

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, on Monday, August 27, 2007, at 6:00 p.m.

There Were Present:

Mayor: William D. Coleburn

Council Members: L. Benjamin Green, John W. Hill, Jr., C. Duncan Quicke, Barbara Thompson, Alfred Tucker, J. A. Wilson, Jr., Constance T. Wynn

Town Attorney: Kennon C. Walden, Jr.

Town Staff: Jennifer H. Beck, Administrative Assistant; David Dunn, Assistant Town Manager; Nicholas C. Kuzmiak, Police Chief; J. Larry Palmore, Town Manager; Joan R. Palmore, Town Clerk; Charles C. Wells, Finance Director

Those Absent: None

Mayor Coleburn called the meeting to order and Councilwoman Wynn led in prayer.

PLEDGE OF ALLEGIANCE

Mayor Coleburn led those in the Chambers in the Pledge of Allegiance.

MINUTES

Councilman Green made a motion to dispense with reading and approve as presented the Minutes of the July 16, 2007, Council Meeting. The motion was seconded by Councilman Quicke.

Discussion: Mayor Coleburn asked the Town Clerk to add the following statement to last month's Minutes--*Mayor Coleburn said he believes a single, consolidated precinct for all registered voters in town, during Town elections every four years, would be in the best interest of all citizens. However, he said he did not want to push an issue that would create any division in this community.*

Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye

(Councilman Tucker absent during vote.)

VISITORS

1. Richard Eaton, South Main Street, thanked the Town Manager for the work he did on the Dollar General project. He hopes that the drivers will have ample space to pull in and out efficiently. He also thanked the Mayor and Council Member Green for their outspoken and proactive views on this project.

2. Jennifer Smith, Daughters of the American Revolution, addressed Council. She then read the Preamble to the Constitution. She stated that the Proclamation she is asking that the Mayor sign, will institute September 17th -23rd as Constitution Week.

Councilman Wilson made a motion to declare September 17th - 23rd as Constitution Week. The motion was seconded by Councilman Green and approved unanimously. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye

(Councilman Tucker absent during vote.)

FIRE CHIEF'S REPORT

Assistant Fire Chief Bradford addressed the Council and stated that the fire report is in the Council's packet and asked if there are any questions.

Council discussed several issues.

Manager Palmore stated that he had the opportunity last Thursday to address a committee of the General Assembly regarding our volunteer Fire Department. He stated that he was there at the request of VML (Virginia Municipal League). He informed Council that during his presentation, he went over the budget amounts that we spent on fire service last year which was \$111,000.00. He also answered a lot of questions from the Committee and he stated that he was very proud to represent the Town of Blackstone and VML. He added that the Town of Blackstone gives far more to our volunteer Fire Department than other communities. Manager Palmore explained that the General Assembly is studying how to lessening the training requirements on the volunteers.

PAYMENT OF BILLS

Councilman Wilson made a motion to pay the bills in the amount of \$1,020,157.60. The motion was seconded by Councilman Hill. After some discussion the motion was approved as follows. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Abstained
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye

(Councilman Tucker Absent)

COMMITTEE REPORTS

Councilman Green, Downtown Blackstone Incorporated, handed out information to Council on the Main Street kick-off reception on September 4th at 5:30 p.m., to be held at Schwartz Tavern. He added that, at that time, the Main Street Community sign will be unveiled. He also informed Council that on September 5th, the Main Street people will be here all day and he asked that Council Members come to the meeting which will be held in the Police Department meeting room from 9:00 a.m. to 10:00 a.m.

OCEANA NAVAL BASE - FORT PICKETT AIRFIELD

Manager Palmore spoke to Council about the letter in the Council packet regarding the proposed OLF at Fort Pickett. He explained that this letter simply makes the Navy's case. We are asking that the five counties sign as well as any other localities in the area who wish to sign. The Mayor of Kenbridge has already signed this letter. Manager Palmore stated that he is proud of Mayor Coleburn for defending our position. He also stated there is a purpose in all of this, we aren't just going out trying to rile people up for no reason. He also talked to Council about the

numerous times, over the years, that we have gone above and beyond to help and work with the military on many different issues. We have always supported Fort Pickett and the armed forces. Years ago it was decided that Fort Pickett was going to be a premier training facility and a lot of money, time and effort has been put in by the Town of Blackstone, the National Guard and the Department of Army to further this goal. When this is all said and done, hopefully all of this will be clearer and it will be understood that there is a purpose in what we are doing.

Mayor Coleburn stated that Lunenburg County voted 6-0 to support the Resolution; Dinwiddie County voted 4-1 to express grave concerns and adopted a compromise Resolution; Brunswick County voted 5-0 to support the Town of Blackstone’s Resolution, as written; Amelia County took no vote and took no position; Nottoway County voted 5-0 to adopt the Resolution; Crewe voted not to take a position; Burkeville voted 5-1, with one absentee- to adopt the Resolution; Kenbridge also voted to adopt the Resolution.

Manager Palmore explained that we went to the five surrounding counties—Amelia, Brunswick, Dinwiddie, Lunenburg, Nottoway— the individual towns came to us. We went to Burkeville because we were asked.

Mayor Coleburn stated that his understanding is that the Navy is not crazy about the OLF coming to Fort Pickett. He added that Sussex County recently appropriated \$25,000.00 to help fight against the OLF coming to their locality.

Manager Palmore explained that we were put on the list by Senator Warner so therefore we have not had any community meetings set up by Governor Kaine, as the other communities have.

Mayor Coleburn added that we were told at our meeting with the Navy by Admiral Anderson that Fort Pickett is an anomaly because we were put on the list very early by Senator Warner.

Councilman Green made a motion to authorize Mayor Coleburn to sign the attached letter to Governor Tim Kaine outlining our concerns about the proposed Navy OLF (Outlying Landing Field) at Fort Pickett. After further discussion, the motion was seconded by Councilman Quicke and approved unanimously. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye

(Councilman Tucker absent during vote.)

Council discussed this further.

Councilman Tucker entered the meeting.

Manager Palmore is afraid that Southside Virginia is going to sit back and wait instead of making our wishes known. The interesting thing, that he doesn't think people understand, is that Legislation was introduced in Congress that said that no Federal money could be spent in Washington County or Beaufort County, North Carolina for an Outlying Landing Field. He added that the Navy uses Pickett an awful lot and they don't want to lose that.

Councilman Green asked when will the short list be made public.

Manager Palmore answered that September 15th is the date this information will be made public.

AMELIA AVENUE BRIDGE

Manager Palmore stated that we just received the estimated cost to replace the deck on the Amelia Avenue bridge which came in at \$950,000.00. He added that each year this bridge is being inspected to test its safety. We are going to do what we can to find money to fix this bridge. We will be talking to the State and Federal Agencies asking them to earmark funds to replace the deck. He added that, at this time, the bridge is safe for traffic and we will continue to monitor.

Council discussed this further.

CABLE TELEVISION FRANCHISE AGREEMENT

Manager Palmore stated that Attorney Walden made the changes, as highlighted in the Council Packet, to the Franchise Agreement and we forwarded them to Jet Broadband's attorney on August 22nd. We also asked them again about a TV guide channel and they told us they will be working on that.

Councilwoman Wynn is more concerned that they list what they are showing.

Manager Palmore added that we were told that all the channels are going to be changing and there will be another format. They are going digital and the quality of the channels should improve.

**This issue was discussed again further in the meeting and a motion was made to adopt.*

ON GOING PROJECTS

Armory Authority - The Building and Property Committee plans to meet with the Armory Authority on Wednesday, September 5th at 4:30 p.m., here at Town Hall.

Bus Shop - Manager Palmore asked that the Building and Property Committee meet at Town Hall at 4:00 p.m., on September 5th to discuss the colors of the new bus shop. The groundbreaking for the bus shop is set for September 10th at 10:00 a.m.

Carriage Museum - The dedication of the Carriage Museum is scheduled for Saturday, September 15th at 10:00 a.m. He suggested that the Council Members all meet at the Fire Station at about 9:45 a.m., and then take them to the Carriage Museum for the dedication. This building is unbelievable. He stated that there is one carriage that is missing– a carriage drawn **hearse**. He does not feel the museum is complete without it. He added that Mr. and Mrs. Thomas have put so much into this.

Downtown Revitalization - **We are waiting on the FONSI (Finding of No Significant Impact) Report. We probably won't get a contract until the 1st of October. Probably won't start construction until after Christmas. Council discussed the project area.**

Castles Trailer Park - We are still waiting on the contract. Hopefully it will start this year but it is moving slowly. He told Council that Todd Christensen's stepdaughter was killed in an automobile wreck and she was only 20 years old.

Medical Center - We need to secure a loan for 90 days. He handed out a copy of some interest rates he received from Citizens Bank - 3.95%; and Benchmark Community Bank - 3.99%. He has not heard anything from BB&T. We have a meeting tomorrow afternoon with the USDA on loaning money to us on this project. The money will not be available until October 1st. He added these rates are temporary. He stated that we are waiting on a Resolution that the Bank is requiring from the Town Attorney. We hope to have the groundbreaking by October or November. Every dime we put into this project including the land, will be included in the cost we charge Bon-Secours. Council discussed this further. Manager Palmore added that Bon-Secours is going to live by what they have agreed to. He stated they are locked down to a 10 year contract with two 5-year renewals.

On motion by Councilman Green, second by Councilwoman Wynn to authorize the Town Manager to secure a short term loan with Citizens bank in the amount of \$480,000 for 90 days. The motion was seconded by Councilwoman Wynn and approved as follows. Motion Carried.
Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye

Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

Councilwoman Wynn made a motion to approve the attached Resolution (required by Citizens Bank for the loan) as read by the Town Clerk. The motion was seconded by Councilman Tucker and approved unanimously. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

Manager Palmore stated that Gene Davis would be responsible for remediation if there is a problem with the tank removal.

South Main Street Reconstruction - Construction is going good. To begin with we had a lot of people concerned with the detour. He believes it is getting better and hopefully they will get up to Church Street within the next couple of days.

Councilman Green stated that he was promised that we would have speed limit signs and he has not seen them yet.

Manager Palmore answered that this is his fault because he did not pass this along to get the signs up.

Councilman Green stated that approaching from the West on Church Street, there needs to be a sign showing how to get to Route 46.

Manager Palmore agreed and stated that he will take care of this.

FRANCHISE AGREEMENT - CONTINUED

Town Attorney Walden entered the meeting.

Manager Palmore informed Council that Attorney Walden has spoken with Jet Broadband this afternoon and was informed that they are happy with the changes so he recommended that Council adopt the Franchise Agreement tonight.

Councilman Wilson made a motion to adopt the Franchise Agreement and forward it to Jet Broadband. The motion was seconded by Councilman Quicke and approved unanimously.
Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

Manager Palmore explained that within the next two to three months there will be a guide available on all channels once everything goes digital.

Councilman Green asked about the walking trails.

Manager Palmore answered that the grant did not get funded at this time.

Mayor Coleburn asked when will we see progress on the School Property.

Manager Palmore answered that this grant is the key but he is hoping that we can get something moving by next summer. He added that we are waiting on a plan from the Recreation Association on the ballfield. He thinks we will see that the Arts and Crafts Festival is going to outgrow the area that it is in and it could be this year. He feels that the school property could possibly be where we might move it in the future.

Mayor Coleburn asked about the Community Warning Siren Grant.

Administrative Assistant Beck answered that she is working with Attorney Walden on this.

Manager Palmore stated that these sirens will be put back in the same place they are now.

Mayor Coleburn asked about the new traffic signals Downtown.

Manager Palmore answered these will be installed within the next two to three weeks. He added that he wanted to talk to Council about what we can do on Barco Road and Northwest Avenue especially due to the recent accident with the Town's cherry picker vehicle and another

vehicle. He met with Jack Hodge, Volkert and Associates, and Mr. Hodge’s suggestion is to put up a large “Stop” sign with flashing lights on both sides and also to install a sign before you get to the stop sign that indicates a “Stop” Sign ahead.

Councilman Quicke asked about putting up a 45 mph speed limit sign off of the by-pass rather than going from 55 mph to 35 mph.

Mayor Coleburn asked the Town Attorney to look into this and see if Councilman Quicke’s idea can be implemented.

Mayor Coleburn asked about the Business License procedure; if someone comes into Town and they are growing their own produce, his understanding is they are not required to get a business license. He asked is that correct procedure.

Manager Palmore answered yes sir and that he has addressed this. He added that the first day that this particular gentleman came into Town, Manager Palmore went and talked to him and he was told that this gentleman was growing the produce himself. We have come up with a form that each individual would have to sign swearing that they are growing the produce themselves. The form also asks for other information such as the name of the owner of the lot they are selling on, etc. He hopes this will take care of the problem.

Billy Nash, owner of Clay’s Garden Center, spoke to Council about this issue. He is concerned with people competing with his business and not being required to get a Business License.

Mayor Coleburn asked that the Town Manager and Town Attorney look into requiring that the host County provide us with a letter certifying who owns the property, if we have another case like this.

Manager Palmore answered that our State Code does not give us any authority to do this. If someone is a farmer, you cannot require him to give us this information but we can get him to sign a form with us certifying that he is growing this himself.

ARTS AND CRAFTS FESTIVAL

Councilman Green made a motion to close Tavern Street at Main and High and Dinwiddie Avenue and Broad on Friday, September 14th through Sunday, September 16th and also to approve the parade permit for Bobby Daniel. The motion was seconded by Councilman Tucker and approved unanimously. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye

Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

RATIFY POLL TAKEN ON JULY 24TH - NOTTOWAY YOUTH FOOTBALL ASSOCIATION PARADE PERMIT

Councilman Hill made a motion to ratify the following poll taken on July 24th to approve the Nottoway Youth Football Association Parade Permit.

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

The motion was seconded by Councilman Tucker and approved as follows. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

RATIFY POLL TAKEN ON JULY 24TH - AD IN COURIER-RECORD (OCEANA OLF)

Manager Palmore stated this ad was a key factor in helping us talk to other governments. He added that he only went and talked to the localities where he was invited.

Councilwoman Wynn made a motion to ratify the following poll taken on July 24th to authorize the Town Manager to place an ad in the Courier-Record on the proposed Navy OLF at Fort Pickett.

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye

Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

The motion was seconded by Councilman Wilson and approved unanimously. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

REAL ESTATE/PERSONAL PROPERTY TAX WRITE-OFFS

Councilman Hill made a motion to write-off Real Estate taxes in the amount of \$20.71 and Personal Property taxes in the amount of \$734.87. The motion was seconded by Councilwoman Thompson and approved unanimously. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

RELIEVE TOWN MANAGER OF THE COLLECTION OF DELINQUENT TAXES (RE & PP)

Councilman Green made a motion to relieve the Town Manager/Treasurer of the collection of delinquent Real Estate taxes in the amount of \$16,380.04, and delinquent Personal Property taxes in the amount of \$2,703.27. The motion was seconded by Councilman Quicke and approved unanimously. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye

Councilwoman Thompson - Aye
Councilman Tucker - Aye

NAME ROAD LEADING INTO INDUSTRIAL PARK

Mayor Coleburn referred this to the Street and Light Committee (Tucker, Quicke, Wynn) to report next month.

INDUSTRIAL DEVELOPMENT AUTHORITY - REPLACE J.M.H. IRBY AS CHAIRMAN (DECEASED)

Mayor Coleburn asked that Council come back to him at the next meeting with names of people who would be willing to serve on the Industrial Development Authority. He explained that it would be up to the Authority to appoint the Chairman.

ONLINE UTILITY EXCHANGE

Manager Palmore explained how this program would work.

Councilman Green asked the Town Attorney to make sure we can use this tool to locate people even if they don't owe money.

Mayor Coleburn asked where is this company based and can we check into this

Mayor Coleburn stated that by Common Consent of Council to authorize the Town Manager and Town Attorney to proceed with this and bring back to Council.

BUS SHOP BIDS - AWARD TO KENBRIDGE CONSTRUCTION

Manager Palmore stated that Kenbridge Construction submitted the low bid in the amount of \$1,539,004.00. He stated that the Committee - (*Darrell Feasel, DRPT, Councilman Wilson and Councilman Green, Manager Palmore, and Administrative Assistant Beck*) recommends that Kenbridge Construction be awarded the bid.

Councilman Green stated that Darrell Feasel was very impressed with Kenbridge Construction as he was also. Councilman Green added that he was not very happy with Mid-Atlantic Construction Company's one page bid or the information they provided us.

Councilman Green made a motion to award the bus shop contract to Kenbridge

Construction to design-build the new bus shop in the amount of \$1,539,004.00. The motion was seconded by Councilman Wilson and approved as follows. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

Manager Palmore explained that this building will be 21,000 square feet. We will use State and Federal grant money to build it; we don't plan to use Town money at all and he added with all the work that the community college has put into it, we will exceed our In-Kind match.

Manager Palmore stated that he cannot say enough about Darrell Feasel and all he has done on this project and the help he has given us. He added that we will move our current shop to the new building.

MAYOR'S MINUTE

Mayor Coleburn asked the Council Members to read the letters he has written and received that were included in the Council packets.

Mayor Coleburn stated that the Piedmont Geriatric Association has asked him to appoint someone to serve on their committee. He stated that the next meeting is Thursday, October 11th at 1:30 p.m., at that facility.

Manager Palmore offered to fill in for the Mayor if he needs us to.

Mayor Coleburn would like to try and find out where the dog fighting took place.

Chief Kuzmiak answered that unfortunately at this time he does not feel that this is going to be possible. The lead investigator on the case does not even know where it was but Chief Kuzmiak will check into this again.

Councilman Green asked have we had any luck with the County in looking at some of the houses that need to be inspected.

Councilman Wilson stated that all three towns have put pressure on the County and he feels that they are going to do something on this.

Mayor Coleburn would like for us to paint the checker board water tower on North West Avenue.

Councilman Green asked what kind of money are we talking about.

Manager Palmore asked Mayor Coleburn to please consider that if we change the color of the water tower, we would have to change the location of the air strip at Fort Pickett and the flight path. The reason the tower is painted in a checkerboard pattern is because that was a requirement from the (FAA) Federal Aviation Administration.

Mayor Coleburn asked several questions about catching and releasing animals.

POLICE REPORT

There were no questions on the police report.

MISCELLANEOUS

Councilman Hill stated that he has received a complaint from a business owner about vandals at Bevell's parking lot. He asked the Police Chief to increase patrols.

Manager Palmore answered that we have addressed this. We have maintained that it is much safer for kids to be in a Town parking lot than on High Bridge or some place else. He stated that he understands and hears the business owners complaints. If this does not work, we will consider closing off the parking lot in front of Bevell's.

Councilwoman Wynn thanked the Town Manager and staff for the canopy at the Night-Out Against Crime.

Manager Palmore thanked those who attended the event and those who supported this situation.

Councilwoman Wynn stated that she understands that it takes a lot of patience and a lot of work and she really appreciates all the Town did to help with this program.

CITIZENS COMMENTS

There were none.

CLOSED SESSION

Councilman Hill made a motion to go into Closed Session according to the following:

Virginia Code Section 2.2-3711

Sub Section A

- Acquisition/Disposition of Public Property
- Personnel
- Prospective Business

The motion was seconded by Councilwoman Thompson and approved unanimously.

Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

Mayor Coleburn declared the meeting back in Open Session.

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 Quicke and approved as follows. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye
Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

Councilman Hill made a motion to authorize the Town Manager to negotiate the purchase of the 29 feet of Gus Mitchell Property on South Main Street for no more than the appraised value. The motion was seconded by Councilman Quicke and approved unanimously. Vote:

Councilman Quicke	-	Aye
Councilwoman Wynn	-	Aye

Councilman Green	-	Aye
Councilman Wilson	-	Aye
Councilman Hill	-	Aye
Councilwoman Thompson	-	Aye
Councilman Tucker	-	Aye

There being no further business to bring before Council, Mayor Coleburn declared the meeting adjourned at 9:40 p.m.

MAYOR
OF THE TOWN OF BLACKSTONE, VIRGINIA

_____APPROVED AND ADOPTED

TOWN CLERK
OF THE TOWN OF BLACKSTONE, VIRGINIA