

**Irvington Town Council
Special Meeting
December 16, 2004**

A special meeting of the Irvington Town Council was held at 12:30 P.M., at the Irvington Town Office for the purpose of having the required second reading of the proposed amendment to the Town Council that would allow non-residential church structures or other non-residential places of worship to have a minimum side or rear setback of ten (10) feet rather than the current required thirty-five (35) feet when adjacent to a residential district. This would apply to churches located in residential and B-1 Business districts.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone (arrived late)
Council	Garry J. Luckham Norman G. Mosher Richard Pittman Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Absent:

William H. Evans, III

The Mayor called the meeting to order. Mr. Terry read the proposed amendment to the Ordinance. Norman Mosher made a motion to approve the amendment and Richard Pittman seconded the motion. (Ransone arrived.) Vote- Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Mr. Mosher questioned the B-2 Business District's not being included as an affected district. Mr. Terry said that it was so small that he did not include that district.

BZA's Variance Granted to "The Local"

The Mayor explained that Mr. Doug Reed, on behalf of his business requested a variance to the Ordinance to keep his sign that is 50-55 square feet attached to the building. The Ordinance requires that attached-to-building signs be no larger than 36 square feet. Mr. Reed applied for an after-the-fact variance as he had not obtained a zoning permit before placing the sign on the building. The BZA granted the variance. In view of the recent Virginia Supreme Court decision in the Cochran vs. Fairfax County Board of Zoning Appeals and concern for the precedent that would be set, and that an appointed body by the Town Council had broken the law in granting the variance, the Mayor said there are two options for the Town Council:

- 1.) Appeal to the State Circuit Court to have the variance rescinded. (It would be The Town Council, Town of Irvington vs. Board of Zoning Appeals, Town of Irvington.)
- 2.) Do nothing

Mr. Terry will not represent the Town against the BZA. Mr. Jimmy Cornwell, the County Attorney, has stated that he will take the case and charge \$200.00 per hour. He estimates that it will take no more than 15 hours, and more likely closer to 10 hours.

In discussing the precedent that the granting of this variance would set, Mr. Terry explained that each variance is unique and should stand alone and not be considered a precedent. He said that if the owner has a problem with the sign ordinance, then he or she should apply for an amendment to the Ordinance.

Mr. Fitzpatrick will talk with Mr. Reed and try to get him to make the sign smaller and in compliance with the Ordinance. The Town Council will have to file a petition to the Circuit Court to rescind the variance to "protect the integrity of the Ordinance."

It was decided that the Town Council will discuss the pending and potential litigation on Monday, January 10, 2005, at 7:30 P.M., at a called special meeting. A notice of the closed meeting will be published in the newspaper and one will be posted on the door.

Mr. Terry recommended that in the future, that a brochure be prepared stating the ordinances that affect businesses coming into Irvington.


Alexander McD. Fleet, Mayor

PROPOSED AMENDMENT TO THE ZONING ORDINANCE-TOWN OF IRVINGTON

Article 6-Business District B-1 - Church a permitted use with a C.U.P.

Sec. 6-3-3 For non-residential church structures or other non-residential places of worship, the minimum side yard or rear yard adjoining or adjacent to a residential district shall be located ten (10) feet or more as measured from the closest point of a structure to the nearest property line or to the edge of any private right of way. Such church structures do not include church schools or day care centers, other than Sunday schools. At such time as the structure is no longer used as a church or a place of worship then a conditional use permit will be required for any subsequent use.

Article 5-Residential District R-1 - Church a permitted use with Zoning Permit

Sec. 5-5-3 For non-residential church structures or other non-residential places of worship, the minimum side yard or rear yard adjoining or adjacent to a residential district shall be located ten (10) feet or more as measured from the closest point of a structure to the nearest property line or to the edge of any private right of way. Such church structures do not include church schools or day care centers, other than Sunday schools. At such time as the structure is no longer used as a church or a place of worship then a conditional use permit will be required for any subsequent use.

**Irvington Town Council
Regular and Public Meeting
December 9, 2004**

The regular and public meeting of the Irvington Town Council was held at the Steamboat Era Museum at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry Luckham Norman G. Mosher Kathleen Pollard Richard Pittman
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Absent:

Council	William H. Evans, III
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Guests:

Jimmy Robertson
Carrington Burgess
Theresa Ransone

The Mayor opened the meeting with a prayer.

Public Hearing:

Ralph D. Ransone made a motion to go into a public hearing and Kathleen Pollard seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, Pittman, and Ransone.. Nay: 0.

Zoning Ordinance Amendment: Mr. Fitzpatrick explained the proposed amendment to the Zoning Ordinance which would change the required side setback for churches in commercially zoned districts from 35 feet to 10 when adjacent to residential areas. (Mr. Terry proposed and the Council agreed that the amendment also apply to Article 5, Residential District R-1, as well as Article 6, Business District, B-1). He stated that the Planning Commission had recommended that a definition of a church be defined. Mr. Terry said that the council should restrict the amendment “use” to only houses of worship. If the church building use should thereafter change then a restriction CUP would be needed for any other use i.e. Day Care Center or Church School. Sunday School would be included as part of the a church activity. Normal Church activities do not disturb the residential neighborhood. Norman Mosher made a motion to come out of public hearing. Richard Pittman seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, Pittman, and Ransone. Nay: 0. In discussion, Mr. Mosher’s suggested adding “ non-residential” to the wording of places of worship and the Council members agreed.

Mr. Fitzpatrick stated by the Irvington Code, that there must be a second reading of the amendment no closer to this meeting than one week. The council decided to hold a special meeting on Thursday, December 16, 2004, at 12:30 P.M. Norman Mosher made a motion that the proposed

amendment be approved. Kathleen seconded the motion Vote— Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. (A copy of the amendment is filed with the minutes.)

Minutes and Treasurer's Report:

Richard Pittman made a motion to approve the minutes and Garry Luckham seconded the motion. Vote— Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Garry Luckham made a motion to approve the treasurer's report and Ralph D. Ransone seconded the motion. Vote— Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Planning Commission Report:

Richard Pittman reported that the following officers for the Planning Commission had been selected:

Chairman	Robert Morrison
Vice-Chairman	Michael Molineaux
Secretary	William J. Wright
Representative to the BZA	Michael Molineaux

Board of Zoning Appeals Reappointment:

The reappointment of Mr. Robert H. Fleet, Jr. to the Board of Zoning Appeals has been approved by the Chief Judge of the Circuit Court.

Zoning Administrator:

Mr. Fitzpatrick reported:

- 1.) VDOT has done work on Tavern Road. They will hardsurface the road in the spring.
- 2.) The application for a grant for the Bike Path has been submitted.

Water/Sewer: A Public Service Authority will be created to operate the water/sewage system. The IDA has offered to pay up to \$10,000 in attorney's fees to establish the authority. The Rickmond Firm will provide three options. The nine members of the authority will be from the following localities:

- 1.) White Stone -2
- 2.) Irvington -2
- 3.) Sedona - 2 (Will decrease to 1 when sewage installed)
- 4.) RWC -2 (Will decrease to 1 when sewage installed)
- 5.) Lancaster - 1 (Will increase to at least 3 when Sedona and RWC decrease in members)

The sewage system will be developed in phases.

The Mayor announced that Aqua Virginia fixed the sinking hole in the road at Dandelion.

Ralph D. Ransone made a motion that Mr. Terry prepare a resolution for Mr. Staton. Richard Pittman seconded the motion. Vote— Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Old Business: None.

New Business:

Tennis Courts: There have been complaints about the condition of the tennis courts' surface. New straps for the nets have been purchased. The needs of the courts will be evaluated in the spring.

Announcements:

- 1.) Boat Parade- Saturday, December 11, 2004, at 6:00 P.M.
- 2.) Irvington Crawl - Saturday, December 11, 2004, at 1:00 P.M.

The Mayor urged the council members to support these activities.

Museum Contribution: The Mayor announced that the contribution, in the amount of \$30,000.00, had been made to the Museum.

Happy Birthday: "Happy Birthday" was sung to Ralph D. Ransone and cake was enjoyed by those present.

Executive Session:

Matson C. Terry read the motion that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to probable litigation concerning the ditch between King Carter Drive and Chesapeake Drive, and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A. (7). Kathleen Pollard made the motion to go into executive session and Richard Pittman seconded the motion. Vote - Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

After the executive session, Matson C. Terry read the motion for certification that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) only public business matters lawfully exempt from public meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered. Norman Mosher made the motion for a roll call to certify and Richard Pittman seconded the motion.

I, Norman G. Mosher, so certify.
I, Payton Richard Pittman, so certify.
I, Alexander Fleet, so certify.
I, Kathleen Pollard, so certify.
I, Garry Luckham, so certify.
I, Ralph D. Ransone, so certify.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
November 11, 2004**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on November 11, 2004, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice Mayor	Ralph D. Ransone
Council	William H. Evans Garry J. Luckham Norman G. Mosher P. Richard Pittman, Jr. Kathleen F. Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Guest:

Larry McAfee

The Mayor opened the meeting with a prayer.

Carters Creek Boat Parade:

The Mayor welcomed Larry McAfee, who outlined the plans for this year's boat parade to be held on December 11th, at 6:00 P.M. The response has been good for this year's parade. The Irvington Business Association will sponsor an Irvington Crawl during the day and has rented the Urbanna Trolley to provide rides in Town. The Tides Inn will have a bon fire on the beach, from which the parade can be viewed. There will be a captain's party afterwards. The Committee is requesting that homes and docks on the creek be decorated. Garry Luckham made a motion that the Council donate \$500.00 to the parade. Kathleen seconded the motion. Vote- Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Minutes and Treasurer's Report:

Norman Mosher made a motion to approve the minutes and Williams Evans seconded the motion. Vote- Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Richard Pittman made a motion to approve the treasurer's report and Norman Mosher seconded the motion. Vote Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

Mr. Fitzpatrick reported;

- 1.) The T-21 Grant for the Bike Path has been submitted. The Town wrote a letter supporting the application.
- 2.) Water/Sewer meeting- Wednesday, November 17, 2004 -9:00 A.M.

Legal Counsel:

- 1.) Mr. Terry announced that he would be the Town Attorney for White Stone and he will continue to serve as Irvington's Town Attorney.
- 2.) He and Mr. Fitzpatrick are preparing the language for a CUP for Irvington Marina should Mr. Wylie submit an application to build a pier and a travel lift.

Reappointment of Robert H. Fleet to the Board of Zoning Appeals: Mr. Terry had sent the order to the Chief Judge of the Circuit Court to reappoint Mr. Fleet to the BZA. They are requesting that a resolution be presented. Mr. Ralph D. Ransone made the motion to adopt a resolution to reappoint Mr. Fleet to the Board of Zoning Appeals. Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Planning Commission's Public Hearing for the Request to Rezone the Baptist Church: No action was taken at the Irvington Planning Commission's Public Hearing to receive public input regarding the rezoning of the Baptist Church Property because the required notices had not been sent to the adjacent neighbors. Mr. Terry explained the factors affecting this request and the potential request for an amendment to the Ordinance regarding side and rear setbacks for church property.

Reappointment of Planning Commission Member:

Ralph D. Ransone made a motion to reappoint Bob Morrison to the Planning Commission and Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Old Business:

Boundary Line Adjustment Committee Report: The Committee has met. Richard Pittman will serve on the Committee. The Committee needs a map and Mr. Terry will call his cousin to try to obtain topographical maps.

Executive Session:

Mrs. Kathleen Pollard made the motion that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to pending litigation concerning the ditch between King Carter Drive and Chesapeake Drive, and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A. (7). Norman Mosher seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

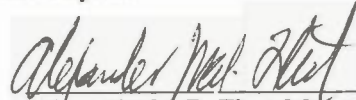
After the session, Kathleen Pollard made a motion that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) only public business matters lawfully exempt from public meeting requirements under the Virginia Freedom of Information act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered. Richard Pittman seconded the motion.

I, Ralph D. Ransone, so certify.
I, Kathleen Pollard, so certify.
I, Norman G. Mosher, so certify.
I, Garry Luckham, so certify.
I, William H. Evans, so certify.
I, Richard Pittman, so certify.
I, Alexander Fleet, do so certify.

The only matter discussed in the executive session was the ditch.

Adjournment:

Mr. Ransone made a motion to adjourn the meeting. Mr. Evans seconded the motion. Vote –
Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.


Alexander McD. Fleet, Mayor

VIRGINIA: IN THE CIRCUIT COURT OF LANCASTER COUNTY

**RE: APPOINTMENT OF MEMBERS OF THE BOARD OF ZONING
APPEALS FOR THE TOWN OF IRVINGTON**

ORDER

WHEREAS, it appears to the Court that the term of Robert H. Fleet, Jr., on the Board of Zoning Appeals for the Town of Irvington, Virginia, expired on May 8, 2004; and

WHEREAS, it is appropriate to reappoint Robert H. Fleet, Jr., as a member of the Town of Irvington Board of Zoning Appeals; and

WHEREAS, pursuant to *Code of Virginia*, 1950, as amended, Section 15.2-2308, the Town Council for the Town of Irvington, Virginia, has concurred in the said appointment of Robert H. Fleet, Jr., by the Chief Judge of the Fifteenth Judicial Circuit;

It is, therefore, ADJUDGED, ORDERED and DECREED as follows:

1. That Robert H. Fleet, Jr., be and he hereby is reappointed as a member of the Board of Zoning Appeals for the Town of Irvington, for a five year term beginning on May 8, 2004, which term expires on May 8, 2009.
2. That before assuming the duties of the office, Robert H. Fleet, Jr., shall appear before the Clerk of this Court to take oath as prescribed by law.
3. That the Clerk of this Court shall deliver an attested copy of this order to Robert H. Fleet, Jr., and to Matson C. Terry, II, Attorney for the Town of Irvington

RESOLUTION OF THE TOWN COUNCIL FOR THE TOWN OF IRVINGTON,
LANCASTER COUNTY, VIRGINIA, ADOPTED AT THE REGULAR MEETING OF THE
TOWN COUNCIL HELD NOVEMBER 11, 2004

Upon motion duly made, seconded, and unanimously carried, it was

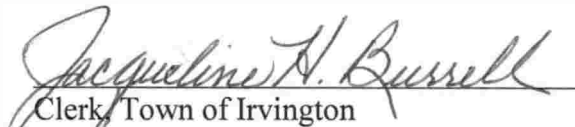
RESOLVED, that, pursuant to *Code of Virginia*,
1950, as amended, Section 15.2-2308, the Town Council for the
Town of Irvington, Virginia, a locality within the Fifteenth Judicial
Circuit of the Commonwealth of Virginia, does expressly concur in
the appointment of the members of the Town of Irvington,
Virginia, Board of Zoning Appeals by the Chief Judge of the
Circuit or her designated judge or judges in the Circuit.

The undersigned, the Mayor and Town Clerk, respectively, hereby certify that the
foregoing is a true copy of a resolution adopted as aforesaid.

Date: November 11, 2004



Mayor, Town of Irvington



Clerk, Town of Irvington

ENTER-LAW

November 24, 2004

Ann Hester Simon

WE ASK FOR THIS:

Matson C. Terry, II, Esq.
c/o Hubbard, Terry & Kopcsak, P.C.
Counsel for the Town of Irvington
293 Steamboat Road
P.O. Box 340
Irvington, Virginia 22480
VSB#15296

By: Matson C. Terry II
Of Counsel

RESOLUTION OF THE TOWN COUNCIL FOR THE TOWN OF IRVINGTON,
LANCASTER COUNTY, VIRGINIA, ADOPTED AT THE REGULAR MEETING OF THE
TOWN COUNCIL HELD NOVEMBER 11, 2004

Upon motion duly made, seconded, and unanimously carried, it was

RESOLVED, that, pursuant to *Code of Virginia*,
1950, as amended, Section 15.2-2308, the Town Council for the
Town of Irvington, Virginia, a locality within the Fifteenth Judicial
Circuit of the Commonwealth of Virginia, does expressly concur in
the appointment of the members of the Town of Irvington,
Virginia, Board of Zoning Appeals by the Chief Judge of the
Circuit or her designated judge or judges in the Circuit.

The undersigned, the Mayor and Town Clerk, respectively, hereby certify that the
foregoing is a true copy of a resolution adopted as aforesaid.

Date: November 11, 2004

Alexander Hiet
Mayor, Town of Irvington

Jaqueline A. Burrell
Clerk, Town of Irvington

ATRUECOPY

TESTE:

CONSTANCE L. KENNEDY, CLERK

BY Quane Beller D.C.
LANCASTER COUNTY CIRCUIT COURT

**Irvington Town Council
Regular and Public Meeting
October 14, 2004**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office at 7:30 P.M. on October 14, 2004.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans Garry J. Luckham Norman G. Mosher P. Richard Pittman Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Guests:

Bill Pennell	County Administrator
Alex Equiguren	Staff Member, NNPDC
Mr. and Mrs. John S. May	

The Mayor opened the meeting at 7:35 P.M. with a prayer.

Public Hearing:

Norman Mosher made a motion to go into a public hearing and Richard Pittman seconded the motion. Vote: Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

CUP: SWIMMING POOL – Mr. and Mrs. John May, 1172 King Carter Drive: Mr. and Mrs. May have a contract to purchase the property at 1172 King Carter Drive with a contingency that they will be permitted to construct a swimming pool. The property was recorded prior to 1989; therefore, they can construct within the 100 foot buffer, but they must stay behind the 50 foot buffer. The Planning Commission recommended approval of the pool. Mr. Fitzpatrick stated that the notices have been given, fees have been paid, and there is no objection to the pool by the neighbors. Mr. Fitzpatrick said that Best Management Practices must be observed and a site plan must be submitted. Norman Mosher made a motion to come out of public hearing and Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Norman Mosher made a motion to approve the CUP for the pool. Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Presentation:

Mr. William Pennell, County Administrator, explained that in the past, transportation issues have prevented economic development in the Northern Neck, but now access to broadband services is impacting economic development. Efforts are being made to form the Northern Neck Communications Network Authority to provide broadband service to the area at a monthly fee under \$35.00. It would be done in partnership with the internet service providers and sharing tower space on probably 5 towers to transmit information. Support from the Town Councils in the County is needed. Mr. Alex Equiguren, a graphics designer on the Northern Neck Planning District Commission staff, made a slide presentation.

Public Hearing:

CUP; SWIMMING POOL – Vineyard Development: Bill Evans made a motion to go into a public hearing and Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. The Developers of the Vineyard Development are requesting a Conditional Use Permit to build a pool on lot 8 for the use by the development residents. The 20'x40' will be built in the woods and will have a tabernacle and 2 bathhouses on the lot. Fencing around the pool will be required. Mr. Fitzpatrick reported that the fees have been paid, notices given, favorable responses have been received, and the Planning Commission unanimously approved the application. Kathleen Pollard made a motion to come out of public hearing and Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Norman Mosher made a motion to approve the pool and Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Minutes and Treasurer's Report:

Ralph Ransone made a motion to approve the minutes and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Garry Luckham made a motion to approve the treasurer's report and Kathleen Pollard seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

Bike Path: Mr. Fitzpatrick reported to the Council that Mr. Franklin, who had submitted a bid to construct the bike path, had written that his source for materials had closed and that he would have to reevaluate the situation in the spring. Also, the costs are escalating. Additional grant money will be sought.

Irvington Marina: Mr. Fitzpatrick reported that Mr. Andy Wylie of the Irvington Marina did not attend the VMRC hearing for his application to build a pier and travel lift. It was tabled and notice will be given for the next hearing. The Town of Irvington will be last to hold a public hearing regarding Mr. Wylie's application. Mr. Terry advised that the language for the Conditional Use Permit be prepared.

Reappointment of the Town Attorney: Mr. Evans made a motion to reappoint Mr. Matson C. Terry, II as Town Attorney and Ralph D. Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Ditch: Mr. Fitzpatrick informed the Council members that depositions concerning the ditch matter will be taken the first of November.

Lighthouse Towing: Mr. Fitzpatrick has inspected the business and said that Mr. Davis would like to install an exhaust system to do welding. The consensus of the Council is that he must make application to amend his Conditional Use Permit.

Vineyard Sign: Mr. Westbrook has not decided what he is going to do about his Vineyard Sign.

Local Sign: The request for a variance for the "Local " sign will be heard by the Board of Zoning Appeals.

Planning Commission: No additional report.

New Business:

Halloween Events: Bill Evans reported that White Stone and Kilmarnock want all three towns to have trick or treat on the same night – Saturday, October 30, 2004. Richard Pittman, stating that he preferred that trick or treat in Irvington be on the actual date of Halloween, made a motion to have trick or treat on October 31, 2004. Norman Mosher seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: Evans.

Christmas Decorations: One Stop (field work done under the Turning Point company) will put lights on the Christmas Tree on Sunday, November 21st at 1:00 P.M. During the week of November 15, 2004, they will put the lights on the street poles.

Town Policeman: Mr. Evans reported that White Stone spends \$80,000 for a policeman and two deputies. The Town receives about \$15,000 from tickets. He requested the Town Manager to make a presentation in December regarding all costs associated with the Town's having its own policeman. Mr. Evans said that speed in Town was his concern. He thinks that the presence of a policeman will be a deterrent. Mr. Fitzpatrick will discuss this with the White Stone Town Manager.

Boundary Line Adjustment: The Committee will meet and report to the Council.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
September 9, 2004**

The regular and public meeting of the Irvington Town Council was held at the Steamboat Era Museum on September 9, 2004 at 7:30 P.M.

Present:

Mayor

Alexander McD. Fleet

Council

William H. Evans, III
Garry Luckham
Norman G. Mosher
P. Richard Pittman, Jr.
Kathleen Pollard
Ralph D. Ransone (arrived late)

Zoning Administrator

John C. Fitzpatrick

Absent:

Legal Counsel

Matson C. Terry, II

Guests:

Jeffrey & Ellen Bishop
Mr. Jerry Levey
Mr. David Bugg, Attorney for Mr. Levey
Larry McAfee

Visitors:

Mr. & Mrs. Ehring
Grayson & Suzanne Mattingly
Mary Fitzpatrick
Anne McClintock
John Pollard

Jimmie Lee Crockett
Dianne Jordan
Dutch Heideisick
Douglas Power

The Mayor called the meeting to order, led the group in prayer, welcomed Richard Pittman to the Council, and welcomed visitors.

Public Hearing:

SUBDIVISION: Mr. & Mrs. Jeffrey Bishop – 47 Mad Calf Lane: Kathleen Pollard made a motion to go into a public hearing. William Evans seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mr. and Mrs. Bishop are applying to subdivide their property into two parcels, each 1.01 acres. Mr. Fitzpatrick stated that the fees had been paid and notices had been given. He said that the Planning Commission had forwarded the application to the Council without recommendation as there were only three Commission members present at the meeting and two had voted to approve the subdivision and one had abstained. The subdivision if approved by the Council will be contingent on the Health Department's approval of the sites for septic systems. (Ralph Ransone arrived.) Gary Grabbe has received the final plat.

Mr. Bugg, representing Mr. Jerry Levey, who lives next door to the proposed parcel created by the subdivision, stated that Mr. Levey opposes the subdivision because he does not want a house next to him and gave the following reasons:

- 1.) Mr. Levey thinks that the lot being created cannot be built upon without a zoning variance. The lot is required to be 100 wide at the setback line. The widest point of the lot is 98.65 feet and the lot scales to 93.75 feet at setback. If the house were rotated, then 110 feet would be needed to accommodate setbacks— 75 feet from the middle of the road and 35 feet for the rear setback. There is no need to subdivide unless one is going to put a house on the lot as anything else would not require subdivision.
- 2.) If a proposed building does not meet the zoning requirements, then the request goes to the BZA. Mr. Bugg stated that he thinks that the future owner will want to put a house on the lot.
- 3.) According to the survey, each lot would be 1.01 acre "more or less". Mr. Bugg said that the Town should require a survey which does not say more or less.
- 4.) The Subdivision Ordinance states that a subdivided lot in order to achieve the required square footage (one acre) cannot include a peculiarly shaped area that otherwise would be unusable for normal purposes. He considers that the subdivided lot does include a peculiarly shaped elongation, which has been noted that this could be used for the septic system. He stated that part of the lot dropped off (to a lower elevation).

In response to Mr. Evans' question about the recommendation of the Town Attorney, the response was that Mr. Terry had represented both parties in the past. Mr. Evans later said that he thought the Council needed legal counsel.

Mr. Bishop stated that the process is black and white. It either meets the requirements or it does not. He stated that Mr. Bugg's suppositions are not applicable as the issue of building is only relevant when seeking building permits. Their request is not to change rules – just to meet ones in effect. He read a letter in which he stated that their purpose of subdividing is for estate planning and said Mr. Levey may object because his house is very near the western property line of the new lot that now appears to belong to Mr. Levey.

Mr. Levey stated the widths of the lots at various points: 73' on the water, 88' at the widest point, and 80' at the proposed 25 foot right of way. He thinks that subdivision would devalue the property. He said that he has been told that they were going to build formal gardens. He said they do not need to subdivide to do that. He said that he would object to any future Variances.

Mr. Fitzpatrick said that the subdivision ordinance sets forth the parameters to subdivide. The survey is dated July 26, 2004, and in form to record in the County's office and would be proof positive that the acreage is sufficient to subdivide. The setback requirements are from the zoning ordinance and not from the subdivision ordinance. The bottom line is that the survey meets the subdivision requirements. Other arguments are superfluous to this argument. Garry Luckham made a motion to come out of the public hearing. Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Discussion: Mr. Evans said that the request has met the conditions. Mr. Luckham said that he did not see how they could deny the request. Mrs. Pollard said that they have previously approved peculiarly shaped lots. Mr. Mosher said that they could not decide the future, only what is before them. Kathleen Pollard made a motion to approve the subdivision contingent on the Health Department's approval of septic sites. Garry Luckham seconded the motion. Vote - Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.



Public Hearing:

T-21 Grant Application by Steamboat Era Museum: Kathleen Pollard made a motion to go into a public hearing. Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mr. McAfee, president of the Steamboat Era Museum, welcomed the Council. He stated that the Museum is applying for a grant of \$200,000 to renovate the Pilot House. The grant is a federal grant that is administered by VDOT and it is necessary that a municipality be the recipient of the grant. The Museum would be responsible for meeting the required 20% matching and would be responsible for the expenditures for which the grant would reimburse 80% of the amount of the grant. Don McCann will write the grant application, that must be submitted by November 1st. The Museum plans to replicate the Pilot House and have the work completed by 2005-2006. Mr. Mattingly stated that there are only two steamboats restored in the country and the Pilot House of the Potomac Steamboat represents an important part of a third steamboat. Mrs. McClintock, whose grandfather was one of the captains of the Potomac, gave a brief history of the steamboat. Norman Mosher made a motion to come out of public hearing and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mrs. Pollard asked if they were going to work on the Pilot House before getting the grant. Mr. Doug Power said that they have placed supports under it to stabilize it. They will start with a fresh base and plan to start in the Spring. The Museum would like to place it in the parking lot of the Museum and connect it to the Museum. Norman Mosher made a motion to support the Museum in its application for a T-21 grant to restore the Pilot House. Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Appointments:

Election of a Vice-Mayor: Kathleen Pollard nominated Ralph D. Ransone as vice-mayor. Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Planning Commission Representative: Garry Luckham nominated Richard Pittman to represent the Council on the Planning Commission. Ralph D. Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Clerk of the Council/Treasurer: Ralph D. Ransone nominated Jacqueline H. Burrell to be Clerk of the Council/Treasurer and Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Town Manager: Ralph D. Ransone made a motion that John C. Fitzpatrick be approved as the Town Manager and Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Minutes and Treasurer's Report:

Richard Pittman made a motion to approve the minutes of the July meeting. Norman Mosher seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Garry Luckham made a motion to approve the treasurer's report and Kathleen Pollard seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Planning Commission: No report.

Old Business:

Generators: The Mayor announced that Aqua Virginia has generators to provide for the water system during disasters and emergencies.

Water/Sewer: It was announced that the Rickman Group from Williamsburg will do the feasibility study. Someone from the Rickman Group may speak to the Council at a later date.

Disaster/Emergency: William Evans announced that he had attended the state conference on disaster planning for communities. He stated that Town vulnerable areas in hurricanes and disaster must be determined. A list of residents who could need assistance has been made. Chesapeake Academy can be used in a shelter. Walkie/talkies have been purchased. An evacuation plan is needed.

Christmas Lights: The Clerk is to contact One Stop about the Christmas Lights.

Town Bulletin Board: Mr. Evans reported that he is trying to find a location for a Town Bulletin Board where information could be posted in disasters and emergencies. He estimates that the cost would be approximately \$900.00

New Business:

Parking – Farmers' Market: It was decided that parking should be only on one (left) side of Chesapeake Drive when there is a Farmers's Market.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Commonwealth of Virginia,
County of Lancaster, to-wit:**

I, Payton Richard Pittman, Jr., do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as a member of the Town Council for the Town of Irvington, Virginia for a four year term beginning September 1, 2004 and ending August 31, 2008, according to the best of my ability, (So help me God.)

Payton R. Pittman Jr.

I, Constance L. Kennedy, Clerk of the Circuit Court in and for the County of Lancaster, in the Commonwealth of Virginia, do certify that Payton Richard Pittman, Jr. this 23rd day of August, 2004, personally appeared before me in my County aforesaid and took and subscribed the above oath.

CONSTANCE L. KENNEDY

Clerk

Constance L. Kennedy

~~Deputy~~ Clerk

**Commonwealth of Virginia,
County of Lancaster, to-wit:**

I, Kathleen F. Pollard, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as a member of the Town Council for the Town of Irvington, Virginia for a four year term beginning September 1, 2004 and ending August 31, 2008, according to the best of my ability, (So help me God.)

Kathleen F. Pollard

I, Constance L. Kennedy, Clerk of the Circuit Court in and for the County of Lancaster, in the Commonwealth of Virginia, do certify that Kathleen F. Pollard this 26th day of August, 2004, personally appeared before me in my County aforesaid and took and subscribed the above oath.

CONSTANCE L. KENNEDY

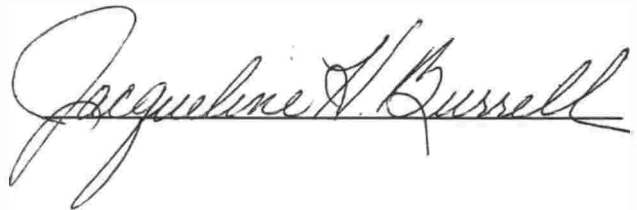
Clerk

Constance L. Kennedy

~~Deputy~~ Clerk

**Commonwealth of Virginia,
County of Lancaster, to-wit:**

I, Jacqueline H. Burrell, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as Clerk/Treasurer for the Town of Irvington, Virginia for a two year term beginning September 1, 2004 and ending 08/31/2006, according to the best of my ability, (So help me God.)



I, Constance L. Kennedy, Clerk of the Circuit Court in and for the County of Lancaster, in the Commonwealth of Virginia, do certify that Jacqueline H. Burrell this 23rd day of August, 2004, personally appeared before me in my County aforesaid and took and subscribed the above oath.

CONSTANCE L. KENNEDY

Clerk



~~Deputy~~ Clerk

**Commonwealth of Virginia,
County of Lancaster, to-wit:**

I, Garry J. Luckham, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as a member of the Town Council for the Town of Irvington, Virginia for a four year term beginning September 1, 2004 and ending August 31, 2008, according to the best of my ability, (So help me God.)



I, Constance L. Kennedy, Clerk of the Circuit Court in and for the County of Lancaster, in the Commonwealth of Virginia, do certify that Garry J. Luckham this 23rd day of August, 2004, personally appeared before me in my County aforesaid and took and subscribed the above oath.

CONSTANCE L. KENNEDY

Clerk



~~Deputy~~ Clerk

**Irvington Town Council
Regular and Public Meeting
August 12, 2004**

The regular and public meeting of the Irvington Town Council was held at the Town Office on August 12, 2004.

Present:

The

Mayor

Alexander McD. Fleet

Vice-Mayor

Ralph D. Ransone

Council

William H. Evans, III
Garry J. Luckham
Robert A. Pittman
Kathleen Pollard

Absent:

Council

Norman G. Mosher

Zoning Administrator

John C. Fitzpatrick

Legal Counsel

Matson C. Terry, II

Guests:

Mr. and Mrs. Duncan Bright
Paul Carlson
Dudley Patteson
David Raffetto

Visitors

Barbara Pittman
Bill McCloskey

The Mayor called the meeting to order, led the group in prayer, and welcomed the guests.

Resolution from VIA/IBA:

Members of the VIA/IBA requested authorization from the Council to proceed with drafting an application for a T-21 grant that would require the Town to provide the 20% matching funds. This grant would be used for the following improvements in Town: upgraded sidewalks, historically appropriate lighting, street furniture, refuse containers, landscaping and plantings, extending proposed bike paths from the Commons to other parts of the town, and improved drainage, curb and gutter systems and the relocation or burial of existing overhead wires in conjunction with the future construction of sewerage system. They recognized that the application might not be accepted on the first submission, but they thought they should become known. They said that the first application may be for only the feasibility study or engineering. Larry Worth has volunteered to write the application. Hatley Bright, Duncan Bright, Dudley Patteson, and David Raffetto spoke in favor of the proceeding with the application. Kathleen Pollard volunteered to

represent the Council on the VIA. The Mayor explained that Don McCann is writing a T-21 grant for the Pilot House and he did not think that a small Town would be awarded two grants at the same time. Kathleen Pollard made a motion to accept IBA/VIA's draft of resolution to proceed with the T-21 application subject to Mr. Terry's approval. Mr. Evans seconded the motion. Vote - Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Bike Path:

Members of the VIA questioned the status of the Bike Path and said that they would like to see it nudged to move it to the front burner and explore a Bike Trail for Irvington and White Stone. Mr. Patteson said that a bid has been received that was within the scope of the budget, but the bidder had gotten "cold feet". The Mayor said that this was a County project. Mr. Patteson said that he did not want to see the funds lost. The Mayor said that the Town can encourage the County to proceed with the project.

Minutes and Treasurer's Report:

William Evans made a motion to approve the minutes and Ralph Ransone seconded the motion. Vote - Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0. Mr. Ransone informed the Council that VDOT would complete Tavern Road when the the Bank entrance work is completed.

Ralph Ransone made a motion to approve the Treasurer's Report and Garry Luckham seconded the motion. Vote- Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Zoning Administrator: No report.

Legal Counsel: No report.

Planning Commission: No report.

Old Business: None.

New Business:

Resolution to Waive Homeland Security Grant: William Evans made a motion to waive acceptance of the Homeland Security Grant in the amount of \$2120 to allow the County to use it to complete some of its projects to promote the security of all County residents. Garry Luckham seconded the motion. Vote- Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Water/Wastewater Resolution: The Mayor explained the background for the resolution for Irvington to join with White Stone, Sedonna, and Rappahannock-Westminster Canterbury to request that a feasibility study be funded and prepared to considered a sewerage system for Irvington, White Stone, Golden Eagle, and Rappahannock Westminster/Canterbury. Garry Luckham made a motion that Irvington adopt the resolution and Kathleen seconded the motion. Vote - Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Emergency/Disasters Preparedness: Mr. Evans questioned whether or not the Town should have a siren to warn people of emergencies. It was decided that announcements given via a bull horn mounted on a car that would inform residents where ice, gas, or water were available would be more beneficial. Mr. Ransone said that walkie talkies would be useful. Garry Luckham stated that in Irvington neighbors check on neighbors. TCH Oil Company has generators at three of its gas stations in the County. Aqua Virginia has generators available to be brought to this area for the water system.

Planning Commission Member: The representative from the Town Council to the Planning Commission will be selected at the September meeting.

Entrances to Commons: Mrs. Pollard inquired about the entrance into the Commons from Chesapeake Drive. This has been discussed with VDOT and it was the understanding that the Town would have to pay for the culvert and VDOT would cover it with gravel. Ralph Ransone said that the drive should be a minimum of twenty feet wide. The Mayor said that he would inform VDOT.

Resolution to Robert Pittman: A resolution in recognition of his years of service on the Town Council was presented to Robert Pittman .

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor



COUNTY OF LANCASTER

FOUNDED 1651 IN VIRGINIA
LANCASTER COURTHOUSE
8311 MARY BALL ROAD
LANCASTER, VIRGINIA 22503

William H. Pennell, Jr.
County Administrator

804-462-5129
804-462-0031 (FAX)
www.lancova.com

August 4, 2004

BOARD OF SUPERVISORS

F. W. Jenkins, Jr., 1st District
Ernest W. Palin, Jr., 2nd District
Peter N. Geilich, 3rd District
Patrick G. Frere, 4th District
B. Wally Beauchamp, 5th District

The Honorable Alexander McDonald Fleet
Mayor, Town of Irvington
Post Office Box 174
Irvington, VA 22480

Dear Mayor Fleet:

As you may know, the Lancaster County Department of Emergency Services, with the approval of the Lancaster County Board of Supervisors has undertaken several projects to improve Lancaster County's ability to respond to natural and man-made disasters in the future. Some of these projects are:

- Arranged for a generator to be installed at WKWI radio so local information will be available to Lancaster County citizens.
- Installation of a new generator/transfer switch at the Sheriff's Office to ensure that all operational and environmental systems are functional in a power failure.
- Installed emergency radio equipment and generators in White Stone, Kilmarnock and Litwalton to provide repeaters for sheriff/fire/rescue radio improvement.
- Established a new Emergency Operations Center at the Kilmarnock Rescue Building with the capability to become the dispatch center for the county in case the sheriff's office suffers catastrophic damage.
- Purchased some of the radios and pagers needed by fire and rescue services to alert their emergency responders of the need for their services.

The county is nearing the completion of the projects to improve communications and thus resolve any issue of interoperability during future emergencies.

Much of the money that was used to complete the aforementioned projects was made available by the U. S. Department of Homeland Security and the Virginia Department of Emergency Management. Lancaster County has received notice of the 2004 funds that are available for these purposes. The total Lancaster County will receive in 2004 has been determined to be \$56,492.

This year, an additional requirement has been placed on the county's use of these funds. Each incorporated town is eligible to receive \$3.15 per capita to use for the listed emergency preparedness purposes. Thus each town in Lancaster County would receive the following:

Irvington (2000 population= 673)	\$2,120
Kilmarnock (2000 population = 1244)	3,919
White Stone (2000 population= 358)	1,128

Your town is entitled to aforementioned amount "unless the town council waives this approach in favor of the county providing services." The grant allows the town council to participate in the county's emergency operations projects.

Inasmuch as the county's plan to upgrade the radio system for the sheriff, fire and rescue is incomplete, I ask that the town council consider waiving its portion of the 2004 Homeland Security Grant funding in favor of Lancaster County's plan of action. This will require a formal motion/resolution of the town council.

Your funds will be used to purchase the pagers each of the local fire departments has informed us are needed to summons their volunteers as well as work with the new radio equipment that has already been installed in Lancaster County.

Please let me know, at your earliest convenience, the decision the town council has made regarding this request. I will be pleased to appear before the next council meeting to explain this project in greater detail.

Sincerely,



William H. Pennell, Jr.
County Administrator

cc:	Wally Beauchamp	Chief Davis	Captain Nonnemacker
	Chief Elbourn	Chief Beckham	Captain Walker
	Sheriff Crockett		

RESOLUTION

WHEREAS, the Town of Irvington, Lancaster County, Virginia, has been allocated the sum of \$2,120.00 by the U.S. Department of Homeland Security, for emergency preparedness; and

WHEREAS, the Town of Irvington may waive such allocation in favor of Lancaster County, Virginia, providing services; and

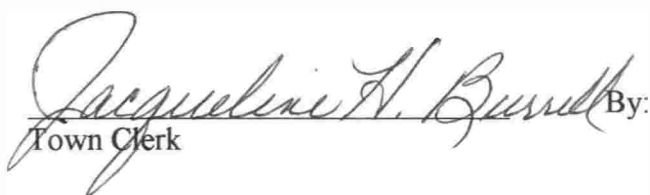
WHEREAS, Lancaster County has undertaken several projects to improve County-wide response to natural and man-made disasters, which projects directly contribute to the safety of the residents of Irvington;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Irvington, Lancaster County, Virginia, hereby waives its portion of the 2004 Homeland Security Grant of approximately \$2,120.00, in favor of Lancaster County, Virginia and its plan of action.

Attest:

Approved:

Town Council, Town of
Irvington, Virginia


Town Clerk


Mayor

RESOLUTION

WHEREAS, representatives of the County of Lancaster (the "County"), and the Towns of White Stone and Irvington (the "Towns") have been discussing the creation of a public service authority for the provision of water and sewer service to the Towns and the County, and,

WHEREAS, the provision of adequate potable water and collection and proper treatment of sewerage for the citizens of the County, including those citizens residing in the Towns, is essential to promote the health, safety and welfare of those citizens, including provision for fire protection and Chesapeake Bay protection; and,


WHEREAS, the provision of adequate potable water and collection and proper treatment of sewerage for businesses operating or planning to locate in the county, including the Towns, is essential to promote economic development for the County and Towns; and,

WHEREAS, the Town of White Stone has advertised a request for proposals for a preliminary engineering report on the feasibility of water and sewer service in the southern portion of the County, including the Towns, and assistance has been requested on that project.

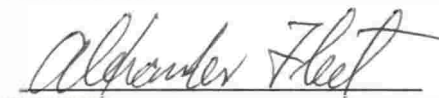
NOW THEREFORE, BE IT RESOLVED, the Town Council of the Town of Irvington hereby determines that it is in the best interest of the Town and will promote the health, safety and welfare of the citizens of the Town and economic development in the County for a preliminary engineering report to be prepared considering the engineering, construction and operation of water and sewer systems in the County, including the Towns, and therefore supports the efforts to prepare such report and, further, to consider the creation of a public service authority to provide water and sewer service to the residents and businesses of the County and the Towns.

BE IT FURTHER RESOLVED, that the Industrial Development Authority of Lancaster County is hereby requested, in order to promote economic development in the county, to fund the preliminary engineering report requested by the Town of White Stone for the purpose of determining the feasibility of providing water and sewer.

ATTEST:


Clerk

APPROVED:


Mayor

**Irvington Business Association
C/o Time to Cook
4349 Irvington Road
Irvington, VA 22480**

August 11, 2004

Mayor and Members of the Town Council
Town Hall
Irvington, Virginia 22480

Dear Mayor and Members of the Town Council,

The Irvington Business Association has been exploring various means of improving the general streetscape of the town including burial of the various overhead wires in conjunction with the proposed development of a sewerage system to service the town. We believe that the Transportation Enhancement Program which will provide eighty percent funding to undertake many of the improvements we have long discussed should be considered and pursued by the Town Council. The Transportation Enhancement Program may fund many improvements including, but not limited to, such items as upgraded sidewalks, historically appropriate street lighting, street furniture, refuse containers, landscaping and plantings, extending proposed bike paths from the Commons to other parts of the town, and improved drainage, curb and gutter systems.

A member of the Village Improvement Association has volunteered to assist in the preparation of the application for project funding if the Mayor and Town Council authorize such an effort. We envision that the improvements will be made and funded in stages over the course of the next several years based upon priorities to be established by the Town Council.

We are requesting that the Mayor and Town Council approve the drafting of an application for Transportation Enhancement Program funds for the consideration of the Mayor and Town Council prior to the November 1, 2004 application deadline for funding after October 1, 2005.

Sincerely,

Hatley Bright,
President

**Village Improvement Association
Irvington, Virginia 22480**

August 11, 2004

Mayor and Members of the Town Council
Town Hall
Irvington, Virginia 22480

Dear Mayor and Members of the Town Council,

The Village Improvement Association endorses the recommendation of the Irvington Business Association to the Mayor and Town Council to consider making application for funds available through the Transportation Enhancement Program administered by the Virginia Department of Transportation for improvements such as improving the Streetscape with upgraded sidewalks, historically appropriate street lighting, street furniture, refuse containers, landscaping and plantings, extending proposed bike paths from the Commons to other parts of the town, improved drainage, curb and gutter systems and the relocation or burial of existing overhead wires in conjunction with the future construction of a sewerage system.

Members of the Association are willing to pursue necessary information and draft the application for funding under the direction of the Mayor and Town Council on a volunteer basis. However we would appreciate your authorization of this effort. We have taken the liberty to propose a draft resolution for your consideration in authorizing this effort.

Sincerely yours.

Robert Hardesty
Vice President
Village Improvement Association

DRAFT RESOLUTION

Whereas, the Irvington Business Association (IBA) and the Village Improvement Association (VIA) have recommended that the Town Council explore the feasibility and potential benefits of applying for federal funding available from the Transportation Enhancement Program which is administered by the Virginia Department of Transportation (VDOT); and

Whereas, the Transportation Enhancement Program provides funding for various projects and programs that are mutual priorities of the Town Council, the VIA and the IBA including improving the Streetscape with upgraded sidewalks, historically appropriate street lighting, street furniture, refuse containers, landscaping and plantings, extending proposed bike paths from the Commons to other parts of the town, improved drainage, curb and gutter systems and the relocation or burial of existing overhead wires in conjunction with the future construction of a sewerage system; and

Whereas, all of these potential projects and the application of funds to pursue and undertake the projects will be subject to the final approval and oversight of the Mayor and Town Council

Now Therefore Be It Resolved by the Town Council of Irvington that

- 1) The VIA and IBA are authorized and encouraged to prepare a draft application for a Transportation Enhancement Program grant for the 2005 and future funding cycles;
- 2) The draft application will be subject to the modification and final approval by the Mayor and Town Council;
- 3) VIA member Larry D. Worth working as a volunteer under the direction of the Mayor and Town Administrator be authorized to represent the Town of Irvington in necessary interaction with VDOT, County and Northern Neck Planning District officials as may be required in drafting the proposed Transportation Enhancement Program application for consideration by the Irvington Town Council.

**RESOLUTION
OF
THE TOWN COUNCIL
OF
THE TOWN OF IRVINGTON, VIRGINIA
ADOPTED AUGUST 12, 2004**

WHEREAS, Robert Allen Pittman, has been a member of the Town Council of the Town of Irvington, Virginia, since February 13, 1997; and

WHEREAS, Robert Allen Pittman, has chosen to retire from the Town Council; and

WHEREAS, during his tenure on the Town Council, Robert Allen Pittman, has performed his duties as a member of the Town Council with energy and courtesy; and

WHEREAS, Robert Allen Pittman, has done so much more for the Town of Irvington beyond his obligations as a member of the Town Council;

NOW, THEREFORE, upon motion duly made, seconded, and unanimously carried, it was

RESOLVED, that the Town Council of the Town of Irvington hereby acknowledges, with great gratitude, the many contributions of Robert Allen Pittman, to the Town of Irvington during his tenure as a member of the Town Council of the Town of Irvington, Virginia; his genuine love and concern for the Town and its citizens; his unselfish willingness to do more than was asked for the Town; and his good common sense, courtesy and impartiality in all his efforts for the Town; and

FURTHER RESOLVED, that a copy of this resolution be presented to Robert Allen Pittman, and that a copy be spread upon the minutes of the Town Council.

Witness the following signatures:

**Irvington Town Council
Regular and Public Meeting
July 8, 2004**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on July 8, 2004, at 7:30 P.M.

Present:

Vice-Mayor

Ralph D. Ransone

Council

William H. Evans, III
Garry J. Luckham
Norman G. Mosher
Kathleen Pollard
Robert Pittman

Zoning Administrator

John C. Fitzpatrick

Legal Counsel

Matson C. Terry, II

Absent:

Mayor

Alexander McD. Fleet

Guest:

Mr. Jim Haynie

Norman Mosher made a motion to go into a public hearing. Garry Luckham seconded the motion. Vote— Yea: Evans, Luckham, Mosher, Pollard, and Pittman. Nay: 0. Ransone did not vote.

Public Hearing:

Conditional Use Permit: pier. Mr. James Haynie @ 81 Cedardale Lane: Mr. Jim Haynie is applying for a conditional use permit to construct a pier at the home of his father. Mr. Fitzpatrick stated that the fees have been paid, there were no objections from neighbors, and the Planning Commission had unanimously approved the pier. The pier will cross the navigation line. Neither the Corp nor the Wetlands objected to the pier which will replace existing moorings. In low tide, Mr. Haynie said his boat is now scraping the bottom when it swings toward the shore. Norman Mosher made a motion to come out of the public hearing. Garry Luckham seconded the motion. Vote: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote. Robert Pittman made a motion to approve the CUP and Norman seconded the motion. Vote - Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Minutes and Treasurer's Report:

Norman Mosher made a motion to approve the minutes and treasurer's report. Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Zoning Administrator:

Mr. Fitzpatrick reported:

Water & Sewer: The Committee will meet on July 13, 2004, to select an engineering firm to prepare the feasibility study. Part of the study will include finding sources for funding. The Attorney has said that there must be support from the community. Public hearings will be held.

Tavern Road: VDOT will oil and do cosmetic work on Tavern Road now and complete the work later.

Blinking Light on Irvington Road near Pony Pasture: VDOT did not agree to install a blinking light in this location, but Mr. Staton said that Catherine Crabill could write a letter with supporting information which she has done and he has forwarded it to Fredericksburg (district office).

Board of Supervisors' Retreat:

Mr. Ransone reported that the retreat was very informative. They are considering repeating it yearly. The Town of Irvington had the most representatives.

Legal Counsel: No report.

Planning Commission: No report.

Old Business:

Boundary Line Adjustment: It was announced that a committee had been formed to study the adjusting the boundary in reference to sewer and water. The Committee will probably not meet until September.

Beautification of the Town Office: A decision has been made on the painter to hire for the Town Office.

New Business:

Representative to the Planning Commission: The Council will need to select a replacement for Mr. Pittman to represent the Town Council on the Planning Commission.

September Town Council Meeting: Mr. Mosher made a motion for the September Town Council meeting to be held at the Museum at 7:30 P.M. Bill Evans seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, and Pollard, Nay: 0. Ransone did not vote.

Adjournment:

Norman Mosher made a motion for the Town Council meeting to be adjourned. The meeting was adjourned.


Ralph D. Ransone, Vice-Mayor

2004-2005 IRVINGTON BUDGET

DISBURSEMENTS	2004-2005
Gross Wages	\$22,728.00
Employees' Federal Withholding	
Employees' FICA	
Employees' Med. B.	
Employees' State Withholding	
Total Employees' Withholding	
 Net Wages	
 Employer's FICA	
Employer's Med B.	
Employer's Unemploy. Tax	
Total Payroll Tax	\$1,830.00
 Utilities - Town:Elect.Fuel, Phone, Water	\$8,600.00
Elect. - Ches. Acad.	\$22,000.00
Office Equip & Supplies	\$3,000.00
Office Main. - Furn. Clean. Garbage	\$1,500.00
Ground Maint. - Grass/Rec	\$3,000.00
Auto Tags	\$1,200.00
Rappahannock Record	\$500.00
Insurance	\$3,000.00
Dues	\$500.00
Legal/Acct/Survey	\$5,000.00
Xmas Light. & Wiring/Flags/7/4 Parade	\$2,000.00
Elections	\$0.00
Miscellaneous	\$12,222.00
Disaster/Emergency	\$5,000.00
Police	\$0.00
Contributions	
Fire Dept.	\$250.00
Rescue Squad	\$250.00
Air Force Band Concert Dinner	\$300.00
Museum	\$30,000.00
VIA/ICC	\$5,000.00
Fire Grant/State	\$6,000.00
Infrastructure Improvements	
Water & Sewer	\$10,000.00
Sidewalks/Streets	\$10,000.00
Street Lighting/Signs	\$0.00
Bike/Hike Paths	\$0.00
Real Estate Acquisitions	\$0.00
Underground Power Lines & Cables	\$0.00
Commons Master Development Plan	\$0.00
 Totals	 \$153,880.00

2004-2005 IRVINGTON BUDGET

RECEIPTS	2004-2005
Sales Tax	\$30,000.00
Auto Tags	\$9,000.00
Sale of Books	\$25.00
Zoning Permits	\$1,200.00
ABC	\$1,500.00
Tennis Permits	\$100.00
VA Power	\$22,000.00
Maps, Copies, & Pewter	\$0.00
Ground Rent	\$480.00
Interest on CD's	\$3,500.00
Interest- Checking	\$75.00
Bank Franchise	\$7,500.00
Cable	\$2,500.00
Contributions	\$0.00
Miscellaneous	\$0.00
Income from Occupancy Tax	\$70,000.00
Fire Grant/State	\$6,000.00
Infrastructure	
Water & Sewer	\$0.00
Sidewalks/Streets	\$0.00
Street Lighting/Signs	\$0.00
Bike & Hike Paths	\$0.00
Real Estate Acquisitions	\$0.00
Underground Power Lines & Cables	\$0.00
Commons Master Develop. Plan	\$0.00
TOTAL	\$153,880.00

**Irvington Town Council
Special Meeting
July 8, 2004**

The Town Council held a special meeting at the Irvington Town Office on July 8, 2004, at 7:00 P.M to receive public input about the proposed 2004-05 budget.

Present:

Vice-Mayor

Ralph D. Ransone

Council

William H. Evans, III (arrived late)
Garry Luckham
Norman Mosher
Kathleen Pollard
Robert Pittman (arrived late)

Zoning Administrator

John C. Fitzpatrick

Legal Counsel

Matson C. Terry, II

Absent:

Mayor

Alexander McD. Flect

Guests:

Dianne Jordan
Larry McAfee
Mr. Jim Haynie

Ralph D. Ransone called the meeting to order at 7:10 P.M.

Kathleen Pollard made a motion to go into public hearing. Norman Mosher seconded the motion.
Vote: Yea: Luckham, Mosher, and Pollard. Nay: 0. Ransone did not vote.

Public Hearing:

Mr. McAfee requested that when approving the budget, the Council remember the Museum with the same appropriation as last year or more than the \$20,000 that was given to the Museum last year. (Evans arrived) The Museum is now open. Mrs. Dianne Jordan stated that the Museum was available for use by the community and she would like to see it become a community center. She said that experience this summer, will determine the best hours for the Museum to be open. Mr. Mosher made a motion to come out of the public hearing. Garry Luckham seconded the motion. Vote: Evans, Luckham, Mosher, and Pollard. Ransone did not vote. Nay: 0.

In discussion of the proposed budget, Mr. Ransone stated: the exact amount of payroll taxes was not known because the rate of the (unemployment) taxes is not known, work will need to be done on the Commons, the cost of the feasibility study for water and sewage may be paid by the Industrial Development Association, and the County may pay the cost of the attorneys. Mr. Evans reviewed his disaster/emergency needs. Mr. Mosher stated that the quicker that Mrs. JoAnn Davis is informed of financial needs for water/sewage, the better. Mr. Mosher stated that his questions about the financial state of the Museum have been answered by the Museum's Strategic Plan and he haughtily endorses helping the Museum and he recommended giving the Museum \$30,000 this year. (Mr. Pittman arrived.) Mr. Ransone

said that it would be contingent on the Town's having the money. Mrs. Pollard stated that she would like to see money go to gas lights and street signs. She did not think that the signs like those in Hills Quarter were appropriate for Irvington and she will continue her research. Mr. Luckham said that signs could be upgraded in selected parts of Town. Mr. Evans would like the Town to consider a part time policeman and asked that it be added as a line item to the budget. Mr. Mosher made a motion to allocate \$30,000 to the Museum contingent on funds being available. Garry Luckham seconded the motion. Vote: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote. Mr. Mosher stated that before doing the master plan for the park, issues such as the pilot house and the acquisition of adjacent property need to be settled. Street signs and lighting will be added as a line item in the budget. Kathleen Mosher Pollard made a motion to approve the proposed budget with the addition of the \$30,000 allocation to the Museum and the addition of a policeman, gas lighting and street signs as line items in the 2004-2005 budget. Mr. Evans seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Adjournment:

The special meeting of the Town Council was adjourned.


Ralph D. Ransone, Vice-Mayor

PRESS RELEASE

July 1, 2004

For Immediate Release:

An *ad hoc* group consisting of representatives from Lancaster County, the Town of White Stone, the Town of Irvington, Rappahannock Westminster-Canterbury and the Tides Inn are prepared to recommend to the Board of Supervisors of Lancaster County, and the Town Councils of the Towns of White Stone and Irvington that those entities consider the creation of a joint Public Service Authority to provide water and sewer service to the lower portion of Lancaster County and White Stone and Irvington with further expansion of such services throughout Lancaster County, including Lancaster Courthouse, Lively and surrounding areas.

The group will also request support for the preliminary engineering study recently commissioned by the Town of White Stone to determine water and sewer needs and capabilities in lower Lancaster County.

“Water and sewer service is a basic service that local governments should provide to its citizens and White Stone is committed to promote and protect the public health, safety and welfare of its citizens” stated White Stone Mayor Lloyd B. Hubbard, Jr.

“Neither Irvington or White Stone have public water or sewer service for its citizens. These services are needed and it just makes sense for the two towns and the County to work together on this important project” agreed Irvington Mayor Alex Fleet.

“Water and sewer service is vital to economic development for Lancaster County. The Lancaster IDA has been monitoring the work performed by this informal group and supports the study initiated by

Water and Waste Water Management Systems Study Committee

Agenda July 13, 2004 10 AM

1. Report from Towns on Resolutions
2. Report from New Tides and RW-C on Letters of Support
3. Decision on Requesting IDA Funding
4. Review and Discuss Draft Press Release
5. Discuss Negotiating Team and Scope
 - a. When should negotiations begin?
6. Next Steps
7. Next Meeting

**Irvington Town Council
Regular and Public Meeting
June 10, 2004**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on June 10, 2004, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry Luckham Norman G. Mosher Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Absent:

Council	William H. Evans, III Robert A. Pittman
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Guests:

Doug Reed
Mr. and Mrs. Ron Mihills and son , Brent

Visitor:

Mr. Phillip Thomas

The Mayor opened the meeting with a prayer. He welcomed guests and visitors.

Public Hearing:

Mihills Subdivision-York Road: Norman Mosher made a motion to go into a public hearing and Kathleen Pollard seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0. Mr. Fitzpatrick stated that the fees were paid, notices given, and that the Planning Commission had unanimously recommended approving the subdivision based on the condition that the Health Department approves the subdivision. The Zoning Administrator will sign off on the plat after the Health Department has signed off on the plat. The Mihills Subdivision will consist of six (6) plus acres being divided into five (5) parcels. The subdivision meets all requirements except those applying to large subdivisions. The road is private and will remain private. (This is allowed when there are less than 25 parcels. Should the road be taken over by the State, it must meet State requirements.) Mr. Mihills plans to install engineered septic systems. The Mihills said that they would probably tear down the Dunaway house. Norman Mosher made a motion to come out of the public hearing and Kathleen seconded the motion. Vote– Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0. Gary Luckham made a motion to approve the

subdivision with the condition that the Health Department must approve the subdivision. Norman Mosher seconded the motion. Vote— Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Conditional Use Permit: The Local – Doug Reed, Trick Dog Shops: Ralph Ransone made a motion to go into a public hearing. Gary Luckham seconded the motion. Vote— Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0. Mr. Reed is applying for a Conditional Use Permit to operate a coffee shop, serving breakfast and lunch, and will sell alcohol (beer and wine off and on the premises), but will not sell mixed drinks). Mr. Fitzpatrick stated that the notices had been given and there was one written objection from Mrs. Frances Ramzy. This was an after the fact application because Mr. Fitzpatrick neglected to tell him that he could not begin operation until he received his permit. Mr. Reed applied for a permit to operate the coffee shop 7 days a week, from 7:00 A.M. to 5:00 P.M. The Planning Commission amended the application to approve the application for hours 7:00 A.M. to 7:00 P.M. Mr. Reed's business sign attached to the building is about 52 square feet - larger than the 36 square feet allowed for an against the building sign. He has elected to go to the Board of Zoning Appeals to request a variance. Mr. Reed does not anticipate having heavy beer and wine sales. Mr. Phillip Thomas, who lives across the street and is a retired Methodist minister, said that he recognized the prevalence of alcohol, but he thought there should be a limit to beer and wine sales in a small community and expressed disapproval of it. The Mayor expressed concern about alcohol available for sale at 7:00 A.M.

Kathleen Pollard made a motion to come out of public hearing and Ralph Ransone seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0. Mr. Ransone asked Mr. Reed about his serving dinner, and Mr. Reed responded that he was not equipped to serve dinner. He said that there were no lease restrictions regarding his hours. Mr. Ransone mentioned the aspect of drinks being served close to the street. Drinks must be served within an enclosed area. Ralph Ransone made a motion to approve the CUP and Norman Mosher seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Minutes and Treasurer's Report:

Norman Mosher made a motion to accept the minutes and Garry Luckham seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Kathleen Pollard made a motion to accept the treasurer's report and Garry Luckham seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

Tavern Road: Mr. Fitzpatrick reported on his meeting with Mr. Staton, Mr. Dennis Scott, and Mr. John O'Shaughnessy. Chesapeake Bank is going to bring its entrance up to VDOT's standards and will pay for the work on the entrance. VDOT will complete the Tavern Road project in October. The Town will pay for materials, to a maximum of \$10,000. VDOT will apply oil to the temporary work that they have done after the Fourth. Mr. Fitzpatrick said that the sidewalk will be removed. Mr. Ransone asked to see the VDOT's plans. The VIA/ICC would like a separate entrance to the Commons, which VDOT has said they can do that, and the Town will be responsible for the cost of the culverts.

Water/Sewage Feasibility Study: Mr. Fitzpatrick reported that the Water/Sewer Committee will meet with Jim Cornwell, an Attorney, who will work with the Committee, on June 23, 2004.

Emergency Generators: Mr. Fitzpatrick stated that Clive Parker, with whom he had discussed Sydnor's providing emergency generators, has left Sydnor. Mr. Jesse Royal will investigate the possibility of Sydnor's providing generators.

Bike Path: No reported progress.

Boundary Line Adjustment: White Stone and Kilmarnock are considering adjusting their boundary lines. The issue for Irvington to consider if it were to expand its boundaries is how far should they be extended. Mr. Terry read the State Statue and stated the notification procedure. On a map, the Mayor pointed out possible new boundaries. Pros and cons were discussed, such as perhaps loss of small town flavor, need for police protection, being stewards of an increased area and population, and control of types and extent of development. The Mayor appointed a committee of Kathleen Pollard, Norman Mosher, Ralph Ransone, Mat Terry, and Jack Fitzpatrick to consider where the boundary lines should be if Irvington were to adjust its boundaries. Mr. Terry would serve as the attorney. He reminded the Council that the Justice Department would have to approve the boundary adjustment because of the impact on the voting districts.

Mr. Terry suggested that an article be placed in the Record stating that the Town is considering boundary adjustment as a means of addressing water and sewage.

Town Office Interior: Mary Fitzpatrick and Chris Jenkins will work with Kathleen Pollard on the interior of the building after the Fourth.

Flags, Banners, and Christmas Lights: Mr. Fitzpatrick reported that Dominion Power has notified the Town that it must first have permission – and there will be a charge, for placing the flags, banners, and Christmas Lights on its poles. Mr. Terry did not recommend charging them an utility tax as he said that would be passed on to the customer.

The Mayor asked the Flag Committee to consider placing the flags further west on King Carter Drive where the road narrows. Garry Luckham said that the poles are irregularly placed and that trucks and trucks loaded with boats can damage the flags.

Steamboat Era Museum Raffle Permit: Norman Mosher made a motion to approve the raffle permit for the Museum and Garry Luckham seconded the motion. Vote– Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Contributions: Kathleen Pollard made a motion to make the following donations by the Town:

1. Kilmarnock/Lancaster– Rescue Squad - \$250.00
2. White Stone Volunteer Fire Department - \$250.00
3. Air Force Band Concert Dinner - \$200.00

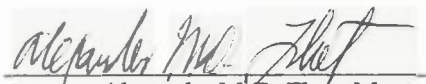
Ralph Ransone seconded the motion. Vote– Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

2004-2005 Proposed Budget: Copies of the proposed budget for 2004-2005 were distributed to the Council. If there are any changes, the Council members are to call the office by ten (10) days before the Public Hearing to be scheduled on July 8th. The Public Hearing will at 7:00 P.M. on July 8th. In the regular and public meeting of the Town Council on July 8th at 7:30 P.M., the Council will act on the budget. The legal notice announcing the public hearing, will state that a copy of the proposed budget is available at the Town Office.

Johnson Train: Mr. Jim Johnson has a train which he is willing to donate to the Town. There is the problem of the care and maintenance. No action was taken.

Adjournment:

A motion was made to adjourn the meeting. The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
May 13, 2004**

The regular and public meeting of the Irvington Town Council was held at the Town Office on May 13, 2004, at 7: 30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone (arrived late)
Council	William H. Evans, III Garry J. Luckham Norman G. Mosher Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Call to Order, Minutes, and Treasurer's Report:

The Mayor called the meeting to order and led the group in prayer.

Kathleen Pollard made a motion to approve the minutes and Norman Mosher seconded the motion. Vote- Yea: Evans, Luckham, Mosher, and Pollard. Nay: 0.

Garry Luckham made a motion to approve the treasurer's report and Kathleen Pollard seconded the motion. Vote - Yea: Evans, Luckham, Mosher, and Pollard. Nay: 0.

Zoning Administrator:

Tavern Road: Mr. Westbrook (Hope & Glory), Mrs. Peggy Patteson (Hope & Glory), Mr. Staton (VDOT), Mr. Burgess (VDOT), Mr. Harper(VDOT), Mr. Fitzpatrick, and the Mayor met to discuss Tavern Road. VDOT representatives have said that the Bank has to correct its entrance before Tavern Road can be improved to correct the drainage problem. The cost to the Town for materials will remain at \$10,000 or less. Work (hard surfacing) will not be done until October.

Ditch: The case is in the hands of the attorneys.

Susan O'Shaughnessy's Letter of Commendation: The letter has been completed. (Ralph Ransone arrived.)

Sewer System: Mr. Fitzpatrick reported that meetings are being held. Four engineering firms have been interviewed. A final decision has not been made. After a firm is selected, the contract will be negotiated and parameters for the feasibility study will be determined. Not as many grants are available now as have been available in the past. Norman Mosher suggested that JoAnn Davis may be able to help with grant sources. Ralph Ransone said that one of the engineering firms had said that grant money may be able to be obtained for the feasibility study.

Town Election: Mr. Fitzpatrick reported that the candidates for the Council had not wanted a public forum. Their answers to prepared questions were published in the paper.

Sydnor: Mr. Fitzpatrick said that Sydnor was still owned by Philadelphia Suburban, but the name had changed to Aqua Virginia. He is to contact Sydnor about a generator for emergencies and to check on an emergency horn.

Old Business: None.

New Business:

Chamber of Commerce: The Mayor announced that the annual Chamber of Commerce Tent Party is scheduled for May 20th and asked that Council members wishing to attend notify the Clerk by May 14, 2004.

Computer: Ralph Ransone made a motion that the \$2500 be appropriated for the purchase of a new computer. Mr. Evans seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Town Office: Bids are being received for painting the exterior of the Town Office. William Evans made a motion to appropriate \$2000 for the job. The Zoning Administrator stated that he thought that \$2000 was low. Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Norman Mosher made a motion to approve the Mayor's appointing Kathleen Pollard (Chair), Ann Carpenter, Ronnie Kerr, and Garry Luckham to a committee to recommend improvements for the interior of the Town Office. Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Announcements:

Fourth of July Parade: The Parade will be on July 3, 2004, and hopefully the Council will participate.

Tennis Court Water Fountain: Northern Neck Mechanical has come and turned on the fountain and it still leaks.

Town Commons: VIA/ICC has cleaned the Commons. Ralph Ransone spread more dirt in the low areas of the Commons, where the water has been pooling.

Retreat with Board of Supervisors: The retreat is scheduled for June 26, 2004.

Signs: The County plans to change the street signs. There was discussion about the Town Street Signs being changed to more attractive signs. Ralph Ransone will investigate the cost of signs like those at Hills Quarter.

Coffee Shop: The CUP application for the Coffee Shop will probably be heard in June.

Lighthouse Towing: It was noted that Lighthouse Towing had done a nice job with the appearance of the property.

Executive Session:

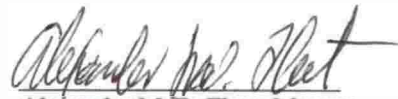
Ralph Ransone read the following motion: I hereby move that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to pending litigation concerning the Thomas property on Chesapeake Drive, and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A (7). Norman Mosher seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

After coming out of executive session Ralph Ransone read the following motion for certification: I move that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) only public business matters lawfully exempt from public meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered.

I, so certify, Ralph D. Ransone.
I, so certify, Kathleen Pollard.
I, so certify, William H. Evans.
I, so certify, Garry Luckham.
I, so certify, Norman Mosher.
I, so certify, Alexander McD. Fleet.

Adjournment:

Ralph Ransone made a motion for the meeting to adjourn.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
April 7, 2004**

The regular and public meeting of the Irvington Town Council was held at the Town Office on April 7, 2004, at 7:40 P.M. The meeting was changed to this date because Thursday, April 8, was Holy Thursday. Notice of the change of date was published in the Rappahannock Record.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry J. Luckham Norman G. Mosher Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick (arrived @7:43 P.M.)

Absent:

Council	William H. Evans, III Robert A. Pittman
Legal Counsel	Matson C. Terry, II

Visitors:

H. S. Gov't Student and Parent:	Miss Whitney Crandell Mrs. Tammy Crandall
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Call to Order, Minutes, and Treasurer's Report:

The Mayor called the meeting to order and led the group in prayer.

Kathleen Pollard made a motion to approve the minutes. Norman Mosher seconded the motion. Vote— Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Ralph Ransone made a motion to approve the treasurer's report. Garry Luckham seconded the motion. Vote — Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Zoning Administrator: No report.

Planning Commission: No report.

New Business:

Letter of Commendation: Mr. Mosher made a motion to send a letter of commendation to Susan O'Shaughnessey for her project at the Vineyard and read his draft of the letter. Kathleen Pollard seconded the motion. Vote — Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

County Retreat: The Council members have been invited to a retreat on May 8th (later rescheduled) with Mr. Pennell, County Administrator and the Board of Supervisors. Mr. Mosher questioned whether or not the Council members should question how the County plans to address the following issues as a result of its approval of rezoning that will result in population growth.

1. Infrastructure
2. Transportation
3. Carters Creek
4. Water/Sewer

Budget: Mr. Mosher questioned whether or not there should be a public hearing to allow the public to have input into the 2004-2005 Budget. He thinks the public should have a voice in the budget.

Question & Answer Public Hearing/Public Meeting for Candidates: Mr. Mosher questioned whether or not there should be an opportunity for the public to question the candidates running for Town Council. Mr. Ransone suggested that the candidates be asked what they prefer. An alternate to a public forum would be to have prepared questions and the candidates' answers published in the Record. Mr. Fitzpatrick will ask the candidates. The Mayor suggested that the public forum could be sponsored by the ICC/VIA or the IBA and Mr. Raffetto and Mr. Fitzpatrick could approve the moderator.

Barn for Storage of Christmas Decorations: Mr. Mayor stated that Admiral Bayne, owner of the barn where the Christmas decorations are stored) will be moving to RWC and perhaps the Council should consider purchasing the barn. The status of the former bank building should be checked.

Farmers' Market: The Mayor noted that the new leadership of the Farmers' Market had done a good job at the April Market.

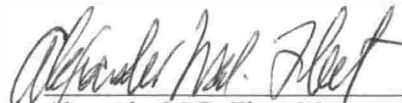
Town Sign: Ralph Ransone stated that Dr. Bob Westbrook had helped with erecting the Town sign.

Fountain: The Mayor assigned Kathleen, Garry, and Mr. Fitzpatrick to work on the fountain at the Tennis Courts.

Water/Sewer: Mr. Fitzpatrick stated that there were five responses to the Request for Proposals. Representatives from The Tides Inn, White Stone, Irvington, RWC, and the Golden Eagle will meet to select a firm to prepare the designs involving the various options. The Mayor, Mr. Morrison, Mr. Ransone, and Mr. Fitzpatrick will attend the meeting.

Adjournment:

The meeting was adjourned at 8:20 P.M.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
March 11, 2004**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on March 11, 2004, at 7:30 P.M.

Present:

Mayor	Alexander McDonald Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans, III Garry Luckham Norman Mosher Robert Pittman Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel (arrived late)	Matson C. Terry, II

Guests:

Aaron Hoffman
Kate & Dave Raffetto

Visitors:

Duncan Bright

The Mayor opened the meeting at 7:34 P.M., welcomed everyone, and led the group in prayer.

Use of the Commons:

Mr. Aaron Hoffman, was present to request the use of the Commons for a Frisbee Dog Event on Saturday, June 19th between 11A.M. and 3 P.M. He said that there could either be five teams or 40 teams. Most of the dogs would be sheep herding dogs. He said his group would pay for the port-a-potty, and be responsible for a PA system to be located in the gazebo. Parking would be on the street or they would use the parking lot behind the bank. He assured the Council, that his group would pick up after the dogs following the event. Insurance would be costly for a one time event; however, they would like to have the Frisbee Club in Washington co-sponsor the event and then that club would provide the insurance coverage. Norman Mosher said if the local club has rules concerning the control of dogs, then the dog owner's homeowner's insurance would provide coverage if his/her dog injured someone. Garry Luckham made a motion to allow Mr. Hoffman's group to have a Frisbee Dog Event contingent upon there being no problem with the Town's insurance. Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

ICC/VIA Budget: (Mr. Terry arrived)

Dave Raffetto presented the ICC/VIA's projected budget for 2004 and an itemization of the 2003 expenses. He said that they could use some help from the Town. Mr. Evans made a motion to include in the 2004-2005 budget a line item of \$5000.00 for the ICC/VIA. Robert Pittman seconded the motion. Vote on Allocating \$5000.00 as a line item in 2004-2005 budget for the ICC/VIA: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Mr. Bright said that it was a misnomer to call the organization the Irvington Chamber of Commerce because it did not adhere to the State Chamber's rules. He said if it follows the rules and is recognized by the State Chamber of Commerce, then it would come under the umbrella of the Lancaster Chamber of Commerce and money could be saved.

Mr. Raffetto said that the two following concert dates have been added to the calendar:

1. Air Force Brass Quintet – June 12, 2004
2. Janet Martin – August 28, 2004

Kate Raffetto stated that there was a rumor in Kilmarnock, on the date of this meeting, that the Irvington Farmers' Market was no more. She had called the Kilmarnock Town Office to negate the rumor.

Minutes:

Norman Mosher questioned whether the requirement for a Level II certification was a condition in the motion to approve the CUP application by Lighthouse Towing. Garry Luckham and Mr. Terry said that it was not one of the conditions. Mr. Mosher wants a description of the business and a list of the Council's conditions submitted to DEQ for review and he wanted to reserve the right to add conditions if necessary to be in compliance. Mr. Terry said DEQ's conditions are different from the Town's and Mr. Mike Christopher had submitted papers to DEQ. Mr. Mosher said that a baseline was needed to determine if contamination had occurred. Mr. Terry said that DEQ's authority superseded the Town's. He said that if the Council was going to reopen the issue, then Mr. Christopher and the Lighthouse Towing owners need to be present. Mr. Terry reminded the Council that Mr. Fitzpatrick would routinely inspect the Lighthouse Towing.

Mr. Mosher and Mr. Evans want the Council to obtain copies of reports to DEQ.

Ralph Ransone made a motion to approve the minutes and Kathleen Pollard seconded the motion. Vote – Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Treasurer's Report:

Robert Pittman made a motion to approve the treasurer's report and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Planning Commission Update: No meeting.

Old Business: None.

New Business:

Reappointment to the BZA: Ralph Ransone made a motion to reappoint Mr. Robert Fleet, Jr. to the Board of Zoning Appeals for a 5 year term. Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Change of April Meeting Date: Kathleen Pollard made a motion to change the date of the April Town Council Meeting to April 7 rather than April 8 because of its being Holy Thursday. Mr. Evans seconded the motion. Vote— Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Motions for Executive Session:

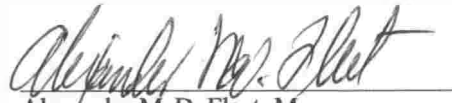
Kathleen Pollard read the following motion: I hereby move that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to pending litigation concerning the ditch between King Carter Drive and Chesapeake Drive, and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A. (7). Bill Evans seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay:0.

After the Executive Session, Kathleen Pollard read the following motion: I move that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) only public business matters lawfully exempt from public meeting requirements under the Virginia Freedom of Information act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered and Ralph D. Ransone did not participate in the decision.

I, Kathleen Pollard, so certify.
I, Robert Pittman, so certify.
I, Norman Mosher, so certify.
I, Garry Luckham, so certify.
I, William H. Evans, III, so certify.
I, Ralph D. Ransone, so certify.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor



2004 BUDGET

<u>REVENUE</u>	<u>2003 Actual</u>	<u>2004 Budget</u>
Household Memberships	\$2320.00	\$2000.00
Business Memberships	1250.00	1000.00
Vendor Fees	4051.75	4200.00 ¹
VIA Booth	2486.49	0
Turkey Trot Sponsors	4300.00	4000.00
Turkey Trot Registrations	3727.00	3800.00
Town (USAF Heritage Band)	200.00	200.00
TOTAL	\$18335.24	15200.00

EXPENSES

FARMERS' MARKETS

Newspaper Ads	3809.77	1500.00
Rockitz (Market Music)	1600.00	1000.00 ²
VIA Booth Supplies	770.17	0
Children's Activities	247.27	240.00
TOTAL	6427.21	2740.00

USAF HERITAGE BAND

Smokin' Joe's (food)	705.00	775.00
Clean up (Hope & Glory)	50.00	50.00
Beverages	152.85	165.00
Chair/Panel Box Rental	178.50	195.00
Newspaper Ads	576.00	300.00
Misc.	8.14	15.00
TOTAL	1670.49	1500.00

USAF BRASS QUINTET (2004)

Smokin' Joe's (food)	111.78	125.00
Beverages	14.11	20.00
Newspaper Ads	103.50	200.00
TOTAL	229.39	345.00

PLANTINGS

Flowers/Mulch	253.88	250.00
Misc.	0	50.00
TOTAL	253.88	300.00

2004 budget (cont'd)

<u>EXPENSES (cont'd)</u>	<u>2003 Actual</u>	<u>2004 Budget</u>
<u>JANET MARTIN (2004)</u>		
Newspaper Ads	1026.00	200.00
Talent		1500.00
TOTAL	1026.00	1700.00
<u>HALLOWEEN CONTEST</u>		
Sound System	72.11	75.00
Gifts (children)		25.00
TOTAL	72.11	100.00
<u>TURKEY TROT</u>		
TOTAL	4185.05	4500.00
<u>MISCELLANEOUS</u>		
Membership Mailings	520.36	450.00
Event Calendars	34.04	150.00
Essential Systems	818.44	990.00
TOTAL	1372.84	1590.00
<u>ADMINISTRATIVE</u>		
Sign Permit	3.00	0
State Corporation Fee	35.00	35.00
Annual Report Prep.	255.00	255.00
Tax Return Prep.	550.00	300.00
Chamber of Commerce dues	75.00	75.00
Liability Insurance	1451.95	1550.00
Post Box Rent	24.00	24.00
TOTAL	2393.95	2239.00
<u>TOTAL</u>	17630.92	15014.00
SURPLUS		186

Checking Account Balance Feb 25 2004 \$3066.66

Notes:

1. 50 vendors @ \$12 for 7 markets = \$4200
2. 4 OF 9 sponsored @ \$200 each

**Irvington Town Council
Regular and Public Meeting
February 12, 2004**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Council at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans, III Garry J. Luckham Norman G. Mosher Robert Pittman Kathleen Pollard
Legal Counsel	Matson C. Terry, II
Zoning Administrator	John C. Fitzpatrick

Guests:

Mr. and Mrs. Davis	Ms. Leah Makris
Mr. Lee Stephens	Mr. and Mrs. Dave Raffetto
Mrs. Candy Howard	

Visitors: See Attachment.

The Mayor called the meeting to order at 7:30 P.M. and led in prayer. He announced that the Mayor and Council Members had received and read letters pro and con regarding Lighthouse Towing.

Kathleen Pollard made a motion to go into public hearing. Garry Luckham seconded the motion. Vote- Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Public Hearing:

Lighthouse Towing: Lee Stephens, Attorney for John Dorsey, Duncan Bright, and Bill Prillaman, said that the yellow cards that had been mailed to the Irvington Post Office Boxholders had come from this Committee.

Mr. Stephens continued and said that towing is not a use that is permitted with a conditional use permit in the B-1 district; therefore, it must go through a 30 day study by the Planning Commission and Zoning Administrator, who will make a recommendation whether to make towing a part of the Zoning Ordinance to the Town Council. He cited examples whereby it has been ruled that towing incidental to the primary use of the property cannot be the basis for a non conforming use. He does not considered auto services to include towing. He considers that towing belongs in an industrial zone rather than in the business district. He stated that in maneuvering towed vehicles into the station traffic problems can be created at the Triangle and that in the Comprehensive Plan, it is stated that the Town should explore methods to calm traffic. He stated that the application should not be considered at this date because a site plan was not included with the application. When considering the safety and welfare of its citizens, the application should be evaluated in terms of traffic, car waste, and impact on the environment. There should be a system to contain and haul away hazardous waste, and assurance that the septic system is operational

and is certified by the Virginia Department of Health.. He summarized that the Comprehensive Plan should be the guide as to the direction the Town is going.

Citizen Comments:

The citizens expressed the following concerns about Lighthouse Towing's being located at this site:

1. Traffic, congestion, obstruction of visibility from the Post Office.
2. Pollution of the Creek/Selby Nature Trail from hazardous waste (leaking fluids)
3. Incompatibility with long range plans of the Comprehensive Plan
4. What the children at Chesapeake Academy would see
5. Not in keeping with what Irvington is becoming
6. Planning Commission's recommendation should prevail
7. Cars might accumulate and/or stay longer than two weeks
8. 24 hour operation -- noise after daytime hours
9. Towing's not being part of auto services
10. Leaking hydraulic fluid from the lift in the station
11. If the Ordinance does not specifically permit towing as a use in this district, then the parcel needs to be rezoned to allow it.
12. Including minor repairs in the application is a trick, as the previous owner's station grew from doing minor repairs to doing towing.

Clark Winner asked that the Planning Commission's recommendation be read: The Planning Commission did not consider towing to be compatible with long range plans of the Comprehensive Plan.

Richard Carpenter asked the Zoning Administrator to summarize the number of letters received. **For:** Mitchell, Gaskins, Bob Barrack, Mrs. Ramzy's daughter, and the Christophers (Johnny Christopher-owner of the property). **Against:** Bright, Dorsey, and Prillaman, Chesapeake Academy, Tides Inn, and the Irvington Planning Commission. Mr. Fitzpatrick said if the neighbors, who lived within 300 feet of the property did not respond to their notices, then it was deemed that they had no objection. Dr. Carpenter said that if towing does not fit, then the application must be denied.

Other citizens did not object to Lighthouse Towing's moving to this location and stated that Mr. and Mrs. Davis should be given an opportunity. One citizen said that the Council can address the fears by defining how the business can operate and placing requirements to prevent pollution. The Zoning Administrator stated that he thought towing came under 6-1-9, it was not necessary to rezone, and he thought towing was an auto service. The Town Attorney agreed that auto services covers an array of services including towing.

Johnny Christopher, owner of the property, stated that the septic system has been checked and it does work as Mr. Henry Whay has inspected the system and it will accept 12 gallons per minute with no backup. Mr. Mike Christopher said there was not case in VA where towing is distinguished as a use other than automotive. He said that Lighthouse Towing is a first class towing service, Mr. and Mrs. Davis do not keep cars very long, and they are community-minded.

In response to the concerns, Mrs. Davis: said their business is emergency service -- 24 hour service -- go to the scene and go home. Unsightly wrecked cars will be behind the fence, covered, and parked on plastic. They now have four wrecked vehicles. In addressing tourism, she said that there were eleven towing businesses in Williamsburg and one was next to the Visitor's Center. They were not here to benefit the other businesses, but the whole community. By the definition she cited, she did not considered that towing was industrial as they were not making anything. They tried to get rid of cars as quickly as possible. They have a professional title service to obtain titles to the cars. They will try to keep the premises clean and improve the appearance. She asked to be given a chance.

Ralph Ransone made a motion to come out of public hearing. Garry seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Council Discussion:

Kathleen Pollard was concerned about the bio-waste. She asked how they were going to get rid of the bio-waste. Mr. Davis said that oil would be poured into a bulk oil tank, which would be pumped into a truck and hauled away. The plastic would be rolled, folded, placed into the vehicle, and it would go with the vehicles when they leave the premises. The trucks would be behind the building/ fence.

In response to one comment, Mr. Davis said that he would take a truck home and would respond to a call from there. Mr. Mosher said that the Council needs to know the condition of the property now-whether the tanks have been removed, the septic works, the drains work, and the lift is not leaking hydraulic fluid. He said that there needs to be a baseline evaluation in case a pollution source is challenged in the future. He is concerned about problems arising from the possible biological waste from wrecked cars in the hot summertime when fatalities have occurred. He said that if the Council approves this CUP, then conditions geared to the community should be imposed. Mr. Mike Christopher said that the tanks were removed two years after gas stopped being sold, soil samples were taken and the reports were sent to the DEQ.

Mr. Evans said the Council needs to have conditions concerning the number of cars, lighting, and hours of operation. He said the concern of the citizens was split down the middle.

Mr. Davis said that he did not understand all the objections and thinks it is wrong to shoot them down. He said to put in the restrictions and give them a chance. Mr. Mosher noted that it was stated at the Planning Commission Meeting that the Mr. and Mrs. Davis were planning to be here for only 3-4 years before they purchase their own property. Mr. Davis said that they would like to purchase the property if Mr. Johnny Christopher would sell it.

Mr. Luckham said that to deny the application would be to condemn Mr. Christopher's property. He made a motion to approve the CUP with conditions: cars being held no longer than 60 days, no disassembling or salvaging of cars, no leasing of cars, no sale of auto parts, limit of ten cars, hours would be 8-5, contain hazardous material, no wreckers in public view. The motion died for lack of a second.

Mr. Pittman said the Council should look at public opinion. He did not think towing applied to B-1 or was implied in auto service. He said frequent access did not apply. He said most residents are opposed. In the case of Irvington's changing: He said that he had found that one newcomer wanted it and two long-time residents were opposed.

Ralph Ransone said that Irvington has been built on diversity. He is not opposed to business. He said that he would go along with the Town Attorney and the Zoning Administrator as they said the business was permitted, but conditions were needed. He thought other problems could be created by not approving the application.

Norman Mosher said that he did not think the Council was competent to decide technical conditions. The application should be sent back to the Planning Commission to determine the restrictions to govern the business and he made a motion accordingly. No second.

The Mayor said that the matter had been put off for two months. Norman Mosher said that the Council needed to be very thoughtful as the Town would have to live with it.

Garry Luckham made a motion to approve the CUP application and Ralph Ransone seconded the motion.

The conditions are:

1. Individual vehicles should not remain on the premises more than 60 days

2. No disassembling or salvaging of any vehicles
3. No sale of vehicles, parts from wrecked vehicles, and no leasing of vehicles
4. No more than ten cars at one time
5. No wreckers in public view. This was amended to permit one wrecker to remain in public view

Bill Evans suggested that the hours of operation would be 8:00 A.M. to 5:00 P.M. Ralph Ransone added that the wrecked vehicles would be covered with a tarp and plastic placed under the wrecked vehicles. The tarp and plastic will be removed with the wrecked vehicles when they are removed from the premises. The zoning administrator will inspect the business during the first few months. Mr. Davis will be allowed one wrecker (the one he is driving) to be visible to the public.

Bill Evans asked for certification. It was noted that the former use of the property was known..Mat Terry said that it would become Level II certification and that was expensive. He said the Council may want to ask for copies of certification. Welding would be done on the inside of the building. Mr. Terry said that revocation of the permit would occur if they violated the conditions. He advised that the Council ask that hazardous materials be contained in plastic or whatever materials are necessary. The Zoning Administrator will routinely visit to ascertain that the conditions are being met. All damaged cars will be stored inside the fence. There was a discussion between Mike Christopher and Norm Mosher whether or not the lift leaked hydraulic fluid. Mr. Mosher said because of the chattering of the lift, that air was leaking into the lift. Mr. Christopher said that it did not leak. He said that DEQ has received a report for everything that has been done at the site.

Vote – Yea: Evans, Luckham, and Ransone. Nay: Mosher, Pittman, and Pollard. The Mayor said that the Town Attorney said that it was legal and he voted Yea. The C.U.P. for the Lighthouse Towing was approved with conditions.

Mr. Ransone made a motion to go into public hearing and Garry Luckham seconded the motion.

CUP Application: Swimming Pool – Mr. and Mrs. William Howard at 84 Rowe Point: Mr. Fitzpatrick said that the notices have been published, notices have been given to the neighbors, and the fees have been paid. There were no objections by the neighbors, and the pool will be located according to the Bay Act requirements. Garry Luckham made a motion to come out of public hearing and Kathleen seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Robert Pittman made a motion to approve the CUP and Garry Luckham seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Motion was made and seconded to go into a public hearing.

CUP Application: Home Occupation-Barbershop: Ms. Leah Makris at 128 Steamboat Road: Mr. Fitzpatrick stated that this was an acceptable home occupation. Mrs. Petty, a next door neighbor, had objected. There were three neighbors approving the home occupation. Mr. Fitzpatrick stated that the other neighbors, who have not replied are considered to have approved the CUP. Mrs. Petty citing existing traffic problems on Steamboat Road because of activities at Chesapeake Academy, said that she has problems going in and out of her driveway when there are functions at the Academy and this use of the property would add to the traffic problem. She did not think that the driveway would accommodate two cars side by side, but Mrs. Makris said that the driveway would support two cars side by side.. Mr. Ahlborn said that he has asked parents to park only on the Academy side of Steamboat Road, on the Lane, and on the soccer field when it is dry. Robert Pittman made a motion to come out of public hearing. Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mrs. Markris said that she planned to work 4 days a week 9-4. She wants the public to dictate the hours. Her barbershop will be geared to men; however, she may do salon cuts for women and may like to have a ladies' evening. She will work by appointment rather than walk-in. Signage will be according to ordinance requirements. Garry Luckham made a motion to approve the CUP and Kathleen Pollard seconded the motion. Mr. Terry read the Art. 2, Section 54, and Article 2, Section 95 on signs. Sign size is limited to two square feet. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and

Ransone. Nay: 0. The Zoning Administrator is to contact VDOT for additional "No Parking" signs for the Pettey side of Steamboat Road.

VIA Calendar:

Mr. David Raffetto presented the ICC/VIA Calendar. Mr. Ransone made a motion to approve the calendar and Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Minutes and Treasurer's Report:

Kathleen Pollard made a motion to approve the minutes and treasurer's report. Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

New Business:

Renewal of Chamber of Commerce Membership: Bill Evans made a motion to renew the Chamber of Commerce membership and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Grasscutting: Ralph Ransone made a motion to accept the bid of Kilmarnock Enterprises to cut the Town grass for three years for \$1200 per season. Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Announcements:

The Mayor announced the dates for the required automobile tag sale.

Mr. Ransone said that the Town Welcome Signs were in a safe place and would be put up when the weather was better.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

Residents Present: Public Hearings and Town Council Meeting February 12, 2004

Mrs. Ruth Sauer
Johnny and Mike Christopher
Mr. and Mrs. Paul Davis
Mr. Jeremy Fischer
Mr. Stanford Crockett
Mr. Sam Monroe
Mrs. Frances Simmons
Mr. Billy Rowe
Mr. and Mrs. Hallett
Mrs. Ronnie Kerr
Mr. Bill Wright
Mr. John Pollard
Mr. Mosby West
Mr. and Mrs. Clark Winner
Mr. Matt Dunn
Dr. and Mrs. Bob Westbrook
Mr. Seth Ahlborn
Mrs. Bonnie Pettey
Mr. and Mrs. John Bailey
Mr. Rob Hoff
Mr. Nick Trotter
Mrs. Ann Lee Arnold
Mr. Paul Carlson
Mr. and Mrs. John Dorsey
Mr. Duncan Bright
Mr. Bob Hardesty
Mr. Bill Prillaman
Dr. Richard Carpenter
Mr. Miller (Craig Miller's brother)
Mr. and Mrs. Doug Power
Mr. and Mrs. Linda Coye
Mr. Randall Kipp
Ms. Vonda Deel
Mrs. Wendy Murray
Mr. and Mrs. Leland James
Approximately 9 other persons whom I did not know



Copy

February 2, 2004

Irvington Virginia Planning Commission

Robert C. Morrison (Chair)

William J. Wright

Dr. Michael L. Molineaux

Robert A. Pittman

Clark Winner

Town Hall

Irvington, Virginia 22480

Gentle people:

As I will be away with the class of 2004 in Florida on Tuesday February 3, please allow this letter to be my "voice" for Chesapeake Academy. Specifically, I restate my objection regarding the proposal to allow a towing operation on property zoned B-1, especially so near the school. I understand that the petitioner has amended the original conditional use permit to "fit" the rule which was previously categorically denied by this commission last month.

My objection is based in three parts: 1) the visual disturbance of young children seeing wrecked cars coming into and leaving Irvington, and 2) the type of heavy vehicular traffic anticipated during the school day and after school programs, further 3) such a permitted use goes against the Comprehensive Town Planning Document.

I am particularly concerned about the "life" of destroyed vehicles, the daily comings and goings of junk with an average visit of 3 weeks, and the children's expectation of daily traffic. "What's going on over there?", "Did you see that one? It was totally destroyed!", resonate in my ears as potential conversation pieces as children grow up under this new challenge. A challenge that is totally avoidable now.

I advise against such a 24 hour business being established in Irvington, in the school zone, in the historic district. It sends the wrong message to our children, that we don't care what they see. By extension, the economics of no more than 26 cars at one time on the lot with several large wreckers for an average visit of 3 weeks means at least one car in and one car out every day. In part the reasoning given to move the business from a home location was that people came by at all kinds of odd hours. This is not traffic we want in the center of Irvington.

As Head of School I represent 116 families who enroll 155 children ages 3-14. Please do not allow a wrecker service to occupy the center of town. In addition, I ask you to please insist that the septic system, any ground contamination from oil and underground tanks, and the practice of storm drain waste disposal be investigated and ceased immediately. Having now been apprised that such has been the practice I am appalled that members of the commission have known and not insisted that immediate corrective action be taken.

CHESAPEAKE ACADEMY

AN ESSENTIAL EDUCATION



At the Academy, we have been told that to license an upgraded lunch program we have to install a new septic system. The existing one is "too old" and will not be permitted for the new use of a licensed kitchen. However, we have two fully permitted septic fields and are intentionally over engineered to meet the needs of the community when visitors come to campus. With this level of scrutiny on an already permitted system that drains into the same head waters of Sam's Cove, I ask that equal scrutiny come to bear on the property in question. From what I heard at the last meeting it is apparent that the town has been aware of potential ground contamination from this location with no action.

Leaching and storm water runoff into Sam's Cove comes in contact with school children on the Henry G. Selby Nature Trail. Certainly the town wants to protect children from environmental pollution.

I ask you to please address the following in the Planning Document and justify how permitting such use of the existing facility will:

Calm the flow and speed of traffic to protect citizen safety (Infrastructure Goal 1 pg 54)

Develop methods to prevent ground water pollution to protect citizen safety (Natural Resources Goal 1 pg 55) – are the underground tanks up to code?


Improve storm water drainage (Natural Resources Goal 2 pg 56) – stop the practice of dumping waste in the storm drain

Be harmonious with surrounding residences and businesses (Section 3 Business - Existing B-1 zone pg 61)

As part of the Chesapeake Academy Rowe Campus is in the historic district, I suggest to you that a towing service is not in keeping with the spirit of the town, anymore than is fencing in the Academy to keep out stray dogs to protect the children from harm. We live in community and expect our planners, elected officials, and neighbors to watch out for the collective best interests of the town both now and into the future.

Thank you for your kind attention in support of our children and their future.

I am most sincerely yours,



Seth W. Ahlborn
Head of School

Cc: Mayor Fleet
Town Council members
Chesapeake Academy Executive Committee

copy!

January 31, 2004

Mr. William Evans
Irvington Town Council

CUP for 4525 Irvington Road
Towing Service or Auto (minor repair) & Towing service

As an adjacent property and business owner, I ask that you please consider the following as you make your voting decision in the best interests of the Town and the residents of Irvington.

- The property in question is zoned B-1 and the Statement of Intent for Article 6 clearly indicates this property is *"intended for the conduct of general business to which the public requires direct and frequent access."* (italics are mine)
 - A towing (or the revised CUP submission)) does not in any manner meet this requirement. The applicant in their advertising on radio, yellow pages or calling cards does not, in any instance, indicate an address for their business—only a phone number. Had access by the public been important to the success of the business, the street address would be prominently displayed or mentioned.
 - It is clear that public access is not a requirement—only 24 hour phone availability
 - Towing is more appropriate under M-1
 - Frequent public access (among others) is what differentiates B-1 from M-1
- The Planning Commission originally voted 4-0-1 against permitting the approval of the CUP for a towing service
- The fact that the visual appearance of the previous business was tolerated and nothing was done when tow trucks and roll backs were added is no reason the town and residents should continue to tolerate businesses that do not enhance the appearance and safety of the residents and school children in Irvington.
- After the applicant's statements at both the Planning and Town Council meetings, the resubmission of an alternative CUP application clearly indicate the applicant themselves agree that a towing service is not allowed under B-1.
 - The applicant stated "if someone stopped at their business and required repairs they would gladly tow the car to a garage that repairs vehicles" ..(paraphrased)
 - Adding "minor auto repair" to a new CUP application seems to be an after thought to obtain approval and, in a way, indicates that other businesses will be added as time goes by.
- Those of us who have selected Irvington for the base of our businesses did so in the belief in the future of Irvington and the desire to improve the quality of businesses that are attracted to the Historic District. Those that care have invested to improve the visual aspects.

Continued on Page 2

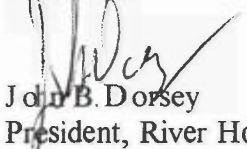
Page2

- o Our company has increased the number of jobs in the two buildings from 5 to 14
- o Our investment in the forthcoming renovation and new building addition architecturally complementing the town is being made not only because it makes good business sense but because we felt the governing bodies would surely appreciate those steps by owners to improve the appearance of Irvington.

I am providing you my thoughts so you will have the expressed position of the adjoining property owner. I hope that the information (and opinion) expressed will guide you to reject the application. I would enjoy the opportunity to discuss this matter in person. If interested, just give me a call and I'll come see you or drop by my office at Select Properties (438-5339).

Thank you for the many hours you spend guiding our town through exciting and sometimes trying times.

Sincerely,


John B. Dorsey
President, River Holdings, LLC
P. O. Box 609
Irvington, VA 22480
Owners of 4503 and 4505 Irvington Road

Copies to all members of Planning Commission and Town Council

ARTICLE VII**ZONING DISTRICT REGULATIONS SCHEDULE OF ZONES - SECTION 700**

Section	Zone	Zone Title
<u>701</u>	A-1	Agriculture
<u>702</u>	A-2	Agriculture
<u>703</u>	RR	Rural Residential
<u>704</u>	A-4	Small Community
<u>705</u>	R-1A	Low Density Single Family Residential
<u>706</u>	R-1B	Low Density Single Family Residential
<u>707</u>	R-1C	Low Density Single Family Residential
<u>708</u>	R-2	Low Density Multiple Family Residential
<u>709</u>	R-3	Medium Density Residential
<u>710</u>	R-4	High Density Residential
<u>711</u>	M-1	Mobile Home District
<u>712</u>	P-1	Professional Office
<u>713</u>	B-1	Neighborhood Business District
<u>714</u>	B-2	Central Business District
<u>715</u>	B-3	Planned Shopping Center District
<u>716</u>	B-4	Highway Business District
<u>717</u>	B-5	Highway Interchange Service
<u>718</u>	I-1	Light Industrial
<u>719</u>	I-2	Heavy Industrial
<u>720</u>	OHB, OHR-1, OHR-2	Old and Historic Overlays
<u>721</u>	CO-1	Conservation District

To facilitate public understanding of this ordinance and for the better administration thereof the regulations limiting the use, buildings and arrangement of buildings are for the most part set forth in the following schedule for each of the districts established by Section 500 of this ordinance. Such schedule is hereby adopted and declared to be a part of this ordinance hereinafter referred to as the schedule, and may be amended in the same manner as any other part of this ordinance.

Wherever in such schedule there appear the words "same as in (symbol of district) above:" such words shall be construed to include the specific limitations set forth in the same column for the district thus referred to. Otherwise, all limitations as to uses permitted, permissible height, required yard, and minimum sizes thereof and other requirements shall be those set forth in such schedule.

The following applies to all Zoning Districts:

- A. Planned development projects are permitted in any district.
- B. All area regulations are subject to the provisions of Section 503.4 where public sewer system is not accessible.
- C. Minimum Front Yard Dimension is from the street right-of-way line.
- D. Maximum Building Height may be increased one foot for each additional foot that each yard exceeds the minimum, except for signs.

701 AGRICULTURAL (A-1)**701.1 Intent**

This zone is established to preserve the rural character of the agricultural service area by promoting agriculture and related uses, and by discouraging all forms of urban development except for a limited amount of conditional uses.

701.2 Principal Uses

- A. Agriculture, including greenhouses and nurseries.
- B. Riding stables, and fishing lakes.
- C. Public parks, playgrounds, public or privately owned golf courses, forests and conservation areas.
- D. Single family detached dwellings.

State KY

718.4 Conditional Uses (Amended September 1995)

- A. Recreational activities such as: billiards or pool halls; fitness, exercise and sports centers; skating rinks; theaters; and bowling alleys.
- B. Truck terminals and freight yards.
- C. Contractor equipment rental.
- D. Wrecker Service and Vehicle Storage if in compliance with the following:
 - 1. That a fence be erected at least six (6) feet in height so that no vehicles stored on the premises shall be visible from the street or adjoining property.
 - 2. That individual vehicles shall not be present on the premises more than six months.
 - 3. There shall be no disassembly or salvaging of any of the vehicles.
 - 4. There shall be no sale of vehicles and/or automotive parts.
 - 5. Hazardous materials shall be contained in one area.
- E. Kennels and pet grooming. (Amended June 1998)
- F. Restaurants with no drive through facilities.

718.5 Prohibited Uses

All uses other than those listed as principal, accessory, or conditional uses or substantially similar to principal, accessory, or conditional uses shall be prohibited.

Submitted by one person: J.W. R. 2004

TABLE 4A ZONING DISTRICTS

PARKING REQUIREMENTS	SUPPLEMENTAL REGULATIONS	USE	R-A	R-R	R-S	R-SM	R-V	R-M-F	R-O-S	O-I	O-P	B-N	B-R	B-H	B-G	B-P	I-G	I-P	PUD
2.16		Auditoriums, Assembly Halls, etc. (500 + seats)								C	C			C	C	C			C
2.16		Auditoriums, Stadiums, Assembly Halls, Amphitheaters (under 500 seats)								X	X	X	X	X	X	X			X
2.10		Auto Body Shop											X		X		X		
0.1	4.2.32	Auto Hobbyist	XS	XS	XS	XS	XS	XS		XS		XS	XS	XS	XS		XS		XS
2.10	4.2.18	Auto Repair Shop	CS									X	X	X	X	X	X		
2.25		Auto, Truck, Boat, Motorcycle Sales											X	X	X	X	C		X
0.1		Automobile Parking Lots (Principal Use)										X	X	X	X	X	X		X
2.26		Automobile Service Station										X	X	X	X	X	X		X
2.22		Automobile Supply Store										X	X	X	X	X	X		X
2.43	4.2.38	Automotive Towing & Wrecker Service	CS										XS	XS	XS		XS	XS	
2.22		Bakery (Retail)										X	X	X	X	X			X
2.18		Banks, Savings & Loans, Credit Unions								X	X	X	X	X	X	X	X	X	X
2.28		Barber Shop										X	X	X	X	X			X
2.57		Baseball Hitting Range												X	X	X			X
2.28		Beauty Shop										X	X	X	X	X			X
2.22		Beauty Supply Store										X	X	X	X	X			X
2.1		Bed and Breakfast Inn	C	C	C	C		C		X	X	X	X	X	X	X			X
2.22		Bicycle Sales/Service										X	X	X	X	X			X
		Billiard Parlor (See "Pool Hall")																	

Town of Irvington

235 Steamboat Road

Post Office Box 174

Irvington, Virginia 22480

Telephone (804) 438-6230

Fax (804) 438-6865

e-mail: townofirvington@rivnet.net

Alexander McD. Fleet
Mayor

John C. Fitzpatrick
Town Manager
Zoning Administrator

Matson C. Terry, II
Town Attorney

Jacqueline H. Burrell
Clerk of Council
Treasurer

COUNCIL MEMBERS
Ralph D. Ransone
Vice-Mayor

William H. Evans, III
Garry J. Luckham
Norman G. Mosher
Robert A. Pittman
Kathleen F. Poliard

February 4, 2004

MEMORANDUM:

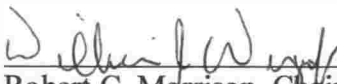
To: Members of the Irvington Town council

From: Planning Commission Members

Subject: Results of the February 3, 2004, Regular and Public Meeting of the Irvington Planning Commission

Three C.U.P. applications were entertained at the above public hearing, with the following results; Michael L. Molineaux, Planning Commission Member, was absent:

1. Mr. and Mrs. William Howard's C.U.P. application for an inground swimming pool: unanimously recommended for approval by the Town Council.
2. Ms. Leah B. Makris' C.U.P. application to operate a barbershop in Zone R-1 (home occupation): unanimously recommended for approval by the Town Council.
3. Lighthouse Towing, Inc. C.U.P. application to operate a minor auto repair and towing service at John Christopher business site (4525 Irvington Road, Zone B-1, formerly leased by Bernard Brown): voted unanimously in opposition to the application based on the Commission's judgment that the town residents are opposed to such a business and the use is not compatible with the long range philosophy of development for the Town of Irvington.



Robert C. Morrison, Chairman, Planning Commission

By: William J. Wright, Member

**The Town of Irvington,
The Irvington Chamber of Commerce & Village Improvement Association**

2004 SCHEDULE OF EVENTS

Irvington Farmers' Market

First Saturday of every month from April to December - 8am to 12 noon ****rain or shine****
Held on the Irvington Commons behind Chesapeake Bank on King Carter Drive

Old-fashioned open-air market featuring local produce, fruit, herbs, seafood, cheese, flowers, plants, baked goods, art and handcrafted items. Live music and special activities for children at each market.

April 3
May 1
June 5
July 3
August 7
September 4
October 2
November 6
December 4 (Special Holiday Market with Greens and Wreaths)

Sunday, May ???

Spring Fix-Up and Clean-Up

1 PM - 5 PM Irvington Commons
Weed, plant spring flowers; mulch barrels, gazebo and triangle area; clean up roadside trash. General spruce up at the Irvington Commons and around town.

Saturday, June ???

Concert on the Commons Featuring The Tradewinds

7 PM Irvington Commons
The Tradewinds from the U.S. Air Force Heritage of America Band from Langley Air Force Base, make their first appearance in Irvington. Bring your picnics and enjoy this first in our Concert on the Commons series.

Thursday, July 1

U.S. Air Force Heritage of America Band Concert

7 PM Irvington Commons
The ever-popular Air Force Band, back in Irvington for its 14th annual FREE concert. Free hot dogs, chips, and sodas, thanks to Chesapeake Bank! Celebrate the 4th of July with a Picnic dinner shared with family and friends on the Commons.

Saturday, July 3

Fourth of July Hometown Parade

1 PM line-up / 2 PM parade
Celebrate the beauty of small town life in a great country. Enjoy the sights and sounds of the Fourth: dogs and horses on parade, vintage cars, children on bicycles, fire trucks, clowns and more.

October ???

Halloween Costume Contest

5 PM Irvington Commons
A pre-Trick or Treat event where children can gather with their friends and show off their costumes. Prizes awarded to winners in age categories. Treats given to all who attend.

Sunday, November 7

Fall Fix-Up & Clean Up

1 PM – 5 PM Irvington Commons

Weed, plant winter pansies and bulbs; mulch barrels, gazebo and triangle area; clean up roadside trash. General spruce up at the Irvington Commons and around town.

Thursday, November 25

Irvington Turkey Trot

9 AM Irvington Commons

Exercise before you feast! Walk or run the 2 and 5 mile courses that loop through historic Irvington and the surrounding areas. 100 yard Tot Trot for the kids!

Friday, December 24

Christmas Caroling under the Tree

6 PM Irvington Commons

Gather together with friends and neighbors to share holiday spirit. Complete with holiday songs, a visit from Santa and goodies for the children.

For more information about the Irvington Chamber of Commerce and Village Improvement

Association or any of these events, please call:

Michelle Lybarger at 438-6391

Kate Raffetto at 438 9324

Mary Ellen Tetrick 438-9058

All events are subject to change so please call to confirm.

**Irvington Town Council
Regular and Public Meeting
January 8, 2004**

The Irvington Town Council held its regular and public meeting at the Irvington Town Office on January 8, 2004, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans, III Garry J. Luckham Norman Mosher Kathleen Pollard
Legal Counsel	Matson C. Terry, II

Absent:

Council	Robert A. Pittman
Zoning Administrator	John C. Fitzpatrick

Guests:

Mr. & Mrs. Davis Mr. Bill Westbrook Mr. Larry McAfee	Mr. Joseph Staton
--	-------------------

Visitors:

Mr. Bill Prillaman Mr. Bob Hardesty Mr. & Mrs. Dave Raffetto Mr. John Christopher Mr. John Dorsey	Mr. Jimmie Lee Crockett Mr. Seth Ahlborn Dr. Lee Williams Mr. Mike Christopher Mr. Duncan Bright
---	--

The Mayor called the meeting to order and led the group in prayer.

Museum Appropriation:

Mr. Larry McAfee was introduced as the new president of the Museum Board and he spoke about the Museum's telling the story about a way of life that had existed in this area and said that steamboats helped to create Irvington and the Northern Neck. He introduced the new director of the Museum, Mrs. Dianne Jordan.

Mr. Westbrook, exhibit committee member and new head of the Museum Foundation, showed a model of the Museum exhibit area and explained how the exhibits are to be displayed. Riggs & Ward of Richmond is the design firm creating the exhibits. He said that the "WOW" feature of the exhibits will be

the reproduction of a steamship bow floating in the water. There will be dioramas depicting areas of a steamboat.

John Dorsey said that the Museum would be a learning center and there will be programs for each school grade level.

Jimmie Lee Crockett has been in contact with Mariners' Museum and he said there are plans to restore the Pilot House.

Duncan Bright said that he was impressed with the Museum's plans and that he hoped that the Commons would be equally impressive.

Garry Luckham made a motion to approve the appropriation of \$20,000 to the Museum that was allocated in the budget and discussed at previous meetings. Kathleen seconded the motion. Norman Mosher made an amendment that all Irvington citizens and Irvington children be admitted free because of the bed tax and said that it offends him that Irvington residents have to pay. Mr. Evans seconded the motion. Vote on amendment: Yea: Evans, Luckham, and Mosher. Nay: Pollard and Ransone. Mr. Mosher asked how much money had been raised toward the \$700,000 that he had heard was needed. Of that amount, \$400,000 was needed for exhibits. The treasurer of the Museum was not present, and no one could answer the question. Mr. Mosher moved to postpone indefinitely authorizing the appropriation to the Museum and the public hearing regarding appropriating the allocation until the Council receives definite answers regarding how much the Museum has received. There was no second. Mrs. Pollard said that the Council could give some help this year and then reconsider next year whether to make a donation. She noted that the Museum is in the upstart and that they need seed money. The Mayor said that he was concerned because this has been discussed previously. Mr. Mosher asked if the Museum Board had a clear picture of who is responsible for the fundraising. The Mayor said that a director had been hired, Mr. Westbrook will chair the Foundation, and he named the members of the Foundation. Mr. Mosher said that citizens of Irvington are calling him to say that they do not believe this is the highest priority. He said that he had been unable to get specific answers as to the amount of money that has been raised. Mr. Dorsey stated that he has been a part of the Museum for 1.5 years and in that time a strategic plan has been three-fourths completed, the Foundation has been created, knowledge has been acquired about fundraising, and a job description has been completed for the Museum director. The pledges in the last couple months have been over \$100,000. He said it was decided that the director should be hired before beginning the fundraising. Mr. Dorsey asked the council to consider the museum as a child and to give it chance to grow up and then the council would be proud of the Museum. Mr. Dorsey said that he would discuss money with Mr. Mosher next week. Mr. Evans said that he appreciated the Museum's representatives discussing the Museum with the Council. Vote on appropriation: Evans, Luckham, Pollard, and Ransone. Nay: Mosher.

Water/Sewer:

The Mayor stated that Mr. Fitzpatrick is attending the water/sewer meetings with Rappahannock-Westminster Canterbury and White Stone. The three areas involved would like to obtain separate grants.

Architectural Review Board:

Mr. Fitzpatrick is going to work with Mr. Terry on the ramifications of an architectural review board. A list of restrictions would be needed and the applicable area needs to be determined.

Commons Area:

The committee has provided a plan or procedure for engaging the community to provide citizens' input before a plan is developed.

Public Hearing:

Kathleen Pollard made a motion to go into a public hearing. Norman Mosher seconded the motion. Vote: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Mr. and Mrs. Davis: CUP: Operate a towing service at 4525 Irvington Road. Mr. and Mrs. Davis are applying for a C.U.P. to operate a towing service in the location formerly occupied by Bernard Brown, who operated a service station which included no gasoline sales, but did include a towing service. Mr. and Mrs. Davis do not plan to have a service station, but want only a towing service. Mr. Brown applied for a permit to repair engines. The Planning Commission voted not to recommend approval of the CUP. They did not think that towing was a specified use in the Ordinance. Mr. Bright said that the former's going from a service station and ending as a towing service is the same fear that he has about what will develop from this towing service. He said that as a resident of Irvington, it was not appropriate business as a welcome to the historic district. He said that Irvington was becoming more gentrified. Mike Christopher, who said that his father owned the property, said that an auto service station had been there for 50 to 80 years and that the Davises were well respected in the business community. He said that the intensiveness of the property would decrease as they would work on only their vehicles and that it would not be a retail business. Mr. Davis said that it would not be a chop shop. They will put in plants in the front and try to improve the appearance. David Raffetto said the problem was in the definition. Bill Prillaman said that if the use is not specifically allowed, then it would require a zoning change to be allowed. Garry Luckham made a motion to come out of public hearing. Kathleen Pollard seconded the motion. Vote: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Mr. Terry said that the section/article in the Ordinance under consideration was 6-1-9. Auto Service would include towing service and this service was provided by the former tenant, thus creating a precedent. He said that the Council could approve or disapprove the application and could impose conditions. Mr. Evans said that time was needed to talk with the public, but Mr. Terry said that the public hearing was the opportunity for the public to be heard, the public was present at the hearing, and it was a representative democracy. Mr. Mosher said that he has heard that the septic system needed overhauling. Mrs. Pollard questioned how many cars could be parked behind the fence and the length of time the cars would be held. Cars are held until the insurance adjuster can view them – up to three weeks. After 15 days, they can obtain the title to try to sell the cars. Mr. Ransone said that he saw a lot of uses that he would prefer not to have and would rather have Davis. He said that they could put towing as one of the uses and could put it in one of the reserved slots in the list of uses. Mr. Luckham said that they could impose conditions. Mr. Evans made a motion to table the decision for thirty days to hear from the public. Mr. Mosher said that he would amend the motion that there be a requirement that the County certify the septic system. Remedying the septic system problem could be a condition imposed. Mr. Evans made a motion to table making a decision to the next meeting and look at situations such as the septic system. Norm Mosher seconded the motion. Garry Luckham said that this was no worse than what Mr. Brown had, but he was concerned with the septic system. Vote to table until February 12, 2004 (next meeting). Yea: Evans, Mosher, and Pollard. Nay: Luckham and Ransone. Mr. Ransone added that Mr. Davis would be towing cars to other service stations.

Tavern Road: VDOT – Mr. Staton:

The Mayor explained the problem of standing water on the shoulders of Tavern Road, especially on the Commons side. Mr. Staton said the problem was created by the drainage from King Carter to Chesapeake Drive. He said that the entrance to Chesapeake Bank was non conforming. He said there was a thirty foot right of way with an 18 foot paved road. He said that it was difficult to maintain the road with parking and with a ditch to the drain area. He said that to install curb and gutter would be the ideal solution, but that would be costly. The town would have to go before the Lancaster Board of Supervisors, have the project accepted and placed on the 6 year priority plan of projects, and then compete with all the other Lancaster County projects. He said that there were uncompleted projects from when he came here 26 years ago. He said that on Tavern Road, there is less than 1 foot of fall for 500 feet. He said there could be a cooperative effort to improve the situation. In essence, the Town would pay for the materials and

VDOT would provide engineering and grading. He estimates that it would take 200 tons of asphalt @ \$30.00 a ton and 150 tons of stone @ \$15.00 a ton. He "rounds up" and estimates that the cost would be \$10,000 or less. The Town would be charged for only the cost of the materials. He said that to make their grading effective, it was essential that the Bank put in a new entrance, according to commercial standards. He told Mr. Westbrook that the water would not collect if the Bank would put in the new entrance. He said that this was also the time for the Town to consider an entrance to the Commons. VDOT would put down stone and pave the sides with a shallow swale 1" to 2" deep, thus stabilizing the swale. The pavement would go up to the fence of Hope & Glory. He said that the Town would give VDOT a resolution stating that the Town would provide up to \$10,000 to pay for the materials needed for the job. Mr. Westbrook said that it was fine with him for VDOT to do the job. Mr. Ransone made a motion to approve a resolution to allow VDOT to improve Route 715 (Tavern Road) with no more cost than \$10,000 for materials and subject to Chesapeake Bank's improving their entrance. Mr. Evans seconded the motion. Mr. Mosher said that it was important Chesapeake Bank recognize that their bank entrance was not up to standards. Mr. Staton said that they can do the project next summer or as soon as possible and it would take a week.

Minutes:

Norman Mosher made a motion to approve the minutes of the December meeting. Bill Evans seconded the motion. Vote: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Norman Mosher made a motion to approve the treasurer's report and Bill Evans seconded the motion. Vote: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Christmas Decorations:

It was decided that the 11th was the more convenient Sunday to take the lights off the Christmas Tree. The Clerk will contact One Stop.

The Ditch:

Mr. Terry told the Council that they had been served papers unnecessarily. Mr. Nunnally has refiled his complaint and it has been forwarded to the insurance company.

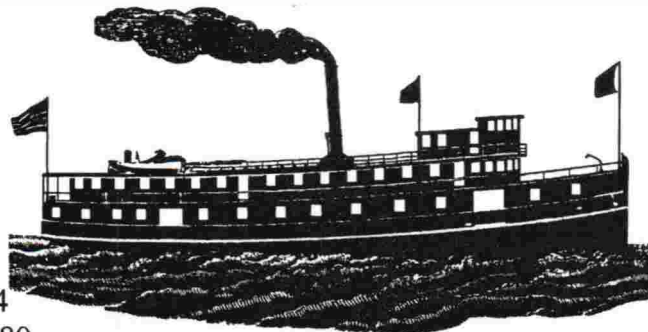
Adjournment:

The Mayor adjourned the meeting.


Alexander McD. Fleet, Mayor

January 15, 2004

Town of Irvington
Post office Box 174
Irvington, VA 22480



STEAMBOAT ERA MUSEUM

Dear Town Council Members,

On behalf of the Foundation and Board of Directors of the Steamboat Era Museum we wish to express our thanks for your decision to support the Steamboat Era Museum with a donation of twenty thousand dollars. The "seed" money is certainly appreciated and will be used towards the startup of the museum exhibits. In accordance to your stipulation we will ensure that all citizens and children who reside in the town of Irvington will be admitted to the Steamboat Era Museum free of charge.

The Board is finalizing a strategic plan that will incorporate an aggressive fundraising campaign and a timeline for exhibit completion. We will, by late spring have a temporary exhibit of the conceived project as it is being developed and built. This will give the town and visitors a taste of what is to come, and an opportunity to support our efforts. Our target for completion is Fall 2004

We have collected now through memberships, grants, and pledges over two hundred thousand dollars for the museum. We are confident that with the support, collective talent, and determination of the Steamboat Era Museum Foundation and the Board of Directors we will be successful in our endeavors to open one of the finest regional museums in Virginia. The Steamboat Era Museum will be a museum that every resident of Irvington can be proud of, and more importantly one that preserves a very important part of our past for generations to come before it is all forgotten.

Respectfully yours

A handwritten signature in dark ink, appearing to read "Larry R. McAfee".

Larry R. McAfee
President, Board of Directors S.E.M

A handwritten signature in dark ink, appearing to read "Bill Westbrook".

Bill Westbrook
Chairman, S.E.M. Foundation