

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, December 18, 2023 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; Sam Murphy, Police Chief

Town Attorney:

Those Absent:

Mayor Green called the December Council Meeting to order.

Reverend Batts delivered the Invocation.

Mayor Green led the Pledge of Allegiance.

Mayor Green said he would be adding an item to New Business, as item 1A, Banners and Temporary Signs. He asked for any other additions to the Agenda, there were none.

PUBLIC HEARINGS:

1. Business License Ordinances – Sections 54-121 – 54-126

*NOTICE OF PUBLIC HEARING
TOWN OF BLACKSTONE*

The Blackstone Town Council shall hold a Public Hearing on December 18, 2023 at 7:00 p.m. in the Blackstone Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider ordinances specific to the issuance of Business Licenses, the penalties associated with failure to comply with Town Code, and the collection of subsequent taxes. These ordinances, if approved, would add the following Sections to the Blackstone Town Code:

Section 54-121 – License and tax required to engage in a business in the Town; unlawful to engage in business without license;
Section 54-122 – Penalty for failure to pay when due;
Section 54-123 – Penalty for continuing business, etc., without new license;
Section 54-124 – Penalty for beginning business, etc., without license;
Section 54-125 – Each day’s continuance in business without required license a separate offense;
Section 54-126 – Payment of delinquent taxes prior to issuance of business license.

The proposed ordinances and supporting documents are available to review at the Town Manager’s Office, 100 W. Elm Street, Blackstone, Va. Additional requests for information should be directed to the Blackstone Town Manager at philipv@townofblackstoneva.com or (434) 292-7251. The Town Council may act on these proposed ordinances following this Public Hearing. All Persons desiring to comment on this request should be present at the above stated date and time. It is the Town’s intention to comply with the ADA. Any person requiring physical or sensory accommodations should contact the Blackstone Town Manager’s Office no later than 5:00 p.m., December 14, 2023.

Manager Vannoorbeeck said Attorney Bacon prepared these Ordinances for Business Licenses. He said there six Ordinances included that are being added to the Town Code.

Manager Vannoorbeeck said in the State Code it is a Class 3 Misdemeanor to not have a Business License. He said that Attorney Bacon asked that the Ordinances be adopted separately, but doing the one Public Hearing was fine.

Mayor Green opened the Public Hearing and asked if there was anyone here to speak for or against the proposed Ordinances. There were no comments, so Mayor Green closed the Public Hearing.

Councilman Gormus made a motion to adopt Section 54-121, License and tax required to engage in a business in the Town, unlawful to engage in business without license. The motion was seconded by Councilman Nash.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilman Miller made a motion to adopt Section 54-122, Penalty for failure to pay when due. The motion was seconded by Councilwoman Williams.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilwoman Wynn made a motion to adopt Section 54-123, Penalty for continuing business, etc., without new license. The motion was seconded by Councilman Nash.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilman Miller made a motion to adopt Section 54-124, Penalty for beginning business, etc., without license. The motion was seconded by Councilwoman Wynn.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilman Nash made a motion to adopt Section 54-125, Each day's continuance in business without required license a separate offense. The motion was seconded by Councilman Miller.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilman Page made a motion to adopt Section 54-126, Payment of delinquent taxes prior to issuance of business license. The motion was seconded by Councilwoman Wynn.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

2. *Ordinance of Vacation – Alleyway (behind “The Bellefonte” new apts. on Second Street)*

NOTICE OF PUBLIC HEARING

The public is hereby notified that there will be a public hearing held by the Town Council of the Town of Blackstone at 7:00 p.m., December 18, 2023 in the Town Council chambers located at 100 W. Elm Street, Blackstone, Va. The purpose of the public hearing is to consider the vacation of a portion of the following Alleyway:

That portion of an alleyway as described on a plat of the Blackstone Land and Improvement Company recorded in the Nottoway Clerk of the Circuit Court's Office in Deed Book 19, Page 389 and lying between the southern line of lots 1 through 13, Section 26 and the northern line of lots 21 through 34, Section 26.

It is the intention of the Town of Blackstone to comply with the ADA. Any person requiring physical or sensory accommodation should contact the Town Manager's office at (434) 292-7251 no later than 5:00 p.m., December 14, 2023.

Manager Vannoorbeeck said this request is for the Bellefonte, which is the new short stay facility located at the intersection of Amelia Avenue and Second Street. He said during construction the alleyway was going to be dug up and moved, but there are a significant amount of utilities that would have to be relocated. He said he spoke to Mrs. Carolyn Davis, she and Harold Davis own the majority of the property, he asked Mrs. Davis if she would be agreeable to close the alley, rather than moving the alley. He said Mrs. Davis was fine with it. He said the portion to be abandoned is in yellow on the **attached map**. He said if the request is approved, he would ask the motion include having the owners, Waukeshaw Development, gate off both ends. He added, they would not be closing the portion of alley behind Farm Bureau.

Councilman Page said the ownership of the alley would change. Manager Vannoorbeeck said half of the alley would go to Waukeshaw Development and the other half would go to the Davis's.

Mayor Green opened the Public Hearing and asked if there was anyone here to speak for or against the alleyway abandonment.

Mr. Michael Bagley – 200 W. Broad Street, Blackstone, VA

Mr. Bagley said he is the Chairman of the Board of Zoning Appeals. He believed in the beginning of this project; it was the intent to take the alley. He thought the alley should stay.

Manager Vannoorbeeck believed the original intention was to move the alley, but there is a conflict with the utilities. He said the alley won't belong to the Town, but the utilities will still be the Town's with an easement.

Councilman Page asked how the Town would get to the utilities with a barrier. Mayor Green said he didn't like a barrier he preferred a gate. Manager Vannoorbeeck said it can be a gate.

Councilman Nash said we allowed the construction to be backed up further, but because of the slope, it has caused a problem on the Town's end. He said this should be looked at closer with future developments.

Manager Vannoorbeeck said the BZA approved a variance to the rear setback.

Councilman Nash said his anxiety was fire protection, getting equipment back there. Manager Vannoorbeeck said fire lines are in the front.

Mayor Green closed the Public Hearing.

Councilman Allman made a motion to approve the Ordinance of Vacation and have the alleyway gated at both ends. The motion was seconded by Councilman Nash.

Councilman Nash said he would like Manager Vannoorbeeck to relay to the next project, any utility relocation be funded by the project owner.

Manager Vannoorbeeck said closing the alley will protect people from driving through.

Councilwoman Williams said people are always walking through that alley, she suggested signage. Manager Vannoorbeeck said yes that can be done, he would have the property owners erect signage.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

MINUTES:

Councilman Nash made a motion to dispense with reading and approve as presented minutes from the Regular Council Meeting on November 20, 2023, and the Continued Meetings on November 21, 2023 and November 28, 2023. The motion was seconded by Councilman Miller.

Mayor Green asked all in favor or opposed:

VOTE:

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

VISITORS:

1. Ms. Mary LeGrand

Ms. LeGrand was not present.

Mr. Fred Hanbury – 213 Gravatt Avenue, Blackstone, VA

Mr. Hanbury said one of his issues was the neglect of the quadrant of the Town, from Church Street to N. West Avenue. He said this includes trash, junk cars, appliances and garbage. He said people pile trash on top of the trash cans, where others just put the bags on the ground. He said this is unsanitary and unsightly.

Clerk Daniel asked Mr. Hanbury to email her addresses, and she would send letters because there is an Ordinance.

Councilman Nash suggested putting a reminder about trash receptacles on the utility bill.

Mr. Hanbury questioned the junk cars, they are everywhere. Councilman Gormus said they are called Inoperative Vehicles, and we do have an Ordinance for those.

Mr. Hanbury said the old lumber mill was unsightly, and is an entrance into Town. Mayor Green said he appreciated the comments and would give these items full attention.

Mr. Hanbury said he had an issue with the Treasurer's Office, ongoing problems. He said he uses a bill pay service, and did not believe the payments were being posted when they are received. He said he comes to the office a few weeks later to see why his payments hadn't been posted and the girls sort through papers and say "here it is, it just came in today". Mayor Green said he has problems with snail mail as well.

Mayor Green said his experience with the Treasurer is she is very professional, and dedicated to her work. He found it difficult to believe the Town would have Mr. Hanbury's payment for two weeks, and it not be processed. Mayor Green said he would follow up.

Mr. Hanbury said he uses an Irrigation Meter in the summer for lawn watering. He said this is a struggle every summer, it is wrong every month. He said this year they stopped reading the meter altogether for four months. He said his meter was replaced.

Mr. Hanbury mentioned crumbling curbing. Mayor Green encouraged Mr. Hanbury to set up a meeting with Manager Vannoorbeeck to discuss his concerns.

FIRE CHIEF'S REPORT:

There were no officers in attendance.

Mayor Green asked Manager Vannoorbeeck to check into the grants to see if there are any matches needed so he can alert Council.

PAYMENT OF BILLS:

Mayor Green stated the bills that have already been paid are in the amount of \$405,716.58.

Councilman Nash made a motion to approve the bills that have already been paid in the amount of \$405,716.58. The motion was seconded by Councilman Allman.

Councilman Page asked to separate Ann Harrity Shawver’s invoice out. Mayor Green said that is on the second batch of bills.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Mayor Green stated the bills not yet approved, and to be paid, are in the amount of \$189,643.85.

Mayor Green said Councilman Page has brought up Ms. Ann Shawver’s invoice that contradicts a specific motion made months ago.

Councilman Page said the particular motion was to hire Ms. Ann Harrity Shawver for up to \$10,000.00, and year to date we are at \$25,000.00. He said we can approve the additional amount, but asked administration how much more do we expect to spend for her services.

Manager Vannoorbeeck apologized for being over \$25,000.00, Ms. Shawver is a consultant helping prepare for the audit. He did not know how many more hours this would take, Ms. Shawver is expected to be here for the two day audit as well. He said Ms. Shawver helped do the final appropriation for the year.

Councilman Nash said Ms. Shawver was training and helping through the transition with Bookkeeper Brown. Bookkeeper Brown said Ms. Shawver was cleaning the books up, not just the audit. Manager Vannoorbeeck said we are learning governmental accounting, and the Town has had a consultant since 2012, Ms. Shelia Minor. He added we have spent this amount of money previously.

Councilman Gormus asked why do we need a consultant, why can’t we keep our own books. Manager Vannoorbeeck replied, it is formalized accounting and has to be done a certain way, we need the assistance.

Councilman Allman believed this was more a learning and clean up year.

Manager Vannoorbeeck said there is no money missing, we know where all the money is, it is just coding and putting in correct ledger line items to make it balance.

Councilman Gormus asked where the \$15,000.00 would be coming from. Manager Vannoorbeeck said we have \$15,000.00 coming back to the Town from an Asset Management Plan, where the Town did things themselves and saved some money.

Councilman Miller said after the audit we may not need Ms. Shawver. Manager Vannoorbeeck said after the audit we may make a change; she is very expensive. He said there are other options out there, we may use VML/VACo next time.

Councilwoman Williams suggested letting Council know before items go over a certain amount approved. She said then we can be transparent.

Councilman Page said he wants the girls to have everything they need to be successful and trained, but we did not hear about the overage sooner. Manager Vannoorbeeck said we need to do a better job, but keep in mind because our population is under 3,500, we don't have to do an audit anymore, and could save \$20,000.00.

Councilman Page said Council is required with 2/3 vote for anything over \$10,000.00, and this is another \$15,000.00. Manager Vannoorbeeck did not know how much would be spent in January or February. He suggested setting a cap on the amount.

Mayor Green suggested rescinding the motion made with the cap of \$10,000.00.

Councilman Page made a motion to rescind the motion made on May 15, 2023 for Ms. Ann Harrity Shawver's services for up to \$10,000.00. The motion was seconded by Councilwoman Williams.

Mayor Green asked all in favor or opposed:

VOTE:

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

Mayor Green said Council should now give Manager Vannoorbeeck specific orders, or in his opinion, let him do his job.

Councilman Page said when we discussed this previously, he was trying to figure out the cost and came up with \$45,000.00, and was told it would not be that, but it might be \$40,000.00, we are at \$25,000.00 now.

Councilman Nash asked when was the last time this was billed, because he has gone back to August and sees no bills. Bookkeeper Brown believed she was sending them to the wrong email address, not the accounts payable email.

Councilman Allman made a motion to approve an additional \$10,000.00 in addition to what has already been billed to close out the audit. The motion was seconded by Councilman Page.

Councilman Allman believed audits were very important, things could go unnoticed without one.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilman Nash made a motion to approve as presented, the bills not yet paid in the amount of \$189,643.85. The motion was seconded by Councilman Miller.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

APPROPRIATIONS:

There were no appropriations.

COMMITTEE REPORTS:

Buildings, Property & Cemetery – met 11/28/23, minutes included in December’s Council Packet

Billboards

Manager Vannoorbeeck said he had talked with Ms. Emma Wright with DBi at their most recent meeting, and asked if they would start looking at new graphics for the billboards.

Councilman Nash said the Committee also asked that Ms. Wright look into some grant funds for the billboards.

Billboard Policy

Manager Vannoorbeeck said there was no definitive answer on this, but can be included in banner discussions.

Metal Detecting

Councilwoman Williams made a motion to approve the Metal Detecting Form as presented. The motion was seconded by Councilman Miller.

Mayor Green asked all in favor or opposed:

VOTE:

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

Old School Properties

Manager Vannoorbeeck said Buildings, Property & Cemetery would be meeting on Thursday at 6:00 p.m. to tour the LCCDC Building.

Manager Vannoorbeeck said the Committee discussed the parking on both sides of Harris Street during games, and it does not allow for emergency vehicles. He said the Committee recommended posting the west side of Harris Street from School Street to Birch Street. He said this would include signage and painting the curb, as well as a crosswalk.

Councilman Nash said he made this motion because when kids run from the ballfield, they dart between the cars and are not seen by other cars.

Councilman Nash made a motion to paint the curb and post signage for no parking on the west side of Harris Street, from School Street to Birch Street. The motion was seconded by Councilman Miller.

Mayor Green asked all in favor or opposed:

VOTE:

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

Account & Finance – this meeting was cancelled

UNFINISHED BUSINESS:

1. Tourism Zone Request – Waukeshaw Development

Manager Vannoorbeeck said Mr. Dave McCormack had made a written request for the Tourism Zone. He said Mr. McCormack has several buildings, three are complete and occupied, one still under construction, and a fifth building he is contemplating.

Manager Vannoorbeeck said the Tourism Zone was adopted in April 2021, the Lofts and Nottoway House were constructed prior to 2021. He said the Bellefonte will be eligible next year, 519 Church Street will be eligible once complete, and the proposed 40 units would be eligible.

Manager Vannoorbeeck said there is no action needed tonight.

2. Award Bid – Schwartz Tavern Roof Rebid

Manager Vannoorbeeck said this was bid previously with scalloped shingles, and the lowest bid withdrew because they bid the wrong shingles. He said Council asked him to rebid it, and was advertised with square shingles.

Manager Vannoorbeeck said the rebid received seven bids, with the low bid being from Benton Roofing from North Carolina. He said their base bid of \$119,447.00 is for the roof, and the Architect included the water damage and is Part B, in the amount of \$2,500.00. He said the total bid is \$121,947.00. He said he has \$120,000.00 saved for this project.

Councilman Nash made a motion to award the Schwart Tavern roof bid to Benton Roofing in the amount of \$121,947.00, including Parts A and B. The motion was seconded by Councilman Miller.

Councilman Nash asked what the low bid was from the previous bid. Clerk Daniel replied, N.W. Martin's bid was \$142,160.00.

Councilman Page asked when would be the date of completion. Manager Vannoorbeeck anticipated spring or early summer.

Councilman Nash asked about the life expectancy. Manager Vannoorbeeck said maybe 30 years.

Councilman Page asked if there was any grant money, or all cash. Manager Vannoorbeeck replied, all cash.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

3. 222 Forest Drive / N. West Avenue

Manager Vannoorbeeck said he believed Council wanted to look at drawings for construction projects. He said staff prepared a \$509,000.00 loan application through the Infrastructure Bipartisan and the Department of Health made it all grant funds. He said the grant funds came in Friday, we paid off the line of credit at Benchmark for \$274,000.00, we set aside \$95,000.00 for the new controls at the Water Treatment Plant, which then leaves \$140,000.00 to take on these projects.

Manager Vannoorbeeck said he planned to order the materials for the Forest Drive project, and solicit sealed bids for the N. West Avenue project.

Councilman Nash asked if the Town would do the work on Forest Drive. Manager Vannoorbeeck replied yes, but we cannot pour the concrete, and there are some boxes, so that will have to be separate.

Councilman Nash asked about the clearing. Manager Vannoorbeeck said it will require an easement from Mr. David Flippen, so it may have to be moved.

Councilman Gormus made a motion to authorize Manager Vannoorbeeck to order materials and start the project at 222 Forest Drive. The motion was seconded by Councilman Miller.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilman Nash clarified the ditch on Forest Drive is on the public right of way.

Mayor Green said Manager Vannoorbeeck is asking for authorization to seek sealed bids for the extension of storm sewer on private property on N. West Avenue.

Councilman Miller made a motion to authorize Manager Vannoorbeeck to seek sealed bids for the extension of storm sewer on private property on N. West Avenue to the rear of Mr. Somerville's yard. The motion was seconded by Councilman Gormus.

Councilman Miller asked how far would this work go back on Mr. Somerville's property. Manager Vannoorbeeck said his intention was to the back of his yard.

Councilman Nash said it is 57' from the existing to the back of Mr. Somerville's property. Mayor Green said from conversations he has had with Mr. Somerville; he would be happy to the back of his yard.

Manager Vannoorbeeck said trees will have to be removed from the ditch line.

Councilman Nash asked Manager Vannoorbeeck if he would receive an easement from the neighboring property, because the ditch is on their property. Manager Vannoorbeeck said he had an easement for what has been installed already, he will ask again, and if they are not agreeable, he would adjust it on Mr. Somerville's property.

Mayor Green suggested he call Mr. Somerville tomorrow, if there is a problem, he would veto the motion and take it up at the next meeting.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilman Miller said Council decided we would not do anymore ditches for a few years, that is still in effect. Mayor Green said there would be no more ditches until we recover from a very active year.

ON-GOING PROJECTS:

1. Dilapidated Buildings

Manager Vannoorbeeck said 902 Second Street has exceeded the deadline. He said we are giving them until the end of the year, then action will be taken.

Manager Vannoorbeeck said the home is a Doublewide, and the individual can put another back if within two years.

Manager Vannoorbeeck said there is progress on 301 N. High Street, a private transaction is taking place and a contract has been executed, with the closing by the end of January. He said he had seen the contract and the current structure will be demolished and four townhouses would be built. He said this property is in the R-2 District and Townhouses are a Use by Right, no variances would be needed.

Mayor Green said Manager Vannoorbeeck put the buyer and seller together.

Manager Vannoorbeeck said the Town is not involved, but as we continue with Workforce Housing, it is becoming a revolving fund, three houses are mandated to be built by the Town, but there may be an additional three houses to be built. He said there is property on Tavern Street, owned by Mr. John Hill, and Southside Outreach has agreed to purchase it. He said this will allow three more homes to be built.

2. Meals Tax / Lodging Tax

Manager Vannoorbeeck said there had been a motion previously to proceed with legal action, but to date the account had been paid in full, to include penalties and interest. He said the Town has incurred legal fees in the prosecution, but had not received an invoice yet. He said these fees can be pursued at a later date. He said we have asked Hawthorne and Hawthorne to cease until Council discusses further.

3. Street Improvement Projects

There was nothing to report.

4. Wrigglesworth Sports Complex

Manager Vannoorbeeck said a concrete slab had been poured for barbequing. He said the \$10,000.00 cap is not going to get very far, he will not be able to finish the concession stand with that.

Councilman Nash asked to provide pricing next month.

Councilman Page asked about the \$50,000.00 the Town received from the County. Manager Vannoorbeeck said that was being used for the scoreboard and bleachers. He said the septic and water lines still need to be installed, and will probably be \$10,000.00.

5. Taylor Bottom Block Grant

Manager Vannoorbeeck said the Planning Grant Application was included in the packet. He said we applied last year but they had run out of money. He said this Grant Application is in the amount of \$62,200.00, with \$60,000.00 being grant money. He expected a reply back from DHCD in March. He said this would compensate the Town for money spent previously on a Preliminary Engineering Report, using ARPA Funds.

Manager Vannoorbeeck said this would be for planning in anticipation of submitting a construction grant for housing and drainage improvements, primarily on private property.

Manager Vannoorbeeck said he did not know what the \$2,200.00 from the Town was going towards. Councilman Nash thought it may be in kind towards Community Development Specialist Bryant's time.

Councilman Nash made a motion to submit the Planning Grant Application through DHCD for the Taylor Bottom Block Grant in the amount of \$62,200.00. The motion was seconded by Councilwoman Wynn.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilman Nash asked when the application was due. Manager Vannoorbeeck did not know of a deadline.

6. Armory

Manager Vannoorbeeck said demolition was ongoing with Town staff, they are taking out the ceilings, but they do not have asbestos or lead based paint in them.

Councilman Nash asked how much did the contractor take off by the Town doing this work. Manager Vannoorbeeck said nothing was taken off, but the activities the Town agreed to do kept it under the \$3.8 Million. He said we will have to do some painting in the offices and floor finishing in the gym at the end.

Manager Vannoorbeeck said the Project Management Team would be meeting Wednesday to discuss plaster items.

7. Weatherization

There was nothing to report.

8. Workforce Housing

Manager Vannoorbeeck said there are two homes under construction, one on Dillard Street and the other on Broad Street.

9. Roundabout – Water Relocation

Manager Vannoorbeeck said in 2026 VDOT anticipates the construction of a new roundabout at the main entrance to Pickett on Route 40. He said there are water lines that have to be relocated.

He said included in the packet is a letter he signed and sent that allows the Town to bear no cost for the relocation of the water lines.

Councilman Nash made a motion to ratify the letter signed by Manager Vannoorbeeck asking VDOT to design and relocate the water lines for the roundabout at the main entrance of Pickett. The motion was seconded by Councilman Page.

Mayor Green asked all in favor or opposed:

VOTE:

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

NEW BUSINESS:

1(a) Banners and Temporary Signs

Mayor Green said Councilman Page has asked to discuss our current Ordinance concerning banners and temporary signs.

Councilman Page asked that the Mayor refer this to the Health and Ordinance Committee.

Councilman Gormus said the court case referenced in the newspaper was quite different referencing Clyde Reed a pastor with a church, rented space at an elementary school, put up 17 signs, he said that case was not about what was on the signs, it was about the size, number and duration of the signs. Councilman Page said it was a content based restriction, and that is what the ruling outlawed.

Councilman Page said where does it say that you can take action without due process.

Councilman Nash asked Clerk Daniel if she had an application for this request. Mayor Green replied, we will get into that.

Mayor Green said it may sound simple to refer to a committee, but he felt that may engage a lawyer and more money spent to the Town. He wanted to get Council's thoughts before referring this matter.

Councilman Nash said if we go back to the issue that arose last week, we did not receive a request, he wants to see an actual document with a layout. He said the gist of the Policy is no advertising on banners.

Councilman Page said when the Town's logo is on a banner for the Christmas Parade that is sponsoring. He said the Town has to be subject to their Ordinances, so is the Town logo not allowed.

Councilman Allman said if the Committee wants to meet that is fine, or he can do some research outside the Committee.

1. Spring Festival – 3-30-24

Mayor Green said Councilman Page is requesting a banner be hung to promote a Spring Festival Event in the Town Square. He said according to our Clerk, she had not received a Banner Application, so his request was to table until an application had been completed and presented.

Councilman Nash made a motion to table the request until a formal application was received. The motion was seconded by Councilman Gormus.

Councilman Page said the request was put in on December 6th, why didn't the Town inform the requestor there needed to be an application filled out. He said he did not know there was an application.

Councilman Nash believed this was trying to get Council to trip, so until there is a formal application he moved to table.

Councilman Page said the requestor should have been informed of the application, you have to treat everybody fairly. Councilwoman Williams said there was enough time to fill out the application, the event was not until March.

Mayor Green asked all in favor or opposed:

VOTE:

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

Mayor Green said Councilman Page requested the Town's Noise Ordinance be waived during the event from 6:00 p.m. to 10:00 p.m. on March 30, 2024.

Councilman Allman asked that a recommendation from DBi come through before waiving the Noise Ordinance.

Councilman Nash said his request to table was the entire request, because it is applied for in the same application. Councilman Page said the applications should be provided to the requestor, and the Town failed to do that.

Councilman Nash said we have been up here for a year; we have all seen the applications needed.

Councilman Allman made a motion to table the Noise Ordinance request and use of the Town Square until such time that we have an approval from DBi. The motion was seconded by Councilman Nash.

Councilman Page questioned if Ms. Peggy Moore was provided documents when she requested use of the Town Square. Clerk Daniel said she was provided the application from DBi. Councilman Page said he filled out the paperwork that DBi gave him.

Mayor Green said he received an email today from DBi stating they would not be issuing permits for use of the Town Square at this time, due to unknown schedules for the pavilion construction. He said DBi offered to revisit the request in January.

Mayor Green asked Councilman Page if he received the same email. Councilman Page replied yes.

Councilman Nash asked Clerk Daniel to forward a copy of the Seay Park Application to Councilman Page the following morning. Councilman Page asked for any other applications that are needed, other than what DBi provided.

Councilman Allman suggested having banner applications go through DBi.

Mayor Green asked all in favor or opposed:

VOTE:

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

2. Progressive Engineering's Annual Contract

Manager Vannoorbeeck said the hourly rates have increased for the Contract, but this is an on call contract. He said Progressive Engineering had been the Town's electrical engineering consultant since the 80s. He recommended continuing work with Progressive Engineering, and said they are only used as needed.

Councilman Nash made a motion to renew the annual Contract with Progressive Engineering as the on call electrical engineer consultant for the Town of Blackstone. The motion was seconded by Councilman Gormus.

Councilwoman Williams asked what the difference in price was from last year. Manager Vannoorbeeck said for Robert Thomas it is \$174.95 an hour this year. Clerk Daniel provided the price from last year, it was \$166.65 an hour.

Councilman Page asked if there was a change in the per diem rate. The rate this year is \$1,399.60, and last year's rate was \$1,333.20.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

3. DBi Collections Request

Manager Vannoorbeeck said we received a request from DBi to assist with collections on a delinquent account for a grant repayment.

Councilman Allman made a motion to table discussion on this until the next meeting. The motion was seconded by Councilman Nash.

Mayor Green asked all in favor or opposed:

VOTE:

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

4. RFP – CD Investment

Manager Vannoorbeeck said we have put out a Request for Proposal to three different banks for CD rates for six months, one year and two years. He believed the investment would be for \$2,150,000.00, with RFPs being due January 3, 2024.

Manager Vannoorbeeck said \$4 Million was invested last December, with \$3,660,000.00 being true Reserve. He said the Finance Plan shows we are still \$1,600,000.00 short based on the Plan that was presented years ago.

Manager Vannoorbeeck said in June when the first Treasury Note matured, we received an interest payment of \$55,000.00, plus the \$1 Million principal, and reinvested that in a CD at 4.85%. He said the one year Treasury Note is maturing and believe we can invest \$2,150,000.00, which is the interest from \$4 Million from the first year. He said CDs represent the best, least volatile.

Manager Vannoorbeeck said the RFP had already been issued. He said there is still \$2 Million in Treasury Bonds and will mature next December.

Manager Vannoorbeeck said he would like to look at the Local Government Investment Pool, have someone come meet with Account and Finance.

COMMITTEE REFERRALS:

Mayor Green said he had been involved and heard of several incidents of people banging on doors asking for money after dark, and approaching people on the streets and sidewalks. He said after speaking with Chief Murphy, he believed the current Ordinance did not have the proper teeth.

Chief Murphy said their hands are tied because the Ordinance is from the 80s, and not constitutional to charge somebody for solicitation of money unless the Town Code is properly written. He recommended an attorney look it over and provide suggestions in order for the police department to enforce.

Mayor Green referred the Ordinance for money solicitation to the Health & Ordinance Committee, and asked Chief Murphy to attend.

Mayor Green referred banners to the Health & Ordinance Committee.

Mayor Green said Ms. Mary LeGrand has asked that her ditch be looked at on Second Street. He referred this to the Street & Light Committee.

Councilman Page said previously we had problems with door to door salesmen. He suggested now be the time to require permitting for this transaction. Councilman Nash said that is an Itinerant Merchant, and already in place.

MAYORS MINUTE:

Mayor Green said on December 1, 2023, he and Manager Vannoorbeeck enjoyed a coffee meeting with Col. Shaver at his office. He said they had met twice and thought the meetings were fruitful.

Manager Vannoorbeeck said there was discussion about some properties at the airfield. He said now that we have a vertiport designation, we talked to the Post Commander, who was non-committal, but we did discuss acquiring additional properties to increase economic development offerings at the airfield.

Manager Vannoorbeeck said we also discussed bleachers located at the airfield, and would be perfect for the Gators. He said they turned down the request.

Manager Vannoorbeeck asked Council to consider rescinding their motion to increase the hourly rate for his services at the County from \$100.00 to \$200.00. He believed the County felt like they waived the \$26,000.00 Building Permit for the Town, and we recently received almost 12 acres of land from them.

Manager Vannoorbeeck said he needed some bleachers and didn't have the money to get them. He believed the increase was the reason the bleachers were not given to the Town.

Councilman Nash said he was promised in a meeting in Manager Vannoorbeeck's office, that they would not sole source solicit, and it was done.

Councilman Allman said the reason he motioned to go from \$100.00 to \$200.00 an hour is what a consultant of Manager Vannoorbeeck's caliber is worth. He said in the interest of bleachers and a show of good faith, he did not have a problem rescinding the motion. He added there was no ill intent with the motion.

Councilman Gormus said are there any ethics, we are talking about backing Manager Vannoorbeeck's pay down, to get bleachers. Mayor Green said nobody had communicated that to him.

Councilman Nash said they are going to hold our youth's football program at bay. Councilman Gormus said the football program would proceed with or without Manager Vannoorbeeck at \$200.00 an hour.

Councilman Miller asked how much longer this would last. Councilman Nash said January 1st, that was the agreement.

Councilman Page said the Town was supplementing the cost higher than the \$100.00 an hour for Manager Vannoorbeeck to go to the County.

Mayor Green asked Council to rescind the motion from \$100.00 to \$200.00 an hour because he did not think it was in the spirit of cooperation that he had spoken so fondly of. He apologized for not speaking up when the motion was made, he should have at least asked for some consideration. He said we must embrace every opportunity to partner with each other to benefit the Town and County. He said we should put our best foot forward.

Councilman Nash said we did put our best foot forward offering Manager Vannoorbeeck's services, which ended up putting us in a bind for almost \$30,000.00.

Councilman Page believed the County was hurt because we made a deal and then raised the price without notice. Councilman Allman said the County was aware that after 60 days we were going to consider whether Manager Vannoorbeeck's services would be continued at all.

Councilman Nash asked if we received notice to extend Manager Vannoorbeeck's 60 days. Mayor Green said they made a motion.

Manager Vannoorbeeck said if the County does hire someone, he would take annual leave to help them. Mayor Green said he wished Manager Vannoorbeeck wouldn't make that statement; we are trying to resolve this.

Manager Vannoorbeeck said he had an obligation to his profession to provide governance. He said there has been talk about boundary adjustments and annexations, the Town needs the County also.

Councilman Page asked Manager Vannoorbeeck if he was being lenient with his billing to the County. Mayor Green believed there were more after hours now. Manager Vannoorbeeck said his last invoice to the County for after-hours was 13 hours.

Councilman Nash said Manager Vannoorbeeck said the County has given us this and that, but in defense of the taxpayers in Blackstone, we took a burden off their hands and bettered their property.

Mayor Green said to Manager Vannoorbeeck, he did not want him to have to take annual leave to work at the County. He asked him what would be an appropriate time to extend the agreement.

Councilman Allman made a motion to rescind the motion to increase the hourly rate for Manager Vannoorbeeck's services to the County. The motion was seconded by Councilman Miller.

Mayor Green asked all in favor or opposed:

VOTE:

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

Councilman Nash said the next motion should not include the Gators; we should not be using a youth sports team as bribery. Councilman Gormus said that's why he voted no; he was all about the Gators. He said the driving force behind this is bleachers. Councilman Nash said as we have seen in the paper and on social media, we have too much drama in the Town of Blackstone, we need to get over this. He said the County should say please take the bleachers, so the kids can better their skills.

Mayor Green said he had not been declined this because of the bleachers. Manager Vannoorbeeck said the bleachers were mentioned, and then Council's actions were mentioned.

Councilman Page asked Manager Vannoorbeeck how much of a transition period would he need after the County hires someone. Manager Vannoorbeeck said whoever they hire, will need 30 days to take the job. He said again he would use vacation time, he wanted to see this through.

Councilman Nash said the County should be asking us for a time frame.

Councilman Allman made a motion to approve \$100.00 an hour for Manager Vannoorbeeck's services to Nottoway County. The motion was seconded by Councilman Page.

Councilman Nash said we will wait for correspondence from the County on Manager Vannoorbeeck's services. He also asked that Mayor Green ask about the bleachers.

Mayor Green asked all in favor or opposed:

VOTE:

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

Mayor Green asked if there was an update on the RFP for Town Attorney. Manager Vannoorbeeck said it had been issued, Council and Attorney Missy York reviewed it. He believed the requests were due January 15, 2024, and was also advertised on eVA.

POLICE REPORT:

Mayor Green said he and Manager Vannoorbeeck would be meeting with Chief Murphy tomorrow.

Councilman Nash asked about the incident from yesterday. Chief Murphy said he couldn't go into this much because juveniles were involved, but some arrests had been made.

CITIZEN COMMENTS:

Ms. Mae Tucker – 336 Tucker Drive, Blackstone, VA

Ms. Tucker commended Council on how they handled the meeting tonight.

Ms. Tucker said she was not a crazy, she does support Councilman Page on certain things, and don't support him on others. She said when Mayor Green says he is the Mayor and limits you, that is very unprofessional in her opinion. She said she was far from crazy, she was not a follower of Councilman Page, but does support a lot of his transparencies and what is being done.

Ms. Tucker said you are the Town of Blackstone's Council, and supposed to be working for the citizens of Blackstone. She said work together so you don't look bad, and don't jump Councilman Page every time.

Councilman Page said he and Ms. Tucker worked on the Election Board together, and would go head to head, and in lawsuits together, he sued her. He said he and Ms. Tucker have remained friends.

Mayor Green recessed the meeting for three minutes.

CLOSED SESSION:

Virginia Code Section 2.2-3711

- 5/ Prospective Industry
- 7/ Legal Matters

Councilman Nash made a motion to go into Closed Session for Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community and Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. The motion was seconded by Councilwoman Williams.

Mayor Green asked all in favor or opposed:

VOTE:

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

Councilman Nash 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 Miller.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Mayor Green continued this meeting to Wednesday, January 3, 2024 at 6:00 p.m.

There being no further business to bring before Council, Mayor Green adjourned this meeting at 9:52 p.m.



MAYOR
OF THE TOWN OF BLACKSTONE, VIRGINIA

January 22, 2024 APPROVED AND ADOPTED



TOWN CLERK
OF THE TOWN OF BLACKSTONE, VIRGINIA