

**WARSAW TOWN COUNCIL REGULAR MEETING  
COUNCIL CHAMBERS - 78 BELLEVILLE LANE  
December 10, 2009 – 7:00 P.M.**

Mayor R. Wayne Williams called the regular meeting to order on December 10, 2009 at 7:00 P.M. in Council Chambers located at 78 Belleville Lane. Council members present were R. Wayne Williams, Paul G. Yackel, Mark E. Milstead, R. M. “Mac” Lowery, Ogle E. Forrest, Sr., Paul S. Crews, and Cheryl B. Pierson.

Town staff present was John M. Slusser, Chief DeWitt Cooper, Sydonie Davis, Susan M. Pemberton, and Jane H. Mahan. Also present was Wm. L. Lewis, Town Attorney; Alex Berkman, reporter for the Northern Neck News and Representatives for the Northern Neck Technical Center present were Dr. Marilyn Barr, Steve Teese, and Randy Long.

***NORTHERN NECK VO- TECH EDUCATION FOUNDATION/JOIST PROJECTS***

Randy Long handout out the attached Northern Neck Vo-Tech Education Foundation JOIST Project background information. Steve Teese addressed Council regarding whatever consideration could be given to assist the Foundation with reducing its cost. Mr. Teese felt any assistance with the water/sewer connection fee cost of \$10,000 would be greatly appreciated and he thought it could be considered as a future investment in the town.

The Town Attorney advised that the town’s financing documents should be reviewed to see if the town has the ability to waive these fees. He noted that there may be a clause that would not allow the town waiver of any of its connection fees.

Councilman Milstead stated that he thought the operating margin should be higher and addressed his concern of selling the houses too cheap. Councilman Milstead noted that he wanted to protect the integrity of the town.

The Town Manager commented that if someone else bought this lot the town would receive \$10,000 and this could be a real potential for the loss of \$10,000 in revenue. The Manager stated that he didn’t see any other localities contributing \$10,000 and he felt the other localities should be approached to share the burden.

Steve Teese noted that the Rotary Club of Kilmarnock, White Stone, and Irvington have donated \$13,000 in the past few years.

Council tabled this issue to allow time for the town to look at its options. Mayor Williams sent this to the Finance Committee.

***MINUTES/November 12 2009***

Councilman Pierson made the motion to accept the November 12, 2009 minutes as presented. Councilman Milstead seconded the motion and it was carried with the following votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Minstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***FINANCIAL REPORT/November 2009***

Councilman Crews made the motion to approve the November 2009 Financial Report as presented. Councilman Yackel seconded the motion and it was carried with these votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***MAYOR'S REPORT***

The Mayor reported:

- The annual Christmas Dinner will be December 16, 2009 at 6:00 P.M.
- The annual "Dutch Treat" Legislative Dinner will be held at Lowery's Seafood Restaurant on Thursday January 7, 2010 at 6:00 P.M. Anyone wishing to attend should contact the Town Office.

***MANAGER'S REPORT***

The Town Manager:

- Reported that the ENR Project Progress meeting was held today and this project is at about 93% complete and there will be no more disbursements until complete.
- Reported that there is a Change Order #6 which deals with extending the road and preparation of a site for a future building.

***WASTEWATER ENR PROJECT/CHANGE ORDER #6***

Councilman Milstead made the motion to approve the Wastewater ENR Project Change Order #6. Councilman Crews seconded the motion and it was carried with the following votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***SNOW REMOVAL***

The Town Manager reported that VDOT will provide a blade for the Town's dump truck in order for the town to clear secondary roads, but not near the schools or on the main thoroughfare. He further noted that town employees will be the ones pushing snow using the town's dump truck with the VDOT blade. The Manager noted that his main concern was to provide service to its citizens and to provide access to the town's lift stations, wells and etc.

Councilman Crews inquired about whether this will have an effect on the town's insurance. Councilman Crews also addressed the issue of being obligated to provide the service that was started.

Councilman Yackel had some concerns regarding there being no budget for gas, overtime, and wearing out of the dump truck.

The Town Manager explained that the town has blanket coverage for liability and also carries no fault coverage to cover items such as mailboxes. The Manager explained that the dump trucks are under utilized. He noted that there are risks with using any equipment.

Councilman Crews made the motion to support the Manager in having VDOT put a blade on the town dump truck for snow removal and providing for the an enhanced service for Warsaw. Councilman Lowery seconded the motion and it was carried with the following votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Nay	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

#### ***POLICE REPORT***

Chief Cooper informed Council that he is back to work for the next month on light duty after having knee surgery. He told Council that one of the new police cars is parked behind the town office if anyone would like to see it.

Chief Cooper reported two adult arrest, one telephone harassment, two domestic incidents, six accidents, one larceny, one shoplifting, one assault, and one person with a gun. The department responded to 47 of the 74 law enforcement calls and issued 37 summonses of which 19 were for speeding.

Mayor Williams reviewed the recap sheet on how the new equipped police cars would be paid for and a copy is attached to these minutes.

#### ***NORTHERN NECK REGIONAL JAIL REPORT***

Mayor Williams stated that the Northern Neck Regional Jail report was in Council packet and the complete copy is on file at the town office.

#### ***WARSAW PLANNING COMMISSION REPORT***

Councilman Lowery reported as the Chairman of the Warsaw Planning Commission that the commission discussed the Vaughn and Taylor Properties, LLC General Development Plan for apartments to be built on Walnut Street.

The Town Manager reported that the General Development Plan submitted was in a condition sufficient for the Planning Commission to recommend to Council to send this request to joint public hearing.

Councilman Lowery made the motion to hold a joint public hearing with the Warsaw Planning Commission on January 14, 2009 at 7:00 P.M. to consider the General Development Plan request of Vaughan and Taylor Properties, LLC to construct apartments on Walnut Street. Councilman Forrest seconded the motion and it was carried with the following votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***COMMITTEE REPORTS – Personnel Committee***

The Personnel Committee met on Monday, December 7, 2009 to review to proposed draft of the Personnel Manual. Chairman Pierson reported that the committee recommends the approval of the Personnel Policy as reviewed.

Sydonie Davis requested some clarification on the job duties of the Personnel Committee and clarification on items listed in Personnel Manual. Council felt issues regarding the Personnel Manual should be addressed in written form so that the Personnel Committee could review such. The Town Attorney stated that the employees of the town should be in a position to understand the policy and procedures they are to work under.

After much discussion, the Mayor tabled this matter until the January 14, 2010 Council Meeting. The Town Attorney suggested that copies of the proposed policy be made and distributed to all employees and have employees submit comments in writing with understanding that decision process is with Council.

***TREASURER AND CLERK OF COUNCIL RETIREMENT PRESENTATION***

Mayor Williams presented Jane H. Mahan who is retiring from the Town of Warsaw a print in recognition for her years of service.

***VDOT ISSUES***

The Town Manager presented the "Traffic Control Signal Needs Study – October 21, 2009" to Council and the press. He stated there was no recommendation for a traffic control signal at the intersection of Route 360 and Route 1009/Washington Avenue. A copy of this study is attached and made a part of these minutes.

The Town Manager reported that he had no information on the street light request of Reggie Brann or the street light for Jones Lane. He did state that there is a need to add security lights at the Wastewater Treatment Plant.

- ***RUS Grant Resolution/Radio Communication System***

Councilman Yackel made the motion to approve the attached "Resolution of Governing Body of Town of Warsaw" as presented for the financial assistance of a Radio

Communication System. Councilman Crews seconded the motion and it was carried with the following votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***NORTHERN NECK REGIONAL ENTERPRISE ZONE AMENDMENT***

Councilman Yackel made the motion to adopt the attached resolution for the endorsement of the Westmoreland Board of Supervisors and the Warsaw Town Council for the approval of the Northern Neck Enterprise Zone Amendment. Councilman Forrest seconded the motion and it was carried with the following votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***TREASURER/CLERK OF COUNCIL APPOINTMENT***

Councilman Lowery made the motion to appoint Susan M. Pemberton to serve as Treasurer/Clerk of Council; effective January 1, 2010. Councilman Forrest seconded the motion and it was carried with the following votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***CHECK SIGNER***

Councilman Forrest made the motion to appoint Susan M. Pemberton to serve as check signer replacing the present treasurer; effective January 1, 2010. Councilman Milstead seconded the motion and it was carried with the following votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***WARSAW PLANNING COMMISSION RE-APPOINTMENTS***

Mayor Williams made the motion to re-appoint John E. Lewis, Krista H. Sisk, and Robert E. Knight to serve on the Warsaw Planning Commission; terms to expire December 31, 2013. Councilman Forrest seconded the motion and it was carried with the following votes:

Councilman Forrest seconded the motion and it was carried with the following votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***COMMITTEE MEETINGS***

A joint Utility and Personnel Committee meeting was called for January 12, 2010 at 7:30 P.M.

***CLOSED SESSION/Real Estate Matter***

Councilman Pierson made the motion to convene into closed session as permitted by Virginia Code Section 2.2-3711(A)(3) to discuss acquisition of real estate. Councilman Milstead seconded the motion and it was carried with the following aye votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

Mayor Williams reconvened in regular session and Council certified, by roll call vote, that, *in the closed session just concluded, nothing was discussed except the matters (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 that motion.* The following are the roll call votes:

R. Wayne Williams	Aye	Ogle E. Forrest, Sr.	Aye
Paul G. Yackel	Aye	Cheryl B. Pierson	Aye
Mark E. Milstead	Aye	R. M. "Mac" Lowery	Aye
Paul S. Crews	Aye		

***ADJOURNMENT***

There being no further business, the meeting was adjourned.

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Jane H. Mahan, Clerk of Council