

Minutes of a Regular Meeting of the Council of the Town of Blackstone, Virginia, held in the Council Chambers located at 100 W. Elm Street, Blackstone, Virginia on Monday, October 16, 2017 at 7:00 p.m.

There Were Present:

Mayor: William D. Coleburn

Council Members: Wade Hamner, Lee Scott, Ben Green, Barbara Thompson, Alfred Tucker, Eric Nash, Sam Moncure

Town Staff: Philip Vannoorbeeck, Town Manager; Jennifer Daniel, Clerk; Jennifer Hardy, Finance Director; Gweneth Procise, Treasurer; Nicholas Kuzmiak, Police Chief; Dion Tomer, Fire Chief; Yvonne Wilson, Community Development Director, Joshua Worrell, Transit Director; Tony Mayton, Sgt.

Town Attorney: Tessie B. Bacon

Those Absent: Chief Kuzmiak

Mayor Coleburn called the October Council Meeting to order.

Mayor Coleburn delivered the Invocation.

Mayor Coleburn led the Pledge of Allegiance.

**PUBLIC HEARINGS:**

Conditional Use Permit – 218 S. Main Street

**NOTICE OF PUBLIC HEARING  
TOWN OF BLACKSTONE**

*The Town of Blackstone Town Council shall hold a Public Hearing on October 16, 2017 at 7:00 p.m., or as soon thereafter as is practical, in the Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a Conditional Use permit request from Lijie Jiang to convert a portion of an existing commercial structure into a multi-family dwelling. The property is currently zoned B-G. The property is designated as Nottoway County Tax Map Number 50A27-1-V-8 and is also known as 218 S. Main Street.*

Mayor Coleburn said this Public Hearing for a Conditional Use Permit is at 218 S. Main Street, also known as the Pearl Chinese Restaurant. He said the Planning Commission has recommended approval of an apartment which requires two off street parking spaces.

Manager Vannoorbeeck advised the Planning Commission met with three items of concern, one being two off street parking spaces, Building Code compliant; in reference to ingress and egress, and finally the density for occupancy.

Mayor Coleburn asked if there was anyone here to speak for or against the proposed Conditional Use Permit.

Mayor Coleburn closed the Public Hearing.

Councilman Green asked where the two parking spaces would be provided. Manager Vannoorbeeck replied the property does include a parallel area adjacent to the northern side of the property. Councilman Green clarified on their property.

Councilwoman Thompson said some of the adjoining property owners spoke with her and they had a problem with where the parking would be.

Ms. Amy Cox said she is next door at 216 South Main Street, and was concerned where the parking would be. Mayor Coleburn replied it would be on the applicant's property.

Ms. Cox asked how they would have access to the parking, will the dumpster be moved or the light pole. Mayor Coleburn replied that burden would fall on the applicant and our Zoning official will see that it is enforced.

Mayor Coleburn asked if there were any requirements for sprinklers in the building. Manager Vannoorbeeck replied he was not sure but would follow up with the building inspector.

Councilman Moncure said until access to parking is resolved, do we really know what to vote on.

***Councilman Green made a motion to table until Monday, October 23<sup>rd</sup> at Council's Continued Meeting. The motion was seconded by Councilwoman Thompson.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

Fire Department Billing

**NOTICE OF PUBLIC HEARING  
TOWN OF BLACKSTONE  
INCREASED CHARGES FOR FIRE DEPARTMENT EMERGENCY TRANSPORT AND  
RESPONSE**

*Notice is hereby given that the Blackstone Town Council will hold a public hearing to consider increasing the fees charged for certain services of the Blackstone Fire Department on: Monday, October 16, 2017 at 7:00 p.m. in the Town Council Chambers located at 100 West Elm Street, Blackstone, Virginia 23824. The Blackstone Town Council will receive public comments on an ordinance and a resolution that would authorize the Fire Department to increase the user's fees charged for certain services by the Blackstone Fire Department. A full copy of the ordinance and the resolution is on file at the Town Manager's Office, 100 West Elm Street, Blackstone Virginia 23824.*

Mayor Coleburn advised in March 2016 our Fire Department starting billing for services and believed the billing agency is recommending increases in fees. He said these fees are paid by insurance companies not the victim. He said it would be a 12% increase tonight and then 1.5% a year or the consumer price index, whichever is greater.

Mayor Coleburn asked if there was anyone here to speak for or against the proposed increase in Fire Department billing.

Mayor Coleburn advised Chief Tomer told him that they had collected about \$26,000.00 as of a few weeks ago.

Mayor Coleburn closed the Public Hearing.

***Councilman Green made a motion to adopt the Ordinance and Resolution to increase the Fire Department billing fees as included. The motion was seconded by Councilman Nash.***

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

**PUBLIC MEETING:**

TAP 21 Grant Application

*PUBLIC MEETING  
TOWN OF BLACKSTONE*

*The Blackstone Town Council shall hold a Public Meeting at 7:00 p.m., October 16, 2017 in the Town Council Chambers, 100 W. Elm Street, Blackstone, VA. The purpose of the meeting is to present the Town’s preliminary TAP-21 grant application, receive public input and answer questions regarding the application. The application, if successful would construct pedestrian and drainage improvements.*

Mayor Coleburn advised this would be a grant through VDOT, for Phase 2 for the walking trails.

Manager Vannoorbeeck explained this application would start at the corner of Oak and Birch Street, then go to Harris and Birch, then Powell to Jackson Street. He said this would basically go around the baseball complex.

Manager Vannoorbeeck advised there is a minimum contribution which would be in kind and construction costs, basically what the Town would provide is electric service; installing antique lights and relocating overhead utilities. He said the amount would be \$62,550.00 that the Town would commit to with materials and labor.

Mayor Coleburn clarified the total amount of Phase 2 is \$299,000.00.

Councilman Moncure pointed out the engineering phase is costing \$66,950.00, we are getting eaten up by engineering and planning fees.

Manager Vannoorbeeck said to look at this in percentages, it is not all engineering, some is administration fees, which is HDLA, the engineering fees are \$32,000.00.

***Councilman Green made a motion to adopt the Transportation Alternatives Project Endorsement Resolution included in the Council Packet. The motion was seconded by Councilman Nash.***

Mayor Coleburn asked for a Roll Call Vote:

**VOTE:**

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

Electric Service Policy

Manager Vannoorbeeck advised there was an advertised Public Hearing for a change to the Town's electric construction guidelines. He said this was not in the packets because Mr. Dan Martin wants to review more.

Mayor Coleburn said this Policy is what we do already it is just putting it in writing.

Mayor Coleburn asked if anyone had any concerns about the Policy.

Councilman Green asked if this would be satisfactory or would it be re-advertised. Manager Vannoorbeeck replied he would re-advertise.

**VISITORS:**

The Chamber – Christmas Parade

Mrs. April Wright advised the Christmas Parade would be on December 8, 2017. She said we are requesting the street closures, waive the banner fee and a donation to cover typically the cost of bands.

Mayor Coleburn clarified the donation last year was \$750.00.

***Councilman Nash made a motion to approve the Christmas Parade requests, to include \$750.00 as a donation. The motion was seconded by Councilman Tucker.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

Mr. Lewis Johnson

Mr. Johnson said his business, Tasty J's, when he started this it seems the rules and regulations wanted to be changed, he is a mobile unit and should be treated like the ice cream truck. He said the Town doesn't have anywhere for him to set up and if it wasn't for Mr. Edgerton he wouldn't have anywhere. He said he pays taxes and others that come to his door don't live in Town and don't pay taxes.

Councilman Nash said the Committee has met and is suggesting you can set up anywhere except the Downtown Historic District.

Mayor Coleburn said Mr. Johnson had brought to light several things that the Town had not been doing, but come January 1<sup>st</sup> it will be clear and consistent.

Mr. Johnson asked if Bevell’s parking lot was off limits. Mayor Coleburn replied it is in the Historic Business District.

Mr. Johnson asked about Mr. Daniels having Yoder’s donuts there every year.

Mayor Coleburn suggested having the Historic Business District prohibited, but have the Town municipal parking lot as a place of refuge to set up. Manager Vannoorbeeck added at a particular day and time

Mr. Waymond Mitchell

Mr. Mitchell advised on the last Police Department cookout near circle sales, which will be tomorrow. He said they would be continuing with Coffee with a Cop.

Mr. Mitchell advised the Blackstone Ministerial Association would be having a Family and Friends Day on November 4<sup>th</sup> from 12:00 p.m.-4:00 p.m. in Seay Park.

**MINUTES:**

***Councilman Green made a motion to dispense with reading and approve as presented the Regular Council Meeting Minutes from September 18, 2017 and the Continued Meeting Minutes from October 4, 2017. The motion was seconded by Councilwoman Thompson.***

Mayor Coleburn asked all in favor or opposed:

**VOTE:**

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

**FIRE CHIEF’S REPORT:**

Chief Tomer advised the bids were opened today for the command vehicle, with the low bid being \$55,699.00 from one of the original bidders, with this price being cheaper this time.

*Councilman Nash made a motion to approve the low bid with the stipulation that the extra money that was added to the bid be taken out of the Council Discretionary Fund. The motion was seconded by Councilman Scott.*

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

Chief Tomer advised the Open House was a great success. He said they attended a Southside Firefighter’s Association Convention and won three trophies. He said they were looking forward to the Bull Blast and would be having a Halloween dance at Mitchells. He advised Assistant Chief Beares would be having the Truck or Treat on Halloween.

Chief Tomer reported on Firefighter Tanner and Life Member Phillip Armes.

Chief Tomer asked for permission to work on bidding the Turn-Out Gear. Mayor Coleburn replied that was agreed by Common Consent.

Fire Chief – Dion Tomer	Deputy Fire Chief – Zachery Beares
Assistant Fire Chief – Phillip Ray Armes, Jr.	1 <sup>st</sup> Captain – Michael Smith
2 <sup>nd</sup> Captain – Benjamin Haug	1 <sup>st</sup> Lieutenant – David Ostrander
2 <sup>nd</sup> Lieutenant – Timothy Haug	Secretary – Buzz Bryant
Treasurer – Tony Bradford	

*Councilman Green made a motion to approve the Fire Department Officer Slate. The motion was seconded by Councilman Scott.*

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

**PAYMENT OF BILLS:**

Mayor Coleburn stated the bills that have already been paid are in the amount of \$634,052.08.

*Councilman Nash made a motion to approve the bills that have already been paid in the amount of \$634,052.08. The motion was seconded by Councilman Green.*

Councilman Nash asked if Truck Body Company, truck repair, was for Mr. Andre Hick's truck. Manager Vannoorbeeck replied yes.

Councilman Green pointed out BB&T Financial that said paper, tire and seminar is the town credit card.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

Mayor Coleburn stated the bills not yet approved but to be paid are in the amount of \$452,432.88.

*Councilman Green made a motion to approve as presented the bills not yet approved but to be paid in the amount of \$452,432.88. The motion was seconded by Councilman Tucker.*

Councilman Moncure asked about Town Gun Shop, vision, vest, arm, what is that. Councilman Green replied he noticed that too, but with the Town's new Procurement Policy he did not question it. Manager Vannoorbeeck added they would pull the invoice and find out.

Councilman Scott asked about IBS Central Virginia, \$1,035.00 for batteries. Transit Director Worrell replied these were for the generators.

Councilman Scott asked about the Garage with Jones Electric for \$123.75, geothermal heat, Ronald Boyd for \$305.00, replace pump and then again, some costs are under Bus. Finance Director Hardy replied the costs have to be broken out in the correct departments. Transit Director Worrell added Jones Electric was a road call but Boyd Electric actually did the repairs.

Councilman Green asked about filling propane tanks, is this bid out. Manager Vannoorbeeck replied yes.

Councilman Nash asked if the bills were so high because of Colony Construction. Manager Vannoorbeeck replied yes some, but they also included the leaf machine.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

Mayor Coleburn asked to take the Knight's insurance claim up next due to the late hour.

*Knight's Insurance Claim*

Manager Vannoorbeeck said he spoke with Mr. Davis and he was not inclined to pay.

Mayor Coleburn asked for clarification that with grant projects, the homeowners sign an agreement that holds the Town harmless. Manager Vannoorbeeck replied that is correct.

Mayor Coleburn said as discovered at the last meeting, the signature on the check has the Town's signatures when paying the contractor. Manager Vannoorbeeck replied correct.

Mayor Coleburn reminded Council that the Knight's were seeking \$1,500.00 for reimbursement of their TV and furniture that was damaged when their ceiling collapsed in August on Third Street.

Councilwoman Thompson asked what can Council do. Mayor Coleburn replied it is at the discretion of Council.

Councilman Nash said he was worried about the precedent it would set.

Mr. Jerome Knight said this may not be a lot to some of you, and you may be worried about setting a precedent, but right is right. He said there is no reason for his light fixtures to be coming out of his ceiling after construction has been done, he had no reason for his heat pump to be broke down after being installed three months later.

Mr. Knight said maybe we do need to set a precedent, hold the contractors and the building inspector to a higher standard. He said Council is supposed to look out for the individuals in Town.

Mrs. Tammy Knight said they didn't come here for sympathy, but they can't just go out and buy new furniture that they had just purchased, she added this could happen to the next person too.

Mayor Coleburn said if anything came out of this positive, besides the fact no one was injured, it is that housing grant projects will have more eyes and ears now.

Mrs. Knight said they came door to door asking if we wanted to be a part of the project, they said yes, but they didn't come to the Town asking for the work to be done. Mayor Coleburn replied part of the reason that is done is for a grant to have merit it needs to have a high participation rate.

Councilman Moncure said he had the utmost sympathy for the situation but the Town is not a party to this and the Town's insurance company has declined any responsibility. He said he couldn't vote to take anybody else's money and give to somebody else when it is not a tangible responsibility to do so.

Councilman Green said he was concerned about the legality of it when the contract was signed, which held the Town harmless. He said if we do this it opens the Town up to every claim. Attorney Bacon added based on the language in the contract she concluded the Town had no contractual liability.

Mr. Knight said he spoke with an attorney and was advised since the Town paid the contractor their only legal remedy would be to sue the Town.

***Councilwoman Thompson made a motion to offer the Knight's \$500.00 to help purchase what they lost. The motion was seconded by Councilman Scott.***

Mr. Michael Bagley said the Town was getting ready to start another project on the East End, this might happen on that end. He said we don't want to bring outsiders in to our Town, you need to look into your heart. He asked what would have happened if someone had been hurt, think with your heart. He said to Councilwoman Thompson, \$500.00 we appreciate that, but he disagreed, that is not even going half way.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Nay
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Nay
Councilman Nash	-	Nay
Councilman Moncure	-	Nay
Councilman Hamner	-	Nay

Mayor Coleburn clarified the motion failed 5-2.

### **COMMITTEE REPORTS:**

*Buildings, Property & Cemetery – met on 9-25-17 – minutes included in October’s Council Packet*

Chairman Green advised this was handled at the previous meeting on October 4<sup>th</sup>.

*Account & Finance – met on 9-26-17 – minutes included in October’s Council Packet; met on 10-12-17 – minutes will be in November’s Council Packet*

Manager Vannoorbeeck said initially the Town adopted a financing plan for fiscal year 14/15. Below are the highlights.

Debt retirement includes the Medical Center in May 2019, which is an annual \$266,000.00 debt obligation, on or about August 2019 the Town will pay off a \$1.2 Million bond that was incurred as the Town ‘s share of upgrades to the Wastewater Treatment Plant.

Manager Vannoorbeeck advised as of October 21, 2017 the Town’s total bonded debt is principal \$9,879,705.00, with the interest being \$2,126,505.00. He said the Town’s total bonded debt obligation October 1, 2019 without taking on anymore issues is \$8,487,946.00 of principal with \$1,589,114.00 of interest.

Manager Vannoorbeeck advised on the leases and loans, which include 2 police cars, garbage truck, fire truck and the fire command vehicle. He said if all are carried through there will be an obligation of \$212,741.00.

Manager Vannoorbeeck advised on the General Fund requirements, 15% of the annual budget should be \$1,059,000.00 and as of October 1<sup>st</sup> we are at \$1 Million, undesignated and unobligated. He said the Electric Fund, the APPA recommends 120 days of operating expenses and for the current year the budget was \$4,440,150.00 with the target amount \$1,480,050.00, as of October 1<sup>st</sup> the Town has \$552,000.00 undesignated and unobligated. He added Mr. Kooch recommended in the Water/Sewer Fund 180 days which would be \$1,262,000.00 and the Town has \$123,000.00.

Manager Vannoorbeeck discussed depreciation, he said the Water/Sewer is \$658,210.00 and Electric is \$124,790.00, with no funds designated for depreciation.

Manager Vannoorbeeck discussed unfunded liabilities, in 2012 we owed about \$240,000.00 and are now at \$153,836.00.

Manager Vannoorbeeck advised on the replacement of water distribution lines located within Fort Pickett, the five remaining phases are estimated to be \$16,198.994.00.

Councilman Green said we need to start planning for this \$16 Million.

Councilman Moncure said we need to have a portion of our monthly bill go into depreciation or reserve, if we don't we will not accrue the money.

Manager Vannoorbeeck said he is leaning towards finding sections of the system that can be abandoned.

Mayor Coleburn asked Manager Vannoorbeeck if it was his call only, what would he do with the anticipated funds from Bon Secours. Manager Vannoorbeeck replied put away for capital needs.

Councilman Green read the recommendations.

**Recommendations for FY 2019-2023:**

- 1/. Establish October 1, 2019 as the date that all reserve funds are fully funded. Establish this as the primary goal of the two upcoming budgets for each fund. The remainder of FY 18, all of FY 2019 and the first three months of FY 2020 should focus on this initiative.
- 2/. Include in the budget for this five-year planning period depreciation costs as reported in the annual audit. Although this may not be fully possible it will improve cash positions and eliminate the need to continue financing maintenance and replacement costs.
- 3/. Beginning with the FY 2020 budget, contribute to each fund an amount that will establish a cash position equal to the unfunded leave liability. This is to be accomplished by the end of FY 2023.

4/. Beginning in FY 2020 budget additional debt service payments to the 2014 water treatment plant refinance. Specifically, use the \$55,000 annual savings from the 1998 issuance.

5/. Beginning in FY 2020 budget revenues from the medical center lease into a capital reserve fund. This amount should be used for general fund capital needs, specifically public safety.

***Councilman Green made a motion that the above recommendations be adopted. The motion was seconded by Councilman Moncure.***

Mayor Coleburn asked to be clear, this is a plan not a law or ordinance. Councilman Green replied he thought it would be fiscally irresponsible not to have a plan going forward.

Manager Vannoorbeeck said he did not want the Town or citizens to think we are shut down for business, but until October 2019 we do need to be thoughtful about building the reserves.

Councilman Nash asked if recommendation #1 could be done without raising rates. Manager Vannoorbeeck replied yes.

Councilman Green said he does not like to raise rates or taxes because he pays them too, he knows we are in a low to moderate income community but we have a responsibility to be stewards of the taxpayer's money.

Councilman Moncure said he did not want anyone to think he wouldn't be encouraging a portion of the water/sewer complex set up as part of the billing process. He said we need to charge ourselves for what we know will end up in a Consent Order.

Mayor Coleburn said his only concern with what he heard tonight, which is very serious, we cannot have a message that we are in debt and then on the other hand say it's cool, it has to be one or the other. He asked if there is a way to get out of this \$16 Million debt.

Manager Vannoorbeeck said we may be able to get out of this shortly, he thinks there may be a private company that may make an offer to buy the system. He said everything in the Financing Plan except for the \$16 Million is manageable.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

Employment & Police – met on 10-5-17 & 10-16-17 – there were no minutes (interviews)

Mayor Coleburn advised this Committee met in Closed Session and there would be a Closed Session tonight to discuss the Treasurer position.

Airport & Transportation – met on 10-11-17 – minutes included in October’s Council Packet

**Industrial Park – Sale of Property**

Manager Vannoorbeeck advised that UAV Pro, Mr. Joe Allman, has the option and wishes to exercise that option to purchase 8 acres at approximately \$5,700.00 an acre. He asked for authorization to advertise for the surplus and sale of the property.

Mayor Coleburn advised UAV Pro had purchased 5 acres and is looking to purchase 8 more acres. He asked how many Town owned acres are remaining. Manager Vannoorbeeck replied approximately 9-10 acres.

Manager Vannoorbeeck advised the survey would be conducted on a 50/50 share.

***Councilman Nash made a motion to approve the Committee’s recommendation. The motion was seconded by Councilman Green.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

**Task Order – Stormwater Management Basin Design**

Manager Vannoorbeeck said this is part of what the Town is trying to accomplish with the Airport Layout Plan. He said one of the issues we don’t have is a combined stormwater holding facility. He is suggesting a single combined stormwater facility and have B&B consultants put together a design at \$20,000.00.

Mayor Coleburn advised the only way to generate revenue at this time at the Airport is through the sale of property and the sale of jet fuel.

Councilman Nash asked how much is in the Fund now. Manager Vannoorbeeck replied we have \$120,000.00 and still need to put \$40,000.00 cash in the fund.

Councilman Nash asked how long does this take to accumulate. Manager Vannoorbeeck replied if the National Guard brings in an appreciable amount of aircraft it doesn't take long.

Councilman Green asked Manager Vannoorbeeck if he thought there was enough money today to do the project all the way through. Manager Vannoorbeeck replied yes for the design, but we have already committed to doing the road and we have a Capital Improvement Plan project that is in the budget for painting and replacing piping.

Manager Vannoorbeeck said he thought there was enough money to take care of the road construction, painting, re-piping at the fuel farm and the design work. He said the construction we will have to come back and have a conversation.

***Councilman Green made a motion to accept and approve the recommendation. The motion was seconded by Councilman Nash.***

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

Councilman Moncure said if we build this common pond, the value of the remaining property will be elevated immensely.

*Health & Ordinance – met on 10-11-17 – minutes included in October's Council Packet*

***Itinerant Merchant License***

Manager Vannoorbeeck advised that the Committee voted that the Itinerant Merchant may not operate in the Historic Business District or on Town owned property.

Manager Vannoorbeeck advised on Farmers Markets, they are not subject to taxation if they are selling their own produce. He said he asked Attorney Bacon if a Farmers Markets has a permanent site do they have to get an Itinerant Merchant's License or a Business License, he said the response was Farmers Markets if they are not selling produce they raise themselves then they are an Itinerant Merchant.

Councilman Nash said he remembered previously the Town would go to the Farm Bureau Agency and they would sign off on items being sold.

Manager Vannoorbeeck said the market in the Town Square admitted he was not raising a portion of what he was selling so he advised the people they were subject to taxation.

Mr. Lewis Johnson asked how they could still sell in the downtown business area. Mayor Coleburn replied two years ago Council voted to give scheduling and program authority of Town owned property to DBi.

Mayor Coleburn asked Council if they thought it was wise to delegate scheduling and programming of Town owned properties to entities not answerable to the voters.

Councilman Nash said Attorney Bacon clarified in the Committee Meeting that any farmer can come on the front steps here because they are farmers, we cannot stop them.

Attorney Bacon said essentially what the Code says is if a farmer is selling what they raised then they are exempt from the Itinerant and Peddlers licensing. She said Council could pass another Ordinance that restricts those exempted.

Mayor Coleburn said he would like to pick one place that people could use. Councilman Green added set aside a certain number of dates determined by Council.

Councilman Green said going back to DBi, the Mayor's question has merit, but he thought Council should be definite about our Policy. He added as long as DBi is following our Policy he didn't have problem with it.

Mayor Coleburn said we need to define the Historic Business District for this Ordinance. He said we are moving forward with an anticipated Itinerant Merchant Ordinance.

### **Zoning Permit Fees**

Manager Vannoorbeeck said this was discussed previously about what to charge for and what not to charge for, but so there is no confusion, the Committee recommended going back to charging \$25.00 across the board.

***Councilman Scott made a motion to reinstate the \$25.00 Zoning Permit Fee for all permits. The motion was seconded by Councilman Tucker.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

### **Advertising on Buses**

Transit Director Worrell said they had several organizations, one being Social Services, showing interest in advertising their programs. He suggested taking out the local businesses and going from for-profit to non-profit, such as public health and public safety. Mayor Coleburn replied who would buy the sign.

Transit Director Worrell said they would eliminate the outside portions of advertising and only advertise inside the bus. He said that would be a one-time cost of \$310.00 on the new buses, not on the current buses.

Councilman Nash said we would need to consider more what is non-profit. Councilman Green replied he thought there were some Fortune 500 companies that are non-profit. Councilman Nash said he likes the idea of public safety and health.

Transit Director Worrell said the main group he would like to target, because we have a large population of low income, is community development items.

Councilman Nash said when this was discussed in Committee, this advertising could bring in \$310,000.00 a year but then Transit Director Worrell advised it could not be used as taxpayer money, it would have to be used within the Bus System. Transit Director Worrell added this money could be used to eliminate the Town's local match.

Councilman Moncure said that money could be used for upkeep and repairs at the Bus Shop and some salaries.

Councilman Nash said to be fair, do we want to compete with the private sector. Councilman Moncure replied everybody in this town pays taxes to support what we do in this Town, and anything we can do to reduce contribution is probably fair game.

Councilman Green asked for a better report so there is no foginess in what is trying to be done.

***Councilman Green made a motion to table. The motion was seconded by Councilman Nash.***

Mayor Coleburn asked Transit Director Worrell when he is developing policy on public service announcements, stress local first.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

**Internship Policy**

The Committee asked Transit Director Worrell to continue his progress on the Policy.

**Electric Service Construction Policy**

This will be presented in November.

**CONSENT AGENDA:**

1. Wine Festival Banner Request – 10-21-17
2. Holiday Open House – 11-24-17

***Councilman Nash made a motion to approve the Consent Agenda items above. The motion was seconded by Councilwoman Thompson.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

## **UNFINISHED BUSINESS:**

### *1. Fire Department Command Vehicle Bids*

This was discussed earlier in the meeting.

### *2. Knight's Insurance Claim*

This was discussed earlier in the meeting.

### *3. Armory Referendum*

Attorney Bacon advised currently with the State Law and the Charter the way it is we cannot offer this for a referendum. She said in the State Code it says you cannot have a referendum unless authorized by Town Charter. She said the only way to amend the State Code or the Town Charter is to go to the Virginia Assembly to ask for the Charter to be changed or ask for another statute applicable statewide that would allow general referendums.

Attorney Bacon said the most feasible would be changing the actual Charter which would be to amend to the Town's Charter to allow for a provision for a referendum for the Armory.

Mayor Coleburn said the earliest we could have a referendum if the General Assembly allowed it would be November 2018.

Councilman Nash said if other issues come up, he would like to proceed with changing the Charter.

Mayor Coleburn suggested asking the General Assembly to give permission for no more than twice every four years or once every eight years to address referendums.

Councilman Green asked Attorney Bacon if this would be a legitimate request. Attorney Bacon replied it is going to depend on the elected officials we present it to in the General Assembly.

Mr. Walter Mac Osborne said the Armory Group has a letter of support from Delegate Wright.

***Councilman Nash made a motion to task Attorney Bacon with adding the Armory as a referendum along with getting referendums on the Town Charter. The motion was seconded by Councilwoman Thompson.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

### **ON-GOING PROJECTS:**

#### *1. Dilapidated Buildings*

Mayor Coleburn advised the house on Center Street had the controlled burn on Saturday.

#### *2. Meals Tax*

Councilman Moncure asked if the Huddle House was near being resolved.

Councilman Nash said they were reopening but under a difference name, a different company.

Attorney Bacon advised Huddle House, H2O, has gone from a Chapter to 11 to Chapter 7. She said that means it is a business not worth saving at this point and the Town has done all that can be done with filing the proof of claims. She said in the long run she did not think anything would come from it.

#### *3. Street Improvement Projects*

Manager Vannoorbeeck said the first week of November they were hoping to start paving, weather permitting.

#### *4. Church Street Project*

Mayor Coleburn advised renovations were ongoing on five dwellings.

Councilman Moncure said if we are learning anything, should we be making it a point to caution the people who are having work done that the Town does not have a dog in the fight.

Councilman Nash added we need to reiterate to the inspectors to make sure construction is done correctly.

Mr. Nathaniel Miller said in the long run, the Town of Blackstone is going to get a bad reputation because when this reaches the street and people hear about this, people are going to say the Town is letting just anybody work on the houses.

Mayor Coleburn said Councilwoman Thompson's earlier motion was in order.

5. Wrigglesworth Sports Complex

Mayor Coleburn advised we have two chairmen from Parks and Recreation and Buildings, Property and Cemetery that have decided on the location of the playground equipment.

Manager Vannoorbeeck clarified the equipment would be located on the right-hand side as you walk into the entrance of the complex. He said he talked with the Recreation Association and they suggested it be on the left-hand side because it will be behind the t-ball field and you won't have to worry about homerun balls.

Mayor Coleburn said he was worried because it would be close to the street. Manager Vannoorbeeck replied it will be fenced in. Councilman Nash added it would not be locked. Manager Vannoorbeeck said the motion needs to include contacting the School System about the relocation of the playground equipment.

***Councilman Nash made a motion to contact the School Board by letter and that the Town relocate the current playground equipment between Oak Street and the basketball court to the entrance of the complex on the left side. The motion was seconded by Councilman Green.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

6. East End Planning Grant

Mayor Coleburn said sadly this grant was rejected.

Councilman Nash said it was brought to his attention that what was being said was the elected officials/town employees are the ones that put the damper on the project. Manager Vannoorbeeck replied that is incorrect.

Mr. Nathaniel Miller advised what was said was the At-Large Council and the Town did not work diligently to help this project. He said the people in the neighborhood said Council never came to them asking what was needed.

Manager Vannoorbeeck said this grant was only missed by 26 points. He said two of the items that could have been done was being a member of a Planning District Commission, secondly, the application was prepared by the Southside Outreach Group and it was noted there was not a housing map included in the application. He said we had one prepared but they did not attach it, he said it was submitted during the preliminary, but DHCD said it wasn't formally part of the application. He said he would reapply, but it wasn't turned down because of lack of effort.

Mayor Coleburn said it was awfully terrible that they needed a document from us, they should have requested it. Community Development Director Wilson replied it was not that they didn't have it, they wanted to see it in the narrative.

Mr. Miller asked if Earl and Earlene would resubmit it. Manager Vannoorbeeck replied he thought he and Community Development Director Wilson would write it next time, but they would still need Earl's help with the housing.

#### 7. *Nottoway Avenue – Revenue Share Project*

Manager Vannoorbeeck advised on Wednesday they should start the tar and gravel for the Town portion and painting the center line then we will be ready for a ribbon cutting.

Mayor Coleburn asked to set the date for the ribbon cutting at the Continued Meeting.

### **COMMITTEE MEETINGS continued:**

#### *Account & Finance Committee*

##### *East End*

Manager Vannoorbeeck said there were some items from Account and Finance that were not discussed. He said he would like to seek bids for debt service in the amount of \$1 Million for the water and sewer.

***Councilman Nash made a motion to seek bids for debt service for up to \$1 Million to be used for water and sewer lines in the East End area. The motion was seconded by Councilman Green.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

### **Procurement Policy**

Manager Vannoorbeeck said the recommendation was to notify the vendors that the Town has a 30-day net requirement for payment of bills, except utility bills.

***Councilman Green made a motion to add to the Procurement Policy that the Town reserves the right to a 30-day net payment of bills. The motion was seconded by Councilman Nash.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

### **Meals Tax Letter**

Finance Director Hardy advised she had spoken with everyone but was still waiting on a few documents. Councilman Green added his interpretation was they were being cooperative and did not see the need for legal action.

Manager Vannoorbeeck advised we will report at the Continued Meeting.

### **8. Utility Upgrade Project**

There was nothing to report.

**NEW BUSINESS:**

*1. Appropriations - Various*

Manager Vannoorbeeck advised Finance Director Hardy put together an appropriation for consideration for fiscal year 2017. He said the appropriation was in the amount of \$150,812.00, which is below the 1%.

Mayor Coleburn asked about the transfer of (\$19,240.00) from Town Council. Finance Director Hardy replied that was from when Council voted to pay for Community Development Director Wilson’s internship. Mayor Coleburn clarified from the Council Discretionary Fund.

***Councilman Green made a motion to approve the appropriations presented. The motion was seconded by Councilman Moncure.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

*2. Capital Improvement Plan*

Manager Vannoorbeeck advised VDOT now requires their road projects be included in the municipality’s Capital Improvement Plan. He said this is a plan not a commitment.

***Councilman Nash made a motion to adopt the Capital Improvement Plan as presented. The motion was seconded by Councilman Tucker.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

3. Weatherization

Manager Vannoorbeeck advised these are agreements from Southside Outreach Group for home inspections for three upcoming weatherization projects.

***Councilman Nash made a motion authorizing Manager Vannoorbeeck to sign the Southside Outreach Group agreements. The motion was seconded by Councilman Tucker.***

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

**COMMITTEE REFERRALS:**

1. 10<sup>th</sup> Street Right-Of-Way

Manager Vannoorbeeck advised there was a request included from Mrs. Sharon Dalton, that has a turn off on her property and she is requesting additional right-of-way be abandoned.

Councilman Green made a motion to approve the request.

Manager Vannoorbeeck said he thought this needed to be looked at to see how much right-of-way is needed.

Councilman Green withdrew his motion.

Mayor Coleburn referred the right-of-way request to the Street and Light Committee.

2. Pole Attachments

Mayor Coleburn referred pole attachments to the Health and Ordinance Committee.

### 3. Subdivision Utility Request

Manager Vannoorbeeck advised a subdivision request had been submitted in the Eppington Forest area. He added the Ordinance does allow the developer to request a cost share on utility extensions. He asked this be referred to Fire and Water because the property effects Councilman Nash and he is not on this Committee.

Mayor Coleburn referred the utility request to the Fire and Water Committee.

### **MAYORS MINUTE**

Mayor Coleburn said he contacted Town Hall, he lives on Brunswick Avenue and there are several trees in his front yard and he was concerned about some of the limbs. He said he would like clarity if they were his trees or the Town's, so they can be trimmed. Manager Vannoorbeeck replied he and Mr. David Ostrander looked at it, he said if it is causing a danger he didn't think he needed a motion. He added it is a 70' right-of-way so thought the Town would trim the limbs.

Mayor Coleburn advised Mr. David Ostrander is retiring with 33 years of service to the Town.

Mayor Coleburn asked about the annual evaluation of the Town Manager. He asked to set the date at the October 23<sup>rd</sup> Meeting.

Mayor Coleburn said he wanted to have another Speak Your Mind to the Mayor event in November at the Primary School. He asked to have a staff member present.

### **POLICE REPORT**

There was nothing to report.

### **CITIZENS COMMENTS**

There were no additional comments.

### **CLOSED SESSION**

Virginia Code Section 2.2-3711

1/ Personnel – Treasurer's Vacancy

***Councilman Green made a motion to go into Closed Session for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The motion was seconded by Councilman Nash.***

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

***Councilman Green made a motion to certify that to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which the Closed Meeting was convened, were heard, discussed or considered in the meeting. The motion was seconded by Councilman Scott.***

VOTE:

Councilman Scott	-	Certify
Councilman Green	-	Certify
Councilwoman Thompson	-	Certify
Councilman Tucker	-	Certify
Councilman Nash	-	Certify
Councilman Moncure	-	Certify
Councilman Hamner	-	Certify

Mayor Coleburn advised while in Closed Session they discussed the pending vacancy of Mr. David Ostrander.

***Councilwoman Thompson made a motion that for a six-month trial basis, which will be revisited in April 2018, Mr. Dan Martin will be promoted to the Director of Public Works and receive an additional \$5,000.00 per year, also Mr. Melvin Hicks and Mr. Wallace Akers will have added responsibilities and each will receive an additional \$2.00 an hour during the six-month trial basis. Also because of the December 1<sup>st</sup> Treasurer vacancy, who also oversees the Cemetery, the Town Manager will now receive his regular hourly rate of approximately \$40.00 an hour on those times after hours when he is called to the Cemetery to assist, which includes weekends, after hours, holidays and vacation, he has agreed to regular time for these instances. The motion was seconded by Councilman Tucker.***

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Aye

**COMMITTEE MEETINGS continued:**

*Buildings, Property & Cemetery*

**Cemetery Headstone**

Mayor Coleburn clarified the Committee had a 2-1 recommendation against a third request from Mr. Warren Dalton to move an existing headstone.

Councilman Green said we made an exception for someone that came to the podium, how can we make an exception for someone who hasn't.

Manager Vannoorbeeck advised Mr. Dalton would like to put a headstone on two lots in an eight-grave section.

Councilman Green asked if this was more than the exception Mrs. Dalton asked for. Mayor Coleburn said Mr. Dalton's request was not in writing. Manager Vannoorbeeck replied he did not think it was an irrational request.

***Councilman Nash made a motion to allow Mr. Warren Dalton's request as presented because the Policy does not state such at this time. The motion was seconded by Councilman Scott.***

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Scott	-	Aye
Councilman Green	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye
Councilman Nash	-	Aye
Councilman Moncure	-	Aye
Councilman Hamner	-	Nay

Mayor Coleburn continued this meeting to Monday, October 23, 2017 at 6:00 p.m.

There being no further business to bring before Council, Mayor Coleburn declared the meeting adjourned.

\_\_\_\_\_  
MAYOR  
OF THE TOWN OF BLACKSTONE, VIRGINIA

\_\_\_\_\_ APPROVED AND ADOPTED

\_\_\_\_\_  
TOWN CLERK  
OF THE TOWN OF BLACKSTONE, VIRGINIA