

**TOWN OF WEST POINT  
TOWN COUNCIL  
MINUTES  
APRIL 30th, 2012**

**I. CALL TO ORDER**

The West Point Town Council held its regular monthly meeting on Monday, April 30th 2012. The Honorable James H. Hudson III called the meeting to order at 6:30 p.m. The Invocation was given by followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Vice Mayor, Deborah Ball; Charlie Gordon; 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 Bill Hodges, WPPD; TC Moore, Town Treasurer; Walt Feurer, Director of Public Works; Holly McGowan, Community 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. Jamie Gallihugh, 3840 King William Avenue, West Point, Virginia read the attached statement and asked Town Council to reconsider the consolidation of the Dispatch Office with King William County and to keep the dispatch office at the current location.

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**

None was noted.

**IV. AGENDA CHANGES**

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

**V. ADOPTION OF CONSENT AGENDA**

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

- 1) Minutes of March 26th, 2012 Town Council Meeting and Work Session and the Budget Public Hearing of April 23, 2012.
- 2) Cash Reports
  - a) General Fund  
Cash on hand as of March 31, 2012 - \$3,455,444.60
  - b) Water Fund  
Cash on hand as of March 31, 2012 - \$832,952.17
  - c) CIP  
Cash on hand as of March 31, 2012 - \$198,133.93
  - d) Solid Waste Fund

Cash on hand as of March 31, 2012 – \$9,891.28

- 3) Monthly Budget Report
- 4) School Fund Cash Report
  - a) Cash on hand as of March 31, 2012 - \$125,618.07
- 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. Economic and Community Development – Mr. Lawson reported for the Committee

#### 1. Authorization to Advertise a Public Hearing for 0212-SUB-01/Henderson Residential LL.C. 4 lot subdivision

Mr. Lawson made a motion to adopt the attached resolution authorizing the Town Manager to advertise a Public Hearing for 0212-SUB-01, Henderson Residential LL.C. 4 lot subdivision. Seconded by Mr. Gordon, upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

#### 2. Authorization to Advertise a Public Hearing for 0312-SUB-02/Snow-Wolford minor subdivision

Mr. Lawson made a motion to adopt the attached resolution authorizing the Town Manager to advertise a Public Hearing for 0312-SUB-02/Snow-Wolford 2 lot final subdivision. Seconded by Mr. Vincent, upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

#### 3 Agreement between the Virginia Department of Emergency Management

Mr. Lawson made a motion to adopt the resolution attached authorizing the Town Manager to execute and deliver the agreement with the Virginia Department of Emergency Management to elevate the residence at 123 Kirby Street. Seconded by Mr. Gordon, upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

### B. Education Committee – Mr. Shreaves reported for the Committee

Mr. Shreaves advised there was nothing to report.

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

#### 1. A Resolution for a Reduction in Force and Reduction in Staff

Mrs. Ball read the resolution and made a motion to adopt the attached resolution, seconded by Mr. Shreaves. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

#### 2. Ordinance 03-12 – Agreement with King William County to Merge Dispatch

Mrs. Ball made a motion to authorize advertisement of Ordinance 03-12 to approve the merging of town dispatch service with county dispatch service pursuant to Virginia Code Section 15.2-1300, seconded by Mr. Shreaves. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

#### 3. Ordinance 02-12 – Budget FY 2012/13 [*See Attached Ordinance*]

Mrs. Ball made a motion to adopt Ordinance 02-12 the Budget for FY 2012/13, seconded by Mrs. Shreaves. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

#### 4. Fund Balance Policy Resolution [*See Attached Resolution*]

Mrs. Ball made a motion to adopt the Fund Balance Policy Resolution, increasing the minimum fund balance from one million to two million dollars, seconded Mr. Shreaves. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

#### D. Public Safety

Mr. Edwards advised that the May Public Safety Committee meeting will be changed from Thursday, May 17<sup>th</sup> 2012 to Thursday, May 10<sup>th</sup> 2012 at 6:00 PM.

Mrs. Ball made a motion changing the May Public Safety Meeting from Thursday, May 17<sup>th</sup> 2012 to Thursday, May 10<sup>th</sup> 2012 at 6:00 PM in conjunction with the Finance Committee meeting. Seconded by Mr. Gordon, upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

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

Mr. Gordon made a motion to authorize the Town Manager to have three dead trees removed on 13<sup>th</sup> Street at a cost not to exceed \$4,000, seconded by Mr. Lawson. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

### VII. TOWN MANAGER'S ITEMS

#### 1. Contract/Agreements for Equipment and Services Necessary to Implement the Consolidation of Dispatch.

Mr. Vincent made a motion to authorize the Town Manager to enter into an agreement or the purchase of equipment or services necessary to implement the consolidation of emergency communications services with King William County, seconded by Mr. Shreaves. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

#### 2. Refinancing/Restructuring of Debt

Mr. Hudson advised that Davenport and Company presented the following RFP's with interest rates through the maturity loan date to Town Council: 1) BB& T Bank, 3.04%; 2) C&F Bank, 3.83%; 3) Carter Bank, 2.90%; 4) Sun Trust Bank, 2.57%; 5) Town Bank, 10 year rate 2.55%.

Mr. Shreaves made a motion to authorize the Town Manager to proceed with preparation of documents for the restricting/refinancing of a portion of the Town's debt with Sun Trust Bank, seconded by Mrs. Ball. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

#### 3. Postage Meter Rental Agreement

Mrs. Ball made a motion to authorize the Town Manager to execute and deliver a new contract with Pitney Bowes for 36 months at a cost of \$190.00 per month, seconded by Mr. Gordon. Upon roll call Mrs. Ball, Mr. Gordon, Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

### VIII. OLD BUSINESS

There was nothing to report under old business.

### IX. NEW BUSINESS

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

Mr. Hudson advised the Planning Commission met on April 4th 2012 and reviewed the following items. 1) Conducted a public hearing on Pete Henderson's Fairway Subdivision. Planning Commission recommends Town Council approval of the

application. 2) Conducted a public hearing on the Snow/Wolford 2 lot subdivision. Planning Commission is recommending Town Council approve the application.

**X CONTINUATION OF MEETING**

Mr. Hudson continued the meeting until Thursday, May 10<sup>th</sup> 2012 at 7 PM at the Downtown Business Center.

---

James H. Hudson, III  
Mayor

ATTEST:

---

Karen M. Barrow  
Town Clerk



***A RESOLUTION TO  
AUTHORIZE ADVERTISEMENT  
HENDERSON RESIDENTIAL, LLC  
Final Subdivision***

WHEREAS; the Director of Community Development has received an application from Henderson Residential, LLC, for preliminary subdivision and plan of development approval; and

WHEREAS; the applicant, agent, a member of the Planning Commission, and a member of Town Council, and the Director of Community Development have participated in a preliminary subdivision conference as required in Chapter 54, Subdivision, Section 54-29, and

WHEREAS; according to Chapter 54, Subdivisions, Section, 54-34, the planning commission shall conduct a public hearing before make any decisions on the preliminary plat of any proposed subdivision. The planning commission shall cause notice of such hearing to be advertised once a week for two successive weeks in a newspaper having general circulation in the town; and

WHEREAS; the Planning Commission held a public hearing on April 4, 2012, and recommended approval of Henderson Residential, LLC to Town Council; and

NOW, THEREFORE BE IT RESOLVED; the Town Council of the Town of West Point authorizes the Town Manager to advertise for a public hearing to be held on May 21, 2012 on Henderson Residential, LLC, 4 lot final subdivision.

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 April 30, 2012, at which meeting a quorum was present and voted throughout.

Those members voting:

James H. Hudson, III	N/A
Deborah Ball	Aye
Tina Gulley	Absent
Charles Gordon	Aye
Paul Kelley	Aye
Joshua Lawson	Aye
Otto Shreaves	Aye
Christopher Vincent	Aye

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

Adopted this 30<sup>th</sup> day of April 2012

COPY TESTE:

\_\_\_\_\_  
Karen M Barrow, Town Clerk



***A RESOLUTION TO  
AUTHORIZE ADVERTISEMENT  
SNOW/WOLFORD  
Final Subdivision***

WHEREAS; the Director of Community Development has received an application from Snow/Wolford, for preliminary subdivision and plan of development approval; and

WHEREAS; the applicant, agent, a member of the Planning Commission, and a member of Town Council, and the Director of Community Development have participated in a preliminary subdivision conference as required in Chapter 54, Subdivision, Section 54-29, and

WHEREAS; according to Chapter 54, Subdivisions, Section, 54-34, the planning commission shall conduct a public hearing before make any decisions on the preliminary plat of any proposed subdivision. The planning commission shall cause notice of such hearing to be advertised once a week for two successive weeks in a newspaper having general circulation in the town; and

WHEREAS; the Planning Commission held a public hearing on April 4, 2012, and recommended approval of Snow/Wolford to Town Council; and

NOW, THEREFORE BE IT RESOLVED; the Town Council of the Town of West Point authorizes the Town Manager to advertise for a public hearing to be held on May 21, 2012 on Snow/Wolford, 2 lot final subdivision.

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 April 30, 2012, at which meeting a quorum was present and voted throughout.

Those members voting:

James H. Hudson, III	N/A
Deborah Ball	Aye
Tina Gulley	Absent
Charles Gordon	Aye
Paul Kelley	Aye
Joshua Lawson	Aye
Otto Shreaves	Aye
Christopher Vincent	Aye

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

Adopted this 30<sup>th</sup> day of April 2012

COPY TESTE:

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



***A RESOLUTION TO  
APPROVE HAZARD MITIGATION GRANT PROGRAM  
GRANT AGREEMENT  
HMGP-1905-483-001***

WHEREAS; the Town of West Point has received approval from the Virginia Department of Emergency Management (VDEM), through the Hazard Mitigation Grant Program (HMGP) funding to elevate (1) one residential structure, 123 Kirby Street; and

WHEREAS; required by the Virginia Department of Emergency Management, a Hazard Mitigation Grant Program Grant Agreement, HMGP-1905-483-001, shall be agreed upon and signed by the Town; and

WHEREAS; the agreement is a sub-grant award of federal funds from the Virginia Department of Emergency Management to the Town of West Point; and

NOW, THEREFORE BE IT RESOLVED; the Town Council of West Point, authorizes the Town Manager to sign and execute the Virginia Department of Emergency Management Hazard Mitigation Grant Program Agreement, HMGP-1905-483-001, dated March 23, 2012.

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 April 30, 2012, at which meeting a quorum was present and voted throughout.

Those members voting:

James H. Hudson, III	N/A
Deborah Ball	Aye
Tina Gulley	Absent
Charles Gordon	Aye
Paul Kelley	Aye
Joshua Lawson	Aye
Otto Shreaves	Aye
Christopher Vincent	Aye

\_\_\_\_\_  
James H. Hudson III, Mayor

Adopted this 30<sup>th</sup> day of April, 2012

ATTEST:

\_\_\_\_\_  
Karen M Barrow, Town Clerk



***TOWN OF WEST POINT  
RESOLUTION***

WHEREAS the Town of West Point continues to suffer the impact of the nationwide economic struggles; and

WHEREAS in the past several years the Town has avoided making reductions by utilizing a combination of reserve and surplus funds; and

WHEREAS the West Point Town Council has sought the advice of expert financial advisors; and

WHEREAS the financial advisors have recommended to the West Point Town Council to eliminate the use of fund balance monies; and

WHEREAS the West Point Town Council seeks to propose an FY2013 budget that is balanced and fiscally responsible, and that will maintain the fiscal integrity of the Town without the use of reserve funds; and

WHEREAS the West Point Town Council and the Town Manager conducted a study which revealed that if dispatch services were shared between the Town of West Point and King William County, the citizens of the Town would save a substantial amount of money, while maintaining the same level of service; and

WHEREAS the West Point Town Council, the Town Manager and staff also conducted reviews and engaged in many discussions to assess where additional cost savings could be realized; and

WHEREAS in order to propose a balanced and fiscally responsible budget for FY2012, it is necessary to eliminate certain positions in the Town of West Point and implement a reduction in force.

NOW THEREFORE BE IT RESOLVED by the West Point Town Council that, effective July 1, 2012, a part-time administrative assistant position in the Town Manager's Office, the Economic Development Coordinator, and the Police Captain are all eliminated pursuant to the reduction in force; and

BE IT FUTHER RESOLVED by the West Point Town Council that, upon consolidation of town dispatch services with county dispatch services, all positions in the dispatch department are eliminated pursuant to the reduction in force.

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 April 30, 2012, at which meeting a quorum was present and voted throughout.

Those members voting:

James H. Hudson, III	N/A
Deborah Ball	Aye
Tina Gulley	Absent
Charles Gordon	Aye
Paul Kelley	Aye
Joshua Lawson	Aye
Otto Shreaves	Aye
Christopher Vincent	Aye

---

James H. Hudson III, Mayor

Adopted this 30<sup>th</sup> day of April, 2012

ATTEST:

---

Karen M Barrow, Town Clerk

**TOWN OF WEST POINT  
RESOLUTION**

**Fund Balance Policy**

The purpose of this resolution is to establish a minimum level of fund balance for the general operating funds of the Town of West Point.

WHEREAS, the term “fund Balance” represents the excess of assets over liabilities and funds set aside as reserves and the “fund balance” reflects cumulative financial operating results of the receipts and expenditures made from the general funds of the Town of West Point; and

WHEREAS, the level of the undesignated fund balance, that is, the portion of fund balance in the general fund which is neither encumbered nor reserved and is therefore available for appropriation, is the one most significant indication of the status of the Town’s financial health; and

WHEREAS, the Town of West Point adopts budgets on a fiscal year basis with fiscal years beginning on July 1 of one year and terminating on June 30 of the succeeding year; and

WHEREAS, a general fund budget is prepared, introduced, and must be acted on and adopted by Council before July 1, the beginning of the next fiscal year; and

WHEREAS, actual undesignated fund balances cannot be determined until the fiscal year audit has been completed; and

WHEREAS, because of the uncertainties that exist in estimating, during the budget preparation, fund balances that will not be calculated until the end of June and then cannot be ascertained with certainty until after the completion of the fiscal year audit; and

WHEREAS, it is the consensus of Council that the establishment of a definite policy creating goals for attaining and maintaining undesignated fund balances by the Town of will serve as a very strong indication that the Town of West Point proposes and intends to balance its political and goals with a strong financial operating policy and will demonstrate recognition by the Town of West Point of its obligation to its taxpayers to conduct the financial operations of the Town using conservative and fiscally prudent operating policies; and

WHEREAS, it is further the consensus of the Council that the Town of West Point should establish and undesignated fund balance that can be maintained over a period of years and which will be keyed to the Town of West Point’s ability to project and control revenues, to provide an adequate level of funding for unforeseeable and unknown contingencies, to recognize the need to maintain a high level of creditworthiness and to demonstrate its adherence to conservative, prudent and obtainable financial policies; and

WHEREAS, the Town must, with due diligence, provide and maintain a cash balance sufficient to meet the ongoing operating cash needs of the Town and the Council wishes to avoid the need to borrow funds in anticipation of the collection of revenue to achieve this purpose;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST POINT, that in order to express the Town’s determination to maintain long-term financial strength and provide fiscally sound financial operations, the following policy goals are established;

1. The Town will attain and maintain an undesignated fund balance of ten percent of the expenditures budgeted in the general fund, *excluding capital project*, or \$2,000,000, whichever is greater.
2. The Town Manager will prepare and administer general fund budgets That will provide that general fund budget operating surpluses be no less

than those recommended by the Town Manager in the submission of the general fund budget.

3. The Council, in the adoption of a general fund budget, will provide that general fund budget operating surpluses be no less than those recommended by the Town Manager in the submission of the general fund budget.
4. *The Town Council may, from time to time, appropriate fund balances that will reduce available fund balances below the policy level for the purposes of a declared fiscal emergency or other such global purpose as to protect the long-term fiscal security of the Town. In such circumstances, the Council will adopt a plan to restore the available fund balances to the policy level within 24 months from the date of the appropriation.*
5. The Town of West Point shall not in any instance appropriate from the undesignated und balance until at least the fiscal year subsequent to the fiscal year such undesignated fund balance is accumulated, and then only if faced with an unusual, unanticipated, and otherwise seemingly insurmountable hardship.
6. Notwithstanding any other provisions of this policy, the policy shall not be construed to restrict the Town's appropriation of undesignated fund balances in excess of the stated policy level to avoid the accumulation of excessive fund balances.

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 April 30, 2012 at which meeting a quorum was present and voted throughout.

VOTE:

James H. Hudson, III	N/A
Deborah Ball	Aye
Tina Gulley	Absent
Charles Gordon	Aye
Paul Kelley	Aye
Joshua Lawson	Aye
Otto Shreaves	Aye
Christopher Vincent	Aye

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

Adopted this 30th day of April 2012

COPY TESTE:

\_\_\_\_\_  
Karen M Barrow, Town Clerk