

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

April 8, 2013
7:00 p.m.

Town Council Meeting

Approved minutes

- CALL TO ORDER: Mayor Sullivan called the Town Council to order at 7:05 p.m. Council members Alice Butler, Jerry Goebel, Mary Ann Kuhn, Gary Schwartz and Dan Spethmann were present. Council member Patrick O'Connell was absent. Town Attorney John Bennett and Town Clerk Laura Dodd were present.

Mayor Sullivan asked the Council to consider the RappCats request under New Business immediately following the Reports and Council agreed by consensus to do so.

- MINUTES: November 12, 2012: Ms. Kuhn discussed that she had some typos and grammatical corrections to the minutes. Mr. Goebel made a motion to approve the November 12, 2012 minutes as corrected and Ms. Kuhn seconded and the motion passed 6-0.
- REPORTS: Treasury Report: Mr. Goebel reviewed the attached Bank Summary Report, the Bills-To-Be Paid List, and the Additional Bills to Be Paid List. Ms. Kuhn made a motion to approve the Treasurer report and Mayor Sullivan seconded and the motion passed 6-0.
- PLANNING COMMISSION: Chairman Schwartz had no report.
- ARCHITECTURAL REVIEW BOARD: Mayor Sullivan reported that the ARB would be considering three applications: two regarding fences and one regarding the proposed nature trail bridge._
- TOWN ATTORNEY: Mr. Bennett: No report.
- NEW BUSINESS: c) RappCats Request for a Letter of Support to the County Board of Supervisors and Planning Commission for a Special Exception for an Animal Shelter: Ms. Kuhn discussed that she was on the Board of Directors of RappCats.

Ms. Pat Snyder, President of RappCats, gave a brief presentation on RappCats discussing that Rappahannock County did not have a cat shelter and RappCats had been formed to address the needs of homeless cats in the County. She discussed that RappCats was hoping to open a small shelter for adoptable cats, not feral cats, in the old Flint Hill packing shed, which required a Special Exception Permit from the County. She asked the Town for a letter of support of the shelter from the Council to be sent to the County Board of Supervisors and Planning Commission.

Mayor Sullivan asked if the County Administrator, John McCarthy, had sent a recommendation for approval to the Board of Supervisors and the Planning Commission.

Ms. Snyder said yes he had.

Mr. Schwartz discussed that he felt that it was an important cause and that he was a strong supporter of RappCats. He spoke in favor of the letter of support. He also asked Ms. Snyder if there was anything else the Council could do to show its support.

Ms. Snyder discussed that RappCats was looking to find twelve sponsors to donate one month's rent each of \$350.00 and suggested that the Council consider pledging a month's rent.

Ms. Kuhn discussed that RappCats would be needing equipment such as cages.

Mayor Sullivan spoke in favor of both the letter of support and of the Town pledging the first month's rent.

After a short discussion, Mr. Schwartz made a motion to send a letter in support of the RappCats application to the County Board of Supervisors and Planning Commission and to pledge the first month's rent of \$350.00 if they got approval and Mayor Sullivan seconded and a roll call vote was taken:

Mr. Schwartz voted "yes"

Mayor Sullivan voted "yes"

Ms. Kuhn recused herself

Mr. Goebel voted "yes"

Ms. Butler voted "yes"

Mr. Spethmann voted "yes"

And the motion passed 5-0.

Mayor Sullivan discussed the wastewater system had come on line in 2009 and was designed with the goal of not only taking care of health and environmental issues but to also allow for some growth and development. He discussed that the Town was beginning to see that happen and that in the years 2011 to the early months of 2013 more than \$3,000,000 had been invested in commercial and residential properties and that that figure did not include the purchase price but did include the amount of money registered in improvements at the County Building Office. He discussed that those investments had gone into sixteen different properties in Town including the Clopton House, the Heritage House, the Kramer Building, and the Foster Harris House. He discussed that there were many things happening and the Town was trending in a very good direction.

He welcomed Gail and Judd Swift, who had recently bought Howie Swaim's house, to town.

• OLD BUSINESS.

a). Avon Hall: Mayor Sullivan discussed that there had been a lot of focus recently on the Avon Hall property which had started with the butterfly trail which evolved into the nature trail with the help of the Virginia Naturalists and which continued to grow in size and ambition.

1). Avon Hall Pond//RappFlow: Mayor Sullivan discussed that RappFlow had begun to design a plan to clean up the area around the Avon Hall pond, which they had proposed doing about five years ago but the Town had been so consumed by the wastewater system construction that the proposal was not given the proper attention that it was due. He discussed that the Town was now trying to develop and maintain the area in an environmentally attractive way and to do that with as much grant money as was possible.

Mr. Spethmann showed and reviewed a map of the Avon Hall area and discussed where the nature trail was being set up and the area around the pond where a buffer zone

would be created. He discussed that RappFlow had secured a grant to do a great deal of the work around the pond.

Ms. Bev Hunter, representing RappFlow, introduced other RappFlow members; Ben Estes, Forest Marquis, and Marc Malik. She discussed that RappFlow's mission was to help preserve, protect, conserve and restore water resources and watersheds in Rappahannock County. She discussed that they were all volunteers who worked with partners who provided scientific and technical expertise. She discussed that they provided outreach and education to primarily private landowners. She discussed a Sperryville project where a rain garden and buffer had been created to capture storm water run-off before it entered the Thornton River.

She discussed that in 2008 RappFlow had received a grant from the National Wildlife Foundation with the focus on vegetative buffers. She discussed that there were 540 ponds in the county, most of which did not have vegetative buffers, and landowners were not happy with the way their ponds were functioning and therefore RappFlow had received many requests for information about pond management.

She discussed that RappFlow had looked at the Avon Hall pond and had thought that it would be a great project which would be highly viable and which could showcase how to manage and have a healthy buffer. She discussed that they had worked with Claudia Mitchell and in 2008 had done an analysis of the Avon Hall pond which was still available on the RappFlow website. She discussed the goals and purpose of the Avon Hall project were to engage the citizens of the Town and the County in establishing and maintaining best management practices in the pond watershed and to improve the water quality and biodiversity in the pond and in the watershed, with biodiversity being an indicator of the quality of the ecosystem. She discussed that this would be done primarily by converting the turf into native grasses and flowers and then they would monitor the changes in the water quality and the biodiversity over time. She discussed that this project would also provide an aesthetically pleasing motivation to other people to adopt such practices and would be a demonstration site to educate other landowners about the practices using signage, photography, volunteers participating, students doing field work, articles in the newspaper, and a visitor's trail.

She discussed that RappFlow would coordinate with the Virginia Naturalists and other volunteers. She discussed that RappFlow was asking for some guidance, approval and recommendations from the Town about the plan so that the project could go forward. She discussed that the Town might have to adopt a maintenance plan that might be needed over time.

Mr. Marc Malik discussed that the nature trail and the Avon Hall pond could be tied together with a trail system and that various view sheds could be opened up especially over the pond.

Mayor Sullivan discussed that some of the property being discussed belonged to the County and that John McCarthy was supportive of the project.

Mr. Malik discussed a possible boardwalk and deck in front of the pond which would be an attractive area to sit and view the expected increase in wild life.

Mr. Forest Marquise discussed that to achieve the vision of the pond the scope of work would include removing the existing turf followed by seeding of native grasses and wildflowers, aquatic flowers, wetland planting, and shrub plantings in the buffer area around the pond. He discussed that they had taken the advice of various experts in how to establish the natives and it would take about a year in four phases.

He discussed that first they would do water and soil tests to establish a baseline and then do periodic testing to discover if the biodiversity had improved. He discussed that

once the meadow was established a maintenance schedule would have to be established for weeding in the first year and then later for mowing twice a year.

Mr. Spethmann thanked Bev Hunter and RappFlow for their presentation. He discussed that approving the project meant that the Town would be allowing RappFlow to work on Town Property and that the Town would be accepting responsibility to manage the checkbook including the grant that RappFlow had obtained. He discussed that RappFlow would be coordinating any volunteers although there would be some contracted expertise. He discussed that what the Town would be giving would be its administration and what it would be getting was an improved property. He discussed that since this was Town property the Town was required to maintain it but maintenance would be lower as there would be less mowing and thus some cost savings.

He discussed that with the introduction of aquatic plants along with the buffer the water in the pond would be cleaned up in a natural way so it became a more aesthetically pleasing and a safer place to be. He discussed that the Town would have to remove the posts and would have to work on the culvert. He discussed that this was a good educational opportunity and a chance for the Town to show good stewardship.

Ms. Kuhn asked what the Council was being asked to do that evening.

Mr. Spethmann discussed that there were some cost implications and responsibility for grant monies and for this to work the town had to be interested and committed. He discussed that different Council members had heard bits and pieces about the project over time but this presentation was to give some sense of the holistic approach to the overall Avon Hall project but during the budget discussion they would have to get into what the project really meant in terms of money. He discussed that if there were people on the Council who felt that this was a waste of money this was a good opportunity to say so. He discussed that there would be no formal vote that night but everyone was interested in everyone's opinion. He discussed the various grants that the Virginia Naturalists and RappFlow had obtained and that the goal would be to maximize funding through grants. He discussed that they were in the process of determining how the Town might have to contribute but the Town would have to administer the grants.

Ms. Kuhn asked if RappFlow would be doing the maintenance.

Mr. Spethmann discussed that maintenance would be the responsibility of the Town.

Mr. Goebel discussed that there had been nothing on the RappFlow project in the packet and that he felt blindsided and although it had been a nice presentation he did not know what the Mayor was looking for. He expressed his concern that it never had been decided not to sell Avon Hall and asked if all the suggested work would convey to the new owner.

Mayor Sullivan discussed that the point was to get the idea out on the table so it could be talked about.

Mr. Goebel discussed that it had been discussed before that the Council needed to have information on what was going to be talked about.

Mayor Sullivan discussed that it was obvious that whatever happened to the Avon Hall property the property was important to the Town and the Town needed to figure out how to monetize it and make money off the building. He discussed that the assumption was when the Town put in the wastewater system that the Town would sell the property to finance the wastewater system in future years. He discussed that for some time now some of the Council had taken the position not to confuse the idea of having to monetize the property with having to sell it. He discussed that it might have to be sold but he felt it was in the Town's interest to figure out this asset and could the Town do something with that land and those buildings, Avon Hall particularly, that would be good for the Town and make financial sense.

He discussed that it seemed to him that with the RappFlow proposal rather than letting the land sit there as it is, unattended, the Town could take advantage of the time, talent, and intellect of people who were prepared to make it fundamentally much more attractive with environmentally positive aspects to it. He discussed that this would enhance the property no matter what the Town did with it and that Mr. Goebel was right that the Town Council needed to figure out what they were going to do with the building and that was priority number one. He discussed that he felt that the pond project did not get in the way of monetizing Avon Hall.

Mr. Goebel asked about the deck being put out there and would the Town have to keep it.

Mayor Sullivan discussed that he had no idea but it was a multi-year project and when it came time to put a deck up if the Town wanted to do it they would but no one would be committing that evening to put up a deck, although there was a proposal for a bridge as part of the nature trail to be financed by RLEP.

Mr. Goebel discussed that since the bridge had been in the packet he thought that was what was being discussed that evening.

Mayor Sullivan discussed that if there was some confusion he apologized for it.

Mr. Goebel discussed that if there were minutes of the last meeting it would show that he had discussed that the Council needed to get some information in the packet in time to review. He discussed he felt he could not make any decisions on any of this as he had too many questions.

Mayor Sullivan discussed that he wasn't being asked to make a decision only just to show whether he was interested.

Mr. Goebel discussed that he was looking at a longer vision down the road and that presently the wastewater plant was bringing in a couple of hundred thousand dollars a year in connection fees but that would go away in a few years. He expressed his concerns that there needed to be a plan on selling Avon Hall and the Town should not be waiting two years to start the process. He discussed that when the Town got the Avon Hall loan it never thought they'd get to the point where they would be paying \$5,000 a month down on the principal. He discussed that the Town had thought that it would have been sold by now. He expressed his concerns that there was all this conversation about view sheds and all those view sheds were looking at Avon Hall which was falling down. He discussed that if the Town were to keep Avon Hall a lot of money would have to be put into it and it was becoming an eyesore. He discussed that the financial plan called for Avon Hall being sold in the seventh year.

Mr. Spethmann discussed that the financial plan was done in 2008 before the recession.

Mr. Goebel discussed that he felt that some people wished to keep the building while others felt it needed to be sold and that was what needed to be discussed.

Mayor Sullivan asked if it wasn't being discussed at that time.

Mr. Goebel discussed that it wasn't on the agenda either.

Ms. Beverly Sullivan asked if it were possible to sell Avon Hall and keep the pond.

Mayor Sullivan discussed that it could if it chose too and what got divided and sold was up to the Town.

Mr. Goebel discussed that if the Town were changing from the decision to sell there should be some kind of vote.

Mr. Spethmann discussed that Mr. Goebel had discussed that the property was falling apart. He discussed that RappFlow was suggesting making a significant improvement to the property at no cost to the Town and it was an opportunity for the Town to steward the property. He discussed that the pond project would also address some health and safety

issues and that improving the property did not affect how the property would be monetized, sold or not sold. He discussed that there were now several years of history that could be brought to bear on what was best for the Town moving forward.

Mr. Goebel said he thought it was a great project and expressed his concerns that the vision that everyone was talking about was that Avon Hall would not be sold and that that had not been decided. He expressed his concerns that improvements would be sold and that he had not had time to think the project through as he had just heard about the proposal.

Mr. Spethmann discussed that volunteers were asking the same question whether if the project were sold why would they have done it. He discussed that the Town was making its money from Meals and Lodging Taxes and tourists who walked down Warren Ave. and if the Town had more amenities it would be helpful.

Mr. Schwartz commended all the volunteers for their activities and discussed that adding some value at the expense of volunteers seemed a no brainer but how it played in the long term he did not know. He discussed that everyone had agreed that something had to be done about Avon Hall and that he thought that this would be a good first step which would increase the curb appeal at volunteer rates which could not hurt the property.

Mr. Spethmann discussed that none of this implied that Avon Hall would not be sold.

Mr. Goebel discussed that nothing was being done even though he had brought it up repeatedly and consequently it was implied it wouldn't be sold.

Ms. Kuhn discussed that she thought that the project suggested by RappFlow was fantastic but she felt that Mr. Goebel felt that the Town was focusing so much on projects like the pond that Avon Hall was being ignored. She suggested that a task force be established to focus on Avon Hall.

Mr. Goebel discussed that money had been budgeted last year but was not spent that could have been used to paint the front and roof of Avon Hall so it looked nice.

Ms. Kuhn discussed that she wanted the Council to start a task force and to work on the pond and other projects at the same time. She asked if the Town could afford to pay a portion of the grants.

Mayor Sullivan discussed that it was reasonable to believe that the way the grants were structured that it might cost the Town over several years from \$5,000 to \$10,000 which would only be a portion of the total grant money spent.

Ms. Kuhn asked about maintenance costs.

Mr. Spethmann discussed it would cost less to maintain than what it cost to mow what was there now and that the presentation that night was meant to be educational.

Ms. Butler discussed that she thought it would be wonderful to have the pond and surrounding area cleaned up but she was concerned about the maintenance costs.

Mr. Spethmann discussed that they would be able to scope out the maintenance costs but the mowing would go from once a week to twice a year.

Mayor Sullivan discussed that the Town had the opportunity to make the land far more attractive than it currently was and it was the gateway to town which most visitors passed through on the way in and out of town and an extraordinary amount of time and talent had gone into the project and would continue to come into it, time and talent that would cost tens of thousands of dollars just for the intellect being contributed for free. He discussed that these folks had shown that they had the ability to get grants. He discussed that this was something that could be done step by step and that the Town did not have to commit itself until it knew where the money was coming from. He discussed that it might cost the Town over a period of a few years \$5,000 to \$10,000 with grants coming in at around \$40,000. He discussed that it was an extraordinary opportunity and the Town should be grateful to these folks who have contributed time to the project and if it turned

out that someone came along and said that they would pay a lot of money for Avon Hall but did not want the grasses the Town could decide to take the money and take out the grasses. He discussed that the Town should be ambitious about the property. He discussed that if the process at any time was not what it should have been he would take full responsibility for that but in terms of the big picture he thought the Town had an opportunity here and the Town should be grateful to those people who had been pushing for it including Mr. Spethmann.

Mr. Malik discussed that it took two years to establish the buffer and that RappFlow was essentially volunteering to maintain it for those first few years and then after that it should basically maintain itself and it would be better and less expensive than mowing grass.

Mr. Phil Irwin expressed his concern about a public use on private land and asked if Avon Hall could be subdivided and what were the possibilities.

Mayor Sullivan discussed that whatever the Town wanted to do, it was their choice.

Mr. Schwartz discussed that there was a required buffer around the wastewater treatment plant that could not be sold and that when the Town got an offer they could decide then what they were going to sell.

Mr. Goebel discussed that the Town could put restrictions on what could be done on the property.

Ms. Nancy Buntin discussed that a lot of money had already gone into the pond project so to stop it now seemed counterproductive but since she had been coming to meetings more ideas had been coming in along with requests for money and she expressed her concerns about there being enough money to cover all the requests. She discussed that the Town needed to seriously decide on what was going to be done to Avon Hall.

Mayor Sullivan discussed that it had been the decision of the Council not to sell Avon Hall because of the economic downturn. He discussed that times were better and that he agreed with Mr. Goebel that something needed to be done but not necessarily that it had to be sold but if it did need to be sold the Town would sell it.

2). Nature Trail: Mr. Goebel asked if the bridge was going to be discussed as it had been in the packet.

Ms. Dodd discussed that the bridge information was an ARB application and was for information purposes.

Mr. Goebel asked if the nature trail was going to be discussed as it was on the agenda.

Mayor Sullivan discussed that it was on the agenda as it tied into the RappFlow pond project already discussed.

b). Pump House Repair Update: Mayor Sullivan discussed that the pump house had to have extensive repairs but now was up and running although there was still some lack of clarity as to what caused the problem.

Mr. Schwartz discussed that the good news was that the pump house was fixed and that part of the repair was to help prevent further problems in the future. He expressed his concerns that although this was an emergency repair, which was quite expensive, what was lacking was vendor management and he had tried to quantify if money could have been saved but he was not sure and that he felt the cost was excessive. He discussed that he authorized the installation of a pressure relief valve.

c). ARB Vacancy: Mayor Sullivan discussed that the Town still had an ARB vacancy.

- NEW BUSINESS CONTINUED: b). ESS Proposals:
 - 1: Sewage Collection System Pressure Testing

Device:

- 2: Replace Chemical Line at Rush River WWTP

Mr. Schwartz expressed his concerns regarding clarity and lack of specificity in both of the ESS proposals.

Mr. Bennett discussed that the Town was exempt from having to put these types of proposals out to bid because of its size but it could still do so and most jurisdictions did put them out to bid.

After a short discussion, the Council agreed to consider the two proposals after the Council had discussed the upcoming ESS Operations Contract. Mr. Goebel made a motion to table the two ESS contracts and Ms. Kuhn seconded and the motion passed 6-0.

a). Budget and Authorization of a Public Hearing on May 13, 2013 on the FY 2013-2014 Budget: Mayor Sullivan discussed that in the current year ending June 30, 2013 the Town had a \$49,000 profit, that wastewater had lost \$48,000, and that water works had lost \$35,000 so that overall expenses exceeded revenues by \$34,000. He discussed that in the coming fiscal year the three categories had to be budgeted to break even and that Meals and Lodging Taxes were estimated to be coming in at \$280,000.

Mayor Sullivan and Mr. Goebel reviewed line item by line item the draft income and expenses budgets.

Mayor Sullivan discussed that with the addition of Tula's, the Clopton House, and the expanded Heritage House he expected the Meals and Lodgings Tax income to increase and so an estimated \$280,000 had been budgeted although he thought that it could go higher.

Mr. Goebel discussed that \$5,000 each had been budgeted as income for the nature trail and the Avon Hall pond projects from grants and that \$7,500 expenses each had been budgeted for those two projects.

While discussing the water works budget it was discussed that there would have to be an increase in water rates, which would have to be done after a public hearing, as the Town was transferring an estimated \$52,900 from the General fund to cover expenses.

Mayor Sullivan discussed that he and Mr. Bennett would be researching and exploring refinancing all of the Towns loans.

Under the discussion of the wastewater budget it was noted that \$32,900 was budgeted to be transferred from the wastewater reserves to cover expenses.

Mayor Sullivan discussed that the Town used a lot of electricity and raised the question if there weren't more efficient way to use energy including being more proactive in turning lights off.

Ms. Dodd discussed that she would contact REC to see if there were times when it would be more efficient to run equipment at the water treatment and wastewater treatment plants.

Mr. Bennett discussed that when the wastewater treatment plant was built Mayor Leggett was thinking that the ESS contract would only be temporary and that perhaps an agreement could be reached with the County.

Mayor Sullivan discussed that he would pursue with John McCarthy and the Rappahannock Water and Sewer Authority the possibility of sharing operations.

Council agreed by consensus to the draft income and expenses budgets as presented and Ms. Kuhn made a motion to advertise for a public hearing on the draft FY2013-2014

budget at the May 13, 2013 Council meeting and Mayor Sullivan seconded and the motion passed 6-0.

- PUBLIC FORUM: Mayor Sullivan opened the public forum.
- CLOSED SESSION: Mayor Sullivan closed the public forum.
- ADJOURNMENT: At 9:42 p.m. Ms. Kuhn made a motion to adjourn and Mr. Schwartz seconded and the motion passed 6-0 and the meeting was adjourned

Respectfully submitted,

Laura Dodd
Town Clerk

Attachments

Bank Summary Report
List of Bills-To-Be-Paid
Additional Bills Paid
RappCats Support Letter
Draft FY 2013-2014 Budget
RappFlow Presentation materials

NEXT SCHEDULED MEETING OF THE TOWN COUNCIL ON MAY 13, 2013