

The Town of Washington

March 13, 2023
Council Meeting
Approved Agenda
7:00 p.m.

- CALL TO ORDER Action
- APPROVAL OF THE AGENDA Action
- MINUTES • February 13, 2023 Council meeting minutes Action
- REPORTS • Mayor's Report: Mayor Whited Information
 • Treasurer's Report: Gail Swift Information
 • Town Attorney: Mr. Crim Information
 • Zoning Administrator: Mr. Gyurisin Information
 • Public Works Task Force Information
 • Planning Commission Information
 • Architectural Review Board Information
- OLD BUSINESS a) Boundary Line Adjustment Possible Action
- NEW BUSINESS a) Update on Public Works Information
 b) Economic Development Authority Action
- PUBLIC FORUM
- ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING OF THE TOWN COUNCIL
April 10, 2023

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

March 13, 2023

7:00 p.m.

Draft Minutes

- CALL TO ORDER: Mayor Whited opened the meeting at 7:03 p.m. Council members Drew Beard, Jean Goodine, Brad Schneider, and Gail Swift were present with Fred Catlin and Patrick O'Connell absent. Town Attorney Martin Crim and Town Administrator/Clerk Barbara Batson were present.
- APPROVAL OF THE AGENDA: Mayor Whited made a motion to amend the agenda to add a) boundary line adjustment discussion under old business and Ms. Swift seconded and a roll call vote was taken:

Mr. Beard voted "yes"

Ms. Jean Goodine voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 5-0 with Mr. Catlin and Mr. O'Connell absent.

- MINUTES: Ms. Swift motioned to accept the minutes for February 13, 2023 and Mayor Whited seconded and a roll call vote was taken:

Mr. Beard voted "yes"

Ms. Jean Goodine voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 5-0 with Mr. Catlin and Mr. O'Connell absent.

REPORTS:

Mayor's Report: there was no report

Treasurer's Report: there was no report.

Town Attorney: Mr. Crim reported that he prepared a formal easement agreement for water and sewer services. He also reported that the trail license agreement between the town and county is ready for execution.

Zoning Administrator: Mr. Steve Gyurisin was absent and submitted a written report.

Public Works Task Force: there was no report

Planning Commission (PC): There was no report.

Architectural Review Board (ARB): Mr. Drew Mitchell reported that the ARB elected officers at their last meeting, Ms. Deb Harris is now the chairperson. He also reported they considered an application for outdoor lighting for Rush River Commons. He felt there was a robust discussion with the community's participation and the application was approved.

- OLD BUSINESS:

- (a) Boundary line adjustment (BLA): Mayor Whited shared that at the last Board of Supervisors (BOS) meeting they asked the town to change the language prohibiting building residential housing on the property to make it more stringent. He recommended that Article 1 paragraph 3: Limitation of Use, be amended as follows:

Pursuant to the resolution adopted by the Town of Washington on February 13, 2023, this parcel shall be zoned Village Commercial, which does not allow for residential construction. The Town will not consider nor approve any rezoning, special use permit, or other legislative action which would allow for residential construction on this parcel without the concurrence of the County Board of Supervisors while this agreement remains in effect.

Mayor Whited asked Mr. Crim if he felt the language in paragraph 3 would be setting a precedent for future BLAs. Mr. Crim shared that according to Virginia State Law the Commission of Local Governments would need to review the agreement and make a report whether the zoning provision, that is binding to future town councils, should be approved. The BLA would then be put before a special three judge court, appointed by the Virginia Supreme Court. This two-step process requires notice to a lot of people. It would set a precedence to this particular parcel; it wouldn't set a precedent regarding future ordinary zoning decisions. Ms. Swift expressed that whatever language is agreed upon, does not set a precedence of future BOS involvement in town zoning matters.

Mr. Schneider expressed his concern that the county would be involved in future town business. Mr. Beard said he understands Mr. Schneider's concerns but thinks this event is only a snapshot of a moment in time and doesn't think we are setting a broad precedent. Mayor Whited expressed he strongly supports the sovereignty of the town and our leeway to act in its best interest. Ms. Goodine asked Mr. Crim what the legal ramifications were if the current language was approved. He replied the proposed language "...with the county's agreement", does provide the town with some flexibility.

Mr. Schneider suggested the following text be stricken from the paragraph: "without the concurrence of the County Board of Supervisors while this agreement remains in effect". He feels this would open the door to the County being able to dictate what happens within the town's boundaries. Ms. Goodine suggested that perhaps some additional language was needed to add a bit more flexibility. Mr. Schneider feels there is no need to negotiate with the county if a parcel is within the town. Mr. Crim reminded council that under the current agreement, if there is no development within 15 years, the agreement terminates. Ms. Swift stated that she wanted wording that emphasizes that restricting the zoning in this BLA only applies to this agreement and not future work and Mr. Schneider concurred. Mayor Whited proposed adding "...this parcel and only...".

Mayor Whited motioned to modify Article 1 paragraph 3 to the following:

Pursuant to the resolution adopted by the Town of Washington on February 13, 2023, this parcel shall be zoned Village Commercial, which does not allow for residential construction. The Town will not consider nor approve any rezoning, special use permit, or other legislative action which would allow for residential construction on this parcel, and only this parcel, without the concurrence of the County Board of Supervisors.

He also moved that the town staff take all steps necessary in coordination with the county staff to submit the draft agreement to the Commission of Local Government once all appropriate edits have been made and Ms. Goodine seconded and a roll call vote was taken:

Mr. Beard voted "yes"

Ms. Jean Goodine voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 5-0 with Mr. Catlin and Mr. O'Connell absent.

- NEW BUSINESS:

- (a) Update on public works: Mayor Whited shared that over the last four years this council has invested over \$800k in improvements on the water and wastewater systems, approximately 120k came from the federal government. He pointed out that the \$45k investment in the new water meter system has already shown a multi-thousand dollar return in savings on water that didn't need to be processed because we were able to catch leaks early and we didn't need to pass along large water bills to residents where leaks weren't caught until meters were read monthly. Mayor Whited thanked Mr. Schneider for his work on this project.

Mr. Schneider shared that the new water meter system runs electronically and allows us to see accounts that are running continuously to identify leaks quickly. The focus of the coming year is the water system. The water system is the lifeblood of the town and if it fails, business in town stops. Identifying a site for a new well and drilling it, is on the list of projects in the coming years. He also shared that the current filtration system is getting old and the fittings are corroding. He'd like to look into upgrading to a new filtration system and will be obtaining quotes. Mr. Schneider also reported that we currently pump water from the well, push it through the filtration system, then the water flows down Harris Hollow into town servicing all the accounts, and when waterflow exceeds demand, it pumps to the water tower. He shared this is not how the system should work. There is a line from the pumphouse to the tower but it apparently had a leak and instead of repairing the leak, a decision was made to run the line down Harris Hollow. He would like to have this part of the system fixed so the water is pumped directly to the tower and then sent through the town as needed. He wants to get the cost to engineer a line and then quotes to install the new line. He will also be looking at the potential to have a system in place that would monitor the water level in the tower. He's hoping to get a transmitter that would use the same wireless network as the water meter system. He will also work with Sean Polster of emergency services to figure out what amount of water should be maintained at all times in the tower for firefighting and public safety purposes.

Mr. Schneider also shared that the control system board at the wastewater treatment plant also needs to be replaced. He is looking into alternate solutions, in addition to using solar energy at the plant. Mayor Whited thanked Mr. Schneider for being such a good shepherd of the town's systems.

- (b) Economic Development Authority: Mayor Whited during his inaugural address challenged TC to think of new ways to incentivize business in town. After subsequent conversations it became clear a focus on restaurants and retail was needed. After talking to colleagues and Mr. Crim it was determined that if we wanted to give rebates to restaurants, or grants to retail or transient lodgings, an economic development authority would need to be created. This would give the town the ability to take appropriated funds and enable this sort of activity. Mayor Whited shared that an economic development authority (EDA) is a common construct across the Commonwealth. The council would provide some general guidelines of things that it would be interested in considering. A seven-member board would be appointed, which would include three members of council, the chairs of the ARB and PC, and then two members from the rest of the community. He shared that he would be asking TC to consider setting aside \$10,000 at the next budget work session to fund the EDA

PUBLIC FORUM: Mayor Whited opened the public forum at 7:47 p.m.

Mr. Jim Abdo thanked the council for its work for and care of the community. He expressed that zoning is the biggest challenge in bringing new business to town. He feels that needing special use permits versus having a by-right use, makes doing anything new in town challenging. Mr. Abdo expressed that he didn't need a grant, he just needed people to get out of the way. He feels that if the zoning ordinance had a clear path, you would see people come into town. He suggested the council consider putting money aside for the town attorney and zoning administrator to revamp the zoning ordinance. He also shared that he feels that Mr. Gyuris is extremely knowledgeable about zoning and that Mr. Crim will provide a fresh perspective. He also thinks that the ARB is in place to ensure any work done will match the historical integrity of the town.

Ms. Swift shared that updating the zoning ordinance is reflected in the draft budget currently being consider for next year. Mayor Whited said there is a new team leading the town and that all businesses have its commitment to increase the vitality of our town.

Mayor Whited closed the public forum at 7:58 p.m.

ADJOURNMENT: Mr. Whited made a motion to adjourn the meeting at 7:58 p.m. and Mr. Schneider seconded and a roll call vote was taken:

Mr. Beard voted "yes"

Ms. Jean Goodine voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 5-0 with Mr. Catlin and Mr. O'Connell absent.

THE NEXT REGULAR MEETING OF THE TOWN COUNCIL IS
April 10, 2022.

Barbara Batson, Administrator/Town Clerk

Attachments:

Zoning Administrator's report
Draft Boundary Line Adjustment