

**WEST POINT TOWN COUNCIL  
WORK SESSION  
MINUTES  
September 29, 2008**

**I. Radio Communications**

Mr. Hudson advised that one of the projects Homeland Security is working on is Radio Communications to allow Emergency Services to work with Law Enforcement on the same radio channel. Within the next ten to fifteen years the radio system in West Point will be obsolete. Several representatives from King William, West Point and King and Queen have been reviewing options available to upgrade the current radio systems in a combined effort to better serve our communities in an emergency situation. The Committee is available to present their findings to Town Council and the public on what the future will hold for West Point.

Cecil Schools, King William Board of Supervisors 3<sup>rd</sup> District advised the committee reviewed Motorola's 800 system that would work for both West Point and King William County. King and Queen will not be using this new system.

Mrs. Ball asked how much will the new radio system cost West Point.

Chief Hodges advised \$912,765, the Police Department, Fire & Rescue, Public Works and the School System would all be on the same radio channel. It would omit a lot of the dead spots in Town where we currently can not transmit or receive radio communications. It would not cover the paging system for the Fire & Rescue Department.

Mr. Hudson advised that all radio systems would need to be replaced by 2011, because the VHS band frequencies are being used by the State Police and no VHS frequencies are available.

Steve Pucket, the King William Emergency Coordinator advised the current band wave frequencies have no available space for expansion, the number of channels available are limited. The new system would have room for expansion and it would allow King William and West Point to communicate in emergency situations. When the West Point Fire Department responds to one of the Indian Reservations, they are unable to communicate with King William Sheriff's office, we are not aware of what equipment and personnel are responding to a call. This would prevent unnecessary response from supporting departments and ensure the appropriate equipment and personnel is dispatched.

Chief Hodges advised the Committee has looked at other various channels and programs. The 800 systems will transmit clear to the entire County and there is enough room for expansion with the availability of channels.

Mr. Schools advised the King William Board of Supervisors would like to continue to work with West Point on this project and apply for as many grants as possible to implement this project.

The consensus of Town Council is for Motorola to present information on the 800 system to the Public Safety Committee.

**II. Riverwalk**

Mr. Funkhouser presented a revised rendering showing the changes for the Boardwalk, Parking and Canoe/Kayak Launch. The current location of 13<sup>th</sup> Street will remain open. The entrance to the parking lot will be the North/South alley South of 13<sup>th</sup> Street.

Mr. Hudson advised that Riverwalk is on the Town Council agenda for action.

**III. EDA – Planning Commission Appointments**

Mr. Hudson advised the Interview Panel interviewed all the applicants and members requesting reappointment. Mrs. Ball has a recommendation from the Interview Panel for Town Council.

**IV. Burke and Lou Johnson**

Burke and Lou Johnson, 770 River Road, West Point, Virginia thanked Town Council for taking the time to discuss the real estate purchase of the property located on Kirby Street between 9<sup>th</sup> and 10<sup>th</sup> Streets. Burke Johnson asked that if a resolution was to come before Town Council, for Town Council to support the resolution by signing it.

Lou Johnson stated that when she interviewed Council members individually, some of the members were confused in what they were voting for. The resolution was asking for Town Council's blessing, not a legal obligation. Mrs. Johnson advised she was stunned and devastated that Town Council did not give their blessing on the project. The EDA is an independent entity that has cash CD's backing the financing.

Burke Johnson advised he and Mrs. Johnson felt they have suffered damages in good faith on a worthwhile project that has blown up in their face. The purchase of the property is on the EDA agenda for October 15<sup>th</sup>, 2008. Mr. Johnson asked if the EDA presents another resolution to Town Council, would Council adopt the resolution.

Mrs. Johnson asked Town Council if they would give their blessing for the project.

Mr. Hudson stated that in regard to the information Mr. and Mrs. Johnson has just provided to Council. If the EDA presented Town Council with another resolution, then Town Council would consider the resolution.

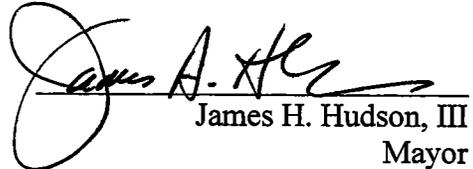
**V. Stage Canopy**

Mr. Funkhouser advised that research indicated the prices on the approved canopy from the Soper Company are in line with the cost from other companies.

Mr. Hudson asked what the current status was regarding Soper's engineering work on the design of canopy.

Mr. Funkhouser advised they are working through the re-design of the canopy to accommodate the necessary changes to the engineering issues of the foundation. Soper are waiting on the Town's directive to proceed with the work.

Mr. Hudson asked for the Canopy Update to be placed on the Town Council agenda under the Town Manager Items.

  
James H. Hudson, III  
Mayor

ATTEST:

  
Karen M. Barrow  
Town Clerk

**TOWN OF WEST POINT  
TOWN COUNCIL  
MINUTES  
September 29, 2008**

**I. CALL TO ORDER**

The West Point Town Council held its regular monthly meeting on Monday, September 29, 2008. The Honorable James H. Hudson III called the meeting to order at 6:30 p.m. Dr. Jeffery Smith gave the Invocation followed by the Pledge of Allegiance.

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

Members Absent: Tina Gulley

Also Present: Trenton L. Funkhouser, Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; Bill Hodges, Chief of Police; Holly McGowan, Community Development Director; and other interested persons.

**II. CITIZENS ADDRESS TO COUNCIL**

**A. Public Hearing – Bunch Family Subdivision**

Mr. Hudson read the advertised ad for the public hearing and asked the Town Clerk if anyone had submitted a letter in writing or has the Town received any inquiries on the request for the Bunch Family Subdivision.

Mrs. Barrow advised that one inquiry was received from Mrs. Williams, an adjoining property owner, verifying the application was for a family subdivision. Mrs. Barrow also stated that Mrs. Williams was advised the public hearing was an open meeting and that Mrs. Williams was welcome to attend and comment on the application.

Mr. Hudson opened the floor for the public to comment on the request by Glen and Carolyn Bunch for a family subdivision. There being none, the public hearing was closed.

**1. Subdivision Final Plat Approval**

Mrs. Nichols made a motion for Town Council to approve the subdivision plat prepared by Mitchell Wilson Associates, dated May 29 2008 with a revision date of July 8, 2008, contingent upon the following conditions: The applicant shall maintain the private drive; and shall include the following waivers; curb and gutter, streetlights, water extension, fire hydrants, dedication to the Town all land required for streets and alleys, utility easements and those utilities constructed or installed by the sub-divider. Seconded by Mr. Lawson, upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

**B. Public Hearing – Bond for Capital Improvement Projects to the School Roofs**

Mr. Hudson read the advertisement then opened the floor for citizens to comment on the public hearing.

Dennis Norman, 1214 Lee Street, West Point, Virginia advised the leaky roofs at the schools are causing electrical issues that are in need of major repairs and suggested the electrical repairs be done when the roofs are replaced.

Mr. Hudson asked if any one else would like to comment on the public hearing. There being none the public hearing was closed.

**1. School Board VSPA Loan Resolution and General Bond Obligation**

a) Mrs. Nichols made a motion for Town Council to approve the Resolution Authorizing the issuance of bond, seconded by Mr. Healy. Upon roll call, Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

b) Mrs. Nichols made a motion for Town Council to approve Exhibit A (Form of Temporary Bond), seconded by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

c) Mrs. Nichols made a motion for Town Council to approve the Virginia Public School Authority Bond Sale Agreement, seconded by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

d) Mrs. Nichols made a motion for Town Council to authorize the Town Manager to execute and deliver the Bond Sale Agreement, seconded by Mr. Healy. Upon roll call, Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

e) Mrs. Nichols made a motion for Town Council to approve the Acceptance of the Regions Bank Fee Proposal for Paying Agent Services, seconded by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

f) Mrs. Nichols made a motion for Town Council to Authorize the Town Manager to notify the School Board of Council's preference to pay the Bond Registrar services in advance, seconded by Mr. Healy. Upon roll call, Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

#### C. EDA Update

Mr. Cawley advised that at the last EDA meeting the EDA members spent a considerable amount of time discussing how to improve communication channels with Town Council and adopted the following Proposal for consideration by Town Council: In the interest of promoting a more open dialogue between the EDA and Town Council. The EDA presented a formal request to Town Council asking that the Mayor appoint one or two members from Town Council who would be willing and available to meet with the EDA, possibly in closed session, for the purpose of providing constructive and knowledgeable input on specific issues, on a case by case basis, that are under consideration by the EDA and that could be controversial and potentially important to the interest of Town Council. This would give EDA Board Members a better sense of the opinions and concerns of Town Council prior to the EDA taking action on issues that could require Town Councils support and cooperation. Mr. Cawley asked Town Council consider adoption of the EDA proposal.

Mr. Hudson advised that the proposal will go through the Town Council Committees in October and will come back to Council for adoption at the October 27, 2008 Town Council meeting.

#### D. Citizens Address to Council

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

Dennis Norman, 1214 Lee Street, West Point, Virginia, thanked Town Council for conducting a Riverwalk site visit at 6 pm on a Friday night in the rain and stated that he feels the revisions are a give and take but the residents are giving just a little bit more than the Town and asked Town Council to consider the residents when adopting the revised plan.

Bobby Wilson, 535 12<sup>th</sup> Street, West Point, Virginia advised that he still objects to the Riverwalk Project the Canoe Launch and Parking Lot.

Franklin Roberts, 1114 Lee Street, West Point, Virginia advised there will be an increase in traffic, trucks and boat trailers. Mr. Roberts asked if any one has done an impact study for the Riverwalk Project.

Mr. Hudson advised that Town Council has conducted Work Sessions, Site Visits and Public Hearings. If an impact study was required for the grant, it would be included in the contract with VHB.

Rev. Marvin Kerby, 506 Lee Street, West Point, Virginia, thanked Mr. Funkhouser and Town employees for working on the drainage issues on 5<sup>th</sup> Street, the standing water at high tide has been reduced.

Denise South, 1013 F Street, West Point, Virginia, advised that she objects to Riverwalk and is concerned with priorities on repairs and drainage maintenance. If the Town is going to apply for grant money, why don't they apply for grant money to help with the drainage problems. Once the maintenance issues are under control, apply for grant money for revitalization.

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

#### 1. New Police Officer

Chief Hodges introduced Barbra Walker as a new Auxiliary Police Officer that has recently retired from VCU Police Division and previously worked for Hanover County Communications, Richmond Communications Division and assisted at the Academy for Police Officer training.

### III. COUNCIL RESPONSE

None were noted.

### IV. AGENDA CHANGES

Mrs. Nichols made a motion to adopt the following agenda changes: 1) A Halloween Resolution was placed on the agenda under the Public Safety Committee. 2) Removed the EDA proposal. 3) Placed the Canopy Update on the agenda under Town Manager Items. 4) Moved the School Board Bond Resolution from The Education Committee to the Public Hearing as item B – 1. Seconded by Mrs. Ball, upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

### V. ADOPTION OF CONSENT AGENDA

Mr. Gordon made a motion to adopt the following consent agenda, seconded by Mr. Shreaves.

- 1) Minutes of August 25, 2008 Town Council Meeting and Work Session
- 2) Cash Reports
  - a) General Fund  
Cash on hand as of August 31, 2008 - \$6,359,223.76
  - b) Water Fund  
Cash on hand as of August 31, 2008 - \$563,206.03
  - c) CIP  
Cash on hand as of August 31, 2008 - \$251,971.05
- 3) Monthly Budget Report
- 4) School Fund Cash Report
  - a) Cash on hand as of August 31, 2008 - \$442,592.56
- 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

Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

## V. COMMITTEE REPORTS

### A. Public Safety – Mrs. Ball reported for the Committee.

#### 1. Domestic Violence and Sexual Assault Awareness Month Resolution (*See Attached Resolution*)

Mrs. Ball advised the Town has declared October as Domestic Violence and Sexual Assault Awareness Month since the Police Department was first established. Mrs. Ball read the resolution then made a motion to adopt the resolution. Seconded by Mr. Gordon. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye”.

#### 2. Halloween Resolution (*See Attached Resolution*)

Mrs. Ball read the resolution and made a motion that Halloween be celebrated on October 31, 2008, seconded by Mr. Healy. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye”.

### B. Finance Committee – Mrs. Ball reported for the Committee

Mrs. Ball advised there was nothing to report.

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

Mrs. Nichols advised there was nothing to report.

### D. Public Works – Mr. Gordon reported for the Committee

#### 1. Kirby Street Housing Rehabilitation Board

Mr. Gordon made a motion to adopt the Housing Rehabilitation Program and to appoint the following members to the Rehabilitation Board: Deborah Ball, Trenton Funkhouser, Tyler Bland, John Lee, Dean Simmons, Holy McGowan and Neal Barber. Seconded by Mrs. Nichols, upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye”.

#### 2. Bay Aging Housing Rehabilitation Specialist

Mr. Gordon made a motion for the Area on Bay Aging to act as the Housing Rehabilitation Specialist, seconded by Mrs. Nichols. Upon roll call, Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye”.

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

#### 1. Riverwalk (*See Attached Rendering*)

Mr. Lawson made a motion to authorize the Town Manager to proceed with the following revisions to the construction plans for the Riverwalk project: 1) Delete the proposed Street intersection from Lee Street and use the North/South alley entrance from 13<sup>th</sup> Street. 2) Modify the boardwalk connection at 13<sup>th</sup> Street to continue in a westerly direction at the northern edge of the street right-of-way at-grade point resulting in a crossing that does not prevent vehicular access through the area. Seconded by Mr. Shreaves, upon roll call Mrs. Ball, Mr. Gordon, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye” and Mr. Healy voted “Nay”.

## VII. TOWN MANAGER’S ITEMS

### Canopy Update

Mr. Funkhouser presented Town Council with a square footage price list from the following contractors: 1) Soper Industries of \$54.00. 2) EIDE Industries of \$150.00. 3) Span Systems Inc. of \$50 to \$60 per square foot. 4) Amerishade of approximately \$81.00 and 5) Hendee Enterprises of \$60 to \$75 per square foot. Mr. Funkhouser also stated it would not be a cost savings to change contractors for the canopy project and that Town

Staff are working with the Structure Engineers from Soper on modifications to the redesign so the canopy will fit the modified foundation.

Mr. Gordon advised he has concerns with the quality of the soil study and preliminary engineering work for the foundation.

Mr. Funkhouser advised that Schnabel Engineering provided the soil test and George Cornwell is the local engineer that is working with Soper on providing the engineering work for the foundation.

The consensus of Town Council is for the Town Manager to continue working with Soper Industries and to provide any cost change information to Town Council as it occurs, and for the Canopy Update to be placed on the Public Works agenda for October.

## **VIII. OLD BUSINESS**

### **1. Planning Commission Appointments**

Mrs. Ball made a motion to reappoint Mary Montague-Sikes and James Vadas to the Planning Commission for a four year term commencing October 1, 2008 and expiring on September 30, 2012. Seconded by Mr. Gordon, upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

### **2. Economic Development Appointments**

Mrs. Ball made a motion to reappoint Mike Matthews and Dick Brake to the EDA, and to appoint Jack Lawson as a new member for a four year term commencing October 1, 2008, expiring on September 30, 2012. Seconded by Mrs. Nichols, upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

## **IX. NEW BUSINESS**

### **A. Planning Commission Report - Mr. Hudson**

Mr. Hudson advised that Planning Commission meet on October 1st, 2008 to discuss the following agenda items: 1) Review the Comprehensive Plan Survey. 2) Voted to approve Uppy's Plan of Development. 3) Approved advertisement for a Public Hearing on a request for public land by Sam English and Mike Woodford.

### **B. Closed Session**

Mrs. Ball made a motion for Town Council to enter into Closed Session pursuant to Virginia Code §2.2-3711(A)(1) for the discussion or consideration of the performance and contract of the Police Chief and the Director of Economic Development. Seconded by Mr. Lawson, upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

### **Reconvene into Open Meeting**

Mrs. Nichols made a motion for Town Council to reconvene into Open Meeting, seconded by Jack Lawson. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

### **Certification**

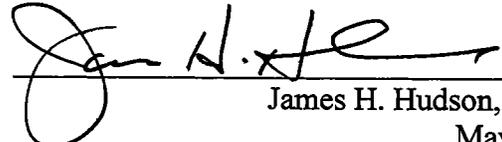
Mr. Shreaves made a motion to certify that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Council. Seconded by Mr. Lawson, upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

### **Chief of Police Contract**

Mr. Lawson made a motion to renew and extend the current employment agreement between the Town of West Point and Bill Hodges, the Chief of Police for a period of twelve months. Seconded by Mr. Shreaves, upon roll call, Mrs. Ball, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye", Mr. Gordon and Mr. Healy voted "Nay".

**X. ADJOURNMENT**

There being no further business, Mr. Hudson adjourned the meeting.

  
James H. Hudson, III  
Mayor

ATTEST:

  
Karen M. Barrow  
Town Clerk

**TOWN OF WEST POINT  
A RESOLUTION TO DECLARE OCTOBER AS  
DOMESTIC VIOLENCE AND SEXUAL  
ASSAULT AWARENESS MONTH**

WHEREAS; domestic violence is a pattern of physically, sexually, and/or emotionally abusive behaviors used by one individual to maintain power and control over a partner in the context of an intimate or family relationship, and

WHEREAS; sexual assault is a crime of violence, power, and control that occurs when a person is forced, threatened, coerced, or manipulated into sexual contact or acts against his or her will, and

WHEREAS; both domestic and sexual violence are violations that have harmful effects not only on the victim, but the victim's family and community,

WHEREAS; the official night Town residents will be able to Take Back the Night will be on Thursday, October 16<sup>th</sup> 2008 from 6:30 p.m. till 9 p.m. at the Town Square Stage.

NOW, THEREFORE BE RESOLVED, that the West Point Town Council recognizes the need to make the citizens of the Town of West Point aware of the dangers of domestic and sexual violence and do so by declaring October "Domestic Violence and Sexual Assault Awareness Month."

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 September 29, 2008 at which meeting a quorum was present and voted throughout.



## **TOWN OF WEST POINT HALLOWEEN RESOLUTION**

**RESOLVED**, that all trick-or-treaters on Halloween night, Friday, October 31, 2008 in the Town of West Point may canvass no later than 8:00 p.m. and masks may not be worn by any persons canvassing who is older than 13 years of age.

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 September 29, 2008 at which meeting a quorum was present and voted throughout.

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Karen M. Barrow, Town Clerk