

TOWN OF BOWLING GREEN
SPECIAL TOWN COUNCIL MEETING
MINUTES

3-19-15

MEMBERS PRESENT: Mayor David Storke, Mary Frances Coleman, Matt Rowe, Jason Satterwhite, Daniel Webb, Otis Wright, and Vice-Mayor Glenn McDearmon (arrived at 8:42pm)

MEMBERS ABSENT: Jean Davis

OTHERS PRESENT: Town Manager Stephen Manster, Accounting Analyst Laura Gifford, Police Chief Steve Hoskins, Jonathan Ketterman, Jack Powell, and Town Attorney Andrea Erard.

AUDIENCE: Sam Shields, Mark Gaines, Virginia Limbrick, Bill Thornton, David Upshaw, and Ken Davis.

The Mayor called the meeting to order at 7:35 P.M. and led the group in the Pledge of Allegiance to the Flag of the United States of America. Council Member Otis Wright followed with the invocation.

DELEGATIONS/PUBLIC COMMENTS:

David Upshaw, Caroline Care Group – Mr. Upshaw addressed Council and informed them that the Caroline Care Group's initial feasibility study for the Assisted Living Facility to be built in Town had become outdated. He said that in order to complete the loan process to secure \$8,000,000 in funding from the United States Department of Agriculture for an Assisted Living Facility the group was in need of \$10,000 for an updated study as required by the USDA and \$30,000 to \$40,000 to hire a CPA to certify the accuracy and validity of the feasibility study. He asked Council if the Caroline Care Group could borrow the sum of \$40,000 from the Town to cover these costs. Mr. Upshaw stated that these amounts are eligible to be part of the loan amount from the USDA and would therefore be repaid to the Town.

The Mayor asked Mr. Upshaw if the Caroline Care Group had any money in the bank. Mr. Upshaw said that the group does have some money that they intend to use to make up the difference in what they are asking to borrow from the Town and the actual expected cost of the Feasibility Study and Certification in addition to pledges from local donors that he expects to be fulfilled. The Mayor asked what would happen if the Town lent the funds for the Feasibility Study and the CPA review came back indicating the Assisted Living Facility is not a feasible project. Mr. Upshaw said that the land on which the facility is to be built would be used as collateral but that there were also other options such as allowing another organization operate the facility. The Town could record a lien on the property at the appropriate time.

Mr. Wright inquired about the timeline of the Caroline Care Group's loan process with the USDA. The Mayor said that it was his understanding that the CPA will take approximately 45 days to return their findings and then the Group will await State approval after which the loan application will be forwarded on to the Federal level to be granted final approval and allocation of funds.

Mr. Rowe asked Mr. Upshaw whether the Town will recoup the money it loans to the Caroline Care Group in the event the Caroline Care Group does not secure a loan through the USDA. Mr. Upshaw said that if the group were unable to secure the USDA loan other options would be to sell or lease the land to an organization that would take over the Assisted Living Facility project allowing the Caroline Care Group to repay the Town.

The Mayor asked if a promissory note on the land would be signed in the event that the Caroline Care Group could not repay the loan to the Town. Mr. Upshaw said that due to the conditions of the USDA loan the application would not be approved if

they incurred any type of debt prior to loan approval. He stated that repayment of the loan to the Town was an approved use of the USDA funds were the Caroline Care Group approved for the USDA loan.

Mr. Webb questioned why the need for a CPA's Certification was just realized. Mr. Upshaw noted that Ms. Delaney with the USDA stated that the CPA review is required at the Federal level for any loan request greater than \$5,000,000. Mr. Webb expressed his concerns on other previously unknown matters that may have been overlooked in preparation for the USDA loan application. A discussion was held on the possible findings by the CPA's review of the Feasibility Study and what actions may be taken by the Caroline Care Group in response to the CPA's suggestions.

The Mayor asked Council how it would like to proceed with the Caroline Care Group's request. Mr. Satterwhite asked if Council should proceed without the Town Attorney present to provide legal counsel. Ms. Coleman suggested that Council approve the loan subject to the Town Attorney's review and approval.

A discussion was held in regards to where in the Town's budget the funds for the loan to the Caroline Care Group will come from. The Town Manger stated that one option would be to amend the Town's budget to use Fund Balance and an alternate option would be to postpone smaller water projects until next year and use those Capital funds.

The Mayor again asked Council how it would like to proceed with the Caroline Care Group's request. Mr. Wright suggested the matter be revisited under New Business in hopes that Mr. McDearmon would be present at the meeting at that time. The Mayor said he would revisit the Caroline Care Group's request later in the meeting.

The Mayor called for public comments. Hearing none he closed the Public Comments portion of the meeting.

NEW BUSINESS:

Arts Commission Appointment– The Mayor appointed Joanna Carter-Johnson as recommended by the Arts Commission. Council members noted unanimous support of this appointment.

REPORT OF COUNCIL COMMITTEES/MEMBER COMMENTS:

- A. Public Health, Safety and Personnel – Mr. Rowe said that there were personnel matters to be discussed in closed session but he would like to welcome Shawn Fortune, a new hire, to the Public Works Department.
- B. Water, Sewer, and Trash There was no report from the Water, Sewer, and Trash Committee.
- C. Ordinance, Licenses, and Permits – There was no report from the Ordinances, Licenses and Permits Committee.
- D. Streets and Sidewalks – There was no report from the Streets and Sidewalks Committee.
- E. Buildings and Grounds – Ms. Coleman said that she would like to meet with the previous Building and Grounds Committee to discuss where matters were left off the previous year.
- F. Economic Development, Activities and Tourism – There was no report from the Economic Development, Activities, and Tourism Committee.
- G. Budget – There was no report from the Budget Committee.

Town Manager's Report – January 2015:

Joint Land Use Study - Mr. Manster recommended that Council adopt the Bowling Green Chapter of the Draft JLUS and support other recommendations that are in concert with the Town's recommendations but said that he did not suggest approving adoption of the full report because he did not feel that the Town had the authority to accept the recommendations for other localities. He also stated that that material in the A.P. Hill chapter may not be in the best interest of the Town of Bowling Green.

Council chose to delay action until they had seen what action the County of Caroline and Town of Port Royal took.

Planning Commission Vacancy: Mr. Manster informed Council that there were three residents that have expressed interested in filling the vacant spot: Mr. Mark Gaines, resident of 115 East Broadus Avenue; Ms. Valerie Coyle, resident of 214 Maury Avenue; and Mr. William Thornton, resident of 232 Milford Street. Council determined they would interview each candidate beginning at 6 p.m. on May 7th prior to the Town Council meeting at which time they could make a decision.

White Meadows Sewer Project - Mr. Manster informed Council that the Town could not apply for a Community Development Block Grant at this time because the amount needed to complete the project exceeded the maximum grant amount and the Department of Housing and Community Development (DHCD) would not consider applications from localities that had not secured funding for the total cost of the project. He suggested that, if Council so chooses, additional funding could be sought in preparation for next year's application period.

Town-County Sewer Agreement - Mr. Manster informed Council that he had been in contact with the Chairman of the Caroline County Board of Supervisors and will set a meeting to discuss current issues with and possible revisions to the Waste Water Treatment Agreement made between Caroline County and the Town of Bowling Green.

Council took a five minute recess at 8:42 pm during which time Mr. McDearmon arrived.

The Mayor called Council back into session at 8:47 pm.

OLD BUSINESS:

The Mayor updated Mr. McDearmon on the discussion held earlier in the meeting regarding the possible loan from the Town to the Caroline Care Group.

A motion was made by Mr. Wright and properly seconded by Mr. Satterwhite to allocate \$52,000 to the Caroline Care Group specifically for the purpose of accomplishing an updated Market Study and Financial Feasibility Study and to have an accountant review and certify these documents and there be some mechanism developed in accordance with the Town Attorney's determination to ensure the Town is repaid those dollars as the Town is presented with invoices. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Coleman, and Rowe. Absent: Davis.

CLOSED SESSION: On motion by Mr. Rowe, seconded by Mr. McDearmon, Council voted to go into closed session in accordance with Section 2.2-3711 A1 of the Code of Virginia for the purpose of discussion and consideration of the assignment, promotion, salaries, and performance of Superintendent of Public

Works and Maintenance Workers. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Coleman, and Rowe. Absent: Davis.

Council went into closed session at 8:52 p.m.

OPEN SESSION: On motion by Mr. McDearmon, seconded by Mr. Satterwhite, Council voted to reconvene in open session. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Coleman, and Rowe. Absent: Davis

At 9:21 p.m. Council reconvened in open session.

CERTIFICATION: In responding to a question from the Mayor, Council voted to certify that only public business matters lawfully exempted from open session requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed session was convened were discussed or considered in the meeting by Council:

McDearmon.....	Aye	Coleman.....	Aye
Wright	Aye	Satterwhite	Aye
Rowe	Aye	Davis.....	Absent
Webb	Aye		

Mayor Storke noted that Johnathan Ketterman and John Powell were in attendance when the Council reconvened in open session. He commended them on the wonderful work they were doing and noted the great benefit they were providing for the Town.

Upon Motion by Mr. Rowe, with a second by Mr. Wright, Council voted to promote Johnathan Ketterman to Utility Operator with an increase in salary to \$27,000 per year effective immediately. Mr. Ketterman was notified that when he receives his water and sewer license, he will be promoted to the position of Superintendent of Public Works. As part of the same motion, John Powell was granted an immediately salary increase to \$24,000 because of the exemplary work that he was accomplishing. Mr. Powell was informed that when he received his licenses, he would be promoted to the position of Utility Operator. All Public Works employees were encouraged to work toward receiving licenses as operators. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Coleman, and Rowe.

ADJOURNMENT:

There was a motion made by Mr. Satterwhite and seconded by Mr. McDearmon to adjourn at 9:31 P.M. Voting Aye: Wright, McDearmon, Satterwhite, Webb, Coleman, and Rowe.