

TOWN OF BOWLING GREEN

TOWN COUNCIL MEETING

MINUTES

06-02-11

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

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 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:

James Beasley, Dominion VA Power Internal Affairs Representative from the Fredericksburg Region; Tom Kincaid, Dominion VA Power Operations Manager for the Fredericksburg Region; Jeff Geis, Supervisor of Forestry for Dominion VA Power; Matt Bolts, Dominion VA Power Forestry Coordinator – The Mayor explained that the Dominion VA Power Representatives were present to convey information to the Council regarding their pruning of the trees in the Town of Bowling Green. Mr. Geis said they have been called tree butchers but they take their jobs very seriously. He said their job was to keep the public safe from the power lines and to keep the lights on. The Mayor noted that Bowling Green does not receive any advance warning of the tree trimming. He also said he had received complaints from citizens about the severity of the cutting of the trees. He asked if there was a better way they could prune them that would make them safe and more pleasing to look at. The Mayor said they had been dealt a hand of having small yards and trees being planted twenty/thirty years ago without consideration that the trees were planted under a power line and that the trees were going to grow. Mr. Bolts stated that if there were citizens who have complaints or concerns, he would like them to call him and he would come down and explain what they did and why they did it. He clarify that there were certain guidelines that they must follow when cutting the trees to preserve the tree and for safety reasons. In answer to a question from Mr.

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Wright, Mr. Geis said he was surprised to hear that residents had not received a response to their calls because they take pride in responding. The Mayor asked if Dominion would consider cutting more often than every three years in a small Town such as Bowling Green so the cuts would not have to be so drastic. Mr. Geis said the most tree growth occurs the first year and the third year there is very little growth. He said Fredericksburg, because of their Charter, are on a two year cycle for cutting and their clearance is very much like Bowling Green's. Mr. Geis said they do the minimum amount of cutting to keep everyone safe. In answer to a question from Mr. McDearmon, Mr. Geis said they would check out the couple of trees in Town that look like they are dead and if they appear dangerous, they would take them down. In answer to a question from the Mayor, Mr. Bolts said they could provide planting guidelines for anyone who needed them. In response to a question from Mr. McDearmon, Mr. Geis said he would get in touch with someone who is familiar with grants to see if there are any funds available to place electric lines underground. Ms. Coleman asked about a silver maple tree and how far back it needed to be cut. Mr. Bolts said the silver maple grows rapidly and is extremely brittle and would be cut back farther than other types of maple. He said he would look at the tree and possibly take it down if they wanted him too. Mr. Bolts said they would be sure to let the Town know when they are cutting again.

Mark Mallin, 224 N. Main Street – Clean Sweep – Mr. Mallin was present to talk about the Town event called “Clean Sweep.” He admitted that when the event first came to Bowling Green, he didn't like the idea, but he said he had become a believer. Mr. Mallin said he was concerned the event would die if they only limit the sales to Bowling Green because Bowling Green citizens will run out of things to sell. He suggested they open it up to the rest of the County to come and display their wares. He said they could charge \$10 or \$15 to set up in Town and turn it over to some non-profit organization such as the Fire Department/Rescue Squad so they could run it and make some money. Mr. Mallin said this would also bring more people in to the Town.

Danny Carter – 17600 A.P. Hill Blvd. - 301 Tax District – Mr. Carter who has a Self Storage business on the 301 Corridor said he was not happy about being in the new tax district and paying more taxes. In answer to a question from Mr. Carter, the TM stated that the residential property on the 301 Corridor had been excluded from the special tax. Mr. Carter also wanted to know if they would exclude any future residential properties in that area from the special tax district. The TM said future residential properties would not be excluded from the special tax district. He said there may be properties in the special tax district now that could be rezoned for residential purposes and still be in the district and pay the fee. Mr. Carter wondered if they were setting a precedent by excluding residential property at this point. He said he hopes the Town's

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investment would pay off shortly.

Valerie Coyle, Maury Avenue – Golf Carts in Town – Mrs. Coyle said she was curious about the golf cart ordinance. She said she was not sure what the revenue factor was for the Town by allowing golf carts, because she did not believe it would bring people into Town. Mrs. Coyle said her other concern was the speeding issue on Main Street. She said they had been complaining about that for years. Mrs. Coyle said that suddenly on the heels of the golf carts, they now want to take care of speeding on Main Street. She wanted to know if this is because of the golf carts (and if it is, that is very sad), or if they are genuinely concerning about speeding. Mrs. Coyle said it would be easier for her to add her property to the 25 homes up for sale in this Town than to worry about a golf cart.

PUBLIC HEARINGS:

301 Corridor Special Tax District and Tax Rate – The Mayor opened the public hearing on the proposed 301 Corridor Tax District and Tax Rate. He read the following notice that was published in the Caroline Progress on May 19 & 26, 2011:

Ordinance No. 4-11 establishes the Route 301 Corridor Utility Service District (Service District) which is located in the Route 301 Corridor as shown on Exhibit C. The purpose of the Service District is to provide utility improvements (water and sewer service) pursuant to VA Code Section 15.2-2400, 15.2-2402 and 15.2-2403. Twenty six percent of the debt service on the bond funding the utility improvements will be funded by Special Tax Assessment and the remaining portion of the debt service will be funded by the Town. All real property in the service district shall be subject to taxation at a rate for FY2011-2012 is \$1.70 per \$100 of assessed value of real estate and improvements. The Mayor called for comments from the public on the proposed 301 Corridor Special Tax District. He called for comments a second and third time. Hearing no comments, the Mayor closed the public hearing at 8:10 PM. **On motion by Mr. Webb, seconded by Mr. McDearmon, Council voted to approve the 301 Corridor Special Tax District and set the tax rate at \$1.70 per \$100 of assessed value. Roll Call Vote:**

Glenn McDearmonAye
Jason Satterwhite.....Aye
Glen Lanford.....Aye
Mary Frances Coleman.....Aye

Otis Wright.....Aye
Daniel Webb.....Aye
Jean Davis.....Aye

Proposed Golf Cart Ordinance – The Mayor announced that the next public

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hearing was on the proposed Golf Cart Ordinance. He read the following notice that was published in the Caroline Progress on May 19 & 26, 2011.

Ordinance No. 3-11 would permit the operation of golf carts in the Town of Bowling Green and amends the Bowling Green Town Code, Chapter 4, "Nuisances and Offenses," Article IV, Motor Vehicles and Traffic, by adding Division 5, "Golf Carts", "Section 4-500, Definitions", "Section 4-501, Golf Cart and Utility Vehicle Operation permitted", "Section 4-502, Required Safety Equipment", "Section 4-503, Town Safety Inspection", "Section 4-504 Insurance Required", "Section 4-505, Local Vehicle License", and "Section 4-506, Liability Disclaimer". Ordinance No.3-11 is considered pursuant to the grant of authority contained in VA. Code Section 46.2-916.2. The Mayor opened the public hearing and called for comments from the public on the proposed Golf Cart Ordinance that would allow Golf Carts in the Town of Bowling Green.

Mrs. Bonnie Cannon stated her name and that she lives at 123 S. Main Street. She said she had been in Town since 2002 and had expressed concerns many times about speeding in Town. Mrs. Cannon noted that it was now 2011 and there was still speeding on Main Street. She also felt the 2009 data that showed the daily traffic on Main Street to be 5,200 vehicles per day was outdated, and she would like to know when the traffic volume was low. Mr. Manster stated the 2009 data was the latest information that VDOT had and the traffic volume was lower in the afternoon/evening. Mrs. Cannon said she hopes Council takes her comments into consideration because she thinks golf carts are a big safety issue. She also invited Council to attend the Historic Port Royal 4th of July celebration. The Mayor called a second and third time for public comments on the Golf Cart Ordinance. Hearing no comments, the Mayor closed the public hearing at 8:15 PM.

Mr. Lanford asked about age restrictions to ride in a golf cart; he said his fear is that they will have younger kids who do not fit into the belt or safety harness and could cause a safety hazard. He asked if proper seating for younger kids should be added to the ordinance. Attorney Erard stated that the State Code does not address that but something could be added, if Council wanted to. She said it would be difficult to ascertain the age of a child and who would do safety inspections. She noted that Colonial Beach has no height or weight restriction on golf carts. Mr. Lanford said he was also concerned about open ended carts without covers. He said golf carts are a safety issue with reckless drivers, speeders and trucks. Mr. Lanford said he understands about closed in communities and resort areas having golf carts but Bowling Green has a main thoroughfare running through it. He suggested the golf carts do not fit into an historic town such as Bowling Green. Mr. Lanford said he didn't feel that having golf carts to bring people into Town was a reason to pass this ordinance. The Mayor said he was not

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naïve enough to think this will do much to bring people into Town, and he certainly did not want to do anything to put residents in danger. However, he did think it may help bring some retired people to Town. The Mayor said he, personally, doesn't think it is a bad thing and he would take advantage of it if the ordinance is passed. He said there were other people who also think it is a good thing. Mr. Satterwhite suggested Attorney Erard check on child restraints. **On motion by Mr. Wright, seconded by Mr. Satterwhite, Council voted to adopt the golf ordinance with an addition to Section 4-501(7) to add "and all motor vehicle laws regarding the transportation of persons under the age of 18 as passengers shall be strictly observed." Roll Call Vote:**

Glenn McDearmon.....Aye	Otis Wright.....Aye
Jason Satterwhite.....Aye	Daniel Webb.....Aye
Glen Lanford.....Nay	Jean Davis.....Aye
Mary Frances Coleman.....Aye	

Amend FY2011 Budget - The Mayor opened the public hearing on the amendment to the FY2011 Budget and read the following notice published in the Free Lance Star on May 26, 2011:

The purpose of the hearing is to accept comment on and consider a resolution to amend the Town's Fiscal Year 2011 budget, such budget having been approved in the amount of \$1,406,651. The amendment proposes to transfer and appropriate \$411,000 from unallocated General Fund reserve and Water and Sewer Fund reserve accounts for the purpose of retiring all debt for the Town's Wastewater Treatment Plant and Broaddus Avenue Well. The Mayor called for comments from the public on the amendment to the Town's FY2011 Budget. He called a second and third time for public comment. Hearing no comments from the public, the Mayor closed the public hearing at 8:35 PM.

On motion by Ms. Davis, seconded by Mr. McDearmon, Council voted to amend the FY2011 Budget for reasons specified in the above paragraph. Roll Call Vote:

Mr. Glenn McDearmon.....Aye	Mr. Otis WrightAye
Mr. Jason Satterwhite.....Aye	Mr. Daniel Webb.....Aye
Mr. Glen LanfordAye	Ms. Jean Davis.....Aye
Ms. Mary Frances Coleman.....Aye	

CONSENT AGENDA: **On motion by Mr. McDearmon, seconded by Mr. Wright, Council voted to approve the following Consent Agenda, with the following amendment to the May 2, 2011 minutes:**

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On page 5, under Special Tax District, line 7, replace “Glenn McDearmon’s” name with “Glen Lanford “

On page 7, under Town Manager Evaluation/Salary Increase, line 2, replace “Glenn McDearmon’s” name with “Glen Lanford”

- A. Minutes - Regular Meeting – 05-02-2011
- B. Bills – May, 2011

A & M Home Center	301.36	American Water Works	295.00
Art & Sign F/X Inc	2,981.00	Bourne & Sons Janitorial	22.65
BAI Municipal Software	3,176.80	Bennett, Deborah	360.00
BG Auto Parts	66.92	English Acres Nursery	100.00
Café on Main Street	60.66	Caroline Sheriff’s Office	576.00
Caroline Garage	116.70	CE&O INC	2,142.00
Cintas of Richmond	301.64	Citizens for Caroline	233.00
Coleman, Mary Frances	600.00	Computer Plus	181.50
Davis, Jean	600.00	Environmental Resource	456.82
Erard, Andrea G	1,250.00	Food Lion Inc	152.74
G&G Farm Service	88.54	Graves, Darlene	150.00
Harrie Plumbing & Heating	115.00	HD Supply Waterworks	1,838.40
Keady, Jennifer	45.00	Ladysmith Heating and Air	95.00
Lanford, Joseph Glen	600.00	Superior Lamp	521.47
M&W Printers	207.14	McDearmon Glenn	600.00
Mid-Atlantic Lab	1,367.00	Miller Foley Group	1,400.00
Quill Corporation	100.61	Rappahannock Electric	661.37
Remuda Ranch	1,023.01	Satterwhite, Jason	600.00
Sosmetal Products Inc	869.35	Staples Direct	81.99
Storke, David	900.00	The Supply Room Co.	194.84
Travel Host of Central VA	200.00	Treasurer of Virginia	811.08
Treasurer of Virginia	12.00	VA Energy Purchasing	55.00
Verizon Wireless	169.25	Virginia Utility	15.75
Visa	953.14	VML	649.00
Wardico	360.07	Waste Management	8,066.33
Webb, Daniel	600.00	Wright Otis	600.00
*Dominion VA Power	4,135.38	*Verizon	262.76
*Shell Fleet Plus	1,355.95	*Union First Market Bank	188,979.30
*VA Resources Authority	223,207.15		

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

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

Cont. - Golf Cart Ordinance - Attorney Erard read the State Code Section pertaining to child restraint requirements for children. Ms. Erard suggested a line be added to the motion made earlier in the meeting. **Mr. Wright proposed to add the following change to the motion made earlier regarding the golf cart ordinance and Mr. Satterwhite agreed: “and all motor vehicle laws regarding the transportation of persons under the age of 18 as passengers shall be strictly observed”**

INFORMATIONAL ITEMS: The following informational items were noted

- A. Town Hall Rentals – May, 2011
- B. Police Department Report – May, 2011 - Mr. McDearmon suggested the Police Chief inform the public regarding regulation on golf carts. Mr. Satterwhite also suggested that when someone comes in to get a decal for their golf cart, they also be given an informational sheet regarding the use of the golf carts. The Mayor expressed appreciation to the Police Chief for having the police car parked on Main Street and for his efforts on the streets in Town
- C. Public Works Director’s Report – May, 2011
- D. Treasurer’s Report – April, 2011

NEW BUSINESS:

- A. Town Manager’s Report

Resolution – Proposed FY2012 Budget and Tax Rate – The TM stated that the FY2012 Budget and the .12 tax rate could be accepted with the Council’s consideration of Ordinance #5-11. He noted that although the current real property tax rate is \$0.10, because of reduced assessments that resulted from the most recent County-wide reassessment, the proposed tax rate provides an “equalized” collection of Real Property Taxes for the Town. Mr. Webb said he had noticed that a lot of the reassessments of home values had gone down but for the most part, land value didn’t go down. He noted that anyone who owns acreage or property without a home on it, the real estate taxes went up. The TM said the equalized rate is based on an equal collection of tax revenue which is based on total assessment for all property in which some went down, some went up. He said this rate provides an equal number of dollars for the Town of Bowling Green

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from the real property tax. Mr. Webb said he understands the equalized rate but it didn't seem fair that some people who own property and land just did not change. Mr. McDearmon said not many people came before the Equalization Board to challenge the assessments on their property. **On motion by Mr. Webb, seconded by Mr. Satterwhite, the Council voted to adopt Ordinance # 5-11 which approves the FY2012 Budget and a tax rate of .12 per \$100 of assessed valuation. Roll Call Vote:**

Glenn McDearmon.....Aye	Otis Wright..... Aye
Jason Satterwhite.....Aye	Daniel Webb..... Aye
Glen Lanford.....Aye	Jean Davis..... Aye
Mary Frances Coleman.....Aye	

Resolution To Accept Certain Property and Easements Relating to the 301 Corridor Utility Extension Project – The TM said the proposed Resolution with attached plats which show property and easements will be accepted by the Town with the adopted Resolution. He noted that some are temporary and some are permanent easements and there is one donation of a .1837 acre parcel by Northview Properties to the Town of Bowling Green for the location of a pump station. **On motion by Mr. Webb, seconded by Ms. Davis, Council voted to adopt a Resolution to accept Certain Property and Easements relating to the 301 Corridor Utility Extension Project. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.**

Census Information – The TM stated that on the Council Member's table was some recently released census information that shows the Town's total population and the characteristics of that population.

Groundbreaking Date for 301 Corridor – The TM said they are looking at setting another date for the groundbreaking ceremony for the 301 Corridor. He said the first stages of the project are boring under Rt. 301 in three locations and that would take 4 to 5 days per bore. He stated that what they are looking for is the actual start of major work on the project sometime during the week of June 20th. He asked Council to look at the 23rd or 24th of June, 2011 or sometime during the following week for the groundbreaking. The consensus of Council was to hold the groundbreaking ceremony for the 301 Corridor on June 23, 2011 at 11:00 A.M. with lunch to be served at Town Hall.

Building and Grounds Committee Meeting Date – The TM said they need to schedule a Building and Grounds Committee meeting because several issues had come up relating to Town Hall and current policies. **On motion by Mr. Wright, seconded by Ms. Davis, Council voted to hold a Building and Grounds Committee meeting on**

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June 9, 2011 at 4:00 P.M. at Town Hall. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.

Clean Sweep in Bowling Green – The TM noted the Clean Sweep Event that was going to be held in the Town the following Saturday on June 4, 2011.

Farmer's Market - The TM informed Council that the Farmer's Market would be expanding, starting this week-end, with new vendors coming in.

Parade – The TM said June 11, 2011 would be the 70th anniversary of Ft. A. P. Hill. He said a parade would be held in the Town at 10:00 AM and he encouraged everyone to come to that event. He said he was notified that Congressman Wittman would be attending the parade but would not be able to stay for the events at A. P. Hill. The TM said there would also be some events in Port Royal in the afternoon. He said from 2:00 PM until 8:00 PM, there would be fantastic events at A. P. Hill including a performance by a band and the Twilight Tattoo Presentation which will begin at 7:00 PM.

REPORT OF COUNCIL COMMITTEES/MEMBER COMMENTS:

A. Economic Development – Mr. Lanford stated that the School Reading Project will be picked up when school starts again this year. He said they hope to have some volunteers lined up and buses available in mid October.

B. Budget – Ms. Davis reported that the FY2012 Budget had been approved and they were ready to start the new year.

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

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

E. Public Health, and Safety/Personnel – Mr. McDearmon expressed appreciation to all the Council Members who had input on the evaluation process.

F. Streets and Sidewalks – There was no report from the Streets and Sidewalks Committee.

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MAYOR’S REPORT:

A. Change of Command Ceremony – The Mayor informed the Council that the following day he would be attending a Change of Command Ceremony at Ft. Myer in Arlington. He said Major General Horst would be passing the flag to Major General Linnington. Mayor Storke said Major General Horst had been a friend to the Town of Bowling Green. He said he had the opportunity to meet Major General Linnington and his wife at a Twilight Tattoo ceremony held at Ft. McNair.

70th Anniversary of A. P. Hill - The Mayor encouraged everyone to attend the ceremonies for A. P. Hill’s 70th Anniversary especially the Twilight Tattoo. He said it was such an impressive ceremony. The Mayor said the A. P. Hill Gate would be opened at 2:00 PM. He said the Town parade would include the EOD School soldiers marching into Town along with veterans and the Army Band

OLD BUSINESS:

Renaming of the Town Hall Building – The Mayor said he would like to put to rest the renaming of the Town Hall Building and the two rooms. He said the Committee, with the help of Ms. Coleman and Ms. Davis had come up with the following names:

The building would become the Bowling Green Event Hall
 The ballroom would become the Rappahannock Ballroom
 The lobby would be called the Mattaponi Reception Room.

He asked for any additional input the Council may have received. The Mayor stated that the additional input he had received since the last meeting was that people generally liked the Bowling Green Event Hall but would like something about USO in the name of the ballroom. Mr. Wright said he had also received comment on the ballroom about using the USO in the name and about using the name Bowling Green Event Hall. Mr. Satterwhite said the only comment he had received was that Mary Washington College also had a room called the Rappahannock Ballroom. Mr. Lanford said Fredericksburg Country Club also had a room called the Rappahannock Ballroom. The Mayor suggested the Old USO Ballroom, the Rappahannock Reception Room and the Bowling Green Event Hall. Ms. Coleman said she liked the “USO” part. Some Council Members said they didn’t like the “old” part. Based on some concerns by Council, Ms Erard said she would check to see if there is any problem with using the “USO” name with the ballroom. **On motion by Mr. Lanford, seconded by Ms. Davis, Council voted to**

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rename the building the “Bowling Green Event Hall”, the Ballroom would be named the “USO Ballroom” and the Lobby would be called the “Rappahannock Reception Room.” Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.

ADJOURNMENT: On motion by Mr. Wright, seconded by Ms. Davis, Council voted to adjourn the meeting at 9:12 P.M. Voting Aye: McDearmon, Wright, Satterwhite, Webb, Lanford, Davis, and Coleman.

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