

**WEST POINT TOWN COUNCIL  
WORK SESSION  
MINUTES  
November 27th, 2018  
6:00 P.M.**

**I. Work Session at Town Hall, 329 6<sup>th</sup> Street, West Point, Virginia 23181.**

**A. Request for Public Land – Pierce Lane Farms, LLC**

Mr. Hudson advised that a public hearing has been advertised on the request and that Dick Foard will be present to represent Pierce Lane Farms.

**B. Erroneous Real Estate Taxes**

Mr. Hudson advised that the Vranian family is claiming that they have paid double real estate taxes to King William County for several years. The County is working on reimbursing some real estate taxes to the Vranian family.

Ms. Erard, the Town Attorney advised that she has reviewed the paperwork and that there is no clear documentation that shows the Varnian's have been double taxed and there are no tax records before 2011. The law allows local governments to reimburse the past three years. In order to go back more than three years a court order would be needed before a locality can do any additional reimbursement.

Paul Kelley stated that the Town should give a three year reimbursement then reconsider any addition reimbursement pending a court order.

Ms. Erard advised that the Commissioner of the Revenue is stating that the double taxation did occur.

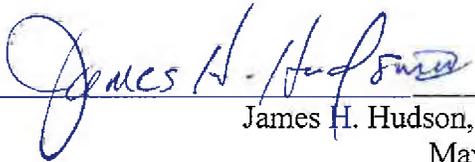
The consensus of Town Council is to refund the three years of taxes paid to the Town as permitted by State Code.

**C. ITI Environmental Report**

Mr. Edwards advised that the environmental report on the ITI property is available and that the test show there is lead in the soil and that the contamination issues will need to be addressed.

**D. Shaw Alley on 4<sup>th</sup> Street**

Mr. Edwards advised that the Community Development Committee has begun the review of the request to permit Steve and Judy Shaw to use the alley between 4<sup>th</sup> Street and 5<sup>th</sup> Street. The Town Attorney is working on a draft permit for the Committee to review.

  
James H. Hudson, III  
Mayor

ATTEST:

  
Karen M. Barrow  
Town Clerk

**TOWN OF WEST POINT  
TOWN COUNCIL  
MINUTES  
November 27th, 2018**

**I. CALL TO ORDER**

The West Point Town Council held its regular monthly meeting on November 27th, 2018. The Honorable James H. Hudson, III called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Karen Stanley followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Deborah Ball, Vice Mayor; Tina Gulley; Paul Kelley; Robert Lawrence; Jack Lawson; Gail Nichols and Chris Vincent.

Also Present: John B. Edwards, Jr., Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; TC Moore, Town Treasurer; Holly McGowan, Community Development Coordinator; Walt Feurer, Director of Public Works; Tim Sawyer, Chief of Police and Building Inspector; Donna Pauley, Human Resource Officer and other interested persons.

**II. CITIZENS ADDRESS TO COUNCIL**

**A. Public hearing, Request for Public Land, PL2018-02**

Mr. Hudson read the advertisement then asked the Town Clerk if the Town received any request to review the application or for assistance to attend the meeting.

The Town Clerk advised that no requests were received.

Mr. Hudson advised that per the Town Code the Planning Commission acted as the viewers for the application. Richard Foard, representative for Pierce Lane Farms, LLC attended the Planning Commission meeting as well as the Community Development Committee meeting and will be addressing Town Council on behalf of Mrs. Pierce.

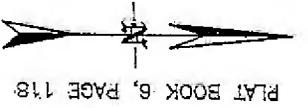
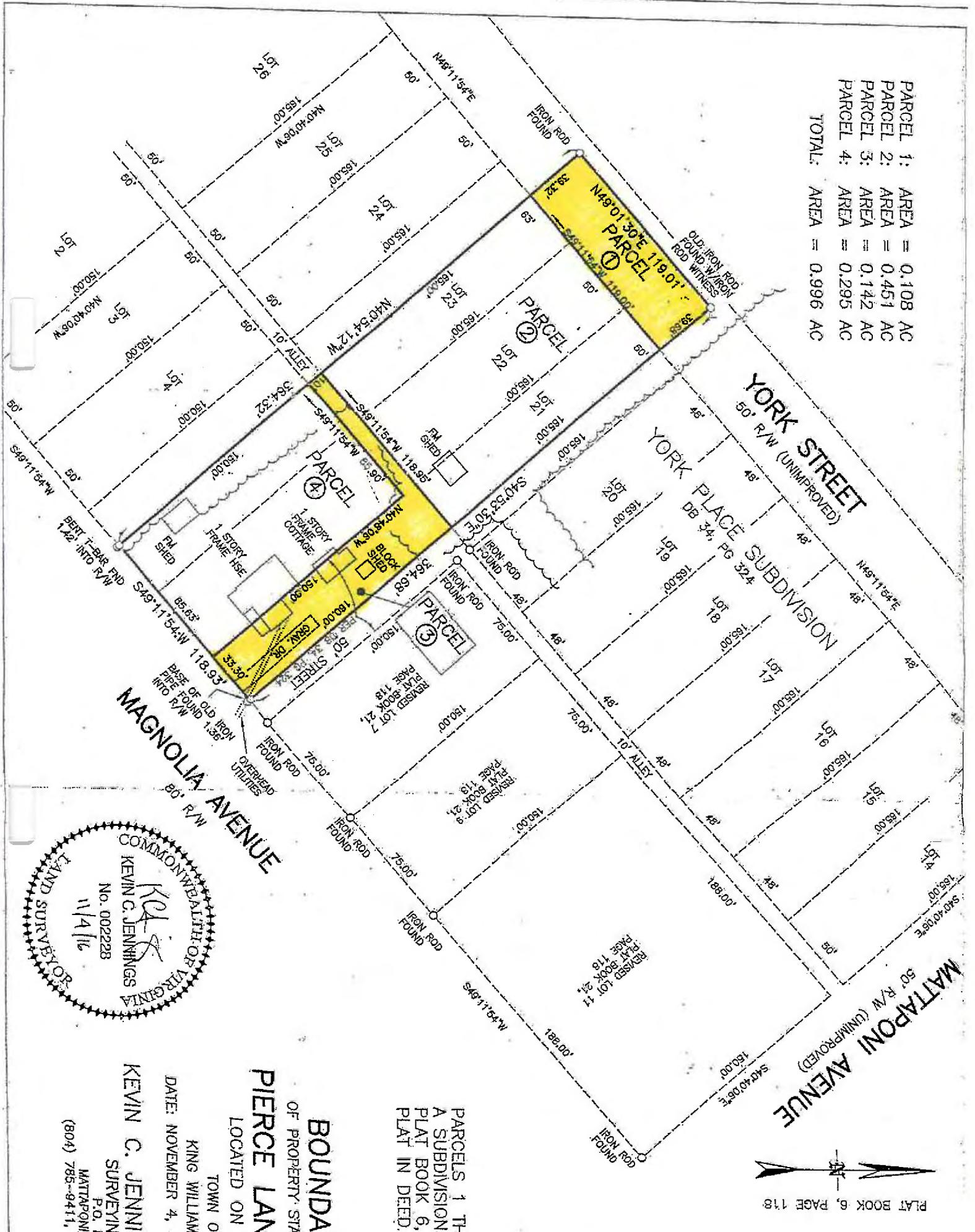
Mr. Foard advised that Mrs. Pierce is asking that the Town abandon the streets and alleys that Mrs. Pierce inherited from her parents. The property was conveyed to Mrs. Pierce's family on April 15th 1919 with a plat that was recorded without showing the Streets or Alleys. Without ownership of the Streets and Alleys, Mrs. Pierce is unable to sell the property and is requesting that the Town quitclaim deed at little or no cost to Mrs. Pierce.

Mr. Hudson opened the floor for citizens to address Town Council on the request for public land. There being none, the public hearing was closed.

**1 Action**

Mr. Lawson made a motion that Town Council abandons Parcel 3 shown on the Jennings plat dated November 4<sup>th</sup> 2016, including an unnamed Street and a portion of a 10' alley, subject to the following: 1) the applicant will be responsible for providing all legal documents subject to Town Approval and will record those documents at their expense; 2) the applicant shall be responsible for the purchase price in the amount of \$8,101.70; and 3) the applicant shall reserve unto the Town of West Point an easement for the planning, placement, installation, repair, maintenance, and replacement of utilities upon, above and beneath the said unnamed street and alley. Seconded by Mr. Vincent, upon roll call, Mrs. Ball, Mrs. Gulley, Mr. Kelley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols and Mr. Vincent all voted "Aye". The motion was approved.

PARCEL 1: AREA = 0.108 AC  
 PARCEL 2: AREA = 0.451 AC  
 PARCEL 3: AREA = 0.142 AC  
 PARCEL 4: AREA = 0.295 AC  
 TOTAL: AREA = 0.996 AC



- GENERAL NOTES:**
1. THE LAND SHOWN HEREON IS NOW IN THE NAME OF PIERCE LANE FARMS, LLC, AS RECORDED IN INSTRUMENT No. 15-0001807 AMONG THE LAND RECORDS OF KING WILLIAM COUNTY, VIRGINIA.
  2. THE PROPERTY DELINEATED HEREON IS LOCATED ON TAX MAP 63AB, PARCEL 3-1-5, WHICH CONSISTS OF LOTS 5, 6, 22 AND 23 PER THE COMMISSIONER OF THE REVENUE BUT IS INCORRECT.
  3. INSTRUMENT No. 15-0001807 CONVEYS 1 ACRE PER PLAT BOOK 6, PAGE 118 BUT A PORTION OF THAT AREA INCLUDES PORTIONS OF ALLEYS AND STREETS ALREADY PLATTED IN DEED BOOK 34, PAGE 324. PARCELS 1 & 3 SHOWN HEREON ARE AREAS OF QUESTIONABLE TITLE.
  4. THE INFORMATION SHOWN ON THIS PLAT WAS BASED ON A CURRENT FIELD SURVEY.
  5. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

PARCELS 1 THROUGH 4 DO NOT CONSTITUTE A SUBDIVISION, BUT ARE SHOWING HOW PLAT BOOK 6, PAGE 118 OVERLAPS THE PLAT IN DEED, BOOK 34, PAGE 324.

**BOUNDARY SURVEY**  
 OF PROPERTY STANDING IN THE NAME OF  
**PIERCE LANE FARMS, LLC**  
 LOCATED ON MAGNOLIA AVENUE  
 TOWN OF WEST POINT  
 KING WILLIAM COUNTY, VIRGINIA

DATE: NOVEMBER 4, 2016 SCALE: 1" = 60'

**KEVIN C. JENNINGS & ASSOCIATES**  
 SURVEYING & MAPPING  
 P.O. BOX 212  
 MATTAPONI, VIRGINIA 23110  
 (804) 785-9411, kjennings11@cox.net



Mr. Foard asked if Mrs. Pierce cannot afford the price, can Mrs. Pierce abandon ownership of York Street and acquire ownership of just the alleys and the unnamed Street.

Mr. Edwards advised that the motion is for the alley and the unnamed Street only, it does not include York Street.

#### B. Public Hearing FY 2018-19 Budget Amendment

Mayor Hudson read the advertisement then asked the Town Clerk if the Town had received any requests to review the budget amendment or asked for assistance to attend the public hearing

The Town Clerk advised that no request was received to review the budget amendment or for assistance to attend the public hearing.

Mayor Hudson opened the floor for citizens to address Town Council on the Public Hearing. There being none, the public hearing was closed.

#### 1 Action

Mrs. Ball made a motion that Town Council adopts the attached Budget Amendment Resolution, seconded by Mrs. Gulley. Upon roll call, Mrs. Ball, Mrs. Gulley, Mr. Kelley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols and Mr. Vincent all voted "Aye". The motion was approved.

#### 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 was noted.

### IV. AGENDA CHANGES

Mayor Hudson stated that Over Payment of Taxes needs to be placed on the agenda under the Finance Committee.

Mr. Vincent made a motion to adopt the agenda as amended, seconded by Mrs. Ball. Upon roll call Mrs. Ball, Mrs. Gulley, Mr. Kelley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols and Mr. Vincent all voted "Aye".

### V. ADOPTION OF CONSENT AGENDA

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

- 1) Minutes of October 30th 2018 Town Council meeting.
- 2) Cash Reports
  - a) General Fund  
Cash on hand as of October 31st, 2018 - \$5,529,674.82
  - b) Water Fund  
Cash on hand as of October 31st, 2018 - \$603,783.24
  - c) CIP  
Cash on hand as of October 31st, 2018 - \$29,509.60
  - d) Solid Waste  
Cash on hand as of October 31st, 2018 - \$178,995.47
- 3) Monthly Budget Report
- 4) School Fund Cash Report
  - a) Cash on hand as of October 31st, 2018 - \$184,304.34

- 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

## **VI. COMMITTEE REPORTS**

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

Mr. Lawson advised there was no report.

- B. Education Committee – Mr. Kelley reported for the Committee

Mr. Kelley advised there was no report.

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

1 Erroneous Tax Assessment

Mrs. Ball stated that based on a signed statement from the Commissioner of Revenue for King William County that the property owned by the Vranian family in the Town of West Point for the past three years are erroneous in accordance with State Code 58.1-3981.

Mrs. Ball made a motion that the Town Treasurer is directed to refund all sums erroneously assessed as permitted by Virginia State Code 58.1-3981 to include interest as allowed by State Law. Seconded by Mrs. Gulley; upon roll call, Mrs. Ball, Mrs. Gulley, Mr. Kelley, Mr. Lawrence, Mr. Lawson, Mrs. Nichols and Mr. Vincent all voted "Aye".

- D. Public Safety – Mrs. Gulley reported for the Committee

Mrs. Gulley advised there was nothing to report.

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

Mr. Vincent advised that was nothing to report.

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

The Town Manager advised there was nothing to report.

## **VIII. OLD BUSINESS**

There was nothing to report under Old Business.

## **IX. NEW BUSINESS**

A Planning Commission Report - Mr. Hudson

Mr. Hudson advised that the Planning Commission meet to discuss the public land request from Pierce Lane Farms. The next Planning Commission meeting will be on December 5<sup>th</sup> 2018.

## **X. ADJOURNMENT**

There being no further business, Mr. Vincent made a motion to adjourn the meeting at 7:00 P.M. Upon a unanimous vote, Mayor Hudson adjourned the meeting.

*James H. Hudson*

James H. Hudson, III  
Mayor

ATTEST:

*Karen M. Barrow*

Karen M. Barrow  
Town Clerk



***TOWN OF WEST POINT  
FY 2018-19 BUDGET AMENDMENT RESOLUTION***

WHEREAS on April 24, 2018, by Resolution, the Town of West Point approved  
A FY 2018-19 budget in a total amount of \$15,252,042; and

WHEREAS the West Point Public Schools has requested to use unspent  
FY 2017-18 budgeted funds in the amount of \$37,768; and

WHEREAS the West Point Public Schools received various other unanticipated  
funds in the cumulative amount of \$225,996; and

WHEREAS the West Point Public Schools has requested approval and  
appropriation of these funds totaling \$263,764 to be used in its FY 2018-19 Operating  
Budget; and

WHEREAS the Town of West Point wishes to complete various previously  
Approved capital projects that were not completed in FY 2017-18, as well as other  
Project at an anticipated cost of \$465,220; and

WHEREAS the Town of West Point wishes to budget and appropriate \$24,000  
for additional operating expenditures;

NOW THEREFORE BE IT RESOLVED by the West Point Town Council, at its  
regular monthly meeting, on the 27<sup>th</sup> day of November 2018, that a total of \$752,984 be  
added to the West Point FY 2018-19 budget, so that the amended total of the Town of  
West Point's FY 2018-19 budget shall be \$16,005,026; and

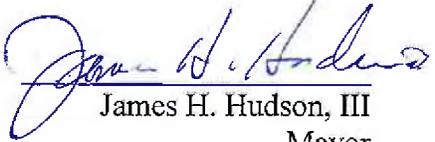
BE IT FURTHER RESOLVED THAT the West Point Public Schools FY 2018-  
19 budget be amended by adding \$263,764; and

BE IT FINALLY RESOLVED THAT \$752,984 IS APPROPRIATED TO THE  
Town of West Point, \$263,764 of which shall be appropriated for expenditure by 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 on the 27th day of November  
2018, at which meeting a quorum was present and voting throughout.

Those members voting:

James H. Hudson, Mayor N/A  
Deborah Ball Aye  
Tina Gulley Aye  
Paul Kelley Aye  
Robert Lawrence Aye  
Jack Lawson Aye  
Gail Nichols Aye  
Chris Vincent Aye.

  
James H. Hudson, III  
Mayor

ATTEST:

  
Karen M. Barrow  
Town Clerk