

TOWN OF BOWLING GREEN

TOWN COUNCIL MEETING

MINUTES

10-07-2010

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

MEMBERS ABSENT: Vice Mayor Glenn McDearmon.

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 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:

Jay Sweat – Department of Defense Project Manager, Office of Economic Development Adjustment – Joint Land Use Study – Mr. Sweat stated that Council had received back-up material in their packets regarding his presentation. He noted that his office has four primary programs which are Mission Growth, Base Closures, Defense Industry Adjustment and Compatible Use. Mr. Sweat stated that when a Military Service believes an installation may be experiencing incompatible development problems or that there is the likelihood for incompatible development that could adversely affect the military mission, the Service may nominate the installations for a Joint Land Use Study (JLUS) to the Office of Economic Adjustment (OEA). He said OEA Staff visits the installation, meets with the local base command and local government officials. OEA will evaluate existing or potential encroachment problems, the availability of Air and/or Range Air Installation Compatible Use Zones (AICUZ/RAICUZ) and the Operational Noise Management Programs (ONMP) information, and determine if a JLUS is justified. A JLUS will proceed if there is both base command and local jurisdiction interest. Mr. Sweat noted that Fort A.P. Hill was nominated in 2006 for a JLUS and he came and met with the Town Council but that Study was never conducted. He said he had met with the Town Manager and Mayor the past week and would be meeting with other jurisdictions to introduce himself and talk about what a Compatible Use Program is and what it is not

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and what resources the OEA is able to bring to the table. Mr. Sweat said he is available to act as the Town's Project Manager and bring resources to the table and act if needed, as a mediator between the Army and other stakeholders, to pull people together and talk about whatever the issues may be. The Mayor said the Town has always enjoyed an "open door" relationship with Fort A. P. Hill and the Army. He said that since the EOD School came into the picture, some controversy occurred over that. The Mayor said, out of that process, it was suggested, not by the Town but by other entities, that there was not enough dialogue with the Army. In answer to a question from Ms. Coleman, Mr. Sweat said the Army made the nomination to conduct a JLUS in 2006. He said that once an installation is nominated, the OEA is triggered to reach out to the community. Mr. Sweat said A. P. Hill was nominated because there were some concerns about future land use and future development in looking at the local Comprehensive Plans. In answer to a question from Mr. Webb, Mr. Sweat said at the time of the nomination in 2006, there were concerns about spending money to try to plan for twenty years in the future and also comp plans were being revised and they needed current data. He said the Army was also in the midst of doing a noise study and that information was not available. Mr. Sweat said he feels better about discussing this Study now than three years ago because they would have missed some good things that needed to be looked at. In answer to a question from Mr. Webb, Mr. Sweat said the Study has no "set in stone" distances from the base that they reach out to. The Mayor noted that although the Government pays ninety per cent of the costs, it is still tax payers' money and these studies can cost \$100,000.00 or more. Mr. Sweat said he is a good steward of Federal money and he doesn't want a Study done and let it sit on a shelf. Mr. Webb asked what the benefit to the Town would be to enter into a Study such as this. Mr. Sweat said what a JLUS can do for the Town is look at strategic long term planning where the Base solidifies the ties to the community and the base. He said communication is the key for all stakeholders, whether they conduct a JLUS or not. In answer to a question by Mr. Webb, Mr. Sweat said the Town would not be bound by the Study if it was completed but he would like to see some decision made afterward. The Mayor suggested Mr. Sweat get back with Council after he meets with the other jurisdictions involved.

Wade Murray, Caroline County Public Schools Technology Services and Frank Beale Bowling Green Electronics – Request to Use Water Tower for Radio and Antennae
– Mr. Beale informed Council that Mr. Murray could not be present so he had asked him to give Council a synopsis of what they were trying to do. Mr. Beale said he had been asked by the School Board to connect a wireless network to all schools. He said the School Board would like permission to place a 5 Ghz radio on the water tower located on Butler Street. He said the radio will have two directional antennas linking a computer network from Bowling Green Elementary School to the water tower near Caroline High

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School. Mr. Beale said it would probably use less electricity than a 100 watt light bulb. In answer to a question from Mayor Storke, Public Works Director William Stanley said the radio/antennae would fit on the water tower. In answer to a question from Town Attorney Andrea Erard, Mr. Stanley said the radio/antennae would belong to the Caroline County School System. Ms. Erard said she would help draw up an agreement for the radio/antennae use on the water tower if that is Council's wish. **On motion by Mr. Webb, seconded by Mr. Lanford, Council voted to allow Bowling Green Electronics and Caroline County Schools to install a radio on the Town's water tower, subject to an agreement to be developed by the Town Attorney. Voting Aye: Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.**

Kim Napier – Caroline County Chamber of Commerce Board Member – Request for Free Use of Town Hall - Ms. Napier was present representing the Caroline County Chamber of Commerce. She said she would first like to thank the Town Council for their support of the Chamber. Ms. Napier said the Chamber would like to have a "Mall in the Hall" event on November 13, 2010, similar to the one held by the Town two years ago. She said she was requesting free use of Town Hall for that function. Ms. Napier said the Chamber is doing this to benefit home-based businesses or businesses that do not have a store front. She said it would be open to all businesses in the County but they are limiting it to thirty vendors and no flea market items would be accepted. Ms. Napier said the event would be open to the public. The Mayor thanked Ms. Napier and stated they would bring this up later in the meeting.

PUBLIC HEARING:

A. Proposed Issuance of General Obligation Public Improvement Bonds – Water and Sewer Extensions – The Mayor opened the public hearing on the proposed issuance of General Obligation Public Improvement Bonds and read the following notice published in the Caroline Progress on September 23 & 30, 2010.

On Thursday, the 7th day of October, 2010, the Council of the Town of Bowling Green, Virginia, will conduct a public hearing on the proposed issuance of general obligation public improvement bonds of the Town in the estimated maximum principal amount of \$4,000,000. The purpose of the proposed bonds is to finance the acquisition, construction and equipping of water and sewer system improvements, including system extensions in the Route 301 corridor.

The public hearing will be conducted at 7:30 p.m. in the Bowling Green Town Hall, 117 Butler Street, Bowling Green, Virginia 22427. Interested persons may appear

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at such time and place and present their views. Any person with a disability who requires assistance in order to attend and/or participate in the public hearing is asked to contact Town Hall at 804.633.6212 in advance of the public hearing so that appropriate arrangements may be made.

The Mayor called for comments from the public regarding the issuance of general obligation public improvement bonds.

Mr. Peter Wattiker who lives at 109 Cary Street asked what percentage, relative to bonds, is allocated to the 301 expansion versus purchasing and upgrading the water and sewer system. Mr. Wattiker suggested the advertisement was improper or deceptive in that it presents material about the construction and extension of water and sewer system improvements. He said the ad should be primarily pointed to the extensions on the 301 Corridor. The Mayor said the project is not entirely in the annexed areas and the current water and sewer service stops primarily at the Pizza Hut. The TM stated that any extension or expansion of the system is considered an improvement to that system. The Mayor called a second and third time for comments from the public. Hearing none, he declared the public hearing closed at 8:10 P. M.

CONSENT AGENDA: On motion by Mr. Wright, seconded by Mr. Satterwhite, Council voted to approve the following Consent Agenda, as presented. Mr. Lanford apologized for missing the 9-16-10 meeting and explained that he was ill.

- A. Minutes - Regular Meeting – 9-2-2010
- B. Minutes – Special Town Council Meeting – 9-16-2010
- C. Bills – September, 2010

A & M Home Center	326.20	Bear Port A Potty	1,300.00
Beazley A W	300.00	Bennett Deborah T	390.00
BMS Direct	420.79	Bowling Green Auto Parts	63.29
Bowling Green Fire Dept	8,200.00	Bowling Green Rescue Sq	1,000.00
Cactus Jack	1,000.100	Caroline Agricultural Fair	500.00
Caroline Sheriff's Dept	1,344.00	CE&0 Inc	2,142.00
Cecil Billy	315.00	Chili Sauce	425.00
CINTA'S of Richmond	377.98	ComputerPlus	181.50
Dominion VA Power	4,648.47	Erard Andrea	1,250.00
Food Lion Inc	104.76	G & G Milford Farm Ser.	325.27
Gray Roxanne	300.00	HD Supply Waterworks	3,771.24
LGA of Virginia Inc	220.00	Luck Stone Corporation	237.00

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Main Stage Productions	2,034.00	Martin Marietta Aggregate	90.04
Medic I	35.00	Memorable Moments	500.00
Mid-Atlantic Lab	1,035.00	Milford Station	400.00
Miller Foley Group	1,400.00	MVP Awards	1,127.00
Northern Neck Newspaper	159.30	Old Dominion Brush	1,238.00
R K Construction LLC	16,802.00	Randall C Allen SE	1,350.00
REC	449.63	Raresky Studios	1,250.00
Stemmle Plumbing Repair	695.00	The Carpet House	7,000.00
The Free Lance Star	3,358.03	The Journal Press	700.00
The Supply Room Co.	458.78	Traffic on the Backbone	500.00
Travelhost of Central VA	200.00	Treasurer of Virginia	822.51
Trolley Tours of Fred.	700.00	Union Bank	9,765.78
USA Blue Book	446.99	VA Resources Authority	76,308.51
Verizon	264.46	Verizon Wireless	173.17
VA Utility Protection Ser.	29.40	VISA	925.05
VLGMA	181.87	Wardico	957.93
Waste Management	8,066.33	*M & W Printers	795.38
*Shell Fleet Plus	947.20		

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

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

INFORMATIONAL ITEMS: The following informational items were noted.

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

NEW BUSINESS:

- A. Town Manager's Report

Agreement with Caroline County Schools to Provide Television Station Content –
The TM said they had begun extensive discussions with the Caroline County School System and they are developing some cooperative arrangements to provide them with a television station. He said they are developing a program to deal with television and media and what they will ultimately do is, in accordance with the Town's Franchise Agreement, have their on PB station because the Town has reserved one for them in the

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Town's Franchise Agreement with Metrocast. At some point in the future, the School System will be purchasing equipment to actually operate the station out of their administration building or high school. The TM said until that time they will be providing the Town with information about the school system and the Town will place that on the Town's television station and have it available for the public. In exchange, the TM said the School System would use the Town's equipment (in particular the camera) to film events for the Town and give the Town the disc to play on the Town's station. He said the Town would be happy to show different events produced by the School system such as concerts and possibly some athletic events.

Creation of Tax District – The TM said the Council had received and reviewed a draft of an ordinance to create a Tax District related to utility improvements along the Route 301 Corridor. He said a final document for public hearing and consideration cannot be prepared until the bond for the borrowing of funds for the project “closes.”

Report on Meals Tax Revenue Possibly Created by Boy Scout Jamboree – At a request by the Mayor, the TM had prepared a report showing the meals tax revenue figures for the period surrounding the Boy Scout Jamboree and for the same period in previous years. The report was passed out to the Council Members. He said the figures show that the Jamboree had a substantial positive impact on the Town of Bowling Green. Mr. Lanford suggested it may be an advantage to contact the Boy Scouts of American to let them know the impact they had on the Town and that may encourage them to return. The TM said that, unfortunately, the Boy Scouts had purchased land in West Virginia where they were planning to have a permanent location.

Reported Leaks from Trash Truck – As directed by Council, the TM said he had contacted Mark Hillyer of Waste Management concerning leaks from the trash truck and Mr. Hillyer had assured him that it would be corrected.

Yoga Program in Town Hall – The TM reported that the Yoga Program in Town Hall has been more successful than they had ever anticipated and they currently have 22 participants and expect that to increase.

Harvest Festival - The TM noted that Kathy Beard was ill and could not be present at the meeting but send him a report to present. He reported that this year at the Harvest Festival there would be two music venues, one across from the Courthouse Lawn and the other at the Bowling Green Baptist Church property. He also reported that the car show would again be on North Main Street and the motorcycle show on Oakridge Street. The TM said Antique Alley is being moved to Chase Street and Art in the Alley would be

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located on Milford Street. He noted that a special event this year would be held by the Caroline County Museum and Cultural Center. The TM said they have a revenue budget of \$11,000.00 for vendor fees and they are currently at \$9,200.00 and expect to do well as additional revenue comes in. He requested that all Council Members come to the Harvest Festival Main Stage at 8:30 AM to be introduced to the audience. The TM asked that anyone who would like to help with the setup should arrive around 6:00 AM.

Permanent Decals - Ordinance – The TM ask Council to note the proposed permanent decal ordinance that had been included in their packet. He said the Town Attorney Andrea Erard, has prepared this draft ordinance for their consideration. He said at the last meeting they had talked about Caroline County going to a system of permanent vehicle decals. He said the County had also compressed their fee schedule to two different categories. The TM asked Council to review this proposed draft ordinance on permanent vehicle decals and refer any comments to the Ordinance Committee. He suggested the Ordinance Committee meet during the month of October and discuss this Ordinance with Staff and the Town Attorney and have a draft recommendation ready for the next Council meeting with the possibility of scheduling a public hearing, if needed. **On motion by Mr. Lanford, seconded by Mr. Wright, Council voted to refer the draft permanent decal ordinance back to the Ordinance Committee to review, receive suggestions from the Council before their committee meeting and bring back a proposed decal ordinance to the next meeting. Voting Aye: Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.**

Letter of Engagement/Resolution - Bond Financing – The TM asked Council to note in their packets the Letter of Engagement with Hunton and Williams who works with the Virginia Municipal League Bond Pool Program. He said the team would be assisted by Mr. Christopher Kulp who will be the Town's Bond Counsel. He asked Council to consider approving the signature of the Letter of Engagement and a Resolution and associated documents concerning the actual entering of the Bond Pool to finance their utility extension project. He noted that these documents have been prepared by Bond Counsel and reviewed by the Town Attorney. **On motion by Mr. Satterwhite, seconded by Ms. Davis, Council voted to approve a Resolution for the issuance of general obligation public improvement bonds in the estimated maximum principal amount of \$4,000,000.00 for the purpose of financing the acquisition, construction and equipping of water and sewer system improvements, including system extensions in the Route 301 Corridor, as well as approval of the retainer letter from Chris Kulp, Bond Counsel, the Local Bond Sale Agreement and the Loan Agreement, and; Mr. Satterwhite further moved and Ms. Davis seconded to authorize the Town Manager to execute said documents on behalf of the Town**

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Council. In answer to a question from Ms. Coleman, Town Attorney Erard stated that the State Code may require that the Resolution be filed in the Circuit Court of Fairfax County, Virginia but she would check on that matter. In answer to a question from Mr. Lanford, the TM stated that they anticipate the loan closing to be the first week of November, 2010. **Voting Aye: Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.**

Veteran's Day Celebration – The TM stated that Mr. McDearmon who could not be present at this meeting had requested the Town arrange and conduct an event in honor of Veterans' Day. He said Mr. McDearmon would like to create a celebration at Town Hall with a reception and ask the community to bring memorabilia to display during the celebration. He said there would be other activities such as a display of period art, readings and 40's and 50's music. He said they also want to read names of veterans who may be present at the event. The TM said there is also an event scheduled at the Caroline County Community Services Center that evening. The TM said if Council wants to hold an event, they could coordinate with the events at the Community Services Center to see if they can have one major function here at Town Hall. The TM said Mr. McDearmon suggested they hold the event around 6:00 PM and advertise the event in local newspapers, radio and the Cable Channel. The Mayor recognized Dawn Harris from the audience who informed Council that the County, VFW and the American Legion were also holding a reception on the Courthouse Lawn at 11:00 AM on the 11th. The TM said Mr. McDearmon asked that the Council act quickly and enlist volunteers to serve on a committee that may be created to bring this about and make this an annual event for the Town. Mr. Wright said he, Mr. McDearmon and the Town Manager will set another meeting to work on that set up. **On motion by Mr. Wright, seconded by Mr. Satterwhite, Council voted to hold a Veterans' Day Celebration on November 11, 2010 in Town Hall, contingent upon coordination with the American Legion, VFW and Caroline County, plans also are to showcase the Town Hall Lobby during that event. Voting Aye: Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.** The TM said Mr. McDearmon had also suggested the Town order new flags and have a fairly large Town Seal prepared that they could hang in the Town Hall.

REPORT OF COUNCIL COMMITTEES/MEMBER COMMENTS:

A. Public Health, Safety/Personnel – There was no report from the Public Health, Safety/personnel Committee.

B. Water, Sewer and Trash

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Groundbreaking for the 301 Corridor Project – The Mayor asked if Council would like to do a groundbreaking for the 301 Project. He said he thought they had a lot to be proud of in getting this project off the ground. The consensus of Council was that they hold a groundbreaking ceremony and direct the Staff to work out the details and set a time.

C. Building and Grounds

Renovations to Town Hall Lobby – Mr. Wright expressed his appreciation to everyone for working together on this project and making it a big success. The TM said Mr. McDearmon also asked him to express appreciation and thanks to Ms. Davis, Ms. Coleman, Mrs. Webb, Mr. Wright and Mr. Kidd for the excellent renovation of the Town Hall Lobby. The Mayor said he is also “blown away” with the improvements to the Town Hall and he too, expressed his greatest appreciation to the people involved. Mr. Wright said they are waiting on a selection of tile for the front entrance so the renovations can be completed.

D. Ordinances, Licenses, Permits

Committee Meeting – Mr. Satterwhite scheduled a Committee meeting for October 12, 2010 at 9:00 AM to discuss the Permanent Decal Ordinance.

E. Streets and Sidewalks

Sidewalks on Courthouse Lane – In answer to a question from Ms. Coleman, Public Works Director William Stanley stated that the sidewalks on Courthouse Lane should be completed by the following afternoon. The TM said this sidewalk will be a nice addition to the Town and he wanted to thank Public Works Director William Stanley for his efforts to work with adjacent property owners to complete a project that everyone could be proud of.

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

G. Economic Development /Activities Tourism

Long Range Planning Meeting – Mr. Lanford said he did not have a report from his Committee but he wanted to say that he, Council Member Davis and the Town Manager attended the long range planning event at Town Hall. He said it was very informative and he was looking forward to seeing what the outcome of those meeting will

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be.

Speeding in Town – Mr. Lanford said at the last meeting, speeding in Town was discussed and he didn't know if they were able to address that with the Sheriff's Department. He noted that his house backs up to Main Street and he sees a lot of people speeding through Town.

Water Break on Main Street – Mr. Lanford stated that he wanted to thank Mr. Stanley for taking the lead on fixing the water break on Main Street and staying there until 1:30 AM to work on it. He said this type of thing does not always get recognized.

TREE TRIMMING IN TOWN: The Mayor said they need to address the tree trimming in Town by Dominion Virginia Power. He said he is sure that all of Council has gotten calls from citizens about the way Dominion Virginia Power trimmed the trees. He said some of the trees do look like they have been butchered and they have contacted Dominion and asked them to sit down and talk with them about this issue. The Mayor stated that he thinks the best they can hope for is to have Dominion trim the trees more often than every three years so it wouldn't be so severe. The Mayor said he was told by Mr. Maxie Rozell who works for REC that they have national standards for tree trimming that electric companies have to abide by for safety reasons.

RECOMMENDATION OF APPOINTMENT TO THE BOARD OF ZONING APPEALS: **On motion by Mr. Wright, seconded by Ms. Davis, Council voted to recommend to the Caroline County Circuit Court Judge that William Thornton be appointed to the Bowling Green Board of Zoning Appeals to fill the unexpired term of Jean Davis. Voting Aye: Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.**

DONATION TO AMERICAN CANCER SOCIETY: Mr. Satterwhite thanked Council and Staff for the donation made to the American Cancer Society at the death of his grandmother.

THANK YOU NOTE: The Mayor also shared a note of thanks from Council Member Davis for the meat and cheese tray that was delivered to her house following her recent surgery.

BONNIE CANNON – 123 S. MAIN STREET: Mrs. Cannon apologized for arriving late to the meeting but stated she would like to make sure that residents can have input in the Joint Land Use Study that was discussed earlier in the meeting.

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REQUEST FOR FREE USE OF TOWN HALL – CAROLINE COUNTY CHAMBER OF COMMERCE CONTINUED - **On motion by Mr. Wright, seconded by Mr. Satterwhite, Council voted to approve the request for free use of Town Hall by the Caroline County Chamber of Commerce to hold a “Mall in the Hall” event on November 13, 2010. Voting Aye: Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.**

ADJOURNMENT: **On motion by Mr. Lanford, seconded by Ms. Davis, Council voted to adjourn the meeting at 9:00 PM. Voting Aye: Wright, Davis, Coleman, Satterwhite, Webb and Lanford.**

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