

**TOWN COUNCIL  
WORK SESSION**

**Minutes**

**June 29, 2009**

**6:00 pm**

**I. Airport**

Mr. Hudson advised he had received a visit from Pete McDuff, Chairman of the King & Queen board of supervisors regarding the current airport manager Tim Gaylord and Benny Jenkins, the King William representative to the Board. King & Queen and Gloucester County felt the airport was not being managed appropriately and asked if West Point would support the removal of Tim Gaylord and Benny Jenkins. Mr. Hudson stated that Benny Jenkins was the King William County representative to the Airport Authority and King William needed to make any decisions regarding Benny Jenkins.

Mr. Funkhouser advised that both King & Queen and Gloucester Counties did not want to pay the annual membership fees and that the Airport Authority would be addressing their concerns by working through some issues over the next few months.

Mr. Gordon advised that Tim Gaylord had done a good job with the airport and that King and Queen had not provided him with support when he needed it, they had prevented Mr. Gaylord from carrying out work.

Mrs. Nichols asked if King & Queen would put their issues in writing so that Town Council would know what to discuss with Tim Gaylord.

Mr. Hudson advised he would arrange for Tim Gaylord to give an update on the airport to Town Council.

**II. School Property**

Mr. Hudson advised the cost to purchase the property adjoining the elementary school would be \$140,000 for both lots with a house on each lot. The houses were not livable and needed to be removed.

Mr. Shreaves suggested offering \$125,000 for both properties.

Mrs. Ball advised the Finance Committee asked for demolition estimates and asked if they had been received.

Mr. Funkhouser advised he would ask the School Superintendent to obtain demolition estimates.

The consensus of Town Council was for the School Board to obtain demolition estimates and to submit a purchase offer of \$125,000 for both properties.

**III. Cityswitch**

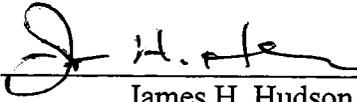
Mr. Hudson advised Cityswitch had made an offer of \$150,000 to keep the tower in its current location and asked Town Council if they want the tower moved.

Mr. Lawson advised he did not want to lose the \$150,000. If the tower was moved seven feet, it would still be an ugly orange tower and the Town would lose the funds.

Mr. Gordon advised that Town Council made a joint decision regarding the tower and Town Council should stay with the joint decision.

Mr. Healy advised the tower should be moved. If Ms. Edwards wanted to build a garage on her property behind her house, the tower would block the entrance to that garage. The tower prevents the use of the North/South alley.

Mr. Hudson advised he would continue to negotiate with Cityswitch.

  
James H. Hudson, III  
Mayor

ATTEST:

  
Karen M. Barrow  
Town Clerk

**TOWN OF WEST POINT  
TOWN COUNCIL  
MINUTES  
June 29, 2009**

**I. CALL TO ORDER**

The West Point Town Council held its regular monthly meeting on Monday, June 29, 2009. The Honorable James H. Hudson III called the meeting to order at 7:30 p.m. The Reverend Anne Davenport 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 Coordinator and other interested persons.

**II. CITIZENS ADDRESS TO COUNCIL**

A. Saved by the Belt Award

Chief Bill Hodges presented the following citizens with the "Saved by the Belt Award" from the Virginia Highway Safety Department for wearing their seat belts during a vehicle accident: Eric Ellingson, Joanna Ellingson and two youths Alanis Ellingson and James Conklin.

B. Public Hearing – Ordinance 04-09/Directional Signs

Mr. Hudson read the public hearing advertisement and asked the Town Clerk if anyone had contacted the Town with the following request: 1) Asked to review the application. 2) Submit any written comments. 3) Asked for assistance to attend the public hearing.

The Town Clerk advised no request were received.

Mr. Hudson asked if any one would like to comment on the Directional Sign Ordinance 04-09. There being none, the public hearing was closed.

C. Citizens Address to Council

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

**III. COUNCIL RESPONSE**

None were noted.

**IV. AGENDA CHANGES**

Mrs. Ball made a motion to place the License Agreement Resolution under New Business as item D and the Closed Session to become item E, seconded by Mr. Shreaves. Upon roll call, Deborah Ball; Charlie Gordon; Wayne Healy; Jack Lawson; Gail Nichols and Bub Shreaves all voted "Aye".

**V. ADOPTION OF CONSENT AGENDA**

Mrs. Ball made a motion to adopt the following consent agenda, 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".

- 1) Minutes of May 18, 2008 Town Council Meeting and Work Session
- 2) Cash Reports
  - a) General Fund  
Cash on hand as of May 31, 2009 - \$3,393,884.63
  - b) Water Fund  
Cash on hand as of May 31, 2008 - \$721,455.46
  - c) CIP  
Cash on hand as of May 31, 2008 - \$1,280,189.16
- 3) Monthly Budget Report
- 4) School Fund Cash Report
  - a. Cash on hand as of May 31, 2008 - \$69,138.43
- 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

## V. COMMITTEE REPORTS

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

WPVFR Resolution of Support for Billing Services [*See Attached Resolution*]

Mrs. Ball made a motion to adopt the attached resolution, 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

1. Planning Commission Reappointments

Mrs. Ball made a motion for Town Council to reappoint Stan Brewer and Daniel Hockenberger to the Planning Commission for a four year term commencing July 1, 2009 through June 30, 2013, seconded by Mr. Healy. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

2. Personal Property Tax Relief Act [*See Attached Resolution*]

Mrs. Ball made a motion to adopt the attached personal property tax relief resolution at 70%, seconded by Mrs. Nichols. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

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

Mrs. Nichols advised there was no report.

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

1. Demolition of Public Works located at 7<sup>th</sup> Street

Mr. Gordon made a motion for Town Council to accept the bid of \$4,500 and award the contract to demolish the existing Public Works Shop at 210 7<sup>th</sup> Street to Walter C. Via Enterprises and further authorize the Town Manager to execute and deliver a contract following contract review and approval as to form by the Town Attorney, seconded by Mr. Shreaves. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

2. Fencing at 3620 King William Avenue

Mr. Gordon made a motion for Town Council to accept the bid of \$32,680 and award the contract to construct the perimeter fencing to pioneer Fence of Lanexa, Virginia,

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

### 3. Concrete Floor at 3620 King William Avenue

Mr. Gordon made a motion for Town Council to accept the bid of \$12,288 and award the contract to construct the concrete floor within the existing five bay garage to C. T. Redd Construction, seconded by Mr. Lawson. 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

Mr. Lawson advised there was no report.

## VII. TOWN MANAGER'S ITEMS

Mr. Funkhouser advised there was no report.

## VIII. OLD BUSINESS

There was nothing available under Old Business.

## IX. NEW BUSINESS

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

Mr. Hudson advised the following were action items of the Planning Commission regularly scheduled monthly meeting on June 3, 2009: 1) Ms. McGowan provided the Planning Commission with a Market Analysis to assist with the Comprehensive Plan. 2) Completed the review of the Comprehensive Plan as required by State Law. 3) The Planning Commission received copies of the bylaws adopted at the May meeting.

### B. Ordinance 04-09/Directional Sign Ordinance [*See Attached Ordinance*]

Mr. Lawson made a motion to adopt the attached ordinance as written, seconded by Mrs. Nichols. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

### C. July Town Council Meeting

Mr. Hudson suggested the July Organizational meeting and Town Council meeting be held on Monday, July 20<sup>th</sup>, 2009.

Mrs. Ball made a motion for the Organizational meeting and the July meeting to be on Monday, July 20<sup>th</sup> 2009 at 6:30 p.m., seconded by Mrs. Nichols. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

### D. License Agreement Resolution for VDOT Property [*See Attached Resolution*]

Mrs. Ball made a motion to adopt the attached resolution authorizing the Town Manager to execute and deliver the license agreement with the Virginia Department of General Services, seconded by Mrs. Nichols. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

Andrea Erard advised she had reviewed and approved the resolution.

### E. Closed Session

Mr. Shreaves mad a motion to go into closed meeting pursuant to Virginia Code §2.2-3711(A)(3), two matters involving the acquisition of property for public purposes – possible expansion of public parking and Town Hall facilities and the disposition of publicly owned property- 417 6<sup>th</sup> Street, because public discussion

of that matter would adversely affect our bargaining position and negotiating strategy. Seconded by Mr. Healy, upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

Reconvene

Mr. Lawson made a motion to reconvene into open meeting, seconded by Mrs. Ball. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Healy, Mr. Lawson, Mrs. Nichols and Mr. Shreaves all voted "Aye".

Certification

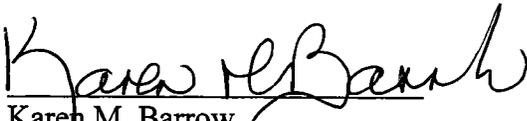
Mr. Healy made a motion to certify that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or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

  
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James H. Hudson, III  
Mayor

ATTEST:

  
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Karen M. Barrow  
Town Clerk



**TOWN OF WEST POINT**  
**RESOLUTION**  
**OF SUPPORT FOR BILLING SERVICES**  
**FOR THE RESCUE SQUAD**

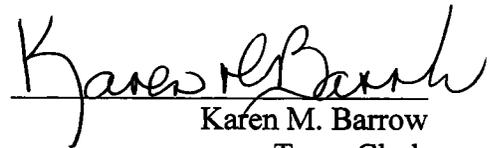
WHEREAS, the West Point Volunteer Fire Department and Rescue Squad (WPVFR) has provided volunteer services to the residents of West Point and surrounding areas since 1904, and

WHEREAS, there is a need to use additional and alternative funding methods to address increases in operating cost, and maintain the current level of services WPVFR provides the Town and surrounding area; and

WHEREAS, billing for rescue squad services is a fair method to pursue the recovery of certain costs associated with billing for services.

NOW, THEREFORE LET IT BE RESOLVED, the Town Council of the Town of West Point fully supports the decision of the West Point Volunteer Fire and Rescue Squad to convert to billing charges for responding to rescue squad calls within their service area.

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 29<sup>th</sup> day of June, 2009 at which meeting a quorum was present and voted throughout.

  
Karen M. Barrow  
Town Clerk



**TOWN OF WEST POINT**

**Resolution Setting the Personal Property Tax  
Relief Percentage for the Personal Property 2009  
Billing in Accordance with the 2004-2005 Changes  
To the Personal Property Tax Relief Act of 1998**

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

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

WHEREAS, these legislative enactments provide for the appropriations to the Town of West Point, commencing in 2009, of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax on such vehicles; and

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

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

WHEREAS, it is necessary to set by Resolution the Personal Property Tax Relief Percentage for the personal property tax billing of 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of West Point, Virginia that the Personal Property Tax Relief Percentage be set at 70% of the first \$20,000 of market value for qualifying vehicles valued at over \$1,000 in accordance with Ordinance 17-05.

Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held June 29, 2009 at which meeting a quorum was present and voted throughout.

  
Karen M. Barrow  
Town Clerk

ORDINANCE NUMBER 04-09

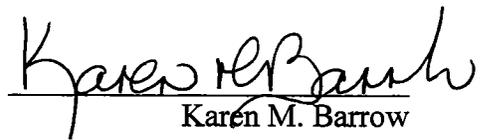
ORDINANCE NUMBER 04-09 AMENDS CHAPTER 70, "ZONING," ARTICLE XXI, "SIGN REGULATIONS," SECTION 70-379, "CERTAIN SIGNS PERMITTED GENERALLY" OF THE WEST POINT TOWN CODE TO PERMIT COMMERCIAL OFF-SITE DIRECTIONAL SIGNS IN THE B-1 ZONING DISTRICT WHEN LOCATED ON A PUBLICLY OWNED STRUCTURE. ORDINANCE NUMBER 04-09 IS CONSIDERED PURSUANT TO THE GRANTS OF AUTHORITY CONTAINED IN VA. CODE SECTIONS 15.2-2280, 15.2-2283 AND 15.2-2285.

BE IT ORDAINED THAT Chapter 70, "Zoning," Article XXI, "Sign Regulations," Section 70-379, "Certain signs permitted generally" of the West Point Town Code be amended to read in its entirety as follows:

Sec.70-379. Certain signs permitted generally.

- (a) Directional signs, as defined in article II of this chapter, shall be permitted in any district and shall be exempt from regulations pertaining to freestanding signs and shall not be included in calculations determining the aggregate area or maximum number of permitted signs, provided that no directional signs exceeding three feet in height shall be located within five feet of any street line, alley, driveway or other property line. No commercial off-site directional sign shall be permitted in any zoning district, except commercial off-site directional signs are permitted in the B-1 District when located on a publicly owned structure.
- (b) Temporary sale, announcement or merchandising sign, as defined in article II of this chapter and not exceeding eight square feet in the area, shall be permitted in any district and shall not be included in calculations determining the aggregate area or feet in area or do not otherwise conform to the definition thereof shall be subject to all sign regulations or restrictions applicable in the district in which they are located."

Ordinance 04-09 shall take effect upon adoption

  
 Karen M. Barrow  
 Town Clerk

Vote:

Mrs. Ball	"Aye"
Mr. Gordon	"Aye"
Mrs. Gulley	Absent
Mr. Healy	"Aye"
Mr. Lawson	"Aye"
Mrs. Nichols	"Aye"
Mr. Shreaves	"Aye"



## ***TOWN OF WEST POINT***

### ***RESOLUTION***

WHEREAS; the Town of West Point entered into a purchase and sales agreement with the Virginia Department of General Services on the 8<sup>th</sup> day of May, 2009, to acquire the VDOT sub-area headquarters located at 3620 King William Avenue, and

WHEREAS; the Town of West Point would like to occupy the property as soon as possible, to relocate the Town Public Works facilities from 210 7<sup>th</sup> Street and this effort requires a license agreement to occupy the property before completing its purchase.

NOW THEREFORE LET IT BE RESOLVED; that the Town Council of the Town of West Point authorizes the Town Manager to execute and deliver the license agreement with the Virginia Department of General Services.

Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held June 29th, 2009 at which meeting a quorum was present and voted throughout.

  
\_\_\_\_\_  
Karen M. Barrow  
Town Clerk