

February 11, 2009

**KILMARNOCK PLANNING COMMISSION
Wednesday, February 11, 2009
Town Hall
Kilmarnock, VA**

Regular Meeting Minutes

1. Call to Order

Chairman Booth called the regular meeting to order at 7:00 pm with the following members present:

Raymond Booth, Chair
Gary Anderson, Council Liaison
William Smith
Steve Bonner
Dave Reedy

Members Absent:

Claudia Williamson, Vice-Chair
Dave Reedy
Jane Ludwig

Staff Present:

Marshall Sebra, Zoning Adm., Asst. Town Mgr.
Paul C. Stamm, Jr., Town Attorney
Joan N. Kent, Transcriber

2. Recognition of Guests:

Chairman Booth welcomed Kilmarnock residents, business owners and guests.

3. Acceptance of the Agenda

ACTION: Commission Member Reedy made a motion to accept the February 11, 2009 Planning Commission meeting agenda as presented, seconded by Commission Member Smith; and carried unanimously.

4. Public Forum

Chairman Booth opened the public forum by inviting members of the audience to voice their concerns or ideas in regards to planning issues. Each speaker was limited to 3 minutes.

There were no participants in the public forum.

5. Public Hearing

A. Floodplain Overlay Ordinance Text Amendments

The purpose of the public hearing was to solicit public comment on text amendments pertaining to the Town of Kilmarnock Floodplain Overlay Ordinance for conformity with FEMA guidelines.

- 1) Chairman Booth opened the public hearing.
- 2) Chairman Booth asked for staff comments.

Assistant Town Manager Sebra stated that a revision to the Floodplain Overlay Ordinance was necessary in order for the Town to comply with FEMA guidelines. Mr. Sebra advised that a copy of the ordinance with the text amendments was included in each Commission Member's packet.

Town Attorney Stamm advised that he had reviewed the technical changes made and found no problems with the ordinance as written.

- 3) Chairman Booth asked for public comment.

There were no public comments.

- 4) Chairman Booth closed the public hearing.
- 5) Chairman Booth asked for Commissioner Member's comments and/or action.

ACTION: Commission Member Anderson made a motion to recommend to Town Council that the Floodplain Overlay Ordinance with text amendments be approved as presented, seconded by Commission Member Smith; and carried unanimously.

6. Minutes: Approve, Correct or Amend the Minutes for the January 13, 2009 Planning Commission Meeting.

ACTION: Commission Member Bonner made a motion to approve the minutes for the January 13, 2009 Planning Commission

**Meeting as presented, seconded by
Commission Member Reedy; and carried
unanimously.**

7. Commissioner Comments

There were no Commissioner comments made.

8. Old Business/ Unfinished Business

Assistant Town Manager Sebra advised Commission Members that due to the meetings being held at the Library, several public hearings had to be scheduled on Wednesday evenings instead of the second Tuesday of the month. Mr. Sebra stated that since the meetings were being held at the Town Office again, he could revise the schedule so that the public hearings could be held on the regular meeting day.

It was the general consensus of the Planning Commission to revert the meetings and public hearings back to the second Tuesday of each month.

9. New Business

A. Upcoming Budget

Assistant Town Manager Sebra advised that he would be working with Admin/Finance Committee in regards to the preparation of the upcoming budget and they had requested that suggestions from the Planning Commission be put in writing and forwarded prior to their March meeting.

Chairman Booth asked if a committee should be formed to participate in the preparation of the budget.

Assistant Town Manager Sebra stated that there was one formed last year, but noted that the Admin/ Finance Committee had just asked for suggestions and comments this year.

Chairman Booth replied that didn't surprise him and asked Town Attorney Stamm what taxes did the Town intend on increasing this year.

Town Attorney Stamm replied probably none but stated the point was that the Planning Commission was responsible for the planning of the Capital Budget, which was more important this year than ever due to the Federal Recovery Plan. Mr. Stamm said that suggestions needed to be gotten in so that requests for grants could go out. Mr. Stamm said that there was a lot of money available through the recovery plan that could be used for a new well, new well tower and etc.

February 11, 2009

Commission Member Bonner said a new bridge in White Stone would be good.

Mr. Stamm replied that unfortunately the Town couldn't request that because the bridge did not fall within its jurisdiction.

Council Liaison/Commission Member Anderson said that if the Town did not ask now than they probably would not get anything. However, Mr. Anderson stated that the Town could ask and receive nothing anyway but that they would never know unless they actually tried. Mr. Anderson said that he hated to use the phrase but noted that it was a trickle down process due to priorities. Mr. Anderson stated that if the Town listed infrastructure projects, then they would have to be ranked and an estimated cost provided. Mr. Anderson finalized by saying that the Planning Commission could be aware of things needed in the Town that Council was not.

Commission Member Bonner asked if sidewalks could be included in this.

Town Attorney Stamm replied that they could but if granted, then the Town would have to guarantee that it was contributing to supplying jobs in the local workforce when the sidewalks were put out to bid. Mr. Stamm said that the Recovery Plan was designed to create jobs and that the Town could possibly ask for five more public works employees.

Commission Member Bonner said that the Town should apply for sewer/water and sidewalks. Mr. Bonner said that he hoped the County would try to get funding for the bridge because that was the biggest complaints that he heard from customers and the Town's businesses did suffer because of it.

Town Attorney Stamm said that the Town had already applied for a grant to extend water/sewer to Mary Ball residents but stated that was only a small portion of what funding was available. Town Attorney Stamm said that what Commission Members needed to keep in mind was that the Town could apply for anything that would put people to work.

Former Commission Member Les Spivey spoke from the audience to say that if the Town applied for a grant to repair the water/sewer infrastructure such as replacing old pipes, etc., and received it then the money set aside in the Capital Budget for that purpose could be used on the other things that the Town did not receive a grant for such as sidewalks.

Council Liaison/ Commission Member advised that the Town was facing a situation whereas three lift stations had to be replaced.

February 11, 2009

On a final note, Town Attorney Stamm stated that now was the time to think about what was needed and to get those thoughts and suggestions to Assistant Town Manager Sebra as soon as possible. Mr. Stamm said that the Town was trying to hold the line but had felt some cuts such as the Police Department didn't get a couple of the grants that they had received for the past several years. Mr. Stamm said that if the Town received grants as part of the Recovery Program than hopefully that would help on the possibility of not having to raise taxes.

Chairman Booth asked Mr. Stamm if the Town didn't have enough money than why not spend less instead of saying that hopefully the Town would not have to raise taxes.

Town Attorney Stamm replied that generally Kilmarnock didn't have to raise taxes. Mr. Stamm said that it was recommended last year because of the increase in county assessments. Mr. Stamm clarified that he was not saying that the budget necessitated a tax increase.

Chairman Booth said that it did not make sense that Council or Administration would propose a tax increase when people at this time are less well off and already burdened. Mr. Booth said that the Town needed to spend what it had or even less.

Town Attorney Stamm said that he was in agreement.

Chairman Booth said that citizens of Kilmarnock had to go through all of that last year and the Town sort of snuck it in on them.

Town Attorney Stamm replied that a public hearing was held so there was no sneaking around involved. Mr. Stamm advised that the Town was not doing poorly and noted that all of the bills were being paid but said that the Town had to be sure it could continue to pay the bills. Mr. Stamm said that the Town had to get water and sewer to a point where it was paying for itself because if not, the Town would not be eligible for grants or low interest rates.

Chairman Booth asked Mr. Stamm when was the Town in eminent danger of seeing repercussions from that.

Town Attorney Stamm said that the Town was seeing repercussions from it now.

Commission Member Bonner said that the Town was not the only one and that other localities were being affected as well.

Council Liasion/ Council Member Anderson explained that the Town had two rates, one for sewer and one for water. Mr. Anderson said that

February 11, 2009

water makes money and sewer loses money. The sewer process whereas it is processed before it is discharged into the waters of the commonwealth of Virginia is an extremely costly process. Mr. Anderson said that the Town also has an aging infrastructure with leaking pipes in both directions. However with the stimulus package the Town was trying to look at other grant opportunities to close that gap without increasing the water/sewer rates. Mr. Anderson said that right now the water was subsidizing the sewer but not fully so other revenue sources have to cover that. Mr. Anderson said that the goal in each community was to balance the cost verses the service provided.

Assistant Town Manager Sebra advised Planning Commission Members that he could provide them with a copy of last year's Capital Improvement Budget so that they could take it home to review.

10. Adjourn

ACTION: Commission Member Reedy made a motion to adjourn, seconded by Commission Member Smith; and carried unanimously.

Meeting adjourned at 7: 46 pm

Prepared by:

Joan N. Kent

Claudia Williamson, Vice-Chair