

**TOWN OF WEST POINT
TOWN COUNCIL
WORK SESSION
MINUTES
July 31st 2023**

I Library Renovation

Mr. Edwards stated that the police department has moved and the renovations to the shopping center are underway. The relocation of the library should be complete by the end of the winter/beginning of spring.

II Farmers Market Resolution

Melissa Anderson presented a resolution for Nation Farmers Market week from August 6th through 12th 2023. The theme is "A Fresher, Healthier Way of Living". There are five vendors each week that draws between 50 to 60 people within the first two hours of market with over 1,000 people so far this year. We will do a focus each day of the week on the vendors and their history with the Farmers Market.

Mr. Edwards asked for the resolution to be placed on the agenda for adoption.

III. Chicken Ordinance

Mr. Edwards stated that at the last committee meeting the ordinance was discussed, the committee asked for it to be placed on the work session agenda for discussion with a full Town Council. It was suggested that a public hearing be advertised for the August meeting. Mr. Edwards presented a revised ordinance with the changes from the last committee meeting.

Mr. Nein advised that he would be out of compliance with the proposed changes, and that he does let his chickens out to clean the coup.

Mr. Edwards advised that number 1 is the current ordinance and it is enforceable.

Mr. Nein stated that it is his understanding the current ordinance is not actionable.

Ms. Erard advised that it is enforceable, you would have to go to the magistrate to take action.

Mr. Nein stated that numbers 2 and 3 appear to be the same thing.

Mr. Lawson advised a neighbor would have to call to report a problem. The biggest concern is chickens should not to be seen, heard or smelled. The issue is the offender that keeps offending. If you are going to clean out the coup there shouldn't be a problem.

Mrs. Ball stated that she does not want her neighbor's chickens in her yard, she does not want chickens encroaching on her property. Her neighbor sometimes has as many as 35 chickens that encroach in her yard.

Mr. Nein advised that he thinks adding the proposed changes does not change the current ordinance, and stated that he would like to make sure that if we put something in place, that there's an actual change from the ordinance today. Mr. Nein asked what is more enforceable about the proposed changes.

Ms. Erard advised that it can be a zoning violation, a class four misdemeanor and adds a \$25.00 enforceable fee.

Chief Sawyer advised that the most recent complaint regarding chickens is for a home on Old Thompson Avenue that has approximately 40 to 50 chickens. The complaint was about the smell.

Mr. Edwards stated that if someone calls to complain about chickens, the law enforcement officer has to see the violation or a property owner can go to the magistrate to take out a complaint.

Mrs. Ball advised that the ordinance should contain a maximum number, a limit on chickens would keep the issues down.

Mr. Edwards stated that at the last committee meeting we took the number out of the ordinance, but we can put it back in.

Mr. Ragsdale asked Mrs. Ball if the proposed ordinance will make a difference with her issues.

Mrs. Ball stated no, but a limit on chickens would help with the problem.

Mr. Pruet advised that he has researched other localities and that a number of localities have a license that you can apply for that has a fee the license has to be approved before you can have chickens. The locality then has the capability of taking the license away. The license would need to be renewed each year.

Mr. Nein, advised that numbers 2 and 3 should be removed.

Mr. Edwards suggested placing the ordinance on the next committee agenda for discussion.

IV. Town Manager Regional Responsibilities

Mr. Edwards presented a list of regional responsibilities reflecting other duties as assigned to the Town Manager throughout the region.

Mr. Lawson stated that he asked the Town Manager to prepare the list of responsibilities.

Town Attorney Items

V. 2960 Mattaponi Avenue

Ms. Erard advised that Court has entered an order requiring the Duval's to clean up their property. They will have till the end of August to comply with the order. After that they are to meet with the building official to discuss any deficiencies in the structure. They will have till the end of the year to correct any structure deficiencies.

VI. New Delaware

Ms. Erard stated that the town has issued a notice for violation of failure to properly create a HOA. The town will be proceeding with enforcement on the violation.

VII. 921 Lee Street - Hayes Property

Ms. Erard stated that we have court this Thursday for the Hayes property on Lee Street. We have reached an agreement with Mr. Hayes, the court date is to enter the agreement.

VIII. Demolition of House on 7th Street

Ms. Erard stated that a house on 7th Street that is located in the marsh is scheduled to be demolished.

IX. General Assembly Updates

Ms. Erard provided the following updates from the General Assembly:

1. Ordinance Advertising; the 1st advertisement has to run within 14 days before the public hearing, and you have to have 7 days between the 1st advertisement and the 2nd advertisement.
2. Advertisements have to run prior to governing bodies taking action. If you don't take action on an advertised public hearing, you will need to advertise it again before the next meeting before you can take action.
3. Blue Cat Fish processing has to be done on site.
4. Standards of quality for the maintenance of school buildings.
5. Matching grants for School Security Officer in addition to SRO's.
6. If the Town wanted to adopt an ordinance, you can give the Chief of Police the ability to declare a curfew for up to 24 hours in the event of a civil disturbance.
7. There's a new requirement that the fire department has to take training on how to put out fires on electric vehicles.
8. DHCD is going to conduct a housing needs assessment for each locality every five years. The Director for DHCD is going to set up a website where a local government can list property.
9. The General Assembly has amended what is covered by workman's comp to allow a police officer or fire fighter with an anxiety disorder or depressive disorder can be compensated through workman's comp.
10. There is a new requirement that localities have to have a fee policy for FOIA request.
11. Organ donors are now entitled to time off from work of up to 60 days off for unpaid leave in a 12 month period of time.
12. As of July 1st there is no uninsured motorist fee with DMV.
13. The seconded legislation was not approved for marijuana, however there are some changes to the CBD laws.

Chief Sawyer asked if the Town Attorney can assist with the language for the fee policy for FOIA request.

Ms. Erard advised yes.

Mr. Edwards stated that the fee schedule would need to go to committee for review. The first committee meeting in August is on the 8th and the agenda needs to go out on Friday.

Ms. Erard stated that she would have a draft policy ready for the committee meeting.



Joshua T. Lawson
Mayor, Town of West Point

ATTEST:



Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
July 31st, 2023**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, July 31st, 2023. The Honorable Joshua T. “Jack” Lawson called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Theresa Brion followed by the Pledge of Allegiance.

Members Present: Mayor, Jack Lawson; Deborah Ball, Vice Mayor; 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; Holly McGowan, Community Development Coordinator; Susan Lathan, Town Treasurer; Walt Feurer, Director of Public Works; Donna Pauley, Human Resource Officer; Ron Minick, Building Inspector; Spencer Cheatham, Fire Chief, Melissa Anderson, Communications/Events Manager, and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. 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 asked for the Farmers Market Resolution to be placed on the agenda under the Town Managers Report as item A.

Mrs. Ball made a motion to adopt the agenda with the above amendment, seconded by Mr. Lawrence. Upon roll call Mrs. Ball; Mr. Lawrence; Mr. Nein; 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. Nein. Upon roll call Mrs. Ball; Mr. Lawrence; Mr. Nein; Mr. Pruett; Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

- 1) Town Council and Work Session minutes of June 26th 2023
- 2) Cash Reports
 - a) General Fund
Cash on hand as of June 30th 2023 - \$7,437,007.02
 - b) Water Fund
Cash on hand as of June 30th 2023 - \$3,252,493.14
 - c) CIP
Cash on hand as of June 30th 2023 - \$(-601,602.88)
 - d) Solid Waste
Cash on hand as of June 30th 2023 - \$386,124.89
- 2) Monthly Budget Report
- 3) School Fund Cash Report
 - a) Cash on hand as of June 30th 2023 - \$6,38,364.33
- 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
- 11) Communication and Marketing Monthly Report

VI. COMMITTEE REPORTS

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

Mr. Pruett advised that the committee met on July 13th to discuss a public land request from Herbert Milby Jr., the Crab Carnival Master Plan and the Fowl Ordinance. The next meeting is scheduled for Tuesday, August 8th 2023 at 4:00 pm.

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

Board of Building Code of Appeals Reappointments

Mrs. Ball made a motion to reappoint David Layne and Chase Evans to the Board of Building Code of Appeals for a four-year term commencing October 1st 2023, expiring September 30th 2027, seconded by Mr. Ragsdale. Upon roll call Mrs. Ball; Mr. Lawrence; Mr. Nein; Mr. Pruett; Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

D. Public Safety – Mr. Vincent reported for the Committee

Mr. Vincent advised there was nothing to report.

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

Mr. Lawrence advised there was nothing to report.

VII. TOWN MANAGER’S ITEMS

A. Farmers Market Resolution

Mr. Edwards advised that National Farmers Market week is August 6th through 12th 2023, with a theme of “A Fresher, Healthier Way of Living”.

Mr. Ragsdale made a motion to adopt the attached Farmers Market Resolution, seconded by Mr. Pruett. Upon roll call Mrs. Ball, Mr. Lawrence, Mr. Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted “Aye”. The motion was approved.

VIII. OLD BUSINESS

There was nothing to report under Old Business.

IX. NEW BUSINESS

A. Planning Commission Report - Mr. Pruett

Mr. Pruett advised that Planning Commission did not meet in July and that the next meeting will be on August 2nd at 5:00 pm.

B. Closed Session – Town Manager’s Annual Evaluation

Mr. Lawrence made a motion to enter into closed meeting pursuant to Virginia Code §2.2-3711(A)(1), a matter involving the discussion of the performance evaluation of the Town Manager, seconded by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Lawrence, Mr.

Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

Reconvene

Mrs. Ball made a motion to reconvene in open meeting, seconded by Mr. Pruett. Upon a unanimous vote, the motion was approved.

Certification

Mr. Lawrence made a motion 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 the Council, seconded by Mr. Nein. Upon roll call, Mrs. Ball, Mr. Lawrence, John Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

Motion

Mrs. Ball made a motion to amend the Town Manager's contract to remove paragraph 9 and to give a 3% increase in salary and a 3.85% cost of living increase to the Town Manager, seconded by Mr. Vincent. Upon roll call, Mrs. Ball, Mr. Lawrence, John Nein, Mr. Pruett, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

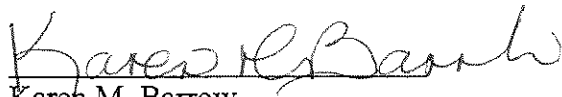
X. ADJOURNMENT

There being no further business, Mayor Lawson adjourned the meeting.



Joshua T. Lawson
Mayor

ATTEST:



Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
RESOLUTION
NATIONAL FARMERS MARKET WEEK
August 6 – 12, 2023**

WHEREAS, the Town of West Point is pleased to have a thriving Farmers Market to support the local economy; and

WHEREAS, Farmers Market serves as significant outlet by which small-to-medium, veteran agricultural producers, new and beginning producers, generate revenue that supports communities contributing approximately \$9 billion a year to the U.S. economy, and

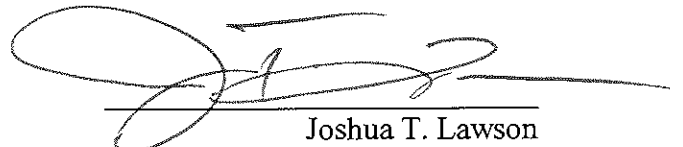
WHEREAS, The West Point Farmers Market has established a direct relationship between community members and farmers which has created a more fair and sustainable food system paving the way to improve the quality of life for everyone, and

WHEREAS, The Town of West Point recognize and appreciates the West Point Farmers Market for establishing a fresher, healthier way of living, and for promoting a variety of educational activities which has increased the quality of life for the citizens and children of West Point, and

NOW, THEREFORE, the West Point Town Council for the Town of West Point, hereby recognize the vendors and customers of the West Point Farmers Market, and by virtue of this resolution give notice to our citizens of the Town of West Point, the theme of the West Point Farmers Market, “West Point Farmers Market, A Fresher, Healthier Way of Living” and

BE IT RESOLVED, that the week of August 6 – 12 is National Farmers Market Week in the Town of West Point.

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 July 31, 2023 at which meeting a quorum was present and voted throughout.


Joshua T. Lawson
Mayor, Town of West Point

ATTEST:


Karen M. Barrow
Town Clerk