

WEST POINT TOWN COUNCIL

WORK SESSION MINUTES

NOVEMBER 29th, 2010

I. Conflict of Interests Act

Andrea Erard, the Town Attorney presented Town Council with copies of the VML guide for the Conflict of Interest Act and the Virginia Public Records Act. Ms. Erard stated the population for each locality has to be 3,500 before the Annual Statement of Economic Interests Form has to be filed with the State. The population for West Point is under 3,500, therefore West Point elected officials are exempt from filling this form. Ms. Erard also reviewed the definitions for the six types of Personal Interest including Personal Interest contracts and Immediate Family Members.

II. Advisory Opinion from Attorney General

Ms. Erard reviewed an Advisory Opinion from Kenneth T. Cuccinelli, the Attorney General regarding Budgeting and Appropriations for funding to School Boards. Ms. Erard also stated that the Town does not have to appropriate funding at the same time as adopting the budget, that the Town should wait for all State budgeting to be adopted before appropriations are adopted and that once an appropriation is adopted the Town is legally obligated for those funds. Ms. Erard suggested that due to the current national economic situation, the Town should consider appropriating school funds once per quarter.

TOWN COUNCIL MINUTES

November 29, 2010

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, November 29th, 2010. The Honorable James H. Hudson III called the meeting to order at 6:30 p.m. Reverend Randy Mathis gave the Invocation followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Vice Mayor, Deborah Ball; Charlie Gordon Tina Gulley; Paul Kelley; Jack Lawson; Bub Shreaves and Chris Vincent.

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

II. CITIZENS ADDRESS TO COUNCIL

A. Citizens Address to Council

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

1. Lynda Weaver, 1023 Lee Street, representing the Community Cat Caretaker Alliance presented Town Council with a flyer for the Cat Caretaker Alliance and asked if the flyer can be sent to the public with the water bills.

Ms .Weaver also stated that the organization has accomplished the following: 1) Adopted a mission statement. 2) Established committee's with job descriptions. 3) Established a list of feral cat colonies. 4) Established a dialogue with the colony caretakers. 5) Continued educating the community regarding the project. 6) Conducted a fundraising benefit raising almost \$4,000. 7) Neutered a total of seventeen cats. 8) All neutered cats have received rabies shots. 9) The SNIP van has been scheduled in January and can neuter thirty-four cats in one day.

Chris Vincent advised that Town Council granted a ninety day period for the Cat Caretakers Alliance to implement the program. Mr. Vincent asked how much of the program has been completed.

Lynda Weaver advised the organization is one-third towards the ninety days. The program expects to neuter approximately ninety cats during the program.

2. Robin Britton, 422 10th Street, West Point, Virginia advised she is a member of the Skydiving Adventures located at the Airport. Ms. Britton asked for the Town to support Skydiving Adventures and asked for help with the Airport Authority regarding the lease of the hanger.

3. Crystie Myers, Instructor for the Skydiving Adventures advised the Skydiving organization has received an eviction notice effective December 31, 2010. The Skydiving organization does provide a service in the community by purchasing gas, food and they organize community events with fundraisers through the Flyer Over in June of each year.

Mr. Hudson advised there are four Counties with representatives that sit on the Airport Authority; King William, King and Queen, Gloucester and West Point. Mr. Hudson suggested the Skydivers contact each County representative for assistance with the lease of the hanger.

Mr. Gulley suggested the members of Skydivers Adventures contact the Airport Authority representatives in person if possible.

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

III. COUNCIL RESPONSE

Mr. Shreaves advised the Cat Caretakers Alliance flyer has an address for donations to be sent to Aylett. Mr. Shreaves suggested the flyer have a West Point mailing address.

Lynda Weaver advised the mailing address to use is P.O. Box 1456, West Point, Virginia.

The consensus of Town Council is for the flyer to be mailed out with the water bills.

IV. AGENDA CHANGES

Mrs. Gulley removed 7th Street Parking from the Public Safety agenda and replace it with "Nuisance Dogs on Ogden Street".

Mrs. Gulley made a motion to adopt the agenda with amendments, second by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

V. ADOPTION OF CONSENT AGENDA

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

- 1) Minutes of October 25, 2010 Town Council Meeting and Work Session
November 9, 2010 Joint Work Session with Planning Commission
- 2) Cash Reports
 - a) General Fund
Cash on hand as of October 31, 2010 - \$5,049,688.77
 - b) Water Fund
Cash on hand as of October 31, 2010 - \$563,988.91
 - c) CIP
Cash on hand as of October 31, 2010 - \$484,308.21
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of October 31, 2010 - \$411,367.90
- 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) Economic Development Monthly Report

V. COMMITTEE REPORTS

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

1. Nuisance Action

Mrs. Gulley made a motion to authorize the Town Attorney to file a Nuisance Action with the King William Circuit Court to assist the Citizens on Ogden Street in respect to the pit bull dogs that continue to besiege and attack the residents, seconded by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

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

Mrs. Ball advised the County reassessments will be mailed out in December and that if a resident has a concern with the assessment, the resident needs to file a notice with the assessor first then contact the Board of Equalization in order to follow the correct process for a hearing.

C. Education Committee – Mr. Shreaves reported for the Committee

Mr. Shreaves advised there was nothing to report.

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

1. Repairs to Well Number 2

Mr. Gordon made a motion to authorize the Water Utility to pay Pump Engineering Sales and Service Company \$13,291.11 to perform repairs to well number 2 as outlined in that company's proposal dated November 13th, 2010, seconded by Mr. Vincent. Upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

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

Mr. Lawson advised there was nothing to report.

VII. TOWN MANAGER'S ITEMS

A. Riverwalk Additional Grant Funding – Authorization to Advertise for a Public Hearing

Mr. Funkhouser advised that the Economic Development Coordinator has been working with VHB regarding the availability for additional grant funding for Riverwalk. Town staff would like authorization to advertise for a public hearing to submit the application for additional funding.

Mr. Gordon made a motion to authorize Town Staff to submit an application for a 2010 VDOT enhancement Grant funds and to schedule a public hearing for December 20th, 2010 during the December meeting of Council to consider public comments on such application. Seconded by Mr. Shreaves, upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

VIII. OLD BUSINESS

A. Architectural Guidelines for B-2 Zoning District

Mr. Shreaves made a motion to refer the Planning Commission to complete a study on Architectural Guidelines for the Downtown Business District and to report back with a recommendation. Seconded by Mr. Kelley, upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

C. Comprehensive Plan Bike and Pedestrian Map

Mr. Gordon made a motion to authorize the Town Manager to advertise the Comprehensive Plan amendment with the Bike and Pedestrian Trail Map at the December 2010 Town Council meeting. Seconded by Mr. Shreaves, upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

D. Bike and Pedestrian Trail Zoning Text Amendment – Ordinance 07-10

Mrs. Ball made a motion to authorize the Town Manager to advertise Ordinance 07-10 for a public hearing at the December 20, 2010 Town Council Meeting. Seconded by Mr. Gordon, upon roll call, Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

IX. NEW BUSINESS

A. Planning Commission Report

Mr. Hudson advised the Planning Commission meet on October 6, 2010 to discuss the following: 1) Conducted a public hearing on the amendment to the Comprehensive Plan Bike and Pedestrian Trail

Map. 2) Conducted a public hearing on the Bike and Pedestrian Trail Zoning Text Amendment. 3) Tabled review of Ordinance 06-10 for the December meeting. 4) Adopted a policy for Alleys/Streets for Planning Commission purposes.

B. Closed Session

Mr. Lawson 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 and/or interviewing a potential candidate for interim Town Manager, seconded by Mrs. Ball. Upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

Reconvene

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

Certification

Mrs. Gulley made a motion that Town Council certify in closed session just concluded, nothing was discussed except the matter or matters specifically identified in the motion to convene in closed session and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion. Seconded by Mr. Lawson, upon roll call Mrs. Ball, Mr. Gordon, Mrs. Gulley, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

X. ADJOURNMENT

There being no further business Mr. Hudson adjourned the meeting at 7:10 p.m.

James H. Hudson, III
Mayor

ATTEST:

Karen M. Barrow
Town Clerk