

**Irvington Town Council Meeting
Regular and Public Meeting
December 14, 2006**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on December 14, 2006, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry J. Luckham Richard Pittman, Jr. Kathleen Pollard Robert S. Westbrook
Zoning Administrator	Robert A. Hardesty

Absent:

Council	William H. Evans, II.
Legal Counsel	Matson C. Terry, II

Guests:

Rachel Pugliese

Visitors:

Lee Stephens, representing the IBA

Boys Scouts from Troop 235 Daniel McGrath Sam Friday	Mark Rhodes
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Call to Order:

The Mayor called the meeting to order at 7:35 P.M. He welcomed scouts from Troop 235, Mr. Stephens, and led the group in prayer.

Public Hearing:

Kathleen Pollard moved that the Council go into a public hearing and Richard Pittman seconded the motion. Vote – Yea: Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

CUP: Operate a business at 4323 Irvington Road: Mrs. Rachel Pugliese: Mr. Hardesty stated that Mrs. Pugliese wanted to open antique/gift/homefurnishing shop in the house located at 4323 Irvington Road. This parcel is in the B-2 Business Zone. The notices have been published and presented to the neighbors and the fees have been paid. There is adequate off the street parking. The Planning Commission recommended unanimous approval of the CUP application. Mrs. Pugliese stated that she planned no major renovation to the house, just painting. She plans to open the shop in the spring. Initially, there will 4 to 5 parking spaces.

Richard Pittman made a motion to come out of public hearing and Robert Westbrook seconded the motion. Vote – Yea: Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

Kathleen Pollard made a motion to approve the CUP application and Garry Luckham seconded the motion. Vote– Yea: Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

Minutes and Treasurer's Reports:

Ralph Ransone made a motion to approve the minutes of the October and November meetings and Richard Pittman seconded the motion. Vote – Yea: Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

Garry Luckham made a motion to approve the treasurer's reports of October and November and Kathleen seconded the motion. Vote – Yea: Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

Zoning Administrator:

Comprehensive Plan: Mr. Hardesty reported that the Steering Committee had met November 19, and had submitted comments to the K.W. Poore & Associates, Inc.. There will be a public meeting in January that has not been scheduled.

Street Lights on Chesapeake Drive: Mrs. Haydon with Virginia Power has not provided the price of erecting two requested street lights on Chesapeake Drive.

Legal Counsel: Not present.

Old Business:

Grading of the Commons: Robert Westbrook inquired about the grading of the Commons. He was told that the underground work would be done in January. The Mayor stated that he did not think that the position of the Pilot House would interfere with the grading work.

New Business:

Planning Commission Appointment: The Mayor stated that Dr. Molineaux had moved out of town and was no longer eligible to serve on the Planning Commission. Jimmie Lee Crockett would like to serve on the Commission. It was stated that Suzanne Mattingly would like to see another woman on the Commission and had suggested two names. It was decided to have it mentioned in the Record article about the Council meeting that those residents who would like to serve on the Commission contact the Town Office. Mr. Hardesty was asked to contact other towns to find out their number of Planning Commission members.

Judging Christmas Decorations: The Christmas Decorations on the homes and businesses will be judged on December 22, 2006.

Removing Christmas Lights on Town Christmas Tree: The lights will be removed from the Town Christmas Tree on January 7th, with a rain date of January 14th.

Christmas Eve Under the Tree: Christmas Eve Under the Tree will be December 24, at 6:00 P.M.

Adjournment:

The meeting was adjourned at 8:00 P.M.


Alexander McD. Fleet, Mayor

**Irvington Town Council Meeting
Regular and Public Meeting
November 9, 2006**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on November 9, 2006, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans, II Garry J. Luckham Kathleen Pollard Robert S. Westbrook
Zoning Administrator	Robert A. Hardesty
Legal Counsel	Matson C. Terry, II

Absent:

Council	P. Richard Pittman, Jr.
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Call to Order: The Mayor called the meeting to order.

Minutes and Treasurer's Report: Not available, clerk absent.

Zoning Administrator:

Comprehensive Plan: Mr. Hardesty stated that not many people attended the public meeting to receive public input. The next meeting will be with the steering committee, but it has not been scheduled.

Street Lights: The street light requested by Mrs. Betty Ebeling will be erected beside the road before the cul de sac on Chesapeake Drive. Greg Kirkbride has given permission for the light requested by Jerry Hill to be placed on his side of Chesapeake Drive. Mr. Hardesty said that it was necessary for the lines to be placed underground 150 feet to serve this site. Although the cost is not known at this time, Mrs. Pollard made the motion to erect these lights at this time and Robert Westbrook seconded the motion. Vote-Yea: Evans, Luckham, Pollard, Ransone, and Westbrook. Nay:0.

Comprehensive Plan: Mrs. Kathleen Pollard asked if abandoned property/homes had been covered in the Comprehensive Plan. Mr. Terry said that abandoned homes were covered in the Zoning Ordinance.

Agricultural Zones: Mrs. Pollard wanted to know if parcels in the agricultural zones with under certain acreage could have clustered homes. The Mayor and the Attorney clarified that there are no agricultural zones in the Town; rather agriculture is a permitted use in the designated residential zones in Irvington.

Planning Commission Appointment: The Mayor announced that Richard Pittman had requested that another member of the Town Council be appointed to represent the Town Council on the Planning Commission. Dr. Westbrook made a motion that Garry Luckham be appointed to represent the Town

Council on the Planning Commission. Ralph D. Ransone seconded the motion. Vote – Yea: Evans, Pollard, and Westbrook. Nay: 0. Abstain: Luckham.

New Business:

Carters Creek History: William Evans made a motion to hire Charlotte Henry to research the date of the original settlement of Irvington when it was Carters Creek Wharf. Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Pollard, Ransone, and Westbrook. Nay: 0.

Dr. Westbrook asked why certain houses were not included in the historic district. The Mayor explained the criteria for designating the district and that Traceries, the professional company that performed the survey, made the decision of which homes were to be included in the district.

Old Business:

Grading the Commons: Dr. Westbrook asked about when the grading of the Commons was going to begin and if the location of the Pilot House would present a problem. Mr. Hardesty said that grading is scheduled to begin after Thanksgiving.

The question of a permanent location for the Pilot House was briefly discussed. Suggestions were made, but no conclusion was reached.

Auto Tags: Kathleen Pollard was asked if the question of auto tags was settled. The Mayor said the Town would continue with the metal tags and stickers.

Golf Carts: Kathleen Pollard asked about golf carts. The Mayor instructed the Town Administrator to check on the status of having either Delegate Wittman or Senator Chichester introduce a bill in the Legislature to allow golf carts in Irvington.

VIA Beautification at the Tennis Courts: Kathleen Pollard requested permission for the VIA to remove the bushes around the tennis courts and replace them with other shrubbery. The current bushes have grown into the courts and are damaging the surface of the courts. The VIA will pay for the project. William Evans made a motion to permit VIA to remove the bushes now around the tennis courts. Garry Luckham seconded the motion. Vote– Yea: Evans, Luckham, Pollard, Ransone, and Westbrook. Nay: 0.

Executive Session:

Matson C. Terry, II read the motion which Robert Westbrook made that the Town Council of the Town of Irvington go into closed executive session, to consult with legal counsel pertaining to pending litigation concerning the partition suit regarding land on Chesapeake Drive pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A (A). William Evans seconded the motion. Vote – Yea: Evans, Luckham, Pollard, Ransone, and Westbrook. Nay: 0.

Ralph D. Ransone made a motion to come out of executive session and Garry Luckham seconded the motion. Vote– Yea: Evans, Luckham, Pollard, Ransone, and Westbrook. Nay: 0.

Matson C. Terry, II read the following motion for certification which Kathleen Pollard and Robert Westbrook seconded: “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.” Vote – Yea: Evans, Luckham, Pollard, Ransone, and Westbrook. Nay: 0.

I, Kathleen Pollard, so do certify.

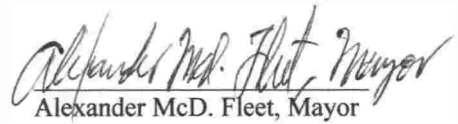
I, Ralph D. Ransone, so do certify.

I, Bob Westbrook, so do certify.
I, William H. Evans, so certify.
I, Alexander Flee, so certify.
I, Garry Luckham, so do certify.

Ralph D. Ransone made a motion to proceed with settlement negotiations along the lines discussed in closed session. Robert Westbrook seconded the motion. Vote – Yea: Evans, Luckham, Pollard, Ransone, and Westbrook. Nay: 0.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
October 12, 2006**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on October 12, 2006, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry J. Luckham Richard Pittman Robert Westbrook
Zoning Administrator	Robert Hardesty
Legal Counsel	Matson C. Terry, II

Absent:

Council	William H. Evans, III Kathleen F. Pollard
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The Mayor called the meeting to order and led the group in prayer.

Minutes and Treasurer's Report:

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

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

Welcome:

The Mayor welcomed Mr. Robert Hardesty, as the new Zoning Administrator.

Zoning Administrator:

Mr. Hardesty announced:

1. The Comprehensive Plan Committee will hold a public meeting November 1st at the Baptist Church Memorial Hall at 7:30 P.M., to receive public input. One Published notice will appear in the Record.
2. Mrs. Bette Ebeling, who lives at 692 Chesapeake Drive, has requested a street light. Mr. Hardesty will obtain the price for that light when he is meeting with Virginia Dominion regarding the two other requested lights on Chesapeake Drive.

Legal Counsel: No report.

Planning Commission: No report.

Old Business: No old business.

New Business:

Christmas Lights: Richard Pittman made a motion to approve the bid of \$1400.00 by Paul Elbourn to put up Christmas Lights. Ralph Ransone seconded the motion. Vote – Yea: Luckham, Pittman, Ransone, and Westbrook. Nay: 0. Council Members preferred to put up lights on the Christmas Tree on November 19th with a rain date of November 26th.

Museum Donation: The Mayor announced that the second donation would be made to the Steamboat Era Museum.

Lost Banner: Mr. Ransone stated that the one of the Irvington banners had been lost during the Ernesto Storm. The clerk will obtain the cost of extra hardware.

Executive Session:

Matson C. Terry, II, read the following motion which Garry Luckham made: "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 Thomas v. Campbell and settlement negotiations underway, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A (7)." Richard Pittman seconded the motion. Vote – Yea: Luckham, Pittman, Ransone, and Westbrook. Nay: 0.

Richard Pittman made a motion to come out of the executive session and Ralph Ransone seconded the motion. Mr. Terry read the following motion for certification which Garry Luckham made and Robert Westbrook seconded. "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. Vote – Yea: Luckham, Pittman, Ransone, and Westbrook. Nay: 0.

I, Ralph D. Ransone, so certify.

I, Garry Luckham, so certify.

I, Bob Westbrook, so certify.

I, Payton R. Pittman, so certify.

I, Alexander Fleet, so certify.

The Town Attorney is authorized to pursue settlement negotiations.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
September 14, 2006**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on September 14, 2006, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans, III Garry J. Luckham P. Richard Pittman, Jr. Kathleen F. Pollard Robert S. Westbrook
Zoning Administrator	Gilbert Unangst
Legal Counsel	Matson C. Terry, II

Guests:

Ann & Jeff Arnold
Dave & Kate Raffetto
G. C. Dawson, representing buyer of Colligan property
Wally Beauchamp, representing the Colligans
Norman Mosher
Jack Larson, County Land Use Officer
Marshall Sebra, County Code & Compliance Officer
Larry Worth
Gene Edmonds
Dean Dort

Residents:

William Warren
Lee Capps, Mayor of Kilmarnock
Robert Morrison
Dutch Heidsieck
Mike & Liliane Merrill
William Wright

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

Swearing in Ceremony:

Ms. Diane Munford, Deputy Clerk of the Circuit Court, swore in Ralph D. Ransone, William H. Evans, III, and Robert S. Westbrook, who were elected to the Town Council in May, 2006.

Presentation of Resolution to Norman Mosher:

The Mayor presented a resolution to Norman Mosher in appreciation for his six years of service.

Ernesto Damage:

Erosion Damage on Lot #19 at Vineyard Grove Development: Mr. Unangst reported the erosion damage around the outfall pipe on Lot # 19 at the Vineyard Grove Development caused by the storm, Ernesto, and the reports of the blowout on the dam at Fisher's which is in the County. Mr. Larson and Mr. Marshall Sebra said that the County's role was to assist the Town and monitoring the situation. Mr. Sebra said that the Bay Design remediation plan is to restore the area and remove the sediment out of the tidal wetlands and he will monitor the work. He said there was no plan to remove the sediment from the tidal waters of Old Mill Cove. In reply to the question of how they would prevent future damage, Mr. Larson said that the property owners should work to prevent damage. Mrs. Ann Arnold, a resident of Old Mill Cove, said that she complained previously of the silt filling in the area of Old Mill Cove flowing by her house and it continues. She said that there had been no problem until they began clearing the shoreland. Mr. Larson said that Mr. Jimmy Carter had told him that VDOT had approved the Stormwater Plan. Mr. Larson said that clearing the water bottom was a VMR problem. Mr. Larson said that he is not satisfied that the erosion that has occurred on Lot 19 was an engineering failure, but rather was act of nature. He said each plan is different and the soil conditions need to be considered. Later in the discussion, the County representatives said that the remediation would include not making the hill as steep, and the pipe would be lowered; and therefore, the water flowing out of the pipe would not have its previous velocity.

Fisher's Sand Pit: There have been complaints that a break had occurred at the "dam" at Fisher's Sand Pit. Mr. Larson said that DEQ had investigated a complaint that Fisher had exceeded his limits of mining and had shut him down and made him stabilize the dam. Wally Beauchamp, a member of the County Board of Supervisors, said that the issue has to be addressed.

Irvington Boat Basin: Mr. Mike Merrill asked why did County not get involved when DEQ has not done something about the need for cleanup at Irvington Boat Basin. Mr. Larson said that he will look into it and the Mayor said he will keep on it.

Public Hearing:

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

CUP: Swimming Pool – Mr. and Mrs. Thomas Colligan – 122 Old Mill Cove: Mr. Unangst said that Mr. and Mrs. Colligan are applying for a conditional use permit for a swimming pool to be constructed by the potential buyers of the property. The notices have been given and the fees have been paid. He said the Planning Commission has recommended approval with four conditions: walkway/deck separated from the house in order to have the 10 foot setback and not be part of the main structure, backflush as far back as possible so that water does not go into the creek, four foot lockable fence, and a copy of Mr. Worth's letter attached to the CUP permit. In a letter, Mr. Larry Worth, a neighbor, approved the pool, but asked that there not be a chain link fence and he made suggestions about the screening vegetation. Garry Luckham made a motion to come out of the public hearing and Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

Mr. Ransone questioned whether or not Mr. McNulty, the potential buyer of the property, was aware of Mr. Worth's concern. Mr. Dawson, presented a letter from the buyer stating that he will use suitable fencing and hedge/screening vegetation.

Mrs. Pollard made a motion to approve the CUP with the stipulation that Mr. Worth's and Mr. McNulty's letters be attached to the conditional use permit. Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

Water on the Commons:

Mr. Raffetto, representing the VIA requested that frostproof outlets be place at selected locations on the Commons, to facilitate watering the plants. He presented a sketch showing where he would like the outlets placed. He stated that locks could be placed on the outlets or the outlets hidden in the bushes so that there would be no tampering with them by unauthorized persons. There was a discussion about whether this should be done before or after the grading. Mr. Ransone said that it was better to do the outlets before the grading because of settling in the trenches. Mr. Raffetto said that they will try to coordinate with the Town's contractor to do the work at the best time. Mr. Raffetto and Mr. Ransone will meet with the contractors. The VIA will pay for the work and is only requesting approval of the work's being done. Mr. Raffetto said the exact locations of the outlets could change.

Mr. Evans made a motion to approve the VIA's request. Garry Luckham seconded the motion.
Vote: Evans, Luckham, Pollard, Ransone, and Westbrook. Nay: 0. Abstain: Pittman.

Zoning Administrator:

Graham Subdivision: Mr. Unangst reported that the Planning Commission had reviewed the subdivision preliminary sketch of the Graham Subdivision. He said that no fees had been paid and no notices published or given to the neighbors. There is an issue to be resolved with VDOT.

Comprehensive Plan: The steering committee met with the representatives from K. W. Poore on August 30, and will meet at the end of September.

Chesapeake Drive Lights: Joyce Hill and a neighbor have requested that two more street lights be installed on Chesapeake Drive: one in front of the Hill house and one between there and the turn before the tennis courts. Garry Luckham made a motion that Mr. Unangst procede with contacting Virginia Dominion about initiating the process to obtain the cost for this installation. Richard Pittman seconded the motion.
Vote— Yea: Evans, Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

Supervisor's Retreat: Mr. Unangst announced that the County Supervisors will be holding their annual retreat on Saturday, September 16, 2006, at the Bay Trust building in Kilmarnock.

"Lights on the Creek": The annual boat parade will be held on December 2, 2006, and its committee is requesting a contribution. William Evans made a motion to contribute the same amount (\$750.00) as last year and Kathleen Pollard seconded the motion. Vote: Evans, Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

Tropical Storm Ernesto:

Mr. Mayor thanked the Flag committee, Ransone and Luckham, for putting up the flags for 9/11.

The Mayor expressed appreciation to Mr. Unangst for his efforts to have the generator working and the efforts of Mr. Evans during the storm. Mr. Evans said that Ryan Stephens had done much during the storm and asked that he be recognized. He expressed thanks to the Tides Inn for their helping to provide for the workmen.

Gordon Slatford, General Manager of the Tides Inn, stated that where he has been previously, resorts were next in priority to hospitals in power restoration. He said that in turn they can help. He said that the Tides Inn has some generators, but it does not have three phase generators. Mr. Evans said that his committee is looking at buildings that can withstand certain wind levels. Mr. Bill Warren, who was present, said that Dominion Power has a planner in the area who can be contacted.

Minutes and Treasurer's Report:

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

Executive Session:

Mr. Matson Terry read the following motion for Kathleen Pollard to make: "I hereby move that the Town Council of the town of Irvington go into closed or executive session for consideration of prospective candidates for employment and real estate, and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A (1) Section 2.1 – 3711A (3)." Robert Westbrook seconded the motion. Vote – Yea: Evans, Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

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

Mr. Terry read the following motion for certification for Kathleen Pollard to make: "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." Robert Westbrook seconded the motion.

I, Kathleen Pollard, so certify.
I, Bob Westbrook, so certify.
I, William H. Evans, so certify.
I, Garry Luckham, so certify.
I, Ralph D. Ransone, so certify.
I, Alexander Fleet, so certify.
I, Payton Richard Pittman, so certify.

Ralph D. Ransone made a motion to hire Robert A. Hardesty as the Land Use Administrator. Richard Pittman seconded the motion. His employment is effective September 15, 2006. Vote – Yea: Evans, Luckham, Pittman, Pollard, Ransone, and Westbrook. Nay: 0.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

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

I, Robert S. Westbrook 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, 2006 and ending August 31, 2010, according to the best of my ability, (So help me God.)

Robert S. Westbrook

I, Constance L. Kennedy, Clerk of the Circuit Court in and for the County of Lancaster, in the Commonwealth of Virginia, do certify that Robert S. Westbrook this 14th day of September, 2006, personally appeared before me in my County aforesaid and took and subscribed the above oath.

CONSTANCE L. KENNEDY

Clerk

Deirdre H. Mays

Deputy Clerk

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

I, Ralph D. Ransone, 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, 2006 and ending August 31, 2010, according to the best of my ability, (So help me God.)

Ralph D. Ransone

I, Constance L. Kennedy, Clerk of the Circuit Court in and for the County of Lancaster, in the Commonwealth of Virginia, do certify that Ralph D. Ransone this 14th day of September, 2006, personally appeared before me in my County aforesaid and took and subscribed the above oath.

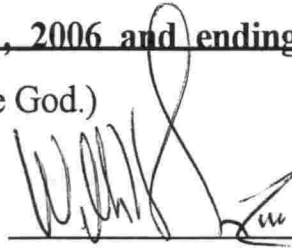
CONSTANCELKENNEDY

Clerk

Dei J. Muzed
Deputy Clerk

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

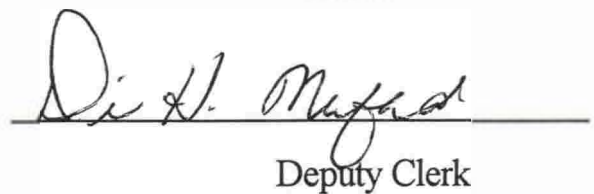
I, William H. Evans, III do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as a member of the Town Council for the Town of Irvington, Virginia for a four year term beginning September 1, 2006 and ending August 31, 2010, 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 William H. Evans, III this 14th day of September, 2006, personally appeared before me in my County aforesaid and took and subscribed the above oath.

CONSTANCE L. KENNEDY

Clerk



Deputy Clerk

VINEYARD GROVE

September 8, 2006

Hand Delivered

Mr. Jack Larson
Mr. Marshall Sebra
Lancaster County Land Use Office
Lancaster, Virginia

Dear Jack & Marshall:


As you know we had a drainage pipe failure during the Ernesto storm last week at Vineyard Grove. This failure put bank material into Carter Creek adjacent the pipes out fall.

I immediately got Earth Resources lined up to review and correct the issue. The ground dried out enough yesterday for them to start work and they are fully engaged on site now. At Jack's request we got an engineer to design the corrective measures for this re-build. Attached is the design prepared by Chuck Dawson of Bay Design Group with his seal attached.

Marshall yesterday requested that to the extent possible, with out creating more damage, that we pull any adjacent materials from the creek down to the the root structure on the marsh grass that had been covered. We have been working on this today. Marshall also said that this being an "emergency repair" that no permits were required, but I am enclosing the Bay Design criteria for your file.

Again this failure caught us completely by surprise after having survived hurricane Isabel. We are confident with the re-build that there will be no future problems.

Sincerely,



James N. Carter, Jr.
Partner

**Irvington Town Council
Regular and Public Meeting
August 10, 2006**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on August 10, 2006, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet, Mayor
Vice-Mayor	Ralph D. Ransone
Counsel	Garry J. Luckham Richard Pittman Kathleen Pollard
Zoning Administrator	Gilbert Unangst
Legal Counsel	Matson C. Terry, II

Absent:

Council	William H. Evans, III Norman G. Mosher
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Guest:

Dr. Kevin McGrath

Call to Order and Demonstration:

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

Dr. Kevin McGrath demonstrated the use of the Zoll Plus AED for emergency CPR that the County provided. There was discussion of a location for it, but no agreement was reached.

Minutes and Treasurer's Report:

Garry Luckham moved that the minutes be approved and Richard Pittman seconded the motion. Vote— Yea: Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Ralph Ransone made a motion that the treasurer's report be approved and Richard Pittman seconded the motion. Vote – Yea: Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

The Mayor announced that Mr. Unangst would be leaving when a replacement could be hired. Mr. Unangst will train his replacement and complete the Comprehensive Plan on a volunteer basis.

Emergency Generator: Mr. Unangst announced that the emergency generator is working and the tank is full of propane.

Comprehensive Plan: The steering committee for the Comprehensive Plan met on July 19, 2006. Mr. Raffetto was absent. A member of Mr. Poore's staff has made a separate visit to the Town to visit the Town, obtain a map of the historic district, and talk with residents. The next meeting of the steering committee is August 30, 2006.

Golf Carts: The Town Attorney advised that the Mayor could not act as a town sergeant as the State requirements are that there be a full time trained police force in order for golf carts to be driven on the streets in the town. The Legislative has granted special exception to the Town of Saxis, and Mr. Unangst will contact that town to learn the procedure they followed.

Water/Wastewater: The water/wastewater study has been completed and a copy of it is available in the Town Office.

Regional Water Plan Study: The State mandates that each locality provide a water plan either on its own or it can participate in a regional plan. Northern Neck Planning District Commission has received a \$40,000.00 grant to do a regional plan for this area and is requesting that each town contribute \$750.00 to participate in the plan. Kathleen Pollard made a motion that the Town contribute \$750.00 to participate in the regional study and Ralph Ransone seconded the motion. Vote – Yea: Luckham, Pittman, Pollard, and Ransone. Nay: 0. Council members signed the required resolution after the meeting. Mr. Unangst will represent Irvington on the committee.

Legal Counsel: Mr. Terry asked the Council to give him the authority to obtain an appraisal on the three Thomas parcels. Richard Pittman so moved and Kathleen Pollard seconded the motion. Vote – Yea: Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Planning Commission Report: No meeting.

Resolution for Norman Mosher: Mr. Terry read the resolution for Norman Mosher and Garry Luckham made a motion to accept it and Ralph Ransone seconded. Vote – Yea: Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Old Business: None.

New Business: None.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**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, 2006 and ending August 31, 2008, according to the best of my ability, (So help me God.)

Jacqueline H. Burrell

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 21st day of August, 2006, personally appeared before me in my County aforesaid and took and subscribed the above oath.

CONSTANCE L. KENNEDY

Clerk

Constance L. Kennedy

Deputy Clerk

Resolution
of
The Town Council
of
The Town of Irvington, Virginia.
Adopted August 10, 2006

Whereas, Norman G. Mosher, has been a member of the Town Council of the Town of Irvington, Virginia, since September 14, 2000; and

Whereas, Norman G. Mosher, is retiring from the Town Council; and

Whereas, during his tenure on the Town Council, Norman G. Mosher, has performed his duties as a member of the Town Council with energy, foresight and the utmost integrity; and

Whereas, Norman G. Mosher, has done so much more for the Town of Irvington beyond his obligations as a member of the Town Council;

Now, Therefore,
carried, it was

seconded, and unanimously

Res-

By

Irvington here by
of Norman
member of
line
strict

**Irvington Town Council
Regular and Public Meeting
July 13, 2006**

The regular and public meeting of the Irvington Town Council was held at the Town Office on July 13, 2006, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans, III Garry Luckham Norman G. Mosher Richard Pittman Kathleen Pollard
Zoning Administrator	Gilbert Unangst

Absent:

Legal Counsel	Matson C. Terry, II
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Guests:

Dick Wilson
John O'Shaughnessy
Dutch Heidsieck

Visitors:

Robert Westbrook	Jimmy Carter
William Wright	Mark Hollingsworth
Tracy Hundley	Mike & Liliane Merrill
Dave Raffetto	John Friday
Gene Edmonds	

The Mayor called the meeting to order at 7:32 P.M., and led the group in prayer.

Steamboat Era Museum:

Mr. O'Shaughnessy presented the museum's revenue and expense budget draft for 2006. Mr. Mosher made a motion to approve the \$30,000.00 donation to the Museum. Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. (June, 2006 – donation to museum to be in 3 allotments with matching funds by the museum for each allotment.) Mrs. Pollard made the suggestion that there be more planting and edging of the walk in front of the Museum to make it more inviting.

Golf Carts in Irvington:

Mrs. Pollard inquired about the general feeling concerning golf carts in Irvington. She said that one evening she saw one emerging from Tavern Road by the light of a flashlight. She thinks drivers of golf carts should have a valid driver's license. Mr. Evans said that he has asked the County to enforce the rule

about golf carts. Mr. Pittman said that he would like golf carts allowed on the Irvington streets. After discussion, the Mayor appointed a committee consisting of the Mayor, Mr. Unangst, Mrs. Pollard, Mr. Terry, and Mr. Pittman to investigate the legal aspect of having golf carts made legal in Irvington.

Public Comment: Navigational Lights on Carter's Creek addressed by Mr. Unangst during Zoning Administrator's comments.

Randall Arendt's Presentation:

A 45 minute presentation of Mr. Randall Arendt's concept of building houses around initially planned open spaces that can be connected one to another and a development connected to other developments via open spaces rather than the traditional filling of a development with one home per parcel. (Richard Pittman left during this presentation).

Vote on CUP for Swimming Pool: Mr. and Mrs. Dutch Heidsieck at 423 King Carter Drive:

The Heidsieck's application for an inground pool was tabled in November, because Mr. Heidsieck was not present at the meeting to answer questions. Mr. Heidsieck submitted a scale drawing of the swimming pool site showing the setbacks and location of the septic tank. The direction of the backflush will be backwards onto his property. This will be a lap pool with no concrete deck around it. A four foot fence with a lockable gate is required. Norman Mosher moved to approve the application and William Evans seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

Generator: Mr. Unangst reported that the generator is operational, has been tested with a portable tank, and has been inspected by the County. Noblett Oil Company will deliver the propane. The electrical configuration of the generator was not correct and a \$1600.00 transformer was added and is to be billed to the Town. Mr. Unangst said Aqua was completely responsible for the maintenance and testing.

Comprehensive Plan: The steering committee for the Comprehensive Plan will meet with representatives from K. W. Poore on July 19, 2006, to determine strategy. The committee consists of the Mayor, Mr. Unangst, the Planning Committee, and Mr. David Raffetto and Mr. Bob Westbrook. Completion of the Comprehensive Plan is expected in February.

Pine Circle Lights: Residents Jimmie Lee Crockett and Tommy Turlington have requested lights on Pine Circle. The cost (to the Town) of \$1448.12 includes stringing the cable, burying the cable, and erecting a pole. Miss Utility will mark the lines. Mr. Evans made a motion to approve the two poles being installed on Pine Circle and Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Navigational Lights:

Mr. Gene Edmonds has proposed that one or two daymarkers be lighted to facilitate the navigation into Carters Creek and he is asking for the endorsement by the Council. Mr. Williams Evans so moved and Ralph D. Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Irvington/White Stone Bike Path:

Mr. Mosher has proposed that a bike path be established between Irvington and White Stone from King Carter Drive, to Chesapeake Drive, through the Vineyard, and along the utility easement right of way to Old Mill Cove. He does not think there is a need for impervious cover along that utility easement route. Permission will be needed from the utility company.

Commons Sign:

Mr. Raffetto said that the VIA will pay and install a 2 sided sign on the Commons, perpendicular to the street, that will meet the zoning ordinance requirements. There will be a dangling sign to announce upcoming events. Mr. Unangst said that it could not be any closer than the inside edge of the sidewalk. Mr. Unangst and Mrs. Pollard will be present when the location is determined. Garry Luckham made a motion to approve the sign and Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Emergency/Disaster:

Mr. Evans said that he was going to purchase magnetic signs for the vehicles of those on his committee so that they could be identified during an emergency/disaster. He stated that there was not an emergency generator at Chris Mart.

White Fences Winery:


Mr. Carter told the Council that the Winery was in the process of getting its ABC license and they would like to sell winery from their temporary building, which meets the minimum standards. The Mayor said that the Council would not take any action until the Zoning Administrator had approved their application.

Minutes and Treasurer's Report:

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

Adjournment and Expression of Appreciation:

The Mayor expressed appreciation to Mr. Norman Mosher, who has served on the Council for six years, and wished him well. The meeting was adjourned at 9:27 P.M.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
June 8, 2006**

The regular and public meeting of the Irvington Town Council was held at the Town Office, on June 8, 2006, at 7:30 P.M.

Present:

Alexander McD. Fleet

Mayor

Ralph D. Ransone

Vice-Mayor

Council

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

Gilbert Unangst

Zoning Administrator

Matson C. Terry, II

Legal Counsel

Guests:

Dick Wilson
Terri Thaxton
Rawleigh Simmons
Douglas Reed

Visitors:

Dutch Heidsieck
Dr. Robert Westbrook
Jayne Jackson

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

Budget:

Museum: Mr. Dick Wilson and Mrs. Terri Thaxton, representing the Steamboat Era Museum, distributed information about membership, report of monthly visitors, and fundraising events planned. Mr. Mosher said that this information did not provide him the information that he needed to make a decision whether or not the Town Council should donate \$30,000. to the Museum this year. He wants to know how the debt is serviced, what money the Board is raising, how discretionary income is spent, and if money going to the Museum is in perpetuity, and other uses of the money. He is not interested in the grant money received, although Mr. Wilson said that grant money from the Virginia Foundation for the Humanities allowed 25% for personnel. Mr. Wilson said that it was his intent, as the new president of the Museum, to raise money. Mr. Mosher said that the Council could pass the Budget with the reservation that no funds be disbursed to the Museum without the Council's knowledge of its financial picture.

Disaster/Emergency: Mr. Evans said that he was told by the County that the Town would be responsible for itself during the first 72 hours after a disaster/emergency. He said that \$5000.00 could be a low figure to allocate for this need.

Police: The Council decided to use deputies in the Town until the end of the year.

Comprehensive Plan: The Council allocated \$30,000.00 for the Comprehensive Plan.

VIA: Mrs. Pollard said that the VIA would like \$2500.00 in the new budget and it would like \$2500.00 allocated to the Irvington/White Stone Bike Path. The VIA will donate the Commons sign to the Town.

Mr. Mosher moved that the budget be approved with the exception of the funds for the Museum, which must comply with the request for the financial information. The donation, if made to the Museum will be in 3 allotments, with matching funds required for each allotment. Garry Luckham amended the motion that the preparation disaster/emergency expenditures, be approved by the Council. Kathleen Pollard seconded the motion. Vote— Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Public Comment:

Dr. Robert Westbrook said that he hopes the Town and County will look at the development concept by Randall Arendt and he hopes that the Town Council will delay its decision about a consultant to do the revision of the Comprehensive Plan until it is determined if the consultant is familiar with Mr. Arendt's concept.

Public Hearing:

CUP: The Local – Extension of Hours - Doug Reed – 5337 Irvington Road: Kathleen Pollard made a motion to go into public hearing and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mr. Unanist stated that Mr. Reed has applied to extend his hours of operation from 7:00 P.M. to 12:00 A.M. The public hearing was properly advertised and notices were given to the adjacent property owners. Mrs. Frances Ramzy objected on the basis that the coffee shop was across the street from two churches. All the requirements have been met. Mrs. Jayne Jackson was present to express concern about what kind of drivers the patrons will be if they have been drinking until midnight. Dr. Westbrook had no objection to the new hours. The ABC license allows Mr. Reed to stay open until 2:00 A.M, and the Town Council can make other stipulations. Norman Mosher made a motion to come out of public hearing. Kathleen seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mr. Reed said that he was going to have the same menu and will serve food until he closes. His intent is to stay open late on Friday and Saturday nights. Mrs. Pollard made a motion to approve the CUP and Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

James Rawleigh Simmons:

Mr. Simmons asked that the Council consider modifying aspects of the Zoning Ordinance regarding non-conforming uses regarding existing boat houses which are now non-conforming because they are no longer allowed. He said his client would like to replace two existing unsightly boat houses with one big open boathouse in the vicinity of the two boathouses. In his opinion, this larger more attractive boathouse would enhance the property. Therefore he would like the Council to change the Zoning Ordinance so that boathouses can be improved and made more attractive. Mr. Simmons said that VMRC wants open sided boat houses. Mr. Mosher said that this should be considered with the Comprehensive Plan.

Comprehensive Plan:

Mr. Unangst stated that after discussion and interviews, a Committee, consisting of the Mayor, Mr. Ransone, Mr. Morrison, Mr. Wright, and Mr. Unangst selected K.W. Poore to do the revision of the Comprehensive Plan for \$26,500. He would like \$30,000. allocated for the revision of the Comprehensive Plan, with the excess amount covering expenses, such as travel. Mr. Mosher expressed concern about whether or not K.W. Poore is familiar with the concept of Mr. Arendt.. He would like another session with Mr. Arendt. and invite the County, White Stone, and Irvington to share the cost of the seminar. Norman Mosher moved that the Council accept the bid of K.W. Poore to revise the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance. William Evans seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mr. Mosher volunteered to work out the logistics of inviting Mr. Arendt to speak to the residents. Mr. Unangst will talk with the K.W. Poore firm to learn if they are familiar with Mr. Arendt's concepts. Mr. Ransone made a motion to allocate \$4000.00 to having Mr. Arendt speak to the residents and invite the County, White Stone, and Kilmarnock to attend and share the expense. A member of the public present volunteered to pay the additional cost if the cost is above \$4000.00. The Town will pay the \$4000.00 if no one else is willing to contribute. Kathleen seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

Mr. Unangst reported that the slab on which the generator will be placed is in position, the generator has been placed on it, and the 1000 gallon fuel tank will be placed on it on 6/12/06, and the electricity will be connected on Monday after this Town Council meeting.

Ditch:

Mr. Unangst reported that the engineer has inspected the ditch remediation and stated that the job is substantially completed-meaning that some grassy areas may need to be reseeded. Mr. Haydon has been paid.

Minutes and Treasurer's Report:

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

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

Executive Session:

Matson Terry 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 actual, pending litigation, Thomas v. Campbell, et als, and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1 3711, A. (7). Norman Mosher made the motion and Ralph D. Ransone seconded it. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Ralph D. Ransone made a motion to come out of executive session and Williams Evans seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Matson Terry 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." Norman Mosher so moved and Ralph Ransone seconded the motion.

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

Open Meeting:

The Town Attorney was authorized to pursue the settlement as previously instructed. He has not heard from the property owner regarding the real estate matter discussed in a previous executive session.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Special Meeting
June 1, 2006**

The Irvington Town Council held a special meeting on June 1, 2006, at the Town Office, at 7:30 P.M., for the purposes of receiving public input regarding the proposed 2006-2007 budget and conducting a closed meeting to discuss real estate acquisition.

Present:

Mayor	Alexander Fleet
Vice-Mayor	Ralph D. Ransone (arrived late)
Council	William H. Evans Garry Luckham Norman G. Mosher Kathleen Pollard
Zoning Administrator	Gilbert Unangst

Absent:

Counsel	P. Richard Pittman, Jr.
Legal Counsel	Matson C. Terry, II

Visitors:

Robert Westbrook
Jeff Bishop

The Mayor called the meeting to order at 7:35 P.M.

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

Public Hearing:

Proposed 2006-2007 Budget: Mr. Jeff Bishop complimented the Town on its appearance with the flags during the Memorial Day holiday. He questioned whether or not the room tax could be used for infrastructure projects in the Town. (Ransone arrived.) The Mayor said the tax was mainly for tourism and he thought at the time that the Steamboat Era Museum would help tourism. Mr. Bishop said that it seemed like a large amount of money going to the museum to the exclusion of other projects. Norman Mosher said that buying a generator would help the residents and guests at the inns. Other projects mentioned were hike and bike paths and a sidewalk in parts of town without sidewalks. Dr. Westbrook wanted to know if there could be a path between White Stone and Irvington. The history of the proposed bike path from Kilmarnock to Irvington, was explained. Mr. Unangst will check on the cost of extending the sidewalk west Irvington.

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

Executive Session:

The Mayor stated that according to the Section 2.1-3711A(3) of the *CODE OF VIRGINIA*, he would entertain a motion to go into a closed session to discuss real estate acquisition. Norman Mosher made the motion and Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

After the executive session, Kathleen Pollard read the 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." Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

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


Open Session:

No action was taken in the executive session.

The Council decided to ask John O'Shaughnessy to attend the Council meeting on June 8, 2006, to discuss a donation the Steamboat Era Museum when the 2006-2007 budget is discussed.

Adjournment:

The meeting was adjourned at 8:40 P.M.


Alexander McD. Fleet, Mayor

**Irvington Town Council
May 11, 2006
Regular and Public Meeting**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office, at 7:30 P.M., on May 11, 2006.

Present:

Alexander McD. Fleet

Mayor

Ralph D. Ransone

Vice-Mayor

Council

William H. Evans, III

Garry J. Luckham

Norman J. Mosher

Kathleen F. Pollard

Richard Pittman

Zoning Administrator

Gilbert Unangst

Legal Administrator

Matson C. Terry, II

Guests:

Malcolm Ransone, representing Mr. Charles Walker
Rich. Steensma, with Virginia Department of Forestry
David Raffetto, VIA

Visitors:

Mr. and Mrs. Robert Morrison
Dr. Robert Westbrook

The Mayor called the meeting to order at 7:30 P.M., and led the group in prayer.

Virginia Department of Forestry:

Mr. Steensma, who is an agent with the Department of Forestry for Lancaster and Northumberland Counties, discussed the problems of leaving a buffer area next to the road when clear cutting. (Mr. Malcolm Ransone arrived during Mr. Steensma's presentation.)

Public Hearing:

CUP: Swimming Pool: Charles Walker 5144 Irvington Road: Garry Luckham made a motion to go into a public hearing and Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Pittman. Nay: 0. Mr. Unangst stated that Mr. Walker was applying to build a pool on his property on the eastern branch of Carters Creek. There were no objections from the neighbors. The Planning Commission recommended approval of the application with the stipulation that the pool be enclosed by a four foot child proof fence with a lockable gate. The pool will have a roll type canopy. Mr. Ransone said the Best Management Practices are doubled what is required. Mr. Evans made a motion to approve the application and Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. Abstain: Ransone.

VIA Calendar:

Mr. Raffetto presented the 2006 VIA Calendar which Ralph Ransone made a motion to approve the calendar. Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

The VIA would like to place a “Welcome to the Commons” sign with an event sign at the Commons between the oak trees. The proposed drawing presented to Mr. Fitzpatrick showed a sign which was too large to meet the Ordinance requirements.

Decision Making:

The Mayor said that some issues that come before the Council need more time for consideration and study before voting and should be tabled from one meeting to a later meeting.

Mr. Evans said some people do not come to the meeting because there is not enough space.

Mitigation Plan:

Mr. Evans presented the Northern Neck Mitigation Plan which the Town Council needs to approve in order that Irvington be eligible for FEMA Funds. He mentioned the following hazards that the town needs investigate in order to be prepared for emergencies/disasters: generator (ordered), NOAA radio at public facilities, warning system, identify public shelters, encourage use of vegetation to prevent shoreline erosion, and identify what causes the most damage in the town (northeasters and hurricanes). Mr. Evans made a motion to approve the Mitigation Plan and Norman Mosher seconded the motion. Vote - Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0.

Zoning Administrator:

Generator: Mr. Unangst reported that the man, who is going to install the generator, is on leave. It is due to be installed by the end of May.

Buffer for Clear Cutting: The Town Council had received a request to include the requirement of a buffer when clear cutting in residential areas in the Comprehensive Plan and to request the County do the same in its Comprehensive Plan. The Council decided to take no action on the request by Mr. Warren.

Noise Ordinance: The Town received a complaint about a band playing late Saturday night/Sunday morning at a Chesapeake Academy function. It was decided that the Town Office would use common sense in working with groups planning such functions. No Ordinance will be enacted at this time.

Ditch: The pipe has been removed from the ditch. There was a discussion about the portion of pipe paid for by the museum being removed. The response was that the Town is obligated by an agreement to correct the entire ditch and Don James wants the entire pipe removed.

Museum Grant: The Town has received the paperwork for the Museum grant and the Mayor has to sign it. Norman Mosher would the museum Board members to discuss their financial situation with the Council.

Planning Commission Report: No report

Minutes and Treasurer's Report:

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

Executive Session:

The Mayor said he needed to go into a closed session pursuant to the *CODE OF VIRGINIA*, Section 2.1-371.1A (3) to discuss acquisition of real estate. Norman Mosher made the motion and Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Garry Luckham made a motion to come out of executive session and Ralph Ransone seconded the motion. Mr. Terry 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."

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

Open Session:

The Town Attorney was authorized to contact the owner of a parcel of land in the Town.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
April 13, 2006**

The regular and public meeting was held at the Irvington Town Office at 7:30 P.M., on April 13, 2006.

Present:

Vice-Mayor

Ralph D. Ransone

Council

William Evans
Garry Luckham
Kathleen Pollard
Norman Mosher

Legal Counsel

Matson C. Terry, II

Absent:

Mayor

Alexander McD. Fleet

Council

Richard Pittman

Guests:

Mrs. Judy Motley
Mr. Craig Young- with Mrs. Motley
Phillip Williams
Terri Thaxton
Dick Wilson

Visitors:

Robert Westbrook
Sonny Hearold
Martha & Robert Morrison
Carrington Burgess
John Pollard
Jeff & Ann Lee Arnold

Clark Winner
Marshall Orr
Cabell Westbrook
Jack Long
William Warren

Ralph Ransone called the meeting to order at 7:30 P.M. He asked for a moment of silence for the troops overseas.

Public Hearing:

Conditional Use Permit Application: Dock Extension – Mrs. Judith Motley – 38 Creek View Drive: Garry Luckham made a motion to go into a public hearing and Kathleen Pollard seconded the motion. Vote– Yea: Evans, Luckham, Mosher, and Pollard. Nay: 0. Ransone did not vote.

Mr. Unangst stated that Mrs. Motley was applying to extend their 112 foot boat dock an additional 100' which would cross the navigation line. This extension has been approved by the VMR and the Corp of Engineers. The neighbors, who were notified, agreed to the extension. Five residents of Irvington,

including Candy Howard, expressed concern that the dock was too long and there were too many docks in Irvington. The Planning Commission voted to recommend approval of the extension.

Mrs. Motley said that their 26 foot boat draws three feet of water, 1½ feet is needed for the boat lift, and plus an extra half foot for low tide for a total of five feet; therefore, they need a dock 212 feet long to reach this depth. She said that the Corp of Engineers said that there was no impact on the navigation because of its location on the Creek. There is a shoal in the area of the dock that accounts for the water being shallower in this location. When the navigation line was approved 26 years ago, it was determined that there were four feet of water at this location, but silting has occurred. Mrs. Motley will remove the projection that would constitute a finger pier with the new extended length and add an extension at the end of the pier.

Kathleen Pollard made a motion to close the public hearing and William Evans seconded the motion. Vote – Yea: Evans, Luckham, Mosher, and Pollard. Nay: 0. Ransone did not vote. Norman Mosher made a motion that the CUP be granted with the condition that a permanent light be maintained at night at the end of the pier. Kathleen seconded the motion. Vote – Yea: Evans, Luckham, Mosher, and Pollard. Nay: 0. Ransone did not vote.

Public Hearing:

Permanent Location of Pilot House: Norman Mosher made a motion to go into a public hearing and Garry Luckham seconded the motion. Vote- Yea: Evans, Luckham, Mosher, and Pollard. Nay: 0. Ransone did not vote. Phillip Williams, Co-Chair of the Pilot House Committee, stated that the \$148,000 T-21 grant that The Steamboat Era Museum has been awarded is contingent that the Pilot House has a permanent location which would be a 99 year lease if it were to be located on the Commons. Mr. Williams stated that the Pilot House is a monument to the Town's history and is probably the largest artifact of the period. He said that a strip of land 50'x200'(part of parcel with a tax appraisal of \$30,000) behind the Museum can be purchased for \$50,000.00. Mr. Williams said another option is to move the Pilot House to the parking lot beside the Museum. Mr. Marshall Orr stated that the location was important from a marketing point of view. Mrs. Arnold stated that the Town Council should not be hasty in making a decision. While some favored the Commons for the Pilot House because of its visibility, Mr. Sonny Hearold spoke in favor of not cluttering the Commons so that people could not enjoy the area for recreational purposes. Garry Luckham made a motion to close the public hearing and Kathleen Pollard seconded the motion. Vote– Yea: Evans, Luckham, Mosher, and Pollard. Nay: 0. Ransone did not vote.

Discussion: Commons/Pilot House:

Commons: Norman Mosher presented his plan to tie together the Commons, Pilot House and the Museum. He wants to locate the Pilot House on the southwest corner of the Commons and parallel to King Carter Drive. Bill Evans, Garry Luckham, and Kathleen Pollard felt that more time was needed to make a decision and Garry Luckham favored a Master Plan for the whole Commons.

Mr. Unangst stated that during the revision of the Comprehensive Plan there would be an opportunity to consider the Commons and there would be a number of public meetings. Mr. Ransone said that both the Committee and the Council as well as the Planning Commission need more time to consider the Pilot House/Commons issue and Norman Mosher made a motion to table the Pilot House/Commons decision. Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, and Pollard. Nay: 0. Ransone did not vote.

Minutes and Treasurer's Report:

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

Zoning Administrator:

Generator: Mr. Unangst reported that the emergency generator has arrived and Aqua has scheduled installation for the end of May.

Comprehensive Plan: The interviews with persons who may present proposals for revising the Comprehensive Plan have been completed and Mr. Unangst, the Mayor, the Vice-Mayor, Mr. Morrison, and Mr. Wright will meet on April 18th to select the firm that will revise the Comprehensive Plan. Mr. Unangst said the Commons can be addressed in the Comprehensive Plan revision. Mr. Mosher said that there are no references to the current Comprehensive Plan's mission statement. Mr. Morrison said that the Ordinances need updating to track the Comprehensive Plan. Mr. Mosher would like to have Ed McMahon present his seminar at a public information meeting. Mr. Unangst asked that suggestions for the vision for the Town be submitted.

Legal Counsel:

Part-time Deputies: Mr. Terry reported the Sheriff signed the agreement for deputies to work part time in Irvington.

BZA Appointment: The order for Mr. Jeff Schroeder to be reappointed as a member of the Board of Zoning Appeals has been signed by the Judge and approval is expected soon.

Ditch: Work has begun on the ditch. Several of the inserts had to be relocated because of Miss Lowery's new septic system. Mr. Terry said that she will have to bear the cost relating to relocating the inserts because the easements had been signed and recorded.

Grading of the Commons will be postponed until fall.

New Business:

New Budget: Mr. Mosher made a motion that the proposed 2006-2007 budget be presented to Council members at the May meeting. Williams Evans seconded the motion. No vote was taken.

Museum's Financial Health: Mr. Mosher made a motion that the Steamboat Era Museum present a "picture of its financial health." William Evans seconded the motion. Vote – Yea: Evans, Mosher, and Pollard. Nay: 0. Ransone did not vote.

Mr. Mosher asked the reporter from the Rappahannock Record if the Record would be printing questions posed to the candidates and their replies. Mrs. Thomasson did not know.

SEM Exhibit Opening: Mr. Ransone announced the Museum's new exhibit "Bay at War" will open on Thursday, April 20th.

Buffers Areas when Clear Cutting in Residential Areas: Mr. Warren reported that Christ Church had written a letter to the County requesting an ordinance requiring buffer areas when clear cutting in residential areas. Mr. Unangst reported that at a Northern Neck land use meeting he had learned that philosophy based on the Forestry Department knowledge was that cutting everything was good for the health of future growth of forests in preventing predator bugs/pests from continuing to exist in the buffer areas. VDOT prefers that all trees are taken down because the remaining trees are vulnerable to wind. Kathleen Pollard made a motion to table making a decision to request the County's enacting an ordinance requiring this buffer area until the Council can obtain more information. Garry Luckham seconded the motion. Vote– Yea: Evans, Luckham, Mosher, and Pollard. Nay: 0. Ransone did not vote.

Bad Weather Warning: Mr. Evans reported that he would like to use some of the money previously appropriated for disaster/emergency for a warning system for Irvington. He stated that there

was late notification of the funnel cloud in the area on this date. He will provide more information at the next meeting.

Adjournment:

Garry Luckham made a motion to adjourn the meeting and the meeting was adjourned at 8:55 P.M.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
March 9, 2006**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on March 9, 2006, at 7:30 P.M.

Present:

Mayor
Vice-Mayor

Alexander McD. Fleet
Ralph D. Ransone (arrived late)

Council

Garry Luckham
Norman G. Mosher
Kathleen F. Pollard
Richard Pittman

Legal Counsel

Matson C. Terry, II

Absent:

Council

William H. Evans, III

Guests:

John Hunt
William Wright
Jimmie Lee & Edwina Crockett
Terri Thaxton

Phillip Williams
Grayson Mattingly
Bill Warren

Visitors:

Dr. and Mrs. Lee Williams

The Mayor called the meeting to order and led the group in prayer. (Ransone arrived.)

Christ Church:

John Hunt, President of the Historic Christ Church Foundation, was present to request the Irvington Town Council's support of the Christ Church's application for a T-21 grant to improve parking for visitors, add administrative offices and improve the gallery. Norman Mosher moved that the Council endorse the application and Richard Pittman seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Buffer Zone:

Mr. Bill Warren, representing the Friends of Lancaster County, stated that the Friends of Lancaster County have asked the County to enact an Ordinance requiring a 50' buffer zone in residential areas where timber is clear cut next to roads. He asked the Council to write the County Planning Commission supporting this request.

Permanent Location of the Pilot House:

Mr. Phillip Williams, Co-chair of the Pilot House Renovation Committee for the Steamboat Era Museum, stated that the first step in receiving the T-21 grant is to find a permanent location for the Pilot House. The Committee would like a 100 year lease from the Town to allow the Pilot House to remain in its present location on the Commons. Mr. Terry advised that the Town could lease land. Mr. Mosher stated: the current location was a temporary one, leaving it there would take away some of the functionality of the Commons, and a Master Plan was needed for the Commons. Mr. Pittman said that he thought the current location was appropriate and was in favor of it's staying where it is currently located. Mrs. Pollard stated that she thought it would be better if the Pilot House were to be connected to the Steamboat Era Museum. Mr. Williams said that it was cost prohibitive to purchase land behind the Museum to locate the Pilot House. Mr. Ransone was not opposed to allowing the Pilot House to remain on the Commons with a yearly lease, but when the Museum has money, it should purchase land for the Pilot House. Richard Pittman made a motion that the Council hold a public hearing at the next Council meeting to receive public input regarding the location of the Pilot House. Mr. Mosher asked that the committee come back with creative alternatives for the location of the Pilot House. Ralph Ransone seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Minutes:

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

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

Zoning Administrator:

Emergency Generator: The Zoning Administrator reported that the emergency generator for the water pump has been ordered and he is trying to obtain specifications so that Aqua can build the pad on which to install the generator at the Pump. He stated that he had discussed with Aqua the Town's purchasing a used generator and was told by Aqua that the Town would have to be responsible for the first two years of maintenance.

RWC's Discharge of Treated Wastewater: Mr. Unangst reported that the there was an error in the DEQ's announcement of RWC's desire to discharge treated wastewater into an unnamed tributary of Carters Creek. A public hearing has not been scheduled. Publishing the notice will need to be repeated.

Old Business:

Commons/Ditch Work: In discussing the work to be done on the Commons/Ditch, Mrs. Pollard said that there was not enough time to complete the grading/reseeding of the Commons to have it ready for the May Farmers' Market. Mr. Terry stated that the contract he wrote was for the ditch. The grading work on the Commons needs to be included in the contract as an addendum. The Mayor suggested that Mr. Ransone ask Mr. Haydon when he can complete the work on the ditch and ask if the Commons work can be done as a second phase with an addendum to this contract for the Commons. A preconstruction conference between Mr. James, Mr. Haydon, Mr. Ransone, and Mr. Unangst is needed. Mr. Ransone said some trees need to be removed.

Planning Commission Appointment: Kathleen Pollard made a motion that the Town Council approve the Planning Commission's recommendation that Suzanne Mattingly be appointed to complete Clark Winner's term on the Planning Commission (to expire 11/2007). Richard Pittman seconded the motion. Vote: Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

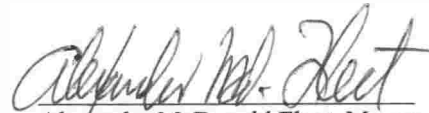
Fourth of July Parade: Kathleen Pollard made a motion that the Fourth of July Parade be the July 4th rather than the weekend before the Fourth, and Richard Pittman seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Main Street Project in Kilmarnock: The County Chamber of Commerce wants to apply for a Main Street Program grant for the region encompassing Kilmarnock, White Stone, and Irvington. Norman Mosher will go to a meeting regarding this and report back to the Town Council.

Buffer Zone: The Mayor said that he would table making a decision on the issue to request the County Planning Commission to require a buffer zone next to the road when clear cutting in a residential zone.

Adjournment:

The meeting was adjourned.



Alexander McDonald Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
February 9, 2006**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town on February 9, 2006, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry Luckham Norman Mosher Richard Pittman
Zoning Administrator	Gilbert Unangst
Legal Counsel	Matson C. Terry, II

Absent:

Council	William H. Evans Kathleen Pollard
Legal Counsel	Matson C. Terry, II

Guests:

Suzanne & Grayson Mattingly
Jimmie Lee Crockett
Robert Westbrook

The Mayor called the meeting to order at 7:35 P.M., and led in prayer.

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

Public Hearing:

One Lot Subdivision: Mr. & Mrs. Grayson Mattingly – Wilder's Grant: 154 Steamboat Road:
Mr. Unangst stated that Mr. and Mrs. Mattingly have applied to create a 2.00 acre lot from their 6.11 acre parcel which would become 4.11 acres. The public hearing has been properly advertised. All neighbors were notified and only one objected, who resolved her issue with Mr. Mattingly after talking with him on the phone. This subdivision is not of concern to VDOT because it is a one lot subdivision. The Health Department has approved the subdivision. Mr. Unangst stated that the Planning Commission has recommended approval of the subdivision.

There were no questions from those present. Norman Mosher made a motion to come out of the public hearing. Richard Pittman seconded the motion. Vote - Yea: Luckham, Mosher, Pittman, and Ransone. Nay: 0.

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

Minutes and Treasurer's Report:

Norman Mosher made a motion to approve the minutes of the December 8, 2005, January 12, 2006, and February 1, 2006. Ralph Ransone seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, and Ransone. Nay: 0.

Ralph Ransone made a motion to approve the treasurer's reports of the December 8, 2005, and January 12, 2006. Norman Mosher seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, and Ransone. Nay: 0.

Zoning Administrator:

Crockett's Landing Update: Mr. Unangst informed the Council that he approved the construction of the additional five slips that had been approved by the Council. These slips were to be constructed after the upgrade in the sewage system. Mr. Crockett requested approval to construct the slips while the equipment is on site building the dock with 12 slips. He did not want the expense of the equipment having to be brought back to construct the additional slips. The Health Department has not approved this, but are willing to negotiate with Mr. Sanders. Mr. Bruce Sander will write the Health Department that he will handle the sewage. The additional five slips cannot be used until the sewage system has been upgraded.

Generator: Mr. Unangst informed the Council that Mr. Rawleigh Simmons has a 41 or 45 kw Cummins generator with 200 hours that had belonged to Winn Dixie. Most of the 200 hours are from routine maintenance. He will sell it for \$7500.00. There is a transfer switch on the generator. Richard and Ralph Ransone will look at the generator. Mr. Unangst will contact Aqua to determine a used generator would change the conditions that have been stipulated in previous discussions.

Planning Commission Report: No additional information.

Old Business:

Commons Drainage Update: Mr. Haydon's estimate has been sent to the Town Attorney, who is checking with Mr. Don James (AES Engineering Consulting) regarding the checkpoints for sign-off.

RW-C Discharge into a Tributary of Old Mill Cove: The Mayor, Mr. Unangst, and Mr. Morrison met with RW-C to discuss the discharge of 80,000 gallons of treated wastewater into a tributary of Old Mill Cove. DEQ has said there will be a public hearing, but no one has been informed of the date.

New Business:


Auto Tags: The State stopped providing aluminum tags the size the Town has been using and did not notify the Town until the Clerk placed the order for 2006. The Mayor notified the Council that the tags will be obtained from another source at a higher cost. Stickers will be used for the year and tag number. Ralph Ransone made a motion to approve this and Richard Pittman seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, and Ransone. Nay: 0.

Planning Commission Appointment: The Mayor announced that the Planning Commission had recommended that Suzanne Mattingly be appointed to serve the remaining time of Clark Winner's term (expires 11/2007). Garry Luckham said that Mr. Jimmie Lee Crockett had expressed an interest in serving on the Planning Commission. Mr. Mosher said that if both candidates were equally qualified, then he thought a woman should be appointed to give equal representation. Mr. Ransone said that he thought that those Council members, who are absent at this meeting, should be heard in this matter. It was agreed that the Council would postpone the appointment of a replacement for Mr. Winner until the next meeting.

Chamber of Commerce Membership Renewal: Garry Luckham made a motion to renew its membership in the Lancaster County Chamber of Commerce and Ralph Ransone seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, and Ransone. Nay: 0

Adjournment:

The meeting was adjourned at 8:23 P.M.



Alexander McD. Fleet, Mayor

**Irvington Town Council
Special Meeting
February 1, 2006**

The special meeting of the Irvington Town Council was held February 1, 2006, at 7:30 P.M., at the Irvington Town Office, to consider the following: emergency generator being placed on the west Irvington Water pump, bid to improve the drainage at the Irvington Commons and do additional work on the ditch at the west side of the Commons, improvements to the playground, and the agreement with the County Sheriff for additional coverage in Irvington. Notice of the special meeting was published in the Rappahannock Record on January 16th and January 23rd, 2006.

Present:

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

Guests:

Bonnie Robertson	Dave & Kate Raffetto
Ruth Way	Tom Richardson
Robert Westbrook	
Camille Bragg	

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

Emergency Generator:

Mr. Unangst listed the pros and cons of the two bids, one from Rappahannock Tractor for \$15,072.00, and one from Northern Catalogue for \$13,962.00, for an emergency generator. According to the arrangement that Mr. Unangst has discussed with Aqua and Mr. Parker (Aqua's Engineer) has agreed to in a letter to Mr. Unangst, the Town will purchase the generator and Aqua will transport the generator to the site, prepare the site, and install the generator and transfer switch. It will then own the generator and will be responsible for its maintenance and service. Mr. Pittman said the size was adequate. He asked if the generator will be installed by the manufactory's recommendation and said that it can affect the warranty if it is not. Dr. Westbrook asked what will happen if Aqua dropped the ball and does not maintain the generator and it will not start when it is needed. Mr. Terry said that Aqua will have a contractual obligation to maintain the generator and that the Town can initiate legal proceedings if it does not. Mr. Terry said that the Town will be liable if it owns the generator. Mr. Mosher made a motion for the Town to purchase the generator from Rappahannock Tractor, because it is a local company, have the Town Attorney prepare a contract which includes a request for Aqua to provide the record of maintenance service. Mr. Evans seconded Mr. Mosher's motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. The Town will purchase the propane tank, which will be installed by the seller.

Playground:

The Mayor proposed that Mr. Ransone and Mrs. Pollard work with the playground group to look at the total Commons area. Mr. Mosher asked if they were being directed to develop a total plan for Commons which the Council could discuss.

Agreement with the Sheriff:

Mr. Terry presented the agreement with the Sheriff regarding deputies providing extra police coverage in Irvington. The fines minus administrative costs would be paid to Irvington. Garry Luckham asked if the Town had any say in the hours that were worked or would the deputies just be working in Town for traffic control. Mr. Terry said that if the deputy saw anything suspicious then he would take action. Mr. Terry said that he envisions the deputy's hours would be while the deputy is in Irvington on duty and not the travel time to and from Lancaster. The deputy will be paid \$15.00 per hour with FICA/MED B. deducted. (Also State and Federal Withholding would be deducted.) The County's insurance will cover the deputy while he/she is on duty and the deputy will be under the Sheriff's direction. Mr. Evans made a motion to authorize Mr. Terry to proceed with the agreement with the Sheriff. Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Ditch/Commons:

The Mayor told the Council that the company installing the ATM machine at Chesapeake Bank will extend its grading out a little from the driveway into the Commons.

During discussion of bids from William Wright and Bill Haydon for the Commons/Ditch, Mr. Ransone said that he knows both contractors and there is no problem with either. He said that he thought that some fill will be needed. The bids are based on the plans developed by Sutton and James. The work will be overseen (according to the Agreement) by Sutton & James. They estimate that their charges should be approximately \$1200.00 at a rate of \$95.00 per hour/ for 12 hours. The VIA wants to have its markets resume May 1st. Mr. Luckham made a motion to accept Bill Haydon's bid of \$21,250.00 to improve the drainage at the Commons and do additional work to the Ditch. (Both contractors were acceptable to those on the Council, who knew them and were familiar with their work, but they preferred to go with the local contractor.) Kathleen Pollard seconded the motion to accept the bid of Mr. Haydon. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mr. Raffetto said that VIA at its expense would like to install water at several locations on the Commons. Mr. Ransone said that they would probably need to hire a plumber. Mr. Morrison said that there should be a half dozen checkpoints that there should be a sign off before proceeding. Mr. Ransone said this should be during the filtration work.

Adjournment:

The meeting was adjourned at 8:15 P.M.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
January 12, 2006**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town on January 12, 2006, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Council	Garry Luckham Norman Mosher Kathleen Pollard
Zoning Administrator	Gilbert Unangst
Legal Counsel	Matson C. Terry, II

Absent:

Vice-Mayor	Ralph D. Ransone
Council	William H. Evans Richard Pittman

Guests:

Mr. Spacek and Associate (VA Logo Signs)	Robert Morrison
Carol Gosse	Frances Simmons
Camille & Bob Bragg	Tom Colligan
Liz Gardner	William Wright
Tom Richardson	Dave Raffetto
Jeff and Ann Arnold	David Cheek

The Mayor called the meeting to order and led the group in prayer. A quorum was not present.

Playground:

Tom Richardson stated that the playground equipment was old, needed to be replaced, and his group thought that it was dangerous. He and others were present to ask the Town Council to contribute a \$ amount for the project of replacing the equipment. He presented a picture of the playground that they would like. The cost of their proposed playground (installed) is \$27,888.00 The Council received letters from residents and non residents supporting the project and copies of these letters were given to the Council members. The group has approximately \$5000.00 in pledges and they plan more fundraising. They have applied for several grants, but nothing has materialized. In reply to the Mayor's question, they said that they would accept help in two year phases. They would like to put it in this spring. The Town Attorney asked if they had any insurance information. Mr. Richardson said that it meets the current code. There will be a have a soft material covering the surrounding ground. The playground is designed for ages 2-12. The vendor providing the plan has installed several playgrounds in Saluda. Mr. Raffetto said that the VIA supported the playground project. Mrs. Pollard said that the tennis courts need to be refurbished.

Mr. Mosher said that he did not want parts of the Commons done without an overall plan so that it would all fit together. In discussing grants, Mr. Mosher said maybe the playground could be part of larger grant application.

The Mayor said that the Council will discuss improvements to the playground at either a special meeting or the February Town Council meeting.

Virginia Logo Signs: Mr. John Spacek

The State has privatized the providing for supplemental guide signs and tourist oriented directional signs. Mr. Spacek from Virginia Logo Signs was present to discuss aspects of these types of signs. His company will design the signs, obtain approval from VDOT, construct, install the signs, and charge the participants. Mr. Spacek discussed the two types of signs: tourist oriented directional signs which are the large interstate signs that include historic, museums, and wineries and supplemental guide signs which are brown signs that also include historic districts. He discussed the fee schedule, regulations, and process for each type of sign. The supplemental guide signs are as large as they need to be; therefore, the information on the sign is restrictive.

Mrs. Frances Simmons did not think that more signs were needed in Irvington. Mr. Braggs likes the idea of a historic designation sign. David Raffetto asked how these signs would comply with the Town Ordinance and was told that it was not applicable as they go on the VDOT right of way and the Ordinance applies to on premise signs. In reply to a question, Mr. Spacek said that if a road is widened, the cost of moving a sign would usually be included in the budget.

Treated Wastewater from RWC being Discharged into Carters Creek:

RWC has applied to discharge 80,000 gallons of treated wastewater into an unnamed tributary of Old Mill Cove. DEQ published a notice in the Record on December 22, 2006. Residents of Old Mill Cove and Irvington residents from other parts of Town were present to ask the Town to request DEQ to hold a public hearing. Tom Colligan from the Old Mill Cove area stated that at his dock, he formerly had 4.5 feet of water depth and he now has 2.5 feet of water. Mr. Terry said that he had an issue with DEQ's notification to residents within .5 miles of the facility and there were not many people living in that area. Residents of Old Mill Cove were not notified by DEQ. The Mayor said that the Town would contact DEQ and he urged individuals to contact DEQ to request a public hearing. Later in the meeting, Mr. Morrison asked if an injunction could be obtained to stop the dumping. Mr. Terry said that all legal avenues must be exhausted first. He said that an individual who has standing (one who lives on the Creek) can take action, such as an appeal.

Commons Improvement:

The Mayor said that he had contacted three contractors and he had received bids from two. These bids will be discussed at a special meeting of the Council.

Emergency Generator:

Mr Unangst explained the details of what he has been able to learn from Aqua:

1. The Town would buy the generator.
2. Aqua would build, transport the generator, prepare the site and install the generator and transfer switch.
3. Aqua would then own the generator.
4. Aqua recommends a generator to drive a 15 hp, 3 phase, 230 volt electric motor driven pump
5. Aqua would be responsible for servicing and maintaining the generator

Question: Who would supply the propane tank?

Mr. Mosher recommends propane as the fuel is stable. The issue of who will supply the tank has not been resolved.

Irvington Farms (Southworth/Mitchell Property):

The previously submitted sketch for the proposed subdivision of Irvington Farms was not satisfactory and Bay Design understands that they need to redesign the proposed subdivision. The owner and a representative from Bay Design will meet with Mr. Unangst, 2 representatives from the Planning Commission, and the Mayor. Mrs. Pollard presented a plan that an architect had drawn. Mr. Mosher said that the Ordinance does not allow for flexibility such as clustering to allow for more open space. Mr. Terry stated that under the Ordinance the Council can require that it approve the landscape plan. Mr. Morrison said that the 80%/20% would provide more options. Three improvements that the Council members requested are: more buffering between road and development, landscaping, and common areas.

Mr. Mosher would like to have an architectural review board.

Special Meeting of the Council:

The Mayor and the following Council members: Luckham, Mosher, and Pollard requested that a special meeting be held because there was not a quorum present to discuss the emergency generator on the West Irvington pump, Commons improvements, playground, and the agreement with the Sheriff's department. The meeting will be Wednesday, February 1, 2006, at 7:30 P.M., and it will be advertised in the Record on January 16th and January 23rd.

Agreement with the Sheriff's Department:

Mr. Terry distributed copies of a draft agreement with the Sheriff's department for the Town to hire a deputy for extra police coverage in Irvington. Mr. Terry said that he would include in the agreement that the Town would receive the proceeds from tickets after the administrative costs are deducted. He asked that the Council provide him with comments.

Minutes and Treasurer's Report: No action: Quorum not present.

Museum Donation:


A letter was received from Mr. Larry McAfee, President of the Steamboat Era Museum, providing information of the amount that the Museum had raised during the last quarter. Mr. Mosher had asked that the Museum match the donation of \$10,000.00 that the Town would donate during the quarter. Mr. Mosher said that the donation could be made as the Museum had met the administrative requirement.

Zoning Ordinance:

Mr. Terry advised that the Council needs to review the Ordinance regarding land use ordinances especially if there are boundary adjustments. He suggested a committee of two or three people make recommendations—both short and long terms. He suggested that the Council could contact Ken Poore or David Whitlow about consulting on the Comprehensive Plan.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor