

May 12, 2009

KILMARNOCK PLANNING COMMISSION
Tuesday May 12, 2009
Town Hall
Kilmarnock, VA

Regular Meeting Minutes

1. Call to Order

Chairman Booth called the regular meeting to order at 7:05 pm with the following members present:

Raymond Booth, Chair
Claudia Williamson, Vice-Chair
Gary Anderson, Council Liaison
Dave Reedy
Jane Ludwig

Members Absent:

Steve Bonner
William Smith

Staff Present:

Paul C. Stamm, Jr., Town Attorney
Joan N. Kent, Transcriber

2. Recognition of Guests:

Chairman Booth welcomed Kilmarnock residents, business owners and guests. Mr. Booth recognized Mr. Tom Saunders, who was seated in the audience and congratulated him on his appointment as Town Manager beginning June 1st.

Mr. Saunders stated that he was thankful for the opportunity and was looking forward to working with everyone.

3. Acceptance of the Agenda

Town Attorney Stamm requested that the agenda be amended to include the correction of a scribe's error in regards to zoning under New Business, Item C.

ACTION: Commission Member Anderson made a motion to accept the May 12, 2009 Planning Commission meeting agenda as amended, seconded by Commission Member Ludwig; 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

There were no public hearings held.

6. Minutes: Approve, Correct or Amend the Minutes for the February 11, 2009 Planning Commission Meeting.

Commission Member Reedy requested that the minutes be corrected to show that he was present at the February 11, 2009 meeting.

ACTION: Commission Member Reedy made a motion to approve the minutes for the February 11, 2009 Planning Commission meeting with the above correction, seconded by Vice-Chair Williamson; and carried unanimously.

7. Commissioner Comments

There were no Commissioner comments made.

8. Old Business/ Unfinished Business

9. New Business

A. Capital Improvement Budget- Council Liaison/Commission Member Gary Anderson

Council Liaison/ Commission Member Anderson briefly discussed the proposed Capital Improvement Budget, a copy of which was included in each Commission Member's packet. Mr. Anderson advised that the two most costly items listed in the budget were the outfall to Indian Creek and plant expansion. Mr. Anderson stated that the plant expansion was not an immediate need and would not have to be addressed for a couple of years. Mr. Anderson said that with services expanding, the plant would also have to expand resulting in the Town having to be licensed at a larger level. Mr. Anderson noted that there were other items that were a little more immediate and explained that there were two

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sides to the services provided, one being water and the other being sewer. Mr. Anderson said that in regards to water, the Town was in good shape. In regards to sewer, Mr. Anderson advised that the problem was that the sewage had to get from where it was generated to the plant and stated that this was the area where the Town needed significant upgrades. Mr. Anderson explained that the lines were designed to flow with gravity but needed mechanical assistance at some points, which was why there were lift stations. Mr. Anderson advised that the most critical lift station at this point was the one on Wiggins Avenue. Mr. Anderson said that the other items listed on the CIP were regarding things that were dealt with during day-to-day operation. Mr. Anderson finalized by saying that the system was old and had weak parts that had to be replaced.

Vice-Chair Williamson asked Mr. Anderson if he was satisfied with the Water/Sewer Master Plan.

Mr. Anderson replied that he was and stated that the Water/Sewer Master Plan was a great tool, which mapped the entire system and showed just how critical it was to update Wiggins lift station. Mr. Anderson said that even though it was not listed in this budget, it was also important that the Town get the hospital well back on line. Mr. Anderson stated that he hoped to have the work on the hospital well contracted out by the end of June or beginning of July.

Commission Member Ludwig asked if the Town would be receiving any funding from President Obama's Recovery Plan.

Mr. Anderson advised that the Town had consultants helping with this because nationally there was a huge emphasis on water quality. Mr. Anderson stated that there was a short response time but the Town did ask for funding to help with the outfall at Indian Creek. Mr. Anderson said that the Town did not get selected to receive the funding but was on the short list for the next time around.

Chairman Booth said that he assumed there was grants associated with the outlays for 2010 in the current budget and asked Mr. Anderson to identify them.

Mr. Anderson stated that the biggest was the outfall at Indian Creek and that the Town was trying to aggressively pursue receiving a matching grant if nothing else. Mr. Anderson gave the example that the CDBG grant application was put in but wouldn't be announced until first part of July by the Governor. Mr. Anderson said that if selected, the contract would not go out until November or December 2010 and noted that it was the same with this situation. Mr. Anderson said that the Town was still in line and the application was still valid. However, he stated that the Town would be arm wrestling with other jurisdictions to get pushed further up to the top. Mr. Anderson advised that there was 78 million dollars set aside for water/sewer improvements throughout out the

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Commonwealth and 1.3 billion dollars worth of requests had already been received. Mr. Anderson said that the Town received feedback that it stood a better chance of receiving funding because it had a shovel ready project.

Chairman Booth asked if any of the outlays were possible without grant funding.

Mr. Anderson replied that projects such as the lift station were because it could be addressed with water/sewer revenues but noted that the Town was still seeking funding that could offset it.

Chairman Booth asked if the Town received a significant amount of grant money to apply to one of the outlays, and there was an excess of funding, where would the excess be placed. Mr. Booth noticed in past budgets that specific amounts were set aside for the construction of sidewalks and not used. Mr. Booth asked what was that money used for.

Mr. Anderson replied that grant money had to be used for the specific purpose for which it was given and could be moved to any other outlay. Mr. Anderson stated that Town Council could move funds from one category to another in the CIP as needed.

Chairman Booth asked if CIP funds could be moved elsewhere.

Town Attorney Stamm interjected that if the Town received a \$100 worth of grant money than it would have to be used on the grant description and nowhere else. Mr. Stamm said that there would never be a time when there would be excess grant money because the Town had to contribute in order to receive. In regards to the sidewalk budget, Mr. Stamm said that if the money was not used than it was carried over to the next year and usually more money was added to it. Mr. Stamm advised that the sidewalks fell under the Streets category and sometimes the money can be used for banners, decorations, flags and etc. Mr. Stamm said that the CIP was like a wish list and the Town tried to save for it as they went along but it was not written in stone.

Chairman Booth asked if the Town received a million dollars in stimulus funds for one of the outlays in the CIP, could the money that the Town had set aside for that particular project be moved out of the CIP to the General Fund.

Town Attorney Stamm advised that the money would stay in the CIP. Mr. Stamm said that in the General Budget a motion could be made by Council to switch funds from one category to another to cover shortfalls. Mr. Stamm stated that any money not used in this year's budget would be carried over to the next year.

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Commission Member Ludwig stated that the Town was fortunate to have Mr. Anderson on the Water/Sewer Committee with all of his knowledge and experience.

Chairman Booth agreed with Mrs. Ludwig and said that he would like to compliment everyone who had a part in drafting the CIP Budget because there seemed to be a lot of hard work involved.

ACTION: Commission Member Ludwig made a motion to recommend to Council that the Capital Improvement Budget be approved as drafted and presented, seconded by Commission Member Reedy; and carried unanimously.

B. VDOT Study

Chairman Booth stated that a copy of the VDOT Study was included in each Commission Member's packet for informational purposes.

C. Correction of Zoning Error- Town Attorney Stamm

Town Attorney Stamm explained that as part of a boundary line adjustment with the County of Lancaster in 1986, the Town took in several parcels located on East Church Street that the county had zoned as A-1. Mr. Stamm said that those parcels included the Tidewater Apartment Complex and its duplexes, the professional building beside the apartments, and St. Andrews Presbyterian Church, which through a scribe's error were all listed as R-1 instead of R-2. Mr. Stamm asked the Planning Commission to recommend to Council that the Zoning Administrator be directed to correct the error. Mr. Stamm requested that the following parcels be corrected and zoned as R-2: 23A-418, 23A-418a, 23A-415, 23A-416, 23A-419, 23A-419a, and 23A-4110.

ACTION: Commission Member Ludwig made a motion to recommend that Council direct the Zoning Administrator to correct the scribe's error regarding those parcels described by Town Attorney Stamm that were acquired by BLA in 1986 and mistakenly zoned as R-1 instead of R-2, seconded by Commission Member Reedy; and carried unanimously.

10. Adjourn

ACTION: Vice-Chair Williamson made a motion to adjourn, seconded by Commission Member/Council Liaison Anderson; and carried unanimously.

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Meeting adjourned at 8: 00 pm

Prepared by:

Joan N. Kent

Raymond Booth, Chair