

WARSAW TOWN COUNCIL MEETING
78 BELLE VILLE LANE
FEBRUARY 20, 2014 – 7:00 P.M.

Mayor Mark Milstead called the Warsaw Town Council to order. Council members were Paul G. Yackel, Ogle E. Forrest, Sr., Randall L. Phelps, Ralph Self and Wendi L. Nesbit.

Town staff present were John M. Slusser, Town Manager, Chief Christopher J. Spare, Officer Charles P. Bowles, IV and Susan M. Pemberton. Also present was Dianne Saison reporter for the Northern Neck News.

Approval of Minutes

Councilman Phelps moved that Council accept the minutes of January 9, 2014 meeting without addition or correction. Councilwoman Nesbit seconded the motion. The following vote was taken.

<i>Mark E. Milstead</i>	<i>Aye</i>	<i>Paul G. Yackel</i>	<i>Aye</i>
<i>Wendi L. Nesbit</i>	<i>Aye</i>	<i>Ralph W. Self</i>	<i>Aye</i>
<i>Randall L. Phelps</i>	<i>Aye</i>	<i>Ogle E. Forrest, Sr.</i>	<i>Aye</i>

Financial Report

Councilman Yackel moved that Council accept the December 2013 Financial Report without addition or correction. Councilman Forrest seconded the motion. The following vote was taken.

<i>Mark E. Milstead</i>	<i>Aye</i>	<i>Paul G. Yackel</i>	<i>Aye</i>
<i>Wendi L. Nesbit</i>	<i>Aye</i>	<i>Ralph W. Self</i>	<i>Aye</i>
<i>Randall L. Phelps</i>	<i>Aye</i>	<i>Ogle E. Forrest, Sr.</i>	<i>Aye</i>

Councilman Yackel moved that Council accept the January 2014 Financial Report without addition or correction. Councilman Forrest seconded the motion. The following vote was taken.

<i>Mark E. Milstead</i>	<i>Aye</i>	<i>Paul G. Yackel</i>	<i>Aye</i>
<i>Wendi L. Nesbit</i>	<i>Aye</i>	<i>Ralph W. Self</i>	<i>Aye</i>
<i>Randall L. Phelps</i>	<i>Aye</i>	<i>Ogle E. Forrest, Sr.</i>	<i>Aye</i>

Mayor's Report

Mayor Mark E. Milstead read a letter for the planning commission vacancy. Gary W. Palmore wrote in a letter that as a multiple home owner and resident of Warsaw for over 60 years it is in my interest to help keep a balance between residential and business communities in our town. By conveying the best interests of my neighbors, especially on Hamilton Boulevard and Belle Ville Lane, I believe I would be an asset

to the Planning Commission and would like to be considered for the position.

Councilman Phelps made a motion to appoint Gary W. Palmore to the Warsaw Planning Commission effective immediately. Councilman Forrest seconded the motion. The following vote was taken.

<i>Mark E. Milstead</i>	<i>Aye</i>	<i>Paul G. Yackel</i>	<i>Aye</i>
<i>Wendi L. Nesbit</i>	<i>Aye</i>	<i>Ralph W. Self</i>	<i>Aye</i>
<i>Randall L. Phelps</i>	<i>Aye</i>	<i>Ogle E. Forrest, Sr.</i>	<i>Aye</i>

Manager's Report

John M. Slusser stated due to the postponement of last week's meeting because of the inclement weather he already had put the following 3 ads in the Northern Neck News for Joint Public Hearing to be held on March 6, 2014. See the following requests:

**CUP REQUEST &
GENERAL DEVELOPMENT PLAN
JOINT PUBLIC HEARING**

The Warsaw Planning Commission and the Warsaw Town Council will hold a joint public hearing Thursday, March 6, 2014 at 7:00 P.M. in the Robert W. Lowery Municipal Building located at 78 Belle Ville Lane to consider the request of Rappahannock Church of Christ to obtain a Conditional Use Permit necessary to operate a church and related church uses, including but not limited to the operation of a cemetery as shown on the General Development Plan dated 1/23/14. The property is located on the northeast corner of Route 3 Bypass at its intersection with State Route 670. It is further identified as Tax Map 24 Parcel 6A and recorded in DB 272 Page 357.

Questions may be directed to the Town Office between 8:00 a.m. and 5:00 p.m., Monday through Friday at (804) 333-3737. All interested parties will be heard at the hearing or written statements may be sent to Town of Warsaw, P. O. Box 730, Warsaw, VA 22572 and will be presented at the hearing.

CUP REQUEST
JOINT PUBLIC HEARING

The Warsaw Planning Commission and the Warsaw Town Council will hold a joint public hearing Thursday, March 6, 2014 at 7:00 P.M. in the Robert W. Lowery Municipal Building located at 78 Belle Ville Lane to consider the request of Relish at Rivahside Inc. to obtain a Conditional Use Permit necessary to operate a restaurant and retail store at 115 Main Street, Warsaw, VA. The applicant proposes to sell mixed beverages, as well as beer ON/OFF. Hours of operation will conform to town ordinances.

Questions may be directed to the Town Office between 8:00 a.m. and 5:00 p.m., Monday through Friday at (804) 333-3737. All interested parties will be heard at the hearing or written statements may be sent to Town of Warsaw, P. O. Box 730, Warsaw, VA 22572 and will be presented at the hearing.

**AMMENDMENT TO DMO
JOINT PUBLIC HEARING**

The Warsaw Planning Commission and the Warsaw Town Council will hold a joint public hearing Thursday, March 6, 2014 at 7:00 P.M. in the Robert W. Lowery Municipal Building located at 78 Belle Ville Lane to consider the following requirement and subsequent necessary amendments to the Development Management Ordinance:

The Town of Warsaw must adopt ordinance revisions that require the depiction of RPA and RMA boundaries and the septic pump-out notification on plats and plans outlined under 9 VAC 10-20-191 A 4 and 5 of the Chesapeake Bay Preservation Area Designation and Management Regulations.

Questions may be directed to the Town Office between 8:00 a.m. and 5:00 p.m., Monday through Friday at (804) 333-3737. All interested parties will be heard at the hearing or written statements may be sent to Town of Warsaw, P. O. Box 730, Warsaw, VA 22572 and will be presented at the hearing.

Councilwoman Pierson arrived to the meeting.

John M. Slusser, Town Manager stated that the town was awarded a VHD Planning Grant that we had applied for and the idea was to hire a third party consultant as a Economic Developer for the property that was the old Warsaw Health Care Center.

Councilman Yackel and Councilman Self had several meetings with Joel Pinnix, P. E. with Obsidian, Inc. and found that it would not be an easy task to construct a pavilion and bathroom at the Town Park. Mr. Pinnix advised that problems deal with the Chesapeake Bay Act about the impervious cover. Therefore at the last meeting the council was in agreement to contract with Joel Pinnix to develop scenarios for the development of the Town Park.

See the e-mail from Joel with options:

Subject: Town Park Options

John,

Pre-Development, Current Condition and three alternative plans are attached. These are conceptual and not for permitting or construction.

Pre-Development - Impervious cover is 18.5%. Stormwater peak discharge for the 10-year storm is 1.50 cfs.

Current Conditions – Impervious cover is 29.9%. Stormwater peak discharge for the 10-year storm is 2.05 cfs (needs to be mitigated to 1.50 cfs or less).

Alternative #1 – Impervious cover is 18.5% (matches the pre-development condition). Technically some BMP stormwater treatment is required, but Richard implied that he may let this condition go without a BMP. Nevertheless, the 10-year storm discharge will require some mitigation to meet 1.50 cfs.

Alternative #2 – Impervious cover is 16.2% (matches the watershed condition). No BMP stormwater required. Nevertheless, the 10-year storm discharge may require some mitigation to meet 1.50 cfs.

Alternative #3 – Impervious cover is 23.2% – requires both BMP and discharge mitigation. Mitigation of both conditions can be achieved by constructing an infiltration basin (9' x 115' x 5'deep) backfilled with SAND.

My recommendation would be to go with Alternative #3 – it provides 39 parking spaces with good access to overflow parking to the north. It also solves both the quality and quantity stormwater issues simultaneously with no grading or piping.

Let me know what you need from me next.

Joel

Joel S. Pinnix, PE
PO Box 100
Tappahannock, VA 22560
804-347-7176
fax 208-978-1458

After much discussion it was determined that council would like for Joel S. Pinnix to be at the Work Session meeting on February 26, 2014 at 6:30 p.m.

John M. Slusser, Town Manager also stated that the Mid-Year review of budget will also be scheduled on February 26th at the Work Session meeting.

Town Manager stated also that the council visit to the RCC Library will be rescheduled for 5:30 on March 13, 2014 and we will meet there prior to our regular council meeting.

Police Report

Chief Spare stated that the police report was in the council packet and if anyone had questions or comments he would be glad to answer. The next Triad meeting will be February 25, 2014 at the Orchard. He then introduced the new Officer hired Charles P. Bowles, IV to council. Chief Spare stated he would like for everyone to meet the new Officer after the meeting.

Northern Neck Regional Jail

The Jail Report is in Council packet reported by Mayor Milstead. The next meeting is scheduled for Wednesday, March 5, 2014. Mayor Milstead also stated that Larry Thorn has had a heartache and wishes him a speedy recovery.

Warsaw Planning Commission Report

The Warsaw Planning Commission recommended to the Warsaw Town Council to advertise and hold a Joint Public Hearing on March 6, 2014 at 7 p. m. for the Conditional use Permit request for Rappahannock Church of Christ. Councilman Yackel made a motion to send the Rappahannock Church of Christ request for a CUP for advertisement and to hold a Joint Public Hearing on March 6, 2014. Councilman Phelps seconded the motion. The following vote was taken.

<i>Mark E. Milstead</i>	<i>Aye</i>	<i>Paul G. Yackel</i>	<i>Aye</i>
<i>Wendi L. Nesbit</i>	<i>Aye</i>	<i>Ralph W. Self</i>	<i>Aye</i>
<i>Randall L. Phelps</i>	<i>Aye</i>	<i>Ogle E. Forrest, Sr.</i>	<i>Aye</i>
<i>Cheryl B. Pierson</i>	<i>Aye</i>		

The Warsaw Planning Commission recommended to the Warsaw Town Council to advertise and hold a Joint Public Hearing on March 6, 2014 at 7 p.m. for the Conditional Use Permit for Relish at Rivahside, Inc. Councilman Phelps made a motion to send the Relish request for a CUP for advertisement and to hold a Joint Public Hearing on March 6, 2014. Councilman Self seconded the motion. The following vote was taken.

<i>Mark E. Milstead</i>	<i>Aye</i>	<i>Paul G. Yackel</i>	<i>Aye</i>
<i>Wendi L. Nesbit</i>	<i>Aye</i>	<i>Ralph W. Self</i>	<i>Aye</i>
<i>Randall L. Phelps</i>	<i>Aye</i>	<i>Ogle E. Forrest, Sr.</i>	<i>Aye</i>
<i>Cheryl B. Pierson</i>	<i>Aye</i>		

Town Manager stated that there also would be a Joint Public Hearing held on March 6, 2013 at 7 p. m. for amendments to the Development Management Ordinance and the ad reads as follows:

The Town of Warsaw must adopt ordinance revisions that require the depiction of RPA and RMA boundaries and the septic pump-out notification on plats ad plans outlined under 9 VAC 10-20-191 A 4 ad 5 of the Chesapeake Bay Preservation Area Designation and Management Regulations.

Committee Reports

Utilities Committee

Chairman Forrest stated there was a utility committee meeting on January 30, 2014 and they are recommending to council that the reduction of the availability fee which was due to expire on March 8, 2014 be continued through June 30, 2015. Councilman Forrest made a motion to extend the reduced availability fee through June 30, 2015. Councilman Phelps seconded the motion. The following vote was taken.

<i>Mark E. Milstead</i>	<i>Aye</i>	<i>Paul G. Yackel</i>	<i>Aye</i>
<i>Wendi L. Nesbit</i>	<i>Aye</i>	<i>Ralph W. Self</i>	<i>Aye</i>
<i>Randall L. Phelps</i>	<i>Aye</i>	<i>Ogle E. Forrest, Sr.</i>	<i>Aye</i>
<i>Cheryl B. Pierson</i>	<i>Aye</i>		

Chairman Forrest stated that there was a discussion regarding water and sewer bills as it relates to vacant properties. It was pointed out by the town manager that in instances where property owners ordered their property's disconnected when vacant that owners were relieved of paying any water and sewer bill. That presents a problem because a portion of each bill always goes to "fixed costs", that is to say debt service and certain other operating costs that are fixed and don't relate to usage. On that basis, all users should be paying for the "fixed costs" of the system whether using water and sewer or not to cover those expenses. Therefore Chairman of the Utilities Committee stated there would be more discussion of a recover of "fixed costs" at the Work Session on February 26, 2014.

Chairman Forrest stated that the Town of Warsaw has a number of 12 inch water line valves that are not closing all the way. An investigation indicated that there was an apparent design flaw in the valves. The manufacturer has gone out of business and left the town with little recourse but to replace them. There are 3 at the High School that needs to be addressed right away. Councilman Phelps made a motion for the Town Manager to get quotes to be under \$30,000 to get the 3 valves at the High School replaced right away. Councilman Self seconded the motion. The following vote was taken.

<i>Mark E. Milstead</i>	<i>Aye</i>	<i>Paul G. Yackel</i>	<i>Aye</i>
<i>Wendi L. Nesbit</i>	<i>Aye</i>	<i>Ralph W. Self</i>	<i>Aye</i>
<i>Randall L. Phelps</i>	<i>Aye</i>	<i>Ogle E. Forrest, Sr.</i>	<i>Aye</i>
<i>Cheryl B. Pierson</i>	<i>Aye</i>		

Chairman of the Utilities Committee, Ogle E. Forrest, Sr. stated that there was a request from an adjacent property owner to purchase land from the town to add to his residence on Wellford's Wharf Road. The committee unanimously recommended against it.

Chairman Forrest stated that the committee had interviews for a Forestry Consultant and the recommendation was to contract with Mr. John Magruder of Three Rivers Forestry, LLC. Councilman Self seconded the motion. The following vote was taken.

<i>Mark E. Milstead</i>	<i>Aye</i>	<i>Paul G. Yackel</i>	<i>Aye</i>
<i>Wendi L. Nesbit</i>	<i>Aye</i>	<i>Ralph W. Self</i>	<i>Aye</i>
<i>Randall L. Phelps</i>	<i>Aye</i>	<i>Ogle E. Forrest, Sr.</i>	<i>Aye</i>
<i>Cheryl B. Pierson</i>	<i>Aye</i>		

Finance Committee

Chairman of the Finance Committee, Randall Phelps stated that the Mid-Year Budget Review will be at the Work Session on February 26, 2014 at 6:30 p.m.

New Business

2014 Council Election

Mayor Milstead read the ad that was placed in the Northern Neck News as follows:

*The 2014 Election for Warsaw Town Council will be held on May 6, 2014. Anyone who wishes to run for Warsaw Town Council should file a “Declaration of Candidacy” form and a “Certificate of Candidate Qualification” form with the Richmond County Voter Registrar no later than 5:00 P.M. on **Tuesday, March 4, 2014.** The Richmond County Voter Registrar office is open Monday, Tuesday, and Thursday from 9:00 a.m. until 5:00 p.m.*

Warsaw Town Council invites and encourages all interested parties to qualify and participate in the election process.

Should anyone need further information or forms, please call the Town Office during regular business hours at (804) 333-3737.

Council Comments

Councilwoman Pierson welcomed Officer Bowles.

Councilman Yackel was thanking the town for the great snow removal service they had done and stated that so many citizens of the Town were so appreciative.

Councilman Forrest also welcomed Officer Bowles and thanked the Utility Committee for all of their hard work.

Councilwoman Nesbit also welcomed Officer Bowles.

Councilman Phelps welcomed Officer Bowles and congratulations to the Lee's for China Inn's 25th Anniversary which will be on Tuesday.

Councilman Self stated he is enjoying retirement and continues to be involved with community programs and he is looking forward to warmer days and welcomes Officer Charles Bowles.

Mayor Milstead welcomes Officer Charles Bowles and reminded everyone of the Work Session meeting on February 26, 2014 at 6:30p.m.

Adjournment

There being no further business, the meeting was adjourned by Mayor Milstead.

Susan M. Pemberton, Clerk of Council