**WARSAW TOWN COUNCIL**

COUNCIL CHAMBER – 78 BELLE VILLE LANE

OCTOBER 8, 2015 – 7PM

Mayor Mark E. Milstead called the regular monthly meeting of the Warsaw Town Council to order on Thursday, October 8, 2015 at 7pm in Council Chambers located at 78 Belle Ville Lane in Warsaw, Virginia. He then led the Council and the audience in the Pledge of Allegiance. Council members present were Mayor Mark E. Milstead, Ogle E. Forrest, William L. Washington, IV, Randall L. Phelps, Roger R. Lee and Rebecca C. Hubert.

Staff present included John Slusser, Town Manager, Chief Christopher J. Spare, Susan M. Pemberton, Treasurer and Clerk of Council, and Kate Condrey, Administrative Assistant.

Others present included Mary Beth Bryant, Carrie Lewis of RCC, Keith Peyton of Rappahannock Church of Christ, Donna Jackson, and Town Attorney, William Lewis. Spencer Moody and Jeff Howeth were in the attendance representing Helena Chemical. LTC Charles Birdsong and his JROTC students Marisol Rodriguez, Kameron Rich, and Kenneth Blake were also in attendance.

**APPROVAL OF MINUTES- SEPTEMBER 10, 2015**

Councilman Phelps made a motion that Council accept the minutes of September 10, 2015 without addition or correction. Councilman Forrest seconded the Motion. The following vote was taken.

Mark E. Milstead Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye Ogle E. Forrest Aye

Roger R. Lee Aye Randall L. Phelps Aye

**FINANCIAL REPORT- SEPTEMBER 2015**

Councilman Phelps made a motion that Council accept the Financial Report for September 2015 without addition or correction. Councilman Lee seconded the motion. The following vote was taken.

Mark E. Milstead Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye Ogle E. Forrest Aye

Roger R. Lee Aye Randall L. Phelps Aye

**MAYOR’S REPORT**

Mayor Mark E. Milstead invited the Rappahannock High School JROTC to the podium. LTC Birdsong introduced members of the program. He stated they are close to getting new uniforms. The Council gave them a check for $1,000. The Mayor said he has heard nothing but good things about the program.

The Helena Chemical Group then came to the podium. They have come back for a third time with changes to their site plan. They have met with Town Manager, John Slusser, about the changes, but he wanted to bring those changes to Council before giving the confirmation to go ahead with the project. They have gone out and put stakes at the corners of the three proposed buildings and tank sites. They have moved the tanks 30 feet closer to the main building and 30 feet farther away from the bypass. The tanks will now be approximately 100 feet from the bypass.

Mayor Milstead is concerned the tanks on the bypass may be an eyesore for the community of Warsaw. Engineer for Helena Chemical, Jeff Howeth, stated the tanks have been moved back from the bypass another 30 feet to make the plan more linear and to have a better flow of traffic in and out of the site. To help hide the tanks they would plant taller trees. They looked into lowering the tanks into the ground, but it was not feasible. Helena is also willing to work with the Town on painting the tanks and choosing a color scheme. The tanks will most likely be 30 feet tall.

Councilman Phelps wanted to know why the changes were made. Jeff Howeth stated the changes were made for cost savings and to make the plans more linear. There were changes in management and the plans were reviewed and changes were made. A linear plan where trucks can come and leave is a more efficient use of space. Councilman Phelps also wanted to know if there were products being cut. Spencer Moody, Local Manager, stated there would be no products cut, just making the layout more efficient and making it easier to expand in the future to do dry fertilizer. This would include a 45 foot building with scales. Jeff Howeth stated the Storm water analysis still needs to be done and they are way behind on the project.

Councilman Lee wanted to know how much liquid a 30 foot tank can hold. Spencer Moody stated there was approximately 200,000 gallons in a tank that size. Councilman Lee then asked what kind of wall would be around the tanks. Spencer Moody explained there would be a wall around all the tanks and it would depend on the size of the tanks and how much liquid they hold. It would have to be able to contain 110% of the largest tank if it were to have a complete spill. It is what is required. Councilman Lee asked if the product is toxic. Spencer Moody explained the product is not any more toxic then what is being used today. You don’t want to be covered in it, but it is not too bad. Councilman Lee was concerned with proper disposal of the product if a leak were to happen. Spencer assured him there were no drains and the product would be shipped off site.

Councilman Phelps would like to see this site plan sent back to the Planning Commission. Councilman Washington stated this plan had just come from the Planning Commission and they had recommended it to Council. Mayor Milstead stated there had been some changes made even after the Planning Commission meeting and maybe they should go back over it.

Councilman Lee had questions about the propane tanks and if they would be child proof. Spencer Moody stated they would have locks on the tanks. Councilman Washington asked what the cost would be if they were to have 2 of the largest tanks fail. Spencer Moody estimated in a ball park of 10’s of thousands.

Mayor Mark Milstead stated he was not willing to forfeit Warsaw’s image with the tanks on the bypass. The thinks Helena has made to many changes. He wants businesses to come into Warsaw, but they have changed the plans to many times.

Councilman Forrest stated they will have the same buildings, with the same tanks on the same lot. There is no reason why they can’t move ahead with their project. Safety is a concern and they are trying to make it easier to enter and exit the facility. That is why the changes were made. There are tank farms everywhere. Councilwoman Hubert agreed and would like to see the project move forward. Helena Chemical will move forward with their project with the 3rd site plan after moving the tanks 30 additional feet from the bypass, making the tanks approximately 100 feet from the bypass. They will also plant taller trees.

The mayor stated Warsawfest was Saturday, October 10, 2015 and the opening ceremony was at 8:45am. There will be a tent for Council with 2 Chairs and items for Council to hand out. Councilman Washington will be there.

Famous Author Tom Robbins will be coming to Warsaw and giving a talk at RCC. Councilman Washington will be giving him a proclamation on the evening of October 16, 2015 to proclaim October 16, 2015 “Tommy Robbin’s Day” in Warsaw.

**MANAGER’S REPORT**

Town Manager, John Slusser, stated he would be working with Randy Passagaluppi to bleed and flush fire hydrants in the Town over the next 30 days. He stated the bids for the Pavilion have gone out to be published in local newspapers and they are waiting on submissions.

Vice- Mayor Paul Yackel arrived at 7:42pm.

VDOT- The curb has been placed the Court Circle and has taken away some parking, but it looks nice. There has been discussion about the George Washington’s Birthplace sign at the corner and the Town Manager instructed them not to have it straddle the sidewalk.

Mr. Slusser introduced Donna Jackson and stated she would like to have an art exhibit at the unconstructed Pavilion in the spring. She has two different layouts. Donna Jackson came up and explained her program, Art Up, Art Rising. She explained the program started in 1998 and it is to enrich the lives of youth through art and to get art out in the community and to get youths involved. Mr. Slusser stated this was simply an introduction to Donna Jackson and her project. She will come back in the spring time. Mayor Milstead thought it was a great idea and it was what the park was meant for, to get the children involved. Mr. Slusser said she would have to follow the sign ordinance.

Town Manager Slusser talk with VML about the insurance on Town Property. He stated that if someone gets hurt at the park; they can’t really sue the town, unless there is negligence. If the Town plans on renting out the pavilion, they need to be prepared to ask for insurance from the person renting the pavilion out. During an event like Oktoberfest, they should be required to have their own insurance, because the Town could be held responsible if something were to happen. The Warsaw Richmond County Main Street Program should also have insurance during events they put on at the Town Park. Anything beyond normal park use should have insurance. As for the Old Warsaw Health Care Center, that is no longer a concern because the Council decided to not having any more yard sales at the location.

Carrie Lewis from RCC is helping to coordinate the Remote Area Medical’s trip to the area. RAM offers free dental, medical and vision care to anyone. They are asking the Town for a $500 donation towards the cost of 1 and a half day clinic which will be held November 15- 16th. It will help RAM to advertise and get more people interested in coming to get the free care they offer. They will hopefully make this an annual event if there is a need for the care. Councilman Washington asked if anyone else had donated. Mrs. Lewis stated that many other places have donated and the County gave $1500. Many other people have donated their time.

Councilman Washington made a motion to give a $1600 donation to Remote Area Medical towards their cause from the Warsaw Town Council. Councilman Forrest seconded the motion. The votes were as follows.

Mark E. Milstead Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye Ogle E. Forrest Aye

Roger R. Lee Aye Randall L. Phelps Aye

Paul G. Yackel Aye

**POLICE REPORT**

Chief Spare told Council the monthly report was in their packets along with the most recent TRIAD flyer. He stated he has also been working with Carrie Lewis to organize the RAM event. Chief Spare told Council he has received a DMV grant.

**NORTHERN NECK REGIONAL JAIL REPORT**

Larry Thorne gave the Northern Neck Regional Jail Report. He stated that as of 5:30pm on October 8, 2015 there were 198 prisoners in the jail. The monthly report can be found in the Council packets.

**PLANNING COMMISSION REPORT**

Councilman Washington told Council the Planning Commission recommended a CUP for the Rappahannock Church of Christ to Council for Joint Public Hearing to become a church and hold church related activities.

Councilman Forrest made a motion to send the CUP of Rappahannock Church of Christ to a Joint Public Hearing on November 12, 2015 at 7pm. Councilman Phelps seconded the motion. The votes were as follows.

Mark E. Milstead Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye Ogle E. Forrest Aye

Roger R. Lee Aye Randall L. Phelps Aye

Paul G. Yackel Aye

**UNFINISHED BUSINESS**

Councilman Forrest said they are still working on the water and sewer connection fees information.

Town Manager Slusser stated the yard sale rules are a non-issue because Council decided to no longer have yard sales at the old Warsaw Healthcare Center.

**NEW BUSINESS**

Town Manager Vacancy-

Councilman Phelps would like to see knowledgeable people in the running to get the Town Manager position for the Town of Warsaw. In order to do this, he has been in contact with a head hunter firm, Springstead. He states they know how to go about the process of finding qualified individuals to bring the best to the town. It can be a 2-3 months process and cost between $15,000 and $20,000.

Councilman Yackel stated the Council has always had 30 or more applicants and has always had many qualified people apply for the position. The Council forms a committee and selects candidates for the job and interviews them and they do exactly what this company does without spending the money. He believes the Council can figure out what they want and need.

Councilman Washington would like the Council to go their normal way, but if they are at a cross roads, then go with Springstead. He would like to see what is going to move the Town forward. Town Manager Slusser was wondering how often the Town can afford to do this if the head hunting firm does not work out. Councilman Phelps does not believe the Town Staff should do the search. Councilman Yackel would like to advertise with VML. Mayor Milstead would like to post the job on the VML website for 30 days and then go from there. Mr. Slusser stated people will like to see how long the previous Town Manager was here. They look for stability. Councilman Phelps would still like to set up a meeting with Stringstead to hear what they would have to say. They will have a work session to do so.

**PUBLIC COMMENTS**

Larry Thorne would like to congratulate Paul Yackel on his golf team going to states. He believes Councilman Yackel nailed it when it comes to hiring a new Town Manager.

**CLOSED SESSION**

Councilman Yackel made a motion to convene into closed session as permitted by Virginia Code Section 2.2-3711 (A)(7) to consult with legal counsel. Councilman Forrest seconded the motion and it was carried with the following vote.

Mark E. Milstead Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye Ogle E. Forrest Aye

Roger R. Lee Aye Randall L. Phelps Aye

Paul G. Yackel Aye

Mayor Milstead reconvened in regular session and Counsel certified, by roll call vote, that, in the closed session just concluded, nothing was discussed except the matter (1)specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in the motion. The following are the roll call votes:

Mark E. Milstead Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye Ogle E. Forrest Aye

Roger R. Lee Aye Randall L. Phelps Aye

Paul G. Yackel Aye

Councilman Yackel made a motion to convene into closed session as permitted by Virginia Code Section 2.2-3711 (A)(1) to discuss personnel matters. Councilman Forrest seconded the motion and it was carried with the following vote.

Mark E. Milstead Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye Ogle E. Forrest Aye

Roger R. Lee Aye Randall L. Phelps Aye

Paul G. Yackel Aye

Mayor Milstead reconvened in regular session and Counsel certified, by roll call vote, that, in the closed session just concluded, nothing was discussed except the matter (1)specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in the motion. The following are the roll call votes:

Mark E. Milstead Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye Ogle E. Forrest Aye

Roger R. Lee Aye Randall L. Phelps Aye

Paul G. Yackel Aye

With their being no further business, Mayor Milstead adjourned the regular meeting of the Warsaw Town Council.

Submitted by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Laura K. Condrey, Administrative Assistant