

MINUTES
WARSAW TOWN COUNCIL
REGULAR MEETING & PUBLIC HEARING
JUNE 14, 2018 – 7:00 P.M.

The regular meeting of the Warsaw Town Council & Public Hearing to consider the Rezoning request of the Alma Group dba River Pools & Spas to rezone Tax Map Parcel 16-12 from C-2 to C-3 was held Thursday, July 14, 2018 at 7:00 p.m. in Council Chambers at 78 Belle Ville Lane. Council Members present were Mayor Randall L. Phelps, Vice-Mayor Paul G. Yackel, Roger R. Lee, Faron H. Hamblin, Rebecca C. Hubert, Ralph W. Self, Ogle E. Forrest, Sr., and Auriel Walker. Council-Elect Jonathan B. English was also present.

Town Staff present was Town Manager Joseph N. Quesenberry, Director of Economic Development Lee H. Capps, Wastewater Supervisor Lee Ambrose, Chief of Police Joan N. Kent, Officer Eddie Headley, Officer Wendy McElroy, Officer Max Sanchez, Donna L. Jackson, and Administrative Assistant Linda S. Holsinger. Others present were Samuel Lantz of the Northern Neck News, Dan Ream of Rappahannock Community College, Lisa Hull of the Northern Neck Tourism Council, RHS Softball Coach Ellen Gaines, Gary W. Palmore, Bob Kane, Sara Carroll, Will Norman, R. Sydnor Reames, Edward Self, Jim Spiess, Brenda Spiess and Frances Baylor.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Phelps called the meeting to order and led in the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA

Councilman Hamblin moved to approve the agenda as presented. The motion was seconded by Councilman Forrest and carried with the following votes:

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

APPROVAL OF MINUTES – MAY 2018

Councilman Hamblin moved to approve the Minutes of May 2018 as presented. The motion was seconded by Councilman Forrest and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

APPROVAL OF FINANCIAL REPORT – MAY 2018

Councilman Hamblin moved to approve the Financial Report for May 2018 as presented. The motion was seconded by Councilman Forrest and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

COMMENDATION – Richmond County Girls Softball team: State Champions

Mayor Phelps recognized Rappahannock High School Softball Coach Ellen Gaines and presented her with a plaque congratulating her on another successful season in winning the State Softball Championship. Ms. Gaines was also named Coach of the Year.

PUBLIC HEARING – Rezoning Request: Parcel 16-12 From C-2 to C-3

Mayor Phelps opened the public hearing and read the following notice as it appeared in the Northern Neck News for two weeks.

Notice is hereby given that a rezoning request is petitioned by The Alma Group to re-zone Tax Map Parcel 16-12 from -e to C-3. The C-3 Zone id designed to permit a combination of commercial (primarily non-retail) and light industrial , manufacturing, processing, fabrication and assembly among other permitted uses. A full text of the C-2 and C-3 Zoning Descriptions are available at Town Hall and are posted on the Town of Warsaw web site.

The Warsaw Planning Commission and Town Council will be holding Public Hearings during their regularly scheduled meetings at 7:00 p.m. Thursday, June 7, 2018 and June 14 respectively at the Warsaw Town Council Chambers, 78 Belle Ville Lane, Warsaw, VA 22572. Following the Public Hearings, action on the rezoning application is anticipated. A copy of the existing zoning map and proposed change are available at Town Hall.

Questions or special accommodations to attend public hearings should be directed to Joseph Quesenberry, Town Manager, at jquesenberry@town.warsaw.va.us, or Lee Hood Capps, Planning Director at lhcapps@town.warsaw.va.us, 804-333-3737.

Mayor Phelps recognized Ralph Self. Mr. Self said he is a neighbor and adjoining property owner of the property being considered for rezoning. He doesn't want to stop progress, but he does have some concerns and hopes they will consider the effects to the residents in the area. Mr. Self

said that since we have been back there and before the annexation, it was mostly farm land and residences. The asphalt plant was there before they were annexed, then River Pools & Spas located in front of them. Mr. Self felt that the property should be rezoned for small commercial businesses but not for large manufacturing businesses or industrial. Due to the smell associated with River Pools and Spas, Mr. Self stated that he and his family cannot enjoy being outdoors if the wind is blowing in a southward direction.

Economic Director Lee Capps stated that a 25 ft buffer must be maintained between C-3 and residential zones and a 10-foot buffer between C-3 and M-1. Vice-Mayor Yackel noted even from where he lives on Jefferson Avenue, the smell sometimes will knock you out, so I know what Ralph is talking about. We need to consider the legal and the ethical impact to the residences in the area.

Councilman Hamblin, the Council Liaison to the Planning Commission, stated the Commission has reviewed the rezoning request and recommends Council approval to rezone Tax Map Parcel 16-12 from C-2 to C-3 as requested. The Town Manager stated they will have to conform to VDOT, DEQ and the Development Management Ordinances before final approval is granted.

Mayor Phelps then closed the Public Hearing and asked if there were any comments from Council before a decision is made. There were no further comments from Town Council. Councilman Lee moved to accept the Planning Commission's recommendation to approve the Rezoning Request of the Alma Group dba River Pools & Spas to rezone Tax Map Parcel 16-12 from C-2 to C-3. Councilman Hamblin seconded, and the motion carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Nay
Ralph W. Self	Nay	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

PUBLIC COMMENTS

Mayor Phelps recognized Bob Kane, representing the Rappahannock Concert Association. Mr. Kane stated he wished to address the restrictions of the Sign Ordinance. It only allows for a sign to be up fourteen days prior to an event being held. This has never been a problem since it was not strictly enforced until this year. Mr. Quesenberry has been very cooperative, but he is bound by the ordinance. Mr. Kane would like Council to consider amending the ordinance to allow a little more time. Their events are usually held on a Saturday and he would like to be able to put their banner up prior to the weekend a couple of weeks before the event to catch people entering the area to give them adequate time to order tickets. Mayor Phelps advised the Ordinance Committee will look into it.

Mayor Phelps then recognized Jonathan English. Mr. English stated he is not sure everyone is familiar with him and he wanted to address Council. He thanked Councilman Lee for his time serving on Council and said he is looking forward to working with the current Council and staff. He feels the town is heading in the right direction and there is a lot to be excited about. He believes he can be an asset to the town, is enthusiastic and has a good work ethic. He has been reading and will continue to read all minutes to familiarize himself with the town. He is interested particularly in the Economic Development; Personnel and Police Station Committees. He thinks we need to go back to the drawing board on the proposed Police Station as all the bids were very high. He further stated we will not always agree but, he is always willing to engage in conversation with anyone. Thank you for your time in allowing me to speak.

RICHMOND COUNTY LIBRARY PRESENTATION

Mayor Phelps recognized Dan Ream who presented a video of the Dolly Parton Imagination Library. Dolly Parton Imagination Library is a book gifting program that mails free books to children from birth to five years of age in participating communities in the United States, United Kingdom, Canada and Australia. She became interested in helping children to learn to read in part to honor her father who was unable to read or write. It all started in East Tennessee where she was born and grew up and has grown quite a bit since that time. The Richmond County Public Library is proud to be involved in this worthwhile endeavor. Mr. Ream thanked Council for the town's continued support of the library.

NORTHERN NECK TOURISM PRESENTATION

Mayor Phelps recognized Lisa Hull presented a power point presentation of opportunities for tourism in the Northern Neck. There are lots of trails for people to make use of such as the trails at RCC, the Northern Neck Heritage Trail, Oyster Trail and bicycle trails . as well as a lot of local history especially the renovations taking place at Menokin here in Richmond County. The NNTC is now on Facebook and Twitter. She thanked Council for their support.

MAYOR'S REPORT

Mayor Phelps thanked outgoing Councilman Roger Lee for the outstanding job he did while serving the Town of Warsaw. He then welcomed Jonathan English who will begin his term July 1 and stated he is looking forward to working with him. Councilman won't be a stranger as he will continue to be a presence in the town.

Mayor Phelps said he will be out of town the last week in June. We need to hold an organizational meeting to appoint Council Committees and staff positions as of July 1, He will recess tonight's meeting to reconvene June 19. Council-Elect English will be participating in that meeting.

MANAGER'S REPORT

The Town Manager thanked Roger Lee and said he will be missed, but we know where you live.

He then welcomed Donna Jackson, a new part time employee who is assisting the town with Planning & Zoning and code enforcement. She has already been a tremendous help.

He advised there will be a 'Pickin' in the Park' event Saturday, July 21, from 7:00 – 10:00 p.m. at the Warsaw Town Park. There will be live music, food vendors and beer garden. There will also be volleyball, cornhole and more. Admission is free, but donations will be taken for Friends of the Saddlery. It should be a great event and lots of fun for friends and families to enjoy!

He gave an update on the Warsaw Beautification Committee. We are excited River Pools & Spas will be our first sponsor by placing their ad in the median at the gateway to town. Hurt & Proffitt has also donated their engineering services.

He congratulated Lee Hood Capps on his being elected incoming Warsaw Rotary Club President.

WARSAW POLICE REPORT – CHIEF KENT

Chief Kent stated your Warsaw Police Department has been working hard. We have a good group of people. She has been in contact with the Amish Community that recently moved to the area to see what we can do to help them and will report to Council further as more details become available

WARSAW PLANNING COMMISSION REPORT

Lee Capps noted River Pools & Spas business expansion plans are not yet complete but should be available soon. He would like to advertise for a Public Hearing to consider those plans at the July 5th meeting of the Planning Commission and the July 12th Council meeting. Councilman Forrest moved advertise to hold the public hearings as requested. The motion was seconded by Councilman Lee and carried with the following votes,

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

There is now a vacancy on the Commission. We have three or four people who may be interested to fill the vacant seat. If anyone knows of any others please bring their names for Council's consideration next month.

WASTEWATER TREATMENT FACILITY REPORT – LEE AMBROSE

Lee Ambrose reported the average flow from town in May was 195,200 gallons, an increase of 30,200 gallons from April's flow average of 165,000 gallons. The max flow from town was 341,500 gallons, an increase of 138,600 from April's max flow of 202,900 gallons.

The average total phosphorous for the month of May was 0.09mg/l, which resulted in a monthly discharge of 4.0 lbs. For the year we discharged 19.8 lbs, 7.2% of our permitted 274 lbs. The average total nitrogen for May was 2.79 mg/l. This resulted in a monthly discharge of 128.0 lbs. For the year we discharged 634 lbs., 17.3% of our permitted 3,655 lbs.

WE had two large maintenance items which were all hands-on deck. With the help of the water department, we installed new screens and brushes on the sludge press and installed two main hydraulic hoses on the hillside mower. We had a minor upset at the Treatment Plant Sunday morning, June 3, after a major rainfall. The amount of flow coming into the plant along with a power failure on the PLC (the brains of the plant) one SBR became overfilled causing approximately 5,000 gallons to spill over the wall of the basin. Mark France noticed this and notified me. Upon arriving at the plant, I called in help from the other two operators and we corrected the problem and cleaned up the overflow. The proper authorities were notified of this occurrence. The problem has been eliminated and we are back running up to par.

We have purchased an air-compressor as a back-up to have on hand and are in the process of purchasing a computer that was going bad. After this purchase we will only need to update one computer as the other two are new. The computers we had were original when the plant was first put in service in 2010. We are also in talks with Fidelity to repair the generator at the plant, as this is something we want to keep up to date on all repairs and services should the need arise.

NORTHERN NECK REGIONAL JAIL REPORT

Larry Thorn reported things at the Regional Jail are fine. The jail is being very well run. There were approximately 167 federal prisoners as of today. The Marshall's Services move prisoners around a lot the first of the week. The average federal prisoners for the month were 187. The addition of Gloucester has also been a big help. He has included the next years budget for Council's review and approval. Vice-Mayor Yackel moved to approve the Northern Neck Regional Jail Budget as presented. Councilman Hamblin second and the motion carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

COMMITTEE REPORTS

Economic Development Committee: Lee Capps

It now appears the Saddlery had been moved once before it was moved to it's current location. Gregory Packett has informed the town plans are moving forward in install the foundation and basement under it in the near future.

The committee is excited to report things are moving forward in town with the recent renovations at China Inn and the upcoming plans for the expansion of River Pools & Spas. Phase 1 of the demolition is complete and Phase 2, the removal of the concrete slabs will begin soon. In the meantime, there is consideration by the Warsaw/Richmond County Main Street Committee to possibly hold events such as Farmer’s Markets etc there once a week.

There are some changes as well, Commonwealth Florist has moved to a new location on Main Street in the same building as Earl’s Taxidermy. Main Street Hair Salon and the new Seek & Find Thrift Shop.

The Warsaw Rotary is Sponsoring a Flags for Heroes event on the grounds of Rappahannock Community College. Sixty flags honoring veterans and first responders for their service as well as memorializing those who made the ultimate sacrifice for their country will be displayed from June 30th thru July 7th.

OLD BUSINESS

The Town Manager reported he is in negotiations with John McGruder of Three Rivers Forestry to harvest the timber on the property adjacent to the Wastewater Treatment Plant. He expects to have an information study report next Tuesday.

NEW BUSINESS

Mid Towne Development – Initial Discussion

The Town Manager reported Gregory Packett has submitted proposed plans for a 2 building, 48 unit complex with playground at the former Warsaw Health Care Center property. It looks like a great development for the town.

Formal Adoption of Town FY2018/2019 Budget

Councilman Forrest moved to approve the Fiscal Year 2018/2019 budget as presented and duly advertised. Councilman Hamblin seconded, and the motion carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

Main Street Revitalization – Committee Decisions

We had a successful grant application in the amount of \$160,000. And loan application of \$60,000 to improve the appearance and façade improvements. Each applicant can receive up to \$16,000. So far only Relish has been selected for approval by the committee.

Police Station Update

The Town Manager reported the bids for the proposed Police Station came in much higher than we anticipated the lowest bid being \$714,175 and the highest being \$822,700. These amounts were unacceptable which I have expressed to the Police Station Sub-Committee. In negotiations With the low bidder, Eagle River Construction, and through negotiations to drop several elements of the design, they have countered with a bare minimum amount of \$275,000. Given the current status of the project and the impending need for additional capital, I have calculated a budget of no more than \$211,000 available to spend on this endeavor. To come to this figure , I have broken the formula below for us to review and discuss.

\$300,000 (Sale of Warsaw Health Care Center property)
-\$130,000 (Purchase of Transmission Shop and Equipment)
-\$24,000 (EDA Fees)
-\$10,000 (Site Plan Estimate)
\$136,000
+\$75,000 (Tree Harvesting)
\$211,000 – Total

I now formally recommend two options to Council:

1. The Town take on the task of General Contractor and hire local subcontractors for the work.
2. The Town place the building for sale and invest these funds in rehabilitating the current Town office for the police.

The Town, if Council chooses, may augment the deficit given by Eagle River (\$64,0000 with tree harvesting funds. With the recent decisions by USDA to pull funding for our Garbage Truck and the Police Radio system Upgrade, along with a myriad of other projects we are undertaking throughout the town that will require capital, I do not recommend this course of action.

If Council chooses Option 1; I recommend the Police Station Subcommittee meet and vote on all subcontractors and expenses. This ensures accountability of funds and that a majority would always be in favor for actions taken on-site and expenditures that will subsequently take place.

Thill not be an easy task and will create an additional burden on staff from vetting and hiring subcontractors, to processing payments, to our Public Works Crew having to assist in the project. However, if Council wants to see this succeed, I believe this is a viable option.

Vice Mayor Yackel said he is not in favor of selling the property even if the Police Department decides not to locate there . The property is adjacent to the Town Park and can be used with events to be held there. He stated he would like to send this back to the committee for review.

Councilman Forrest agreed and stated he feels we have enough knowledge on Council and the committee to come up with a plan that will work. Councilman Lee agreed but said we need to stay on top of this because the Police Department has outgrown their current space and needs to relocate somewhere, and we need to make it happen. Councilwoman Walker asked if adding on to the current space was a viable option. He Town Manager did not think adding on was an option. Councilman Self agreed we need to put the committee back to work and come up with a more appealing and workable option without overspending or dipping into reserves. The consensus of council was to put the committee back to work and figure out how to do this and keep it within our budget.

USDA Funding Update

The Town Manager reported we thought we had a good chance of receiving grant funding for the purchase of a new Garbage Truck and for a new Police Radio System. Richmond County has already gone to this system and to be compatible with their system we need to upgrade our system as well.

We have recently been notified by Tara Delany of USDA Rural Development the town is too strong financially to be eligible for grant funding of these items. Ms. Delaney did say there are other options.

Option 1. is to switch to all loan applications at a rate of 3.75% for 10 years for the trash truck, and 5 years for the police equipment. Option 2 is to withdraw all applications. Option 3 is to hold off one or both application until next year after we have spent down some of your cash and cash equivalents on these projects.

Councilman Self moved to use reserves to purchase the Police Radios and apply for a loan at 3.75% for 10 years to purchase a new garbage truck. The motion was seconded by Councilman Forrest and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

Closed Session – 2.2-3711A (3) Real Property & 2.2-3711A (1) Personnel

Vice-Mayor Yackel moved to enter closed session to discuss Real Estate matters under the Virginia Freedom of Information Act Subsection 2.2-3711A(3) and Personnel matters under the Virginia Freedom of Information Act Subsection 2.2-3711(1). Councilman Forrest seconded and the motion to enter closed session carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

Mayor Phelps called for motion to come out of closed session and reenter regular session. Councilman Lee moved to reenter regular session. The motions was seconded by Councilman Forrest and carried by the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

Council then certified by roll call vote they only discussed matters cited in the motion to enter closed session and legally permitted to be so discussed in the Virginia Freedom of Information Act subsections cited in the motion to enter closed session. The roll call votes are as follows.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

Councilman Lee moved to not reappoint the current Clerk/Treasurer to her position. The motion was seconded by Councilman Hamblin and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Nay
Rebecca C. Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Nay

Vice-Mayor moved to name Linda Holsinger interim clerk until a permanent replacement can be found. Councilman Forrest seconded, and the motion carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Rebecca . Hubert	Aye	Ogle E. Forrest, Sr.	Aye
Ralph W. Self	Aye	Faron H. Hamblin	Aye
Roger R. Lee	Aye	Auriel Walker	Aye

CLOSING COMMENTS

Councilman Forrest said he is proud of this Council and we have accomplished a lot of good things. We have had to make some hard decisions. He wished Roger Lee well.

Councilman Lee stated has enjoyed his time on Council and he will be back. Council needs to carry on and get the Police Station done. It may not be as elaborate as we had planned but we do need to get it done.

Councilman Hamblin said he has enjoyed working with Roger and he will be missed.

Councilman Self thanked Roger for all he has done

Mayor Phelps recessed the meeting to reconvene Tuesday, June 19th to hold the organizational meeting.

Submitted By: Linda S. Holsinger

