

Town of Port Royal

Town Council Minutes

January 20, 2015

The Port Royal Town Council met on Tuesday, January 20, 2015, at 7:00 PM in Town Chambers.

The Clerk called roll; members present were Mayor Nancy Long, Vice Mayor Jim Heimbach, Bill Henderson, Phyllis Sue Carpenter, Monica Chenault, Della Mills, and Gladys Fortune. A full Council was seated.

A quorum was established.

The Town Clerk/Treasurer and Town Manager were also in attendance.

Consent Agenda:

The Clerk sent out the minutes of the January 6, 2015, meeting on January 7 and requested that additions and or corrections be sent back prior to the upcoming meeting on the 20th of January. Some members of Council do not have electronic mail, and some were experiencing technical difficulties with either receiving or printing, therefore the Clerk prepared and sent a complete package consisting of Meeting Agenda, Minutes of January 6, Treasurer's Report for December 2014, report from the Water Grant Coordinator, breakdown of Charter Day 2014 receivables and expenditures to date.

The Council discussed with the Clerk the status of the water accounts. The Council addressed the current collection and process for disconnection. The Clerk will submit monthly a request to rental property owners, or landlords, requesting updated information for their tenants. There are many factors hindering the adequate collection of delinquent water accounts, including: inadequate staff available to shut off water and then turn it back on when the tenant pays the balance; the Town not being notified when a tenant moves in or out of a rental property and/or not receiving a current mailing address or telephone number to reach the person. The Mayor stated that she would meet with Terri Harrison and Bill Wick to work out a plan to better handle the collection of delinquent water accounts. They will meet and report back at the February 17 meeting of the Town Council.

The Minutes were reviewed. Phyllis Sue Carpenter stated that she had one clarification, that the minutes be amended to reflect that her conversation with Charles McGuire was not at the Polls, but outside of the Fire Station on October 28, 2014, along with Donnell Howard.

Monica Chenault stated that she wished to express some concerns with regard to the January 6 meeting, at which time nominations for officers were made. She felt that, with three members not present at the meeting, it was not fair for those not present to not be able to make nominations. Mayor Long stated that while Della Mills and Gladys Fortune were not at the meeting, that Jim Heimbach called in for the nominations and for the voting and remained on the line for some of the reports. Mayor Long stated that since the Council passed a motion to meet two times per month as needed, and the January 6 meeting was properly scheduled, this was the proper procedure as this was the first meeting following the ending term of the past Council. Monica stated that new people on the Town Council may not be aware of the practices of the Council and should have been made aware that nominations and elections would be taking place at the January 6 meeting. She also stated that the agenda did not come out in adequate time, there was no advance notice, and she felt that her voice had not been heard. Monica stated again that communication of the Council is vital.

Della Mills stated that Mark Hampton was not pleased by hearing that he was removed from the Planning Commission. He was waiting to hear back from the Planning Commission Chair with regard to dual residency. Nancy said that she thought she understood Della to say that Mark was resigning. Della clarified that she had mentioned to Nancy that Mark might be resigning, but that was before she knew

that Mark and Alex were already in discussion with regard to the residency issue. Della also stated that Terri Harrison has served on the Planning Commission for a number of years, her home is in Port Royal, her vehicles are registered in Port Royal, and she votes, purchases her Town decal, pays taxes, pays her water bill, and receives her mail in Port Royal, all things that constitute residency, but she was removed from the Board just because she doesn't spend every night in Port Royal. The Council discussed residency at length. Mayor Long stated she looked up the legal definition of residency. Terri stated that she too looked up the legal term and e-mailed it to Alex Long, Planning Commission Chair, the following morning after the Council Meeting. His response was, "We don't go by the legal definition; we go by the Code of Virginia." Terri e-mailed that definition to him and all the requirements are met by her and her situation as defined by the Code of Virginia. No response was received from that e-mail. Mayor Long said that more research would need to be done with regard to residency; Bill Wick will seek to obtain clarification.

Monica Chenault stated she too had a person willing to serve, one who lives in the Town part time in a commercial building. Bill Henderson questioned how is it that we have people living in commercial buildings, and why would his situation be any different than Terri's? Another member questioned if a person serving on the Planning Commission is a felon, are they still able to vote? Clarification will have to be obtained. The discussion continued to the Town Manager serving on the Planning Commission, but not taking on any tasks or assignments. The State Code was researched as stated by the Mayor allowing the Town Manager to serve. After looking up the Town Code (which is posted on the Town's website), Jim Heimbach noted that the Town Code states that the Manager will attend all Planning Commission meetings but is not be voting member. The discussion was tabled awaiting further legal clarification from the Virginia Municipal League.

The Treasurer's Report was received.

The minutes were requested to reflect that Jim Heimbach will continue to be the Town's Webmaster and that Monica Chenault will continue to be the administrator for Facebook. She noted that Nancy Long, Bill Wick, and Bill Henderson are also Administrators with the ability to post to the page on behalf of the Town, and that Terri Harrison can view posts and messages, just not post on behalf of the Town. The Council thanked both of them for their good works.

Motion was made by Jim Heimbach to accept the Consent Agenda, with the amendment to the minutes. Motion was seconded by Gladys Fortune, and all members were in favor. Motion carried 7-0.

Town Manager's Report:

No report was presented. However it was noted that we all received a copy of the most recent Port Royal Journal. Phyllis Sue Carpenter stated that she did not receive one. She then asked how, if you don't receive a water bill, do you receive other correspondence. Terri Harrison stated that she has a list that she had sent to Nancy Long per her request on the 13th of January for Bill to use. The list was received by the Mayor and typed into label format by the Clerk.

Public Comments:

None.

Old Business:

Report from Water Grant Administrator - Copy attached for the permanent record. The Council expressed their appreciation for the good work Alex Long is doing to this project.

Request from Grant Administrator - The Grant Administrator had sent an e-mail indicating a desire to attend a workshop on water-system financial management in Roanoke, VA. Jim Heimbach was the only member of Council who had seen the e-mail and suggested that Council needs to support Alex's efforts

and proposed that a resolution be adopted to reimburse him for any expenses incurred in attending this workshop. The Council passed the proposed resolution.

Water System Maintenance Update – Jim Heimbach reported that when he and Bill Wick met with Joey Schiebel in December, they had discussed the possibility of the Town contracting with Caroline County to manage the water system. Mr. Schiebel was eager to establish such an arrangement and roughly estimated that the cost to the Town would likely be in the range of \$9 to \$10 per month per customer. (Currently it costs about \$6 to \$7 per month per customer for the water operator). However, in a recent telephone call to Bill Wick, it was indicated that the Board of Supervisors would be meeting to discuss the proposal, and it appears that the County may not be willing to act in the role of a mere contractor but may wish to control the water system, including potentially consolidating it with Townfield’s system. Nancy Long stated that she has spoken to Calvin Taylor and he has not heard anything of this nature.

Town Code Committees Report Scheduling –

February 3rd: Chapters 6 & 7 - Bill Wick with Bill Henderson and Phyllis Sue Carpenter.

February 17th: Chapter 4 – Della Mills with Jim Heimbach and Nancy Long.

February 17th: Chapter 5 Sections 2-4 – Jim Heimbach with Bill Henderson and Nancy Long.

March 3rd: Chapter 3 – Nancy Long with Jim Heimbach and Monica Chenault

March 17th: Chapter 5 Section 1 – Monica Chenault with Gladys Fortune and Phyllis Sue Carpenter.

King Street Report: Bill Wick reported that he met with Northern Neck Marine Construction this morning and they will be putting pilings in the water next week. The project should be completed by the third or fourth week of February. He will also be doing repairs to the soft launch and hopefully correct it so that it doesn’t wash away again.

New Business:

Garden Tour & Booth Celebration Activities: Nancy Long stated that the Garden Tour is scheduled for April 21 (all day from 10:00 am to 5:00 pm). Booth activities will be on Friday Saturday and Sunday, April 24, 25 and 26. County plans are underway but waiting for the Board of Supervisors to approve the schedule of activities. The Mayor reported that Historic Port Royal will have their hands full with the Museum and the Grand Opening of the Doctor’s Office. The Town needs to help however they can, with funds raised going to the Veterans Memorial. Monica Chenault reminded Council that due to a scheduling conflict that the HistoryLand Mobile was unable to attend Charter Day, but would be in Caroline County from April 24-26 and would like to arrange for tours by Town officials and or other special guests during the event.

Property Maintenance:

The Mayor, Town Manager, and Bill Henderson went around the Town assessing property violations. Several were noted, and they brought before Council the list for their recommendation on forwarding the violations to the Building Inspector for him to evaluate. Listed were: Stone Factory on Rt. 17 & Rt. 301; HPR – Lyceum; Hicks Motel Sign; Holloway House along Rt. #301; Garner Properties, Barn and House; Motel on the Corner of Rt.#301 and Middle Street. The Council agreed by common consent to forward the addresses listed above to the Building Official with the Town identified as the complainant.

Water Tower:

The Town is in receipt of a letter stating that the Department of Health has condemned the Water Tower. A letter to that effect must be sent to all property owners. While the tower is condemned as a structure, there is no threat to the water and safety of drinking the water.

Clarification to Comment made by Planning Commission Chair at the November Meeting:

Phyllis Sue Carpenter stated that she would like the record to reflect that with regard to the Planning Commission working on the three items they outlined in their last report, that she has no opinion with

regard to the changing of the present zoning from one house per ten (10) acres to one house per five (5) acres.

Town Attorney:

Jim Heimbach stated that we need to be more active in seeking a Town Attorney. He suggested that the Town Manager contact other similar localities to see who they have retained for their legal matters. The Council concurred.

Thank you:

Terri Harrison recently celebrated her birthday and the Town sent her a bouquet of flowers. Terri expressed her appreciation and gratitude.

Adjournment:

Hearing no further business, the meeting came to a close. Motion to adjourn was made by Gladys Fortune and seconded by Monica Chenault. Motion carried.

Next Town Council Meeting will be held on Tuesday, February 3, 2015, in Town Chambers.

Respectfully Submitted:

M. Therese Harrison