



Town of Port Royal

Established 1744

“Behold Us Rising”

Port Royal Town Council
Official Minutes
February 20, 2018

Members Present: Mayor Heimbach, Vice-Mayor Monica Chenault, Bill Henderson, Alex Long, Sharon Farmer, Gladys Fortune, and J P Wilkerson.

Members Absent: None

Others Present: Kevin Wightman, Caroline County Building Official, and Town Clerk Terri Harrison.

Others Absent: Travis Quesenberry, Town Manager

Audience: Morton and Rosie Upshaw, Tim Locklerr, Chris Flora, Della Mills, Sonya Bowman.

Mayor Heimbach opened the Town Council Meeting at 7:00 PM.

Announcements and Agenda Additions and Revisions:

Mayor Heimbach stated that he had received a letter of complaint from the Mr. and Mrs. Upshaw a couple hours prior to the meeting. Copies of the letter was provided to each Council member. Mayor Heimbach stated that he did call Mr. Arnold and invited him to attend the Town council meeting; however, he was out of town and unavailable to attend.

Public Comments:

Mr. and Mrs. Upshaw addressed the council with a property maintenance complaint against the adjacent property. The Upshaw's made a formal request for the Town Council to do something about the situation. The Mayor and Town Council agreed to first determine if the dumpster is on Town right of way, and also recommended that they contact Mr. Arnold by letter advising him of the complaint, and also contact the Caroline County Sheriff's Department. The Mayor advised the Upshaw's to continue contacting the Sheriff's Department with complaints when there is an issue.

Mr. Timothy Locklerr stated that he would like to see the Town updating the Town Web-site to include a copy of the Codes. The Mayor stated that at this time the Codes have not placed the web site until the re-codification is complete. The Mayor stated that the web-site is still in the building stages.

Reports of Members of the Town Council:

Sharon Farmer reported that the Town Manager has secured a speaker for *Go Virginia* to be in attendance at the March council meeting.

Bill Henderson reported on the Feral Cat situation, Della had documented organizations that will assist; however, prior to their going forward, they asked for Council approval and backing of the project. Council granted permission to proceed.

Alex Long reported that the Planning Commission met last month and that the full body was not in attendance. The next meeting is scheduled for February 26, 2018 at 7:00 PM in Town Hall.

Jim Heimbach reported that the letters he was asked to mail last Council meeting were all mailed out. He also stated that there is a Block Grant Community Assistance workshop if anyone on Council is interested in attending. He has the information available and will share it.

02-10 Consent Agenda:

Upon motion by Mr. Alex Long with a second by J P Wilkerson, council voted accept the Consent Agenda. Voting Aye: Heimbach, Henderson, Long, Chenault, Farmer, Wilkerson and Fortune.

02-11 –Report of the Town Attorney:

None

02-12 Board/Commission/Agency Representatives and Public Hearings:

Kevin Wightman, Caroline County Building Official addressed Council with updates with regard to properties in Town.

- Mr. Wightman introduced Sonja Bowman, owner of Matute Autos.
- Alex Long asked Kevin if he would be offended if the Town just went with King George for a Building and Zoning Official. Mr. Wightman told Alex to hold that thought, and he would discuss that item later.
- Mr. Wightman stated that he had heard there were questions with regard to Zoning for the business, and whether or not the restrictions that were in place prior to the boundary line adjustment carry over. He stated upon the advice from Mike Finchem, Caroline County Director of Planning, who has 30 years' experience, the Town should get a legal opinion from the Town Attorney to determine if the restrictions carry over. Ms. Bowman stated to Council that upon leasing the property from the owner, she was never made aware of a limit of 12 cars allowed.
- Mr. Wightman stated that with regard to C. L. Flora, all permits are in place and he is in compliance for his current properties in Town. However, Mr.

Flora will be addressing the Planning Commission on Tuesday, Feb. 26th to make a formal presentation regarding his plan to be granted a sub-division permit to improve the 1.3 acres owned by Ms. Posner, that he has a contract on, by building 4 homes. Mr. Flora's proposal to the Town would be for the Town to allow him to downsize the number of water connections he already has in place on Aberdeen Street, and use them on the new development he is proposing. C L. Flora would be responsible for putting in the road, installing the water connections and providing the meters at no cost to the Town. This would lessen the number of units he would be placing in the property that is currently zoned for a Trailer Park. Mr. Flora asked for an application that he could begin filling out prior to attending the Planning Commission Meeting on Tuesday. The Clerk was asked to provide him with one. The Clerk stated the Town does not currently have one, but she would obtain one from the County and format it with Town of Port Royal language. Mr. Long suggested looking at King George's Application. The Clerk was asked to get one to Mr. Flora this week.

- Mr. Wightman suggested with regard to the issue with the over flowing dumpster in the Trailer Park and the issues with the Upshaw's that the Council investigate having a fence built around the dumpster in order to keep the debris from blowing into other people's yards.
- Ms. Chenault questioned the septic system and whether it is in compliance for the Antique stored behind her property. Mr. Wightman asked for clarification if it was located behind her trailer or the house her husband has been working on. He stated that the business known as "The Minnow Bucket" is in compliance with the State Health Department. She stated that the copies she received did not have a signature. Mr. Wightman stated that all documents were on file in the Building and Zoning office in Bowling Green.
- Mr. Wightman reported on the property located at 909 Caroline Street stating that both he and the Sheriff's Department have been advised that the people living there are relatives of the owner's new wife.
- Mr. Wightman stated in his closing remarks to the Town that he suggests that the Town hire a part time 20-25 hours a week Building and Zoning Official. Mr. Wightman is not currently paid by the Town, but the Town needs to consider finding a paid staff member. Alex Long questioned the Town not paying him for his services. Mr. Wightman stated that is correct, and clarified that his attending this meeting is on his own time.
- Mr. Wightman asked if there were any more questions from Council that he could answer; hearing none, he thanked them for their time and left the meeting.

02-13 Formal Presentations and Reports:

None

02-14 Action Items:

02-14-1 Invoice from Dewberry Engineers, Inc. relating to the Port Royal Water System Improvement Project:

Upon motion by Bill Henderson with a second by Gladys Fortune, Council voted to authorize the Mayor and Vice Mayor to issue a check to Dewberry Engineers, Inc. in the amount of \$2,832.00 for professional services associated with the Water System Improvement Project. Voting Aye: Heimbach, Henderson, Farmer, Wilkerson, Chenault, Long and Fortune.

02-15 Discussion Items:

02-15-1: Discussion relating to Council Committees:
Tabled

02-15-2: Discussion relating to a Professional Event Planner
Tabled

02-15-3: Discussion relating to Town Code:
Tabled

02-15-4: Discussion relating to Business License Form, Zoning Permit Form and Sub-division Application Form:
Council agreed in favor of the updated Zoning Application form drafted by Alex Long. No other forms were reviewed/discussed or approved.

02-15-5- Discussion relating to Development Guide:
J P Wilkerson stated due to his computer breaking today that he was unable to review the flash drive. Mr. Wilkerson will report back at the March Meeting.

02-15-6 Discussion relating to north end nuisance and south end mobile home park garbage issue:

- South End Nuisance: The Council will look into the location of the dumpster to determine if it is on Town right of way to determine if it is the responsibility of the mobile home park owner to address the issue of the trash or if is Town's property, and therefore up to the Town to address the issue of how to resolve with the property owner. If the Town determines that it is situated on Town right of way, the Town can require the mobile home owner to make necessary provisions to ensure the litter is in control. With regard to the children and the destruction, property owners are encouraged to take pictures when they are able, and to at all times contact the Caroline County Sheriff's Department.
- South End Nuisance: The Council discussed issues with drag racing down the Town streets. Citizens are encouraged again to take pictures if they are able and to always contact the Sheriff's department.

02-16 Report of the Town Clerk:
Report attached

02-17 Report of the Town Manager:

In the absence of the Town Manager, the Mayor reported on his behalf the following received via: e-mail:

I signed the construction contracts and hand carried them to the contractor and review agencies to sign. The contracts are now with VDH for their final review/approval. Closing is scheduled for March 1. Following closing we can issue the contractor a notice to proceed with construction. I also provided the review agencies with requested letters and documents relating to the project.

- *We provided council copies of the draft development guide and town code.*
- *We provided JP and Sharon a thumb drive with a draft Town emergency response plan and also on the thumb drive the 2016 Caroline county emergency operations plan.*
- *Terri can report on the letters to businesses regarding business licenses, and letters to residents regarding vehicle decals. We also mailed a letter to the bridge contractor regarding a business license (no response), and drafted a letter regarding inoperable vehicles.*

02-18 Information Items

- Decal letters will go out upon receipt of the report being received from the County. Due date for town decals is April 15, 2018.

CLOSED SESSION:

Upon motion by Jim Heimbach at 9:12 pm with a second by Bill Henderson, Council went into Closed Session pursuant to Section 2.2-3711 (A)(7) of the code of Virginia regarding consultation with legal counsel specifically relating to enforcement of the meals tax, and closed session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia regarding discussion regarding discussion relating to personnel matters. Voting Aye: Heimbach, Henderson, Farmer, Wilkerson, Chenault, Fortune, and Long.

Upon motion by Bill Henderson with a second by Monica Chenault, Council came out of closed session at 10:05 PM. Each member of Council was asked to Certify that only personnel matters and consultation with legal counsel specifically related to enforcement of the meals tax, 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 personnel matters 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.

**Mayor Heimbach stated, "I so certify"
Vice Mayor Chenault stated, "I so certify"**

Bill Henderson stated, "I so certify"
Sharon Farmer stated, "I so certify"
Alex Long stated, "I so certify"
J P Wilkerson stated, "I so certify"
Gladys Fortunes stated, "I so certify"

Respectfully submitted:

Therese Harrison
Town Clerk