

TOWN OF BOWLING GREEN

TOWN COUNCIL MEETING

MINUTES

11-03-11

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

MEMBERS ABSENT: Jason Satterwhite.

OTHERS PRESENT: Town Manager Stephen Manster, Town 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. The Mayor noted that Jason Satterwhite was absent from the meeting because his father-in-law was experiencing a medical emergency.

PUBLIC HEARINGS:

A. Water Supply Plan – The Mayor opened the public hearing on the Caroline County and the Town of Bowling Green Regional Water Supply Plan and read a portion of the public notice that was advertised in the Caroline Progress on October 20 & 27, 2011. He said all localities were required to develop a water supply plan. The Mayor said Caroline County and the Town had worked together on the Plan and changes were made by the Consultant to bring the draft Water Supply Plan into compliance with currently adopted Town and County planning documents. The Mayor called for comments from the public on the proposed Water Supply Plan. He called a second and third time, hearing no comments; the Mayor closed the public hearing at 7:35 PM. **On motion by Mr. Wright, seconded by Mr. McDearmon, Council voted to adopt the Caroline County and Town of Bowling Green Water Supply Plan, as presented.** The Town Manager (TM) said the Committee and Staff have reviewed the proposed Water Supply Plan and because this draft allows them to meet the minimum State requirements as expressed in DEQ Regulations, the Committee feels it is appropriate to adopt this Plan. **Voting Aye: McDearmon, Wright, Webb, Lanford, Davis, and Coleman.**

B. Proposed Drought Management Ordinance No. 10-01-11 – The Mayor

Mayor _____ Clerk _____

opened the second public hearing on the proposed Drought Management Ordinance No. 10-01-11 that was also advertised in the Caroline Progress on October 20 & 27, 2011. The Mayor said a drought management ordinance is required to be adopted by all localities to have in place in the event there is a water supply emergency. The Mayor called for comments from the public on the proposed Drought Management Ordinance. He called a second and third time for comments from the public, hearing none; he declared the public hearing closed at 7:38 PM. **On motion by Mr. McDearmon, seconded by Ms. Davis, Council voted to adopt the proposed Drought Management Ordinance No. 10-01-11, as presented. Voting Aye: McDearmon, Wright, Webb, Lanford, Davis, and Coleman.**

C. Tourism Zones – Proposed Ordinance No. 10-02-11 – The Mayor opened the third public hearing on a proposed Ordinance to establish Tourism Zones within the Town. He said this Ordinance is for the purpose of granting tax incentives and providing regulatory flexibility to qualified businesses within these tourism zones. He read a portion of the ad that was advertised in the Caroline Progress on October 20 & 27, 2011. He called for comments from the public on the proposed Tourism Zones. He called a second and third time for comments, hearing none, he declared the public hearing closed at 7:40 PM. The TM said the Ordinance puts these districts in place for tax incentives and regulatory flexibility on all existing commercial areas. **On motion by Mr. Lanford, seconded by Ms. Davis, Council voted to approve the proposed Ordinance No. 10-02-11, creating Tourism Zones in the Town of Bowling Green.** Mr. McDearmon stated that this was a very important ordinance to give some flexibility and opportunity for local businesses. **Voting Aye: McDearmon, Wright, Webb, Lanford, Davis, and Coleman.**

DELEGATIONS:

A. Kathy Beard – Bowling Green Harvest Festival Update - The Mayor introduced Kathy Beard who was present to give an update on the recent Harvest Festival. He said Ms. Beard and her team does a good job every year with the Harvest Festival and this year was no exception. The Mayor said this year they had beautiful weather which helped make this Harvest Festival as big as or bigger than ever. Ms. Beard stated that they would have a full financial reconciliation in a few months. She noted that there were 137 vendors this year which was one of the strongest vendor years they had ever had. Ms. Beard stated that mostly due to the great weather, they estimated the crowd to be over 13,000 this year. She also stated that the strong points of the Festival are the car and tractor shows. The Mayor noted that at 6:00 PM the streets were clear, thanks to the work and direction of Public Works Director William Stanley and his

Mayor _____ Clerk _____

crew. The Mayor said he would like to give special recognition to Billy Cecil who has been doing the tractor show for nineteen years. He said the Festival would not be nearly as successful without the tractor show. The Mayor presented Mr. Cecil a small token of appreciation, in the form of a gift certificate, for all of the hard work with the Tractor Show. The Mayor also asked Terri Harrison to come forward and accept a gift certificate in appreciation of her work with the car show. He said Ms. Harrison had assumed the role as coordinator after the death of Lynn Gouldin a few years ago and has done a spectacular job. The Mayor said it was his pleasure to be asked to hand out the trophies at the car show. He noted that the car show sets the stage for the Harvest Festival. Finally, the Mayor emphasized the talent of Mr. Wick Coleman as a MC and presented him with a small token of appreciation for his ability to keep the stage shows moving along. Ms. Beard said they were happy with the Trolley Tours of Fredericksburg for their help with transporting visitors to and from the Festival area. She also gave special thanks, as always, for the Town Public Works Department, Office Staff, Police Chief and especially to the Town Manager who was present at 5:00 AM to help set up the day of the Festival.

B. Request for Comments on Proposed Action (General Scoping) – Modification of Restricted Air Space Over A. P. Hill – Range Control Officer Michael Earl & Public Affairs Officer Jennifer Erickson - Mr. Earl and Ms. Erickson were present at the Town Council meeting to request comments from the Town and explain an Environmental Assessment for the modification of restricted airspace over Fort A. P. Hill (FAPH), Virginia. Mr. Earl said the current restricted airspace over the installation extends to an altitude of 5,000 feet relative to mean sea level (MSL). He noted that the proposed restricted area would be divided into three shelves: A. Surface to 4,500 feet MSL; B. 4,501 feet MSL to 7,500 feet MSL to 9,000 feet MSL. Mr. Earl stated that the current restricted area provides minimum airspace to support military live-fire operations and limits Fort A. P. Hill to meet its existing mission. He said there was no proposed increase in the frequency of existing artillery fire and no increase in noise. Mr. Earl indicated that the modification of restricted airspace over A. P. Hill would push the noise into the interior of the base. Mr. Earl said this modification would allow A.P. Hill more controlled air space over the range complex. The TM said Mr. Earl and Ms. Erickson were invited to the Council meeting to make this presentation because this is part of the scoping process for an environmental assessment under the National Environmental Policy Act of 1969, as amended. In answer to a question from Mr. McDearmon, Mr. Earl stated that there was no restricted air space over Bowling Green. He said they have asked aircraft to divert away from Bowling Green and Port Royal because they are highly populated areas. Ms. Bonne Cannon asked Council to take a question from the floor and the Mayor agreed. She said she had recently had a conversation with a high level official

Mayor _____ Clerk _____

in Bowling Green who informed her that there was restricted air space over Bowling Green. Mr. Earl reiterated the only thing they can do is ask the pilots to divert their aircraft away from Bowling Green. Mr. Manster asked Mr. Earl if the Town of Bowling Green was designated as a “no fly zone.” Mr. Earl responded that it was not.

C. George Wieber – Rochambeau Victory Plaza - Architectural Consultant
George Wieber briefed Council on plans to convert the courthouse square area into the Washington-Rochambeau Victory Plaza, a county project for which Caroline has received grant funding from the Virginia Department of Transportation (VDOT) in the neighborhood of \$546,000.00. Because of County budget constraints, the grant match needed to be scaled down so that decreased the amount of grant money they could use to approximately 265,000.00. In December of this year he went back to VDOT with a revised proposal to make the project more affordable. Mr. Wieber said after about sixty days VDOT informed them that the project no longer fits the grant proposal. He said along with some other changes, the Park is now being referred to as a Plaza in order to make it more palatable to VDOT. He said he has reached the point where he is finished with the drawings and ninety per cent finished with the specifications and will be sending them to VDOT very soon. Mr. Wieber said he expects it to be February 2012 before they complete their review. He noted that part of the reason for VDOT delays is that the agency has changed project coordinators several times and he has to bring the new coordinator up to speed on the proposal each time. Mr. Wieber shared with Council some of the details of the park such as the use of stamped concrete sidewalks which is less expensive than what had been included in the original proposal. He said if they get approval for the project in February, they can then put it out for bids in February and the construction time should take three months. In answer to a question from Mr. Webb, Mr. Wieber stated that the original proposal had Ennis Street closed but with the revision, it would not be closed. Mr. Webb asked that Council have some input on the final details of the Plaza, such as signage, benches, colors, etc. Mr. Wieber assured Council there was no expiration date on the grant funds as long as the County is proactive. In answer to a question from Mr. Webb, Mr. Wieber stated that this type of project could be done under a PPEA.

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

- A. Minutes - Regular Meeting – 10-03-2011
- B. Bills – October, 2011

A & M Home Center 294.98 Amerigas Fredericksburg 507.20

Mayor _____ Clerk _____

Armstead-Woolfolk, Donna	75.00	Bennett Deborah T	385.00
Bowling Green Auto Parts	50.85	Caroline Sheriff's Office	2,574.00
Caroline Garage	12.50	Cinta's of Richmond	301.64
ComputerPlus	181.50	D&D Gas Services	365.00
Dominion Virginia Power	4,507.46	Environmental Resource	546.11
Erard Andrea G	1,250.00	Fricks, Donnie	80.00
G & G Milford Farm Ser.	116.47	Hach Company	2,791.90
Harris Dawn	150.00	HD Supply Waterworks	3,361.15
Johnson's Exterminating	190.00	Lakeway Publishers of VA	1,266.7
Lane Stuart	150.00	Logan Michelle	150.00
Manster Stephen	279.96	Martin Marietta Aggregate	617.19
Nicklin Steve	140.00	Old Courthouse Café	56.00
On Site PC	104.86	Power & Flow Solutions	3,700.90
Rappahannock Electric	434.93	Raresky Studios	99.61
Richmond Machinery	572.66	Sosmetal Products Inc.	1,234.31
Spencer Tony	150.00	Stemmler Plumbing Repair	2,045.00
The Journal Press	699.98	The Supply Room Co.	698.47
Treasurer of VA	794.14	Treasurer of Virginia	52.00
VAMWA	50.09	Verizon	334.34
Verizon Wireless	241.90	VA Utility Protection Ser.	23.10
VISA	1,629.79	Wardico	542.35
Waste Management	8,441.33	Watson Jean	18.00
M & W Printers Inc.	360.24	*M & W Printers	360.24
*Coleman, Wick	500.00	*Shell Fleet Plus	1,545.02

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

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

INFORMATIONAL ITEMS: The following information items were noted:

A. Town Hall Rentals Report – September, 2011 - Ms. Davis noted that Melissa Vayra had rented the Town Hall once but it was on the report as twice.

B. Public Works Director's Report – September, 2011 - The Mayor informed the Council of the work the Public Works Department had done repairing the water breaks after having worked long hours at the Harvest Festival. Public Works Director William Stanley reported that a water valve still needed replacing at North Main Street but they would have to coordinate that with the Dialysis Center. The Mayor suggested

Mayor _____ Clerk _____

that when the 301 Corridor project is complete, they need to look at replacing water/sewer lines in Town.

C. Treasurer's Report – Mr. McDearmon noted in the Treasurer's report that in the water and sewer analysis, there is a deficit in the Water and Sewer Fund. The Treasurer suggested they look at increasing utility rates.

NEW BUSINESS:

A. Police Department Report – October, 2011 – The Police Chief reported that they had received seven calls in October. He said the Sheriff's Department is still working on a petty larceny in Town. He noted there were no new sex offenders in Town. The Chief said his report was late this time because he didn't receive the Sheriff's information until the day before the report was due. He said there were three missing kids at the Harvest Festival but they were located in a short time. Dogs also posed a small problem and the Chief suggested that next year they install some signs at the entrances to the Festival alerting visitors that dogs are not allowed in the Festival area. Mr. McDearmon suggested the Chief get some names and/or pictures of the auxiliary so they could identify them when needed. The Police Chief also noted the auxiliaries hours were up in October to forty eight hours. He sadly reported that one of their long time auxiliary officers, Al Shear may have to give up the auxiliary position soon because of back problems.

B. Planning Commission Report – The TM said the Planning Commission had held two public hearings at its meeting on October 17th. The first public hearing was on the addition of regulations and requirements to the Town's Subdivision regulations to provide for the review and approval of minor subdivisions and the second was the creation of a new zoning district, B-3, Business Tourism District. The TM said the Planning Commission on a 6 to 0 vote on both issues recommended that the Council, after a public hearing, adopt the minor subdivision regulations and the B-3 zoning regulations. He noted that the appropriate action would be for Council to schedule its public hearing and then take action as it sees fit. The TM said he thinks the minor subdivision regulations are ready to move forward but at the present time there is no recommendation on the placement of the B-3 District. He suggested they delay approval of the B-3 District until there is a determination as to where it might be placed. **On motion by Mr. McDearmon, seconded by Mr. Lanford, Council voted to advertise to hold a public hearing on the review and approval process of minor subdivision regulations on December 1, 2011 at 7:30 PM. Voting Aye: McDearmon, Wright, Webb, Lanford, Davis, and Coleman.**

Mayor _____ Clerk _____

C. Town Manager’s Report

Joint Land Use Study (JLUS) – Fort A. P. Hill and Surrounding Localities – The TM announced that the Request for Proposals (RFP) for the JLUS has been completed and has been posted to several web sites. He expressed appreciation to the Town Clerk for her work in posting these RFP’s. Attached to TM’s report was a copy of the RFP for the Joint Land Use Study for Council’s review. The TM said there would be consultants that will come to Council to ask if there are additional issues that need to be addressed prior to the signing of any contract.

Proposed Amendment to the Town Code – The TM said they had received correspondence from a gentleman who wanted to inform Council that the Town Code was not in compliance with State Code concerning guns. He said he had requested the Town Attorney to look into the matter and she had come back to them with a proposed adjustment to the Town’s regulations that would bring the Town Code into compliance with the State Law. Town Attorney Andrea Erard stated that the Town’s current Code prohibits guns in parks. She said Legislation was passed that says you can have a gun in a park. Ms. Erard said they added language in the State law that says any ordinance in existence is no longer valid. She said the Town has no authority to impose such a restriction. Ms. Erard said she revised the ordinance to be consistent with that. She said the Town is not the only locality the gentleman has contacted. **On motion by Mr. Wright, seconded with Ms. Coleman, Council voted to advertise to hold a public hearing on December 1, 2011 at 7:30 PM to amend the Town Code to comply with State Code by allowing firearms in parks. Voting Aye: McDearmon, Wright, Webb, Lanford, Davis, and Coleman.**

Joint Land Use Study (JLUS) - Mr. Webb voiced some concerns about the Town participating in the Joint Land Use Study and why the Town was the lead agency. The Mayor stated that Council agreed that since Bowling Green was A. P. Hill’s address and the Joint Land Use Study was going to take place, the Town should take the lead. There was some additional discussion regarding the JLUS with a general consensus of Council that the Town has the most to gain by participating in the JLUS and it was important that the Town have a voice in the discussion. It was noted that the JLUS Resolution that was passed did not bind the town in any way and proposals would be brought back to Council before anything was passed.

Davenport and Company - The TM asked Council to note the letter at their table from Davenport and Company. He said this letter had come to the Town in the form of a

Mayor _____ Clerk _____

proposal as a result of a conversation that the TM had held with David Rose who was a representative of Davenport and Company. The TM said later in the meeting they would be talking about appointments to their newly created Economic Development Authority. He noted that discussions with Davenport and Company centered on the activities of that Authority and the importance of those activities to the Town of Bowling Green. The TM said the critical factor is that the members of that Authority have to be familiar with what they can and should be looking at. He said Davenport presented three proposals and one was to look at the Town's financial situation and capacity to provide incentives to encourage development and improvement to properties in Town. He said the second item is to have Davenport to act in an advisory capacity to the Economic Development Authority and its members. The third item, Davenport would assist the Town, as requested, but not limited to: Refinancing(s), Investment management, and Capital Planning. **On motion by Mr. Lanford, seconded by Mr. McDearmon, Council voted to authorize Staff to allocate funds for Item #1 in the amount of \$2,500.00 and Item #2 not to exceed \$5,000.00 to contract with Davenport & Company for financial and advisory services to the Bowling Green Economic Development Authority and delay Item #3 for future needs, with the Town Manager authorized to sign the contract after review and advice from the Town Attorney.** Ms. Davis asked if there were other consultants they could talk with. Mr. Lanford said the reason they are negotiating with Davenport is because of past discussion and relationship they had build with Mr. Rose and because of his specialty with the Firm. Mr. Lanford highly recommended Davenport and suggested their proposal was very reasonable. Mr. McDearmon said that from his perspective Davenport has done a very good job for the Town in the past. Council agreed that the Town Attorney should negotiate with Davenport on some of the reimbursable expenses. **Voting Aye: McDearmon, Wright, Webb, Lanford, Davis, and Coleman.**

Veterans' Commemoration and Dance - The TM stated that on the 11th of November, Veterans' Day, the Town of Bowling Green will sponsor a USO Dance in Town Hall honoring veterans and families. He said everyone is invited to attend.

Ladies Night Out – The TM also noted that on November 17th, there would be a special event at Town Hall called “Ladies Night Out” and there would be thirty vendors including crafts, arts, food and carriage rides. He also noted that the Town merchants would also be open with special sales. There would be special events, along with raffles and prizes. Everyone was encouraged to attend.

Credit Card and Online Payments – The TM gave thanks to Treasurer Kathy McVay for the many activities she has been accomplishing the past several weeks in relation to credit card and online payments. He said Council had asked that they look

Mayor _____ Clerk _____

into accepting credit cards. Thanks to Ms. McVay, he expects to have a recommendation for Council at the next meeting on the use of credit cards and also online payments.

Museum and Visitors' Center - Mr. McDearmon expressed sadness that the Caroline Museum and Cultural Center is not going to be in the Town. He said he understood there were some decisions made with several factors included that were not thought out in the long term and some were reactionary in nature. He said they are also losing their Visitors Center and the investment in the museum. Mr. McDearmon said he thought the Council supported the Museum and expressed concern about the controversy that surrounded it. He said some very disappointing things have happened but he hopes good things come in the future.

REPORT OF COUNCIL COMMITTEES/MEMBER COMMENTS:

A. Public Health, Safety/Personnel – Mr. McDearmon announced that they would be holding a meeting next week and he would set that up with the Town Manager. He said there may be a work session or special Council meeting following that meeting, but prior to the next regular Council meeting.

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

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

D. Streets and Sidewalks –

1. Bowling Green Event Hall - Ms. Coleman said she had noticed the newspapers and flyers are referring to the Town Hall building as the Bowling Green Event Center and it was her understanding that the building was named the Bowling Green Event Hall. The Mayor said they would make the corrections.

2. Bowling Green Visitors' Center - Ms. Coleman asked if anyone knows what is happening with the Visitor's Center that was started at the Museum site. The TM said at the present time the Visitors' Center is not operational. In answer to a question from Mr. Webb, the TM said the operation of the Visitors' Center would be up to the Town Council which would be a matter of discussion on the agenda at the next meeting. The Mayor said having an accredited Visitors' Center has been their goal for a long time. He said it was a shame they lost a good museum and also their piggy-back Visitors'

Mayor _____ Clerk _____

Center. The Mayor said he still hopes some good can come out of a bad situation. Mr. Lanford also hoped cooler heads would prevail. He did not believe it was Council's business to get involved in the business of a public museum. Mr. Lanford echoed the Mayor in that it was a shame that the Town and others put in money, effort, and time and then suddenly the lights are out. He said they should do whatever they can do to help resolve the issues on each side. Mr. Lanford said everyone loses and especially the people who come to visit our small town.

E. Budget – There was no report from the Budget Committee.

F. Economic Development/Activities /Tourism

1. Economic Development Authority Appointees - Mr. Lanford noted that the Committee had completed the interview process for the appointments to the Economic Development Authority. He said it was a very exciting time to be living or doing business in the small Bowling Green Town. The Committee made up of Glen Lanford, Daniel Webb and Mayor David Storke, under the direction of the Town Manager interviewed each of the eight individuals who submitted applications for appointment to the Authority. Mr. Lanford said thirty-one letters were sent out to residents of the Town and of Caroline County. He said he appreciated the people who came in to be interviewed and all had good ideas. Mr. Webb said it was a tough decision but out of the eight applicants, five were selected. The Mayor said he was pleased will all of the applicants and he didn't find a weak link in the group. He said he would be pleased to send those seven guys to talk to anyone about bringing in business. **On motion by Mr. Lanford, seconded by Ms. Coleman, Council voted accept the Committee's recommendation and appoint the following people to the Board of Directors of the Bowling Green Economic Development Authority, in accordance with Town Ordinance No. 08-01-11 of the Town of Bowling Green:**

**One-year Term – Gary W. Moore
Daniel Webb (Town Council)**

**Two-year Term – John A. Lane
Rea Tilton Williams**

**Three-year Term – T. Hardy Dunnington
Glen Lanford (Town Council)**

Four-year Term - John Sieg

Mayor _____ Clerk _____

Roll Call:

Glen McDearmon.....Yes
Otis Wright.....Yes
Daniel WebbYes
Glen LanfordYes
Jean DavisYes
Mary Coleman Yes

2. Caroline County Schools Reading Program – Mr. Lanford noted that the reading program stalled out during the summer and fall but they are back in high gear. He said he and Principal Jeff Wick are meeting next Tuesday and he has volunteers ready to go. Union First Market Bank has expressed some interest in the Program. He said they need to coordinate things with the Guidance Counselors.

THANK YOU NOTE – BGVRS: The Mayor noted the thank you card from the Bowling Green Volunteer Rescue Squad for the Town’s yearly donation of \$1,000.00 to the Squad.

ADJOURNMENT: **On motion by Mr. Wright seconded by Mr. McDearmon, Council voted to adjourn the meeting at 9:40 P.M. Voting Aye: McDearmon, Wright, Webb, Lanford, Davis, and Coleman.**

Mayor _____ Clerk _____