

TOWN OF BOWLING GREEN

TOWN COUNCIL MEETING

MINUTES

04-01-2010

MEMBERS PRESENT: Mayor David W. Storke, Eric Hinson, Otis Wright, Bobby Ketterman, Glenn McDearmon, Jason Satterwhite, Daniel Webb and Mark Mallin.

MEMBERS ABSENT:

OTHERS PRESENT: Town Manager Stephen Manster, Treasurer Kathy McVay, Town Clerk Virginia Brooks, Public Works Director William Stanley, Police Chief Steve Hoskins and Town Attorney Jean Kelly.

The Mayor called the meeting to order at 7:30 P.M. and led the group in the Pledge of Allegiance to the Flag of the United States of America. Council Member Wright followed with the invocation.

DELEGATIONS/PUBLIC COMMENTS:

Town of Port Royal Mayor Nancy Long – Ms. Long was present at the meeting representing the Town of Port Royal with concerns about the explosives at A.P. Hill that are affecting properties in and around Port Royal. She said in February there was severe damage (according to A. P. Hill Official, a weapon fired accidentally) to several houses in Essex County and Portabago Bay. She said A. P. Hill never talked to them about the explosives so in November, she and Port Royal Council Member Jim Heimbach went to see the Col. at A. P. Hill to see why they weren't communicating with them. Ms. Long said the Town of Port Royal requested two public hearings and one was held on January 7, 2010. She said they were not antigovernment and she was proud of the citizen turnout and the concerns that were voiced. Ms. Long said the Town asked that the Government talk to them because they are their neighbors and not just come in and devalue their property. She said they were in negotiations and another meeting is scheduled for Tuesday, April 6, 2010. Ms. Long said they had gotten the Government's attention and are in negotiations so she would like to ask the Bowling Green Town Council to consider sending a letter of support for the Town of Port Royal. She said with the BRAC realignment, A. P. Hill is just going to get busier and it is coming toward the Town of Bowling Green. Ms. Long stated that if the County doesn't stand together, A. P. Hill may forget that they have neighbors who want to limit emissions that will affect their quality of life.

Portabago Bay Property Owner's Association President John Lampman – Mr. Lampman said he would like to give an overview of some of the process issues that are

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arising in the A. P. Hill situation. He said they are issues that may at one time or another affect the Town of Bowling Green. Mr. Lampman said there were two major omissions made by the Army in this process. One omission was they never did an alternative site analysis and secondly no scoping was done in the environmental assessment process, which is essential. He stated that scoping is a term they talk about at the beginning of the process where the Army as the Agency reaches out to the community and involves them in scoping the parameters of the environmental assessment. Mr. Lampman said the documentation shows the Army never contacted any Caroline County official and this was for activities that involved explosives and other kinds of training. Mr. Lampman stated this prejudices the whole process because the Community never had a chance to be in it at the beginning and never had a chance to help with the process. He said the Army had done three assessments and they still have failed to meet the test that establishes that there is no significant impact on Caroline County. Mr. Lampman said the noise test that everyone heard about recently and the announcement of downsizing the explosives sizes is all an attempt to try to bring this assessment into conformity with this request. Mr. Lampman stated that when he; the Board of Supervisors and the Mayor of Port Royal were notified by the Army of the test they were given one business day to respond. He said Caroline County and Town of Port Royal sent a joint letter to the Army and spelled out what the history was and explained what the Army was asking them to do, and what they could not do assuming their judiciary responsibilities to their constituencies, and the County and Town declined to participate. Mr. Lampman said in about three hours, the Army then announced and held a meeting that night and the process went forward. He said there was additional concern and it reached the Board of Supervisors, again based on that problem, a resolution was passed expressing their concerns and the talks have been going forward. Mr. Lampman said the concern is that these are difficult talks because the appearance is that by participating and trying to work things out, they are helping the Army correct a problem that they could not correct any other way. He said this is a major request by the Army to ask a community, after they did not allow them in the process to begin with, to now help them out of the mess they are in. Mr. Lampman said there are procedural questions that local officials should be aware of, be sensitive to and then hopefully support them in their efforts.

Port Royal Town Council Member Jim Heimbach – Mr. Heimbach said the Army issue they have been discussing is an Explosives Ordnance Disposal (EOD) School which is planned to involve over 20,000 explosions per year. He said it seems to them that this is only the tip of the iceberg because the Army is in the process of converting the mission of A. P. Hill from its historic mission as a maneuver and live fire training facility to an explosives training facility. Mr. Heimbach said if A. P. Hill becomes an explosives training facility, they will all be adversely affected. He said they placed these explosives in areas near the periphery of A. P. Hill and that is why it is impacting everyone. Mr. Heimbach stated that the EOD School is located in the periphery near Port Royal but the next explosive training facility that they need would have to be located near somewhere else and eventually it would be near Bowling Green. He said the Army is acquiring

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rights on areas around the Army base that they regard as not suitable for residential development because of the interaction between the activities of the Army base and what residential development is all about, mainly because of the noise from the base. Mr. Heimbach said he hoped the Council would support them but also be aware that they are next.

Bonnie Cannon – 123 S. Main Street – Mrs. Cannon said she is an historian and wants to preserve what they have in this County. She said she would like to see the Town unite with Port Royal and Caroline County on the EOD School issue. Mrs. Cannon said the testing at A. P. Hill on March 10<sup>th</sup> rattled the dinning room china in her house on South Main Street and she is going to talk to the Col. at A. P. Hill about these issues.

Bill Thornton – Milford Street - Mr. Thornton said he has a house that is over 100 years old and he would hate to see it crumble. Mr. Thornton said he had given Council a handout with a proposal to hold a “Clean Sweep” before the “Clean Sweep” which involves mostly volunteers who will be cleaning up the Town before the Clean Sweep Yard Sale which is scheduled for June 12<sup>th</sup>. He said VDOT whole heartedly supports the effort and will provide trash bags and safety vests for participants and also pick up the trash. He said he also met with the Mayor and Town Manager regarding the clean up effort that is scheduled for June 5<sup>th</sup>. Mr. Thornton said the Caroline Progress newspaper had agreed to do a story that would announce the activity. He said they were also asking businesses to sponsor the activity with contributions to cover t-shirts and coffee/tea for volunteers. He said the event would start at 9:00 A.M. until done which would probably be around 1:00 PM. Mr. Thornton said he was asking for Council’s support in this effort. Mr. Mallin said the CCHP Group had been cleaning up an area from the stop light on Broadus Avenue to Route 207 and he would get in touch with them and they would clean that whole area.

Dawn Harris – Café on Main Street – Mrs. Harris said she was present to address the closing of Main Street. She said it seems that every time someone would like to hold a function, they want to close Main Street. She said these closings greatly impact the businesses on Main Street by doing so. Mrs. Harris said she acknowledges that they need to bring people to Bowling Green but to close down Main Street and 301 business is really hurting the small businesses. She said there are other opportunities and ways of doing this by using Butler St. or Chase St. or Courthouse Lane. She acknowledged and agreed with the Main Street closure for Harvest Festival and the Christmas parade. Mrs. Harris said the May 1<sup>st</sup> Festival of Feet Walk/Run had become a major issue and she had invested money in advertising because it is a Richmond race weekend and the Town is talking about closing Main Street. She said her advertising is for naught because people won’t be able to get to her restaurant because of the street closure. Mrs. Harris said the businesses are trying to stop the closing of Main Street and have written a letter with names of businesses who do not want Main Street closed. She presented the letter to

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Council with hopes that they can work something out.

Steve Nicklin – Bowling Green Farm – Mr. Nicklin said he would like to touch on what Port Royal is going through with the explosives at A. P. Hill. He said the “Old Mansion” house that he owns in Bowling Green has mostly original glass on the east side and with the ordnance that A. P. Hill is firing now it rattles all the time. Mr. Nicklin said it is very fragile and he is concerned about the impact on his structure. He suggested the Town join forces with Port Royal in their concerns about the explosives. Mr. Nicklin said he had a request for a change in the language on the proposed ordinance regarding the Bed & Breakfast and Special Events Facility parking. The Mayor said the Bed and Breakfast /Special Events public hearing would be next on the agenda and he would like Mr. Nicklin to also speak at that time.

Bonnie Cannon – 123 S. Main Street – Mrs. Cannon expressed concern about Main Street being closed on May 1<sup>st</sup>. She said there is a wedding scheduled at Antioch Church on that day. The TM said Main Street would be closed from 7:00 A. M. to approximately 11:00 A. M. The Mayor said they could talk about some of these issues later in the meeting under new business.

PUBLIC HEARING – PERMITTING BED AND BREAKFAST AND SPECIAL EVENTS FACILITY IN A-1, AGRICULTURE DISTRICT AND STANDARDS FOR SPECIAL USE PERMITS: The Mayor opened the public hearing and read the following notice published in the Caroline Progress on March 18 and 25, 2010:

The Bowling Green Town Council will hold a public hearing on April 1, 2010, at 7:30 PM in the Bowling Green Town Hall, located at 117 Butler Street, Bowling Green, Virginia. The purpose of the public hearing is to receive comment on and consider the following:

1. To add “Bed and Breakfast” with a Special Use Permit to the A-1, R-1, R-2, R-3 Districts; to define such use and to add standards and regulations for such uses.
2. To remove the terms “Boarding House,” “Guesthouse,” and “Tourist Home” from residential districts.
3. Provide for the addition of “Special Events Facility” and accompanying standards and requirements in the Agricultural District.
4. To provide general guidelines and standards for review and approval for “Special Use Permits”

Interested persons are invited to attend the hearing and express their views. Copies of the

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proposed revisions are available for review during normal business hours at the Bowling Green Town Hall.

The Mayor called for comments from the public on the proposed ordinance on a Bed and Breakfast and Special Events Facility in an A-1 District. He said maybe Mr. Hinson could explain the language recommended by Planning Commission regarding the parking. Mr. Hinson said a Special Events Facility is confined to the property itself which was a request made by a property owner and the impact of this request should not exceed the boundaries for which the application is made. He said there is no prohibition for a property owner to secure an agreement at a different location as long as it meets the legal requirements for zoning in the Town of Bowling Green. He said this ordinance does not prevent that. Mr. Hinson said if the event is held on the property, there will be no off-street parking of any kind. He said parking in another area is a private matter with a private owner. Mr. Hinson said if there are no agreements for parking external to the property boundary, all parking would be required to be in the boundaries of the property. He said this ordinance does not force people to park on the property, it just says there is no off-street parking. Mr. Hinson noted that in the past there have been complaints about parking on Main Street and other streets from an event held at the Bowling Green Farm. The Mayor called a second time for comments from the public.

Steve Nicklin – Bowling Green Farm – Mr. Nicklin said it had never been brought to his attention about the problems with parking during a Wine Festival that was held at his Farm and he apologized. He said he donated the site for the Rotary Club to use as a fundraiser. Mr. Nicklin said he didn't think he could provide all of the parking on his property for a large event. He said it was his interpretation that the Town Code Section wording to mean that he had to provide parking on his property for all of his guests. Mr. Satterwhite said he thought they needed to clarify that off-street parking capabilities are available. Mr. Nicklin said he would like the words "within the boundaries of the property" removed from Article III, Section 126.99.3-6 of the Ordinance. He said he understands that it would be his responsibility, as the property owner to provide off-street parking. Mr. McDearmon suggested no parking signs be placed on the streets during events at the Farm to alleviate property owners from having people parking in their yards. Mr. Webb questioned the need for notification to the Town of each event that is held at a Special Events Location. The Mayor called a third time for comments from the public, hearing none; he declared the public hearing closed at 8:45 P.M. Mr. Webb said the questions he has are in regard to the Special Events Facility. He asked about the requirement for notification of events, the requirement that a Special Events Facility must be located on two acres of land and why they were restating that all applicable licenses shall be obtained and displayed. The TM said the Planning Commission thought two acres was needed for a viable site and the licenses issue is to inform people that if they are interested in creating such a facility that they need to make those contacts. Town Attorney Jean Kelly said this wording is not something they created on their own; it was taken from another locality. Mr. Webb said he thought the

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Planning Commission had done a great job with the Bed & Breakfast part of the ordinance and he still doesn't agree with some of the standards of the Special Events Facility. He said he would be in favor of it if they could strike Article XIII, Section 126.99.3, Item 1, Item 8 and eliminate the verbiage "within the boundaries of the property" under Item 6.

**On motion by Webb seconded by Hinson Council voted to approve the Bed and Breakfast Ordinance in an Agriculture District, as proposed. Voting Aye: McDearmon, Wright, Hinson, Ketterman, Satterwhite, Mallin, Webb.**

**On motion by Satterwhite, seconded by Wright, Council voted to approve the addition of a Special Events Facility Ordinance within the Agriculture District with additional wording to Article XIII, Section 126.99.3-1 to include "if 50 or more guests are invited" in the first line, after the word "event" and the deletion of a portion of Article XIII, Section 126.99.3-6 which reads "within the boundaries of the property." Mr. Hinson said he did not understand how they can approve a Special use Permit that is specific to the property that has parking that is not part of the property. Voting Aye: McDearmon, Wright, Ketterman, Satterwhite, Mallin, Webb. Voting Nay: Hinson.**

**On motion by Hinson, seconded by Ketterman, Council voted to approve the changes to Article VIII, Chapter 126-99 Special Use Permit, as written. Voting Aye: McDearmon, Ketterman, Satterwhite, Mallin, Webb, Hinson, Wright.**

PUBLIC HEARING - SPECIAL USE PERMIT APPLICATION – DAY CARE CENTER IN SUITE 200, CAROLINE SQUARE SHOPPING CENTER – MS ALYSON BEVERLY: The Mayor opened the public hearing on the Special Use Permit Application for a Daycare Center and read the following notice that was published in the Caroline Progress on March 11 & 18, 2010:

TOWN OF BOWLING GREEN  
TOWN COUNCIL  
PUBLIC HEARING

The Bowling Green Town Council will hold a public hearing on April 1, 2010 at 7:30 PM in the Bowling Green Town Hall, located at 117 Butler Street, Bowling Green, Virginia. The purpose of the public hearing is to receive comment on and consider the following:

1. ZP-2010-01 - Countryside Daycare: To consider a Special Use Permit application in accordance with Article IX, Section 126-63H and Article XIII, Section 126-99 of the Town Code on property located at 110 West Broaddus

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Avenue, Suite 200 in the Caroline Square Shopping Center. The purpose of this Special Use Permit is to operate a Children’s Day Care Center.

Interested persons are invited to attend the hearing and express their views. Copies of material relating to this matter are available for public inspection weekdays during normal business hours at the Bowling Green Town Hall Business Office.

The Mayor called for comments from the public regarding a Special Use Permit for a proposed daycare in the Caroline Square Shopping Center. He called a second and third time for comments from the public, hearing none, he declared the public hearing closed at 9:15 P. M. The TM asked Council to note on his report that Planning Commission had recommended approval of the Special Use Permit for a daycare in the Caroline Square Shopping Center with the following conditions:

1. That the permit only applies to Suite 200 of the Caroline Square Shopping Center
2. That the playground to be constructed for the project be constructed as shown on the previously approved Site Plan on nearby property.
3. That the Special Use Permit become null and void when the applicant vacated the property for which the Special Use Permit is issued.

In answer to a question from Mr. Webb, the TM stated that the Planning Commission felt that Suite 200 was the best descriptor that could be used at this time and no site plan was submitted or needed because no changes were being made.

**On motion by Hinson, seconded by Wright, Council voted to approve application number ZP-2010-01 for a Special Use Permit for Countryside Daycare Center to operate a daycare center with the conditions stated above that apply only to Suite 200, 110 W. Broaddus Avenue in the Caroline Square Shopping Center with the playground to be constructed according to a previously approved site plan and the Special Use Permit becoming null and void when the applicant vacates Suite 200. Voting Aye: McDearmon, Wright, Hinson, Ketterman, Satterwhite, Mallin, and Webb.**

**CONSENT AGENDA: On motion by Mr. McDearmon, seconded by Mr. Satterwhite, Council voted to approve the Consent Agenda, as presented:**

- A. Minutes – Regular Meeting – 3-4-10**
- B. Bills – March, 2010**

<b>A &amp; M Home Center</b>	<b>264.54</b>	<b>Amerigas Fredericksburg</b>	<b>1,263.79</b>
<b>Bennett Deborah T</b>	<b>300.00</b>	<b>Bourne &amp; Sons Janitorial</b>	<b>199.15</b>
<b>Caroline Sheriff’s Office</b>	<b>1,284.78</b>	<b>Caroline Garage</b>	<b>16.00</b>

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<b>CE&amp;O Inc.</b>	<b>2,142.00</b>	<b>CINTAS of Richmond</b>	<b>450.75</b>
<b>ComputerPlus</b>	<b>181.50</b>	<b>Dominion Chemical Co.</b>	<b>241.00</b>
<b>ERA</b>	<b>602.90</b>	<b>G &amp; G Milford Farm Ser.</b>	<b>231.33</b>
<b>Harrie Plumbing &amp; Heating</b>	<b>110.00</b>	<b>Kelly, Jean</b>	<b>1,250.00</b>
<b>Landon, Krista</b>	<b>225.00</b>	<b>Luck Stone Corporation</b>	<b>365.00</b>
<b>M &amp; W Printers</b>	<b>257.66</b>	<b>Martin Marietta Aggregate</b>	<b>1,311.72</b>
<b>Mid Atlantic Lab</b>	<b>60.00</b>	<b>Miller Foley Group</b>	<b>4,200.00</b>
<b>On Site PC</b>	<b>290.00</b>	<b>Quill Corporation</b>	<b>69.69</b>
<b>REC</b>	<b>766.92</b>	<b>The Supply Room Co</b>	<b>232.87</b>
<b>Treasurer of VA (VITA)</b>	<b>748.70</b>	<b>Union Bank &amp; Trust Co</b>	<b>9,765.78</b>
<b>Verizon</b>	<b>266.55</b>	<b>Verizon Wireless</b>	<b>180.43</b>
<b>VA Utility Protection Ser.</b>	<b>77.00</b>	<b>VISA</b>	<b>1,007.01</b>
<b>Wardico</b>	<b>1,062.33</b>	<b>Waste Management</b>	<b>6,616.74</b>
<b>*Dominion Virginia Power</b>	<b>5,107.65</b>	<b>*VA Resources Authority</b>	<b>76,308.52</b>
<b>*VML</b>	<b>19.00</b>	<b>*Waste Management</b>	<b>1,499.57</b>
<b>*Shell Fleet Plus</b>	<b>646.14</b>		

**\*Bills previously or separately authorized by Council.**

**Voting Aye: Hinson, Wright, Ketterman, McDearmon, Satterwhite, Webb and Mallin.**

INFORMATIONAL ITEMS: The following informational items were noted.

- A. Town Hall Rentals – March, 2010
- B. Police Department Report – March, 2010
- C. Public Works Director’s Report - March, 2010
- D. Treasurer’s February, 2010 Report
- E. Report from Planning Commission Representative

NEW BUSINESS:

A. Caroline County Economic Development Director Gary Wilson: Mr. Wilson was present at the meeting to provide new information that the Board of Supervisors had received from VDOT concerning the Washington Rochambeau Victory Park. He said VDOT had informed the Supervisors that the deadline for Caroline to utilize the grant funds in the amount of \$458,025.00 was January 22, 2011 and possibly a grace period of an additional year. Mr. Wilson said at the latest meeting of the Board of Supervisors, they did not see any reason to delay action at this point, and they would take this issue up

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again at their May meeting. He said especially since the Town had expressed interest in pursuing the Park concept, the Board has asked Staff to get information from Town Council. Mr. Wilson said the Board would like the Town to take over this project and let them know what the scope of the plans might be. He said the good news is the County has no particular plans at all except some rough drawing that had been done earlier but there was a lot of interest in the idea of having additional parking. He said the Board would also be interested in what financial resources the Town would bring toward making the Park happen and matching the grant. Mr. Wilson said, legally they would have to interface with VDOT in this process. He said the Board is eager to hear the Town's views on these issues. The Mayor said the Council had discussed this at length and had spoken at several Board meetings. He said they had seen some drawings, some with a parking lot that cost \$250,000.00. The Mayor asked Mr. Wilson if the County wants to see this Park go forward with the original dollar amount and a parking lot and if so, is the County willing to contribute. Mr. Wilson said he didn't think anything was eliminated at this point but the Supervisors' do want a dialogue with the Town. He said he presumed the Supervisors were still planning to put in some of the 20% match. Mr. Hinson asked if the parking lot is optimal and how much control would the Town have in the Park decision making. Mr. Wilson stated that he thinks the Board would like the Town to take a leading role but there were no hard and fast decisions by the Board. The TM said he thought some of the questions brought up by Council cannot be resolved by Staff but is best to resolve them at the highest level which is between the Board and Council. Mr. Wilson suggested that initially Staff should talk with direction from the higher bodies. He said the Board just wants to have a clear understanding of what the Town's plans are. The Mayor informed Mr. Wilson that the Council would discuss the Park issue and then get back with the Board of Supervisors.

B. Town Manager's Report

John Cephas – Marker in Bowling Green – The TM said the Town would be fortunate to have the John Cephas Diversity Marker in the Town of Bowling Green. Although Council has discussed various sites, VDOT has determined that the preferred location for this marker is on the West Broadus Avenue right-of-way near the former Stellar One Bank property at the intersection of West Broadus Avenue and Main Street.

Town Manager's Proposed FY2011 Budget - The TM said he had met with the Budget Committee and he was requesting the opportunity to provide the Budget at the May meeting, with a public hearing in June and adoption later in a Special Meeting. He said there are certain decisions that Council will be making sometime this month relating to their PPEA Project and a comprehensive agreement that would have a dramatic affect on their Budget. Council voiced no objections.

Jack Callahan - Resignation – The TM stated that Town Employee Jack Callahan had resigned from his position as Maintenance Worker II, effective March 31, 2010. He

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said Mr. Callahan had worked for the Town for approximately 14 years. The TM said he had discussed this position with the Public Health and Safety/Personnel Committee and his recommendation is that the position be retained but not filled immediately. He said a full evaluation of this position as it relates to the needs of the Town, our Public Works Department, and the budgetary needs of the Town will be reported in the presentation of the proposed budget for the coming fiscal year. In answer to a question from Mr. Mallin, the TM said he and the Public Works Department would be handling those duties.

Council Questions Concerning Expenditure at Rinker Motors – The TM noted that at the last Council meeting, there were questions raised about expenditures at Rinker Motors. He referred to his written report for explanation for the reason for the expenditure and the amount of the expenditure. He said it also explained their policy relating to large expenditures.

Computer Equipment at Visitor Center – The TM said that approximately two weeks ago, he received a call from the Town Visitor’s Center Staff concerning the malfunctioning of computer equipment at the Center. He said he called Mr. Partin of Caroline County to see if any assistance could be provided by them and they sent their Information Technology Director J. P. Montague to the Visitor’s Center to determine the problem. The TM said he was pleased to inform the Town Council that Mr. Montague, who is also the owner of the Company “PC Doctor,” has donated a Dell Inspiron 530 computer and a HP Laser Jet/Fax Machine/Copier 3055 to the Town for the Visitor’s Center. He said this equipment, identified as “excess PC Doctor Inventory,” has been rebuilt and donated to the Town at no cost. The Mayor said he would call Mr. Montague and thank him for his generosity.

Resignation of Planning Commission Member Meg Wattiker - The Mayor said he had received an e-mail from Meg Wattiker two weeks ago, resigning as a member of the Planning Commission. He said he would print out the letter and give it to the TM.

C. A. P. Hill EOD School/Port Royal - Mr. McDearmon said there was a significant amount of concern about A. P. Hill buying rights to properties adjoining the A. P. Hill perimeter which means the County cannot get revenue and it cannot be developed. He said he is all for supporting the troops in the EOD School at the right location but is not sure they have found the right location. The Mayor said when the Board of Supervisors proposed a Resolution in opposition to the EOD School at A. P. Hill it was noted that the Resolution would cease to exist if a memorandum of understanding could be worked out between the parties. He said Port Royal and Portabago Bay have raised concerns regarding the EOD School to such a level that they have received some huge concessions from the Department of Defense. The Mayor said they had put together a Committee to go talk with the Government to see if they could get enough concessions that the Resolution could go away. He said two meetings had been held and a third one is scheduled. The Mayor said these meetings have been very

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controversial with a huge canyon between both sides. He said he attends the meetings to gather information but has not taken sides which is making each one think that he is against them. He suggested the Council appoint a committee to look into this issue. The Mayor said the EOD School had not come yet, so any blasting that has been heard is due to increased training and a war going on. Mr. Satterwhite said he would like to hear both sides of the story. He noted that he had only heard one side tonight. Mr. Hinson noted that if the water/sewer project goes forward on the 301 Corridor, the Town would need to look at appropriate development for the area and coordinate with the County to accommodate future vibrations, waves and noise. Mr. Wright said there had only been more complaints in the last couple of years and Fort A. P. Hill is a training base and there will be more shells because they are training young men to go to war. Mr. Hinson said training is collapsing on A. P. Hill and there could potentially be a partnership and economic benefit from that. The Mayor said they have had a fairly good relationship with Fort A. P. Hill for a long time. He said he realizes that the EOD School is important and hopefully things will calm down in the world and training won't be as vigorous. The Mayor said the next meeting was going to be held on April 9, 2010 and he suggested some of Council attend this meeting. Mr. Mallin said he would like to hear the Army's side and suggested they have the Colonel come and talk to Council. Mr. Satterwhite said the Town fought to keep A. P. Hill open during the base realignment and if that should come up again within the next two to five years, what would they do? Mr. Hinson said the testing at A. P. Hill has saved many soldiers lives. The consensus of Council was that they invite Col. Haefner to a special meeting of Town Council. The Town Attorney said this could be a public meeting not a public hearing of Town Council and no questions taken from the public. The Mayor said if the public had questions, he could take their information and ask it at the meeting. The Mayor said he could make copies of the proposed resolution by the County and a rebuttal from the Army Memorandum of Understanding (MOU) which noted there were some inaccuracies in the resolution.

Clean Sweep before the Clean Sweep - Council agreed to support the clean up project proposed by Mr. William Thornton. The TM said the Public Works Department would pick up recyclables and VDOT would provide trash bags and vests and pick up the trash.

Dawn Harris – Café on Main Street – The Mayor stated that Dawn Harris had presented a petition earlier and a request regarding the closing of Main Street. He asked if they need to look again at the two events that will be closing Main Street. The TM said Ms. Mills had come to them with an idea and that idea is evolving and Council has not approved anything. He said Mrs. Mills will have to come back with a permit application and the Council has not agreed to the closing of Main Street. The TM said they like to minimize the closing of Main Street and anything else that would potentially hurt the business in Town. Mr. Hinson noted that events in Town are a way of drawing people into the Town to see what the Town has to offer. The Mayor said the second event “Festival of Feet” has the potential of being a large event this year. He said there needs

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to be give and take on both sides and maybe the Town could look at closing the street for a shorter amount of time. The TM said he and the Police Chief would be meeting on the street closing and maybe it could be opened immediately after the last runner goes through. Mrs. Harris said last year during the “Festival of Feet,” not one of the runners ate at her restaurant but they did use her bathroom. She asked them to look at alternatives to closing down Main Street because the businesses are struggling. Mrs. Harris said the date of the Festival of Feet is car race week-end and she is expecting a lot of people from the campground. The Mayor said he thought they could accommodate both sides by shutting down the street for a lesser amount of time and look at the fact that this may be an economic draw for the future.

REPORT OF COUNCIL COMMITTEES/MEMBER COMMENTS:

A. Public Health, Safety/Personnel – Mr. McDearmon said the Committee did meet and discuss budgetary issues that will be discussed later.

B. Building and Grounds - There was no report from the Building and Grounds Committee.

C. Budget - Mr. Hinson said he had already discussed the Budget with the Town Manager.

Web Site – Mr. Hinson said the Web Master had updated the core and all of the modules of the web site so they are at their highest level of security. He said they are working on the search functions.

D. Streets and Sidewalks – Mr. Ketterman said they are still working to get Main Street back in shape. He said they have received lots of complaints.

E. Ordinances, Licenses and Permits – Mr. Satterwhite said they would like to set another work session on April 22, 2010 at 6:30 PM to work on the Town Code. He said they may also need another meeting about an hour before the regular Council meeting.

F. Economic Development /Activities Tourism – Mr. Mallin said Ms. Lois Abernathy was supposed to be at the meeting tonight to discuss the Art and Garden Walk. He said a group of private citizens did an Art and Garden Walk last year and is planning it again this year for May 14 & 15, 2010 with all the proceeds going to the Caroline Museum. Mr. Mallin said last year they made about \$2,400.00 which was contributed to the Old Jail. He also said Ms. Abernathy had planned to ask Town Council for a contribution of \$400.00 for advertising. Mr. Mallin said the restaurants were helped last year because he heard one of the visitor’s say they had to wait over an hour for a table. He said the seven volunteers who planned the event paid for the advertising last year and

Mayor \_\_\_\_\_ Clerk \_\_\_\_\_

are just trying to help Bowling Green. The Mayor asked if they would accept a sponsorship from two businesses for the advertising. Mr. Mallin said they would be happy to accept that offer. He said they were also landscaping a couple of properties in Town who agreed to be in the walk this year or next year. Mr. Mallin said they are trying to showcase new yards each year. In answer to a question from Mr. McDearmon, Mr. Mallin said they had talked to the High School and Middle School regarding artists for the art part of the Walk.

G. Water, Sewer and Trash –

PPEA – Mr. Webb said they would discuss the PPEA later in the meeting.

Bypass Signs – In answer to a question from Mr. McDearmon, the TM said they had received the sign permits from VDOT and the posts for the signs have been ordered. He said he thought the signs should happen very quickly. Mr. Webb suggested they plan for them to be up in thirty days.

**CLOSED SESSION: On motion by Webb, seconded by Satterwhite, Council voted to go into Closed Session in accordance with State Code Section 2.2-3705.6.11b concerning PPEA matters dealing with records provided by a private entity to a responsible public entity or affected local jurisdiction pursuant to the PPEA, to the extent that such records contain trade secrets or other information submitted by the private entity where if such records were made public prior to the execution of an interim or comprehensive agreement, the financial interest or bargaining position of the public or private entity would be adversely affected: and,**

**Section 2.2-3711A6, discussion or consideration of the investment of public funds whether competition or bargaining is involved; and,**

**Section 2.2-37711A29, discussion of award of public contract involving expenditure of public funds.**

**Also request to go into Closed Session under 2.2-3711.A1 under Personnel for discussion and consideration about the assignment, appointment, performance, appointees or employees of any public body, specifically Kathy Beard and Town Attorney Jean Kelly.**

**Town Council would like to include in their Closed Session, property owners on the 301 Corridor.**

**Voting Aye: McDearmon, Hinson, Ketterman, Wright, Satterwhite, Webb, and Mallin.**

Mayor \_\_\_\_\_ Clerk \_\_\_\_\_

**OPEN SESSION:** On motion by Hinson, seconded by Satterwhite, Council voted to, reconvene in Open Session and certify that to the best of (their) knowledge, only public business matters lawfully exempted from open meeting requirements under Chapter 37 of the Code of Virginia, as amended, and only such public business matters as were identified in the motion by which the Closed meeting was convened were heard, discussed or considered in the closed meeting by Town Council and that no action was taken by Town Council in closed session on any matters discussed. Such motion and corresponding certification passed by 6-0 vote. Voting Aye: McDearmon, Hinson, Mallin, Ketterman, Satterwhite, and Webb. Mr. Wright left at 11:00 P.M. and was not available to vote or certify.

On motion by Satterwhite, seconded by McDearmon, Council voted to authorize the Town Manager to sign an agreement with the Firm, CE&0 in the amount of \$15,000.00 for the purpose of securing services and assistance in relation to the production and conduct of the annual Bowling Green Clean Sweep and the Bowling Green Harvest Festival. Voting Aye: McDearmon, Webb, Hinson, Ketterman, Satterwhite, Mallin.

**ADJOURNMENT:** On motion by Webb, seconded by Mallin, Council voted to adjourn the meeting 12:18 AM. Voting Aye: McDearmon, Webb, Ketterman, Mallin, Hinson, and Satterwhite.

Mayor \_\_\_\_\_ Clerk \_\_\_\_\_