) *Special requirements for industrial uses.* Landscape standards shall be reduced for all uses in the M-1 and M-2 districts when the following requirements are met:
- (1) Landscape areas along side and rear property lines: Where such a landscape area is not adjacent to a public street, and the landscape area is adjacent to property located in one of the industrial districts listed above, then the requirements provided in the following chart shall apply:

Quantity Requirements		
Number of Trees	Number of Shrubs	Per
1	0	500 square feet of total landscape area

- (2) All required trees shall meet the other minimum standards pertaining to landscaping, landscape open space, and landscape areas.
- (e) *Landscape open space by zoning district.* In no case shall minimum landscape open space for individual sites be less than that required below for the respective district:

Required Landscape Open Space	
District	Percent of total lot area
SD-1 District	20
B-1 District	15
M-1 District	15
M-2 District	10

(Ord. No. 14-05, 2-27-06)

Sec. 70-349. - Landscape areas along rights-of-way and thoroughfares.

(a) *Width requirements.* Landscaped thoroughfare buffers having an average width as specified in the following chart shall be provided adjacent to any existing or planned road right-of-way:

<b>(1) Highway 33 (14th Street) and Highway 30 (King William Avenue)</b>		
	Standard	Reduction for lots or project sites less than or equal to 10,000 square feet in area recorded or legally in existence prior to March 27, 1989
Average Width	25 feet	15 feet or 10% of the average lot depth, whichever is greater
Minimum Width	15 feet	10 feet
<b>(2) All Other Streets</b>		
	Standard	Reduction for lots or project sites less than or equal to 10,000 square feet in area recorded or legally in existence prior to March 27, 1989
Average Width	20 feet	15 feet or 10% of the average lot depth, whichever is greater
Minimum Width	10 feet	10 feet
<b>(3) Applicability to Downtown District</b>		
The standards provided above are not applicable to sites located in the B-2 Central Business District.		

The width requirements contained in this section can be reduced for existing developments where a site-specific condition or existing building setback prevents the full implementation of these standards. Further, certain standards can be waived or reduced for developments that are part of an approved mixed-use project and have a governing set of design guidelines approved by the town. In approving a reduction or waiver request, the zoning administrator may require additional plantings beyond the minimum requirements, alter the mixture of plantings provided, and/or specify the types of plantings to be used. The applicant may achieve a maximum reduction of 10 feet by providing superior site design with a combination of elements such as:

- (1) Parking located away from public view behind buildings or screened by other architectural features (i.e. decorative brick walls);
  - (2) Innovative use of grading and topography to minimize visual impacts of parking and other unsightly features (i.e. dumpsters, HVAC equipment, loading areas, etc.);
  - (3) Provision of pedestrian amenities beyond what the ordinance requires. Examples may include brick pavers to connect existing and planned pedestrian walkways, lighting, and benches; or
  - (4) The use of monument style signs that are of a scale and type that complement the positive features of the surrounding architecture and streetscape. The use of wood, brick, or other natural features is recommended.
- (b) *Square footage calculation for landscape areas.* All landscape areas along a right-of-way shall contain a minimum amount of square footage which shall be equal to:

Square Footage Calculation
----------------------------

<p>Square Footage = [Applicable Average Width Requirement][Length of Right-of-Way Frontage]</p>
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All required square footage shall be contiguous and located in an area that is directly adjacent to the right-of-way. Right-of-way buffers shall adhere to all sight distance requirements as determined by the Virginia Department of Transportation. Vegetation planted in the right-of-way buffer shall be of a type and/or positioned so as to not interfere with overhead or underground utility lines when fully grown.

- (c) *Permitted breaks in landscape areas.* All landscape areas along right-of-ways shall be continuous along the road right-of-way frontage, except where driveway, utility or other breaks running perpendicular to the right-of-way are necessary, and shall be designed in a manner that achieves the intent of this division. No new utilities, outside of those running parallel to permitted breaks in the required landscape areas, shall be located within the required landscape area(s) unless a waiver is granted by the planning director. The planning director shall grant a waiver only if the applicant can sufficiently demonstrate that there are unavoidable physical or regulatory constraints that warrant an intrusion into the landscape area.

(Ord. No. 14-05, 2-27-05)

Sec. 70-350. - Landscape areas around the perimeter of sites.

- (a) A landscaped buffer shall be provided around the perimeter of the site(s) in accordance with the following:
  - (1) A landscape area adjoining all side property lines shall be provided which is at least 15 feet in width. Along the side property lines, such landscape area may be reduced to a minimum of ten feet in width or five percent of the average lot depth, whichever is greater, on lots with less than 10,000 square feet which were recorded or legally in existence prior to March 27, 1989.
  - (2) A landscape area adjoining all rear property lines shall be provided which is at least 15 feet in width.
- (b) Such landscape areas shall be landscaped in accordance with section 70-348 and shall be provided contiguous and adjacent to the applicable property line. Such area may be broken by necessary driveways or utilities perpendicular to the property line.

(Ord. No. 14-05, 2-27-05)

Sec. 70-351. - Landscaping on the interior of parking areas.

In addition to the requirements contained in section 70-362 for parking areas abutting property located in residential districts, landscaping and landscape areas shall be provided on the interior of parking areas in accordance with the following:

- (a) *Preservation of trees.* Parking lots shall be designed and constructed so that existing viable trees are preserved in a manner which will meet the intent and satisfy the requirements in this section to the maximum extent possible. Where such existing trees do not fully satisfy these requirements, additional trees shall be planted in an amount which meets or exceeds the stated minimum requirements. The requirements in this subsection shall be in addition to other requirements stated in this section.
- (b) *Landscape area and planting requirements.* Parking areas containing ten or more spaces shall have a total landscape area within the parking lot that meets the minimum standards specified in the following chart:

<b>(1) General Requirements for Parking Lot Landscaping</b>	
<i>Percentage of landscape area required within the parking lot</i>	<i>Based On:</i>
Minimum 10%	Surface area of parking, including drives and circulation areas, exclusive of any perimeter landscape areas or landscape areas around the building
<i>Lots or project areas less than 10,000 square feet recorded or legally in existence prior to March 27, 1989</i>	

Minimum 7.5%	Surface area of parking, including drives and circulation areas, exclusive of any perimeter landscape areas or landscape areas around the building	
<b>(2) Quantity Requirements for Parking Lot Landscaping</b>		
<i>Number of Trees</i>	<i>Number of Shrubs</i>	<i>Per</i>
1	2	5 parking spaces in the parking lot
<i>Lots and project areas less than 10,000 square feet recorded or legally in existence prior to March 27, 1989</i>		
1	2	10 parking spaces in the parking lot
As provided above, each mature existing tree or specimen tree may be counted toward meeting the required minimum number of trees, with one viable mature tree substituting for two planted trees and one viable specimen tree substituting for three planted trees. No credit shall be given for any mature or specimen tree which is not protected in full compliance with the tree protection standards described above.		

<b>(3) Size and Mixture Requirements for Parking Lot Landscaping</b>		
<i>Percentage</i>	<i>Of</i>	<i>Shall Be:</i>
At least 35%	Trees	Evergreen trees which will achieve a minimum height of 40 feet at maturity
At least 50%	Trees	Deciduous shade trees with at least a 1.5-inch caliper which will achieve a minimum height of 50 feet at maturity
At least 50%	Shrubs	Evergreen

<b>(4) Minimum Spacing Requirements for Required Trees in Parking Areas</b>
The required trees shall be spaced no more than 75 feet apart throughout the parking lot. These trees shall be evenly and reasonably distributed throughout the parking lot in a manner that promotes the intent of this section.

(Ord. No. 14-05, 2-27-05)

Sec. 70-352. - Tree credits.

- (a) Existing viable trees, preserved on the site in accordance with the tree protection standards outlined in subsection 70-347(e), may provide tree credits which shall reduce the number of new trees required to be installed.
- (b) The trees to be saved shall be clearly identified on the landscaping plan. The plan shall identify the general location, number, size, and type of trees proposed to be saved and the requested tree credits.
- (c) The amount of tree credit is outlined in the following chart:

Tree Credits	
<i>Trees to be saved:</i>	<i>Tree Credits:</i>
1 viable ornamental tree meeting the minimum size at planting as described in the above section, size requirements for new plantings.*	1 planted ornamental tree.
3 viable trees meeting the minimum size at planting as described in the above section, size requirements for new plantings.*	1 planted tree.
1 viable mature tree.	2 planted trees.
1 viable specimen tree.	3 planted trees.
No credit shall be given for any trees that are not protected in full compliance with the tree protection standards listed in the above subsection 70-347(e), tree protection and criteria for tree removal.	
* The trees to be saved shall be tagged in the field and the zoning administrator shall inspect the trees to determine which trees are eligible to receive credit. Only those trees which are healthy, of the minimum size noted above, and are of a suitable quality shall be deemed acceptable for receiving credit.	

(Ord. No. 14-05, 2-27-05)

Sec. 70-353. - Screening.

- (a) *Screening.* Screening shall be provided between conflicting land uses and to block an objectionable view from a public street. Structural screening methods shall be provided as required in subsection 70-346(c)(3). Landscaped screening areas shall be left in their undisturbed natural state and supplemented where necessary in accordance with section 70-348 and with additional plantings to provide an effective visual screen at least six feet in height. Such areas shall be continuous except where driveways, utilities and other breaks are necessary. All breaks shall cross screening areas at right angles. Where such breaks are necessary, different design requirement may be imposed to achieve an equivalent screening effect. Screening areas shall not contain accessory structures, storage, parking or loading.
- (b) *Additional screening requirements.* If the zoning administrator determines that noise, dust and debris, glare or other objectionable impacts created by a proposed development will have a detrimental effect on adjoining properties which will not be adequately addressed by screening required by this section, the zoning administrator may increase minimum screening requirements and may require landscaping or architectural barriers which provide a visual screen between a proposed development and adjoining properties.
- (c) *Objectionable features.* Objectionable features shall be visually screened by landscaping or architectural barriers from adjacent residential districts, residential uses, and public streets. Objectionable features may include, but are not limited to, the following: refuse areas, storage yards, loading areas, machinery, garbage collection areas, and loading bays.
- (d) *Stormwater management facilities, detention ponds, and best management practices (BMPs).* Stormwater management facilities, detention ponds, and BMPs that are visible from roads, adjoining properties, or open to public view shall be designed such that:
  - (1) These facilities shall not be allowed within required landscape buffers along rights-of-way unless a waiver is granted by the zoning administrator. In order for the zoning administrator to consider a waiver request, the applicant shall request a waiver in writing and shall present plans and documentation supporting the waiver request. The waiver request will not be approved

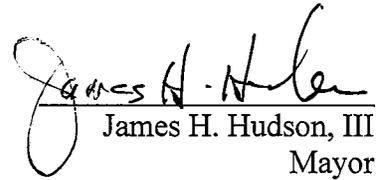
unless the applicant can document topographical or unusual physical constraints on the property that require placement of the BMP within the right-of-way landscape area;

- (2) The structural aspects (i.e., riser pipes, inlets, etc.) are hidden from public view and/or adjoining property owner's view, or adequately screened from these views by innovative structural design, berms, and/or landscaping;
- (3) The facility shall be well landscaped with an emphasis on making the facility appear more natural than man-made, as determined by the zoning administrator; and
- (4) The facilities shall be designed and landscaped in such a manner that they are sensitive to the character of the site and surrounding properties. Unless it can be demonstrated by the applicant that an alternative design better meets the intent of this section, the facilities shall be designed with a curvilinear shape, shall be designed to complement the existing topography of the site, and/or shall be designed and landscaped in a manner that visually reduces their size, and supports growth of wetlands vegetation.

(Ord. No. 14-05, 2-27-05)

Those members voting:

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

  
James H. Hudson, III  
Mayor

Adopted this 27th day of October, 2015

ATTEST:

  
Karen M. Barrow  
Town Clerk



**TOWN OF WEST POINT  
RESOLUTION**

WHEREAS on April 28, 2015, by Resolution, the Town of West Point approved a FY 2015-2016 budget in a total amount of \$ 13,977,787; and

WHEREAS the West Point Public Schools received an additional \$34,329 in Special Education Regional Reimbursement Tuition funds for FY 2014-2015; and

WHEREAS the West Point Public Schools seeks to use the additional \$34,329 to support the purchase of services and resources to be used in meeting the needs of students through the division's multi-tiered instructional model; and

WHEREAS the Town Council has decided to resurface the community tennis courts at a cost of \$35,000.

NOW THEREFORE BE IT RESOLVED by the West Point Town Council, at its regular monthly meeting, on the 27th day of October 2015, that a total of \$69,329 be added to the West Point FY 2015-2016 budget, so that the amended total of the Town of West Point's FY 2015-2016 budget shall be \$14,047,116; and

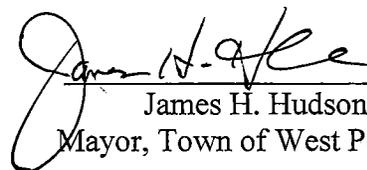
BE IT FURTHER RESOLVED THAT the West Point Public Schools FY 2015-2016 budget be amended by adding \$34,329; and

BE IT FINALLY RESOLVED THAT \$69,329 shall be appropriated for expenditure by the Town of West Point, and that \$34,329 of the \$69,329 which is appropriated to the Town of West Point, also be appropriated to the West Point School Board.

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 October 27<sup>th</sup>, 2015 at which meeting a quorum was present and voted throughout.

Those members voting:

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

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

Adopted this 27th day of October, 2015

ATTEST:

  
Karen M. Barrow  
Town Clerk