

Minutes of a Continued Meeting of the Council of the Town of Blackstone, Virginia, held in the Council Chambers, located at 100 W. Elm Street, Blackstone, Virginia on Thursday, June 27, 2024 at 7:00 p.m.

There Were Present:

Mayor: L. Benjamin Green

Council Members: Wesley Gormus, Lloyette Wynn, Christopher Page, Carolyn Williams, Nathaniel Miller, Eric Nash, Jake Allman

Town Staff: Philip Vannoorbeeck, Town Manager; Jennifer Daniel, Town Clerk; Jackie Brown, Bookkeeper; Mary Benson, Bookkeeper; Sam Murphy, Police Chief

Town Attorney:

Those Absent:

Mayor Green called this Continued Meeting from June 20, 2024, to order.

Mayor Green asked Council to approve the Agenda with one addition. He said he would like to ask Council to change the date for the August Council Meeting.

***Councilman Nash made a motion to approve the Agenda with the addition. The motion was seconded by Councilwoman Wynn.***

Mayor Green asked all in favor or opposed:

VOTE:

Councilman Page	-	Aye
Councilwoman Williams	-	Absent
Councilman Miller	-	Aye
Councilman Nash	-	Aye
Councilman Allman	-	Aye
Councilman Gormus	-	Aye
Councilwoman Wynn	-	Aye

### **Adopt the FY24/25 Budget**

Manager Vannoorbeeck said the Budget is being presented at \$19,619,944.00. He said this equalizes the Real Estate tax rate, with no increase in the overall levy, at \$.17 per 100. He said it was \$.22 previously. He said Personal Property was advertised to drop from \$.72 to \$.57, which equalized the relief rate to 49%.

Manager Vannoorbeeck said with electric rates, the highest users for the small general, some tiers were eliminated. He said some of the largest users had been paying \$0.08595 per kilowatt, will now be anything over 3,000 kilowatt hours at \$0.09050.

Manager Vannoorbeeck said there were not a lot of capital projects included, but the big sewer project was not included, and would have to come back to Council. He said with the raw water line it could be as much as a 55% rate increase on water. He said Community Development Specialist Bryant applied for a full \$14 Million federal grant through the Army Resiliency Project. He said he would present this application at the July Council Meeting.

Councilman Gormus asked if the Human Resource Representative was part of the Budget. Manager Vannoorbeeck replied, it is not.

Councilman Page asked if the Dillard Street Ditch project was in the Budget. Manager Vannoorbeeck replied, it is not.

### ***Councilman Nash made a motion to approve the advertised Budget.***

Councilman Miller asked Councilman Page what he asked about the Budget. Councilman Page replied, he asked if the Dillard Street Ditch was in the new Budget. Manager Vannoorbeeck said it is in the current budget, which we believe a 4-3 vote approved it. He said Councilman Page believed it had to be reappropriated tonight. He said it can be reappropriated at any time, it did not have to be done tonight.

Councilman Page did not believe it was clear it was in the current year's budget. He believed the appropriation would run out on Sunday, and would have to carry over into the new budget.

Mayor Green said he contacted Attorney Harf today about Councilman Page's concerns and the votes. He said Attorney Harf had a strong opinion that the 4-3 vote carried, and the money had already been appropriated. He said by awarding the bid the Town was completely legal.

Councilman Nash said no matter what it would have to be voted on again, but it is outside the realm of the budget. Mayor Green said it was not going to be voted on again, it was a done deal.

Councilman Nash said it was declared during a meeting it was not a valid vote. Mayor Green said he was wrong, and learned that today.

Councilman Nash said he currently has a motion on the floor to approve the advertised Budget, that was approved on June 5<sup>th</sup>.

*The motion was seconded by Councilman Allman.*

Councilman Page said parliamentary procedure matters, when the Chair makes a decision and a vote fails, and the decision is not appealed, then that motion fails. He said it needs to be voted on again.

Mayor Green said he talked to Attorney Harf about this scenario, and the explanation given to him was if the vote had been 7-0, and he said motion failed, the law is when the vote was taken, that was when the action was triggered, and the motion passed. He said he was simply moderating the meeting, and did not know the facts, but in good faith, he believed the 4-3 motion failed, but in fact it did pass.

Councilman Nash believed there was a motion that passed to readvertise. He said again this is beyond the scope of tonight's meeting, for an Agenda we just approved. He believed the motion to readvertise needed to be rescinded, but not tonight, we need to stick with what is on the Agenda.

Councilman Page said with the new budget, everything over \$500.00 has to be appropriated, and that time is right now. He said as Councilman Gormus pointed out; we have line items that have been historically overinflated.

*Councilwoman Williams entered the meeting.*

Councilman Page said once this budget is approved, it is pretty much a blank check and the funds can be used for anything because it has been annually appropriated. Councilman Nash said the Armes' ditch was not in the Budget.

Councilman Allman said with the new understanding of the rules, we are too far through the budget process, and agreed there are a few items that are too vague, and believed it needed a 5-2 vote. He believed private property clean-up was a vague item, but knew it needed a 5-2 vote, but now we understand it is only during the appropriation process, we need to look at that during next year's budget when there is time.

Manager Vannoorbeeck said Councilman Page's assertion that it is leaving a blank check for the Town Manager is utterly false. He said the fact is it will really restrict what we are doing significantly.

Councilman Page said if there are items in the budget we don't like, we should take care of them now. He said there are other options for adopting the budget. Councilman Allman said we need to move forward and do our best in the future, now that we know the rules.

Mayor Green asked for a Roll Call Vote:

VOTE:

Councilman Page	-	Nay
Councilwoman Williams	-	Nay
Councilman Miller	-	Nay
Councilman Nash	-	Aye
Councilman Allman	-	Aye
Councilman Gormus	-	Nay
Councilwoman Wynn	-	Nay

Mayor Green said the motion failed 5-2. He asked Manager Vannoorbeeck to brief Council and the audience on the repercussions of not having a passed budget.

Manager Vannoorbeeck said without an approved budget and appropriation, everyone would be furloughed, we cannot expend monies that have not been appropriated. He said the reason employees are here tonight is because they will not be paid. He said essential employees, such as the Police Department and Water and Sewer operators will be here, but will not be paid.

Councilman Allman said to Manager Vannoorbeeck, with all due respect, it was not his decision to make if employees would be back paid. Manager Vannoorbeeck said his comment was they don't have to be paid, but he was unfamiliar with people sitting at home because of the indecision of this body, and people getting paid. He said that is not very fair to the citizens to do that. He said it was not fair to the employees, that this group can't agree on a simple budget. He said the minimum is all that staff asks from you.

Councilman Page asked Mayor Green if he was going to let Manager Vannoorbeeck chastise Council over their decisions, it is inappropriate. Mayor Green said he asked Manager Vannoorbeeck to brief Council and the audience on the repercussions.

Manager Vannoorbeeck said an adoption of the budget is Council's minimum duties. He said two months ago when the budget was given to Council, negotiations should have been done then. He said the budget was advertised by motion of Council. He said if you want to discuss human resources next month, but he would not force employees to come to work with no pay.

Manager Vannoorbeeck said employees would not be paid unless this Council decides to give them money to sit at home, which is in excess of a human resource officer. He said \$160,000.00 is spent every two weeks for payroll. He said the fact that we may or may not want to spend \$80,000.00 on a human resource officer, tells him this is a bad financial decision, and not in the best interest of the Town.

Manager Vannoorbeeck said Council needs to stay here tonight, and asked that the meeting not be adjourned, and Council adopt a budget.

Councilman Gormus said we can make a motion to extend the budget for an X amount of time.

Councilman Page said just because the motion failed, does not mean we won't pass a budget before July 1<sup>st</sup>. Councilman Nash said a budget was presented at the June 5<sup>th</sup> meeting, and everyone except Councilman Gormus because he was not here, agreed to advertise the budget.

Councilman Miller said for the past four years we have been asking for a Human Resource Officer, and now because we don't agree, you are saying we are punishing the employees. Manager Vannoorbeeck said you are.

Councilman Miller said we believe having a human resource officer would help the employees. Manager Vannoorbeeck said to Councilman Miller, you are punishing the employees, because they cannot make their house payments when you don't adopt a budget.

Councilman Page said that is not why he was not voting for the budget, he had concerns about what is in the budget, and believed he could get it resolved.

Mayor Green asked if there was another motion to modify the budget.

***Councilman Gormus made a motion to add a human resource officer to the budget. The motion was seconded by Councilman Miller.***

Councilman Nash asked where would the revenue come from. He said we will have to readvertise the budget. Councilman Gormus said there is \$47,000.00 for the vacancy of a police officer. Councilman Nash said so we will tell our police to hell with them.

Councilman Gormus asked how long there had been the vacancy in the Police Department.

Mayor Green asked Manager Vannoorbeeck what needed to be done to change the budget. Manager Vannoorbeeck said you need to cut, we cannot raise tax rates, so something needs to be cut out for \$80,000.00.

Councilman Allman said Council agreed we would try the insurance company for human resources for a year, so the Finance Committee moved forward without the position in the budget.

Mayor Green said we need to pass a budget tonight. He said if there is a 5-2 vote for a human resource officer, he could call a work shop for next month, find a revenue and appropriate the funds.

Councilman Page believed a ruling needed to be made. He said the motion needs to include an exact figure and a deduction of something from the budget. He believed the motion failed for being improper. Mayor Green disagreed with Councilman Page, and believed the motion was valid, but appropriating the budget without doing it properly, that is a problem.

Councilman Nash said Councilman Page wanted to know if a human resource officer is being included in the budget, what is being taken out.

Mayor Green gaveled, and said we stand in recess for three minutes.

Mayor Green returned and said he took advantage of a resource that was available to him to get through this meeting. He said he conferred with the former Mayor, Mayor Coleburn, who sat here for 16 years.

Mayor Green said Council was now back in session.

Mayor Green ruled that Councilman Gormus's motion was inappropriate, and needs to be more specific on how to accomplish adding a human resource officer to the budget.

Mayor Green said we have to adopt a budget tonight. He said if a human resource officer is holding the budget up, he asked for a compromise to meet as soon as we can. He said a 4-3 vote could make it happen, and a 5-2 vote would appropriate the money.

***Councilman Gormus amended his motion to include adding a human resource officer, with the fourteenth police officer position being at \$47,000.00 and go towards the \$60,000.00 for a salary, and \$15,000.00 additional from the realignment of the Police Department. The motion was seconded by Councilman Miller.***

Mayor Green asked Manager Vannoorbeeck what would be needed for a human resource officer. Manager Vannoorbeeck replied, for mid-range, \$75,000.00.

Mayor Green asked if any additional cost would be needed for office space or accommodations. Manager Vannoorbeeck said Councilman Miller mentioned he did not want the employee working at Town Hall, and he did not know where the employee would be located. He said with a rental location, he would recommend \$95,000.00 for the line item in the budget.

Councilman Gormus asked about space at the Police Station. Councilman Miller asked about the DBi office. Councilwoman Williams said two years ago it was discussed locating this person at the Bus Shop.

Councilman Gormus said we overestimate expenditures and underestimate revenues.

Councilman Gormus and Councilman Nash exchanged comments on Meals Tax.

Mayor Green said if any money is taken from public safety, he would veto it, and firmly and vehemently opposed it.

Mayor Green asked Councilman Gormus where the rest of the money would come from. Councilman Gormus replied, it would take more than 15 minutes, but he guaranteed he could find \$30,000.00.

Councilman Gormus said he did not want people to not get paid, but believed the people fighting so hard against getting a human resource officer, may be the very reason we need one. He told Mayor Green that his stance when coming in as Mayor was to support the will of Council, but to veto something before it is even voted on is not right. Mayor Green said when talking about taking away from public safety for a position we have done without all these years, he could not do that.

Manager Vannoorbeeck suggested finding the remaining difference by increasing the Payment In Lieu of Tax from the Electric Department.

Manager Vannoorbeeck said his recommendation was to adopt and appropriate the budget tonight as presented. He said the other issues can be figured out.

Mayor Green asked for a Roll Call Vote:

VOTE:

Councilman Page	-	Nay
Councilwoman Williams	-	Nay
Councilman Miller	-	Nay
Councilman Nash	-	Nay
Councilman Allman	-	Nay
Councilman Gormus	-	Aye
Councilwoman Wynn	-	Nay

Mayor Green said that motion failed 6-1.

Councilman Gormus asked if Council would agree we try the HR with the insurance carrier, and come back in the spring before the budget process, if needed.

Councilwoman Williams said she asked at the last meeting and still tonight we have not received any information on the HR through VaCorp. She said she did not want to hold up paychecks, nor take from the Police Department, but we have been asking for the HR position for two years.

Councilman Gormus asked if VaCorp could come and present what they offer for HR. Mayor Green replied, absolutely, we are paying them. He said he would call a special meeting for a work session to discuss further.

Councilman Miller suggested the Employment and Police Committee meet with the insurance company.

***Councilman Page made a motion to adopt the FY24/25 Budget as advertised. The motion was seconded by Councilman Nash.***

Mayor Green asked for a Roll Call Vote:

VOTE:

Councilman Page	-	Nay
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye
Councilman Nash	-	Aye
Councilman Allman	-	Aye
Councilman Gormus	-	Aye
Councilwoman Wynn	-	Aye

***Councilman Nash made a motion to appropriate the FY24/25 Budget effective July 1, 2024. The motion was seconded by Councilman Allman.***

Councilman Page expressed his concerns about appropriating funds if included in the Budget.

Mayor Green asked for a Roll Call Vote:

VOTE:

Councilman Page	-	Nay
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye
Councilman Nash	-	Aye
Councilman Allman	-	Aye
Councilman Gormus	-	Aye
Councilwoman Wynn	-	Aye

***Councilwoman Williams made a motion to bring back discussion on the HR position at a Work Session in July, and work together to find a way to hire someone. The motion was seconded by Councilwoman Wynn.***

Mayor Green asked all in favor or opposed:

VOTE:

Councilman Page	-	Nay
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye
Councilman Nash	-	Aye
Councilman Allman	-	Aye
Councilman Gormus	-	Aye
Councilwoman Wynn	-	Aye



### **Spring Hill 180<sup>th</sup> Anniversary – Adopt Resolution**

Mayor Green said he received a nice letter from the Church, and asked him to provide a letter, but he thought it would be fitting to do a Resolution.

***Councilman Nash made a motion to adopt the Resolution as presented, and present in a framed fashion at the Ceremony. The motion was seconded by Councilman Miller.***

Mayor Green asked all in favor or opposed:

VOTE:

Councilman Page	-	Aye
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye
Councilman Nash	-	Aye
Councilman Allman	-	Aye
Councilman Gormus	-	Aye
Councilwoman Wynn	-	Aye

### **August 2024 Council Meeting Date Change**

Mayor Green asked Council to change the date of the regular Council Meeting in August to Monday, August 26, 2024. He said he had a conflict, and did not have any way of getting out of it. Councilman Miller said he would not be here that night.

***Councilman Gormus made a motion to move the August 2024 Council Meeting to the fourth Monday, August 26, 2024 at 7:00 p.m. The motion was seconded by Councilwoman Williams.***

Councilman Page said he had a conflict, and would have to move his schedule around, which will cost him money. He said he knew meetings had been moved previously, but there is an Ordinance that says we meet on the third Monday of each month. He said he did not want to break the Town Ordinance.

Mayor Green asked all in favor or opposed:

VOTE:

Councilman Page	-	Nay
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye
Councilman Nash	-	Aye
Councilman Allman	-	Aye
Councilman Gormus	-	Aye
Councilwoman Wynn	-	Aye

Manager Vannoorbeeck said it is the expectation to move forward with the Dillard Street ditch.

Councilman Nash said there is a valid vote to rebid the Armes' ditch, and it needs to be rescinded.

Mayor Green said Council told the Armes they would do the ditch, and it has been voted on with a 3-2 vote to move forward. He said the money was appropriated, with the cash set aside, and did not see a reason to split hairs and be more divisive than we have been lately.

***Councilwoman Williams made a motion to rescind the motion to rebid the ditch work on the Armes property. The motion was seconded by Councilwoman Wynn.***

Mayor Green asked for a Roll Call Vote:

VOTE:

Councilman Page	-	Nay
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye
Councilman Nash	-	Nay
Councilman Allman	-	Nay
Councilman Gormus	-	Aye
Councilwoman Wynn	-	Aye

Mayor Green said the motion carried 4-3.

***Councilman Page made a motion to rescind the award for Armes' ditch for \$87,000.00 from Treescapes, and rebid the project. The motion was seconded by Councilman Nash for discussion.***

Councilman Page said Manager Vannoorbeeck believed the low bid from Gilmore Environmental that was withdrawn, would come in lower than \$87,000.00, if rebid. Councilman Allman said that would be unfair to those that already bid the project.

Councilman Nash said there seems to be confusion on the amount budgeted for the ditch work. He said Councilman Gormus said it was \$140,000.00 in the budget, and Councilman Allman said it is \$96,000.00.

Councilman Gormus said there was \$96,000.00 in the current budget for ditches. He said \$140,000.00 came from grant funds. Councilman Nash asked if the money had really been appropriated.

Manager Vannoorbeeck said the Forest Drive project is a secondary road project, and not a private property ditch. He said the appropriated amount to spend on two ditches is \$96,000.00. He said \$31,000.00 was spent on N. West Avenue, which was the fix.

Councilman Nash said we are being asked to appropriate money that is not there, by \$31,000.00. He suggested readvertising, and hope the bids come in within the \$65,000.00.

Manager Vannoorbeeck said we had five people change their vote tonight to find a compromise to adopt the budget. He said he did not like doing the ditch, but asked Council to allow it to get done, and compromise.

Councilwoman Williams said it felt like we were going backwards again. She said the motion passed. Manager Vannoorbeeck said the appropriation can be done at any time. Councilwoman Williams said let's do what our attorney recommended.

Councilman Allman said we need to figure out how much money is left in the line item, and determine if it needs to be appropriated. He asked to have it on the Agenda for the next meeting when we have all the details.

Councilman Page said monies needed to be appropriated before cutting a check.

Mayor Green asked for a Roll Call Vote:


VOTE:

Councilman Page	-	Aye
Councilwoman Williams	-	Nay
Councilman Miller	-	Nay
Councilman Nash	-	Nay
Councilman Allman	-	Nay
Councilman Gormus	-	Nay
Councilwoman Wynn	-	Nay

Mayor Green said the motion failed 6-1.

Councilman Page said the difference in the line item will have to be appropriated.

There being no further business to bring before Council, Mayor Green declared this Continued Meeting adjourned at 8:16 p.m.

  
MAYOR OF THE  
TOWN OF BLACKSTONE, VIRGINIA

August 26, 2024 APPROVED AND ADOPTED

  
TOWN CLERK  
OF THE TOWN OF BLACKSTONE, VIRGINIA