

MINUTES
WARSAW TOWN COUNCIL – REGULAR MEETING
COUNCIL CHAMBERS - 78 BELLE VILLE LANE
JUNE 12, 2014 – 7:00 P.M.

Mayor Milstead called the regular meeting of Warsaw Town Council to order at 7:00 p.m., Thursday, June 12, 2014 and led in the Pledge of Allegiance. Council Members present were Mayor Mark E. Milstead, Ralph W. Self, Ogle E. Forrest Sr., Randall L. Phelps, Wendi L. Nesbit and Cheryl B. Pierson, constituting a quorum. Council Member-elect Roger R. Lee was also present.

Town staff present was Town Manager John M. Slusser, Police Chief Christopher J. Spare, Laura K. “Kate” Condrey and Linda S. Holsinger. Town Attorney William L. Lewis was also present. Others present were Mary Beth Bryant, Roy Rogers representing Bailey Ridge Subdivision, Dan Ream of the Richmond County Public Library and Nicholas Vandeloecht of the Northern Neck News.

APPROVAL OF MINUTES – May 8, 2014

Mayor Milstead asked if there were any additions or corrections to the minutes of May 8, 2014. Councilman Phelps moved to accept the minutes as submitted. Councilwoman Nesbit seconded and the motion carried by the following votes:

Randall L Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	Wendi L. Nesbit	Aye

FINANCIAL REPORT – May 2014

Mayor Milstead asked if there were any questions on the Financial Report. Councilwoman Pierson moved to accept the Financial Report for May 2014 as presented. Councilman Forrest seconded and the motion carried by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	Wendi L. Nesbit	Aye

MAYOR’S REPORT

Mayor Milstead scheduled a Work Session to discuss personnel matters July 8, 2014 at 6:00 p.m.

MANAGER’S REPORT

The Town Manager stated Council had previously approved the purchase of one police car which we have already ordered. However, he received a call this week from Rural Development that we have been approved for a grant of \$25,000 for the purchase of one car and a loan in the amount of \$34,300 at an interest rate of 4.25% for a second car. The Loan Resolution needs to be adopted by Council to be eligible for the grant and authorize the Town Manager to sign and execute all documents which are to be attached to the minutes of this meeting. Councilman Self stated he thought 4.25% was a little high and asked if the loan could be paid off ahead of time without penalty. The Town Manager responded yes. Councilman Forrest moved to adopt the Loan Resolution for the purchase of police cars and to authorize the Town Manager to execute and sign all documents. Councilwoman Pierson seconded and the motion carried with the following votes.

Randall E. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	Wendi L. Nesbit	Aye

The Town Manager read from another Resolution that needs to be adopted tonight, Virginia Instruction 1942-A, Exhibit B, Attachment 2 needs to be adopted in conjunction with the Grant and Loan Application. Resolution of The Governing Body of the Town of Warsaw to facilitate obtaining financial assistance from the United States of

America, United States Department of Agriculture, Rural Development (The Government) in the purchase of Police Cars to serve the community, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms as required by the government to be executed. Councilwoman Pierson moved to adopt Virginia Instruction 1942-2A, Exhibit B, Attachment 2 and authorize the Town Manager to sign and execute all documents. Councilman Phelps seconded and the motion carried by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	Wendi L. Nesbit	Aye

Councilman William L. Washington, IV arrived at this time.

The Town Manager stated he has been working with the Northern Neck Planning District Commission to prepare a Request for Proposals from qualified firms to assist with a Market Feasibility Study on the former Warsaw Health Care Center site now owned by the Town of Warsaw. The Market Feasibility Study will determine the feasibility of developing this into a mixed use development. The Town Of Warsaw has received grant assistance from the Virginia Housing & Development Authority to perform this study. The project will be implemented by a Project Management Team consisting of the Warsaw Town Manager, Richmond County Administrator and the Executive Director of the Northern Neck Planning District Commission. This team will provide oversight and direction to the consulting entity selected. The Scope of Services is to determine based on research findings a marketable comprehensive mixed use development plan with cost estimates and suggestions for the highest and best use the property including ; the demand for elderly housing in a mixed-use income environment (MUMI); Identification of potential non-residential uses within the MUMI environment and demand for non-residential uses within the location; the appropriateness of current zoning and any modification that may be necessary; confirmation by engineering firm of existing utility resources as being adequate and if not, possible solutions. Mayor Milstead asked if a traffic study could be included since it has been a while since one has been done. The Town Manager responded he will add that to the scope of services. The Project Management Team will review and evaluate all proposals submitted. At the conclusion of the evaluation process the firms will be ranked in priority order with the three highest ranking firms being submitted to Town Council for evaluation and final selection. The Town Manager needs authorization from Town Council to authorize publication of the Request for Proposals. Councilman Forrest moved to authorize publication of the Request for Proposals for a Market Feasibility Study on the former Warsaw Health Care Center site. The motion was seconded by Councilwoman Pierson and passed by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	William L. Washington, IV	Aye
Wendi L. Nesbit	Aye		

The Town Manager reported Councilman Self, Mark France and Councilman-elect Roger Lee went to Smith-Midland to visit the plant look at Pre-cast Concrete restroom facilities for use at the Town Park. They specifically looked at one recently purchased thru a Procurement Contract by Louden County at a cost of \$46,968.00. There are three units two for women and one for men. These units are virtually indestructible as all of the plumbing is located behind the walls and is inaccessible to the public. There could be some minor changes such as stainless steel doors and a water fountain on the outside if desired. The unit could be set up and ready to go upon delivery. It will be placed on a level sandbox pad and the water and sewer are all there. The Town Manager advised if we purchase the unit under the procurement contract of Louden County, it is not necessary for us to rebid. He needs Council's authorization to spend up to \$50,000 to purchase a pre-fab precast concrete restroom under Louden County's procurement contract. Councilman Phelps moved to approve the expenditure of up to \$50,000 to purchase the pre-fab restroom under Louden County's procurement bid. Councilman Forrest seconded and the motion carried with the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	William L. Washington, IV	Aye
Wendi L. Nesbit	Aye		

The Town Manager noted there are some new laws regarding Stormwater Management. Some towns are opting in to an Affirmative Action Agreement. The Town Manager does not recommend this and feels we should opt out. If we don't opt in someone else will take care of it; if we do it will be our responsibility. Right now Richmond County is handling Stormwater Management issues for us and we could continue with them doing that. He recommends opting out and not taking affirmative action. Council concurred with the Town Manager's recommendation.

TOWN ATTORNEY REPORT

The Town Attorney stated he has read through the proposal from "municode". He stated that several years ago we had begun the process of reorganizing the Town Code. The company we were using did not have the legal expertise to look at all aspects needed to do the job properly. This company is a big organization that has done a lot of work for several other entities. They have the expertise to complete the job; they know what they are doing to evaluate the Town Code and the Development Management Ordinance. He recommends Council proceed with this to authorize the Town Manager and the Town Attorney to discuss the details with them and bring back to Council in July. Councilman Washington asked if we proceed and then discontinue their services could we transfer to someone else. The Town Manager stated it is still the Town's Code. This company would not own our code and all this could be clarified in the discussions with them. Councilman Washington moved to continue negotiations with 'municode' on their proposal and report at the July meeting. The motion was seconded by Councilwoman Nesbit and carried by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	William L. Washington, IV	Aye
Wendi L. Nesbit	Aye		

MANAGER'S REPORT

The Town Manager asked Councilman Phelps if he would amend his motion to approve the expenditure of up to \$50,000 for the purchase of the pre-fab restroom under Louden County's Procurement Contract to authorize the Town Manager to execute and sign all documents. Councilman Phelps stated he would like to amend his motion to add to authorize the Town Manager to execute and sign all documents. Councilwoman Nesbit seconded the amended motion and the motion carried by the following votes:

Randal L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	William L. Washington, IV	Aye
Wendi L. Nesbit	Aye		

The Town Manager reported we have to adopt the attached VRS Resolution no later than July 1, 2014 to set their rates for next year. We can choose either the 11.99% or go with 9.59% for this year but then next year's rate will be even higher. The Town Manager advised we had already set the 11.99% rate in our budget and recommended we leave it as it is. Councilwoman Pierson moved to adopt the VRS resolution and to set the Certified Contribution Rate at 11.99% to be signed by the Mayor. Councilman Forrest seconded and the motion carried by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	William L. Washington, IV	Aye
Wendi L. Nesbit	Aye		

POLICE REPORT

Chief Spare said the Police Report for May was in their packet and he would be glad to answer any questions they may have. While they were looking over the report he introduced Kate Condrey who is the new Administrative Assistant for the Police Department. Everyone welcomed Kate and stated we are glad to have her as part of the Town staff. The Chief thanked Council for their quick motion and vote on the purchase to the police cars. The synopsis of the police report was as follows: 70 Calls for Service, 339 Directed Patrols, 785 Business and Property Checks Conducted and 12 Follow-Ups. There were 9 arrests: 1 Destruction of Property, 1 Domestic A&B, 1 Emergency Protective Order, 1 Fail to Appear, 4 Probation Violations and 1 ECO. There were 16 Traffic Summons issued for speeding. Some of the Community Events attended were: YMCA Color Me 5k Run by Chief Spare, Officer Scholes and Officer Bowles; Cuddlebugs Daycare Community Helpers Day by Chief Spare; Rappahannock Church of Christ 5k Run by Officer Bowles; YMCA Daycare Community Helpers Day by Chief Spare and Fusion Wrestling at Rappahannock High School by Officer Scholes. The next Warsaw/Richmond County Triad meeting will be the 2014 Health & Safety Fair Friday, June 27, 2014 at the Northern Neck Technical Center.

NORTHERN NECK REGIONAL JAIL REPORT

The NNRJ Board Meeting was held Wednesday, June 4, 2014. The population this month was approximately 333. The breakdown statistics are as follows: Richmond County 21; Westmoreland County 77, Northumberland County 39, Federal 152 and other 44. The NNRJ report was submitted by Larry Thorn.

WARSAW PLANNING COMMISSION REPORT

Councilman/Commissioner Washington noted the Commission reviewed and recommended the following Joint Public Hearings to be held at the next regular meeting of the Commission, July 3, 2014 at 7:00 p.m.

* To consider the Proposed General Development and Final Site Plan of Bailey Living Trust and the developer Roy Rogers in conjunction with their proposal to develop a fourteen lot subdivision on Tax Map Parcel 16A3 (A) 3, at 187 Memorial Drive between Meadowbrook Road and East Monroe Avenue.

* To consider the CUP request of Sonya Lucas, operator of Wellesley Place to operate her business as a restaurant. This property is located at 4699 Richmond Road in the Warsaw Village Shopping Center.

*To consider the CUP request of Hurst Harvey Oil Co., Inc. to build and operate a car wash on Tax Map Parcel 16(6)1 located on property in front of Food Lion.

The Commission had also reviewed the CUP request of Fantasia Lewis to operate a pet grooming salon at 4711 Richmond Road within the Warsaw Village Shopping Center but that request has since been withdrawn.

The Town Manager noted there were still some concerns relating to the Bailey Ridge Subdivision which he and Councilman Forrest have been discussing such as narrow roads, size of lots, stormwater management and drainage issues.

COMMITTEE REPORTS

Councilwoman Nesbit reported the Personnel Committee met regarding leave policies and Short-Term Disability Insurance. Last fall the state mandated that after July 1st the Town is mandated to provide Short-Term Disability insurance for its employees. Town did not go with the Virginia Municipal League plan and opted to go with a plan provided by Lincoln Financial. All town employees must participate in the plan. Sick Leave balances will be frozen which means unused time will remain available for specific uses but will no longer continue to accrue. If an employee is out for three to five days (7 calendar days of up to 5 work days) they can still use their sick leave or paid time off. After the eighth day the Short Term Disability benefits will kick in. There are some other options on how to handle sick leave balances that still need to be worked that the committee is not ready to make a recommendation on tonight. Councilman Nesbit advised the committee recommends freezing sick balances and following the Short Term Disability terms as of July 1, 2014 and she will make that motion. The motion was seconded by Councilman Phelps and carried by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	William L. Washington, IV	Aye
Wendi L. Nesbit	Aye		

NEW BUSINESS

* VRS Resolution – See under Manager’s Report.

* Municode – Recodification Proposal - See under Town Attorney’s Report

* Newly elected Officials Conference – The Town Manager advised the VML Newly Elected Officials Conference will be held July 10-12 at the Omni Hotel in Richmond. If interested in attending let Susan or Linda know so you may be registered.

* General Development & Site Plan- Bailey Living Trust & Developer Roy Rogers–Parcel 16A3 (A)3-187 Memorial Dr Councilman Washington moved to send the GDP & Site Plan of Bailey Living Trust to Joint Public Hearing July 3, 2014 at 7:00 p.m. as recommended by the Warsaw Planning Commission. Councilman Forrest seconded and the motion carried by the following votes:

Randall L Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	William L. Washington, IV	Aye
Wendi L. Nesbit	Aye		

* Conditional Use Permit-Wellesley Place-Restaurant-Banquet Hall-4699 Richmond Rd-Sonya Lucas Councilman Washington moved to send the Conditional Use Permit request of Sonya Lucas to operate a Restaurant at 4699 Richmond Road to Joint Public Hearing July 3, 2014 at 7:00 p.m. as recommended by the Warsaw Planning Commission. Councilman Forrest seconded the motion and the motion carried by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	William L. Washington, IV	Aye
Wendi L. Nesbit	Aye		

* Conditional Use Permit-Hurst Harvey Oil, Inc.-Car Wash-Warsaw Village Shopping Center Councilman Washington moved to send the Conditional Use Permit Request of Hurst Harvey Oil, Inc. to operate a Car Wash in front of Food Lion at the Warsaw Village Shopping Center to Public Hearing July 3, 2014 at 7:00 p.m. as recommended by the Warsaw Planning Commission. The motion was seconded by Councilman Forrest and carried by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	Cheryl B. Pierson	Aye
Ralph W. Self	Aye	William L. Washington, IV	Aye
Wendi L. Nesbit	Aye		

* Conditional Use Permit-Fantasia Lewis-Pet Grooming Salon-Warsaw Village Shopping Center This Conditional Use Permit Request was withdrawn.

* Mayor Election from Council Members for term beginning July 1, 2014 Councilman Forrest nominated Mark E. Milstead to serve as Mayor for the term beginning July 1, 2014. The nomination was seconded by Councilman Phelps. There were no other nominations and Mark E. Milstead was elected by the Members of Town Council to serve as Mayor for the term beginning July 1, 2014 by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	William L. Washington, IV	Aye
Ralph W. Self	Aye	Wendi L. Nesbit	Aye
Roger R. Lee	Aye		

Vice-Mayor Election from Council Members for Term beginning July 1, 2014

Mayor Milstead reported Paul Yackel could not be here tonight but has expressed his willingness to continue as Vice-Mayor if Council desires. Councilman Phelps nominated Paul G. Yackel to serve as Vice-Mayor of the term beginning July 1, 2014. Mayor Mark Milstead seconded the nomination. There were no other nominations and Paul G. Yackel was elected by the Members of Town Council to serve as Vice-Mayor for the term beginning July 1, 2014 by the following votes:

Randall L. Phelps	Aye	Mark E. Milstead	Aye
Ogle E. Forrest, Sr.	Aye	William L. Washington, IV	Aye
Ralph W. Self	Aye	Wendi L. Nesbit	Aye
Roger R. Lee	Aye		

COMMENTS FROM PUBLIC

There were no comments from the public.

Councilman Forrest noted Well # 4 has been hit by lightning several times and it just keeps happening. Our insurance company has paid every time but we need to do something to prevent it from continuing to happen. We can add surge protection and a flange/isolator. Estimated cost for this will be approximately \$10,000 for the surge protector plus about \$2,000 for the flange/steel tank isolator to stop lightning strikes from happening and protect the pump. Councilman Self said for that kind of money would it include some kind of guarantee that it would work. The Town Manager and Councilman Forrest said they were not sure about that. The Town Manager suggested before we make a decision we get Councilman Self involved in the discussion since he has experience in dealing with this kind of thing and bring it back to Council at the July meeting.

The Town Manager noted there are still some issues to be resolved on the proposed subdivision on Memorial Drive. The issues of water supply to subdivision if adequate to provide adequate fire protection. There is a plan that would provide for water and upgrades to the town system. As things unwind we may need to come to Council to ask for such improvements. The developer will be asked to do the majority of the improvements but we need to decide the Town's responsibility and the developers responsibility as to who should pay what if approved. I will give a further report once we are more sure of the feasibility of the plan.

COUNCIL COMMENTS

Councilman Self stated he thinks the restroom will be a great asset to the Town Park. He commended the Town Manager and staff that the park is being kept up and well taken care of. He further stated it is good to see all the CUPs and new businesses coming to town and the need to continue working to keep what we have.

Councilman Phelps stated he was proud of the community and the last minute parade and balloons around town to welcome the RHS softball team back after they won the State Championship. He also commented the Little League has had a rough couple of years tied to school expansion but we now have a great little league park thanks to the volunteers and businesses that contributed to it.

Councilman Washington stated he is glad to see all the new development in Town. He is glad to see how well the park has been developed and received by the community as it such as asset for our young people.

Councilman Forrest welcomed Roger Lee to Council and said he is looking forwarding to working with him. He also congratulated Mark Milstead and Paul Yackel on their election as Mayor and Vice-Mayor.

Mayor Milstead welcomed Roger Lee and also recognized Sherry Pierson for all she has done while serving on Town Council. She has been an asset and a real trooper.

Council-elect Roger Lee stated he is happy to be here and looks forward to working with Council.

There being no further business Mayor Milstead adjourned the meeting at 8:10 p.m.

By: Linda S. Holsinger, Administrative Assistant

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