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, September 19, 2022 at 7:00 p.m.

There Were Present:

Mayor: William D. Coleburn

Council Members: Annie Scott, Shelia Jones, Carolyn Williams, Nathaniel

Miller, Eric Nash, Jake Allman

Town Staff: Philip Vannoorbeeck, Town Manager; Jennifer Daniel,

Town Clerk; Jennifer Hardy, Finance Director; Nicholas Kuzmiak, Police Chief; Mary Murphy, Transit Director; Chastiddy Bryant, Community Development Specialist

Town Attorney:

Those Absent: Dion Tomer, Lonnie Morgan

Mayor Coleburn called the September Council Meeting to order.

Mayor Coleburn asked for a moment of silence for a tragedy, a young girl from Brunswick Avenue, Riley Grace Whitus passed away last week in a horrible accident. He said he had a special bond with her because in 2014 when she was in the third grade, she stood beside him to help throw the switch in Seay Park. He said he had talked to numerous people and she was very well loved.

Mayor Coleburn delivered the Invocation.

Mayor Coleburn led the Pledge of Allegiance.

PUBLIC HEARING:

1. Conditional Rezoning – Blackstone United Methodist Housing

NOTICE OF PUBLIC HEARING TOWN OF BLACKSTONE

The Town of Blackstone Town Council shall hold a Public Hearing on September 19, 2022 at 7:00 p.m. in the Blackstone Town Council Chambers, 100 W. Elm Street, Blackstone, Virginia. The applicant, Blackstone United Methodist Housing Corporation is requesting property be Conditionally Rezoned from the P-O, Public Open Space to the R-3, Residential District. If approved the applicant intends to erect twenty-four multi-family dwellings on the property. The Conditional Rezoning request specifically applies to a three acres portion of Nottoway County Tax Map Number 50A31-2-2. The property is currently undeveloped and is adjacent to Peele Manor. The Town Council may make a final determination on this request following this public hearing. Any individual desiring to address the Council should attend the public hearing at the above stated date and time.

Mayor Coleburn said this Public Hearing is a conditional rezoning for 24 apartments adjacent to Peele Manor.

Manager Vannoorbeeck said the request is for a 3 acre track of property that was retained by Virginia United Methodist Housing Corporation. He said a site plan is included, showing 24 units that will be single family patio style, similar to Peele Manor. He said one building will have two bedroom units, with the others being smaller.

Manager Vannoorbeeck said the Planning Commission considered the request and two proffers were provided, one being a 62 year old minimum age restriction, and the second being easements needed by the Town. He said the Planning Commission recommended approval.

Mayor Coleburn said if approved, these units would purchase Town water, sewer and electric. Manager Vannoorbeeck replied correct, they would be in Town limits. He added unless they are tax exempt, they would also pay taxes. Mr. Larry Dickenson replied, they are tax exempt, the property is not.

Mayor Coleburn opened the Public Hearing and asked if there was anyone here to speak for or against the request.

Mr. Larry Dickenson, President of the Virginia United Methodist Housing Corporation said they are pleased to be working on this project to expand the size of Peele Manor, and renovate the existing Peele Manor properties so they have a larger and fully sustainable property, looking at the next 30 years. He said Peele Manor was put in place and fully occupied in 2007 and believed it has been a very successful property in terms for them with high occupancy, low drama, and everything running smoothly. He said they expect the same to continue.

Mr. Dickenson said they currently own about 900 units around the State, and trying to expand. He thanked Council for their consideration.

Councilman Miller asked if these units were for seniors. Mr. Dickenson replied, correct, Peele Manor is designed that way and the new units would be the same. He said the only difference is Peele Manor is all 1 bedroom units, the new property will have five buildings, with four being one bedroom units, and a single building with four units that will have 2 bedrooms, to give people an option. He said they are trying to meet the needs of the economic segment of people in the County. He said the four plex designs provide everybody a separate entrance, and is a real favorite type within their portfolio of housing.

Mayor Coleburn closed the Public Hearing.

Councilman Nash made a motion to approve the rezoning request to R-3, Heavy Residential, and include the proffers of the necessary easements and the 62 year and older age restriction. The motion was seconded by Councilwoman Jones.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash	-	Aye
Councilman Allman	-	Aye
Councilwoman Scott	-	Aye
Councilwoman Jones	-	Aye
Councilman Morgan	_	Absent
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye

MINUTES:

Councilman Miller made a motion to dispense with reading and approve as presented minutes from the Regular Council Meetings on July 18, 2022 and August 15, 2022, the Special Called Meeting on August 30, 2022, and the Continued Meeting on August 31, 2022. The motion was seconded by Councilwoman Jones.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash	-	Aye
Councilman Allman	-	Aye
Councilwoman Scott	-	Aye
Councilwoman Jones	-	Aye
Councilman Morgan	-	Absent
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye

VISITORS:

Ms. Donna Wallace Perkinson

Ms. Perkinson said she was here speaking on behalf of her mother, Ms. Nancy Wallace. She said there is a serious dog issue here in the Town of Blackstone and Nottoway County. She said it seems the Ordinances and Regulations relative to this matter are not being adhered to by pet owners, nor are they able to be enforced properly.

Ms. Perkinson said within a six month period, there had been three attacks by pit bulls on just their family. She said a pit bull from Pickett Court attacked her mother's dog during the month of April on two different occasions. She said her mother's dog was confined to her own property with an underground fence at 23 Ridge Road. She said on September 2, 2022, her mother was attacked by a pit bull on East Broad, while walking on a public street. She said after speaking with Manager Vannoorbeeck, he wants to enforce the year round dog confinement and Dangerous Dog Ordinance, but in order to do so, it's the County he needs authorization from to have access to the Dog Shelter. She said Manager Vannoorbeeck has someone for the job, a truck to put him in, but the County will not allow access to the Shelter. She said the Town Manager needs the support of the Blackstone residents to be heard to assist in getting Nottoway County to make a change and allow Blackstone access to the Shelter.

Ms. Perkinson said as a resident of Blackstone, you also pay taxes in Nottoway County, therefore, you certainly should be afforded that right and it needs to take place immediately, and not wait to see if the new proposed Animal Shelter gets approved. She said it was her understanding that the current Animal Shelter does not house dangerous dogs, so that means they are left on the streets to run at large and hope nobody else gets hurt. She said it has been proven the irresponsible pet owners do not follow the confinement rules, or even have their dogs properly vaccinated. She said the pet owner of the dog that attacked her mother did not confine her dog even though advised by the Blackstone Police Department.

Ms. Perkinson said other issues come after the attack, who will absorb medical bills, it certainly should not be the one attacked, but so far that has been the case. She thanked the Blackstone Police Department, Nottoway Sheriff's Department and the Nottoway Emergency Squad for their prompt attention. She respectfully asked the citizens of Blackstone to do their part and speak up about the dog issues in Blackstone on a daily basis. She said don't let your loved one be the next harmed or even killed.

Councilman Nash said if the dog is not confined, why is the owner not ticketed. Manager Vannoorbeeck believed the dog owner received a second citation. He said after the initial attack the Police Department applied two tourniquets to Ms. Wallace. He was astonished that the dog was not picked up at the time, but was informed the Shelter was full. He said after the second time the dog was out, he and Chief Kuzmiak contacted County Administrator Costin, who again reiterated there was no room in the Shelter, and the Shelter is a No Kill Shelter.

Mayor Coleburn said nobody loves animals more than him, but Nottoway County has never voted to be a No Kill Shelter. He said the latest price on the new shelter is \$2.6 Million, the current Shelter has 10 kennels, the \$2.6 Million venture will accommodate 20 dogs. He suggested Council authorize him to write a letter asking that the Town be allowed access to the Shelter, and that they make room or bend rules to house dangerous dogs. He said it is not as much an animal issue as it is a people issue, but we cannot count on derelict pet owners, generally speaking, to be concerned.

Manager Vannoorbeeck said after the second time the dog was out, he and Chief Kuzmiak made calls to counties around here, and Amelia County agreed to accept the dog, and County Administrator Costin was made aware of that and asked Animal Control to pick up the dog. He said after consultation with their attorney, they were advised not to pick up the dangerous dog.

Councilman Nash said if the dog remains loose, the owner should be jailed.

Mayor Coleburn asked if the summons were written by the Town or County. Manager Vannoorbeeck did not know. Ms. Perkinson said the court system has to declare the dog dangerous, and did so. Chief Kuzmiak said the summons was written by the Blackstone Police Department.

Ms. Perkinson said there was no proof that the dog had its rabies shots, so she has had to take her mother for numerous shots. She said they received a \$116.00 vet bill for the attack on her mother's dog, and has yet to be collected, and was court ordered.

Councilman Allman said it appears to be a Class 1 Misdemeanor if your dog is labeled a dangerous dog, and you don't comply with having the dog spayed or neutered, keeping it in an enclosure, signage and have insurance to cover dog bites. He said this could be a \$2,500 fine or a year in jail. Manager Vannoorbeeck said the dog owner had 30 days to comply from the date of the bite. Ms. Perkinson believed it was 45 days.

Councilman Nash asked if the animal was still at the current location. Manager Vannoorbeeck believed it was quarantined at the house. Ms. Perkinson said it was there last week outside on a chain.

Mayor Coleburn said in his letter he will ask the County to show the minutes where the Animal Shelter was voted to be No Kill. Ms. Perkinson said she looked up No Kill Shelters and there is a provision that says animals can still be euthanized if considered vicious.

Mrs. Jean Lacks

Mrs. Lacks said the request for speed bumps has been almost 6 months and she was tired of the run around and being lied to. She asked if the speed bumps on Lunenburg Avenue could be put on Pickett Court temporarily.

Mayor Coleburn said the temporary speed bumps on Tenth Street and Lunenburg Avenue are only being used during the street construction on Main Street.

Manager Vannoorbeeck said Colony Construction is the contractor to install the speed bumps, and also the contractor paving Main Street. He said the speed bumps would be before Thanksgiving. Mrs. Lacks said she would be calling to speak to Manager Vannoorbeeck every day, or come sit in his office until the work was completed.

Mrs. Lacks said Manager Vannoorbeeck told her he would give her the company's name and number. She said her son has worked in construction and could do the work.

Mr. Robert Thomas

Mr. Thomas said back in 2018 and 2019, the Harris Memorial Armory Group joined him to help with the Wine Festivals. He said now that the Town is in charge of the renovation of the Armory, he provided a check in the amount of \$1,827.41 from the Armory Group and the Wine Festival.

Mr. Thomas said he had five wineries coming to the Wine Festival and the Brew House would be providing the beer. He said the event would be Saturday, October 22, 2022 from 12:00 p.m. to 6:00 p.m.

Manager Vannoorbeeck asked about an invoice for the Wine Festival Banner. Mr. Thomas asked to send it to him.

FIRE CHIEF'S REPORT:

There were no officers present tonight.

UNFINISHED BUSINESS:

9. RSAF – Fire Department Grant

Manager Vannoorbeeck said there was a misunderstanding about a particular grant, and there was a letter from Chief Tomer at your desk. He said he did not have as much of a commitment from USDA, as the letter from Chief Tomer states, but we are working with USDA to get a 55% grant to pay for the equipment on the Ladder Truck. He said the \$40,000.00 grant from the State would be applicable, and was originally presented as a \$20,000/\$20,000 grant/loan combination. He said the true cost is \$40,000/\$40,000 grant/loan.

Manager Vannoorbeeck said he and Assistant Finance Director Brown contacted the Department of Health and was informed it was a \$40,000/\$40,000 grant/loan combination.

Manager Vannoorbeeck said most of the airbag equipment had been received already. He said the Ladder Truck cost is \$1.744 Million.

Councilwoman Jones made a motion to accept the grant/loan from the Department of Health as \$40,000/\$40,000 for this fiscal year. The motion was seconded by Councilwoman Williams.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

-	Aye
-	Aye
-	Aye
-	Aye
-	Absent
-	Aye
-	Aye
	-

Manager Vannoorbeeck said the Fire Department has over \$130,000.00 in total purchases and are awaiting a response from USDA for a 55% grant. He said this is in addition to the \$40,000/\$40,000 loan/grant.

Councilman Nash left the meeting at 7:40 p.m.

PAYMENT OF BILLS:

Mayor Coleburn stated the bills that have already been paid are in the amount of \$2,017,119.11.

Councilwoman Jones made a motion to approve the bills that have already been paid in the amount of \$2,017.119.11. The motion was seconded by Councilman Allman.

Manager Vannoorbeeck said this batch of bills includes the VMEA bill, and the Town paid off the Revenue Anticipation Note, which was over \$620,000.00, and was used at VUMAC through the Industrial Revitalization Fund. He said the Town has been reimbursed \$455,000.00 so far.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Nash	-	Absent
Councilman Allman	-	Aye
Councilwoman Scott	-	Aye
Councilwoman Jones	-	Aye
Councilman Morgan	-	Absent
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye

Mayor Coleburn stated the bills not yet approved, and to be paid, are in the amount of \$508,533.19.

Councilman Miller asked about Goodman Truck in the amount of \$1,882.25 for roof repair on a bus. Manager Vannoorbeeck said a bus went under the canopy at the Methodist Church and didn't clear it and damaged the roof. Finance Director Hardy said it was an insurance claim.

Councilwoman Jones made a motion to approve as presented, the bills not yet paid in the amount of \$508,533.19. The motion was seconded by Councilwoman Scott.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

APPROPRIATIONS:

Manager Vannoorbeeck said an Appropriation was at Council's desk. He said this is for two vehicles, he had Transit Director Murphy check into the availability of trucks. He said they would not take orders for anything in excess of a 1500 ton truck. He said the Town put their names on two pickup trucks with a total amount of \$82,621.00. He said the way the Town purchases trucks is through surplus of Town equipment, scrap metal and interest from money market accounts. He said Finance Director Hardy is using the sale of scrap metal and use of Fund Balance, which is Reserves to make the Appropriation.

Mayor Coleburn said when Manager Vannoorbeeck first became Town Manager, he cracked down, pinching pennies, and with gas being has high as it is now, are we limiting the use of trucks on the road. Manager Vannoorbeeck said he had not put an order out there to reduce doing things. He said staff does not travel much.

Councilman Miller made a motion to approve the Appropriation in the amount of \$82,621.00 as presented. The motion was seconded by Councilwoman Jones.

Mr. Michael Bagley asked, with COVID still around, is the Town purchasing king cab trucks. Manager Vannoorbeeck said one of the trucks is a regular truck with two seats, the other is a four seat crew cab.

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

COMMITTEE REPORTS:

1. Account & Finance - met 8-30-22 - minutes included in September's Council Packet

Utility Audit

Mayor Coleburn said the Committee recommended giving customers 12 months to pay utility bills that were on Budget Billing.

Manager Vannoorbeeck said there are some customers in arrears because of the lack of attentiveness with the Budget Billing process. He said the Committee wants to work out payment agreements for the Budget Billing customers.

Councilwoman Jones made a motion to approve giving the Budget Billing Customers that are in arrears, 12 months to pay off their account. The motion was seconded by Councilman Allman.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

Finance Plan

Manager Vannoorbeeck said the Town as of October 1, 2022, has a principal debt of \$10,399,000.00, not including fire trucks and police cars. He said it does not include the Armory either. He said the Town pays about \$1 Million a year in debt service, with principal and interest. He said at the current rate, the Town could pay this off in 6-7 years, however, USDA is at a very low rate of 1.3% for a 40 year note, he said most of the others are on a 20 year amortization.

2. Employment & Police - met 8-30-22 - minutes included in September's Council Packet

CDL Bus Drivers

Mayor Coleburn said there was a recommendation to increase the CDL Bus Drivers that are currently making \$12.50 an hour to \$16.00 an hour, and a \$.50 an hour increase if they get their Passenger Endorsement. Manager Vannoorbeeck believed this only applied to three drivers.

Councilman Miller made a motion to approve raising the hourly rate to \$16.00 an hour for the three CDL Bus Drivers not already making \$16.00 an hour, and add \$.50 if they get their Passenger Endorsement. The motion was seconded by Councilwoman Jones.

Councilman Allman asked about the drivers there were not at this mark, why. Transit Director Murphy replied, previous drivers over \$16.00 an hour had their Passenger Endorsement, but the drivers at \$12.50 have a CDL as well, just not the Passenger Endorsement. She said the other departments make \$16.00 an hour for a CDL.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

DBi/Tourism/Community Development Job Description

Mayor Coleburn said the Committee recommended keeping the positions separate, with DBi being in charge of Tourism and Economic Development, and the Town being in charge of Community Development, which it is now.

Councilman Miller said the job description being discussed, no one person can do it.

Councilman Allman said this would be a new full time position.

Mrs. Field Green, Chairwoman of DBi said she was here to answer any questions. She said in the packet is a Memorandum of Understanding of what DBi would being doing and what the Town would be doing.

Councilman Allman said this would bring the DBi position to full time, letting them have their independence but coupling with a strict Performance Agreement to protect the Town's investment.

Mayor Coleburn said this employee would answer to the Board, not the Town. Councilman Allman replied correct. Mrs. Green said it would be a Town position in order to have Town benefits.

Clerk Daniel said there has been a lot of talk about having the museums open, will DBi be in charge of that. Mrs. Green replied yes, it was in the Agreement.

Mayor Coleburn asked when this would be advertised, if Council approves this. Manager Vannoorbeeck said next week.

Councilman Miller asked if the advertisement had been narrowed down to be put in the paper. Manager Vannoorbeeck said the ad would be much smaller.

Mayor Coleburn asked what the salary range would be. Manager Vannoorbeeck believed it would be \$50,000.00.

Mr. Robert Thomas said if DBi was going to take control, there needed to be stipulations to find somebody to be trained on giving the tours. He asked if part time people were going to be involved, because he knew of some that were interested. He said if DBi was going to be in charge of the museums, he thought it was fair to have the Schwartz Tavern Authority, or him and his sister be on the Board to provide input, or even create a separate Museum Board. Mrs. Green said they would be open to discuss that.

Mr. Thomas said he recently found a lot of information is not correct, so he and Ms. Peggy Figgler are putting it together. He said some of this new information will shock some people.

Mayor Coleburn asked who would hire for this position. Councilman Miller said once two people have been chosen, they would come before the Employment and Police Committee.

Mayor Coleburn said if members of Council are going to be involved, it needs to come before the full Council. He said the people of Blackstone will be funding this person; therefore, representatives should have some say.

Councilman Miller made a motion to proceed with the advertisement of the new full DBi position, approval of the Agreement, and Council participate in the interviewing of the final two applicants chosen. The motion was seconded by Councilman Allman.

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

Clerk Daniel asked if Councilman Nash was ok. Councilman Allman said he would check on him.

Councilman Allman left the meeting at 8:03 p.m.

CONSENT AGENDA:

- 1. Immaculate Heart of Mary Catholic Church Movie Night October 1st Waive Noise Ordinance
- 2. Fire Department Open House Banner Request
- 3. Blackstone Wine & Beer Festival Banner Request
- 4. Charity Softball Tournament

Councilman Miller made a motion to approve the four Consent Agenda items as presented. The motion was seconded by Councilwoman Jones.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash - Absent
Councilman Allman - Absent
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

UNFINISHED BUSINESS:

1. Electric Vehicle Charging Station - Airport

Mayor Coleburn said this is a final Agreement between the Town and Beta Technologies.

Manager Vannoorbeeck said this is an electric charging station for electric vehicles and electric aircraft, and will be installed on Town property.

Councilman Allman re-entered the meeting.

Manager Vannoorbeeck said the Town's insurance requires a \$3 Million coverage, and Administrative Assistant Lyons looked it up and we are in excess of that. He said it would be his and Councilman Allman's recommendation to proceed.

Mayor Coleburn asked how many charging stations would be at the Airport. Councilman Allman replied two separate stations, one for two ground vehicles, and one charger for larger aircraft. He said the cost from Beta would be \$250,000.00. He said it appears they are building a route down the East Coast, and building a route out West.

Councilwoman Jones made a motion to approve the Agreement as presented with Beta Technologies and the Town of Blackstone for electric charging stations at the Airport. The motion was seconded by Councilman Allman.

Mayor Coleburn asked what the cost to the Town would be. Manager Vannoorbeeck said, other than the insurance, which is already covered, the only expense would be any indemnification in the event we were to fail to cure a problem.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

2. Nottoway School Building Agreement

Manager Vannoorbeeck said this cost is not in the Budget. He said in June 2022 the School Board approved doing certain things, and in exchange the Town was going to tear down some buildings. He said this included building a football field for the Gators, water and sewer tap fees for portable classrooms, and remove any hazardous waste or asbestos during the demolition.

Manager Vannoorbeeck said the County is not pressing him for an answer, but Council does have an option, because of the condition of the building, it can be declared blighted, with the property being remediated at the expense of the County.

Councilman Miller said this would cause a riff. Mayor Coleburn said we have some head butting with the Board of Supervisors, he would like to maintain a good relationship with the School Board.

Mayor Coleburn believed it was reasonable for the people of Blackstone to demolish a County building, the one story building. He said we just want the right if a prospect comes along wanting to renovate the two story building, to be able to do something.

Manager Vannoorbeeck said he brings this to Council because the Agreement says the Town will demolish the one story building by January 2023. He said the Agreement gives the Town until January 2025 to come up with a plan for the two story building.

Mayor Coleburn suggested changing the date in the Agreement to tear down the one story building to January 2024.

Manager Vannoorbeeck said we have asked the County to waive the tipping fees at the landfill for the debris. Mayor Coleburn said the School Board would partner with the Town in asking.

Councilwoman Jones made a motion to approve the Agreement as presented, but changing Item #1 under Responsibilities, the demolition date of the one story building to January 2024. The motion was seconded by Councilman Miller.

Clerk Daniel asked if this included authorization to sign the Agreement. Mayor Coleburn said yes, if they approve the extra year.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

3. Nottoway County Water Supply

Manager Vannoorbeeck said he and Councilman Allman would be meeting with representatives from the Town of Crewe and Nottoway County. He said sadly, they would not be joined by the Town of Burkeville.

Manager Vannoorbeeck said he continues to work on options to get water to Crewe. He said Nottoway County has been approached by Prince Edward County and the Department of General Services with a revised Resolution stating the only customers that are being sought is the Town of Burkeville and the State facilities. He did not believe this had been considered by Nottoway County.

Manager Vannoorbeeck said the costs to run a waterline between the Town of Blackstone at N. West Avenue to the High School Complex, is \$17,050,934.00. He said when this started, the State was going to pay this amount in its entirety.

Manager Vannoorbeeck said there are so many federal dollars to be chasing.

Manager Vannoorbeeck said the estimations for the raw water conveyance system and improvements that would need to be done inside the Town and at Pickett in order to serve water would be \$20,562,454.00.

Mayor Coleburn said the Town has an 80 year old line from the Reservoir to the Water Treatment Plant, what's the cost to fix that. Manager Vannoorbeeck replied, \$7,886,000.00.

Mayor Coleburn asked if it was the will of this Council to continue talking about providing water to Crewe. Manager Vannoorbeeck said he and Councilman Allman would continue the process of talking, but providing water to others will have to be made up in the rates. He said none of this works without the State facilities.

Councilman Miller made a motion authorizing Mayor Coleburn to sign the enclosed letter from the Town of Crewe. The motion was seconded by Councilman Allman.

Mayor Coleburn said his fear was, Nottoway has been having Closed Sessions for the past six months on water, and Nottoway does not have a water system.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash	-	Absent
Councilman Allman	-	Aye
Councilwoman Scott	-	Aye
Councilwoman Jones	- 1	Aye
Councilman Morgan	-	Absent
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye

Councilman Allman left the meeting again at 8:17 p.m.

4. Deed of Gift - Bird Road

Manager Vannoorbeeck said there were townhouses built on Bird Road, this Deed of Gift is for the residual property left over that already has Town utilities on it, and the access road to Gospel Hill Pump Station.

Mayor Coleburn said these are Rick Byers' 7 townhouses.

Manager Vannoorbeeck said Mr. Byers' is proposing to give the residual to the Town.

Councilwoman Jones made a motion to accept the Deed of Gift from Blackstone Building Group, LLC for residual property on Bird Road. The motion was seconded by Councilwoman Scott.

Mayor Coleburn asked all in favor or opposed:

VOTE:

-	Absent
-	Absent
-	Aye
	Aye
-	Absent
-	Aye
-	Aye
	- - - -

5. LCCDC – Building Repair Estimates

Manager Vannoorbeeck said Council previously authorized the replacement of some windows at the LCCDC Building, and have since been replaced. He believed that was typical maintenance as required.

Manager Vannoorbeeck said Ms. Yvonne Jackson had also requested replacing some doors and install a camera system. He said the estimate for the doors is over \$4,000.00, and the camera system is over \$6,000.00.

Mayor Coleburn asked where the surveillance would be aimed at. Manager Vannoorbeeck believed at the front door and the rear of the building.

Mayor Coleburn asked if there were cameras on the basketball court. Councilman Miller replied no.

Councilman Miller made a motion to proceed with the repairs as presented at the LCCDC Building. The motion was seconded by Councilwoman Scott.

VOTE:

Councilman Nash - Absent
Councilman Allman - Absent
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

6. Peak Generator Plant Repair

Mayor Coleburn said there was a \$218,000.00 repair at the Peak Generator Plant and Councilman Nash asked to turn it in to the insurance company, and they covered it.

Manager Vannoorbeeck said Mr. Dan Martin met with the insurance company on several occasions.

Manager Vannoorbeeck said there had been enough money set aside for the repairs. He said the savings have been used to pay off three loans with USDA, to include two police cars, a mini excavator and a skid steer.

7. 216 Forest Drive – Town Owned Property

Manager Vannoorbeeck said the cost estimate is \$10,000.00 and is on Town property. He said the Policy says ditches on Town property will be paid for in full by the private property owner. He asked Council if they want the property owner or the Town to pay for this.

Councilwoman Jones said if it is the Town's property, then the Town should take care of it. Councilman Miller said when we talked to the property owner, we did not tell them it would be their responsibility.

Councilwoman Jones made a motion to approve repairing the ditch at 216 Forest Drive, with the Town bearing the cost. The motion was seconded by Councilman Miller.

VOTE:

Councilman Nash - Absent
Councilman Allman - Absent
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

Mr. Ben Green asked if Council would consider repealing the current Policy.

Mayor Coleburn referred the Culvert Installation Policy to the Street and Light Committee.

8. Council/Mayor Raises

Mayor Coleburn said the salary of Council and the Mayor have been the same since 2006. He said the current pay is \$1,500.00 for Council and \$2,000.00 for the Mayor, and he believed Council was underpaid. He said he previously inquired about the next Council and Mayor receiving \$3,500.00 annually.

Mayor Coleburn said Attorney Bacon provided documentation that raises could be done, the information Councilman Allman read at a previous meeting only applied to cities.

Councilman Miller made a motion to advertise a Public Hearing next month for Council/Mayor raises, with Council's increase to \$3,500.00 and the Mayor's increase to \$4,000.00. The motion was seconded by Councilwoman Jones.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash - Absent
Councilman Allman - Absent
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

9. RSAF – Fire Department Grant

This was discussed earlier in the meeting.

10. Deed of Gift – 415 Oak Street

Manager Vannoorbeeck said the two property owners had signed the Deed of Gift, and asked Council if they wanted to accept the property and record it. He said if accepted, we can start the demolition process, then sell it through a realtor, with the sale price covering the Town's costs. He said if there is any difference, that money would be given back to the property owner.

Manager Vannoorbeeck said he spoke with Attorney Walden and was concerned about the chain of Title, as how the current owners received the property. He said Attorney Bacon and Attorney Walden are working on this.

Councilwoman Jones made a motion to accept the Deed of Gift for 415 Oak Street and record it, seek bids for the asbestos removal, and proceed with demolition, contingent on Attorney Bacon's recommendation for the Title. The motion was seconded by Councilwoman Williams.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Nash - Absent
Councilman Allman - Absent
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

ON-GOING PROJECTS:

1. Dilapidated Buildings

Manager Vannoorbeeck said 1003 and 1005 Nottoway Avenue are owned by the same family, Ms. Clay and Ms. Greenhill. He said 1003 Nottoway Avenue was declared blighted. He said 1005 Nottoway Avenue didn't look that bad, but the inside was gutted and a mess. He said the property owners paid to have the asbestos abated at 1003 Nottoway Avenue and had it demolished.

Manager Vannoorbeeck said Ms. Greenhill called him asking why the Town was ripping the roof off 1005 Nottoway Avenue, but it was not the Town. He said the people that own 1007 Nottoway Avenue purchased a new metal roof, but the roofers put it on the wrong house.

Manager Vannoorbeeck said in sympathy with the Clay and Greenhill family, he told them if they would pay to remove the asbestos from 1005 Nottoway Avenue, the Town would tear the house down, so we did.

Councilman Allman entered the meeting again.

2. Meals Tax / Lodging Tax

Mayor Coleburn said there were two outstanding Meals Tax and no outstanding Lodging Tax. Clerk Daniel said she spoke to the Treasurer today and one of the outstanding Meals Tax was now two months behind, and the next step is turning it over to Attorney Bacon. She said tomorrow will be the 20th, and this restaurant will be three months behind.

Manager Vannoorbeeck said he received a text from the business owner today asking if the Town would consider taking payments on the Meals Tax. He said he would check the Ordinance and report back to Council.

Mayor Coleburn did not believe the Ordinance allowed payment agreements; it says remit on the 20th. Finance Director Hardy said it is supposed to be held in escrow.

Mayor Coleburn said the taxes are paid by the patrons, collected by the establishment and remitted to the Town.

Mayor Coleburn said there is a person in Town who sometimes stays in their house or has another location they stay and uses their house as an Air B&B. He said if you have a home in the R-1 District with three bedrooms, is this permitted. Manager Vannoorbeeck replied, he did not think the Building Code permitted this. He said if you have separate people of not the same family, there has to be separate entrances and separate electric meters.

Manager Vannoorbeeck said maybe the Health and Ordinance Committee needs to look at Air B&B Ordinances. He said we also need to look at 4:20 marijuana events, because there were some events on Main Street being advertised, and concerned other merchants. He said he met with the Deputy Commonwealth's Attorney, and was told it was not legal to use marijuana, unless it is in your home. He said the police cannot determine if it is marijuana by the smell alone, according to State Code.

Mayor Coleburn said the Town has an Ordinance where Food Lion and Walmart are the Specialized Business Districts. He said we may want to add those types of activities to this District.

Mayor Coleburn referred Air B&Bs and 4:20 Events to the Health and Ordinance Committee.

3. Street Improvement Projects

Manager Vannoorbeeck said South Main Street was coming along, concrete had started. He said the contractors have to go back in Main Street and dig out the old culvert, which is why the Town is leaving the speed bumps on Tenth Street.

Manager Vannoorbeeck said S. Walker is the contractor doing the sidewalks to Tenth Street. He believed the paving would be done in October.

Manager Vannoorbeeck said the paving on Main Street is a supply chain problem, the contractor cannot get the heated tape used for the yellow lines.

4. Wrigglesworth Sports Complex / TAP 21

There was nothing to report.

5. East End Neighborhood Project

Mayor Coleburn said there were two new homes under construction, one on Fitzgerald Street and one on Harris Street. Manager Vannoorbeeck said bids have been received for another new home on Fitzgerald Street and a renovation on East Broad Street.

Manager Vannoorbeeck said B&B Consultants are working on the plans for the stormwater improvements on N. West Avenue. He said he needs to work on easements for this project.

Manger Vannoorbeeck said the storm sewer work in the East End is forthcoming, but he is holding off for now because it is more expensive than what the Town has in grant funds.

6. Taylor Bottom Block Grant

There was nothing to report.

7. Armory

Manager Vannoorbeeck said the Town is currently estimated to spend \$2.2 Million of ARPA Funds, plus the \$250,000.00 Grant from the Department of Economic Development on the Armory. He said the Town has received authorization to apply for another Industrial Revitalization Grant of up to \$1 Million. He said the estimated cost of the Armory project is now \$3.8 Million.

Mayor Coleburn asked if someone walks into the newly renovated Armory, will there still be an open floor and stage. Manager Vannoorbeeck replied, there will still be a floor, and maybe a Deus for Council, and a recreation component.

Mayor Coleburn said he was a stickler for the sound system. Community Development Specialist Bryant said when speaking with Virginia State they recommended using a High Flex System, which transmits sound through particles.

8. Weatherization

Manager Vannoorbeeck said the asbestos had been removed from 916 Falls Street. He said Mr. Wallace Akers would begin demolition next week. He said the bid tabulation was included in the packet, with the low bid from Divine Builders of Amelia in the amount of \$84,500.00. He said the Town has \$100,000.00 set aside for this project.

Councilman Miller made a motion to award the Weatherization Project at 916 Falls Street, Mr. James Blount to Divine Builders of Amelia in the amount of \$84,500.00. The motion was seconded by Councilwoman Williams.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

NEW BUSINESS:

1. Award Bid – Voltage Regulators

Manager Vannoorbeeck said the Town would like to replace the voltage meters, but the lead time is very lengthy. He said the lowest bid's lead time is 62-66 weeks, but the second lowest bid, which is Irby Utilities, can get the regulators to the Town in half the time at a price difference of \$920.00.

Councilman Miller made a motion to reject the low bid due to lead time, and award the bid to the second lowest bid in the amount of \$99,870.00 to Irby Utilities. The motion was seconded by Councilwoman Jones.

Mayor Coleburn asked where these regulators would be located. Manager Vannoorbeeck replied, these will replace existing equipment at the Peak Generator Plant on West Entrance Road.

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

2. Talbert & Bright – Work Authorization #22-01

Manager Vannoorbeeck said Talbert & Bright has done a good job at the Airport with the Taxiway Project. He said this project request is for lighting. He said this Work Authorization has to be submitted to the Department of Aviation before their November Board Meeting. He said the Work Authorization work will only happen if the Grant is awarded.

Mayor Coleburn said the total project cost is \$58,514.03. Manager Vannoorbeeck believed that was the cost for the design and implementation, or construction services.

Councilman Allman made a motion to approve Work Authorization #22-01 with Talbert & Bright for taxiway, fuel apron and tie down area lighting, in the amount of \$58,514.03, contingent on receiving the grant funds. The motion was seconded by Councilwoman Jones.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

3. VML/VACo - Letter of Engagement

Mayor Coleburn said Finance Director Hardy has requested to continue using Mr. John Montoro, with VML/VACo. Manager Vannoorbeeck said this would be as needed services at \$125.00 an hour.

Mayor Coleburn said this is good because it is independent from the Town's auditor.

Councilwoman Jones made a motion authorizing the execution of the Letter of Engagement with VML/VACo for as needed services. The motion was seconded by Councilwoman Scott.

Mayor Coleburn asked for a Roll Call Vote:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

4. <u>Procurement – Insurance/Health Insurance/Auditing</u>

Manager Vannoorbeeck said this is just a request to seek proposals for insurance, health insurance and auditing services through a consultant. He said the Town is not dissatisfied with any of the current services.

Councilwoman Jones made a motion to authorize Manager Vannoorbeeck to seek proposals through a consultant for insurance, health insurance and auditing. The motion was seconded by Councilwoman Williams.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

5. Fire Department Request – Polymer Flooring

Mayor Coleburn said the Fire Department's first day of operation was February 1, 2003. He said firemen are slipping on the floor due to moisture issue. Manager Vannoorbeeck believed the concrete has a very slick finish.

Manager Vannoorbeeck said this was not in the Budget, but there was \$115,000.00 in the Budget for a new roof. He said he talked to Chief Tomer, and the priority was the floor. He said Chief Tomer did get a cost estimate from one company that was in excess of \$100,000.00.

Councilwoman Jones made a motion authorizing Manager Vannoorbeeck to seek bids for the flooring at the Fire Station. The motion was seconded by Councilman Miller.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash	-	Absent
Councilman Allman	_	Aye
Councilwoman Scott	-	Aye
Councilwoman Jones	-	Aye
Councilman Morgan	-	Absent
Councilwoman Williams	-	Aye
Councilman Miller	-	Aye

6. CDL Licenses

Manager Vannoorbeeck said July 1, 2022, new State Code went into effect, and now you have to take a course for a CDL, and could be in excess of \$3,000.00. He said the Town has always paid employees to get their CDL on Town time.

Manager Vannoorbeeck suggested any employee that wants to pursue their CDL, they must sign an agreement, and if they leave within a certain amount of time, it must be paid back to the Town.

Mayor Coleburn referred CDL License Agreements to the Employment and Police Committee.

Election Signs:

Manager Vannoorbeeck said there has been some controversy over election signs. He said in the Town, we have never enforced election signs. He said after looking at the State Code, you cannot put election signs in the VDOT right of way. He said the Town does not have VDOT right of ways, the Town owns the streets.

Mayor Coleburn said there is an Ordinance in the Town's Code, often violated, it states there is no advertising on Town property.

Manager Vannoorbeeck said the Armory Group put up the fundraising signs in front of Town Hall and at the Armory, but they did not endorse a product or candidate. Councilman Allman remembered Council approving these signs because it did not endorse anyone.

Mayor Coleburn said if he wakes up one morning and has several signs in his yard in the right of way, does he have the right to remove them from the right of way. Manager Vannoorbeeck did not believe the law prohibits the voting signs from right of ways. Mayor Coleburn did not think it was right that people cannot remove the signs from the right of way.

Mr. Chris Page said there was one location with confusion, which is Lunenburg Avenue Extension, and is owned by the people. He said he would argue, if it is your front yard, even though it is the right of way, you also have use of the right of way. He said he did not support anybody putting a sign in people's front yards.

Mayor Coleburn said Manager Vannoorbeeck was recommending on Town owned property it not be allowed. Manager Vannoorbeeck said Council had already acted on that. Mayor Coleburn did not believe there was a formal vote.

Mr. Chris Page said in 2015, Reed vs the Town of Gilbert, and went to the US Supreme Court, is what Council is talking about, content based restrictions with signs being allowed for the Armory, but cannot put up signs for political ads, it was ruled to be unconstitutional. He said if you accept some signs, you have to accept all signs. He added the banners the Town allows to be hung; he believed the Ordinance needed to be looked at again.

Mayor Coleburn asked Mr. Page, what if Council said no signs on Town right of ways or Town property period. Mr. Page believed that would have to go through zoning because you would have to deem them hazardous. He said in the opinion, the concurring side said it's ridiculous to say a sign would be hazardous because any sign could be hazardous.

Mayor Coleburn said he wanted to be sure that if a candidate is allowed to put a sign along the Town right of way, is it not vandalism or destruction of property if someone comes along and takes the sign. He said if someone has the right to place a sign, then conversely doesn't someone have the right to remove the sign. Mr. Page said he did not think the sign was that person's property.

Manager Vannoorbeeck said he did not want to get into measuring right of ways.

Mr. Ben Green said he is a candidate, but thought it was wrong that a citizen maintains the right of way for the Town, and not have a say so about signs in the yard. He said the signs are not crucial to the welfare of the citizens, and should not be littering the Town of Blackstone.

Mr. Chris Page said that would create a new Ordinance or Law and would have to have a Public Hearing. Mayor Coleburn said that may be correct, but did not think it was addressed at all right now, but it does say in the Town's Ordinance, no advertising on Town property. He said we have granted exceptions for the Bull Blast at the Fire Station, but Council approved it.

Mr. Chris Page said the Town has never enforced the signage, and has always allowed it, but now it seems like the Town doesn't like one particular candidate running. Mayor Coleburn said he has not heard anyone mention that, signs just tend to proliferate.

Councilman Miller asked what the difference was between a sign and a banner. Mayor Coleburn said the Town has a Banner Ordinance. Manager Vannoorbeeck said the Zoning Ordinance is very clear about signs on private property, but the streets are not zoned.

Councilman Allman asked to get an opinion from Attorney Bacon.

Mayor Coleburn said we have a Closed Session tonight for Personnel in consultation with Legal Counsel.

COMMITTEE REFERRALS:

1. Ditch - Shiloh Baptist Church

Mayor Coleburn referred this request to the Street and Light Committee.

2. Town Square

Mayor Coleburn referred this request to the Buildings, Property and Cemetery Committee.

Manager Vannoorbeeck said he received a business plan.

Mayor Coleburn said Councilman Allman said previously, he recalled the State having requirements on the Town Square. Mayor Coleburn recalled if the Town Square were ever sold, and a building were erected it had to be a brick structure and keeping with the architecture of the existing buildings.

MAYORS MINUTE:

There was nothing to report.

POLICE REPORT:

Mayor Coleburn said since July 1, 2022, there were warnings issued on the loud trucks and exhaust, he asked if they were starting to be more stern on this. Chief Kuzmiak said the plan is to enforce it, he believed the officers were increasing the enforcement.

CITIZEN COMMENTS:

Mr. Justin Sarafin with DBi reminded everyone of the upcoming Burst of Fun Color Run on Saturday, October 8, 2022 from 12:00 p.m. to 5:00 p.m. He asked about serving beer at the after party on the portion of High Street that will be closed. Manager Vannoorbeeck said a TULIP Policy may have to purchased.

Councilman Miller made a motion to approve serving beer at the after party for the Burst of Fun Color Run on October 8, 2022, contingent on obtaining the TULIP Policy, if required. The motion was seconded by Councilwoman Williams.

Mayor Coleburn said the motion did pass.

Mr. Page said he looked up the Town's Ordinance and read it aloud. He said another item Reed vs the Town of Gilbert addressed was the difference between non-commercial and commercial signs. He said it allows banners up to five times a year, and no sponsorships. He said if these signs are allowed, you have to allow all. He said the Ordinances do not cover right of ways.

CLOSED SESSION:

Mayor Coleburn said Attorney Bacon would be present via speaker phone.

Virginia Code Section 2.2-3711

1/ Personnel – Administration – Legal Matters

Councilman Miller 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 Councilwoman Jones.

Mayor Coleburn asked all in favor or opposed:

VOTE:

-	Absent
-	Aye
-	Aye
-	Aye
-	Absent
-	Aye
-	Aye
	-

Councilman Miler 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 Councilwoman Jones.

VOTE:

Councilman Nash - Absent
Councilman Allman - Certify
Councilwoman Scott - Certify
Councilwoman Jones - Certify
Councilman Morgan - Absent
Councilwoman Williams - Certify
Councilman Miller - Certify

Councilman Allman made a motion to amend the Personnel Policy to allow the Town Manager to discipline all employees as before, but to include Department Heads as well. The motion was seconded by Councilman Miller.

Mayor Coleburn asked all in favor or opposed:

VOTE:

Councilman Nash - Absent
Councilman Allman - Aye
Councilwoman Scott - Aye
Councilwoman Jones - Aye
Councilman Morgan - Absent
Councilwoman Williams - Aye
Councilman Miller - Aye

There being no further business to bring before Council, Mayor Coleburn adjourned this meeting at 9:46 p.m.

OF THE TOWN OF BLACKSTONE, VIRGINIA

October 17, 2022 APPROVED AND ADOPTED

OF THE TOWN OF BLACKSTONE, VIRGINIA