**WARSAW TOWN COUNCIL**

**COUNCIL CHAMBERS- 78 BELLE VILLE LANE**

**FEBRUARY 12, 2015**

**7:00 PM**

Mayor Milstead called the Warsaw Town Council to session at 7 p.m. on Thursday, February 12, 2015 for the regular monthly meeting. Council members present included Ralph Self, Randall Phelps, Roger Lee, Vice-Mayor Paul Yackel, Rebecca Hubert and William Washington, IV. Town staff present included John M. Slusser, Town Manager, Susan Pemberton, Clerk and Treasurer, Kate Condrey, Administrative Assistant, Officer Charles Bowles, and Chief Christopher Spare. Others in attendance were Mary Beth Bryant, Larry Thorn, Patricia Pugh, and John McGruder. The mayor led the Council and audience in the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

Randall Phelps made a motion to accept the December 11, 2014 meeting minutes without addition or correction. Councilman Lee seconded the motion. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

Randall Phelps made a motion to approve the minutes for the January 8, 2015 regular Council meeting without addition or correction. Councilman Self seconded the motion. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

Councilman William Washington, IV made a motion to accept the minutes for the January 14, 2015 work session without addition or correction. Councilman Self seconded the motion. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

**APPROVAL OF FINANCIAL REPORT:**

Councilman Phelps made a motion to accept the December 2014 financial report without addition or correction. The motion was seconded by Councilman Ralph Self. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

Councilman Phelps made a motion to accept the January 2015 financial report without addition or correction. Councilman Lee seconded the motion. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

**MANAGERS REPORT:**

John M. Slusser handed out the managers’ report to the Council. He then went over the handout.

**Town Manager’s Report**

**Bailey Ridge Subdivision** Awaiting approval of storm water and E&S plans. Meeting with Richard English on Tuesday, March 17. Awaiting final approval of agreement between Town and Developer. Agreement being drafted by town attorney.

**Helena Chemical** Site plan has been downsized. Dry fertilizer mixing building has been removed from current site plan and shown as future development. Change in building locations. Reduced amount of area to be graveled/paved. Ready to begin construction within next 60 days or so.

*Mr. Slusser brought to the Councils attention the ordinance states if there are not substantial changes, then there does not need to be a public hearing. He believes there are no substantial change and would recommend to Council to move on with this.*

**NNEC** Final preparations incident to construction underway. Still have to get final approval on Storm Water. Hope to be under construction in the next 60 days or so.

**Family Dollar** Construction underway. Plans include acorn light fixtures on fluted poles. Will wrap entire corner from The Haven (old funeral home) along US 360 to Court Circle and south along 5’ sidewalk to RCC property. Approximately 12 fixtures at an estimated cost of 1.5K-2K each. Would like Council’s concurrence. There is presently, about $50K in the street light fund.

**Warsaw Health Center Site** Neal Barber of Community Futures has scheduled a progress meeting for Tuesday, February 17th. Final results of his Economic Development Study as it pertains to the future use of the property is due on July 1, 2015.

**Get and Zip Car Wash** Town has concluded reviews on property, with exception of sign review. Will issue zoning permit as soon as Storm Water review is concluded by County.

**Town Park** The bathrooms have been connected to sewer, the water and electricity has been installed. I am awaiting a break in the weather and employee availability to complete landscape work which involves reseeding the area that was disturbed by the underground electric burial. That area has to be reseeded, fertilized and straw mat or other cover placed over it.

The parking lot needs to be completed in the sense that the 6x6 wheel stops need to be put back in place and the ornamental grasses that were removed for construction needed to be replanted. The area where grass is to go also needs to be reseeded.

Finally, the observation window needs to be protected by a fence or other contraption so that it is not damaged by traffic.

Lastly, the fence in the NE corner needs to be removed so that the white privacy fence can be extended. A letter has been sent to the property owner and a discussion has been had with the owner regarding the encroachment of the fence and building on town property. He will be contacted again prior to the end of the month.

**Verizon Property** Verizon was contacted regarding the possible purchase of the approximately 8000 square foot tract directly behind the town park. The reply received from Verizon Real Estate representative John Leahy was, “The property is currently under review by Verizon.”

**VDOT Transportation Alternative Grant** The town placed a Request for Propsal (RFP) for Engineering Services regarding the above mentioned grant. Final submission for RFP proposals is 2PM on 2/18/15.

Following selection of an Engineer, there will be at least on public meeting regarding the proposal to get input on design and community feedback. The project will be designed and construction will begin, provided the necessary easements can be obtained. The project will involve the removal of the existing sidewalk and replaced with a grass strip, construction of a new sidewalk outside of the strip and relocation of the utility poles outside of the new sidewalks. Inasmuch as the street light will no longer reach the streets due to pole relocation (the arms aren’t long enough). They will likely be replaced by the same type of light that will be on the opposite side of the road, that is an acorn fixture on a metal light pole, similar to what is at the park entrance.

**VDOT Highway Safety Grant** Since we have Transportation Alternative Grant and Family Dollar development going on corners involved in the Highway Safety grant, I am trying to arrange a meeting with VDOT to urge Dominion to place their utilities underground. Now is the time to coordinate all of this activity so that it dovetails one project into the other. Dominion said they would contact me once the meeting is they determine their schedule availability.

**Recodification** The Town Attorney is to contact the Contractor with regard to start up and calendaring. To my knowledge all preliminaries have been completed.

**Strawberry Hill Timber** The following bids have been received for timber on the Strawberry Hill tract.

181 Acres **Estimated Value $65,000** Purchaser: Rock Tenn  **Thinning**

78 Acres **Estimated Value $75,600** Purchaser: Contract not awarded **Clear Cut**

Total Value **$154,600 less 7.5% (Three Rivers Forestry) equals 129,500 (net)**

Undoubtedly, there will be expenses for replanting pine trees after clear cutting on 78 acre tract.

John McGruder took to the podium. He stated that we are on to the second part of the Strawberry Hill tract, Parcel B. Given the conditions, it is best to clear cut the area. There have been 4 bid submissions. The main product that will be removed is pine pulpwood. The best bid was received from South Paw Forest Products for $75,600. The actual timber proceeds from this sale will vary due to timber stem densities and actual sizes of the trees. On average a landowner received between $800 and $1000 per acre for a pulpwood timber harvest. This would result in $62,000 to $78,000 of income received by the Town based on an estimated 78 acres harvested. Mr. McGruder will get the necessary contacts to the Town Attorney.

Councilman Washington made a motion to accept the bid submission by South Paw Forest Products to clear cut Parcel B. The motion was seconded by Councilman Phelps. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

**TOWN ATTRONEY REPORT:**

Bill Lewis, the Town Attorney, stated he has been in communication with municode about the recodification. He has received the link for the electronic drop box which will be used to transfer information. There should be more progress in the next 60 days or so.

Mr. Lewis will review the contacts for the clear cutting and thinning of the Strawberry Hill Tract.

The Baily Ridge Subdivision and Mr. Roy Roger have come into some problems with authorization restrictions. There is a line he must follow so he will not have any violations.

**POLICE REPORT:**

Chief Christopher spare stated the Warsaw Police Report was in the Council packets. He stated there were an unusually high number of arrests this month. He stated there was one case that took about 40 man hours to complete and gather all information. This case concluded with 6 different juveniles charged with 16 felonies.

As for the adult arrests, they stemmed from a situation at Food Lion and Dollar General. The case took a total of 10 man hours to gather information, detain the suspects, and make an arrest.

Chief also spoke of the DMV grant that was appealed. Chief has received the grant and it is in place to use.

**NORTHERN NECK REGIONAL JAIL REPORT:**

Larry thorn stated the jail was doing well. They are looking into electronic devices to make phone calls and collect revenue. Overall the jail is in good financial shape. There was a DOA at the jail within the past month. Town Manager Slusser and Chief Spare were contacted about that matter. An inmate had a heart attack after an altercation. Mr. Thorn will sit on a committee about an employee grievance within the next 2 weeks. He does not expect the northern Virginia based jail to be finished within the year. This means more revenue for the Northern Neck Regional Jail.

Chief commented that there is a mutual agreement between himself and the Sheriff Bryant that they will not investigate crimes at the jail. They leave this to the state police.

**PLANNING COMMISSION REPORT:**

Councilman Washington stated the Warsaw Planning Commission received a Conditional Use Permit (CUP) from Regina Baylor of Kinsale, Virginia. She would like to open a boutique/ antiques shop at 190 Main Street in Warsaw. This building is owned by Jimmy Poates and was the previous location of Granny’s Attic. This area is zoned C-1 and requires a CUP for her requested establishment. The Warsaw Planning Commission made a motion to recommend it to a Joint Public hearing.

A motion was made by Councilman Paul Yackel to send the CUP request of Regina Baylor to a Joint Public Hearing scheduled for March 12, 2015 at 7pm. The motion was seconded by Councilman Roger Lee. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

**COMMITTEE REPORTS:**

The Finance Committee will meet for the mid-year review on Thursday, February 19, 2015 at 5:30pm at the Town Office. What they typically look at is areas that have reached 50% of their allotted budget or have passed that mark.

**WARSAW RICHMOND COUNTY MAIN STREET PROGRAM:**

Mrs. Pat Pugh took to the podium for the Warsaw Richmond County Main Street Program. She provided Council with the 2014 income statement. She thanked Council for their continued support. She also supplied Council with a list of upcoming events. On February 28th, they will hold a Red Dress Gala at the Historic William A. Jones home. They would like to have more movie nights in the park. Mrs. Pugh stated the Trunk-or-Treat was a huge success the previous year and they hope to continue that tradition. She would really like to receive the store front revitalization grant of $500,000. This could help the town with main street revitalization. She also looked forward to hearing about the pavilion that will be proposed. They will be doing fundraising for the Main Street Park Playground through a letter drive and soliciting funds.

**UNFINISHED BUSINESS:**

The Long-Term Capital Improvements summery could be found in the Council packets. Mr. Slusser stated that the results were all over the board. Averaging the numbers did not work. He stated most of the items on this list are already in place. He stated the Town has no control over the “bottom” shopping center and a letter will be sent out. They hope to acquire the property as they did with the Warsaw Healthcare center.

For utilities, the engineer report would be the place to start. This needs to be done in order to complete any of the other tasks listed. Mr. Slusser recommended the Utilities Committee meet and talk about where to go from here. Councilman Forrest will need to be contacted. The Council would like to have a budget in place before the end of this year’s budget. Mayor Milstead would like to contact VDOT about the 6 year plan which may help with Main Street to the BP station. That road may need to be widened and sidewalks added. Mayor Milstead proposed the Utilities Committee look at all of the Long-Term Capital Improvements and see which can be done.

**NEW BUSINESS:**

Pavilion Proposal-

The Council had talked of a Pavilion at the Town Park and Councilman Lee went out and found some

information and prices. The total budget for the project is $60,000 minus $14,120 for previous costs. His

best quote was $45,618 which would leave a surplus of $200 in the budget. This company is insured and

bonded. The pavilion would be 575 square feet. This price includes turnkey costs including engineering.

The Council had agreed to a design as long as it fits in the budget.

Councilman Yackel does not want to spend that much on a pavilion. When he thinks of a pavilion it is more of a temporary shelter. He was thinking something along the lines of what can be found at Washington’s Birthplace, not something with audio and a stage. He stated that we would have to have regulations and someone to keep up with the pavilion and also a schedule of when and who is using it.

Councilman Washington says he has a different view of the pavilion. He wants something like nothing else in the area. He mentioned we could have an agreement with people about damages and could then fix them as they happen. He wants a place that people will remember and can have childhood memories about.

Mayor Milstead said Councilman Lee had a very nice proposal for a nice structure and he believes it is exactly what we need. This could improve Warsaw and people could remember Warsaw from their childhood and then return later in life. People will use the businesses in Warsaw when they visit the park. In order for Warsaw to grow, we need people to move here. We have a lot going for the town with sidewalks, a police department, the town park, a nice school system, great sewer and trash pick-up. The mayor is in favor of the pavilion proposal.

Councilman Self mentioned the Council had a meeting about the pavilion prior to this meeting and he believes you pay for what you get. He would like for Warsaw to be a unique town in the Northern Neck and hope it will attract more people to Warsaw. He is in favor of the pavilion.

Councilman Washington made a motion for the Town Manager to enter into a contract with Mulvena, LC for the pavilion for $45,618. The motion was seconded by Councilman Self. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Nay

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

The Council wants the pavilion finished by Memorial Day and hopefully the construction will start as soon as possible. The builder would also like to know what the Town would like to do as he wants to get the project underway.

Board of Zoning and Appeals Appointments-

The Board of Zoning and Appeals need new appointments. They don’t meet very much, but is it

important if they need to meet, everything is up to date. The Council will make recommendation to the

Circuit Court through the Town Attorney Bill Lewis.

Councilman Phelps made a motion to request the Circuit Court to reappoint Edgar Milstead- Term Effective 1/1/15 – 12/31/2019 to serve on the Board of Zoning and Appeals. Councilman Lee seconded the motion. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

Councilman Phelps made a motion to request the Circuit Court to reappoint J. Bradford Lowery, III – Term Effective 1/1/15 – 12/31/18 to serve on the Board of Zoning and Appeals. Councilman self seconded the motion. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

Councilman Phelps made a motion to request the Circuit Court to appoint J. Lawrence Thorn – Term Effective 1/1/15 – 12/31/19 to serve on the Board of Zoning and Appeals. Councilman Lee seconded the motion. The votes were as followed:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

Councilman Ralph Self made a motion to request the Circuit Court to appoint Cindy M. Lloyd – Term Effective 1/1/15 – 12/31/19 to serve on the Board of Zoning and Appeals. The motion was seconded by Councilman Phelps. The votes were as follows:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

Councilman Phelps made a motion to request the Circuit Court to appoint R.M. “Mac” Lowery – Term Effective 1/1/15 – 12/31/2017 to serve on the Board of Zoning and Appeals. Councilman Lee seconded the motion. The votes were as follows:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

Harold Hinson-Dunking Booth -

The Town Manager explained that Harold Hinson’s dunking booth was used at the Town Park

opening. It was then stored by a former Town Council member. That member was moving and

Mr. Hinson wanted his dunking booth back. The former Council member could not find the

dunking booth. The Town manager believes we should make this right by giving Mr. Hinson

something for his lost item. The materials in the Dunking booth come to about $250. He also

had labor in the item.

Councilman Lee made a motion to give Mr. Harold Hinson $300 for his lost dunking booth. Councilman Phelps seconded the motion. The votes were as follows:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

Breakfast Meeting- Board of Supervisors -

The Town Council and the Richmond County Board of Supervisors will hold a meeting on

Thursday, February 19, 2015 at 7:30 a.m. at the Town Office. Breakfast sandwiches will be

provided by the Town along with coffee. An agenda will be prepared, but it is more of a

“breaking of bread’ between the two.

**COUNCIL COMMENTS:**

Councilman Lee is very excited about the pavilion for the Town Park.

Councilman Washington made a comment about the Storm Water Approval Process. He stated that it seems to be holding up many project throughout the Town. He also liked how the Manager’s Report was presented and the Long-Term Capital Improvements results.

Mayor Milstead wanted the thank everyone for their hard work.

Councilman Yackel made a motion that the Council go into Closed Session regarding Personnel Matter, Section 2.2-3711(A)(1). Council voted unanimously to go into closed session.

Council returned from Closed Session. Councilman Yackel made a motion to come out of closed session. The motion was unanimous with Council.

The mayor asked that all members of council, by voice vote, state that no other business other than that previously stated regarding Personnel Matter, Section 2.2-3711(A)(1) was discussed. The following vote was taken:

Mark E. Milstead Aye Paul G. Yackel Aye

Ralph W. Self Aye Roger R. Lee Aye

Randall L. Phelps Aye Rebecca C. Hubert Aye

William L. Washington, IV Aye

There being no further business, Mayor Milstead adjourned the February 12, 2015 regular meeting of the Warsaw Town Council at 8:30 p.m.

Submitted by:

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Laura “Kate” Condrey, Administrative Assistant