

**WEST POINT TOWN COUNCIL
WORK SESSION
MINUTES
February 23rd 2021
5:30 P.M.**

I. Work Session at Town Hall, 802 Main Street, West Point, Virginia 23181.

1. Board of Zoning Appeals Action

Mr. Edwards advised that the Board of Zoning Appeals has approved an appeal that will set the precedent for future zoning applications.

Mr. Hudson stated that the homeowner at 407 Lee Street applied to connect the main house to the garage on the back of the house with a breezeway, so his wife does not have to walk from the house to the garage in the rain. The Zoning Administrator denied the request due to an ordinance adopted by Town Council prohibiting connecting a main structure to an accessory structure. Because the Zoning Administrator denied the request the homeowner can file an appeal to the BZA.

Mr. Hudson also stated that with a BZA appeal, the homeowner must prove a hardship for an appeal and that there is no hardship in this case. The ordinance adopted by Town Council was initiated by Tom Redd to prevent any future construction of breezeways.

Ms. Erard, the Town Attorney stated that now the BZA has taken this action, there could be other request for the same kind of issue and the Town Ordinance does not allow this type of constriction. The Board of Zoning Appeals members are appointed by the Judge of Circuit Court, the Town can file and appeal for the Judge to review the action by the BZA. Ms. Erard also stated that she recommends the Town file and appeal on the decision.

Mr. Hudson stated that the property was grandfathered. When you add construction connecting the main dwelling to an accessory structure, it becomes part of the main dwelling so is no longer grandfathered. Mr. Hudson also stated that at first the homeowner wanted to build the breezeway, so they did not have to walk in the rain, then they wanted to include a mud room and then a laundry room, the project is growing. The Town ordinance does not allow an accessory structure to be livable.

Mrs. Ball asked if the garage has a kitchen.

Mr. Edwards advised that the accessory structure has a garage for a car and art studio, and that because the BZA approved a variance, the homeowner can now build between the house and garage, the breezeway can be enclosed and more construction can take place in the breezeway.

Andrea Erard, the Town Attorney advised that the BZA acted on February 20th 2021, the Town has 30 days to file an appeal. Ms. Erard stated that she would like to know if the Town wants to file an appeal by March 19th 2021 so she can prepare the paperwork.

Mr. Edwards advised that the Town Council meeting is being continued till Tuesday, March 2nd 2021 at 5:30 pm, Town Council can decide then if they want to file an appeal with the judge at circuit court.

2. COVID 19 Vaccine Update

Mr. Edwards advised that COVID 19 vaccinations for town employees have been scheduled for Thursday, February 25th at the high school cafeteria. After you receive your shot, you will need to wait for fifteen minutes to make sure you do not have an allergic reaction. Three Rivers Health District has a 25,000-person waiting list and they currently have the capacity to vaccinate 1,200 people per week. They are

working to obtain more vaccines and are working to increase the number of staff members that can give shots. Mr. Edwards also stated that he will share information from the Three Rivers Health District as it becomes available.

3. Rezoning of Sikes Property

Mr. Edwards advised that the Planning Commission has reviewed a rezoning of the Sikes property located at the Industrial Park, they continued the initial Planning Commission meeting so that site visits can be made prior to action. At the public hearing there were five members of the public that had questions and concerns about the development of the property. Planning Commission voted to recommend that Town Council approve the request.

Mr. Hudson advised that a wetlands delineation has been done on both the town's property and the Sikes property and that the drainage issues will be reviewed when the plan of development goes to the Planning Commission.

4. 816 Main Street

Mr. Hudson asked Town Council what they wanted to do with 816 Main Street. Mr. Hudson suggested that if Town Council decides to demolish 816 Main Street that the property can be used as a community park with a patio, some tables and benches.

Mr. Lawson suggested that it should not be a permanent construction with a patio and that a community use would be good until another future use is under consideration.

The consensus of Town Council is for the Town Manager to contact the Chamber President to see if the Chamber has plans for the building.

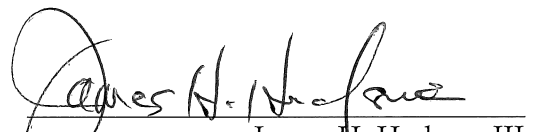
5. March Committee Meetings

Mr. Edwards asked if Town Council wanted to go back to the traditional committee meetings in March or continue with one combined meeting. The one meeting that falls in the middle of the month would be the Education committee scheduled for March 17th 2021 at 4:30 pm.

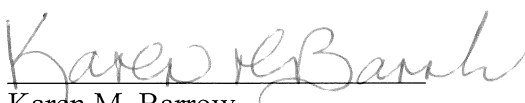
The consensus of Town Council is to hold one joint committee meeting on March 17th 2021 at 4:30 pm.

6. Emergency Operations Plan Update

Mr. Edwards advised that a draft EOP is available in dropbox for Town Council to review. The plan needs to be adopted by Town Council.


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

ATTEST:


Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
February 23rd, 2021**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on February 23rd, 2021. The Honorable James H. Hudson, III called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Wayne Groome followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Deborah Ball, Vice Mayor; Robert Lawrence; Jack Lawson; James Pruett, John Ragsdale and Chris Vincent.

Also Present: John B. Edwards, Jr., Town Manager; Karen Barrow, Town Clerk; Holly McGowan, Community Development Coordinator; Donna Pauley, Human Resource Officer and other interested persons.

Also Present via WebEx: Tina Gulley, Town Council member; Susan Harlow, Town Treasurer; Tim Sawyer, Chief of Police; Walt Feurer, Director of Public Works and Jon Morr, Building Official.

II. CITIZENS ADDRESS TO COUNCIL

A. VDOT Bridge Work Update

Annette Adams, VDOT District Structure and Bridge Engineer advised that maintenance on the Eltham Bridge has begun to repair the grout that did not set up when it was originally poured during the construction of the bridge. Once the maintenance process is complete on the Eltham Bridge work crews will move over to the Lord Delaware Bridge and begin maintenance for the same issues.

Street Paving Downtown

Joyce McGowan advised that VDOT will be resurfacing the streets in the downtown area commencing March 22nd 2021. Work will not be done on all the streets at once, the streets will be alternated to every other street beginning with 1st street and 3rd street, then 2nd and 4th streets until all streets south of 14th street are complete. Citizens will be asked to park in other locations while work is being done on there street. Once the streets 1st through 13th streets are done, the contractor will then do Kirby, Lee and Main streets.

Mr. Vincent asked how long it will take and will all the roads be shut down.

Ms. McGowan advised that it take approximately five weeks, weather permitting and the street closures will alternate as the work is being done. Ms. McGowan also stated that there will be a web site available for the public to access the work schedule.

B. Public Hearing – Rezoning RZ2021-01

Mayor Hudson read the advertisement and asked the Town Clerk if anyone requested a copy of the application or if there were any requests for assistance to attend the meeting.

The Town Clerk advised that no requests were received.

Mayor Hudson stated that the Town asked the Town Engineer to review the concerns of the residents that attended the Planning Commission public hearing regarding drainage.

Blair Wilson advised that the Sikes property is a new development, and the State stormwater development regulations would apply. The regulations would be applied when preparing the Plan of Development. The developer wants to address any concerns and drainage issues the public might have. Mr. Wilson also stated that the Port Richmond area does have drainage issues that are caused in part by man-made ditches, culverts and gutters located on private property that are difficult to maintain without property owners authorization. Another issue that has impacted the area in most recent years is excessive amounts of rain fall. Mr. Wilson stated that he will be working on a Plan of Development to address all these issues that hopefully will be acceptable to adjoining property owners.

Mrs. Gulley left the meeting.

Mayor Hudson opened the floor for citizens to comment on the application.

1. Stanley Zuraw, 980 E. Euclid Blvd, West Point, Virginia stated that he objects to the rezoning and that he would like to keep the property residential. Also, it would cause drainage issues that would cause a higher water level that would ruin the value of the property in the residential area. Mr. Zuraw asked how many acres are being developed and will there be sound barriers.
2. Virginia Glazebrook, 820 E. Euclid Blvd. West Point, Virginia advised that she would like the area to remain residential. Currently there is no noise from the industrial park, but with this new manufacturing business there would be noise that would cause her dogs to bark and that is upsetting to the neighbors.
3. Bill Foster, Oldcastle Lawn & Garden Inc. thanked the Town for all their hard work on this project and that Oldcastle has been a good corporate leader in over 200 communities across the country. We are all about relationships in the community, we are willing to talk with members of the public about any concerns they have. Mr. Foster left his business cards for members of the public so they can call him at any time.

Mr. Zuraw stated that he would like to ask about the increase of traffic.

Mayor Hudson advised that the traffic, sound barriers and drainage would be addressed in the Plan of Development and that this public hearing is regarding the rezoning only. There will be another opportunity for the public to address the drainage and traffic when the Plan of Development has been submitted to the Planning Commission.

Mr. Hudson asked if anyone else would like to address the Rezoning, there being none, the public hearing was closed.

ACTION

Mr. Lawrence made a motion to approve the Rezoning RZ2021-01 submitted by Olen & Mary Sikes, Tax Map No. 63A8-1-74, Lots 75, 76, 77, 80 & 81, from R-1 Low-Density Residential to M-1, Light Industrial, located off Industrial Park Road in the Town of West Point. Seconded by Mr. Vincent, upon roll call Mrs. Ball; Mr. Lawrence; Mr. Lawson; Mr. Pruet, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

C. Public Hearing – Moratorium Exemption Resolution

Mr. Edwards advised that the Town has sent out delinquent letters to town residents advising them of the opportunity to enter into a payment plan on their past due accounts. A small number of residents have contacted the town to make payment arrangements, but there is a large number of delinquent accounts that have not made any arrangements. If the utility's accounts receivable arrearages exceed 1% of its annual revenue a utility provider can choose to exempt themselves from the disconnection moratorium.

Mr. Hudson read the advertisement for the Moratorium Exemption and asked the Town Clerk if anyone asked for a copy of the proposed resolution or if anyone requested assistance to attend the public hearing.

The Town Clerk advised that no requests were received.

Mr. Hudson opened the floor for citizens to comment on the Moratorium Resolution.

1. Vincent Hodge, 517 16th Street, West Point, Virginia suggested the town consider sending out a second notice.

Mrs. Ball asked how many notices have been sent out.

Mr. Edwards advised that last Spring Town Council did not want to cut any accounts off due to COVID, the normal cut off notices have gone out on a regular basis. If Town Council adopts this resolution, the town will follow the normal procedure of sending out late notices and we will continue to offer payment plans to customers.

Susan Harlow advised that each customer continues to receive a bill every two months. The bill shows any past due amount plus current charges. The bill is a past due notice.

Mrs. Ball asked how much is the delinquency amount.

Mr. Edwards advised approximately \$54,000 for water and \$10,000 for solid waste. It does not include sewer.

Mrs. Ball asked how much is a single family bill.

Mr. Edwards stated all different amounts, it ranges from \$30 or \$40 to over \$4,000. Mr. Edwards also stated that when a customer receives a cut off notice, it does not mean their water will be cut off tomorrow, it means they need to come in and make payment arrangements.

ACTION

Mr. Vincent made a motion to approve the Resolution, seconded by Mr. Pruett. Upon roll call Mrs. Ball; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

D. 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

Mrs. Ball made a motion to adopt the agenda as presented, seconded by Mr. Ragsdale. Upon roll call Mrs. Ball; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

V. ADOPTION OF CONSENT AGENDA

Mr. Vincent made a motion to adopt the following consent agenda, seconded by Mr. Pruett. Upon roll call Mrs. Ball; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

- 1) Minutes of January 26th 2021 Town Council meeting.
- 2) Cash Reports
 - a) General Fund

- Cash on hand as of January 31st, 2021 - \$\$6,732,538.36
- b) Water Fund
 - Cash on hand as of January 31st , 2021 - \$1,602.509.86
- c) CIP
 - Cash on hand as of January 31st, 2021 - \$-829,275.13
- d) Solid Waste
 - Cash on hand as of January 31st, 2021 - \$222,005.68
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of January 31st, 2021 - \$447,226.58
- 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 nothing to report.

B. Education Committee – Mr. Ragsdale reported for the Committee

Mr. Ragsdale advised there was nothing to report.

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

1 Planning Commission Appointment

Mrs. Ball advised that Don Perry is unable to complete his term on Planning Commission and that Teresa Glidewell has submitted a Community Service Application volunteering to serve on a committee.

Mrs. Ball made a motion to appoint Teresa Glidewell to the Planning Commission for the unexpired term of Don Perry expiring on September 30th 2021, seconded by Mr. Lawrence. Upon rollcall Mrs. Ball; Mr. Lawrence; Mr. Lawson; Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

2 Public Safety

Mr. Edwards advised there was nothing to report.

3 Public Works – Mr. Lawrence reported for the Committee

Mr. Lawrence advised there was nothing to report.

VII. TOWN MANAGER’S ITEMS

Mr. Edwards advised there was nothing to report.

VIII. OLD BUSINESS

There was nothing to report under Old Business.

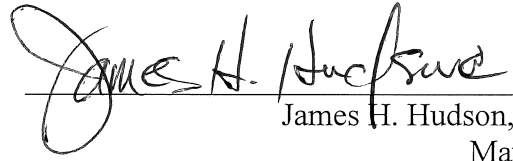
IX. NEW BUSINESS

A Planning Commission Report - Mr. Hudson

Mr. Hudson advised that the Planning Commission meet in February to hold a public hearing regarding the Rezoning request, the recommendation was that Town Council approve the request. The next Planning Commission meeting will on March 3rd 2021.

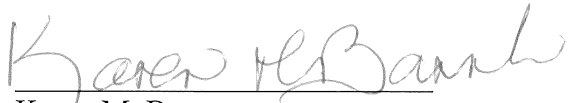
X. CONTINUATION OF MEETING

Mr. Vincent made a motion to continue the meeting till March 2nd 2021 at 5:30 pm, seconded by Mr. Lawrence. Upon a unanimous vote, the motion was approved at 7:33 pm.



James H. Hudson, III
Mayor

ATTEST:



Karen M. Barrow
Town Clerk



**RESOLUTION VERIFYING AND APPROVING UTILITY ACCOUNTS
RECEIVABLE ARREARAGES ARE IN EXCESS OF ONE PERCENT OF ANNUAL
OPERATING REVENUES**

WHEREAS during the 2020 Special Session I (Appropriation Act Amendments, Item 4-14) the Virginia General Assembly approved specific procedures and requirements for utility service applicable in the coronavirus-related declared state of emergency, including provisions related to customer assistance grants, utility shutoffs for nonpayment, and customer utility debt repayment plans; and

WHEREAS the Town of West Point is well-positioned to implement these new procedures and requirements because the Town has always worked to assist customers in a fiscally responsible manner to pay utility bills with flexible repayment plans where appropriate; and

WHEREAS the Utility's only source of revenue is from charges for services provided, which are generally based on rates necessary to recover the full cost of operations without reserve for forgiveness of payment due for such services; and

WHEREAS the Utility employs industry-standard collection process for unpaid bills including disconnection of water service in appropriate cases, which historically has proven effective in minimizing losses; and

WHEREAS the Utility self-imposed a moratorium on disconnection of water service for unpaid bills in response to the coronavirus pandemic and offer customers the opportunity to enter into reasonable repayment plans; and

WHEREAS during the disconnection moratorium period to date, customers generally have not availed themselves of repayment plan opportunities and instead have accumulated increasing debt; and

WHEREAS a significant number of accounts have increasing overdue balances such that customers may find their repayment responsibility difficult to manage without undertaking an effort now to begin paying down balances over time through a reasonable repayment plan; and

WHEREAS the Utility determined and documented in a written analysis from accounting records that account receivable arrearages exceed one percent of annual operating revenues and also provided such analysis to the West Point Town Council as the Utility's governing body;

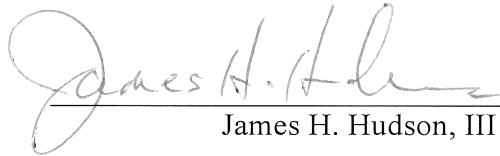
WHEREAS the Utility contemporaneously made the associated working papers verifying such facts available for public inspection; now therefore be it

NOW THEREFORE BE IT RESOLVED BY The West Point Town Council that it has reviewed the calculations of account receivable arrearages and verifies that the arrearages exceed one percent of annual operating revenues and; be it

FURTHER RESOLVED that the Utility resume normal collection procedures including disconnection of water service where necessary to achieve customer response, while also continuing normal procedures to avoid disconnecting water service for customers that request and implement repayment plans to bring accounts current over time; be it

FINALLY RESOLVED that the Town Manager shall have the necessary authority to undertake all reasonable efforts and required processes to request, receive, and apply available state and federal customer assistance funding offered through the State Corporation Commission and the Virginia Department of Housing and Community Development, including appropriate modifications to normal billing and collection procedures as needed to facilitate such state and federal assistance.

ADOPTED by the West Point Town Council, this 23rd day of February 2021.



James H. Hudson, III Mayor

ATTEST:



Clerk of Council

**TOWN OF WEST POINT
TOWN COUNCIL
CONTINUED MEETING
MINUTES
March 2nd, 2021**

I. RECONVENE

The Honorable James H. Hudson, III reconvened the West Point Town Council meeting from February 23rd 2021 on March 2nd 2021, at 5:30 pm at 802 Main Street, West Point, Virginia.

Members Present: Mayor James H. Hudson, III; Vice Mayor, Deborah Ball; Jack Lawson, Mr. Pruett and Mr. Ragsdale.

Members Absent: Robert Lawrence

Present Via WebEx: Tina Gulley, Chris Vincent and Andrea Erard, Town Attorney.

Also Present: John B. Edwards, Jr., Town Manager; Karen Barrow, Town Clerk; Susan Harlow, Town Treasurer; Mrs. Laura Abel, School Superintendent and West Point School Board.

II. SCHOOL BOARD BUDGET PRESENTATION

Mrs. Abel, School Superintendent stated that the FY 2021-22 school budget is based on an enrollment number of 782. The budget would create a new position for a fulltime resource teacher at the elementary school for the Art/STEAM program; give a 2% teacher pay raise with a step increase and a 3% increase for staff. The schools are also looking at expanding programs at the CTE Bridging Communities to include Cosmetology and a Pharmacy Technician program. Mrs. Abel also stated that the total budget increase for the schools is \$224,900, the School Board is asking for the Town to increase their funding by \$150,159.00 from last year.

Mr. Hudson advised that Mrs. Abel discussed the school budget at the Education Committee meeting in February, the Town Manager has the budget requests and will be working on the numbers for a final proposed budget for Town Council.

III. Board of Zoning Appeals Action

Mr. Hudson asked Town Council what they wanted to do regarding the variance recently approved by the BZA.

Mr. Pruett advised that the downtown lots are all even sizes with the same setbacks, there are no odd sizes that would create a hardship.

Mr. Hudson advised that Jeff Cole called and asked if the town would approve the construction of a breezeway from his house to his garage so his wife would not get wet in the rain when she parks her car. Mr. Cole then submitted an engineered plan showing a mud room, laundry room and storage area which is not allowed by Town Ordinance.

Mr. Edwards stated that a variance has been issued to the property so the homeowner can build in the breezeway between the house and garage.

Ms. Erard stated that the town has until March 19th to file an appeal with the circuit court judge.

Mr. Lawson made a motion that Town Council authorize the Town Attorney to file an appeal on the most recent variance action by the Board of Zoning Appeals, seconded by Mrs. Gulley. Upon roll call, Mrs. Ball, Mrs. Gulley, Mr. Lawson, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

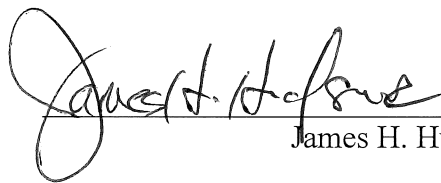
IV. 816 Main Street

Mr. Hudson stated that Town Council instructed the Town Manager to contact the President from the Chamber of Commerce regarding the property at 816 Main Street. Town Council received an email from the Town Manager last Friday with a response from Sam Drewry. Mr. Hudson asked what Town Council wanted to do with the building.

Mrs. Ball Made a motion to authorize the Town Manager to demolish the building, second by Mr. Vincent. Upon roll call, Mrs. Ball, Mrs. Gulley, Mr. Lawson, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

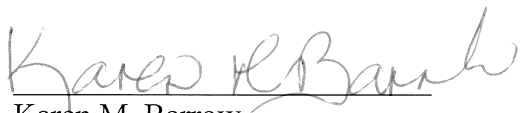
V. ADJOURNMENT

There being no further business, Mr. Vincent made a motion to adjourn the meeting, seconded by Mrs. Ball. Upon a unanimous vote, Mayor Hudson adjourned the meeting at 6:38 pm.



James H. Hudson, III.
Mayor

ATTEST:



Karen M. Barrow
Town Clerk