

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, February 27, 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; Mary Benson, Transit Director; Chastiddy Bryant, Community Development Specialist; Zac Beares, Deputy Fire Chief; Nicholas Kuzmiak, Police Chief

Town Attorney: Tessie B. Bacon

Those Absent:

Mayor Green called the February Council Meeting to order.

Councilman Gormus delivered the Invocation.

Mayor Green led the Pledge of Allegiance.

Mayor Green said he would like to recognize February as Black History Month and read the following:

*For many, Black history month is a time to recognize African Americans who paved the way for our country. In a place where not so long ago, African Americans were not treated as equal, I can honestly say that times have changed and I am delighted to see the Town of Blackstone is progressing in a positive way for all Americans. It is an honor to say we strive to create inclusivity, diversity, recognition, and equality for all each and every day here in Blackstone VA. Currently, Blackstone Primary School has the first African American Principal, Mrs. Delphine Simmons, and Vice Principal Ms. Lacara Hawkes, since the school's inception. The Town Office is staffed with all walks of life that do an amazing job keeping the town alive. We have started an annual Juneteenth Celebration in the heart of Blackstone that draws in over 3,000 individuals from all walks of life to learn about African American history while enjoying festivities. We have begun a tradition started by the previous Mayor, Mayor Coleburn, where we honor African American heroes in this community for their outstanding leadership and contributions to society. And last but not least, the once historic Harris Memorial Armory, which lies in the heart of Blackstone, VA will soon be home to two historically black colleges and universities to offer continued education to all individuals who are interested in the hospitality field in rural VA. For some, the progression may seem minor, but always remember baby steps are still a forward movement and I am proud to be the Mayor of Blackstone.*

Mayor Green asked to alter the Agenda and had Mayor Coleburn join him at the podium. He thanked Mrs. Joyce Coleburn for the 16 ½ years that she and their lovely daughters have sacrificed to allow Billy to do this job as Mayor. He said it was a tremendous sacrifice in the prime of Mayor Coleburn's life. Mayor Green said he probably would not be standing here if he did not have the example of what Mayor Coleburn had done for him to follow.

Mayor Green read the following Resolution for Mayor Coleburn:

*Honoring the Service of Former Mayor,  
William D. "Billy" Coleburn*

*WHEREAS, the Mayor and Town Council of the Town of Blackstone, wish to acknowledge and express their appreciation of former Mayor, William D. "Billy" Coleburn for his dedicated service to the citizens and community of Blackstone; and*

*WHEREAS, Mr. Coleburn was a resident of the Town, and he served both his community and the County of Nottoway with dignity, having been elected by the people, from July 2006 to December 2022, as Mayor; and*

*WHEREAS, as Mayor of the Town of Blackstone, he devoted his time, energy and talents to the Town, providing a wealth of experience and sound judgement, and serving with unflinching integrity, dignity and thoughtful reflection; and*

*WHEREAS, the Town of Blackstone is proud and honored to have William D. "Billy" Coleburn as our former Mayor, and is unendingly grateful to him for all that he brought to our Town, both personally and professionally during his time as Mayor.*

*NOW, THEREFORE BE IT RESOLVED, that the Council of the Town of Blackstone in recognition of William D. "Billy" Coleburn's love for and dedication to the Town of Blackstone, does adopt this resolution in honor of his many years of dedicated service to our community.*

*Adopted this 8<sup>th</sup> day of February, 2023.*

Mayor Coleburn said to Council, you do a lot of heavy lifting, because you have to vote. He said mayors just preside, and occasionally break a tie. He said he loved a packed house, they are witnesses. He said government that is watched, is government that serves best. He said we have a lot to be proud of here in Blackstone, and there is a strong wind at Council's back, because of staff, day to day they keep the Town running.

### **PUBLIC HEARINGS:**

#### **Town Code – Chapter 14 – Animals**

#### *NOTICE OF PUBLIC HEARING TOWN OF BLACKSTONE*

*The Blackstone Town Council shall hold a Public Hearing on February 27, 2023 at 7:00 p.m., in the Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a draft ordinance which will revise and reenact **Chapter 14 – Animals, of the Blackstone Town Code**. More specifically, the proposed ordinance will modify the administration and enforcement of local codes relating to cats and dogs. Additionally, the proposed ordinance does require the purchase and display of Town dog and cat licenses for each such animal sited in the Town. The proposed ordinance also prohibits tethering of dogs for more than one hour each day. The Town Council may make a final determination on this request following this public hearing. Any person desiring to speak for or against the request should attend the Public Hearing at the above stated date and time.*

Mayor Green thanked Chairman Page and his Committee for the comprehensive proposal and opened the Public Hearing.

Mayor Green asked if there was anyone here to speak in favor of the Ordinance.

Mr. Thomas Crews – Old Shore Road

Mr. Crews said he lives outside of Town, but does have a business that owns some properties in Town. He said he sat in the audience the day this Council took their oath, and present at the first official meeting. He praised Mayor Green for calling for a motion at that meeting, which as the first order of business as a top priority being the situation involving the dog attacks. He praised the Committee led by Councilman Page for having such a swift turnaround on the model Ordinance. He expressed his strong support for the proposed Ordinance and to express his hope that it will become a model for other towns and a blueprint for the County as a whole.

Mr. Crews said the Town of Blackstone has repeatedly shown itself to be a leader within our County. He said Blackstone has once again come up with common sense solutions that tackle practical problems faced by local governments all across the Commonwealth. He said he spoke to people in Blackstone, and the majority stand behind this common sense Ordinance that will help better secure the public's safety. He said there have been some that spoke against it, in particular with the \$10.00 licensing fee. He said if those people cannot afford the fee, they very likely cannot afford the necessary vaccines or food that is necessary to have a dog. He said this is a small fee that will help ensure those who own dogs are responsible for their pets and helping pay for the enforcements of the Ordinance itself. He said this information will be in a data base so the owner can be identified to keep their pet out of the shelter. He said it will also ensure the Ordinance is actually enforced, something the County has not always historically done with its own Ordinances. He said lax enforcement in the County and weak or lack of Ordinances in the towns is part of the reason we are facing the problems we are dealing with today.

Mr. Crews said as Council is well aware, nothing in life is free, every new Ordinance carries a price tag, even if it is not explicitly written down. He said the question is, who will pay for it, he has heard the citizens should pay for it, even if they do not own pets. He did not believe that was the right course of action. He said as our core as a community one of our fundamental values is personal responsibility, owning a dog is a privilege that comes with responsibilities, such as proper shots, properly taken care of, and isn't roaming around Town attacking others or their pets. He said if a dog owner cannot meet this minimum standard, and afford \$10.00 as a licensing fee, then they are actively demonstrating their inability to properly care for a dog, and probably shouldn't have one.

Mayor Green said he would like comments to be around three minutes, however, if Council has a question, they will be allowed to speak. He said if someone has come up to the podium and made your point, he asked they please yield to the next person.

Mayor Green asked if there was anyone here to speak that opposed the Ordinance.

Mrs. Janet Bunnell – Lunenburg Avenue

Mrs. Bunnell asked how many tags need to be sold to fund the position, there are about 1400 households in Blackstone. She said if you factor in \$5.00 per pet, at the four pet maximum, across the maximum number of households, and not everyone has a pet, the revenue generated equals \$28,000.00. She said if you factor in the maximum amount allowable by Blackstone, which is \$10.00 per pet, it is \$56,000.00, however that money gets slashed to \$5.00 for people over the age of 55. She said Blackstone has over 600 households over that age, so the money gets slashed to fund the position.

Mrs. Bunnell said Blackstone does recommend the maximum amount of \$10.00 per animal, but that seems unfair when you consider the County already collects \$10.00 for dogs and \$5.00 if they have been spayed or neutered. She said a position includes salary, health insurance, retirement, a new vehicle, etc. She said per the Code of Virginia, there are other requirements associated with having an Ordinance where you charge for the privilege of owning a pet. She said there are specific laws for the disposition of those funds, with one being the salary and expenses of an animal control officer and necessary staff, care and maintenance of a public animal shelter, maintenance of rabies control program, payments as a bounty to any person neutering or spaying a dog up to one year of the license tax as provided by the Ordinance, efforts to promote sterilization of dogs and cats, with any or all parts of surplus remaining on December 31<sup>st</sup> may be transferred by the governing body of such localities in the General Fund.

Mrs. Bunnell said this conversation came up because of some isolated incidents, that yes were scary, but the Code of Virginia has a detailed process for how these situations are handled. She said these are not daily events which tie up the County Animal Control Officer, they are isolated. She said Chapter 25 of the Code of Virginia, Comprehensive Animal Care, Article 6, Authority of Local Governing Bodies, there is a very clear process outlined, which our taxpayer dollars already fund the County to perform. She said since the events are isolated, there is not a true need for Blackstone to create its own position, wherein the Town has to provide a position with a salary and follow the Code regarding the dispensation of funds via the double taxation of pet owners.

Mrs. Bunnell said you have to trust the process, isolated incidences, even when occurring in quick succession are not the norm here. She said a knee jerk reaction will cost taxpayers to pay double and require a lot of financial and employee responsibility on the Town, that is not trusting the process, especially when the County has a taxpayer funded position already in place, which manages these events.

Mrs. Bunnell said does the creation of a new position in Blackstone mean we won't be able to access the County services, or then the County's presence will then be diminished because we have our own animal control officers, but the other towns do not. She said that hardly seems fair to be double taxed, but only receive the benefit of one service. She did not believe the County would willingly relinquish the monies received from Blackstone just because we have our own department now.

Mayor Green said he would not be weighing in on this, but there are advantages to having our own Code for enforcement and collecting fees. He said a lot of this mirrors the State Code.

Mrs. Patricia York – College Road

Mrs. York said she had been a resident of Blackstone for about 38 years, and a County resident for the past 52 years. She said she was a founder of the local nonprofit, Nottoway Allies for Paws formed in 2017. She said she appreciated the duty to address the need for such a proposed Ordinance, however she felt she needed to address some issues. She said feral cats, they usually stay in colonies on properties and the Ordinance says, if any person permits a cat to remain on that premise, the cat is considered to be theirs. She said property owners cannot control feral cats and shouldn't be subject to license fees. She said determining who the feral belongs to will be difficult and time consuming for officers. She said the answer is spay, neuter and release, and for the community to get involved in contributing to this effort.

Mrs. York said stray hold, the Town Code proposes it not be less than five days. She said the State Code defines the five days stray hold starting the day after confinement, plus if an identification is found, then the animal is kept for an additional five day hold. She said the County considers a collar to indicate an owner exists and the animal is allowed for an additional five day period. She said space, foster, rescue and adoption potential are always considered and sought extensively for every single animal held in a shelter. She said today, euthanasia is a last resort and generally reserved for acutely ill or dangerous animals.

Mrs. York said again under stray hold, if not claimed, the animal may be delivered to a person who is a resident of the Town. She said she hoped there would be adequate screening of individuals to ensure the dog or cat is treated humanely, receives necessary vetting and vaccine licenses for spaying and neutering to prevent further overpopulation. She said with spay and neuter of the Ordinance, it does address after adoption, but states the animal will not be released until such a procedure is done. She said vet appointments for this are usually weeks to months out and expensive. She said rescues or adopters find they have to wait months for an appointment, will the Town hold the animal until this procedure is completed, which fills up kennel spaces. She said a better option would be for the adoptee to take the animal home, and provide future vetting in a designated time frame.

Mrs. York said with tethering, the proposed Ordinance limits tethering to one hour per day, State Code does not address a time frame. She said the average homeowner or renter does not have a fenced yard or kennel. She said they work away from their home for most of the day and likely unable to meet this Ordinance. She said monitoring this for compliance will be time consuming for officers. She appreciated the license tax reduction for those over the age of 55.

Councilman Page said the cat portion of the Ordinance where people feed cats and don't shoo them off, that is already current Code, so if the proposed Ordinance fails, that will still be in place. Mrs. York suggested looking closer at that.

Councilman Page said they have been discussing spay, neuter and release, but we need to identify what is and is not an owned cat. He said that can be done by licensing or microchips. He added the five days to be released to somebody, that release would be considered adoption, and is State Law, but the County does give certificates out and allows the pet owner to come back and show proof.

Mrs. LK Mondrey – 223 Beachcliff Road

Ms. Mondrey said she was a native of Nottoway County and has lived in Blackstone since 2017. She said on February 17<sup>th</sup> after reading about these changes in the paper, she sent an email to the Town Manager per the instructions in the Public Notice, and copied the Council members, except for Mayor Green, she apologized for that. She thanked Councilman Allman, Councilman Nash, Mr. Coleman and Councilman Page for responding. She said she agreed Blackstone had a problem, not necessarily a dog or cat problem, but a person problem, an owner problem. She said the current Ordinance has not been enforced, perhaps that should or could be attempted before implementing a new Ordinance.

Mrs. Mondrey said we are already required to purchase a dog license from the County, so why do we need to pay twice. She said we have to pay property taxes to both town and county and now this, it is almost like being punished for living in Town, and she loves Blackstone. She said asking whether we can pay the fee, completely misses the point.

Mrs. Mondrey said tethering a dog does not make a dog aggressive, and conceded there are circumstances that could lead to aggression, again caused by humans. She asked how will you measure how long a dog has been tied, or if an owner is actually home or not. She asked if we would all be under 24 hour surveillance. She said it seems at best, to be challenging to monitor accurately, and at worst, to be a waste of time and energy. She said they only tether their dog when they are not at home.

Mrs. Mondrey said hiring an animal control officer is not a novel idea, it was done years ago, and to her understanding, it was done away with because it was ineffective. She said she watched a video of a committee meeting a few weeks ago. She said it did not seem to be any input or real discussion offered by two of the members, and seems these changes are being pushed through by one person. She said Blackstone is not Richmond, and what is being proposed is a blanket punishment for all dog and cat owners, not just those at fault. She asked Council to please reconsider.

Mrs. Mondrey said Maya Angelou is credited with saying “do the best you can until you know better, then when you know better, do better”. She said you have been doing the best you can, now she was asking to do better, and vote against these proposed changes.

Mrs. Christen Johnson – 211 Maben Avenue

Mrs. Johnson said the right to be self-sufficient is the reason she was here. She said she was not a prepper, but believed we all have the right to provide for our families to the best of our abilities, which is why many of us in Town have chickens. She pointed out the Ordinance was not updated on the website. She said her chickens were a lot more useful than anyone's dogs, such as a renewable food source year round, provide fertilizer for her garden, and a legal source of income. She said her chickens were a perfect example of being self-sufficient, and she was not here to just protect her chickens. She said as the current Ordinance reads, she is one of the very few people that can legally own them because of the space within her yard. She asked where chickens have hurt Council, we are a small town in a rural area, with most of the people here, have been here most of their lives, and has never been an enforced issue. She said it has been deemed so irrelevant that the Code hasn't been updated on the website in years. She asked why now, why demand that 75% of the Town not be allowed to own chickens. She said if the chickens are taken care of and clean, what is the problem.

Mrs. Johnson asked about her letter, which Manager Vannoorbeeck was nice enough to show her that will go out to people that own chickens, which allows two weeks response time, and a chance to come to Town Hall to discuss. She requested no vote be held on this because you cannot hold a vote and then say we just passed this., she said that is preconceived.

Mrs. Johnson said some chickens are not just pets, they are also extensions of family. She said you cannot rip apart a family and not expect a fight. She said if the Town's issue is with chickens, records or if there is anything for the Town to gain, then request a licensing fee per chicken. She said those of us that care about our chickens will give the Town \$5.00 per chicken. She said she did not care what Council thought about the chickens, she recently went through radiation, the only reason she got out of bed is because she knew eggs had to be collected and her animals had to be cared for. She said her animals were not going anywhere, and Council was taking away what people have become used to.

Councilman Page said chickens have been the law of the land for a long time, and we were not asked to look at that particular part of the Ordinance. Mrs. Johnson said instead of going through the correct course, and rethinking the way the statute is written, it was a copy and paste situation. She said this is the perfect opportunity to address the copy and paste situation. Councilman Page said if this Ordinance fails, the chicken portion would still be current law. Mrs. Johnson said passing the same Ordinance does not start to fix anything.



Ms. Brittany Case – Third Street

Ms. Case said she had been a lifelong citizen here. She said making it impossible to keep chickens is ridiculous. She said her friends need their hens for meat and eggs. She said she has three small children and they need to feed everyone on one income. She said her son was on the autistic spectrum and has a bond with the birds. She said he will not understand why the Town won't allow them. She said her son has trained them, and they cuddle with him in his bed with the chicken diapers. She said her family has been through a lot of abuse, and times are hard mentally even without abuse. She said the birds not only mean something to her son, but her and her daughter as well. She said she and her kids started selling eggs to teach them responsibility and to help fund their karate class.

Ms. Case said she was a stay at home mom, and takes care of her mother as well. She said their trouble started when a neighbor's dog got a hold of one of their flock when she was at a party. She said she did not report the dog, but in the meantime, she was reported for having a rooster she rescued and has been trying to rehome. She said the website had not been updated in over three years, so she has now gone from 9 chickens to 4. She said she heard everyone will have to remove all their flocks and pens, for what reason. She asked to please consider allowing us and other deserving owners to keep their four hens.

Mayor Green closed the Public Hearing.

***Councilman Page made a motion to approve the Ordinance as presented, effective immediately, except for licensing, which will go into effect November 1<sup>st</sup>. The motion was seconded by Councilman Gormus.***

Councilman Allman said we have heard tonight from a lot people that do not want to be double taxed. He said the overall idea is punitive punishments for ungrateful, or bad owners. He said it feels like we are just punishing the good pet owners of our Town. He said the only people that will get the tags are the good pet owners. He said the tags will not stop an animal from biting somebody else. He added, he did not think it was going to bring enough revenue to be a viable option, it will be more of a headache, than productive.

Councilman Allman made a substitute motion to eliminate the double tax, and create an optional tag system, free of charge, from the Town that can be done online, keep the animal control officer at part time, remove the adoption portion from the Ordinance and leave with the County. The motion was seconded by Councilman Nash.

Mayor Green explained, a substitute motion takes precedence over a main motion.

Councilman Allman said he wanted to make the tags optional because he believed only the good owners would get them, and if it is mandatory, it gives probable cause for any police officer to stop someone walking their dog without a tag. He did not think that was fair or reasonable.

Councilman Page said there has been talk about a double tax, and not everybody pays it, but the County does not enforce it very well within our borders. He said he believed the Town could do better. He said we pay the County to enforce their Ordinance, but they do not have an at large or care and control Ordinance. He said they do not have ordinances that prevent attacks. He said the Town does, and to provide enforcement we need to be able to identify our own dogs, and not overrun the Shelter, get dogs back to their owners. He said we need a resource to help with spay, neuter and release for the cats and help pay for the officer and a vehicle. He said it would not be self-sustaining, but he believed the Town would get a good amount of funds back. He said it is not a double tax, people would be paying for enforcement for our Town laws.

Councilman Nash asked if we know the County would not enforce our personal Ordinances. Councilman Page said in order for this to happen the Sheriff has to be Chief of Police. He said they don't have jurisdiction to enforce local ordinances.

Councilman Gormus said until recently we didn't even have access to the Shelter.

Councilman Page said when it comes to adoption, and the animal becomes the Town's property, it maybe we turn them over to the County. He said this would be handled under administration, and the rules are there if we do decide to adopt.

Councilman Allman said we can handle this problem with a part time animal control officer, through our police department, with proper training, without taxing our citizens. He said from the calculations done through Account and Finance, we can find money to pay for this without being a burden on the citizens, while offering services that will fix the problem.

Councilman Allman said we were tasked with fixing the dangerous dog problem, and believed it could be done part time.

Councilman Nash said to add to a police officer salary was roughly \$6-7 Thousand for animal control. He said if we can find \$200,000.00 for a private ditch, we can put our best foot forward, and allow everybody to not have to pay. Councilman Page said it is not just employment costs, but a vehicle with climate control, equipment, and be billed from the Shelter for housing the animals, plus a feral cat program.

Councilman Nash asked if the Town was currently being charged for animals taken to the Shelter. Councilman Page said we are not, but it is going to change if they go under our local Ordinance.

Councilman Allman said if we remove the fee, we don't have to go through our billing department, and could be handled through the designated animal control officer.

Councilman Nash said we have heard a lot tonight and thought it was too premature to enact the whole Ordinance as presented. He said there are several issues that need to be addressed. He said people don't change their actions unless there are consequences, and if they are thrown out by a judge, there is nothing. He said we have allowed citizens to speak tonight, let's listen to the them. He suggested it go back to Committee.

Councilman Gormus said they were tasked to look at dogs at large. Councilman Nash said we currently have an Ordinance for dogs at large, do we enforce it. Councilman Page said they write tickets when dogs are at large, but we see this as a preventative.

Councilman Nash said we are not going to stop a dog from chasing Ms. Wallace, the dog is going to do it because it is an owner issue.

Councilman Allman withdraw his previous motion and motioned to Table.

Mayor Green said he now has to go back to the main motion.

***Councilman Allman made a substitute motion to Table for a Work Session. The motion was seconded by Councilman Nash.***

Mayor Green said he appreciates the people here, who spoke their peace. He believed this warranted a Work Session to focus time on the comments. He said instead of being right, he wanted to get this right. He said he liked the idea of tabling; we have had the Public Hearing and would now like to have a Work Session.

Councilman Gormus asked if it was out of line to have public hearings when items are started, instead of after we have tried to fix things. Mayor Green said typically it starts at committee level, then presented to Council, then Council agrees to have a Public Hearing. Councilman Gormus said if we had this meeting tonight, before we started, more than dogs would have been addressed.

Councilman Page said he had tried to communicate with Councilman Nash and Councilman Allman, and nobody sent him a proposal on licensing or how to fund the project.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Mayor Green invited anyone that has concerns to email or contact any one of the eight up here. He said do not leave here and think your concerns are not our concerns, because they are. He said being up here trying to navigate through this is gut wrenching.

**NEC Investments, LLC – Rezoning Request**

**NOTICE OF PUBLIC HEARING  
TOWN OF BLACKSTONE**

*The Blackstone Town Council shall hold a Public Hearing on February 27, 2023 at 7:00 p.m., in the Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a request from NEC Investments, LLC to rezone certain parcels from the R-B, Residential-Business district to the B-G, General-Business district. This proposed rezoning would permit by right the development of a Mini-Warehouse development. The property is designated as Nottoway County Tax Map Numbers 50A27-1-B-3 & 4. The subject property is unimproved and located along the western right-of-way of N. Brown Street. The Town Council may make a final determination on this request following this public hearing. Any person desiring to speak for or against the request should attend the Public Hearing at the above stated date and time.*

Mayor Green said this Public Hearing is a request to rezone a piece of property in the 200 block of N. Brown Street. He said the request is to change the zoning from Residential Business to General Business. He said the Planning Commission met and did approve the request.

Manager Vannoorbeeck said NEC Investments for public record is Councilman Nash’s concern. He said this request is for up to 35 mini-warehouse units. He said there are certain setbacks when adjacent to residential districts, however, the Town’s Zoning Ordinance exempts the Residential Business District requiring additional setbacks. He said the Planning Commission did not ask for any particular setback.

Councilman Nash said he was providing 5’ setbacks from the property lines.

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

**Mr. Ray Johnson – 814 Luke Street**

Mr. Johnson said he was here speaking on behalf of his mother, who lives at 211 N. Brown Street, and was in the audience.

Manager Vannoorbeeck told Mr. Johnson that Mr. Nash would not be using any of his mother’s property. He said Mr. Nash would be staying within the envelope of this property. He said the current zoning does not permit mini-warehouses, so in order for Mr. Nash to do his project, the property has to be rezoned. Councilman Nash said the 5’ setback would come from his property, not Mr. Johnson’s mother’s property.

Manager Vannoorbeeck believed there was one or two lots in between Ms. Johnson’s house. He invited Mr. Johnson to come by the office, he had some diagrams.

Mayor Green closed the Public Hearing.

Councilwoman Williams asked if this development would add more traffic. Manager Vannoorbeeck did not believe it would be intensive traffic, like a restaurant, but yes it will add traffic.

Councilman Page asked about runoff. Councilman Nash said it would have to go through soil and water control through the County. He added it would not be a paved lot, it was going to be rock for the runoff in the lot itself.

Manager Vannoorbeeck said the area did have to be fenced and access limited according to the Town's Ordinances.

***Councilman Allman made a motion to approve the rezoning request for General Business from NEC Investments for property on N. Brown Street for up to 35 mini-warehouse units.***

Councilwoman Williams made a motion to deny.

Mayor Green asked to finish the current motion.

***Councilman Page seconded the motion for discussion.***

Mayor Green said Councilwoman Williams made a substitute motion to deny the request. He said that motion died for lack of a second.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Councilman Miller said his reason for abstaining is because Mr. Nash is on Council, and he did not feel in his heart he should ok anything for Council.

Councilman Page said somebody did talk to him about the traffic, but he thought it was a good idea because it is immediate revenue, so he abstained knowing Mr. Nash had two votes.

**MINUTES:**

***Councilman Nash made a motion to dispense with reading and approve as presented minutes from the Special Called Meeting on January 10, 2023. The motion was seconded by Councilman Page.***

Mayor Green asked all in favor or opposed:

VOTE:

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

Mayor Green said on Page 10 of the Regular Council Minutes from January 23, 2023, he made a comment about an idiot on Eighth Street that had too much going in his fireplace. He asked to have the record reflect, that idiot was him, Mayor Green.

***Councilman Nash made a motion to dispense with reading and approve as amended the minutes from the Regular Council Meeting on January 23, 2023. The motion was seconded by Councilwoman Williams.***

Mayor Green asked all in favor or opposed:

VOTE:

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

**VISITORS:**

***Resolution Presentation for Mayor Coleburn***

This was presented earlier in the meeting.

**KFH Group – Transit Development Plan**

Mayor Green said KFH Group was going to have a representative here tonight, but Transit Director Benson would present instead.

Councilman Nash said he found the maps interesting; he did not know the buses went to Cumberland. He asked if these were profitable routes. Transit Director Benson said those out of our locality are a lot of to and from work, very regular riders.

Transit Director Benson said the State hired the KFH Group to do this update, and is required every five years, for a ten year plan. She said this plan is a requirement for our Transit agency, with the enclosed being the final draft. She said this is their capital projects for years to come, but is just a plan and not set in stone.

Mayor Green asked Transit Director Benson if she was good with it. Transit Director Benson replied, yes, she had been working with them for months on this update.

Councilman Page said he noticed riders had been dropping off, but seem to be picking up again. Transit Director Benson said during COVID the ridership dropped drastically, but she noticed when submitting the ridership for the FY24 Budget, it had definitely come up.

Councilman Page pointed out there was a stop at the Amazon Fulfillment Center, but not the Walmart Fulfillment Center, which is one of the largest employers in that area. Transit Director asked for the Dinwiddie Bus? Councilman Page replied yes, and asked if there was a demand for this. Transit Director Benson said the bus does go by Walmart, but not technically a stop, but if somebody calls, we can stop and pick them up. She said before she started in this position, it was on the schedule, but was not utilized.

***Councilman Nash made a motion to approve the Transit Development Plan as presented. The motion was seconded by Councilman Miller.***

Mayor Green asked all in favor or opposed:

VOTE:

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

Councilman Nash said he was confronted by two restaurants this week; they were looking for a route to go directly to FASTC. Manager Vannoorbeeck said he did not think we could do a route, but there is a Ft. Pickett line. Councilman Nash said they were looking for something after hours. Manager Vannoorbeeck said he and Transit Director Benson looked at a grant application being promoted by Senator Warner, but it was a fixed route. He said what we want to do is have something between our residential facilities and downtown at night.

Transit Director Benson said when last discussed, the plan was to send out notices to the businesses for a meeting to figure out how the route would work with the Town bus. Manager Vannoorbeeck said it would not be a fixed route, but in the evenings, from maybe 6:00 p.m. – 10:00 p.m. He said this would be creating a separate route using the Town's bus.

### **Ms. Sharon Streat - Juneteenth**

Ms. Streat said she was the Secretary for the Town of Blackstone Juneteenth Committee. She said this will be the third annual event. She said this would be the last full weekend in June and for the next four years, because this Council is doing a four year term, so they don't have to keep requesting every year.

Ms. Streat said the Town of Blackstone Juneteenth Committee has completed their non-profit sponsorship package. She said they were requesting \$5,000.00 towards the expense of the event. She said they were requesting Main Street be closed on Saturday of the event from 4:00 a.m. to 10:30 p.m., from Tavern to Irvin Street. She said they were requesting to waive the banner fee and hang the banner in front of the Post Office, waiving the Noise Ordinance, and two adopt a trucks. She asked that the event be posted on the Town's website and Facebook Page, along with the electronic board at the Fire Station. She asked for access to stages, tables and chairs, drop cords, traffic signage and any other Town equipment needed for the event.

Ms. Streat said they would like access to the Town Square and Seay Park, and applications had been submitted. She asked for access to the Police Department Conference Room for government officials and special guests, if needed.

Ms. Streat said Councilwoman Wynn had been appointed as their Council representative.

Councilman Nash asked about the time frame for waiving the Noise Ordinance. Ms. Streat replied, 10:00 a.m. to 10:00 p.m.

Councilman Page said he fully supported Juneteenth, and said it was a great event last year. He asked if the event was self-sustaining yet. Ms. Streat replied yes, since they received their 401c3, they have been obtaining sponsorships. She said they were waiting to hear from Virginia State to be one of their main sponsors this year.



Councilman Page asked if the funds coming in were being rolled over into operations. Ms. Streat replied yes. Councilman Page asked if the Town would continue to see this request annually, or will it gradually go down. Ms. Streat replied, hopefully we won't have to use as much from the Town. She said this is an ongoing job, we are volunteers, and she herself is on her computer day and night looking for grants.

Councilman Nash asked about the employee assistance, does that come out of the \$5,000.00 request. Ms. Streat replied yes, it is itemized.

Councilman Nash said this event this year falls at a bad time for the way we are now asking for non-profits to submit for expenditures. He said if they would be looking for money for next year, please submit now. Ms. Streat said Ms. Hardy with H&R Block was working on their 1099 for the Town.

Mrs. Molly Lashway asked about road closures. She said she asks every year, because the businesses are not made aware before it gets approved by Council. She said for some, it does negatively impact our businesses because cars cannot drive by and park in front of her business or if they are on Main Street, they have to find alternative parking. She was not saying not close the roads, but asked to let the businesses know and have an opportunity to voice our opinions before approving the road closures.

Ms. Streat said she had been going around to individual businesses, and noticed today a lot are closed on Mondays. She said we are giving out forms and have surveys this year, asking downtown businesses to participate. She said we are trying to incorporate businesses; it is not just about African Americans.

Mayor Green thanked Ms. Streat for her gracious response, and asked the ladies to exchange information.

Mrs. Lashway said she owns Sanitary Barber Shop. She said the cross road is closed, but if it were open, it wouldn't necessarily negatively impact her business. Ms. Streat said they leave Broad and Main Street open as the cross street, and it is still an issue.

***Councilman Allman made a motion to approve the Third Annual Juneteenth Celebration on June 24, 2023, to include all requests for the event. The motion was seconded by Councilman Miller.***

Councilman Nash asked if there was a rain date. Ms. Streat replied, no. She said they let their vendors know they are responsible for their equipment.

Mayor Green asked all in favor or opposed:

VOTE:

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

***Councilman Nash made a motion that the Town donate \$5,000.00 to this event, through paying of invoices and provide a report to where the money was spent. The motion was seconded by Councilwoman Williams.***

Mayor Green asked for a Roll Call Vote:

VOTE:

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

***Councilman Page made a motion to appoint Councilwoman Wynn as the Council representative. The motion was seconded by Councilman Gormus.***

Mayor Green asked all in favor or opposed:

VOTE:

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

***Councilman Allman made a motion to pay for up to five ads in the Courier Record to seek nominations for the Black History Hero Awards. The motion was seconded by Councilman Miller.***

Mayor Green asked all in favor or opposed:

VOTE:

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

**Ms. Julie Krake – Second Saturday Art Walk**

Ms. Krake said she was the owner of In Town Art Gallery and Studio. She said the Second Saturday Committee is made up of some of the artists, some business owners, and residents of the Town. She said this would be their second year, and last year they had 62 vendors that participated. She said this year they were looking to include the karate and dance studios.

Ms. Krake said she was requesting to waive the Banner and Town Square Fees. She was asking the banner go up and down each month, rather than leaving it up for seven months, and have the power cut on these Saturdays. She said the event will be the second Saturday of each month, from 11:00 a.m. – 3:00 p.m. She said the mission was to provide a community event that promotes local art and provides a place for vendors to sell.

Councilman Nash asked if Second Saturday would be charging for spots in the Town Square. Ms. Krake said last year it was free, but this year vendors would be charged \$15.00 each. She said this helps vendors feel more committed to the day, and the money will help to hire musicians and pay for some of the performers.

Councilman Nash said the Town Square is supposed to be used for non-profits. Ms. Krake said there is no profit, In Town Art basically paid for last year.

Ms. Krake said the Committee would be posting signage and assigning vendor positions on the Main Street sidewalk beginning at 9:00 a.m. – 5:00 p.m. She said there are no street closures requested and no rain dates. She said they would not need any additional toilet facilities. She said they would be running requests through a non-profit, and she was a member of the Chamber of Commerce. She said she would be asking either through the Chamber or another non-profit for \$500.00 to pay for more signs and advertising.

Councilman Allman believed running the money through the Chamber covers the Town. Councilman Page suggested the money and use of the Town Square go through the Chamber. Councilman Allman suggested DBi as well.

Councilman Nash said last year Mr. Krake asked for a monetary donation, but instead Council agreed to pay for the banner.

Manager Vannoorbeeck believed Council could waive that which they choose, but there are restrictions in the State Code for those that are not non-profit. He thought it would be fine to go through the Chamber or DBi.

Ms. Krake said Second Saturday would run from April through November.

Mayor Green asked Ms. Krake to contact the Chamber or DBi and have them provide a letter or have a representative from one of the organizations here when we have the Work Session. Councilman Page said the Chamber has a deadline of March 1<sup>st</sup> to put in any requests with the Town. Ms. Krake said she would have the Town Square fee added to the Chamber's requests.

Councilman Gormus suggested having food trucks tied in with this event, maybe behind Bevell's. Ms. Krake said they were adding food, and rather than taking away from local restaurants, they would offer popcorn and snow cones, so people will still visit the restaurants. Councilman Nash said hopefully the new DBi employee would latch on to that idea.

Ms. Krake said she had talked to Manager Vannoorbeeck about a banner being affixed to the Historic Blackstone sign on 460. Manager Vannoorbeeck said the Town owns both billboards on 460. He said when he talked to Ms. Krake, because of how far back the billboard sits, he suggested she put a banner further up.

Ms. Krake said this is a seven month event, except for September because that was Arts and Crafts.

Mayor Green asked Ms. Krake to have one of the organizations attend or send a letter with all the requests. He said his crystal ball said she would be pleased with the results.

Councilman Nash reminded Ms. Krake, if she had any monetary requests for next year, they need to be submitted now. He said we are trying to budget better, and use the citizens money more wisely.

**Ms. Tonya Boothe – 713 Second Street**

Ms. Booth said she was here on behalf of the Craigwil Ministry. She said they were having their Second Annual non-profit walkathon to be held April 22, 2023. She said the Fire Chief had already given permission, and there is no money needed. She asked for prayers and participation. She said registration started at 7:30 a.m., with the opening walk at 8:00 a.m. She said the walk would start at the Fire Station, with only one walk this year.

Mayor Green asked if any streets needed to be closed. Ms. Booth replied no. Councilman Nash suggested a police escort. Ms. Booth agreed. Ms. Booth said the walk is for scholarships for a deserving student to go to college.

***Councilman Nash made a motion to endorse the Craigwil Ministry on April 22, 2023, and to provide a police escort. The motion was seconded by Councilman Gormus.***

Mayor Green asked all in favor or opposed:

VOTE:

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

**FIRE CHIEF’S REPORT:**

Deputy Chief Beares said the floor coating would start on Thursday, so the fire trucks would be at the Bus Shop for calls. He said the turn-out gear would be taken home and they would have key cards for the Bus Shop.

Deputy Chief Beares said an EMT class would be held in Blackstone on April 11, 2023 and have about 15 people from Blackstone signed up.

Deputy Chief Beares said for the month of February, Corey Murphy has 15 years, Casey Lewis has 13 years, Kenny Davis has 11 years, Joe McMillian has 11 years and Carl Schwabenton has 10 years.

Deputy Chief Beares said Tower 9 has been pushed back to October. He said they had tools already labeled, so when it arrives it would be ready to be put in service.

**PAYMENT OF BILLS:**

Mayor Green stated the bills that have already been paid are in the amount of \$796,919.09.

*Councilman Nash made a motion to approve the bills that have already been paid in the amount of \$796,919.09. The motion was seconded by Councilwoman Williams.*

Councilman Nash asked about the utility bill for \$403,000.00. Manager Vannoorbeeck said he has been here over 12 years, and it was the first time it’s been over \$400,000.00.

Councilman Gormus asked about Harvey’s Enterprises. Manager Vannoorbeeck said he was a contractor that builds homes for Weatherization and built homes for the East End Project.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Mayor Green stated the bills not yet approved, and to be paid, are in the amount of \$327,616.02.

***Councilman Miller made a motion to approve as presented, the bills not yet paid in the amount of \$327,616.02. The motion was seconded by Councilwoman Wynn.***

Councilman Nash asked about the ACI Tools that have an R by them, he asked if they were all reimbursable. Manager Vannoorbeeck said it was from a 50/50 Grant. He said \$40,000.00 was the local match, and there was \$40,000.00 in grant funds.

Mayor Green asked for a Roll Call Vote:

VOTE:

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

**APPROPRIATIONS:**

There were no appropriations.

**COMMITTEE REPORTS:**

**1. Health & Ordinance – met 1-25-23 and 2-8-23 – minutes included in February’s Council Packet**

**Animal Control Ordinance**

This was discussed earlier in the meeting.

**Code Enforcement & Animal Control Ordinance**

Chairman Page said the Committee was going to jump on that this month, but will be delayed now to work on the Animal Control Ordinance. He said they looked at Code Official and Code Enforcement, they both need work. He asked for clarification from Mayor Coleburn on which he wanted them to review. Mayor Green asked the Committee to look at both codes.

**2. Account & Finance – met 2-8-23 – minutes included in February’s Council Packet**

**Budget Discussions**

Chairman Nash said there was just discussion, no action was taken.

**CONSENT AGENDA:**

There were no Consent Agenda items.

**UNFINISHED BUSINESS:**

**1. USDA – Taylor Bottom Water & Sewer Grant**

Mayor Green said there was a Resolution from USDA included in the packet, that will allow the Town to make application for grant and loan funding. He said this funding would go towards the replacement of water and sewer lines in the Taylor Bottom Project area.

Manager Vannoorbeeck said last month Council authorized him to apply for the Taylor Bottom Planning Grant through DHCD for \$60,000.00. He said we received a call last week from USDA and they indicated there was as much as \$2 Million in grant funds available for this project, but the Town’s match will be \$3.4 Million, which is exactly what was spent in East End. He said it would be a 40 year loan, at 2.25%.

Manager Vannoorbeeck said Ms. Tara Delaney asked him to apply so the funds could be earmarked, but the Town is not obligated to accept, but the Resolution has to be signed in order to apply. He said this would be for water and sewer collection and distribution in the Taylor Bottom area.

Councilman Nash said if we don't do the project, and awarded the grant, does that put demerits against the Town for applying for other grants. Manager Vannoorbeeck replied no. He said with the \$3.4 Million the Town will owe, there will have to be a rate increase. He added if the Town is not successful with the DHCD portion, he did not know if we had to prioritize the water and sewer lines in Taylor Bottom, above a raw water line or other needs.

Manager Vannoorbeeck said the purpose of the water and sewer lines to be addressed now in the Taylor Bottom area is because they are old, and still have some lead goosenecks, with some brick manholes as well.

Councilman Nash asked what the rate increase was for East End. Manager Vannoorbeeck replied, zero. He said he may discuss one in the budget process. He said this would be the match for DHCD for housing and drainage.

***Councilman Nash made a motion to adopt the Resolution as presented and authorize Manager Vannoorbeeck to execute all documents as necessary. The motion was seconded by Councilman Miller.***

Mayor Green asked for a Roll Call Vote:

VOTE:

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

## 2. Jan's Residential

Manager Vannoorbeeck said he and Community Development Specialist Bryant had a conference call with the Inspector of Piedmont Senior Resources. He believed the zoning violation would put the licensure in jeopardy, but that was not the case. He said this remains a zoning and local matter only, so he and Attorney Bacon are working on this.

Manager Vannoorbeeck said to his knowledge Jan's Residential had 10 residents in December, but thought there were 9 now. Councilman Miller said one person died.



Councilman Nash asked for a time frame. Attorney Bacon said she would be finalizing things this week for a letter to go out. She said she needs to look at the Code to be sure we give them the time period necessary to comply. Manager Vannoorbeeck believed the time already given would be considered.

Manager Vannoorbeeck said he learned from the Inspector that people are assigned to help with placing residents, so there is no good justification why Jan's Residential cannot find alternative placement.

Councilman Page asked what the next step would be if they don't comply with the letter from Attorney Bacon. Attorney Bacon replied, it would be a zoning enforcement action, and she needs to look further as to the options. Manager Vannoorbeeck believed it may be a Class I or II Misdemeanor.

***Councilman Nash made a motion to authorize Attorney Bacon and Manager Vannoorbeeck to begin legal proceedings. The motion was seconded by Councilman Page.***

Mayor Green asked all in favor or opposed:

VOTE:

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

### 3. Goals / Focus Points

Mayor Green said he would be scheduling a Work Session, and had heard from four members of Council, so these would be discussed then, along with the Animal Ordinance.

### 4. Cultural Audit – Reject Bids

Manager Vannoorbeeck said the previous Council authorized Attorney Bacon to advertise for services for a consultant to conduct a cultural audit. He believed the matter had been resolved, and Attorney Bacon was asking for authorization to reject all bids.

Manager Vannoorbeeck said he had an advertisement for Human Resources on eVA right now, but has not received any bids yet. He said this ad is for something separate.

Attorney Bacon said the cultural audit bids needed to be rejected because she is still getting inquiries. She said she would write everyone and let them know.

***Councilman Allman made a motion to reject all proposals received for the Cultural Audit Consultant position advertised. The motion was seconded by Councilman Miller.***

Mayor Green asked all in favor or opposed:

VOTE:

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

***5. Armory – Surplus Skates***

Manager Vannoorbeeck said Mr. Walter Mac Osborne took possession of roller skates from the Armory, 36 pairs. He said Mr. Osborne was wanting to surrender them to the Town to be sold at Auction.

Manager Vannoorbeeck said another item for surplus is at Council's desk. He said this includes (20) 400 watt metal halide bay lights from the Fire Station. He said the Electric Department is replacing these lights with LED.

Councilman Nash said he received a request from the Armory Group to save a few pair of the skates for display at the Armory.

***Councilman Allman made a motion to surplus 33 pairs of skates, saving (3) pair for display at the Armory and surplus (20) 400 watt metal halide bay lights from the Fire Station. The motion was seconded by Councilman Nash.***

Mayor Green asked all in favor or opposed:

VOTE:

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

## 6. Epes Street Curb & Gutter

Manager Vannoorbeeck said this was presented last month and Council asked for a cost estimate, which is \$52,710.00. He said there is an alternate included if a culvert is required at the intersection of Dinwiddie Avenue and Epes Street, where there is a drop off, that would be \$17,000.00.

Councilman Nash asked if this was in the Budget. Manager Vannoorbeeck said yes, but the pavement would be done without the curb and gutter. He said he would have the money from VDOT Funds. He said S. Walker would have to wait a while to be paid.

Mayor Green asked if it would be better to have it done before paving. Manager Vannoorbeeck replied yes. Councilman Nash asked if that was fiscally responsible to expend money before you have revenue coming in.

Manager Vannoorbeeck said the December payment from VDOT in the amount of \$306,000.00 is for the curb and gutter in the East End. He said the \$306,000.00 payment to be received in March will pay for the paving portion. He added the next payment from VDOT will be at the end of June and S. Walker may have to wait until then to be paid for the curb and gutter on Epes Street.

Councilman Gormus asked about Forest Drive and the speed bumps on Picket Court. Manager Vannoorbeeck said those are already paid for. He said on Forest Drive the majority of the cost would be for the drop inlet, which is usually about \$8,000.00.

Clerk Daniel said Mrs. Lacks called her today to remind the Town that March was approaching and she wanted the speed bumps improved. Manager Vannoorbeeck said once asphalt gets here, the speed bumps would be improved.

Councilman Miller asked about an alley at Epes and Tavern Street. Manager Vannoorbeeck said the individuals that live there put a significant amount of crush and run on Town property in the ditch to create a driveway, but did not put a pipe, so it is now a dam. He said they need a culvert, but the property owner has to pay for it. He said the Town would put more rock down in the alley. Councilman Miller said he would like to see the alley closed.

Councilman Nash said he would approve the curb and gutter, but he would like to have it in the Budget. Manager Vannoorbeeck said we can wait and pay for it next fiscal year, but will be accrued back to this year.

***Councilman Miller made a motion to approve the Town installing curb and gutter on a portion of Epes Street as presented, for up to \$69,710.00. The motion was seconded by Councilman Gormus.***

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Clerk Daniel asked if the motion was for the work to be done now. Mayor Green replied, yes. Manager Vannoorbeeck said S. Walker would complete this while working in the East End.

#### 7. Roofing Design & Consulting Services

Manager Vannoorbeeck said included in this year's budget is a roof replacement at Schwartz Tavern. He said he advertised for roofing consultants and contacted HDH Architects, who has done work for the Town previously. He said HDH Architects submitted a proposal and he was asking to engage them through task orders, there is no dollar figure at this time.

Manager Vannoorbeeck said the primary goal this fiscal year was to replace the roof at Schwartz Tavern. He said there was some water damage there.

Councilman Nash asked if the water damage could be turned into insurance. Manager Vannoorbeeck said Councilman Nash was right last time, and he would check into it.

Mayor Green asked if the Town would take recommendations from HDH Architects and bid out. Manager Vannoorbeeck replied yes.

***Councilman Nash made a motion to authorize the Town to enter into Agreement with HDH Architects. The motion was seconded by Councilman Miller.***

Mayor Green asked all in favor or opposed:

VOTE:

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

8. S. Main Street – Revenue Share Project

Manager Vannoorbeeck asked for authorization to execute the Resolution presented, in order to submit an application for Revenue Sharing to widen South Main Street, and include sidewalks, and curb and gutter, along with a pedestrian crosswalk at Walmart. Manager Vannoorbeeck said it was a 50/50 match and the application being submitted now, is for 4 years from now construction wise.

Manager Vannoorbeeck said the application amount is \$2,131,119.00, which is the engineer’s estimate and includes contingency figures. He said the Town’s application will be for half of this amount.

Councilman Allman asked if this would be committing the Town to anything. Manager Vannoorbeeck replied no, and if awarded he would come back to Council for acceptance.

***Councilman Nash made a motion authorizing approval to submit a Revenue Sharing Application through VDOT in the amount of \$2,131,119.00 and adopt the Resolution as presented. The motion was seconded by Councilman Allman.***

Mayor Green asked all in favor or opposed:

VOTE:

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

**ON-GOING PROJECTS:**

1. Dilapidated Buildings

Manager Vannoorbeeck said 806 Falls Street is a house that a tree fell into. He said the owner initially gave permission to tear it down, but never notarized the Agreement. He said there is an ad in the paper for Mr. Curtis Clark, who is the owner of the property and will not respond to the Town.

Manager Vannoorbeeck said he, Clerk Daniel and Attorney Bacon would be in court on March 24, 2023 to request permission to clean substantial rubbish from 802, 804 and 812 Falls Street.

Councilman Miller asked what could be done at the property in Taylor Bottom. Manager Vannoorbeeck said he tries to take small bites, so once Falls Street is resolved, he would head over to Taylor Bottom.

Manager Vannoorbeeck believed last time the Town went to court for the Jesters' property, they were only fined \$50.00. Attorney Bacon said this time she has filed Show Causes, which means they have to show why they have failed to comply with the Order.

Councilman Allman asked if the Town could be refunded for what has been spent, since this has happened before.

Clerk Daniel asked if this Order would allow the Town to enter the property as needed, or will we have to continue to go to court each time. Attorney Bacon said she was going to ask the judge if the Town could continue to enter the property, but she did not know if the judge would have that authority.

Councilman Allman asked if the property was blighted. Manager Vannoorbeeck said 804 was pushing it, and the others are full of stuff. He said 804 Falls Street was vacant, and actually given to the current property owners from a person who purchased it at a tax sale.

Councilwoman Williams said this was in her Ward and would talk to the people. She said she would go through her Church and try to get some volunteers. Manager Vannoorbeeck said the Town still had to go through the process to gain access to the property.

## 2. Meals Tax / Lodging Tax

Manager Vannoorbeeck said there were no outstanding Meals Tax. He believed the outstanding Lodging Taxes had been paid.

## 3. Street Improvement Projects

Manager Vannoorbeeck said upon completion of the South Main Street project, he was approached by the owner of 1012 S. Main Street advising their vehicle was scraping when crossing the newly constructed driveway. He said B&B Consultants confirmed the driveway was installed to VDOT standards.

Councilman Nash said this is where we should be able to rely on inspectors to do a better job, but agreed it needed to be fixed.

Councilman Gormus said the work was done and now needs to be redone.

***Councilman Nash made a motion to authorize Manager Vannoorbeeck to seek bids to fix the issue that was caused by the Town. The motion was seconded by Councilman Miller.***

Mayor Green asked all in favor or opposed:

VOTE:

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

4. Wrigglesworth Sports Complex / TAP 21

Manager Vannoorbeeck said he presented the budget request to the Board of Supervisors on February 23, 2023 for \$50,000.00 towards the Gator's Concession Stand. Councilman Miller said he talked to Supervisor Roark. Mayor Green said Supervisor Roark was very supportive of the Gators and thought the Board was agreeable to all the requests.

Mayor Green said there had been a newly formed Economic Development Committee, which include the 5 Board of Supervisors, three representatives from the Town, and Manager Vannoorbeeck as staff. He said this would include himself and Councilman Nash. He said they would meet monthly, the fourth Thursday at 6:30 p.m.

Mayor Green said he was very excited about the relationship with the County.

5. East End Neighborhood Project

Manager Vannoorbeeck said all documents had been executed for the drainage improvement portion of this project. He said work was scheduled to start the week of March 6<sup>th</sup>.

6. Taylor Bottom Block Grant

There was nothing to report.

7. Armory

Manager Vannoorbeeck said asbestos abatement work was ongoing at the Armory. He said the removal of the underground storage tank should begin around March 13<sup>th</sup>, and the lead based paint removal should be advertised by next week. He said windows were being boarded and would be replaced during the renovations.

## 8. Weatherization

Manager Vannoorbeeck said contractors should be completing 916 Falls Street in two weeks. He said another contractor was working at 309 Patterson Street, this renovation should be completed within 45 days. He said this was the last project for Weatherization in this fiscal year.

Manager Vannoorbeeck said he presented a budget request to Nottoway County for \$40,000.00 for Weatherization for FY24.

## **NEW BUSINESS:**

### 1. VMEA Rates

Manager Vannoorbeeck said Dominion provides a preliminary estimate in January of the rates, with the final rates being presented in June. He said Dominion Power is proposing a rate increase to the Town of Blackstone of 14.4%, beginning in July. He said the Fuel Adjustment charge is intended to come down dramatically, so the net impact to the consumer will be a reduction of 7/10<sup>th</sup> of a percent. Councilman Gormus added, because they are using less fuel and more solar.

Councilman Nash did not believe the 14.4% would ever go down. He thought by using less fuel now, that number may go up. Manager Vannoorbeeck said typically the Fuel Adjustment goes down from January.

Councilman Gormus said there is an IRP (Integrated Resource Plan), that is produced every year, and due to be out in May, that would show what will be going on for the next five years. Manager Vannoorbeeck said according to Mr. Dan Martin, who attends the VMEA Meetings, the reason for the 14% increase is the expansion of renewable energy. He said the Transition from coal to wind and solar, costs more money. Councilman Gormus added, in the long run, it will cost less.

### 2. Local Law Enforcement Block Grant Award

Manager Vannoorbeeck said this is a grant the Police Department is eligible for, and by completing the documentation, they will accept \$3,028.00. He said this would be used for crime control.

***Councilman Nash made a motion to accept and authorize execution of the Local Law Enforcement Block Grant in the amount of \$3,028.00. The motion was seconded by Councilman Miller.***

Councilman Page asked if this money could be used towards the extra officer. Manager Vannoorbeeck said it was only a one time deal, but could be used for equipment. Chief Kuzmiak added, it is usually used for equipment.



Mayor Green asked all in favor or opposed:

VOTE:

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

### **COMMITTEE REFERRALS:**

Mayor Green said he referred several items to committees, and knows everyone is busy, but Fire and Water had three items and Street and Light had three items.

#### *1. Town Flag*

Mayor Green said Mayor Coleburn asked him to talk about a Town Flag.

Mayor Green referred a Town Flag to the Buildings, Property and Cemetery Committee.

### **MAYORS MINUTE:**

Mayor Green said he stood corrected, and appreciated Councilman Allman pointing out to him, that we should not be drifting off the Agenda when it comes to Special Called Meetings.

Mayor Green said he asked the Clerk to contact FOIA, and an email is included in the packet. He said one of his questions was if a member of Council was required to vote if they do not have a legitimate reason to abstain, and the answer was no, Council can abstain any time.

Mayor Green said another question was how many members can meet with the Mayor. He said it had been determined he was not a member of Council, he was not required to be here for a quorum, that would be four members of Council. He said he can meet with two members of Council at one time.

Mayor Green said we do not need to be going off the record, when there is a Special Called Meeting, we need to stay on point with the Agenda.

Mayor Green asked Attorney Bacon, is he continues this meeting for a work session, is Council free to discuss what we want. He asked Attorney Bacon to email him.

**POLICE REPORT:**

Mayor Green asked Chief Kuzmiak to have more patrols in Taylor Bottom. He said he was hearing things that concerned him, and wanted to show our presence on a regular basis.

Councilman Nash believed the people voicing concerns should be shared with Chief Kuzmiak.

Councilman Page said animal control was in the top five number of calls.

**CITIZEN COMMENTS:**

Mrs. Molly Lashway said she talked to the previous Council about street closures. She said for our businesses, having people be able to drive on the roads and park in front of the businesses is our livelihood. She said it is how we make our money, by coming in our stores. She said as a courtesy to the businesses, if someone is thinking about closing the streets, the businesses should be informed before voting. She said some businesses benefit from this, others like herself see a decline in business with street closures. Mayor Green said if someone comes unannounced, he did know how he would inform anyone, but if we know something will affect Mrs. Lashway's business, then we can contact you.

Mayor Green said Council had authorized him to meet with all the businesses because a lot of them are not residents of Town and they do not get to vote. He said when the new DBi Director starts, he and that person will promote and have a meeting so businesses can have a voice.

**CLOSED SESSION:**

Virginia Code Section 2.2-3711

- 1/ Personnel – Administration
- 3/ Acquisition of Real Property
- 7/ Legal Matters

***Councilman Nash 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; Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; 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 Councilman Allman.***

Mayor Green asked all in favor or opposed:

VOTE:

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

Mayor Green asked for a Roll Call Vote:

VOTE:

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

Mayor Green said Mayor Coleburn appointed people to the Virginia 250 Committee, but no vote was taken. He said he would like to see a member of Council, Ms. Chastiddy Bryant, and the new DBi Director on this Committee. He said this Committee is to help celebrate the 250<sup>th</sup> Anniversary of the Revolutionary War.

Councilman Page asked if this was the Town's committee, and separate from the County. Mayor Green said no, these will be members of that Committee.

***Councilman Page made a motion to undo what was done before, and appoint Ms. Chastiddy Bryant, Councilman Allman and the new DBi Director to the County's Virginia 250 Committee. The motion was seconded by Councilman Miller.***

Mayor Green asked all in favor or opposed:

VOTE:

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

Mayor Green continued this meeting to Wednesday, March 15, 2023 at 7:00 p.m.

Councilman Gormus asked to have the comments from tonight included for the Work Session. Mayor Green said with called and continued meetings we don't have representatives from the public, they can attend, but it is Council's turn to legislate.

There being no further business to bring before Council, Mayor Green adjourned this meeting at 11:00 p.m.



MAYOR  
OF THE TOWN OF BLACKSTONE, VIRGINIA

March 27, 2023

APPROVED AND ADOPTED



TOWN CLERK  
OF THE TOWN OF BLACKSTONE, VIRGINIA