

March 17, 2014

**KILMARNOCK TOWN COUNCIL  
Monday, March 17, 2014  
Town Hall  
Kilmarnock, VA**

**Regular Meeting Minutes**

**1. Call to Order:**

Mayor Booth called the Regular Meeting to order at 7:00 pm with the following Councilmembers present:

Raymond C. Booth, Jr., Mayor  
Emerson Gravatt, Vice-Mayor  
Shawn Donahue

Rebecca T. Nunn  
William L. Smith  
May P. Umphlett

Members Absent:  
Howard Straughan

Staff Present:

Tom Saunders, Town Mgr.  
Susan Cockrell, Deputy Town Mgr.  
Marshall Sebra, Zoning Administrator/Planning Director  
Paul C. Stamm, Jr., Town Attorney  
Cindy Balderson, Town Clerk  
Joan Kent, Transcriber  
Michael S. Bedell, Chief of Police

Mayor Booth welcomed Kilmarnock residents, business owners, and guests and then led the recital of the Pledge of Allegiance.

**2. Acceptance and Approval of Agenda**

**ACTION: Councilmember Nunn made a motion to accept the March 17, 2014 Town Council meeting agenda as presented, seconded by Vice-Mayor Gravatt; and carried unanimously.**

**3. Approve, Correct, or Amend the Minutes of the February 24, 2014 Regular Town Council Meeting.**

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Councilmember Umphlett requested a correction under Public Comments regarding the letter sent in by Mr. Ken Thompson. The break-in to his business occurred at 10:00 pm and not in early morning hours.

**ACTION: Councilmember Nunn made a motion to accept the February 24, 2014 Regular Town Council meeting minutes as amended, seconded by Councilmember Smith; and carried unanimously.**

#### **4. Public Comments and Presentations:**

Mayor Booth invited members of the public to speak on any matter with the exception of scheduled public hearings and to limit their comments to three minutes per person.

There were no public comments or presentations.

#### **5. Public Hearing:**

The purpose of the hearing was to solicit public input regarding an ordinance authorizing the Town to join an insurance pool via Joint Powers Agreement in order to provide a long term disability program for staff as required by state law.

##### **A. Description of the Proposed Ordinance**

A brief description of the proposed ordinance was given by Town Manager Saunders. The state mandated that employees were to be covered under long term disability insurance as of January 1, 2014. The ordinance would allow Mr. Saunders to enter into an agreement with VML for this insurance whose premiums were slightly lower than those at VRS.

B. Mayor Booth opened the public hearing.

C. Mayor Booth asked for public comments.

There were none.

D. Mayor Booth closed the public hearing.

E. Mayor Booth asked for Council discussion and/or action.

**ACTION: Councilmember Nunn made a motion to adopt the ordinance to authorize the Town Manager to enter into an agreement with VML**

**to provide long term disability insurance to employees as required by the state, seconded by Vice-Mayor Gravatt; and carried unanimously.**

**6. Planning Commission Report:** Council Liaison Mae Umphlett

Councilmember Umphlett reported that the Planning Commission held a public hearing on the updated Comprehensive Plan which was being forwarded to Council for approval. There was discussion regarding the Capital Improvement Plan which concentrated mainly on sidewalk extensions and recommendations regarding such were being made to Council. The Planning Commission would also be reviewing the Town's current sign ordinance as requested by the Streets/Sidewalk Committee.

Councilmember Nunn commended Zoning Administrator Planning Director Sebra and all who helped him on a job well down.

**7. Committee Reports:**

A. Water/Sewer Committee: Councilmember Nunn, Chair

1) Report from March 2014 meeting.

A copy of the Committee meeting notes was included in each Councilmember's packet.

2) Committee Recommendations to Council

Recommend that Council issue a resolution to the General Assembly supporting a study of the potential impacts that hydraulic fracturing has on drinking water aquifers

**ACTION: Councilmember Nunn made a motion to issue a resolution to the General Assembly supporting a study of the potential impacts that hydraulic fracturing has on drinking water aquifers, seconded by Councilmember Donahue; and carried unanimously.**

B. Streets/ Sidewalks/ Playground Committee: Councilmember William Smith

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1) Report from March 2014 meeting.

A copy of the Committee's meeting notes was included in each Councilmember's packet.

2) Committee Recommendations to Council

Recommend that Council approve the Resolution of Support for the Nature Trail Grant application.

**ACTION: Councilmember Smith made a motion to approve the Resolution of Support for the Nature Trail Grant application, seconded by Councilmember Nunn; and carried unanimously.**

C. Police/Public Safety Committee: Councilmember Donahue, Chair

1) Report from March, 2014 meeting.

A copy of the Committee's meeting notes was included in each Councilmember's packet.

2) Committee Recommendations to Council

There were no recommendations made to Council.

D. Economic Development: Vice-Mayor Gravatt, Chair

1) Report from March, 2014 meeting.

A copy of the Committee's meeting notes was included in each Councilmember's packet.

2) Committee Recommendations to Council

Recommend that Council send a Resolution of Support on behalf of Historic Christ Church for their grant submission for funding to replace the roof damaged by Hurricane Sandy.

**ACTION: Vice-Mayor Gravatt made a motion to send a Resolution of Support to Historic Christ Church in regards to a grant for funding to replace the roof damaged during Hurricane Sandy, seconded by Councilmember Smith; and carried unanimously.**

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Councilmember Nunn commended Deputy Town Manger Cockrell, Town merchants, and the Chamber of Commerce for making the Virginia Consortium of Quilters feel welcomed while they visited Kilmarnock and commented on the publicity generated over Facebook as a result.

E. Administration/Finance Committee: Councilmember Straughan, Chair

1) Report from March, 2014 meeting.

A copy of the Committee meeting notes was included in each Councilmember's packet. Councilmember Nunn gave the report in lieu of Councilmember Straughan's absence.

2) Committee Recommendations to Council

a. Recommend that Council approve the disbursements from February 25, 2014 to March 6, 2014 totaling \$79,927.96

**ACTION: Councilmember Nunn made a motion to approve the disbursements from February 27, 2014 to March 17, 2014 in the amount of \$79,927.96, seconded by Councilmember Donahue; and carried unanimously.**

b. Recommend that Council approve Resolution of Appreciation for Howard R. Straughan, Jr. for his years of public service.

Councilmember Nunn read a letter of resignation submitted by Councilmember Straughan effective immediately due to health issues.

**ACTION: Councilmember Nunn made a motion to approve a Resolution of Appreciation for Howard R. Straughan, Jr. for years of public service, seconded by Councilmember Umphlett; and carried unanimously.**

## 8. Old Business

There was no discussion under Old Business.

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## **9. New Business**

### A. Council Vacancy

Town Attorney Stamm read the state code regarding vacancies in local government. It was the general consensus of Town Council to advertise Mr. Straughan's vacant seat in the local newspaper to solicit letters of interest by April 7th and appoint someone to fill vacancy within a 45 day period.

### B. Evaluations

It was the general consensus of Town Council to conduct the Town Manager's and Town Attorney's evaluations before the new Council was seated in July, 2014.

## **10. Comments**

### A. Public Comment

There were no public comments.

### B. Town Attorney- Paul C. Stamm, Jr.

There were no comments made by the Town Attorney.

### C. Mayor- Raymond C. Booth, Jr.

There were no Mayoral comments.

### D. Council

Councilmember Donahue commented that a Chair needed to be elected at the next Admin/Finance Committee to replace Mr. Straughan.

### E. Town Manager – Tom Saunders

Town Manager Saunders advised that the updated Comprehensive Plan would be coming before Council with a public hearing held in April. Mr. Saunders wanted to commend Zoning Administrator/Town Planner Sebra and Commission Member Towner for their hard work. Mr. Saunders noted that the quantity and quality of Mr. Straughan's assistance and he as well would be greatly missed. Mr. Saunders addressed a serious water leak that had occurred over the past weekend and the confusion over who to call. Mr. Saunders said that the issue would be addressed.

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**11. Adjournment**

**ACTION: Vice-Mayor Gravatt made a motion to adjourn, seconded by Councilmember Umphlett; and carried unanimously.**

Meeting adjourned at 7:48 pm

Prepared by:

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Joan N. Kent

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Raymond C Booth, Jr., Mayor

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Cindy Balderson, Clerk