

**WEST POINT TOWN COUNCIL  
WORK SESSION  
MINUTES  
October 27, 2008**

**I. EDA Proposal**

Mr. Hudson advised in the interest of promoting a more open dialogue between the EDA and Town Council. The EDA would like to request that two members from Town Council who would be willing and available to meet with the EDA, possibly in closed sessions, for the purpose of providing constructive and knowledgeable input on specific issues, on a case by case basis, that would be 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 Council support and cooperation.

Mr. Lawson advised the Economic and Community Development Committee are willing to meet with the EDA after the Community Development Committee meeting or after an EDA meeting to discuss possible and future projects when needed.

**2. Cost of Cemetery Graves**

Mrs. Barrow presented Town Council with a cost analysis of cemetery graves outside of West Point. Mrs. Barrow also advised that West Point is below the average cost for cemetery graves and asked Town Council to review the current cemetery cost.

Mr. Funkhouser advised the cost of cemetery graves will be on the November Finance Committee agenda.

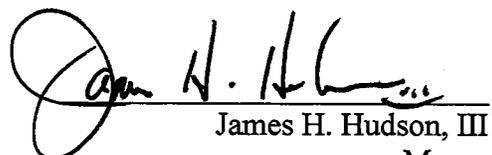
**3. Lease Agreement for the Old Parks & Recreation Building**

Mr. Funkhouser advised Diane Rilee has asked the Town if she can to rent the old Parks and Recreation building for a Gift Shop / Consignment Shop for \$500 a month rent plus utilities. However the Historical Society has been talking for several months about locating the Historical Society in the building permanently.

The consensus of Town Council is to rent the building to potential new business.

**4. Town Square Grading**

Neal Barber advised that Blair Wilson was able to negotiate the cost of the grading at the Town Square with Joe Sanders from \$21,800 to \$19,500.

  
James H. Hudson, III  
Mayor

ATTEST:

  
Karen M. Barrow  
Town Clerk

**TOWN OF WEST POINT  
TOWN COUNCIL  
MINUTES  
October 27, 2008**

**I. CALL TO ORDER**

The West Point Town Council held its regular monthly meeting on Monday, October 27, 2008. The Honorable James H. Hudson III called the meeting to order at 6:30 p.m. Reverend Anne Davenport gave the Invocation followed by the Pledge of Allegiance.

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

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

**II. CITIZENS ADDRESS TO COUNCIL**

**A. Public Hearing – Golf Cart Ordinance 05-08**

Mr. Hudson read the advertisement and asked the Town Clerk if the Town had received any inquiries to review the ordinance or had anyone submitted comments in writing.

Mrs. Barrow advised none.

Mr. Hudson opened the floor for citizens to comment on Ordinance 05-08

There being none the Public Hearing was closed.

**B. Public Hearing – Alley abandonment request by Mike Woodford and Sam English**

Mr. Hudson read the advertisement for a public hearing and asked the Town Clerk if the Town had received any request to review the application or had anyone submitted comments in writing.

Mrs. Barrow advised none.

Mr. Hudson opened the floor for citizens to address Town Council on the alley request by Mike Woodford and Sam English.

1. Mike Woodford, 200 Lee Street, West Point, Virginia advised that he and his neighbors are asking Town Council to abandon the alley to increase the size of one of his lots to place a work shop. Mr. Woodford also stated the request includes the sale of the alley adjoining David Golden's property to Mike and Albertina Woodford.

2. Sam English, Glen Allen, Virginia advised that he has reached an agreement with Mike Woodford not to construct any buildings in the alley that would prevent each other from accessing the back of their properties.

Mr. Hudson asked if there was anyone else that would like to address Town Council on the request to abandon one North/South alley East of Lee Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets. There being none, Mr. Hudson closed the Citizens Address.

Sam English

Mr. Lawson made a motion that Town Council approve the abandonment of a portion of one North/South alley located between 2<sup>nd</sup> and 3<sup>rd</sup> Street East of Lee Street provided that: 1) Dr. English will be responsible for providing all legal documents subject to Town Approval and will record those documents at their expense and, 2) a granting of a perpetual easement for ingress and egress for the benefit of Tax Map Parcel 69A1-11-111 and 69A1-11-114, which is currently owned by Mr. & Mrs. Woodford, and that the perpetual easement be maintained by the owner of lot 69A1-11-108. Seconded by Mr. Healy, upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

Mike Woodford

Mr. Lawson made a motion that Town Council approve the abandonment of a portion of one North/South Alley located between 2<sup>nd</sup> and 3<sup>rd</sup> Street, East of Lee Street, provided that: 1) Mr & Mrs. Woodford will be responsible for providing all legal documents subject to Town Approval and will record those documents at their expense and, 2) grant a perpetual easement for ingress and egress for the benefit of Tax Map Parcel 69A1-11-108, which is currently owned by Dr. English, Tax Map 69A1-11-109 which is currently owned by Mr. & Mrs. David Gouldin, and Tax Map Parcel 69A1-11-112, which is currently owned by Mr. & Mrs. Michael Woodford and that the perpetual easement maintained by the owners of lot 69A1-11-110. Seconded by Mrs. Gulley, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

#### C. Public Hearing – Kirby Street Gateway Improvement Project

Mr. Hudson read the advertisement for the public hearing and asked the Town Clerk if any request had been received to view the application or had any comments been submitted in writing.

Mrs. Barrow advised none.

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

#### D. EDA Update

Mr. Hudson advised that Mr. Cawley, the Chairman for the EDA was not available for an Update, but Neal Barber was available for questions.

#### E. Safe Routes to Schools

Mr. Hudson asked Neal Barber if he would like the public to comment on the Safe Routes to Schools Plan.

Mr. Barber advised yes.

Mr. Hudson asked if any Citizens would like to comment on the Safe Routes to Schools Plan.

There were no comments from the public on the Safe Routes to Schools Plan.

#### F. Citizens Address

Mr. Hudson opened the floor for citizens to comment on any Town Related business.

1. Mark Neal, President of the West Point, Historical Society, 428 9<sup>th</sup> Street, West Point, Virginia advised the Historical Society is looking for a permanent location for the historical society/museum to place the items currently located in the display cases in library. The Historical Society has viewed the old Parks and

Recreation build and is interested in submitting a formal request to Town Council to consider allowing the Historical Society to use the old Parks & Recreation building as a permanent location for the Historical Society.

Mr. Lawson asked Mr. Barber if this would be to store items.

Mr. Barber advised it would be used for storage at first and later the Historical Society members would like to begin organizing the items for display as a museum.

2. Mrs. Lou Johnson, 770 River Road, West Point, Virginia presented the audience with notes regarding the history on a contract the EDA had to purchase her and her husbands property located on Kirby Street. Mrs. Johnson stated the EDA approached her to purchase her property and that during the financing of the purchase the bank asked for support from Town Council by adoption of a resolution. When the resolution was presented to Town Council, it was presented with the impression that the resolution was to pledge full support for the purchase, but the resolution was only asking for the blessing of Town Council. Mrs. Johnson thanked the public for listing.

Mr. Hudson stated that at the September Town Council meeting Town Council advised they would consider a resolution from the EDA if it was presented to one of the Committees and placed on Town Council agenda.

Mr. Hudson asked if anyone else would like to address Town Council on any issue. There being none, the Citizen Address was closed.

### **III. COUNCIL RESPONSE**

None were noted.

### **IV. AGENDA CHANGES**

Mr. Shreaves made a motion to adopt the following agenda changes. 1) Moved the English/Woodford Alley request from the Community Development Committee to the Public hearing for action. 2) Placed the use of the Parks and Recreation building under the Town Manager. 3) Placed a Commendation to the School System under the Education Committee.

### **V. ADOPTION OF CONSENT AGENDA**

Mrs. Gulley made a motion to adopt the following consent agenda. Seconded by Mr. Lawson.

- 1) Minutes of September 29, 2008 Town Council Meeting and Work Session
- 2) Cash Reports
  - a) General Fund  
Cash on hand as of September 30, 2008 - \$5,856,407.39
  - b) Water Fund  
Cash on hand as of September 30, 2008 - \$559,712.40
  - c) CIP  
Cash on hand as of September 30, 2008 - \$6,626,328.70
- 3) Monthly Budget Report
- 4) School Fund Cash Report
  - a) Cash on hand as of, 2008 - \$488,067.66
- 5) West Point Monthly Police Activity Report
- 6) Public Works Monthly Permit Report
- 7) Community Development Monthly Permit Report
- 8) Treasurer Monthly Report
- 9) Building Official Monthly Report

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

## V. COMMITTEE REPORTS

- A. Public Safety – Mrs. Gulley reported for the Committee.  
1. Ordinance 05-08 – Golf Carts

Mrs. Gulley made a motion to adopt Ordinance 05-08.

Mr. Hudson advised there was no second to the motion, therefore the motion failed.

- 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

1. VPSA Revised Resolution for Bond for Roof Repairs at Schools. *[See Attached]*

Mr. Nichols made a motion to adopt the revised resolution for the Bond for the roof repairs at the Schools. Seconded by Mrs. Gulley, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye”.

2. Safe Routes to Schools Travel Plan

Mrs. Nichols made a motion for Town Council to adopt the Safe Routes to School Travel Plan and to authorize the Town Manager to prepare an application for implementation of funding under the Safe Routes to School program administered by the Virginia Department of Transportation. Seconded by Mrs. Gulley, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye”.

3. West Point Students Graduation Rate

Mrs. Nichols advised that on behalf of Town Council, she commends the West Point School System for placing 4<sup>th</sup> in the State for a graduation rate of 94% of students that graduate on time.

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

1. Town Square Lighting

Mr. Gordon made a motion to authorize the Town Manager to purchase six light poles and fixtures for the Town Square not to exceed \$14,720. Seconded by Mr. Shreaves, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye”.

2. Kirby Street Management Plan resolution

Mr. Gordon made a motion to adopt the Kirby Street Gateway Improvement Project including the resolution, and authorizes the Town Manager to file the application for the EDOT Enhancement Grant funding for the Kirby Street Gateway Project. Seconded by Mrs. Ball, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye”.

3. Kirby Street Neighborhood Revitalization Project

Mr. Gordon made a motion that Town Council adopt the Kirby Street Neighborhood Revitalization Project Management Plan and authorize the Town Manager to enter into a contract with the Virginia Department of Housing and Community Development for grant assistance under the Community Development Block Grant program. Seconded by Mr. Shreaves, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted “Aye”.

4. Grading of Town Square

Mr. Gordon made a motion to authorize the Town Manager to sign the contract for the grading of Town Square with J. Sanders Construction for a fixed price of \$19,500. Seconded by Mr. Shreaves.

Mrs. Nichols advised the cost is high, and suggested Town employees are capable of doing the project.

Mr. Gordon stated the Town does not have the appropriate equipment to do the grading and a large amount of soil has to be imported to raise the ground level before grading.

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

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

Mr. Lawson advised he has no report.

## **VII. TOWN MANAGER'S ITEMS**

### **A. Lease Agreement for Old Parks and Recreation Building**

Mr. Funkhouser advised that Diane Rilee would like to lease the old Parks and Recreation Building for a consignment shop to open before the Holiday shopping season.

Mr. Lawson suggested the Downtown Business Center be used for the Historical Society for storage. The Lobby would be a good location to display historical artifacts.

Mr. Funkhouser advised he would review some other locations depending on how much room the Historical Society need.

The consensus of Town Council was for the Town Manager to negotiate with Ms. Rilee on the lease agreement and report the negotiations to the Mayor.

### **B. VDOT Shop on King William Avenue**

Mr. Funkhouser stated that VDOT has advised that they are not going to keep the VDOT property located on King William Avenue and have begun the process to release the property through VDOT's General Services. The Town will be able to acquire the property to relocate Public Works.

### **C. VDOT Projects**

Mr. Funkhouser advised that VDOT has agreed to the following projects using current VDOT funding: 1) Re-grading the ditches on Mattaponi Avenue and at the pump station. 2) They will repair the intersection at Bagby Street that will include new ditches. 3) They will also proceed with developing plans for a valley gutter at 2<sup>nd</sup> Street and Kirby Street.

## **VIII. OLD BUSINESS**

## **IX. NEW BUSINESS**

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

Mr. Hudson advised the following are action items or other events of note from the November 5, 2008 Planning Commission meeting: 1) Ms. McGowan reported on the Comprehensive Plan Survey. 2) The Planning Commission voted to approve a recommendation for a joint request by Michael Woodford and Same English for abandonment of one North/South alley between 2<sup>nd</sup> and 3<sup>rd</sup> Street, East of Lee Street. 3) Authorized advertisement for a public hearing for the Robert Knott Estate for abandonment of one North/South alley West of Kirby Street between 1<sup>st</sup> Street and 2<sup>nd</sup> Street.

B. Closed Session

Mr. Shreaves 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 Director of Economic Development. Seconded by Mr. Lawson, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

Reconvene into Open Meeting

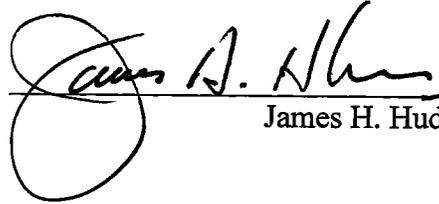
Mr. Healy made a motion for Town Council to reconvene into Open Meeting, seconded by Mrs. Nichols. Upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

Certification

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

X. ADJOURNMENT

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

  
James H. Hudson, III  
Mayor

ATTEST:

  
Karen M. Barrow  
Town Clerk

**RESOLUTION AMENDING CERTAIN PROVISIONS  
OF A RESOLUTION AUTHORIZING THE ISSUANCE OF  
GENERAL OBLIGATION SCHOOL BONDS,  
SERIES 2008A, OF THE TOWN OF WEST POINT, VIRGINIA**

**WHEREAS**, on September 29, 2008, the Town Council of the Town of West Point, Virginia (the "Council"), adopted a resolution (the "Bond Resolution") authorizing the issuance of up to \$475,000 General Obligation School Bonds, Series 2008A (the "Bonds") for sale to the Virginia Public School Authority (the "VPSA") pursuant to the terms thereof;

**WHEREAS**, in accordance with VPSA's request, the Bond Resolution provided that the true interest cost of the Bonds could not exceed five and fifty one-hundredths percent (5.50%) per annum;

**WHEREAS**, due to difficulties in the current financial markets, VPSA has now requested that the localities participating in the VPSA bond sale, including the Town of West Point, Virginia (the "Town"), increase the true interest cost of the Bonds to a not-to-exceed figure of six and fifty one-hundredths percent (6.50%) per annum;

**WHEREAS**, the total debt service payable by the Town with respect to the Bonds will be equivalent to the debt service that the Town would have paid on its approved Literary Fund loan at two percent (2%) per annum, despite any increase in the interest rate on the Bonds, due to an increase in the subsidy amount provided to the Town; and

**WHEREAS**, the Council desires to amend the true interest cost provision of the Bond Resolution to comply with VPSA's most recent request;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST POINT, VIRGINIA:**

**True Interest Cost on the Bonds.** The true interest cost parameter for the Bonds set forth in the fourth numbered paragraph of the Bond Resolution is hereby amended from five and fifty one-hundredths percent (5.50%) per annum to six and fifty one-hundredths percent (6.50%) per annum.

**Ratification.** The Bond Resolution, as amended hereby, is hereby ratified and confirmed and is in full force and effect. This Resolution shall take effect immediately.

Adopted: October 27, 2008.

**CERTIFICATION**

The undersigned Clerk of the Town Council of the Town of West Point, Virginia hereby certifies that the foregoing constitutes a true, correct and complete copy of a Resolution duly adopted by the Town Council of the Town of West Point, Virginia at a meeting duly called and held on the 27<sup>th</sup> day of October, 2008 and during which a quorum was present and acting throughout, by the vote set forth below, and that such Resolution has not been repealed, revoked, rescinded or amended:

<u>Council Member</u>	<u>Present/Absent</u>	<u>Vote</u>
Deborah Ball	Present	Yes
Charlie Gordon	Present	Yes
Tina Gulley	Present	Yes
Wayne Healy	Present	Yes
Jack Lawson	Present	Yes
Gail Nichols	Present	Yes
Bub Shreaves	Present	Yes

WITNESS, my hand and the seal of the Town Council of the Town of West Point,  
Virginia, this 27<sup>th</sup> day of October, 2008.

  
\_\_\_\_\_  
Clerk, Town Council of the Town of West Point,  
Virginia

(SEAL)  
1776424v1  
219414.000005