**Warsaw Town Council Meeting**

**August 14, 2014**

**Council Chambers- 78 Belle Ville Lane**

**7PM**

Mayor Mark Milstead called the Town Council to Order at 7:02pm for the regular August meeting. Council members present were Ralph W. Self, William L. Washington,IV, Ogle E. Forrest, Wendi L. Nesbit, Randall L. Phelps, and R. Roger Lee.

Town staff present was John M. Slusser, Town Manager, Chief Christopher J. Spare, Officer Benny Burrell, and Kate Condrey, Secretary. Others present included William L. Lewis, Town Attorney, Larry Thorn, Wallace Lewis, Melinda Lewis, Charlie Pruett, Jedidiah Vandeloecht, Roy Rogers, and Mary Beth Bryant. Editor of the Northern Neck News, Nicholas Vandeloecht, was also present.

**Approval of July 10, 2014 Minutes**

Councilman Forrest moved that Council accept the minutes of the July 10, 2014 meeting without addition or correction. Councilwoman Nesbit seconded the motion. The votes were as followed:

Mark E. Milstead, Mayor Aye William L. Washington Aye

Wendi L. Nesbit Aye Ogle E. Forrest Aye

R. Roger Lee Aye Ralph W. Self Aye

Randall L. Phelps Aye

**Financial Report- June 30, 2014 & July 31, 2014**

Councilman Self moved that Council Accept the Financial Report for June,31,2014 and July 31, 2014. Councilman Forrest seconded the motion. The votes were as followed:

Mark E. Milstead, Mayor Aye William L. Washington Aye

Wendi L. Nesbit Aye Ogle E. Forrest Aye

R. Roger Lee Aye Ralph W. Self Aye

Randall L. Phelps Aye

**Mayor’s Report**

Mayor Milstead thought it would be a good idea to place advertising in the paper for the open position on the Warsaw Planning Commission. Council agreed and the Town Manager will do so. Mayor Milstead also decided he will appoint committees at the September meeting.

**Manager’s Report**

John M. Slusser, Town Manager stated that he will be having surgery on August 25. He asked council to appoint Chief Christopher Spare as acting Town manager while he is out. Chief Spare will have the authority to sign purchase orders and carry on the daily functions while Mr. Slusser is out. The following motion was made by John M. Slusser, Town manager:

I would like to make the motion that during the Town manager’s absence due to surgery (beginning 8/25) that Council appoint Chief Chris Spare as acting Town manager until such time as the Town Manager returns. Further, understanding that the Town manager will be absent from his post from time to time due to either illness or vacation that Council delegate Chief Spare the authority to act as Town manager as may be so indicated by memo from the Town manager. Such written delegation to act as Town Manager during the Town manager’s absence shall provide Chief Spare the legal and lawful authority and capacity required to fulfil the duties of the position.

Councilman Phelps moved to accept Mr. Slusser motion. Councilman Lee seconded the motion. The following votes were taken:

Mark E. Milstead, Mayor Aye William L. Washington Aye

Wendi L. Nesbit Aye Ogle E. Forrest Aye

R. Roger Lee Aye Ralph W. Self Aye

Randall L. Phelps Aye

The Mayor asked when Warsawfest would be. Councilman Self responded. He stated that Warsawfest is on the Second Saturday in October. Mayor Milstead asked the Town Manager to rent the Town Council a spot. Councilman Lee asked about shirts for the Council Members. Councilwoman Nesbit spoke up and stated she had the shirt sizes and would order them. She was working on picking the color of the shirt because of the town logo. The shirts will have the same logo as the sign for the Town Park. Mayor also asked that the Town Manager order the same bags they had the previous year.

**Police Report**

Chief Christopher J. Spare introduced the new part-time Officer Benny Burrell. Officer Burrell was available after the meeting to meet the Council Members.

Chief Spare stated the next TRIAD meeting will be August 26 at Warsaw Methodist at 9:30am. Councilman Washington asked how many people usually attend the meetings. Chief responded that it can be anywhere from 10-20 people. He stated the TRIAD continues to move locations to try and pick up more members and involve more people.

Chief Spare gave an update on the new patrol cars. He stated both cars are on the road. He also stated he had one of the old cars restriped as a backup vehicle. Councilman Ogle said the new patrol cars look very nice. John. M Slusser, Town Manager, asked Chief Spare to ask council for permission to sell the remaining car. Councilman Washington made a motion to allow Chief Spare to sell the remaining patrol car. Councilman Lee seconded the motion. The votes were as followed:

Mark E. Milstead, Mayor Aye William L. Washington Aye

Wendi L. Nesbit Aye Ogle E. Forrest Aye

R. Roger Lee Aye Ralph W. Self Aye

Randall L. Phelps Aye

Councilman Washington asked about community events. Chief Spare stated that the Police Department will try and do a community event in the spring. With school starting and all the events going on in the fall, he didn’t want to have a conflict.

**Northern Neck regional Jail Report**

Larry Thorn came to the podium to speak about the Northern Neck Regional Jail. He stated everything was fine. Mr. Thorn stated there were 30 prisoners from Richmond County, 64 from Northumberland County, 43 from Northumberland County, 157 Federal, and 55 others. He stated that most of the federal prisoners are coming from northern Virginia and we are getting more than adequate compensation for their stay. He stated that the Marshall Service is doing better. Councilman Phelps asked if the Virginia Senators were much help. Thorn stated they were a big help.

**Warsaw Planning Commission Report**

Councilman Washington stated the Warsaw Planning Commission met on August 7. During the meeting they passed the CUP of Hurst Harvey Oil, Inc. to Council with concerns. These concerns included onsite management, hours, and lighting. The Warsaw Planning Commission tabled Bailey Living Trust and Developer Roy Rogers until VDOT information was received.

There were no other committee reports.

**Unfinished Business**

John M. Slusser, Town Manager, stated he would be getting back to the Municode- Recodification Proposal and the personnel Leave Policies. He did not have an opportunity to speak with Town Attorney Lewis on the Municode Proposal. They will be meeting to talk about the proposal. These topics will be discussed at the September regular meeting.

***Conditional Use Permit- Hurst Harvey Oil, Inc.***

***Car Wash- Warsaw Village Shopping Center***

Town Manager Slusser stated he had a positive meeting with Melinda Lewis and her sales representative to discuss the proposed car wash. Tim Fitzpatrick, the sales representative, answered many questions about the sewer and what will be discharged from the facility. Mr. Slusser has no concerns with the used water distribution process. That was an important question to many Council members at the Joint Public Hearing. Mr. Slusser stated they will connect to the sewer, comply with the DMO, and also give the Warsaw Police Department a letter to go on the property during non-business hours for safety purposes. Mr. Slusser stated Chief Spare is fine with the Car Wash being in town. As far as the issues go, Mr. Slusser believes they are resolved.

Melinda Lewis then came to the podium and states there will be an attendant in the evening. She thinks from about 4 to 9. Times may vary depending on need and times of increased traffic.

Councilman Phelps asked if it was normal to have an attendant. Melinda Lewis stated that most businesses like this do not have an attendant. Councilwoman Nesbit asked if there would be shelter for the attendant. Ms. Lewis stated there is a mechanical room where they could go and would have a place to sit. Councilman Lee asked if the video feed to the Kilmarnock headquarters would be live or taped. Ms. Lewis stated it would be both. They can view the car wash from any computer or mobile device. The car wash will also be taped. This would allow for her to go back and see what happened at a certain time or place.

Councilman Forrest asked Chief Spare about his opinion on having an attendant. Chief stated he was fine with having the auto shut off switch and during a meeting, he and Ms. Lewis decided on how things would be handled. Ms. Lewis will be a vigilant owner and is planning on visiting the car wash during the day. At night, the WPD will have the authority to patrol the property via a letter Ms. Lewis will write. Chief stated Melinda Lewis wants to work with the town and is willing to do her part. Chief plans on getting to know the attendants and being a source of help. Councilman Self had a question concerning the shut off times. He wanted to know if someone was in a carwash at 9:00pm, if the wash would just stop. Ms. Lewis assured Mr. Self the carwash would finish and then shut down for the night.

Councilman Randall Phelps made a motion to accept the General Development Plan and Final Site plan of the Carwash being placed in Warsaw Village Shopping Center by Hurst Harvey Oil, Inc. The motion was seconded by Councilman Ogle Forrest. The following votes were taken:

Mark E. Milstead, Mayor Aye William L. Washington Aye

Wendi L. Nesbit Aye Ogle E. Forrest Aye

R. Roger Lee Aye Ralph W. Self Aye

Randall L. Phelps Aye

Councilman Forrest man a motion to accept the Conditional Use Permit of Hurst Harvey Oil, Inc. Councilman William Washington seconded the motion. The votes were as followed:

Mark E. Milstead, Mayor Aye William L. Washington Aye

Wendi L. Nesbit Aye Ogle E. Forrest Aye

R. Roger Lee Aye Ralph W. Self Aye

Randall L. Phelps Aye

***Final Site Plan- Bailey Living Trust & Developer Roy Rogers***

***Parcel 16A3(A)3- 187 Memorial Drive***

John M. Slusser, Town Manager stated the Council did not have a recommendation from the Warsaw Planning Commission because they were waiting on VDOT’s preliminary concerns. Mr. Slusser stated he had received the letter of concerns from VDOT. It listed the following concerns:

1. This plan is reviewed in accordance with the current edition of the VDOT Secondary Street Acceptance Requirements (SSAR) and the VDOT Road Design Manual, Appendix B (1) & F.
2. These streets must meet the multiple connections in multiple directions requirement with a stub out to an adjacent developable parcel as listed in the VDOT SSAR’s
3. Label the speed limit and illustrate intersection sight distance for each street entrance.
4. Provide center-line horizontal curve data.
5. Locate the utilities out of the pavement and as near the right-of-way line as possible.
6. Provide a typical street section with pavement width, shoulders, ditches, and right-of-way to verify adequate right-of-way width. Also, the proposed waterline along Memorial Drive must be located out of the pavement.
7. The 50’ right-of-way that encompasses the 45’ cul-de-sac radii will be inadequate to cover the shoulders and ditches around the cul-de-sac. Also, provide radial right-of-way around the entrance radii.
8. It is recommended to dedicate 5’ of additional right-of-way along the development frontage for the potential of future road improvements. Also, please explain the dah line in the southwest corner of the development on lot 13 labeled as “Right-Of-Way Hereby Created.”
9. The plans do not show any proposed on-site storm water retention, but appears to drain the entire site to the existing cross-culvert under Rt. T-1018. This must be addressed when the detailed construction plans are submitted, and it is recommended to forward this preliminary plan to the Department of Environmental Quality for review.
10. 10. Detailed items such as roadway geometry, pavement design, drainage, and all other items necessary for the street design will be reviewed with the submittal of a detailed construction plan.

Mr. Slusser went on to state there has been a public hearing in this matter. He stated Planning Commission has approved the general development, not the final site plan. Town Council has done neither. Mr. Slusser also stated that there most likely won’t be any interconnectivity due to the fact that Sturman lane is not up to VDOT standards.

Councilman Phelps asked what has to happen next, to get this project going. Mr. Slusser stated the waterline is the next step. The instillation of the new water line will be between $50,000 and $60,000. The bigger waterline will have a positive impact on the community. It will allow for more water flow in case of a fire, and also another way for water to get to homes in case there was a line break. In order for the new water line to happen, there have to be bids taken for the construction. The town won’t pay anything out of pocket. The money will come from the developer. As the developer builds the development, the water used will be credited from the amount the town should pay. There is no agreement as of now to make this official.

Councilman Forrest stated he was good with the development coming into his neighborhood. The Mayor stated he wanted to wait for the VDOT corrections. Councilman Forrest asked what the Council has to do to approve the waterline. Mr. Slusser stated they have an agreement in concept. He reminded Council that the Planning Commission had not yet approved the development. Mr. Slusser said the Council can go back and ask for the recommendation after they have passed it. Town Council is over the Planning Commission and they make the final decisions.

Mr. Roy Rogers spoke up and stated the DMO says that if a plan is not passed or declined in 90 days, it is automatically passed. Councilman Washington doesn’t want to disrespect Planning Commission by going ahead with the plan without their recommendation. Councilman Self states that without VDOTs approval, the plan won’t go through. Mr. Slusser asked if the Council could wait 30 days for the next meeting so they would have the recommendation of the Planning Commission and also the actual agreement with the developer. Councilman Self stated that the Council wants to see Warsaw grow, but won’t allow anything to come in. He stated the community cannot grow without the help of the Council.

Councilman Washington made a motion to allow the Bailey Living Trust and Developer Roy Rogers Final Site plan through with the understanding there is a pending final agreement in which the Mayor must sign. Councilman Self seconded the motion. The votes were as followed:

Mark E. Milstead, Mayor Aye William L. Washington Aye

Wendi L. Nesbit Aye Ogle E. Forrest Aye

R. Roger Lee Aye Ralph W. Self Aye

Randall L. Phelps Aye

Councilman Washington moved to accept the CUP of Bailey Living Trust and Developer Roy Rogers as long as they comply with the DMO and DEQ. Councilman Lee seconded the motion. The votes were as followed:

Mark E. Milstead, Mayor Aye William L. Washington Aye

Wendi L. Nesbit Aye Ogle E. Forrest Aye

R. Roger Lee Aye Ralph W. Self Aye

Randall L. Phelps Aye

**New Business**

The Richmond County Fair ran from August 12-16 at the Fair Grounds. The Council presented the Richmond County Little League Senior Girls Softball team an award for winning the State Championship. Mayor Milstead presented the certificate to the team.

**Comments from the Public**

Mr. Jedidiah Vandeloceht asked if Sturman Lane would be an outlet for the new development by Bailey Living Trust and Developer Roy Rogers. Mr. Slusser told him there would not be an outlet on Sturman lane. Sturman Lane was not up to VDOT standards and there would be no connectivity.

**Council Comments**

Councilman Self stated it was nice to see the Dollar General development moving forward. He also stated he was happy the carwash passed. He stated the Council is doing a great thing for the community and town. Councilman Lee added it was nice to see the town growing.

Councilman Washington would like the town to look into town wide WiFi. He thinks it would be a nice asset to the town.

Councilman Ogle stated he agreed with Councilman Self’s comments. He also said the town park is really thriving. He stated that people from all over are using it. Councilman Phelps congratulated the Richmond County Little League Senior Girls for winning the State Championship. He stated many people commented on the little league park and how nice it was. He also stated that people say great things about the town park as well. He wished Mr. Slusser good luck with his surgery.

**Adjournment**

With no further business, Mayor Milstead adjourned the August 14th meeting of the Warsaw Town Council at 8:25pm.

Laura Katherine Condrey, Secretary