



Town of Port Royal

Established 1744

“Behold Us Rising”

**Town of Port Royal
Council Minutes
Public Hearings
August 16, 2016**

MEMBERS PRESENT: Mayor Jim Heimbach, Vice-Mayor Della Mills, Bill Henderson, Phyllis Sue Carpenter, Monica Chenault, J P Wilkerson, and Gladys Fortune.

MEMBERS ABSENT: None.

OTHERS PRESENT: Town Clerk Terri Harrison.

AUDIENCE: Chris Flora

The Mayor called the Meeting to order at 7:00 p.m.

The Mayor announced that, prior to beginning the Public Hearings, he had a letter to read to Council from Bill Wick, Town Manager. The letter stated that Mr. Wick had resigned from the position of Town Manager for personal reasons.

PUBLIC HEARINGS

1. PROPOSED WATER RATE FEE SCHEDULE: At 7:06 p.m., Mayor Heimbach opened the Public Hearing on the proposed water rate fee schedule. Mayor Heimbach called for comments from Citizens. Hearing no comments from the Citizens, Mayor Heimbach called for a second time for comments/discussion from the citizens. Chris Flora addressed the Council, stating that most localities' water fees include public sewer, which the Town of Port Royal does not offer. He stated that the Council should be mindful of this when setting their rates and fees. After a third call for comments, and hearing none, Mayor Heimbach closed the Public Hearing on the proposed water fee rate schedule.

2. PROPOSED FY-2017 BUDGET: At 7:14 p.m., Mayor Heimbach opened the floor for citizens to comment on the proposed FY-2017 Port Royal budget. Hearing no comments after three calls, Mayor Heimbach closed the Public Hearing on the FY-2017 proposed budget.

COUNCIL MEETING

Mayor Heimbach opened the regular Town Council meeting at 7:21 p.m.

ANNOUNCEMENTS/AGENDA ADDITIONS AND REVISIONS:

Mayor Heimbach reported that he has met with Chris Hornung of the Silver Companies, representing Royal Farms, and he stated that they are on schedule. They experienced one delay, but that was with Royal Farms. Their next step, which is anticipated for the first or second week of September, is to finalize the site plan. A copy will be forwarded to the Town and each member of Council will have access to a copy. They project opening in June of 2017.

The Mayor received a letter from Julie Floyd of the Virginia Department of Health (VDH) inquiring where the Town stands with their Waterworks Business Operation Plan. The Mayor will take responsibility for developing a first draft of this plan.

Doug Meyer of VDH needs the Town's water testing results for HAAS & TTH reporting. The Mayor contacted Dave Gonce, the Town's current water operator. The Consumer Confidence Report (CCR) should have been distributed to Town residents by July 1, and so is overdue. The Mayor is coordinating with David Gonce to prepare this report and getting it delivered to Town water customers. A certification statement must be signed and returned to VDH after the CCR has been delivered to Town water customers.

Sharon Farmer, member of Historic Port Royal, requested permission from the town of Port Royal to use the Town Seal on wine glasses, which will be sold as a fund raiser. This item will be discussed under New Business.

The Virginia Department of Conservation & Recreation is seeking input from the Town for listing as a Virginia Treasure. Herb Collins has agreed to write a proposal covering the history of the Town itself. A second article will be on the pier and water trail; Jim and Elizabeth Heimbach will prepare this proposal.

Mayor Heimbach invited Council to join him on Friday, August 19, 2016, to attend meetings he has scheduled with Daniel Siegel, Bond Counsel (9 a.m. to 10 a.m.), and with Heather Campbell, Senior Engineer with Dewberry (10 a.m. to 12 p.m.).

PUBLIC COMMENT:

Chris Flora addressed Council and stated that:

1. At the last Planning Commission meeting in July he requested an amendment to the R2-Mobile Home Park Zoning to include Town Houses; to date he has not heard back on the Town's decision.
2. There is a water leak on his property requiring the Town's involvement which has not been resolved.
3. He submitted applications for building permits to the Town Manager on May 24, but did not hear back until he called the Building Official, Kevin Wightman, on July 1; he received them that afternoon around 5:00 p.m. Building permits are only good for 6 months, but with the leak in the middle of the lot he has been unable to move forward with any building. He requested Council to grant him a 4-month extension on his building permits.

Monica Chenault, Chair of the Planning Commission, stated that the Planning Commission would like to confer with Kevin Wightman before answering on the extension of the building permits.

STATE OF THE TOWN REPORT:

Copy attached; the report was read by the Mayor.

CONSENT AGENDA:

The minutes for the July 19 Town Council meeting and the July Fiscal Year 2016 financial reports were received by Council and reviewed.

J P Wilkerson questioned the funds held in trust by the Town of Port Royal which belong to the Port Royal Volunteer Fire Department. He stated the PRVFD are in the process of putting together their financials to obtain the \$24,000.00 funds from the Fire Programs. The Mayor will research and report back at the September meeting.

Upon motion by Mr. Henderson, with a second by Ms. Fortune, Council voted to approve the Consent Agenda. Voting Aye: Henderson, Carpenter, Wilkerson, Chenault, Mills, Fortune, and Heimbach.

OLD BUSINESS:

Water Rate Fee Schedule

Upon motion by Mr. Henderson, with a second by Ms. Fortune, Council voted to approve the fee schedule as presented. Voting Aye: Henderson, Carpenter, Wilkerson, Chenault, Mills, Fortune, and Heimbach.

FY-2017 Budget

Upon motion by Ms. Carpenter, with a second by Ms. Mills, Council voted to approve the budget as presented. Voting Aye: Henderson, Carpenter, Wilkerson, Chenault, Mills Fortune, and Heimbach.

Tape Recorder Purchase

As instructed by Council at the July meeting, the Clerk has purchased a recorder with an auxiliary microphone. She has submitted a request for reimbursement.

Water System Grant Update

Mayor Heimbach gave a brief update on where the town stands with the water grant. He stated that Dan Seigel suggested we hire a financial advisor, however the Virginia Department of Health said it's not necessary and noted that the Town cannot use funds from the Grant to pay a financial advisor. The Mayor suggested the Town speak to Geri Fussell, who comes from a banking background and may be willing to assist the town.

Water Bills

The water bills for May and June have been mailed out. Council advised the Clerk to hold off a week or so before mailing out the July bills with the new rate increase, but requested that she do so before the end of August. Council discussed the alternative that people not residing in their homes have of turning off their water at a cost of \$25.00 and turning it back on at a cost of \$25.00. The Council discussed a time limit on this option; at the present time there is not one in place. The Mayor cautioned Council that such a revision to the Water Ordinance would require a Public Hearing, for which notice must be published.

Planning Commission Update

Monica Chenault reported that the Commission had met; their meetings are the last Monday of each month at 7:00 p.m. She stated that the Town Attorney attended the meeting and assisted them with formatting their minutes. Then-Town Manager Bill Wick attended the meeting. Presently serving on the Planning Commission are Monica Chenault (Chair and Council Appointee), Rick Chenault, Charles McGuire, Nancy Wick, Robert Bryan, and Bill Wick (Town employee representative). Jean Kelly advised the Planning Commission that the Building Official should attend or prepare a full report and then allow time for question and answers. The Planning Commission requested from the Town Manager copies of the Property Maintenance Ordinance and Comprehensive Plans for review prior to their August meeting; however, to date these documents were not received by the Commission members. (The Mayor stated that packets containing these materials were in the Town Office.) Ms. Chenault requested the Town Clerk to attend their August meeting in the absence of the Town Manager.

Water Line/Heating and Cooling Update

Bill Henderson was asked to follow up with the following issues that had been assigned to the Town Manager:

1. Placement of water line to the Museum of American Medicine. Mr. Henderson stated that the water line to the museum for the memorial fountain in memory of Ken Clark can be placed on hold if need be. He will contact Rick Chenault to see if Mr. Burgess, whose name was given by him to Bill Wick, is still available to do the work.
2. Town Hall heating and cooling. The Council authorized Bill to use his best judgement with the heating and cooling. He will speak with Next Generation and with Mr. Nelson, a Town resident who is in the heating and cooling business professionally.

Festival Committee Update

Monica Chenault gave a brief report on the committee's activities and where they stand with Charter Day. To date they have 22 vendors signed up. AP Hill wants to partner with Charter Day. Jack Sparrow advises this will be his last year. The first set of fliers have been received—900

event flyers and 100 sponsorship forms. Still needed are tents, tables and chairs, and volunteers. The Council commended Ms. Chenault on the good work of the committee.

Security System

Tabled – pending response from Historic Port Royal with regard to sharing of the cost for the cameras on the Town Hall/Green.

Auto Decal Collection

Tabled – Pending response from Jean Kelly, who is speaking with the County to see if the collection of the decal fee might be added to the personal property tax bill collected by the County Treasurer's office.

Board of Zoning Appeals

Tabled

NEW BUSINESS:

Town Seal Question

Monica Chenault stated that Historic Port Royal, Inc., and the Town of Port Royal are separate organizations and should be treated as such. The Mayor and Mr. Henderson believe that HPR was given full rights to use of the Town seal. The Mayor and Clerk will research the Town Seal discussions from prior minutes and report back.

Discussion of Town Code

Tabled

Transfer of Funds to Capital Fund

Tabled

CLOSED SESSION:

Upon motion by Mr. Henderson, seconded by Ms. Mills, Council voted to go into Closed Session in accordance with VA Code Section 3711 (A1), Discussion of Personnel. Voting Aye: Henderson, Carpenter, Wilkerson, Mills, Chenault, Fortune, and Heimbach.

Council came out of closed session at 10:05 upon motion by Mr. Henderson, seconded by Ms. Fortune. Voting Aye: Henderson, Carpenter, Wilkerson, Mills, Chenault, Fortune, and Heimbach.

Mayor Heimbach read the certification statement: "I certify that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the Closed Session to which this certification applies, and only such business matters as were identified in the motion by which this Closed Session was convened were heard, discussed or considered in the meeting to which this certification applies." As called upon, each member of Council responded, "I so certify."

After leaving Closed Session, Council voted by general acclamation to accept Bill Wick's resignation as Town Manager.

The meeting was adjourned at 10:15 on motion by Ms. Mills and second by Ms. Chenault.

Respectfully Submitted,

M. Therese Harrison
Town Clerk