

MINUTES  
WARSAW TOWN COUNCIL  
REGULAR MEETING & JOINT PUBLIC HEARING  
AUGUST 11, 2022 – 6:00 P.M.

The regular meeting of the Warsaw Town Council and a joint public hearing with the Warsaw Planning Commission was held on Thursday, August 11, 2022 at 6:00 p.m. in Council Chambers at 78 Belle Ville Lane, Warsaw, VA. Council Members Present: Mayor Randall L. Phelps, Vice-Mayor Paul G. Yackel, Ogle E. Forrest, Sr., Ralph W. Self, Rebecca Hubert, Mary Beth Bryant, Jonathan English and Faron Hamblin. There were no councilmembers absent. Planning Commissioners Present: Chairwoman Elizabeth Franklin, Vice-Chairwoman Regis Slaw, Barbara Lefon, and Council Liaison Mary Beth Bryant. Commissioners Carey Allen and Win Sisson were absent.

Town staff present: Town Manager Joseph Quesenberry, Director of Community Development and Planning Melissa Coates, Chief of Police Andrew Hughes, Wastewater Plant Manager Garrett Withers, and Treasurer and Clerk Julia Blackley-Rice.

Also present: Approximately 8 others present in Council Chambers.

*The meeting was live streamed on the Town of Warsaw Facebook page*

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Phelps called the meeting to order and led in the Pledge of Allegiance at 6:00 p.m.

APPROVAL OF CONSENT AGENDA

Councilman Forrest proposed two amendments to the consent agenda. Councilman Forrest moved to amend the consent agenda to move item 8a. Richmond County Volunteer Fire Department – Vendor Fee Waiver Request from New Business and add to the agenda after Public Comment and before Reports and to add a section for Closed Hearing as referenced by the VA State Code section 2.2-3711 A3 for Real Property after the New Business portion of the meeting has concluded. The motion was seconded by Councilman Hamblin and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

There being no other changes, Councilman Forrest moved to approve the consent agenda as amended. The motion was seconded by Councilman Hamblin and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

**JOINT PUBLIC HEARING: PACKETT BUILDERS REZONING REQUEST, PARCEL 16A4(4)8&9**

Mayor Phelps opened the joint public hearing by reading the public hearing notice that was published in the July 20, 2022 and July 27, 2022 editions of the Northern Neck News. Mayor Phelps then turned the floor over to Elizabeth Franklin, Chairwoman of the Planning Commission to open their public hearing.

Chairwoman Franklin opened the public hearing by asking if there were any members in the galley that wanted to speak regarding the rezoning request. Mr. Gregory Packett, the subject property owner, spoke outlining the reason the rezoning request is needed. Mr. Packett noted these two parcels front both St. Johns Street and Pine Street. The terrain is low on the St. Johns side. The subject parcel is surrounded by R-1 zoning across the street, R-12 on an adjacent parcel, and C-1 on an adjacent parcel. Mr. Packett is asking for R-12 zoning on the back portion of lots 8&9 in order to construct residence along Pine Street. Vice-Chairwoman Slaw inquired if Mr. Packett was planning on constructing two residences. Mr. Packett responded the need for the R-12 zoning is due to wanting to construct four residences. The plan as of now is to build patio homes for senior housing. Vice-Mayor Yackel inquired if Mr. Packett was planning to clear out the trees located on the parcels. Mr. Packett answered that the residences would be all on Pine Street and have 15 foot setbacks off the line. He is planning to leave the trees as a buffer between the residences and the commercial properties. Mayor Phelps closed the public hearings and turned the floor over to the Planning Commission to make any recommendations or take any action.

Commission LeFon moved to recommend to Town Council for approval the rezoning request from Packett Builders to rezone Parcels 16A4(4) 8&9 from C-1 to R-12 and the property line adjustments needed. The motion was seconded by Vice-Chairwoman Slaw and carried with the following votes.

Elizabeth Franklin	Aye	Regis H. Slaw	Aye
Barbara LeFon	Aye	Mary Beth Bryant	Aye

Mayor Phelps opened the floor to Town Council members and asked if there was any additional discussion. There being none, Councilman Hamblin moved to approve the rezoning request for parcels 16A4(4) 8&9 from C-1 to R-12 and the property line adjustment needed. The motion was seconded by Councilwoman Bryant and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

PUBLIC COMMENT

Ms. Sara Carroll, President of the Warsaw-Richmond County Chamber of Commerce reported to Town Council that the recent Christmas in July event was successful. The Chamber awarded approximately \$2500.00 in gift cards, donations, and improvement grants to local area businesses. She reminded everyone that WarsawFest is less than two months away and will be held on October 8 this year. There will be a safety meeting at 6:00pm on August 24 at Cuddlebugs. This year WarsawFest After Hours (formally named Oktoberfest) will be held sponsored by the Warsaw Rotary at Oyster Shoals. The Chamber is in need of volunteers to assist with the parade.

There were no additional public comments, therefore Mayor Phelps closed the public comment portion of the meeting.

RICHMOND COUNTY VOLUNTEER FIRE DEPARTMENT (RCVFD) VENDOR FEE WAIVER REQUEST:

Mr. Ben Lewis, President of RCVFD, and Mr. Randy Passagalupi, Chief of RCVFD, spoke to Town Council to request a waiver of the vendor permit fees for their gun show fundraiser. The fire department has been unable to host this event during Covid, but quickly realized that they needed for this popular fundraising event to return. This fundraiser greatly helps support the RCVFD so all expenses are not on the taxpayers of Warsaw and Richmond County to bear. This also helps the fire department to better serve the residents of the Town and County. The second request the RCVFD brought before Town Council was to request an increase to the annual contribution from the Town. Mr. Lewis provided figures to show how quickly the costs of the equipment and gear adds up. Chief Passagalupi explained the history with the RCVFD tasked with maintaining the fire hydrants throughout the Town but that they were unfortunately unable to keep that up due to conflicting schedules. Councilwoman Hubert inquired as to how much did the County contribute. Chief Passagalupi responded that Richmond County provides a \$105,000 operating budget and a \$45,000 truck budget annually. The truck fund monies are used to pay back the loans from USDA. Councilman English inquired as to what prompted the decision to house the extrication equipment in Newland and Farnham and not in Warsaw. Chief Passagalupi stated this extrication equipment the RCVFD has is battery powered. The older extrication equipment was run on a hydraulic pump through hydraulic hoses. RCVFD is testing out the new battery systems at the Farnham and Newland stations as the Warsaw station does have more equipment currently available at that location.

There was no additional discussion regarding the first request brought by RCVFD. Councilman Forrest moved to waive the vendor fee for their fundraising gun and knife show event. The motion was seconded by Councilman English and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

For the second request, Mayor Phelps asked to have the RCVFD contribution discussion added to the September meeting's agenda. Mayor Phelps added that the Volunteer Fire Department is an invaluable resource and this request warranted further discussion. Councilmembers were in agreement. Vice-Mayor Yackel added that Mr. Lewis and Mr. Passagaluppi had an excellent presentation that was well done.

## REPORTS

**MAYORS REPORT:** Mayor Phelps deferred his report this month.

**TOWN MANAGERS REPORT:** Mr. Quesenberry reported (1) there will be a new event "Movies on Main" held on August 12 at 8:00pm. The movie presentation will be "The Lion King" and attendees will need to bring their chairs, blankets, etc and will sit on Main Street to watch the movie. Northern Neck Popcorn has agreed to stay open until 9:00 and Chesapeake Doughnuts will stay open for ice cream and doughnuts until 10:00. (2) The Community Market will run on Friday from 11:00-5:00. It will need to close earlier due to needing the space for the movie showing. (3) In discussion with Chief Passagaluppi, Tappahannock's Prince Street had a 4 inch line where Warsaw's Main Street has an 8 inch line run. The Bounds was discussed as a possible dry hydrant location, but the issue lies with not being able to puncture the pond liner. The Public Works department is actively checking and maintaining the hydrants in town. This maintenance will be an annual routine. (4) There are several construction spots located along the downtown corridor currently. The construction occurring behind the Amerigas building will be doctors offices along with a rental space. Mr. Packett's renovation along Main Street is coming along nicely and Mr. Quesenberry is looking forward to working with the Burke's as they prepare to open. (5) Mr. Quesenberry offered his thanks for all who participated in the previous 4<sup>th</sup> Fridays that was the Tappahannock Fundraiser. A special thank you to C&F Bank for their generous contribution and to Mayor Phelps. Mayor Phelps went above and beyond allowing himself to be pined in the face for \$20.00. A few of the residents that were affected have moved into Town limits. For those residents, the Town waived the deposit and connection fees. (6) The next 4<sup>th</sup> Friday's event is August 26 with Sons of Bach providing the entertainment for the evening. (7) Stemming from some of the Comprehensive Plan discussions, American flags are being reinstalled on some of the light poles along Rt. 360. The reason these had been taken down was due to the hurricane that came through and damaged them all and at the time the Town was unable to bring them down off the poles because the Town did not have a bucket truck. Now that the Town has invested in a bucket truck, we are able to maintain them as needed. (8) For anyone interested there is an open invitation to join the Rotary Club. They meet the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday every month here at the Town Hall at 8:00am. There is breakfast provided for you and the meetings are open to everyone. Due to Covid, their enrollment numbers have dwindled, and they are currently on a one-year plan to reestablish the Warsaw Club. (9) Recently, the Town Manager has been working with Go Virginia, RCC and on the federal level start a training facility here in town. For example, pole line workers have to go to Southern Virginia Community College in South Boston and that's the only option. There is a study being conducted to form a facility here in Warsaw where you could become a lineman, or work fiberglass for pools or boats, etc.

At the end of Mr. Quesenberry's report, Councilman Forrest asked if there was a map that could be given to the fire department to carry in their trucks outlining which hydrants were usable and would carry the water load needed. Mr. Quesenberry answered that Council had purchased a GIS imaging of town water lines and hydrant locations and that could be printed and provided to the RCVFD.

Councilman English inquired if the parking lot in front of the doctors offices were going to be paved when the renovation was completed. Mr. Quesenberry responded that per code, it will have to be paved.

Councilman English also asked for Mr. Quesenberry to inquire to several localities close in size as to what they contribute to their fire departments.

Mayor Phelps asked if the Town was beginning to plan Christmas Town for this year. Mr. Quesenberry responded that yes, planning is already underway. Horse and carriages have been reserved, vendor registration will be going live soon, and the event is already on Santa's calendar. There will be more information to follow as the date gets closer.

**POLICE REPORT:** Chief Hughes reported that the Warsaw Police Department received 305 calls for service from July 10 through August 10. Chief Hughes reported that a copy of a letter of appreciation for Officers Russell and Andrews was included in their packet. The Warsaw Police Department has been in attendance at the Town Fair this week and have enjoyed meeting so many residents and neighbors of Warsaw. Chief Hughes announced Sherry Burr has been hired as the new part time administrative assistant for the Police Department. As of today, all town police officers have completed their Narcan training and are able to administer if needed when responding to a call. Chief Hughes responded to Councilman English's inquiry on if the Warsaw Police Department had Narcan available that the police department had received a grant through DCJS. He went on to say that once Narcan was used, the officer would report it to DCJS and they would send a replacement.

**COUNCIL COMMITTEE REPORTS:** Vice-Mayor Yackel reported the Personnel Committee met in closed session. No other council committees have met.

**PLANNING COMMISSION:** No meeting in August. Planning Commission was present for the joint public hearing tonight.

**NORTHERN NECK REGIONAL JAIL REPORT:** The monthly jail population report was provided in the council packet.

**WASTEWATER TREATMENT FACILITY REPORT:** Mr. Withers reported the average flow from town in July was 182,100 gallons; an increase of 1,600 gallons from June's average flow of 180,500 gallons. The max flow from town in July was 259,300 gallons an increase of 37,900 from June's max flow of 221,400 gallons. 4¼ inches of rain was logged during this max flow event.

The average total nitrogen for July was 3.06 mg/L. This resulted in a monthly discharge of 153.5 lbs. For the year we discharged 934.5 lbs. which is 25.6% of our permitted 3,655 lbs.

The average total phosphorus for July was 0.45 mg/L, which resulted in a monthly discharge of 22.6 lbs. For the year we discharged 50.9 lbs. which is 18.6% of our permitted 274 lbs.

During the plant's monthly operations and maintenance, Mr. Withers noted:

- The broken and old belts on all the large exhaust fans on the buildings around the plant have been replaced.
- The annual fecal sampling has been completed and results sent in to DEQ.
- After a power outage it was discovered that the EQ pond mixer had tripped, it was reset, and the fuses replaced.
- The air regulator for the sand filters has been rebuild and the sand filter on 1's regulator was replaced.
- The application process for the new permit has started.
- Seals in the windows at the plant have been replaced after a leak was discovered during a heavy rain.
- Currently in the process of repairing the air-drying system for the air compressors.
- All regular monthly preventative maintenance was done on all plant motors and equipment.

AMERICAN RESCUE PLAN ACT REPORT: The report on ARPA spending to date was provided to Councilmembers in the packet.

## OLD BUSINESS

PROJECTS UPDATE: **Community Market:** Mr. Quesenberry informed councilmembers that a prefab/steel building company that is familiar with community market buildings is currently working on a proposal. They were provided with the Town's design and are working to draw up plans and engineering. Once the proposal including a rendering is received, the Town Manager will present it to Town Council. **Parking Project:** Most of the parking spaces have been completed and the vendor will return on August 16 to finish. Also, the crosswalk located near Hunan Village will be completed. **Tap Grant:** VDot is working on obtaining the easements from property owners. **The Bounds:** Weekly inspections by an engineering firm are occurring now. When an issue is discovered, the Town is correcting it immediately. Hopefully, this project should be closed out with DEQ within the next 6 – 12 months. The aerators at The Bounds are burning up due to electrical issues there. The ones located farther away from the panel box don't have the proper electric current feeding it. They pumps are under warranty and are being repaired. Until the electrical issue is corrected, Mr. Quesenberry stated that he would not have the aerators reinstalled.

NEW BUSINESS

179 MAIN STREET – BOUNDARY LINE ADJUSTMENT, SALE OR LEASE OF PROPERTY: Mr. Quesenberry outlined where the boundary lines would be and what the new parcels would look like. The property line for the Willow Stitch building would fall just behind the parking at the rear of the building and over towards the Amerigas. The concrete pad and back including the Oyster Shoals building would remain Town property. To ensure ingress/egress of the parking lot, the Town of Warsaw did secure an easement for the entrance to the parking lot and the parallel parking spots.

Councilman Forrest moved to record the boundary line adjustment survey as presented. The motion was seconded by Councilman Self and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

Mayor Phelps reviewed the history of the current Willow Stitch building, and that the Town purchased the building and renovated it to make it a useable building along Main Street, hoping to attract a business to fill the once empty space. An economic incentive deal was struck with Willow Stitch for a 3-year lease that stipulated in lieu of rent so many dollars of build out or improvements to the building would be made. The lease expired June 1, 2022 and has an automatic renewal for 2 years and in the lease it is codified that the rent going forward can be no more than \$700.00. In today’s market that is a bit low, but at the time this lease was executed it was turning around a blighted building and a good call by Councilmembers at the time. Now it is time for Town Council do decide if they want to be landlords or if they want to sell the building. Part of the deal made with Willow Stich is that if Town Council decides to sell the building Willow Stich would have the right of first refusal and the sales price would be the price quoted at the time of the lease execution of \$120,000.00.

Councilman Self moved to set the rent at \$700.00 per month beginning September 1, 2022 through the end of the renewal period, June 1, 2024. The Town Manager is authorized to approach the owner and offer to sell the building to Willow Stich at \$120,000.00 as offered at the time of lease execution with a 30 day right of refusal. The motion was seconded by Councilman Forrest and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

74 MAIN STREET PURCHASE PROPOSAL: This matter is to be discussed during closed session.

BUSINESS IMPROVEMENT GRANT FORM REDESIGN: At the request of Town Council, Mr. Quesenberry presented the revised Business Improvement Grant form. Mr. Quesenberry read through the requirements and sought any changes that Council would like to see made. Mayor Phelps asked to have non-profits added as an eligible grantee. Additionally, Mayor Phelps wanted to add the language stating that Town Council can suspend this program at any time for any reason.

Councilman Forrest moved to adopt the revised Business Improvement Grant form with the amendments presented. The motion was seconded by Councilwoman Hubert and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

THE BOUNDS ENGINEERING PROPOSAL: The Town Manager reported that he was advised by the attorney to solicit bids from engineers to assist with getting this project closed out. This would be the next to last step in completing the project. Two bids were received, however, the Town Manager did not include the bid that totaled \$44,000.00. The one that was included is from the original engineering firm in the amount of \$18,340.00. The impervious cover of the parking lot and the walking trails will need to be included to the contract.

Councilwoman Hubert moved to authorize the Town Manager to enter into the engineering contract with Hurt & Proffitt, Inc as presented for the final engineering plans in relation to The Bounds. The motion was seconded by Councilman Forrest and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

SCHEDULED ORDINANCE COMMITTEE MEETING: OVERNIGHT COMMERCIAL VEHICLE PARKING: Mr. Quesenberry and Councilman English have spoken and are going to work on a finding a date that works for the committee members.

#### CLOSED SESSION – 2.2-3711 A3 (Real Property)

Councilman Forrest moved to enter closed session in accordance with Section 2.2-3711A (3) Real Property of the Virginia Freedom of Information Act. The motion was seconded by Councilman Self and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye

Ralph W. Self	Aye	Faron Hamblin	Aye
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Councilman Forrest moved to come out of closed session and reenter regular session. The motion was seconded by Councilman Hamblin and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

Council then certified by roll call vote that 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
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

In action out of closed session, Councilman Forrest moved to authorize the Town Manager to enter into negotiations to purchase 74 Main Street from the owner. The motion was seconded by Councilman Self and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Jonathan English	Aye
Rebecca Hubert	Aye	Mary Beth Bryant	Aye
Ralph W. Self	Aye	Faron Hamblin	Aye

#### CLOSING COMMENTS

Councilman Hamblin is glad to be back. It has been a busy summer but he is looking forward to movie night on Main Street.

Councilwoman Hubert added that she has heard a lot of people talking about Movie night and there seems to be a lot of excitement surrounding this event.

Councilman Self thought the Town had a very interesting meeting and knows that we have supported and will continue to support community efforts that help our town.

Councilman Forrest stated that tonight's meeting was very productive and added that everything Town Council does is for the benefit of its Town residents.

Councilwoman Bryant thought it was another great meeting and stated that we do what we can for the betterment of the Town.

Councilman English stated other localities keep asking how Warsaw does it. He thinks that its no big secret, but a lot of hard work. He offered his thanks to the Town staff for all they do.

Vice-Mayor Yackel stated it should be a great night weather wise for the upcoming movie night.

Mayor Phelps noted that Town Council doesn't always hear a lot when we do something right, but that Council will continue to work their hardest for the Town and its residents.

There being no further business Mayor Phelps adjourned the meeting at 8:11 p.m.

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Submitted by: Julia Blackley-Rice, Clerk