

Town of Port Royal
Council Minutes
September 04 and 17, 2013

Special Called Meeting

Mayor Long called a special called closed meeting at the Port Royal Town Hall, 419 King Street, at 6:30 pm on September 4, 2013. Members present were Mayor Long, Bill Wick, Bill Henderson, Jim Heimbach, Monica Chenault, Della Mills and Oliver Fortune.

A quorum was established and the Town Council voted in favor of a closed door session, as follows:

WHEREAS, the Port Royal Town Council desires to adjourn into Closed Session for discussion of a Proposed Boundary Line Adjustment between the Town of Port Royal and Caroline County.

WHEREAS, pursuant to the Code of Virginia, such discussions may occur in Closed Session.

NOW, THEREFORE, BE IT RESOLVED that the Port Royal Town Council does hereby authorize discussion of the aforesated matters.

The meeting of the Town Council was continued at the regularly scheduled date and time of 7:00 pm, September 17.

RETURN TO OPEN MEETING AND CERTIFICATION

WHEREAS, the Port Royal Town Council convened a closed meeting on September 4, 2013, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 (D) of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Port Royal Town Council hereby returns to open session and certifies, by roll call vote, that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Freedom of Information Act and identified in the motion to go into Closed Meeting were heard, discussed or considered in the Closed Meeting.

VOTE: Ayes: 7 Ms. Long, Mr. Wick, Mr. Heimbach, Mr. Henderson, Mr. Fortune, Ms. Mills, Ms. Chenault: Nays: 0 Absent: 0 Abstain: 0

On a roll call vote, the town council returned to a properly advertised Public Hearing.

Return to Open Meeting

The Port Royal Town Council voted to open a Public Hearing on the proposed Boundary Line Adjustment. The Public Hearing notice was advertised for two consecutive weeks prior to the Public Hearing in accordance with law.

Mayor Long called the Public Hearing to order. The mayor stated that the purpose of the public hearing is to hear citizen comment with respect to the proposed boundary line adjustment. The mayor outlined the need for the town to expand its boundaries and noted that there are maps available for review. Mayor Long stated that for years we have needed to look at how to grow, how to get more businesses in town. She stated that the Council feels they have a good relationship with the business community. She clarified that the Boundary Line Adjustment is different from annexation. She stated that the final lines on the map took out the wildlife refuge and the Holloway Booker and Robinson fields. Citizens were asked to sign the sign up sheet in accordance with the code of Virginia if they wished to speak.

It was noted for the record that due to a typographical error in the *Free Lance Star*, three citizens showed up at 6:30. Two (John Gililiand and Tim Massey) spoke in favor of the BOA but were unable to remain for the meeting. Ellen Martin asked questions and was opposed to the BOA.

Ten citizens and the Port Royal District Supervisor were in attendance for the public hearing.

Cleo Coleman enthusiastically supported the BOA, stating that sometimes necessity overtakes the rules of history. She stated that it is a logical and rational response to the Town's needs. She stated that \$70,000 is peanuts to the county, economically, and it is not feasible for the county to not go along with the request.

Morgan Zwicker, the owner and operator of Pinehill Towing, spoke in support of the BLA. He spoke of all of the history here in Port Royal. He stated it would be sad for us not to be able to do basic things such as cutting the grass and repairing the sidewalks.

Mr. Sonny Edwards had concerns and questioned if the council would place any restrictions on hunting on the property if it is taken into the town limits.

Rob Robinson questioned the lines on the map that had been prepared by the planning department of Caroline County. He stated that the survey needs to follow the map. He stated that the map does not appear to be in order. He stated that Joyce Childress owns 900' which borders AP Hill. He stated that the line was not described very well.

Supervisor Calvin Taylor spoke in support of the BOA. Mr. Taylor stated that he has spoken with some of the other members of the BOS who have some concerns. He encouraged citizens from our area to attend the public hearing

scheduled for September 24, 2013, at 7:30 pm. Mr. Taylor stated that the boundary line adjustment is not only a good thing but a necessary thing. Without the added revenue, the Town may cease to exist. He stated that a lot of the Town's tax dollars go into things we don't necessarily benefit from. The county has subsidized waterworks in other parts of the county. He wished he could say it was a done deal, but it is not. He applauds the business owners who are all in support. He stated it would be a shame for the town not to be able to generate enough revenue to supply the services to the town. He stated that the town was only asking to use what is already ours. He feels that this is a no-lose situation. The county will be far better off.

Nancy Wick stated that she found it offensive that the BOS thinks of this as a gift to the town.

Hearing no more comments, the Mayor closed the public hearing at 7:30 pm.

The Port Royal Town Council was called to order at 7:45pm

Roll was called, present were Mayor Long, Mr. Wick, Mr. Heimbach, Mr. Henderson, Ms. Mills, Ms. Chenault. Mr. Fortune was absent due to a medical condition.

A quorum was established.

Mayor Long asked Council if they have any additions or changes to the agenda. Hearing none, she stated that she had one addition.

Mayor's Comments:

Mayor Long stated that Randy, our librarian, would be retiring. The library staff will hold a reception on October 4th from 1 to 5 at the library. At the suggestion of Jim Heimbach, the council agreed to the purchase of a \$25.00 gift card from River Haven and a retirement card signed by council and staff. Terri will pick up the gift card and greeting card.

Ken Perrott, of Fort AP Hill, will also be retiring in the fall.

Kevin Burns is retiring from the George Washington Regional Commission. Nancy and Alex Long, Jim Heimbach, and Bill Wick will attend his retirement party. Terri will pick up a card for his retirement.

Consent Agenda:

The Treasurer's Report was tabled due to a line item error and omission of an entry. The Minutes were tabled when Mayor Long stated that she had some corrections that the clerk did not receive prior to going on vacation. She would like time to send those also and have the minutes amended to include her comments.

Old Business:

JLUS: Nancy stated she has completed making her comment and will type the document and forward it on. A meeting is scheduled next week with the Town of

Port Royal and the Town of Bowling Green. Nancy stated that one advantage if it goes through is flight avoidance area over AP Hill. Jim Heimbach stated that he is not in support of the document unless he sees a clear benefit for the citizens of Port Royal. Bill Wick stated that he felt the same.

Port Royal Landing: Nancy received a call from the National Park Service, which provided a grant of \$28,000, that they would like to schedule a meeting to go over the permits, etc. The tentative date is October 2, 2013. A clean-up date is being planned by Friends of the Rappahannock for October 12, 2013, from 9 am to noon.

Doctor's Office water connection: The council stated that around 1999, the Council seated at that time approved a water connection for the Doctor's Office. The clerk was asked to research old Minutes. Historic Port Royal would be responsible for the cost of running the line, but the town would not charge them a new-connection fee. Terri will check with the water operator to see if he would consider doing the job or if he has a contact that he would recommend.

Charter Day: Bill Wick reported on the Charter Day planning. The event is moving along. Bill Henderson stated that Historic Port Royal is donating \$100 in support of the event and they are obtaining a vendor booth.

Boundary Line Adjustment: The Mayor stated that the town held a Public Hearing and agreed that the description should have been clarified on the map

Motion was made by Bill Wick that the Port Royal Town Council accepts the Boundary Line as is and will proceed with the process. Motion was seconded by Bill Henderson. Motion carried 6-0.

New Business:

Nancy stated that the council needs to do something about the tank that is stored at New Kent County. Jim Heimbach recommended that, in return for our participation in the JLUS, Fort AP Hill be asked to transport the tank and provide storage for it until the Town needs it. Nancy agreed to speak with AP Hill.

Monica Chenault stated that teenagers are continuing to have some behavior issues in town. Council members encountered a group of kids who appeared to be bullying a younger teen. Upon approach the children dispersed. About 20 minutes later, an older female child reported to an adult resident of the town that she had injuries from a physical assault by another child. This child then went to the brick home on the corner of Middle and Frederick and grabbed a knife and then tried to attack the child that injured her. Several (four or more) individuals physically restrained the child in the yard in front of the house. The child was screaming, "I'm gonna kill him!" over and over. An adult reported that she (the injured child) called the police and requested an ambulance. The adult also confirmed that she saw injuries on the child and had notified the child's mother. The Council member also called the police. To the Council member's knowledge, the police never responded and did not get a statement regarding the Council member's observations of the incident.

Monica also noted that there was another incident in town where a resident of an extended area of Port Royal came into the town and confronted town residents in a “bizarre and erratic state.” The individual appeared to be suffering from mental illness and was in a highly dangerous state. The individual was arrested on the same date.

Della Mills stated that they have had a lot of incidents in the park and the Sheriff’s department has been highly responsive.

Jim and Liz Heimbach have graciously offered to provide a new bucket toddler swing for the swing set as a gift to the town. The council thanked Jim and Liz for their generous gift and Jim’s continued support with the playground improvements. Jim has actively worked towards making the small playground area nicer for the children.

School Board Referendum: A copy of a letter of support to the Caroline County School Board was presented by Jim Heimbach to the Council prior to the meeting to give the Council time to read over the document. The resolution was adopted, and four members of council signed the document at the meeting while two others needed more information. One member opposed the resolution and did not plan to sign it. Jim Heimbach stated he would obtain the requested information and send it out via e-mail the next day. He said he would happily carry it around for the remaining signatures, if they wished to sign the letter of support.

Hearing no further business, motion to adjourn was made by Bill Wick and seconded by Jim Heimbach. Motion carried.

Respectfully Submitted:
M. Therese Harrison