

**TOWN OF WEST POINT
TOWN COUNCIL
WORK SESSION
MINUTES
January 30th 2023**

I. Site Visit at Fire Station, 421 7th Street, West Point, Virginia 23181

The Honorable Joshua T. Lawson, stated that a quorum of Town Council was present to conduct a site visit at 421 7th Street, West Point, Virginia 23181. The meeting was called to order at 5:30 P.M.

Members Present for the Site Visit: Joshua T. Lawson, Mayor; Deborah Ball, Vice Mayor; James Hudson, Robert Lawrence, John Nein, James Pruett, John Ragsdale and Chris Vincent.

Also Present: John Edwards, Town Manager; Spencer Cheatham, Fire Chief; Tim Sawyer, Chief of Police; Karen Barrow, Town Clerk; and other interested persons.

Chief Cheatham presented the attached three proposals regarding parking on 7th Street in front of the Fire Station and the relocation for parking of rescue vehicles and fire trucks on the apron in the station.

Mr. Lawson asked if anyone wanted to see the vehicles moved.

Chief Cheatham advised that the ladder truck is at the shop having some work done.

Mr. Vincent stated that it wasn't necessary to move the vehicles and that he does not want to see a resident lose any parking, he would like to see the fire department, and the town work out any parking issues with the residents.

Mr. Hasenyager, 422 7th Street, West Point, Virginia 23181 stated that he has issues with people using the parking lot and alley beside his house, and that something needs to be done about the partying at the Blue Crab till 2 o'clock in the morning, and the parking of vehicles in the town parking lot, with vehicles left running for long periods of time.

Mr. Lawson advised that Mr. Hasenyager's concerns are different issues than those of the site visit and need to be addressed separately.

Chief Cheatham reviewed the third proposal and stated that he will continue to work with the residents on 7th Street.

Mr. Lawson asked Chief Cheatham to continue to work on the parking and report back to Town Council with any developments.

Upon completion of the Site Visit, Mayor Lawson recessed the Work Session at 5:42 P.M.

II. Reconvene

Mayor Lawson reconvened the Work Session at Town Hall, 802 Main Street at 5:50 P.M.

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

Also Present: John B. Edwards, Jr., Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; Tim Sawyer, Chief of Police and Building Official; Susan Harlow, Town Treasurer; Walt Feurer, Director of Public Works; Spencer Cheatham, Fire Chief and Donna Pauley, Human Resource Officer.

III. Tina Gulley Resolution

Mr. Edwards advised that Mrs. Gulley had a family emergency and had to go out of town. She will not be at Town Council to receive her resolution tonight. Mr. Edwards asked that Town Council adopt the resolution and that the presentation of the resolution take place at a later date.

IV. Ordinance 01-2023, Transient Tax

Mr. Edwards advised that last week, the Commissioner of the Revenue contacted the town regarding the transient tax. Because of the way the ordinance is drafted, it may or may not be enforceable. There are third party organizations such as Airbnb, Expedia or VARBO that collect the fees and collecting the tax from the third party has become an issue for government localities. Mr. Edwards suggested that Town Council hold the public hearing, postpone action, and review the ordinance again at the Finance Committee meeting.

V. SUP2023-03 – Thomas Gertin Homestay Request

Mr. Edwards advised that a letter was sent to Mr. Gertin regarding his request, but the town has not received a response as of today. Mr. Edwards suggest the town continue to postpone action on his application until we are able to contact him.

VI. New Delaware Home Owners Association

Mr. Edwards stated that currently the only member to the New Delaware Home Owners Association is Paul White. There was a public meeting scheduled recently but no one showed up for the meeting. Paul White's attorney said that Paul White is willing to donate \$500.00 to the association to assist in hiring a management firm, but no one has been paying any dues into the association. Paul White wanted to withdraw the services he provides, refuse collection, lawn care, and electric for the street lights in the parking lot. The Town Attorney has advised Paul White that he cannot cut off the services. He will be planning another meeting in March.

Ms. Erard stated that Mr. White will continue to pay for the services through April 1st 2023.

Mr. Edwards stated that the meeting is scheduled for March 15th 2023 at the library which does not give the residents much time to get an association organized. Mr. Edwards also stated that the town will do what we can to get the word out there to the residents about the meeting.

VII. GoVirginia – Airport Update

Mr. Edwards advised that GoVirginia has awarded a grant to the Town for Site Characterization and Study. The Town's contribution is \$35,000, but we were able to obtain approximately \$120,000 in grant funds to do an analysis of the bridge, and property at the airport. We will be moving forward with the project.

VIII. Marijuana Tax

Mr. Lawrence asked the Town Attorney for the current status of the Marijuana Tax.

Ms. Erard stated that there were legislative changes made in the General Assembly two years ago, and in order for those changes to move forward they needed to be reenacted last year, and they were not. We are waiting for the General Assembly to reenact the legislation.

IX. Library Relocation Update

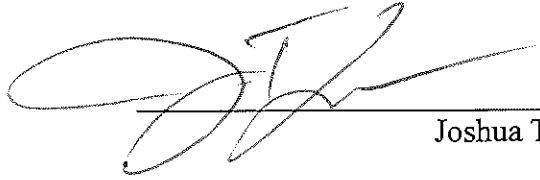
Mr. Edwards presented a spread sheet showing the current cost for the project. If we move forward with the library relocation we would need to start with the relocation of the police department, the estimate cost for that project is \$125,000. We are still working with the architects on the design of the shopping center, expenditures for the architects to date are \$46,000. If we move forward and bid the project out in-house, the cost is \$32,000. Mr. Edwards also stated that the owner of the shopping center is willing to extend the lease for the library with an increase of the size of the square footage for the same amount of money. Mr. Edwards suggest

Town Council have a closed session to discuss the property the town owns adjoining the shopping center.

The consensus of Town Council is to place a closed session on the Town Council agenda.

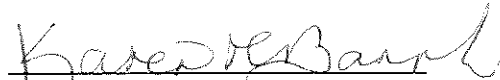
X. Communications Manager

Mr. Edwards stated that there were ten applications for the Communications Manager/Events Coordinator. We scheduled four interviews and interviewed three people, all of which were well qualified and live in town. Melissa Anderson was the successful candidate and will begin work on February 13th 2023.



Joshua T. Lawson
Mayor

ATTEST:



Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
January 30th, 2023**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, January 30th 2023. The Honorable Joshua T. Lawson 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, Jack Lawson; Deborah Ball, Vice Mayor; Jim Hudson; Robert Lawrence; Johnny Nein; James Pruett, John Ragsdale and Chris Vincent.

Also Present: John B. Edwards, Jr., Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; Tim Sawyer, Chief of Police; Susan Lathan, Town Treasurer; Walt Feurer, Director of Public Works; Donna Pauley, Human Resource Officer and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Resolution Honoring Tina S. Gulley

Mr. Lawson advised that Mrs. Gulley had a family emergency this evening and is not available for the presentation. However, is there a motion to adopt the resolution, and we can present the resolution to Mrs. Gulley at the next meeting.

Mr. Hudson made a motion to adopt the attached resolution, seconded by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Hudson, Mr. Lawrence, Mr. Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

B. Public Hearing, Ordinance 01-2023, Transient Tax

Mr. Lawson read the advertisement and asked the Town Clerk if anyone requested a copy of the Ordinance.

The Town Clerk advised that the Town provided two copies of the ordinance upon request.

Mr. Lawson asked if the Town received any requests for assistance to attend the meeting.

The Town Clerk advised that no requests were received.

Mr. Lawson opened the floor for citizens to comment on ordinance 01-2023.

Thomas Gertin, 320 Main Street, West Point, Virginia asked if the period for transient tax thirty (30) days.

Ms. Erard stated twenty-nine (29) or less is allowed under State Law. The Town ordinance is fourteen (14) days.

Mr. Lawson asked if anyone else would like to address Town Council. There being none, the public hearing was closed.

Mrs. Ball made a motion to refer Ordinance 01-2023, the Transient Tax back to the Finance Committee for review. Seconded by Mr. Lawrence, upon roll call, Mrs. Ball, Mr. Hudson, Mr. Lawrence, Mr. Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

C. Citizens Address to Council

Mr. Lawson 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

Mr. Edwards advised that Mr. Gertin is present and is willing to answer any questions regarding his SUP2022-03 application, therefore he needs to be placed on the agenda under Old Business as item B for discussion; and Town Council will require a Closed Session under New Business as item B.

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

V. ADOPTION OF CONSENT AGENDA

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

- 1) Town Council and Work Session minutes of December 19th 2022 and continued meeting of January 3rd 2023
- 2) Cash Reports
 - a) General Fund
Cash on hand as of December 31st 2022 - \$10,179,832.31
 - b) Water Fund
Cash on hand as of December 31st 2022 - \$2,966,166.88
 - c) CIP
Cash on hand as of December 31st 2022 - \$(320,986.01)
 - d) Solid Waste
Cash on hand as of December 31st 2022 - \$359,856.11
- 2) Monthly Budget Report
- 3) School Fund Cash Report
 - a) Cash on hand as of December 31st 2022 - \$527,981.84
- 4) West Point Monthly Police Activity Report
- 5) Building Official Monthly Report
- 6) Public Works Monthly Permit Report
- 7) Community Development Monthly Permit Report
- 8) Treasurer Monthly Report
- 9) Human Resource Monthly Report
- 10) Fire Department Monthly Report

VI. COMMITTEE REPORTS

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

Mr. Pruet advised there was nothing to report.

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

Mr. Ragsdale advised that the Committee did meet with the School Superintendent and his staff to discuss updates to the school district.

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

- 1 Annual Meeting Schedule and Resolution

Mrs. Ball read the attached resolution in the form of a motion, seconded by Mr. Ragsdale. Upon roll call Mrs. Ball, Mr. Hudson, Mr. Lawrence, Mr. Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

Mrs. Ball stated that if anyone wants a copy of the meeting schedule, please contact the Town Clerk.

2 Public Safety – Mr. Vincent reported for the Committee

Mr. Vincent 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

A. Presentation of FY 2023-24 Budget Request

Mr. Edwards presented the FY 2023-24 Budget Request from town departments and outside agencies. Mr. Edwards also stated that the schools are working on their budget, at this point the school funding is considered level. Town Council and the School Board will hold a joint meeting on March 7th 2023 at 5:30 p.m. at the high school cafeteria. Individual meetings with Town Council will be scheduled after the joint meeting. The budget short fall is approximately \$718,000. There is some committee meetings scheduled to discuss the budget, we will work it out till we have a balanced budget.

B. New Delaware Subdivision

Mr. Edwards advised that he would like to mention the New Delaware subdivision for anyone watching this video. The residents of the subdivision need to pay attention to any mail or communications coming from Paul White the developer. Mr. White is trying desperately to establish a Home Owners Association which is required for the subdivision. Mr. White recently held a meeting that no residents attended, as a result Mr. White has said that he will not continue to pay the bills that a HOA should be paying. The Town Attorney has spoken to Mr. White and he has committed to continue to pay the bills till April 1st 2023 and that he is willing to donate \$500 to a management organization to manage the HOA. The HOA is supposed to maintain the grass cutting, the lights in the parking lots, the refuse removal and maintenance of the retention pond. Mr. White has another meeting scheduled for March 15th 2023 at 6:00 p.m. at the library. It is crucial that the resident's attend this meeting.

Ms. Erard advised that participation via zoom is available, there is a website for a HOA that has been developed. Please contact Paul White if you have any questions.

Mr. Lawson stated that it has taken longer than expected to establish the HOA and that the residents need to come together to establish a HOA.

VIII. OLD BUSINESS

A. Ordinance 2022-08, 7th Street Parking

Mr. Lawson stated that Town Council conducted a site visit today at 7th Street and that the parking discussions need to be continued at a committee meeting.

Mr. Edwards advised that the next committee meeting is scheduled for February 14th 2023.

Chief Cheatham stated that the ladder truck will be out for repairs in February, and might not be back in time for the 14th meeting. We might need to have the truck at the fire station to continue the discussions and review.

Mr. Edwards advised that the next committee meeting will be March 14th 2023. Mr. Edwards asked if Town Council wanted to continue the discussions at the committee meeting in March.

The consensus of Town Council is to meet on March 14th 2023 to continue the 7th Street parking discussions.

B. SUP 2022-03, Homestay – Thomas Gertin

Mr. Edwards advised that Town Council conducted a public hearing at the December meeting. The applicant was not present for the public hearing, Town Council had some questions regarding the property, Town Council postponed action until Mr. Gertin was available to answer some questions.

Thomas Gertin, 320 Main St., West Point, Virginia advised that the property is undergoing some renovations that are not complete. Mr. Gertin stated that he has committed to an international job that will take him out of the area during 2023. Mr. Gertin stated that once the renovations are complete he will do some kind of mid-term or long-term rental.

Mr. Edwards stated that the Homestay Ordinance requires owner occupancy, if you are not living at the residence, Town Council cannot approve the application. Mr. Edwards also stated that if the application is denied, Mr. Gartin would have to wait a year to reapply for a homestay. One option for Mr. Gertin is to withdraw his application, and then reapply when he is ready.

Mr. Gertin advised that he would like to withdraw his application until further notice.

Ms. Erard stated just to clarify, you are requesting to withdraw you application.

Mr. Gertin stated yes, he would like to withdraw his application.

The consensus of Town Council is to accept Mr. Gertin's withdrawal of his application.

IX. NEW BUSINESS

A. Planning Commission Report - Mr. Pruett

Mr. Pruett advised that there is nothing to report. The next meeting will be on February 1st 2023 at 5:00 p.m. in Town Chambers.

B. Closed Session

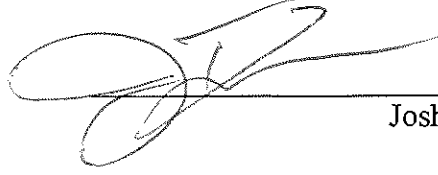
Mr. Hudson made a motion to go into closed meeting pursuant to Va. Code section 2.2-3711(A)(3) for the discussion or consideration of the disposition of publicly held real property, because discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body - tax map parcels 69A3-77-1111 and 69A3-67-946, seconded by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Hudson, Mr. Lawrence, Mr. Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

RECONVENE & CERTIFICATION

Mr. Hudson made motion to reconvene in open meeting and to certify that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by Town Council, seconded by Mr. Lawrence. Upon a unanimous vote, the motion was approved.

X. ADJOURNMENT

There being no further business, Mayor Lawson adjourned the meeting at 7:15 p.m.



Joshua T. Lawson
Mayor

ATTEST:



Karen M. Barrow
Town Clerk



**TOWN OF WEST POINT
RESOLUTION TO HONOR
The Honorable Tina S. Gulley**

WHEREAS; Tina S. Gulley was elected by the citizens of West Point to serve on the West Point Town Council from July 1, 1994 through December 31, 2022; and

WHEREAS; Tina S. Gulley, served as Chairperson of the Public Safety Committee from July 1, 1994 through June 30, 2002, and again from August 1, 2004 through December 31, 2022, as Chairperson of the Community Development Committee from July 1, 2002 through July 31, 2004, and as Vice Mayor from July 1, 2000 through June 30, 2005; and

WHEREAS; Tina S. Gulley served on the Education Committee during her entire time on Town Council and taught at West Point Public Schools from August, 2000 through June, 2018; convinced that our children are the future of West Point, she worked continuously as an advocate to maintain excellence in education; and

WHEREAS; Tina S. Gulley served on the Public Safety Committee during her entire time on Town Council, committed to establishing an independent, accredited Police Department for the citizens of West Point; and


WHEREAS; Tina S. Gulley has served the Town with unmatched energy and dedication, tempered with great humility and compassion, for many years and will, no doubt, continue to make the Town a better place in the future; and

NOW THEREFORE BE IT RESOLVED; that the Town Council of the Town of West Point, Virginia, on behalf of all its citizens, expresses sincere appreciation to Tina S. Gulley for her exemplary commitment to the citizens of the Town of West Point for over twenty-eight years of public service.

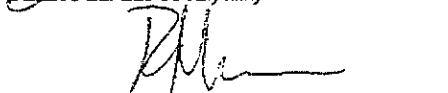
Certified to be a true copy of a Resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held January 30, 2023 at which meeting a quorum was present and voted throughout.


Joshua T. Lawson, Mayor



Deborah Thorne-Ball, Vice Mayor


James H. Hudson, III, Council Member


John Neim, Council Member


Robert Lawrence, Council Member


James Pruett, Council Member


John Ragsdale, Council Member


Christopher P. Vincent, Council Member