

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
October 28th, 2014**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Tuesday, October 28th 2014. The Honorable James H. Hudson III called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Anne Davenport followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Vice Mayor, Deborah Ball; Wayne Healy; 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; Interim Chief of Police Bobby Mawyer, WPPD; Holly McGowan, Community Development Coordinator; Walt Feurer, Director of Public Works; Tim Sawyer, Building Inspector; Donna Pauley, Human Resource Officer and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Public Hearing – Budget Amendment

Mayor Hudson read the advertisement for the public hearing and asked the Town Clerk if the Town had received any requests for a copy of the budget or for assistance to attend the meeting.

The Town Clerk advised that no requests were received.

Mr. Edwards reviewed the attached resolution and stated that the appropriation is not for any new funds, it is for unexpended funds from FY 2014-14, insurance funds and to accept grant funds.

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

Mrs. Ball advised the Finance Committee reviewed the resolution and are recommending Town Council approval.

1. Action

Mrs. Ball made a motion to adopt the attached resolution, seconded by Mr. Shreaves. Upon roll call Deborah Ball; Wayne Healy; Paul Kelley; Jack Lawson; Bub Shreaves and Chris Vincent all voted “Aye”.

B. Citizens Address to Council

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

1. Lou Johnson, 770 River Road, West Point, Virginia stated that she recently received a water bill for the apartments she owns on 1st Street for \$700. Ms. Johnson reviewed her past bills and stated that the amount has gone up. Ms. Johnson also stated that the increase in taxes, the cost of the trash cans and the increase in water & sewer has been so much recently. Ms. Johnson asked if Town Council would consider some kind of relief for these bills and suggested Town Council consider reducing the cost of the trash cans.

2. Mickey Joyner, Lucy's BBQ, 620 Main Street, Wes Point, Virginia, stated that he and his wife opened Lucy's BBQ on Main Street and that they are happy to be members of the community. Mr. Joyner also stated that he sees a lot of potential for Downtown West Point and that he hopes over a period of time we can all work together on idea's to bring more businesses to Main Street.

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 amend the agenda by placing VDOT Revenue Share on the agenda under the Town Manager Items, seconded by Mrs. Ball. Upon roll call Deborah Ball; Wayne Healy; Paul Kelley; Jack Lawson; Bub Shreaves and Chris Vincent all voted "Aye".

V. ADOPTION OF CONSENT AGENDA

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

- 1) Minutes of September 30th 2014 Town Council Meeting.
- 2) Cash Reports
 - a) General Fund
Cash on hand as of September 30th, 2014 - \$7,046,745.31
 - b) Water Fund
Cash on hand as of September 30th, 2014 - \$339,954.27
 - c) CIP
Cash on hand as of September 30th, 2014 - \$289,239.79
 - d) Solid Waste
Cash on hand as of September 30th, 2014 - \$97,925.70
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of September 30th, 2014 - \$198,573.84
- 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) Human Resource Monthly Report

V. COMMITTEE REPORTS

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

Mr. Lawson advised there was nothing to report.

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

Mrs. Ball advised there was nothing to report.

D. Public Safety

There was nothing to report.

E. Public Works – Mr. Vincent reported for the Committee

1. Ordinance 05-2014/Amendments to the Cemetery Ordinance

Mr. Vincent advised that the current Cemetery Ordinance does not address Cremations. The Public Works Committee reviewed a draft ordinance with recommendations from the Town Manager, Town Attorney and Town Staff. A public hearing needs to be held prior to adoption of the amendments.

Mr. Vincent made a motion to authorize the Town Manager to advertise a public hearing for Ordinance 05-2014 at the December 16th 2014 Town Council meeting. Seconded by Mr. Kelley, upon roll call Mrs. Ball, Mr. Healy; Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

VII. TOWN MANAGER’S ITEMS

A. Health Insurance Adoption Agreement and Employee Benefit Contribution Change

Mr. Edwards advised that Town Staff have been working diligently on the Health Care program for Town employee’s. The new program will cost less than the current program. I am proposing that the town cover 50% of the dependent contribution.

Mr. Lawson made a motion that Town Council, approve the attached adoption agreement to join “The Local Choice” Health Benefits Program and elect to continue to pay the employee premium for the lower cost health insurance plan, as well as provide a contribution of 50% towards the dependent cost. Adoption of this agreement shall take effective December 1, 2014. Seconded by Mr. Vincent, upon roll call Mrs. Ball, Mr. Healy; Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

B. VDOT Revenue Sharing Resolution

Mr. Edwards advised that VDOT are willing to work with the Town on the request for Revenue Sharing, however, King William County would need to submit the application to VDOT. VDOT has prepared a resolution for adoption by the King William Board of supervisors.

Mr. Vincent made a motion to request that the King William Board of Supervisors adopt the attached resolution to enable the Town to access the VDOT Revenue Sharing fund and that the Town of West Point agrees to administer the project and to provide a 50% match for the project. Seconded by Mrs. Ball, upon roll call Mrs. Ball, Mr. Healy; Mr. Kelley, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

VIII. OLD BUSINESS

There was nothing to report.

IX. NEW BUSINESS

A. Planning Commission Report - Mr. Hudson

Mr. Hudson advised that the Planning Commission did not meet in October and the November meeting has been cancelled.

B Public Information Meeting on Sidewalks

Mr. Edwards advised that on Wednesday, November 5th 2014 at 6:30 P.M. Town Staff will conduct a Public Information meeting on the Sidewalk projects. Staff will be available to answer any questions to the public on the proposed extension of the Sidewalks on Chelsea Road and Magnolia Avenue.

X. ADJOURNMENT

There being no further business Mayor Hudson adjourned the meeting at 7:00 P.M.

James H. Hudson, III
Mayor

ATTEST:

Karen M. Barrow
Town Clerk



TOWN OF WEST POINT

DRAFT BUDGET AMENDMENT RESOLUTION

WHEREAS on April 29, 2014, by Resolution, the Town of West Point approved a FY 2014-2015 budget in a total amount of \$ 14,168,369; and

WHEREAS \$369,611 was not expended in FY 2013-2014 by the West Point Public Schools; and

WHEREAS \$301,315 of these unexpended funds were re-appropriated for use by the West Point Public Schools in the FY 2014-2015 budget; and

WHEREAS the West Point Public Schools seeks to use an additional \$46,435 of last year's unexpended funds for expenses related to the canopy and window replacement project; and

WHEREAS the West Point School Board also seeks to remit to the Town \$ 21,861; and

WHEREAS the West Point Public Schools has received an additional grant of \$80,000 from the Elis Olsson Memorial Foundation for the canopy and front entrance enhancement project; and

WHEREAS the West Point Public Schools has received \$24,614 in insurance funds to pay for repair of damages to auditorium air condition compressors; and

WHEREAS the West Point Public Schools has received \$97,000 in grant funds from the Public School Security Grant Act; and

WHEREAS the Town wishes to use \$32,333 in unexpended grant funds from the Virginia Attorney General's Office; and

WHEREAS the Town wishes to use \$58,259 in unexpended Safe Routes to School grant funds

NOW THEREFORE BE IT RESOLVED by the West Point Town Council, at its regular monthly meeting, on the 28th day of October 2014, that a total of \$360,502 be added to the West Point FY 2014-2015 budget, so that the amended total of the Town of West Point's FY 2014-2015 budget shall be \$14,528,871; and

BE IT FURTHER RESOLVED THAT the West Point Public Schools FY 2013-2014 budget be amended by adding \$248,049; and

BE IT FINALLY RESOLVED THAT \$360,502 shall be appropriated for expenditure by the Town of West Point, and that \$248,049 of the \$360,502 which is appropriated to the Town of West Point, also be appropriated to the West Point School Board.

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 30th, 2014 at which meeting a quorum was present and voted throughout.

Those members voting:

James H. Hudson	N/A
Deborah Ball	Aye
Tina Gulley	Absent
Wayne Healy	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 September, 2014

ATTEST:

Karen M. Barrow
Town Clerk

Adoption Agreement

WHEREAS, the **Department of Human Resource Management of the Commonwealth of Virginia** (hereinafter referred to as the “Department”), has established the **Health Benefits Program** (hereinafter referred to as the “Program”) effective July 1, 1990, and

WHEREAS, the Governor has approved such **Program**; and

WHEREAS, pursuant to 2.2-1204 of the Code of Virginia, local employers may, by making proper application and complying with the regulations governing the **Program**, participate in the **Program**; and

WHEREAS, **The Town of West Point** (hereinafter called the “Employer”) is eligible to participate in the **Program** and become a party to any agreements established to carry out the funding of the **Program**, and wishes to adopt said **Program** for the benefit of its eligible employees, and to become a party to said agreements;

NOW, THEREFORE, by this instrument of writing, **effective as of October 28, 2014**, the **Employer**, acting herein by and through its duly authorized representatives, hereby adopts the **Program** for all of its eligible employees and subscribes to the provisions of the regulations and all agreements related thereto by and between the **Department** and any third party, effective December 1, 2014, in all accordance with the following:

- (1) The **Employer** agrees to comply with the regulations governing the **Program** and the duties of Employers set forth therein. These duties include but are not limited to the following:
 - Complete an employer application and execute an adoption agreement;
 - Remit employer and employee contributions to the **Department** or its designee as set forth in regulations;
 - Provide employees with enrollment forms, process and certify the same;
 - Serve as a channel of communication between the **Department** and employees;
 - Otherwise assist in administration of the **Program** as requested by the **Department**.
- (2) The **Employer** agrees to be bound by all the terms, provisions, conditions, and limitations of the **Program** and any agreements which are pertinent to any entity defined as an “Employer” therein, with respect to its employees eligible for participation in the **Program**.
- (3) The **Employer** agrees that the **Department of Human Resources Management** shall act as **Plan Administrator** for the **Employer** and its employee-participants under the **Program** in the same manner in which the **Department** acts for state employee-participants.
- (4) The **Employer** agrees to provide 90 days notice to the **Department** in the event it wishes to cease participation in the **Program**. The **Employer** shall be obligated to pay any and all contributions otherwise required through the date of termination and interest related thereto as well as any adverse experience adjustment which may apply with respect to the year the termination occurred.
- (5) The **Employer** understands and agrees that non-payment of contributions shall be considered a breach of the adoption agreement and the employer may be obligated to pay damages. In the event that the **Employer** terminates participation, such termination can only be prospective and the employer shall be obligated to pay the greater of past contributions or actual claims incurred during such period and any interest and damages that may be associated with such non-payment. In no event will the **Department** return to the **Employer** contributions made for ineligible employees.
- (6) The **Employer** agrees to furnish from time to time such information with reference to its employee participation as may be required by the **Plan Administrator**.
- (7) The **Employer** agrees to reimburse the **Department** for expenses or settlement incurred by the **Department** as a result of any employee’s bringing a cause of action based on the **Employer’s** disregard of the regulations or violation of this adoption agreement.

(8) The Effective Date of the **Program** shall mean, in regard to the **Employer** and its employee participants.

IN WITNESS WHEREOF, this agreement has been executed on behalf of the Employer, and its seal hereunto affixed by its duly authorized representatives on this **28th day of October, 2014.**

Attest: _____ **By:** _____

It is hereby certified that the **Employer** is eligible to become signatory to the **Health Benefits Program** and that its participation in the **Program** has been approved.

Department of Human Resource Management

Dated: _____ **By:** _____

At a public meeting of the King William Board of Supervisors held on November 24, 2014, on a motion by _____ seconded by _____ and passed _____, the Board adopted the following resolution:

RESOLUTION NO.

**Application for the Virginia Department of Transportation
FY 2016 Revenue Sharing Program**

WHEREAS, the King William County Board of Supervisors desires to submit an application for an allocation of funds of up to \$250,000.00 through the Virginia Department of Transportation Fiscal Year 2016 Revenue Sharing Program; and

WHEREAS, \$125,00.00 from revenue sharing funds and match from the locality for \$125,000.00 in FY15 is requested to fund work related to construct a multi-use trail /sidewalk on Route 1002 Magnolia Avenue from Route 1004 Mattaponi Avenue to Route 30 King William Avenue.

WHEREAS, this project will allow the final connection of the multi-use trail/sidewalks that have been and will be constructed to Route 30 King William Avenue;

NOW, THEREFORE, BE IT RESOLVED that the King William County Board of Supervisors does hereby support this application for an allocation of \$250,000.00 through the Virginia Department of Transportation Revenue Sharing Program.

BE IT FURTHER RESOLVED that the King William County Board of Supervisors hereby grants authority for the County Administrator to execute project administration agreements for any approved revenue sharing projects.

ADOPTED this 24th day November of 2014.

(SEAL)

A COPY TESTE:

Aimee R. Mann
Deputy Clerk to the Board of Supervisors