



**October 9, 2023
Council Meeting
Approved Agenda
7:00 p.m.**

- CALL TO ORDER Action
- APPROVAL OF THE AGENDA Action
- MINUTES • September 11, 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
 • Planning Commission Information
 • Architectural Review Board Information
- OLD BUSINESS
- NEW BUSINESS a) Utilities application for Rush River Commons Action
 b) Landscape plan for Rush River Commons Action
 c) Resolution to change the calendar to avoid meeting Action
 on Columbus Day
- PUBLIC FORUM
- ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING OF THE TOWN COUNCIL
November 9, 2023

Mr. Crim also reported that he was working on an encroachment license agreement with Black Kettle LLC. for the landscaping they want to do on town property on Leggett Lane. Mr. Catlin asked if a tree fell on a car, who would be responsible? Mr. Crim said, that the liability would fall on Black Kettle LLC. They would have the responsibility moving forward to maintain the trees and other plantings.

Zoning Administrator: Mr. Steve Gyurisin reported that a letter went out to the new owner of the post office, asking the new owner to provide us with the paperwork to complete the road maintenance agreement. Mr. Schneider asked how long has it been that Mr. Gyurisin has been trying to contact the owner. Mr. Gyurisin said it's been six months. Mr. Schneider suggested that if we didn't hear back by December that the town should take legal steps. He emphasized this issue needed to be resolved. Mr. Crim added that there is a health and safety issue because an occupancy permit has not been issued.

Planning Commission (PC): There was not a report. The next meeting is a walking tour on October 28 at 12:00 p.m.

Architectural Review Board (ARB): There was no report. The next meeting is on October 16.

OLD BUSINESS: There was no old business.

NEW BUSINESS:

- (a) Utilities application for Rush River Commons: Mayor Whited shared that Rush River Commons is applying for two water and sewer taps. He reported that a capacity study was done on the water and wastewater systems and if both taps are approved, it would take us up to 40% usage of our capacity. He also reminded TC that any fees associated with these two taps would be assigned for usage to maintain the water and wastewater systems. Ms. Goodine shared that she found the report very encouraging.

Ms. Swift made a motion to approve the application submitted by Rush River Commons for two water and sewer taps and Mr. Catlin seconded and a roll call vote was taken:

Mr. Beard voted "yes"

Mr. Catlin voted "yes"

Ms. Goodine voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. O'Connell absent.

- (b) Landscape plan for Rush River Commons: Mr. Gyurisin reported there has been a change to the landscape plan for Rush River Commons. A portion of the landscaping will be on town property. The changes will be added as an addendum to the approved site plan with Town Council's approval. Ms. Goodine expressed a concern about the width of Leggett Lane. She said the landscaping goes into the shoulder along the road. Mr. Steve Plescow responded that the road would still be 18 ft. wide with a 3-inch shoulder on both sides of the road.

Mr. Catlin said that the Virginia Department of Transportation recommends a road be at least 18 to 24 ft. wide, he asked how wide the road is to the post office entrance. Mr. Gyurisin responded that it was in the 18 to 24 ft. range. Mr. Gyurisin also said it's important to make sure

there is no conflict with the water and sewer lines running up Leggett Lane. Ms. Goodine asked why there were larger trees closer to the road and boxwoods behind them. Mr. Gyurisin said it was to help block car lights. Mr. Catlin asked if Rush River Commons would be responsible for maintaining the plantings and Mr. Gyurisin said they would.

Ms. Swift made a motion:

1. to allow the developer of Rush River Commons Phase 1 and Leggett Lane Improvements, Black Kettle, LLC, to utilize a portion of the Town owned property for the placement of landscaping.
2. to authorize Mayor Whited to enter into a formal agreement with Black Kettle, LLC. for the installation and long-term maintenance of the landscaping.
3. to have Black Kettle LLC. prepare such an agreement to be reviewed by the Town Attorney prior to the Mayor's approval.
4. to confirm that the Zoning Administrator may approve the latest version of the landscape plan with the understanding that the agreement is in proper form and that the landscape plan review comments are addressed by the landscape designer.

and Mr. Catlin seconded, and added an amendment that the road must be a minimum of 18 ft. wide; Ms. Swift approved the amendment to her motion and a roll call vote was taken:

Mr. Beard voted "yes"	Mr. Catlin voted "yes"
Ms. Goodine voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. O'Connell absent.

(c) Resolution to change the calendar to avoid meeting on Columbus Day:

Mayor Whited motioned to adopt a resolution to change the Town Council October meetings to occur on the second Tuesday of the month, so the meetings would not be held on Columbus Day. Ms. Swift seconded and a roll call vote was taken:

Mr. Beard voted "yes"	Mr. Catlin voted "yes"
Ms. Goodine voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. O'Connell absent.

PUBLIC FORUM: Mayor Whited opened the public forum at 7:28 p.m., there were no comments, and he closed the public forum.

ADJOURNMENT: Ms. Swift moved to adjourn the meeting AT 7:28 p.m. and Mr. Catlin seconded, and a roll call vote was taken:

Mr. Beard voted "yes"	Mr. Catlin voted "yes"
Ms. Goodine voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. O'Connell absent.

THE NEXT REGULAR MEETING OF THE TOWN COUNCIL IS
November 13, 2023.

Barbara Batson, Administrator/Town Clerk

Attachments:

Zoning Administrator's report

Resolution to change October Town Council meeting dates