

**TOWN OF WEST POINT
TOWN COUNCIL
WORK SESSION
MINUTES
August 28th 2023**

I 1303 Main Street

Mr. Edwards advised that the Barbour family has approached the town to see if the town is interested in purchasing the duplex located at 1303 Main Street. The town first discussed purchasing the property with Mr. Barbour a year ago before the County reassessment. The reassessment value compared to a year ago is now approximately \$234, 800, \$100,000 dollars higher. Mr. Edwards reviewed the GIS map of the property and stated that John Kinney owns the lot next to the duplex and the town owns the corner lot at 14th and Main St.

Mr. Lawson suggested the town takes look at the inside of the property, we would need to see what condition the structures are in. It's a high price without seeing the inside.

Mr. Edwards stated that the family is ready to list the property and that the current lease contract with the tenants is about to expire.

The consensus of Town Council is the property needs to be in good shape for the price and asked to see the property when the lease contract expires.

II COX Franchise Agreement

Mr. Edwards presented a letter from Cox advising that they are interested in renewing the Franchise Agreement for cable TV. The agreement expires on August 2, 2026.

Andrea Erard, Town Attorney stated that most localities do not participate in renewing an agreement early. A franchise agreement automatically continues past the expiration date. It's only worth renewing the agreement when there is something in the contract that's better for the locality. Eventually Cox will want something so you will be able to go to the negotiating table for a better contract.

III. Library Relocation

Mr. Edwards advised that the renovations are underway, the walls are framed, the plumbing is roughed in, and the electrical is currently being worked on. The completion date is January or February. The closing on the sale of the current building is June 30, 2024, the project is moving along on time.

IV. September Town Council Meeting

Mr. Edwards advised that he might not be available for the September 25th meeting due to taking his son on tour of the computer science department at George Mason University in Fairfax. I'm not sure if I will be able to make it back in time for the meeting.

V. Fowl Ordinance

Mr. Edwards presented a revised ordinance to Town Council showing the changes discussed at the last meeting. Mr. Edwards reviewed the number of chickens allowed to the acreage size of property. The changes would be pertaining to the Zoning Ordinance and would need to go to Planning Commission for review. Mr. Edwards asked for a referral to Planning Commission to be placed on the agenda.

Mr. Lawrence asked when the ordinance will be shared on social media for feed-back.

Mr. Edwards advised that would take place after the Planning Commission review.

Mr. Nein asked what the fencing requirements would be.

Mr. Edwards stated that if you have a fenced in yard that is on the property line, setbacks from the fence is required for a coup.

Mr. Lawson asked where on the agenda the referral should be placed.

Mr. Edwards advised that the Fowl Ordinance has been discussed under Community Development.

VI. Elevator

Mr. Edwards advised that the contractor is still working on the elevator, the work may or may not be complete by the September Town Council meeting.

Town Attorney Items

VII. 2960 Mattaponi Avenue

Mr. Lawson advised that the Duval's have attempted to cut the grass on the side and front yard. There's still some cleaning up that needs to be done.

VIII. New Delaware

Mr. Lawson asked for an update on New Delaware subdivision.

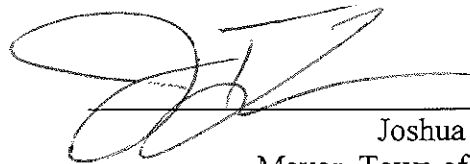
Ms. Erard stated that Mr. White has conveyed the common areas to a HOA. According to the State Corporation Commission website, the HOA officers are Mr. White, his wife and Mr. Constantine. The town's intent was to go after Mr. White for not setting up a HOA, but they have done that. The town would only have an interest if the trash accumulates.

Mr. Lawson asked if Mr. White is collecting HOA fees.

Ms. Erard advised she does not think so.

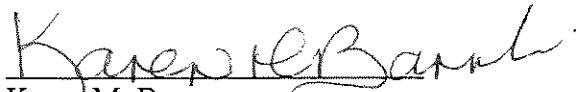
Mr. Nein stated that a large sign has been placed on the front lot for commercial cleaning.

Ms. McGowan advised that Mr. White has been sent a violation notice.



Joshua T. Lawson
Mayor, Town of West Point

ATTEST:



Karen M. Barrow
Town Clerk

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
August 28, 2023**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Monday, August 28, 2023. The Honorable Joshua T. "Jack" Lawson called the meeting to order at 6:30 p.m. The Invocation was given by Reverend Jim Gobel followed by the Pledge of Allegiance.

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

Members Absent: James Pruett

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; Melissa Anderson, Communication/Events Coordinator and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Public Hearing – SUP2023-01

Mr. Lawson read the advertisement then asked the Town Clerk if the town received any requests to review the application.

The Town Clerk advised the town received no requests.

Mr. Lawson asked if anyone requested assistance to attend the public hearing.

The Town Clerk advised that the town received no requests.

Mr. Lawson opened the floor for the public to comment on the public hearing. There being none, the public hearing was closed.

Action

Mr. Lawrence made a motion to accept the recommendation from the Planning Commission and approve SUP2023-01, Mennel Milling with the conditions as stated in the staff report dated July 6, 2023 as recommended by Planning Commission;

CONDITIONS

1. This Special Use Permit and all conditions listed below are for the construction of a north side tower not to exceed 156' 2", north side bridges not to exceed 130', south side tower not to exceed 160' 8", south side bridges not to exceed 116' 8", (2) concrete bins not to exceed 108' 8", corrugated bin not to exceed 85' 11", dryer not to exceed 97' and hopper bottom bin not to exceed 82' 10" in height and other associated facilities necessary for the operation of such facility on Parcels 63A3-7-15, 15A, 16, 16A, and 63A3-5-451 - 460. The height limits as stated for all structures is approved in accordance with Section 70-295. Development of the structures approved as part of this Special Use Permit shall be in accordance with the Plan of Development prepared by Wilson Engineers, LLC, dated April 13, 2023. This Special Use Permit and all conditions listed herein shall run with the land but may be revoked by the Town of West Point for failure by the applicant or its assigns to comply with any of the listed conditions or any provision of Federal, State, or local regulations.

2. The site shall be limited to one entrance with Pamunkey/Southern Avenue (Southern Railway Right-of-Way) but may share access with adjacent parcels owned by The Mennel Milling Company of Virginia, Inc. Any future entrance improvements shall meet the standards of the Virginia Department of Transportation and be installed at the expense of the applicant and shall be approved as part of a plan of development amendment.

3. Any outside storage, waste disposal and recycling facilities shall be screened from view by height appropriate opaque fencing and/or landscaping.

4. Any light fixtures on the site shall be horizontally mounted with no lens or bulb extending below the casing. Any free-standing light poles shall be no taller than twenty-five (25) feet in height and shall not cast glare or other objectionable light on any adjacent property or roadway. Any lighting mounted to the structures shall be top shielded and shall not cast glare or other objectionable light on any adjacent property or roadway.

5. All vegetated areas outside the proposed limits of clearing and grading shall remain as undisturbed open space but may be modified consistent with applicable local and state regulations.

6. All site improvements shall be installed or bonded for installation and in amount proofed by the Town and the bond shall be obtained at the applicant's expense and shall be consistent with the conditions of this Special Use Permit and the associated Plan of Development. Final Building Permit Inspections shall not be approved until the Zoning Administrator inspects the site and determines compliance with the preceding conditions and applicable local regulations.

7. The structural design of the facilities shall address instantaneous failure of the structure and the impact of the grain on adjacent properties.

Seconded by Mrs. Ball. Upon roll; Deborah Ball, Paul Kelley, Robert Lawrence, Johnny Nein, John Ragsdale and Chris Vincent all voted "Aye". The motion was approved.

B. 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 referral of the Fowl Ordinance to West Point Planning Commission be placed on the agenda under the Community Development Committee as item number 2.

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

- 1) Town Council and Work Session minutes of July 31, 2023
- 2) Cash Reports
 - a) General Fund
Cash on hand as of June 30, 2023 - \$11,265,722.21
 - b) Water Fund
Cash on hand as of June 30, 2023 - \$3,310,209.26

- c) CIP
Cash on hand as of June 30, 2023 - \$(-606,000.88)
- d) Solid Waste
Cash on hand as of June 30, 2023 - \$387,983.73
- 2) Monthly Budget Report
- 3) School Fund Cash Report
 - a) Cash on hand as of June 30, 2023 - \$787,245.64
- 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

1 Crab Carnival Master Plan

Mr. Edwards advised that the Crab Carnival Committee has made the changes suggested by the Community Development Committee, Mr. Edwards recommends Town Council adopt the Master Plan.

Mr. Vincent made a motion to approve the 41st Crab Carnival Master Plan as presented, seconded by Mrs. Ball. Upon roll call, Mrs. Ball, Mr. Kelley, Mr. Lawrence, Mr. Nein, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

2 Fowl Ordinance

Mr. Vincent made a motion to refer the fowl ordinance as part of the zoning ordinance to the Planning Commission for review, seconded by Mr. Lawrence. Upon roll call, Mrs. Ball, Mr. Kelley, Mr. Lawrence, Mr. Nein, Mr. Ragsdale and Mr. Vincent all voted "Aye". The motion was approved.

B Education Committee – Mr. Ragsdale reported for the Committee

Mr. Ragsdale advised that there is nothing to report.

C Finance Committee – Mrs. Ball reported for the Committee

1 Charges for Records Request

Mrs. Ball asked Ms. Erard to provide a report on the fees for records request.

Ms. Erard advised that due to a number of localities charging astronomical cost for records request, the General Assembly have enacted legislation requiring localities to adopt a policy for fees. The fee must be a minimum hourly cost less an employee's benefits.

Policy Relating to Charges for Records Requests

The West Point Town policy on charges for accessing or searching for requested records as required by Virginia Code §2.2-3704.1, 1950 as amended. The Town does not have a fixed charge for accessing or searching for requested records. Charges for accessing or searching for requested records are based on the actual cost of responding to the request for records and may include the hourly rate of the person searching for the records in question, less benefits. To keep costs down, the Town attempts to use the lowest paid staff members capable of retrieving the requested records in responding to the request. However, in situations where a staff member is required to search through his or her own email and files, the staff member will search for the requested records and the search charge will be based on that employee's hourly rate, less benefits.

Mrs. Ball read the above policy prepared by the Town Attorney in the form of a motion, seconded by Mr. Lawrence. Upon roll call, Mrs. Ball, Mr. Kelley, Mr. Lawrence, Mr. Nein, 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

Public Works Committee met on August 8, 2023 to discuss the waterline replacement project that is ready to go out to bid and updates to the elevator replacement project that should be complete sometime in the fall. The next meeting is scheduled for September 12th at 4:00p.m.

VII. TOWN MANAGER'S ITEMS

Mr. Edwards advised that Scout Troop 340 is in attendance of tonight's meeting to obtain their Communications and Citizenship in the Community badge.

VIII. OLD BUSINESS

There was nothing to report under Old Business.

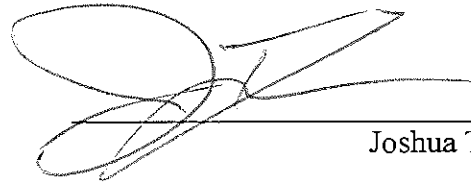
IX. NEW BUSINESS

A. Planning Commission Report

Mr. Edwards advised that the Planning Commission did meet in October to discuss the SUP2023-0, Mennel Milling.

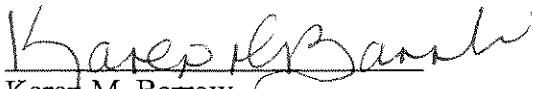
X. ADJOURNMENT

There being no further business, Mayor Lawson adjourned the meeting at 6:55 p.m.



Joshua T. Lawson
Mayor

ATTEST:



Karen M. Barrow
Town Clerk