

TOWN OF BOWLING GREEN

TOWN COUNCIL MEETING

MINUTES

11-04-2010

MEMBERS PRESENT: Mayor David W. Storke, Vice Mayor Glenn McDearmon, Jean Davis, Mary Frances Coleman, Otis Wright, Jason Satterwhite, Daniel Webb and Glen Lanford.

MEMBERS ABSENT:

OTHERS PRESENT: Town Manager Stephen Manster, Town Clerk Virginia Brooks, Public Works Director William Stanley, Police Chief Steve Hoskins, and Town Attorney Andrea Erard.

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:

Caroline County Sheriff Tony Lippa – Mayor Storke noted that Mr. Lippa had been delayed and would speak later in the meeting when he arrived.

PUBLIC HEARING:

A. Draft Ordinance Concerning the Proposed Adoption of a System of Purchasing Permanent Decals for motorized vehicles in the Town of Bowling Green – The Mayor opened the public hearing on the Proposed Vehicle Decal Ordinance and read the following notice published in the Caroline Progress on October 21& 28, 2010.

Please take notice that on the 4th day of November, 2010 at 7:30 PM at Town Hall located at 117 Butler St., Bowling Green, Va., the Bowling Green Town Council will conduct a public hearing on Ordinance No. BG Ord. 11-01-10. All interested citizens are invited to attend.

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## ORDINANCE NO. BG Ord. 11-01-10

ORDINANCE NO. BG ORD. 11-01-10 AMENDS THE BOWLING GREEN TOWN CODE BY DELETING ARTICLE IV, "MOTOR VEHICLES AND TRAFFIC," DIVISION 4, "VEHICLE LICENSE TAX," IN CHAPTER 4, "NUISANCES AND OFFENSES," AND ADDING ARTICLE VIII, "VEHICLE LICENSE," TO CHAPTER 7, "TAXATION," SEC. 7-801, "LICENSE REQUIRED; EXCEPTIONS," SEC. 7-802, "LICENSE YEAR," SEC. 7-803, "APPLICATION FOR LICENSE; AMOUNT OF TAX-MOTOR VEHICLES; MOTORCYCLES," SEC. 7-804, "PAYMENT OF PERSONAL PROPERTY PREREQUISITE TO ISSUANCE," SEC. 7-805, "TRANSFER/DUPLICATE OF A PERMANENT LICENSE," SEC. 7-806, "LIMITATIONS," SEC. 7-807, "COLLECTION," SEC. 7-808, "FAILURE TO OBTAIN, DISPLAY, OR UNLAWFUL TRANSFER OF REQUIRED PERMANENT VEHICLE LICENSE DECAL," SEC. 7-809, "VIOLATIONS AND PENALTY FOR VIOLATIONS OF PERMANENT LICENSE DECAL STATUTES," SEC. 7-810, "DISPOSITION OF TAXES AND FEES," SEC. 7-811, "TAXATION IN MORE THAN ONE JURISDICTION."

ORDINANCE NO. BG ORD 11-01-10 REDUCES THE NUMBER OF MOTOR VEHICLE CLASSIFICATIONS TO TWO AND REPLACES THE ANNUAL DECAL REQUIREMENT WITH A PERMANENT DECAL FOR \$ 25.00 ANNUALLY FOR ALL MOTOR VEHICLES AND \$18 FOR MOTORCYCLES AND SIMILAR TWO-WHEEL VEHICLES. CURRENTLY, THE TOWN OF BOWLING GREEN REQUIRES A NEW DECAL ANNUALLY; THE FEE VARIES DEPENDING UPON THE TYPE OF VEHICLE; CURRENTLY DECAL FEES RANGE FROM \$ 28 TO \$10 – MOST MOTOR VEHICLES CURRENTLY PAY A FEE OF \$ 23. ORDINANCE NO. BG ORD. 11-01-10 IS CONSIDERED PURSUANT TO THE GRANTS OF AUTHORITY CONTAINED IN VA CODE §§ 46.2-752 AND 46.2-755.

A complete copy of Ordinance No. BG Ord. 11-01-10 may be obtained or viewed by contacting the Town Clerk at Town Hall at 633-6212. Any person requiring assistance in order to participate in the public hearing is asked to contact the Town Clerk in advance so that appropriate arrangements may be made.

The Mayor called for comments from the public regarding the changes to the vehicle decal ordinance. He called a second time for comments from the public. Bonnie Cannon

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who lives at 123 S. Main Street asked the Mayor to go over the changes one more time. The Town Manager (TM) said that at the present time, the Town has the requirement for a decal to be purchased each year with the old one removed and the new one positioned in its place. He said they have about eighteen fee classifications for the decals. The TM said the proposed ordinance would eliminate the requirement to take the decal on and off each year but they would require that a permanent decal be placed on each motorized vehicle. He said the cost of the decal would be \$25.00 for four wheel vehicles and \$18.00 for two wheeled vehicles. He said the decal would remain on the vehicle permanently but each resident would receive in their personal property tax bill an annual fee for the decal that is on the car but it would not have to be changed each year. The TM noted that the fee for a duplicate or transfer decal would be \$3.00 as opposed to the current \$1.00 fee and he said there were a number of exemptions such as members of volunteer fire and rescue squads. The Mayor called a third time for comments from the public regarding the permanent vehicle decal ordinance. Hearing none, he declared the public hearing closed at 7:35 P.M. The Mayor stated that the Arts Commission had recommended the green Town Seal or Old Mansion on the vehicle decal. Mr. Satterwhite stated that the Ordinance Committee had suggested the Town Seal (Logo). The Council discussed what kind of design they wanted on the permanent vehicle decal and decided on the Town Seal (Logo) with a clear background.

**On motion by Mr. Satterwhite, seconded by Mr. Wright, Council voted to amend the Town Code by approving Ord11-01-10 to delete and add certain sections regarding Vehicle Decals and approve the Town Seal (Logo) to be placed on the license decal. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.**

**CONSENT AGENDA: On motion by Mr. Lanford, seconded by Ms. Davis, Council voted to approve the following Consent Agenda, as presented.**

- A. Minutes - Regular Meeting – 10-7-10**
- B. Bills – October, 2010**

<b>A &amp; M Home Center</b>	<b>313.49</b>	<b>Arcet Equipment Co</b>	<b>131.70</b>
<b>Bennett Deborah T</b>	<b>390.00</b>	<b>Bowling Green Auto Parts</b>	<b>477.36</b>
<b>Bud's Automotive</b>	<b>16.00</b>	<b>Chamber of Commerce</b>	<b>150.00</b>
<b>Caroline Sheriff's Office</b>	<b>2,112.00</b>	<b>CE&amp;O Inc.</b>	<b>397.90</b>
<b>Cecil Billy</b>	<b>250.60</b>	<b>Chesterfield Insurers</b>	<b>310.00</b>
<b>CINTA'S of Richmond</b>	<b>334.98</b>	<b>Coleman Wick</b>	<b>400.00</b>
<b>ComputerPlus</b>	<b>181.50</b>	<b>DeJarnette &amp; Beale</b>	<b>1,678.00</b>

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<b>Doli/Boiler Safety</b>	<b>20.00</b>	<b>Dominion VA Power</b>	<b>3,615.60</b>
<b>Erard Andrea</b>	<b>1,250.00</b>	<b>Food Lion Inc</b>	<b>47.38</b>
<b>G &amp; G Farm Service</b>	<b>294.62</b>	<b>G H Watts Const. Inc</b>	<b>7,315.00</b>
<b>Jack’s Café</b>	<b>41.42</b>	<b>Jenkins Karen</b>	<b>125.00</b>
<b>M &amp; W Printers</b>	<b>57.60</b>	<b>Mid-Atlantic Lab</b>	<b>660.00</b>
<b>Milford Station</b>	<b>100.00</b>	<b>Miller Foley Group</b>	<b>1,400.00</b>
<b>Old Dominion Brush</b>	<b>1,580.75</b>	<b>Peumansend Creek Ind.</b>	<b>120.00</b>
<b>REC</b>	<b>490.70</b>	<b>Raresky Studios</b>	<b>506.00</b>
<b>Richmond Machinery</b>	<b>6,587.84</b>	<b>Ross Jason</b>	<b>500.00</b>
<b>Shear Albert Lewis</b>	<b>216.00</b>	<b>Sosmetal Products Inc</b>	<b>1,138.27</b>
<b>Taylor Alex</b>	<b>450.00</b>	<b>The Supply Room Co.</b>	<b>228.72</b>
<b>TravelHost of Central VA</b>	<b>200.00</b>	<b>Treasurer of VA (VITA)</b>	<b>805.20</b>
<b>Treasurer of VA (VDOT)</b>	<b>100.00</b>	<b>Verizon</b>	<b>264.39</b>
<b>Verizon Wireless</b>	<b>168.08</b>	<b>VA Utility Protection Ser.</b>	<b>26.25</b>
<b>VISA</b>	<b>4,102.89</b>	<b>Wardico</b>	<b>349.10</b>
<b>Waste Management</b>	<b>8,906.37</b>	<b>*Manster Stephen</b>	<b>535.60</b>

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

**C. Resolution – Declaring September 2010 to August 2011 as “The Year of Respectful Relationships and Healthy Families”**

**Voting Aye: McDearmon, Lanford, Wright, Satterwhite, Coleman, Webb and Davis.**

INFORMATIONAL ITEMS: The following informational items were noted.

- A. Town Hall Rentals – October, 2010
- B. Police Department Report – October, 2010
- C. Public Works Director’s Report – October, 2010

NEW BUSINESS:

- A. Town Manager’s Report

Request for Contribution to Caroline County Fair – The TM suggested they refer the “Request for Contribution to the County Fair” to the Budget Committee and ask them to come back with a recommendation as part of their budget discussions.

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Caroline Alliance Against Violence – The TM asked Council to note the article from the Caroline Progress that had been placed in their Council packets regarding an anti-violence campaign. He reminded Council that he serves on the Caroline Alliance Against Violence. The TM said there were a number of activities that the Committee is moving forward with. He said thanks to Mr. Cox, Editor of the Caroline Progress, there will be a series of articles relating to domestic violence that will be submitted by the Committee. He also noted the resolution that Council had adopted earlier regarding this issue. In answer to a question from Mr. McDearmon regarding Caroline County having significantly higher statistics relating to domestic violence than neighboring counties, the Town Attorney said people frequently moving and living in rural and isolated areas have more incidences of domestic violence. Mr. McDearmon asked the TM to keep them informed of future activities of the Alliance.

Mall in the Hall – The TM informed Council that the planned “Mall in the Hall” scheduled for November 13 has been cancelled because there was not enough time to generate the interest needed to hold the event. He said the Chamber of Commerce will schedule a similar event for next year.

REPORT OF COUNCIL COMMITTEES/MEMBER COMMENTS:

A. Economic Development/Activities and Tourism – There was no report from the Economic Development/Activities and Tourism Committee.

A. P. Hill Open House - Mr. Lanford asked about the letter they had received from the Department of the Army regarding the public hearing that is coming up at Town Hall and was there any homework needed for that. The Mayor said a consulting group is doing some work for the Army Asymmetrical Warfare Group and this open house is part of it. Mayor Storke updated Mr. Lanford on the Asymmetrical Warfare Environmental Assessments that were started in 2005. Ms. Bonnie Cannon asked permission to speak. She said these things happening at A. P. Hill include all of the military, not just the Army that will be coming here.

B. Budget - There was no report from the Budget Committee.

Committee Meeting – Ms. Davis noted that the Budget Committee had a meeting scheduled for November 10, 2010 at 9:00 A.M. She reported that she also attended the RACSB Open House and it was very informative.

C. Streets and Sidewalks – There was no report from the Streets and Sidewalks

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Committee.

D. Ordinances, Licenses, Permits – There was no report from the Ordinances, Licenses and Permits Committee.

E. Water, Sewer and Trash – There was no report from the Water, Sewer and Trash Committee.

F. Building and Grounds – There was no report from the Building and Grounds Committee.

Part-time Public Works Employee – Mr. Wright said they are currently interviewing applicants for the Part-time Public Works Department position.

G. Public Health and Safety/Personnel

Lighting Issue in Bowling Green Meadows – Mr. McDearmon stated that it had been brought to his attention by some neighbors that the lighting problem in Bowling Green Meadows is a safety issue. He said he had asked them to come to this meeting or the next one to discuss the safety issues in that community. Mr. McDearmon said many people walk in that neighborhood and there are no markings on the road.

WASHINGTON/ROCHAMBEAU VICTORY PARK: The Mayor said he would like to make Council aware of the meeting that will be held by the Caroline County Board of Supervisors on the following Tuesday and the Washington/Rochambeau Victory Park is on the agenda for a vote. He said it appears that this may be voted down and not proceed with the project. Mr. Satterwhite asked if the grant was voted down and the Supervisors tell VDOT they decline the grant, can the Town take over the grant. Mr. McDearmon said they should hear from the Bowling Green representative on the Board and how he stands on the issue. The Mayor said the odds of getting another \$400,000 grant with a 20% match is not good. Mr. Satterwhite suggested that if the supervisors vote it down, the Town Manager call the County Administrator to see if they can look at some other options before they turn the grant down. The TM said that part of the discussion with the County should be allowing the Town to provide the match but the County cannot give the project to the Town. He said VDOT would still consider the grant a Caroline County project and look to the County for administration and expenditure of funds. The Town Manager was directed to discuss this matter with the County Administrator.

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MEETINGS WITH PROPERTY OWNERS ON THE 301 CORRIDOR: The Mayor said they wanted to bring Council an update on the talks with property owners on the 301 Corridor and there is one property owner talking with a hotel group. Mayor Storke said the GSA had received a request from the Army to begin an investigation of a possible per diem rate increase. He said GSA had responded that they had received the request and will look into it and make a decision by December 31. If it was favorable to increase the per diem, he said it would take effect April 2011.

SHERIFF TONY LIPPA – NATIONAL NIGHT OUT - Sheriff Lippa said there were two things he wanted to bring before the Council and one of them was “National Night Out.” He said the Sheriff’s Office has been doing this and it is normally held on the first Tuesday of August. Sheriff Lippa said the concept of “National Night Out“ is to take back the community. He said the idea was that law enforcement start it and let it grow throughout the community. Sheriff Lippa said the only community that has come onboard with them is Ladysmith Village and they have been very successful. He said Lake Land Or and Lake Caroline have told them they are also coming onboard. Sheriff Lippa said he is hoping that the Town of Bowling Green will also want to participate and use the lot beside of Town Hall. He said the cost would be \$500.00 and the Sheriff’s Department would provide manpower, McGruff, handouts, etc. The Mayor said the Town would be a good place to hold that type of event and would be pedestrian friendly. In answer to a question from Mr. Lanford, Sheriff Lippa said they would help coordinate the event. **On motion by Mr. Wright, seconded by Mr. McDearmon, Council voted to host the “National Night Out” with the Sheriff’s Department on the first Tuesday of August, 2011 at a place to be determined in Town with an expenditure of up to \$500.00 for the event. Voting Aye: McDearmon, Lanford, Wright, Satterwhite, Coleman, Webb and Davis.** Mr. Lanford suggested they form a committee to work out the details of the event.

CAROLINE COUNTY SHERIFF’S DEPARTMENT - REQUEST FOR FREE USE OF TOWN HALL: Sheriff Lippa said they have been using the Town’s beautiful Town Hall for their annual event and he would like to request free use of the building again this year. **On motion by Mr. Wright, seconded by Mr. Lanford, Council voted to grant free use of Town Hall for the Sheriff Department’s annual employee Christmas party on December 4, 2010. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.**

The Mayor said on behalf of their Chief of Police, he appreciates them working with the Town. He said it was a pleasure dealing with the Sheriff’s Department. Mr. McDearmon said he also appreciates the Sheriff’s Department work with domestic violence.

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**CLOSED SESSION:** On motion by Mr. McDearmon, seconded by Mr. Wright, Council voted to go into Closed Session pursuant to VA Code §2.2-3711(A)(7) for consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice—Wastewater Treatment Agreement dated April 11, 2000, and pursuant to VA Code §2.2-3711(A)(1) for the discussion or consideration of the performance and compensation of the following positions: Director of Public Works, Utility Worker I, Utility Worker I/Operator I, Utility Worker II/Operator II, Maintenance Worker I, Maintenance Worker II, Clerk, Treasurer, and Police Chief. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.

**OPEN SESSION:** On motion by Mr. Lanford, seconded by Mr. McDearmon, Council voted to reconvene in Open Session. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.

**CERTIFICATION OF COUNCIL:** On motion by Mr. Lanford, seconded by Mr. McDearmon, Council voted to certify that only public business matters lawfully exempted from open meeting 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 the Council. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.

**ADJOURNMENT:** On motion by Mr. Lanford, seconded by Mr. McDearmon, Council voted to adjourn the meeting at 9:31 PM. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.

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