



TOWN OF BOWLING GREEN TOWN COUNCIL MEETING

A G E N D A

Thursday, November 09, 2023
7:00 PM

CALL TO ORDER AND QUORUM ESTABLISHED:

PUBLIC HEARINGS:

- [1.](#) Pursuant to state law and Town charter to receive public comment on the following: (i) a proposed ordinance to impose a tax on the sale or use of cigarettes in the Town of Bowling Green in the amount of \$0.40 for each package containing twenty cigarettes and \$0.02 for each cigarette contained in packages of fewer or more than twenty cigarettes sold or used within the Town, by amending Chapter 7 of the Town Code to add Article IX (Sections 7-900 through 7-916); and (ii) a proposed ordinance to join the Chesapeake Bay Region Cigarette Tax Board ("CBRCTB") and to approve the Chesapeake Bay Region Cigarette Tax Agreement in order for the CBRCTB to administer collection, accounting, disbursement, compliance monitoring and enforcement of cigarette taxes assessed by the Town. John Anzivino, Interim Town Manager and Town Attorney Jeff Gore

DELEGATIONS:

2. 2023 Harvest Festival Report - Lisa Stevens, Harvest Festival Coordinator; John Anzivino, Interim Town Manager

PUBLIC COMMENTS:

MEMBER COMMENTS:

STAFF REPORTS & PRESENTATIONS:

- [3.](#) Public Works Department Monthly Report for October 2023
- [4.](#) Police Departments Monthly Report for October 2023
- [5.](#) Town Treasurer/Finance Department Monthly Report for October 2023
- [6.](#) Town Administration (Town Manager, Town Clerk) Monthly Report for October 2023

CONSENT AGENDA:

- [7.](#) Minutes – September 7, 2023 Town Council Meeting
- [8.](#) Minutes – October 5, 2023 Town Council Worksession
- [9.](#) Minutes – October 19, 2023 Town Council and Planning Commission Joint Public Hearing
- [10.](#) Bills – October 2023

UNFINISHED BUSINESS:

NEW BUSINESS:

11. Consideration of Adoption of a Proposed Ordinance to Impose a Tax on Cigarettes
12. Resolution to Reaffirm the Town of Bowling Green's Support for the Bowling Green/Caroline County VDOT Smartscale Project - John Anzivino, Interim Town Manager
13. Resolution to Advertise a Public Hearing Concerning Amendments to the Town code Concerning Operation of Commercial Pedicabs in the Town of Bowling Green - John Anzivino, Interim Town Manager and Jeff Gore, Town Attorney

INFORMATIONAL ITEMS:

COMMITTEE REPORTS:

CLOSED SESSION:

14. Pursuant to the Code of Virginia Section 2.2-3711(A)(1) that the Bowling Green Town Council will convene in a closed meeting to discuss, consider or interview prospective candidates for employment or appointment of the public body. Specifically, the Town Council will discuss the Town Manager's position.

RECONVENE IN OPEN SESSION:

15. Certify Closed Session - In accordance with Section 2.2-3712 of the code of Virginia, I move that Town Council Certify to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements under Virginia Freedom of Information Act; and (II) 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 by the public body.

ADJOURNMENT:



The Historic Town of
BOWLING GREEN
V I R G I N I A

MEMORANDUM

To: The Honorable Mark Gaines, Mayor and Members of the Bowling Green Town Council

From: John A. Anzivino, Interim Town Manager

Subject: Proposed Tobacco Tax and Chesapeake Bay Region Cigarette Tax Board Membership Ordinances

Date: November 1, 2023

As directed by the Town Council at your October 19, 2023 work session and Council meeting, please find copies of a properly advertised Tobacco Tax Ordinance placing a \$0.40 tax on each package of cigarettes (20 per package) or \$0.02 tax on each cigarette sold in the Town of Bowling Green and an ordinance establishing the collection method for the tax designating the Chesapeake Bay Region Cigarette Tax Board (CBRCTB) as the Town's administrative body for the purposes of administering the tax.

As reported previously I have spoken to Caroline County's Assistant County Administrator Alan Partin concerning the Town's interest in adopting such an ordinance, giving the County an advance notice of the possibility, and asking if he believed the County would have objections since they are currently collecting the tax in the Town of Bowling Green. In speaking with Mr. Partin, he let me know that the actual County collections of the tax had far exceeded original estimates and the County was quite pleased with the ordinance and taxes generated. Mr. Partin indicated he could not speak for the Board, but that the County anticipated that the Town may adopt the tax at some time after they did. Mr. Partin also indicated he would let the Board members know of the Town's interest through County Administrator Charles Culley. To date, I have not heard from the County nor sought additional thoughts from them and have also reached out to the Commissioner of the Revenue Mark Bissoon to let him know of the Town's discussions.

I have also followed up with Jerry Davis, Executive Director of the Northern Neck Planning District Commission and CBRCTB and his agency is ready to serve as the Town's administrative and collection agent upon adoption of the ordinances and formal notification. Mr. Davis estimated that The Town currently has seven cigarette outlets participating under the County ordinance and that based upon similarly sized localities that Bowling Green may generate \$40,000 to \$50,000 per year in taxes. The CBRCTB would keep a five percent (5%) administrative fee for administering the tax and its collection on behalf of the Town.

At the present time over sixty (60) jurisdictions (cities, towns and counties) are members of a regional board for administrative purposes and all collections, disbursements and enforcement actions are handled by the regional boards.

As you also know from previous reports the ordinance, if adopted, will experience a roughly two (2) month 'lag' time between time of adoption and revenues being collected so that both suppliers and sellers can legally purchase stamps.

If Council decides to move forward with adoption of the two ordinances upon hearing public comment at the scheduled public hearings, I have included potential motions below for Council consideration:

1. Motion to Approve a Tobacco Tax Ordinance and an Ordinance Designating a Regional Collection Authority

"I move to adopt 'AN ORDINANCE AMENDING CHAPTER 7 OF THE TOWN OF BOWLING GREEN CODE, BY ADDING ARTICLE IX THERETO, IMPOSING A CIGARETTE TAX; ADMINISTRATION; PENALTIES and to adopt an ORDINANCE APPROVING the TOWN OF BOWLING GREEN MEMBERSHIP IN A JOINT ENTITY KNOWN AS THE CHESAPEAKE BAY REGION CIGARETTE TAX BOARD'.

2. Motion to Table Approval of a Tobacco Tax Ordinance and Designation of Regional Collection Authority

"I move to table adoption of adopt 'AN ORDINANCE AMENDING CHAPTER 7 OF THE TOWN OF BOWLING GREEN CODE, BY ADDING ARTICLE IX THERETO, IMPOSING A CIGARETTE TAX; ADMINISTRATION; PENALTIES and to adopt an ORDINANCE APPROVING the TOWN OF BOWLING GREEN MEMBERSHIP IN A JOINT ENTITY KNOWN AS THE CHESAPEAKE BAY REGION CIGARETTE TAX BOARD' for the following reasons _____.

3. Motion to Reject a Tobacco Tax Ordinance and Designation of Regional Collection Authority

I move to reject 'AN ORDINANCE AMENDING CHAPTER 7 OF THE TOWN OF BOWLING GREEN CODE, BY ADDING ARTICLE IX THERETO, IMPOSING A CIGARETTE TAX; ADMINISTRATION; PENALTIES and to adopt an ORDINANCE APPROVING the TOWN OF BOWLING GREEN MEMBERSHIP IN A JOINT ENTITY KNOWN AS THE CHESAPEAKE BAY REGION CIGARETTE TAX BOARD'.

As always, both the Town Attorney and I are prepared to answer any questions you may have.

TOWN OF BOWLING GREEN

AN ORDINANCE AMENDING CHAPTER 7 OF THE TOWN OF BOWLING GREEN CODE, BY ADDING ARTICLE IX THERETO, IMPOSING A CIGARETTE TAX; ADMINISTRATION; PENALTIES.

WHEREAS, Virginia Code §58.1-3830 et seq. authorizes localities to levy taxes upon the sale or use of cigarettes ("cigarette tax") and to provide for the administration and enforcement of such tax; and

WHEREAS, a public hearing on the proposed cigarette tax was held by the Town of Bowling Green Town Council ("Town Council") on November 9, 2023, said public hearing having been duly advertised as required by law; and

WHEREAS, upon consideration of the proposed cigarette tax, the Town Council finds that the imposition of such tax would serve the interests of the citizens of the Town of Bowling Green by increasing public revenues for the enhancement of public services; and

WHEREAS, the Town Council further finds that joining the Chesapeake Bay Region Cigarette Tax Board ("CBRCTB"), pursuant to Virginia Code §58.1-3832.1 and Virginia Code §15.2-1300 et seq., will assist the Town of Bowling Green in the efficient administration and enforcement of the cigarette tax.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Town Council that the Town of Bowling Green hereby imposes a tax on the sale or use of cigarettes in the Town of Bowling Green as hereby set forth and under the terms and conditions herein, and that Chapter 7 of the Town of Bowling Green Code be, and it is hereby amended by adding Article IX (Sections 7-900 through 7-916), as follows:

Chapter 7 Taxation.

Article IX Cigarette Tax.

Section 7-900. Short Title.

This article shall be known and cited as the Town of Bowling Green Cigarette Tax Ordinance.

Section 7-901. Definitions.

For the purposes of this article, the following words and phrases have the meanings respectively ascribed to them by this section, except in those instances where the context clearly indicates a different meaning:

"Administrator" means the individual employed by the CBRCTB to administer and enforce this ordinance, or his designated agents or appointees, including without

limitation its Tobacco Revenue Agents.

"Board" or "CBRCTB" means the Chesapeake Bay Region Cigarette Tax Board.

"Carton" means any container, regardless of material used in its construction, in which packages of cigarettes are placed.

"Cigarette" means and includes any roll of any size or shape for smoking, whether filtered or unfiltered, with or without a mouthpiece, made wholly or partly of cut, shredded or crimped tobacco or other plant or substitute for tobacco, whether the same is flavored, adulterated or mixed with another ingredient, if the wrapper or cover is made of any material other than leaf tobacco or homogenized leaf tobacco, regardless of whether the roll is labeled or sold as a cigarette or by any other name.

"Cigarette Machine Operator" means any individual, partnership or corporation engaged in the sale of packages of cigarettes from vending machines.

"Dealer" means and includes every manufacturer's representative, wholesaler, retailer, cigarette machine operator, public warehouseman, or other person who shall sell, receive, store, possess, distribute, or transport cigarettes within or into the Town.

"Package" means and includes any container, regardless of the material used in its construction, in which separate cigarettes are placed without such cigarettes being placed into any container within the package. "Packages" are those containers of cigarettes from which they are consumed by their ultimate user. Ordinarily, a package contains twenty cigarettes; however, "package" includes those containers in which fewer or more than twenty cigarettes are placed.

"Person" means and includes any individual, firm, unincorporated association, company, corporation, joint stock company, limited liability company, group, agency, syndicate, trust or trustee, receiver, fiduciary, partnership, and conservator. The word "person" as applied to a partnership, unincorporated association, or other joint venture means the partners or members thereof, and as applied to a corporation or company, includes all the officers and directors thereof. The word "person" as applied to a limited liability company shall include all members and managers thereof.

"Place of business" means and includes any place where cigarettes are sold, placed, stored, offered for sale, or displayed for sale, or where cigarettes are brought or kept for the purpose of sale, consumption or distribution, including vending machines, by a dealer within the Town.

"Registered agent" means and includes every dealer in the Town who is issued a permit by the CBRCTB pursuant to Section 7-904 below.

"Retail dealer" means and includes every person who, in the usual course of business, purchases or receives cigarettes from any source whatsoever for the purpose of sale within the Town to the ultimate consumer; or any person who, in the usual course of business, owns, leases or otherwise operates within his own place of business, one or more cigarette vending machines for the purpose of sale of cigarettes to the ultimate consumer within the Town; or any person who, in any manner, buys, sells, stores, transfers, or deals in cigarettes for the purpose of sale within the Town to the ultimate consumer, who is not licensed as a wholesaler or vending machine operator.

"Sale" or "sell" means and includes every act or transaction, regardless of the method or means employed, including barter, exchange or the use of vending machines or other mechanical devices or a criminal or tortious act whereby either ownership or possession, or both, of any cigarettes shall be transferred within the Town from a dealer as herein defined to any other person for a consideration.

"Stamp" means a small, gummed piece of paper or decal used to evidence provision for payment of the tax as authorized by the Chesapeake Bay Region Cigarette Tax Board, required to be affixed to every package of cigarettes sold, distributed, or used within the Town.

"Store" or "storage" means and includes the keeping or retention of cigarettes in this Town for any purpose except sale in the regular course of business.

"Tobacco Revenue Agent" means a person authorized by CBRCTB to act on its behalf in enforcement of this ordinance.

"Town" means Town of Bowling Green, Virginia.

"Use" means and includes the exercise of any right or power over any cigarettes or packages of cigarettes incident to the ownership or possession of those cigarettes or packages of cigarettes including any transaction where possession is given or received or otherwise transferred, other than a sale.

"User" means any person who exercises any right or power over any cigarettes or packages of cigarettes subject to the provisions of this article incident to the ownership or possession of those cigarettes or packages of cigarettes or any transaction where possession is given or received or otherwise transferred, other than a sale.

"Wholesale Dealer" means any individual, partnership, limited liability company, or corporation engaged in the sale of packages of cigarettes for resale into or within the Town.

Section 7-902. Levy and rate.

In addition to all other taxes of every kind now or hereafter imposed by law, there is hereby levied and imposed by the Town upon every person who sells or uses cigarettes within

the Town an excise tax at a rate of \$0.40 for each package containing twenty cigarettes and \$0.02 for each cigarette contained in packages of fewer or more than twenty cigarettes sold or used within the Town. The tax shall be paid and collected in the manner and at the time hereinafter prescribed; provided, that the tax payable for each cigarette or cigarette package sold or used within the Town shall be paid but once.

Section 7-903. Administration and collection.

(a) The tax imposed by this article shall be evidenced by the use of a tax stamp and shall be paid by each dealer or other person liable for the tax under a reporting method determined by the CBRCTB. Except as provided in Virginia Code §58.1-3830, the tax stamps shall be affixed in such a manner that their removal will require continued application of water or steam. Each dealer or other person liable for the tax is hereby required, and it shall be his duty, to collect, pay the tax, and report monthly all packages of cigarettes on forms prescribed for this purpose by the CBRCTB, including the following:

(1) The quantity of CBRCTB-stamped cigarettes sold or delivered to: (i) each registered agent appointed by the CBRCTB for which no tax was collected; (ii) each manufacturer's representative; and iii) each separate person and place of business during the preceding calendar or fiscal month; and

(2) The quantity of CBRCTB stamps on hand, both affixed and unaffixed on the first and the last day of the preceding calendar month and the quantity of CBRCTB stamps or CBRCTB-stamped cigarettes received during the preceding calendar month; and

(3) The quantity of cigarettes on hand to which the CBRCTB stamp had not been affixed on the first and last day of the preceding calendar or fiscal month and the quantity of cigarettes received during the preceding calendar or fiscal month to which the CBRCTB stamp had not been affixed; and

(4) Such further information as the administrator for the CBRCTB may require for the proper administration and enforcement of this article for the determination of the exact number of cigarettes in the possession of each dealer or user.

(b) Each dealer or other person liable for the tax shall file such reports with the CBRCTB and pay to the CBRCTB the tax due prior to the monthly due date to be established by the Board and shall furnish copies of all cigarette tax reports submitted to the Virginia Department of Taxation.

(c) All money collected as cigarette taxes under this ordinance shall be deemed to be held in trust by the person collecting the same until remitted to the CBRCTB.

(d) When, upon examination and audit of any invoices, records, books, cancelled checks or other memoranda touching on the purchase, sale, receipt, storage or possession of tobacco products taxed herein, any dealer or other person liable for the tax is unable to furnish evidence

to the CBRCTB of sufficient tax payments and stamp purchases to cover cigarettes which were sold, used, stored, received, purchased or possessed by such person, the prima facie presumption shall arise that such cigarettes were received, sold, used, stored, purchased or possessed by such person without the proper tax having been paid. The CBRCTB shall, from the results of such examination and audit based upon such direct or indirect information available, assess the tax due, impose a penalty of ten per cent (10%) of the gross tax due and may impose interest of three-quarters per cent (3/4 of 1%) per month of the gross tax due.

(e) When any dealer or other person liable for the tax files a false or fraudulent report or fails to perform any act or performs any act to evade payment of the tax, the CBRCTB shall administratively assess the tax due and impose a penalty not to exceed fifty per cent (50%) of the gross tax due and interest of three-quarters per cent (3/4 of 1%) per month of the gross tax due.

(f) The dealer or other person liable for the tax shall be notified by certified mail of such deficiency and such tax, penalty and interest assessed shall be due and payable within ten (10) days after notice of such deficiency has been issued. Every dealer or other person liable for the tax shall examine each package of cigarettes to ensure that the CBRCTB stamp has been affixed thereto prior to offering them for sale.

(g) Any dealer or other person liable for the tax who shall receive cigarettes not bearing the CBRCTB stamp shall, upon receipt of such cigarettes, commence and with all reasonable diligence continue, to affix the CBRCTB stamp to each and every package of cigarettes until all unstamped packages of cigarettes have been stamped and before offering such cigarettes for sale.

(h) Any dealer or other person liable for the tax who has notified the CBRCTB that he is engaged in interstate or intrastate business shall be permitted to set aside such part of his stock as may be legally kept for the conduct of such interstate or intrastate business (that is, cigarettes held for sale outside the jurisdiction of the CBRCTB) without affixing the stamps required by this article. Any such interstate or intrastate stock shall be kept entirely separate and apart from the CBRCTB-stamped stock, in such a manner as to prevent the commingling of the interstate or intrastate stock with the CBRCTB stock.

(i) Any dealer or other person liable for the tax found to have had untaxed cigarettes which have been lost, whether by negligence, theft or any other unaccountable loss, shall be liable for and shall pay the tax due thereon.

(j) It shall also be the duty of each dealer or other person liable for the tax to maintain and keep for a period of three (3) years, not including the current calendar year, records of all cigarettes received, sold, stored, possessed, transferred, or handled by such person in any manner whatsoever, whether the same were stamped or unstamped, to make all such records available for audit, inspection, and examination at all reasonable times, as well as the means, facilities and opportunity for making such audit, inspection or examination upon demand of the

board.

(k) Any penalty or interest assessed on a dealer, registered agent, or other person liable for the tax imposed under this article shall become part of the tax.

Section 7-904. Registered agents.

(a) Any dealer or other person liable for the tax who shall sell, use, store, possess, distribute or transport cigarettes within or into the Town shall first make application to the CBRCTB to qualify as a registered agent. The application form shall require such information as the CBRCTB deems necessary for the administration and enforcement of this article. Applications shall be subject to yearly registration fees for all wholesale dealers and all cigarette machine operators. Applicants shall provide a surety bond to the CBRCTB in the amount of one hundred and fifty (150) percent of the applicant's average monthly tax liability. Such bonds shall be issued by a surety company authorized to do business in the Commonwealth of Virginia. Such bond shall be so written that, on timely payment of the premium thereon, it shall continue in force from year to year. In the event a surety bond expires or lapses, the registered agent shall promptly replace same. Any applicant whose place of business is outside the area subject to enforcement by the CBRCTB shall automatically, by filing virtue of filing of the application, be deemed to submit to the CBRCTB's legal jurisdiction and to appoint the administrator for the board as agent for any service of lawful process, unless the applicant designates an attorney with offices within the Town upon which lawful process is to be served.

(b) Upon receipt of a properly completed application and the required surety bond, the CBRCTB shall determine whether the applicant qualifies to be a registered agent. The CBRCTB will issue to qualified applicants a yearly registered agent permit to enable such agent to purchase, sell, use, store, possess, distribute or transport within or into the Town, CBRCTB-stamped cigarettes.

(c) By submitting an application, registered agents obligate themselves to the reporting and payment requirements placed upon them by this article and the rules and regulations as from time to time may be promulgated by the CBRCTB.

(d) When any registered agent's monthly report and payment of the tax is not received within the dates prescribed, the CBRCTB shall impose a late reporting penalty of ten per cent (10%) of the gross tax due or \$10.00, whichever is greater; provided that no penalty and interest shall be assessed if an extension is granted by the board under section 54-544 of this ordinance and the report is filed and tax paid within the extended time period.

(e) The CBRCTB also may require such registered agent to provide proof that the agent has complied with all applicable laws of the Commonwealth of Virginia to legally conduct such business and to file financial statements showing all assets and liabilities.

(f) The CBRCTB may revoke or suspend any registered agents permit due to failure to

file tax reports in a timely manner, non-payment of taxes due, or if the cigarette tax surety bond should lapse or become impaired for any reason.

(g) Registered agents must account for all CBRCTB authorized tax stamps purchased. Periodic audits may be conducted to determine any unaccounted variance between the number of stamps purchased and the number of stamps reported, and an assessment will be made for all unaccounted stamps. Any assessment of registered agents located outside the jurisdictions of the CBRCTB will be based upon the average sales of packages of cigarettes by jurisdiction during the audit period. For registered agents located within the jurisdictions of the CBRCTB, any assessment will be based upon the tax rate of the jurisdiction in which they are located ("jurisdictional tax"). In addition, there will be a penalty for non-reporting often (10) percent of the gross tax due.

Section 7-905. Requirements for retail dealers.

(a) Retail dealers who shall sell, offer for sale, store, possess, distribute, purchase, receive or transport cigarettes for the purpose of sale within the Town to ultimate consumers shall purchase cigarettes only from registered agents. Retail dealers shall provide the registered agent with the business trade name and physical address where the cigarettes will be placed for sale to the public. Cigarettes purchased for personal use cannot be brought into a business for resale. Only properly registered and licensed retail stores may sell cigarettes to the public. To be properly registered and licensed, a retail store must first have a valid Virginia state sale and use tax certificate and valid retail business license issued by the Town. Cigarettes must be purchased and stored separately for each business location.

(b) All copies of cigarette purchase invoices/receipts must be retained by the retailer for a period of three years and shall be made available to the CBRCTB upon request for use in conducting audits and investigations. All copies of cigarette purchase invoices/receipts must be stored at the business retail location for a period of one year from date of purchase. Failure to provide cigarette invoices/receipts may result in confiscation of cigarettes until such invoices/receipts are produced and can be reviewed by the Board to verify the proper tax has been paid.

(c) The retail dealer shall ensure that all cigarettes placed for sale or stored at each location are properly taxed and stamped. Cigarettes found without the CBRCTB stamp or the proper jurisdictional tax paid will be seized by the tobacco revenue agents of the board.

(d) Retail dealers must make their places of business available for inspection by CBRCTB tobacco revenue agents to ensure that all cigarettes are properly tax-stamped, and all cigarette taxes are properly paid.

Section 7-906. Presumption of illegality; seizure of contraband goods, sealing/seizing of machines.

(a) If any dealer, cigarette machine operator or other person liable for the tax imposed

by this article is found to possess any cigarettes without the tax imposed by this article paid or the proper tax stamp affixed, there shall be a rebuttable presumption that any such dealer, cigarette machine operator or other person shall be in possession of untaxed cigarettes in violation of this article.

(b) If any cigarettes are placed in any vending machines within the Town, then there shall be a rebuttable presumption that such cigarettes were placed in that machine for sale within the Town. If any vending machine located within the Town contains cigarettes upon which the CBRCTB tax stamp has not been affixed or on which the tax imposed by this article has not been paid or containing cigarettes placed so as to not allow visual inspection of the CBRCTB tax stamp through the viewing area as provided for by the vending machine manufacturer, then there shall be a rebuttable presumption that the machine contains untaxed cigarettes in violation of this article.

(c) Any cigarettes, vending machines, cigarette tax stamps or other property found in violation of this article shall be declared contraband goods and may be seized by the CBRCTB. In addition to any tax due, including penalty and interest thereon, the dealer or other person liable for the tax possessing such untaxed cigarettes or tax stamps shall be subject to criminal penalties herein provided.

(d) In lieu of seizure, the CBRCTB may seal such vending machines to prevent continued illegal sale or removal of such cigarettes. The removal of such seal from a vending machine by any unauthorized person shall be a violation of this article. Nothing in this article shall prevent the seizure of any vending machine at any time after it is sealed.

(e) All cigarette vending machines shall be plainly marked with the name, address and telephone number of the owner of said machine.

Section 7-907. Illegal acts.

(a) It shall be unlawful and a violation of the article for any dealer, registered agent, or other person liable for the tax:

(1) To perform any act or fail to perform any act for the purpose of evading the payment of any tax imposed by this article or of any part thereof, or to fail or refuse to perform any of the duties imposed upon such person under the provisions of this article or to fail or refuse to obey any lawful order which may be issued under this article; or

(2) To falsely or fraudulently make, or cause to be made, any invoices or reports, or to falsely or fraudulently forge, alter or counterfeit any stamp, or to procure or cause to be made, forged, altered or counterfeited any such stamp, or knowingly and willfully to alter, publish, pass or tender as true any false, altered, forged or counterfeited stamp or stamps; or To sell, offer for sale, or distribute any cigarettes upon which the CBRCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid; or

(3) To possess, store, or use, or to authorize or approve the possession, storage or use of, any cigarette packages upon which the CBRCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid, provided that mere possession of untaxed cigarettes of not more than six cartons (sixty packages) shall not be a violation of this ordinance; or

(4) To transport, or to authorize or approve the transportation of, any cigarette packages in quantities of more than six (6) cartons (sixty packages) into or within the Town upon which the CBRCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid, if they are: (A) not accompanied by a receipt/bill of lading or other document indicating the true name and address of the consignor or seller and the consignee or purchaser and the brands and quantity of cigarettes transported; or (B) accompanied by a receipt/bill of lading or other document which is false or fraudulent in whole or part; or (C) accompanied by a receipt/bill of lading or other document indicating: (i) a consignee or purchaser in another state or the District of Columbia who is not authorized by the law of such other jurisdiction to receive or possess such tobacco products on which the taxes imposed by such other jurisdiction have not been paid unless the tax on the jurisdiction of destination has been paid and said cigarettes bear the tax stamps of that jurisdiction; or (ii) a consignee or purchaser in the Commonwealth of Virginia but outside the taxing jurisdiction who does not possess a Virginia Sales and Use Tax Certificate and, where applicable, any licenses issued by the Commonwealth or local jurisdiction of destination; or

(5) To reuse or refill with cigarettes any package from which cigarettes have been removed, for which the tax imposed has been theretofore paid; or

(6) To remove from any package any stamp with intent to use or cause the same to be used after same has already been used or to buy, sell, or offer for sale or give away any used, removed, altered or restored stamps to any person, or to reuse any stamp which had theretofore been used for evidence of the payment of any tax prescribed by this article or to sell, or offer to sell, any stamp provided for herein; or

(7) To sell, offer for sale or distribute any loose or single cigarettes; or

(8) To perform any act that violates the regulations and resolutions promulgated by the Board.

(b) Cigarettes found in quantities of more than six cartons (60 packages) within the Town shall be conclusively presumed to be for sale or use within the Town and may be seized and confiscated if they are in transit and fall within subsection (5) above or they are not in transit and the tax imposed under this article has not been paid, nor have arrangements for payment been made and approved. This subsection shall not apply to cigarettes in the possession of distributors or public warehouses that have filed notice and appropriate proof with the CBRCTB that those cigarettes are temporarily within the Town and will be sent to consignees or purchasers outside of the Town in the normal course of business.

Section 7-908. Membership in the Chesapeake Bay Region Cigarette Tax Board.

(a) This ordinance adopted by the Town, pertaining to the Town's membership in the Chesapeake Bay Region Cigarette Tax Board is hereby made a part of this article by reference.

(b) Any direct conflict between the powers granted to the CBRCTB in the ordinance pertaining to the Town's membership in the Chesapeake Bay Region Cigarette Tax Board, and herein incorporated by reference and the powers granted to the CBRCTB in this article shall be resolved in favor of this article, however, the powers granted herein and in said ordinance shall be read cumulatively.

(c) The CBRCTB's fiscal year shall be from July 1 through June 30.

Section 7-909. Powers of the Chesapeake Bay Region Cigarette Tax Board.

The CBRCTB may delegate any of its powers to its administrator or employees and may adopt regulations regarding the administration and enforcement of the provisions of this article.

(a) In addition to those duties specified in Virginia Code §58.1-3832.1 and the powers of administration and enforcement enumerated in this ordinance, the CBRCTB shall be granted the following additional powers:

(1) To sue and be sued in its own name;

(2) To prescribe the design of a stamp(s) and to issue and sell said stamps to authorized dealers;

(3) To establish different classes of taxpayers;

(4) To promulgate resolutions for the assessment and collection of cigarette taxes and the enforcement of this ordinance;

(5) To conduct inspections of any place of business in order to enforce the provisions of this ordinance and all resolutions of the CBRCTB;

(b) The board may employ legal counsel, bring appropriate court action in its own name to enforce payment of the cigarette tax or penalties and interest owed and file tax liens against property of dealers and other persons responsible for collection and payment of the tax imposed by this article.

(c) The CBRCTB is authorized to enter into an agreement with the Virginia Department of Taxation under which a registered agent who is also qualified to purchase Virginia Revenue Stamps, may qualify to purchase Dual Virginia - CBRCTB stamps from the Virginia Department of Taxation. Authority to purchase dual Virginia - CBRCTB stamps is granted solely by the CBRCTB and may be revoked or suspended for violations of this ordinance or resolutions adopted by the Board.

(d) The CBRCTB may appoint certain employees as tobacco revenue agents, who shall be required to carry proper identification while performing their duties. Tobacco revenue agents are further authorized to conduct inspections of any place of business and shall have the power to seize or seal any vending machines, seize any cigarettes, counterfeit stamps, or other property found in violation of this article and shall have the power of arrest upon reasonable and probable cause that a violation of this article has been committed. The CBRCTB is authorized to provide its tobacco revenue agents with (1) firearms for their protection; (2) emergency equipped vehicles while on duty; and (3) other equipment deemed necessary and proper.

(e) The CBRCTB may exchange information relative to the sale, use, transportation, or shipment of cigarettes with an official of any other jurisdiction entrusted with the enforcement of the cigarette tax laws of said other jurisdiction.

Section 7-910. Jeopardy assessment.

If the administrator of the CBRCTB determines that the collection of any tax or any amount of tax required to be collected and paid under this article will be jeopardized by delay, the administrator shall make an assessment of the tax or amount of tax required to be collected and shall mail or issue a notice of such assessment to the taxpayer together with a demand for immediate payment of the tax or of the deficiency in tax declared to be in jeopardy, including penalties and interest. In the case of a current period for which the tax is in jeopardy, the administrator may declare the taxable period immediately terminated and shall cause notice of such finding and declaration to be mailed or issued to the person owing the tax, together with a demand for immediate payment of the tax based on the period declared terminated, and such tax shall be immediately due and payable, whether or not the terms otherwise allowed by this article for filing a return and paying the tax has expired.

Section 7-911. Erroneous assessment: notices and hearings in event of sealing of vending machines or seizure of contraband property.

(a) Any person assessed by the CBRCTB with a cigarettes tax, penalties and interest, or any person whose cigarettes, vending machines and other property have been sealed or seized under processes of this article, who has been aggrieved by such assessment, seizure or sealing may file a request for a hearing before the administrator for the CBRCTB for a correction of such assessment and the return of such property seized or sealed.

(b) Where holders of property interest in cigarettes, vending machines, or other property are known at time of seizure or sealing, the CBRCTB shall send notice of seizure or sealing to the holders of such property interests by certified mail within twenty-four hours of the seizure or sealing. Where holders of property interests are unknown at time of seizure or sealing, CBRCTB shall have been deemed to give sufficient notice to such unknown interest holders by posting such notice to a door or wall of the room or building that contained such seized or sealed property. Any such notice of seizure or sealing, and any notice of assessment of tax, penalty and

interest, shall include procedures for an administrative hearing for correction of the assessment and return of such property seized or sealed and an opportunity to assert affirmative defenses.

(c) A hearing shall be requested in writing within ten (10) days of the notice of the contested assessment, seizure or sealing, and the request shall set forth the reasons why said tax, penalties and interest, cigarettes, vending machines or other property should be returned or released. Within five (5) days after receipt of such hearing request, the administrator shall

notify the petitioner by certified mail of a date and time for the informal presentation of evidence at a hearing to be held within fifteen (15) days of the date the administrator's notice is mailed. Any such request for a hearing shall be denied if the assessed tax, penalties and interest has not been paid as required or if the request is received more than ten (10) days from the first notice to the petitioner of such assessment, seizure or sealing. Within five (5) days after the hearing, the administrator shall notify the petitioner, by registered mail, whether the request for a correction of the assessment and the release of seized or sealed property has been granted or refused.

(d) Appropriate relief shall be given by the administrator if the preponderance of the evidence shows that the tax was erroneously assessed because (i) the cigarettes, vending machines or other property were in the possession of a person other than the petitioner without the petitioner's consent at the time said cigarettes, vending machines, or other property were seized or sealed; or (ii) petitioner was authorized to possess the untaxed cigarettes. If the administrator is satisfied that the tax was erroneously assessed, the administrator shall refund the amount erroneously assessed together with any interest and penalties paid thereon and shall return any cigarettes, vending machines or other property seized or sealed to the petitioner. Any petitioner who is dissatisfied with the written decision of the administrator may within thirty(30) days of the date of such decision, appeal such decision to the appropriate court in the jurisdiction where the seizure or sealing occurred.

Section 7-912. Disposal of seized property.

Any seized and confiscated cigarettes, vending machines or other property used in the furtherance of any illegal evasion of the tax may be disposed of by sale or other method deemed appropriate by the CBRCTB after any petitioner has exhausted all administrative appeal procedures. No credit from any sale of cigarettes, vending machines, or other property seized shall be allowed toward any tax and penalties assessed.

Section 7-913. Extensions.

The administrator, upon a finding of good cause, may grant an extension of time to file a tax report upon written application for a period not exceeding thirty (30) days. Except as hereinafter provided, no interest or penalty shall be charged, assessed or collected by reason of the granting of such an extension.

Section 7-914. Penalty for violation of article.

Any person violating any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than two thousand five hundred dollars (\$2,500.00) or imprisonment for not more than twelve (12) months or by both such fine and imprisonment. Such fine and/or imprisonment shall not relieve any such person from the payment of any tax, penalty or interest imposed by this article.

Section 7-915. Each Violation a separate offense.

The sale of any quantity, the use, possession, storage or transportation of more than six (6) cartons (sixty (60) packages) of cigarettes upon which the CBRCTB tax stamp has not been affixed or the proper jurisdictional tax has not been paid shall be and constitute a separate violation. Each continuing day of violation shall be deemed to constitute a separate offense.

Section 7-916. Severability.

If any section, phrase, or part of this article should for any reason be held invalid by a court of competent jurisdiction, such decision shall not affect the remainder of the article; and every remaining section, clause, phrase or part thereof shall continue in full force and effect.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective on January 1, 2024.

Adopted this 9th day of November 2023 by the Bowling Green Town Council.

By: _____
Mark Gaines, Mayor

Attest: _____
Patricia Chenault, Clerk

TOWN OF BOWLING GREEN

AN ORDINANCE APPROVING TOWN OF BOWLING GREEN MEMBERSHIP IN A JOINT ENTITY KNOWN AS THE CHESAPEAKE BAY REGION CIGARETTE TAX BOARD

WHEREAS, pursuant to the authority granted to localities under § 15.2-1300 et seq. of the Code of Virginia, as amended, the Town Council of the Town of Bowling Green, Virginia has determined that membership in the Chesapeake Bay Region Cigarette Tax Board (the "CBRCTB") would serve the public interest in promoting the efficient administration, collection, accounting, disbursement, compliance monitoring and enforcement of cigarette taxes assessed by the Town and the other localities desiring to join the Board; and,

WHEREAS a public hearing on this proposed Ordinance was held by the Town Council of the Town of Bowling Green, Virginia on November 9, 2023; and,

WHEREAS, the Town Council has reviewed an agreement establishing the Board and defining its powers, duties, and other procedures, the text of which is attached hereto and incorporated herein as "**Exhibit A**," and agrees with the terms as set forth therein; and,

WHEREAS, the Town Council of Town of Bowling Green, Virginia has been notified that the requisite number of localities have approved the formation of the Board and the aforementioned agreement, and the Town Council wishes to authorize the Town's membership therein and authorize the execution of said agreement on the Town's behalf.

NOW WHEREFORE, the Town Council of Town of Bowling Green hereby **ORDAINS AS FOLLOWS**:

1. Under authority of Virginia Code §15.2-1300 et seq., the Town's membership in the Chesapeake Bay Region Cigarette Tax Board, is hereby approved;
2. The agreement, attached hereto as **Exhibit A**, is hereby APPROVED and the Town Manager is authorized to execute the same on behalf of the governing body; and,
3. The powers and authority of the CBRCTB, as set forth in the agreement are hereby **APPROVED**.

This Ordinance shall be effective January 1, 2024.

Adopted this 9th day of November 2023 by the Bowling Green Town Council.

By: _____
Mark Gaines, Mayor

Attest: _____
Patricia Chenault, Clerk

NOTICE OF PUBLIC HEARINGS
REGARDING CIGARETTE TAX ORDINANCE AND ORDINANCE TO JOIN THE
CHESAPEAKE BY REGIONAL CIGARETTE TAX BOARD AND ENTER INTO
THE CHESAPEAKE BAY REGION CIGARETTE TAX AGREEMENT

TOWN OF BOWLING GREEN, VIRGINIA

Notice is hereby given that the Town Council of the Town of Bowling Green, Virginia will hold public hearings pursuant to state law and Town charter to receive public comment on the following: (i) a proposed ordinance to impose a tax on the sale or use of cigarettes in the Town of Bowling Green in the amount of \$0.40 for each package containing twenty cigarettes and \$0.02 for each cigarette contained in packages of fewer or more than twenty cigarettes sold or used within the Town, by amending Chapter 7 of the Town Code to add Article IX (Sections 7-900 through 7-916); and (ii) a proposed ordinance to join the Chesapeake Bay Region Cigarette Tax Board (“CBRCTB”) and to approve the Chesapeake Bay Region Cigarette Tax Agreement in order for the CBRCTB to administer collection, accounting, disbursement, compliance monitoring and enforcement of cigarette taxes assessed by the Town.

These public hearings, which may be continued or adjourned, will be held on or about 7:00 p.m. on Thursday, November 9, 2023, in the Town Council Chambers, located in the Bowling Green Town Office, 117 Butler Street, Bowling Green, Virginia. Any person interested in the above described ordinances may appear at the hearing and present their views.

Copies of the proposed ordinances and agreement are on file and available for public review in the Town Offices located at 117 Butler Street, Bowling Green, Virginia, during regular business hours. Written comments regarding the proposed ordinances may be forwarded either to the Town Manager prior to the public hearings for transmission to the Council, or to the Council during the public hearings. Requests for special assistance should be made to the Town Manager on or before Friday, November 3, 2023; such requests should specify the nature of the assistance required.

TOWN OF BOWLING GREEN, VIRGINIA
John A. Anzivino, Interim Town Manager

CHESAPEAKE BAY REGION CIGARETTE TAX AGREEMENT

THIS AGREEMENT, is entered into and dated as of the latest execution and acknowledgment by any party hereto, by and between

- (1) Westmoreland County, Virginia;
- (2) Lancaster County, Virginia;
- (3) Middlesex County, Virginia;
- (4) Essex County, Virginia;
- (5) Accomack County, Virginia;
- (6) Northampton County, Virginia;
- (7) Town of Montross, Virginia;
- (8) Town of Colonial Beach, Virginia;
- (9) Town of Urbanna, Virginia;
- (10) Town of Warsaw, Virginia;
- (11) Town of Chincoteague;
- (12) Town of Bowling Green, Virginia; or any two or more of

the foregoing;

WHEREAS, the parties hereto desire to enter an Agreement for the purpose of the establishment of the Chesapeake Bay Region Cigarette Tax Board for the joint administration, collection and enforcement of their respective Cigarette Tax Ordinances pursuant to the provisions of these ordinances and Section 15.2-1300 and 58.1-3832, *et seq.*, of the Code of Virginia, (1950), as amended;

NOW THEREFORE, the parties enter into the following agreement:

1. **NAME AND DURATION**

The Board shall be called the Chesapeake Bay Region Cigarette Tax Board. Its duration shall be perpetual, subject to the provisions of Paragraph 8 hereof.

2. **MEMBERSHIP AND VOTING POWERS**

The Board shall be composed of one representative from each jurisdiction hereinbefore named or later added with consent of the Chesapeake Bay Region Cigarette Tax Board. Said representative may designate an alternate to attend meetings and vote in his or her place; however, each jurisdiction shall be entitled to only one vote. Action of the Board shall be by majority vote.

3. **OFFICERS AND MEETINGS**

Each year, the Board shall elect a Chairman, Vice-Chairman and Secretary/Treasurer, who shall serve at the pleasure of the Board. The Officers of the Board shall be chosen from the jurisdictional representatives. Said officers shall be empowered to sign in the name of the Board on all legal documents, including bank deposits and withdrawals. The Board shall meet from time to time as deemed necessary by the Chairman.

4. POWERS OF THE BOARD

The Board shall be delegated the following powers:

- a. Assessment, collection and disbursement of the cigarette tax for each participating jurisdiction;
- b. Audit of the sale or use of cigarettes within each participating jurisdiction;
- c. Provision of information for criminal prosecution by the affected participating jurisdictions;
- d. Provide guidance and oversight to the designated Administrative/Fiscal Agent;
- e. Management of a general operating fund to ensure proper funding of Board operations on an ongoing basis;
- f. Designation of a depository bank or banks;
- g. To hold and convey personal property. The Board shall have no power to hold or convey real property;
- h. To enter into contracts;
- i. Any other powers granted to the Board by the respective local ordinances and the Code of Virginia (1950), as amended.

5. LIABILITY INSURANCE

The Board shall maintain and have authority to secure insurance coverage as deemed appropriate. General liability insurance shall be maintained through a commercial policy, in limits of not less than \$500,000.00. Any liability in excess of

the amounts of insurance coverage will be shared by the members of the Board proportionately based upon each jurisdiction's share of the number of taxable packs of cigarettes reported in the twelve (12) months preceding the incident which gave rise to the liability, as compared to the taxable packs of cigarettes reported during that same time period in all the participating jurisdictions.

6. Operational Provisions

The Northern Neck Planning District Commission (NNPDC) is designated as the administrative/fiscal agent. Normal routine duties of the Board in administration and supervision of the Cigarette Tax Ordinances shall be delegated to the NNPDC. Actions and decisions of the NNPDC shall bind the Board unless patently wrongful or the result of willful misconduct, but the Board may at anytime overrule a decision or action by the NNPDC subject to lawful rights of third parties. The duties of the Administrative/Fiscal Agent shall include, but are not limited to, the following:

- a. Preparation of annual administrative cost estimates;
- b. As authorized by the Board, employment of or contracting for staff assistance including providing employee benefits, and, equipment and supplies.
- c. Preparation of reports as the Board may require;
- d. Authorization of disbursements from Board accounts

including, but not limited to, disbursements to the participating jurisdictions.

Each member jurisdiction will be charged a fee of 5% of the tax revenue to cover the NNPDC cost to act as administrative/fiscal agent as described above. In the event that the NNPDC costs exceed the amount collected from the 5% fee, each jurisdiction will be charged its pro-rata share of that amount based on its tax revenues as a percentage of the total tax revenues from all member jurisdictions collected.

7. **COLLECTION OF THE CIGARETTE TAX**

The cigarette tax shall be assessed and collected on the basis of the "reporting method" according to the respective ordinances and according to the rules, regulations and procedures adopted by the Board.

8. **DISBURSEMENT OF RECEIPTS, MANAGEMENT OF FUNDS**

Disbursements shall be made to each participating jurisdiction on a monthly basis. Prior to disbursement to jurisdictions, the administrative fee shall be deducted from total revenues and allocated to the jurisdictions proportionately based upon the number of taxable packs of cigarettes reported within the jurisdiction during the month as compared to the total number of taxable packs of cigarettes reported in all the participating jurisdictions. The disbursement to each participating jurisdiction shall be determined by the tax rate of the jurisdiction multiplied

by the taxable packs of ⁷cigarettes reported within the jurisdiction, plus interest and penalties, plus the jurisdiction's proportional share of all other revenues, less discounts and proportional expenses.

All monies shall be deposited in the name of the Chesapeake Bay Region Cigarette Tax Board. All checks drawn on Board accounts shall require signature by the NNPDC Executive Director and a Board Officer.

9. **TERMINATION**

a. In the event any participating jurisdiction decides, by ordinance, to terminate its participation in the Board, notice to the Board shall be given sixty (60) days prior to its date of termination. The terminating jurisdiction shall receive within thirty (30) days of its date of termination its share of total revenues less proportionate expenses, operating fund, and depreciated value of physical property used by the Board. The representative of such terminating jurisdiction shall not serve on the Board beyond the termination date.

b. In the event the number of jurisdictions which desire to continue to participate in the Board is less than two (2) in number, the Board shall be dissolved and shall cease to exist. In such

event, the Board shall liquidate all assets and disburse to each jurisdiction participating at the time each such jurisdiction's share of the liquidated assets and all proceeds and monies held. Such distribution shall be based upon each jurisdiction's proportionate share of the number of taxable packs of cigarettes reported in the preceding twelve (12) months as compared to the taxable packs of cigarettes reported during that same time period in all the jurisdictions participating in the Board at the time the Board is dissolved.

10. **IMPLEMENTATION**

Each jurisdiction shall by ordinance signify its desire to be a member of the Board and its acceptance of the provisions of this Agreement.

This Agreement shall take effect upon the signature of the proper officials of any two (2) of the jurisdictions below and shall take effect as to any other jurisdiction upon signature of the proper official of such jurisdiction.

Town of Bowling Green,
VA

By:

Town Manager

Approved as to Form:

Town Attorney



**TOWN OF BOWLING GREEN
TOWN COUNCIL MEETING
MONTHLY REPORT / PROJECT UPDATE**

AGENDA ITEM: Public Works Department Monthly Report for October 2023

DATE: November 3, 2023

PREPARED BY: Shawn Fortune, Public Works Foreman

MONTHLY REPORT / PROJECT UPDATE:

Public Works

- Collected October Bac T samples
- Started painting curbs yellow
- Prepared for the Harvest Festival
- Dump truck had the water pump and radiator replaced
- Dump truck had to be towed to Rush Care in Ashland to replace the electronic computer module before leaf collection can begin
- Monthly grass cutting
- Removed hanging baskets from light poles

ATTACHMENTS:

HEADS UP ITEMS:



**TOWN OF BOWLING GREEN
TOWN COUNCIL MEETING
MONTHLY REPORT / PROJECT UPDATE**

AGENDA ITEM: Police Departments Monthly Report October 2023

DATE: 10/31/2023

PREPARED BY: Chief Justin Cecil Sr.

MONTHLY REPORT / PROJECT UPDATE:

Police Activity for October 2023

24-Total calls for service

12-Assist other agencies

4-Summons / Parking tickets

76-Park walk and talks

2-Domestic Violence

2- Larceny

3- Warrant Service/Arrest

58-Property checks/ Vacation checks/ Business Checks

ATTACHMENTS:

None

HEADS UP ITEMS:

Preparation for Christmas Parade

Thanks for all the hard work and preparation on the 2023 Harvest Festival!



TOWN OF BOWLING GREEN TOWN COUNCIL MEETING MONTHLY REPORT / PROJECT UPDATE

AGENDA ITEM: Town Treasurer/Finance Department Monthly Report for October 2023

DATE: November 2, 2023

PREPARED BY: Trish Chenault, Deputy Treasurer

MONTHLY REPORT / PROJECT UPDATE:

- Working with Caroline County with tax bills
- Researching/correcting utility bills
- Consolidating and posting all credit card payments with bank statement & Orbipay
- Completed monthly payroll/taxes.
- Completed monthly accounts payable.
- Processed returned checks & fees
- Take deposits to bank
- Closing/balancing register at end of day and running reports
- Posting payments
- Entered in/out customer information/meter reads
- Business licenses
- Zoning applications
- Town Hall Rentals

ATTACHMENTS:

- Monthly Town Hall Rental Report – October 2023

HEADS UP ITEMS:

TOWN HALL RENTALS

October 2023

<u>#USES</u>	<u>NAME OF USER</u>	<u>ACTIVITY</u>	<u>FEES</u>
4	Town Hall Activities	Happy Yoga Class	\$ 128.00
1	Private Event	Wedding Reception	\$1475.00
1	Private Event	Sportsman Dinner/Auction	\$1263.00
1	Private Event	Class Reunion	\$ 875.00
7		Totals	\$3741.00



The Historic Town of **BOWLING GREEN** V I R G I N I A

MEMORANDUM

To: The Honorable Mark Gaines, Mayor and Members of the Bowling Green Town Council

From: John A. Anzivino, Interim Town Manager

Subject: Utility Systems Update

Date: November 5, 2023

I have attached the most recent report from Caroline County as provided by Joey Schiebel, the County's Director of Public Works and Utilities regarding progress made under the emergency operations agreement the Town entered into in August of this year. As can be seen in Mr. Schiebel's report significant progress has and is being made in satisfying the identified deficiencies in both the Town's water production and wastewater treatment systems. A significant element of work completed has been an update to the wastewater treatment plant's operations manual, which has been submitted to DEQ for review. This is believed to be the first update since the plant was placed into operation some 30+ years ago. A copy of the manual is available for review, but is not being submitted to Council due to its size (230+ pages). If any member of Council wishes to review a copy we will be glad to provide it.

As you review the report, please note all items identified for 'Immediate Action' in the Lab area have been completed; 15 Of the 27 identified corrections/repairs at the wastewater treatment plant have been corrected with the remainder in process or waiting for contractor pricing/quotes; Well #4 has been repaired and is now pumping at its capacity (20 gpm versus 115 gpm which relieves pressure on the other two wells) and all miscellaneous items are being addressed.

Of importance the Town is now working more proactively to address issues (note the acquisition of quotes for design of green sand filters should Gross Alpha testing and higher levels of treatment be required for the Town's wells (still an unknown at this time)), the wastewater treatment plant has improved performance; DEQ is receiving information in advance of deadlines and responses to their inspections are delivered in a timely fashion, building confidence in operational capabilities and repairs are being made that have been sidelined or overlooked for years. Finally, the Town is receiving monthly reports on expenditures for County staff time and repairs to the systems. These are all factors the Council should consider when considering the longer-term memorandum of understanding for system

operations which the Council will receive once I have an opportunity to conduct an initial review of the document agreed to in principle by the Board of Supervisors as their last October meeting.

That's a brief summary of changes that are being made and operational improvements for the utility systems. I will be happy to answer any questions or provide additional information as requested.

County of Caroline

Joseph C. Schiebel
Director
Public Works/Utilities
P.O. Box 424
Bowling Green, Virginia 22427
(804) 633-4390 Main
(804) 633-9558 Fax
E-mail: jschiebel@co.caroline.va.us



August 10, 2023

Updated August 29, 2023

Update November 3, 2023

Town of Bowling Green Emergency Utility Operations

This memo prioritizes issues that have been identified concerning the Town of Bowling Green's water and wastewater facilities.

Overview

- An introductory meeting was held on July 27th between Caroline County and the Town of Bowling Green's management and staff members to introduce the County's initial possibility of assistance in emergency operations and oversight during the Town of Bowling Green's compliance transition during its loss of licensed employees. Caroline County would assist the remaining town staff with licensed water and wastewater operational oversight, with direction concerning water and wastewater operations. This service was requested to begin Tuesday, August 1, 2023. The town council and board will determine future procedures and staffing options during this emergency service and process.
- A walk around of town facilities was completed by county staff, along with a staff-to-staff discussion concerning issues currently being experienced by the Town. The walk-around was conducted over three days (July 27th, 28th, and 31st), with pictures of all facilities taken on the last day.
- A meeting between county staff, one board member and two council representatives from Bowling Green was held on July 31st as requested by the Caroline County Board representative for the Bowling Green district. The meeting was held to discuss the walk-around items concerning emergency operations and to provide this information to the town officials.

- On August 1st, Caroline County Utilities began emergency oversight and management of the Town of Bowling Green Utilities Operations as requested in writing by the Bowling Green's Town Manager, Mrs. Finchum, to County Administrator, Mr. Culley, on July 27th.
- On August 3rd, the Bowling Green Town Council meeting was held, where county staff was asked to attend and discuss the emergency operations of the Bowling Green Utilities. Town Council requested that a list of these concerns be presented in order of priority and be presented to Town Council for review.

LAB

Immediate Action Required

- **The Emergency Auto-Dialer**
 - Auto-dialer is now active but needs a dedicated phone line for operation. The Auto-dialer connection was moved to a VOIP (Voice Over Internet Protocol) connection, which was unsuccessful as they are two different technologies. A dedicated POTs (Plain Old Telephone) line is required for the successful operations of this device. We were told that Town staff is working on ordering a dedicated POTs line.
 - Cost – Monthly phone plan (In progress)
Phone Line Has Been Installed 8/25/23
Auto Dialer has been programed and tested
Now in RUN mode
- **Initial Demonstration**
 - Initial Demonstration of Capabilities for all Town employees must be completed for all field-testing calibration and laboratory compliance. County staff is working with Town Staff to complete this task.
 - Cost – Staff Time (In progress)
Complete
- **Required Documentation**
 - Town staff has ordered a bound and page-numbered logbook to track daily activities.
 - Cost ~\$80.00 (In progress)
Complete
- **DMR Access & Update**
 - County Staff has been working with DEQ along with the Town Manager, Mrs. Finchum, to gain access control and to update the required License Operator and Signatory Authority. (Completed August 9th)
 - Cost – Staff Time (In progress)
Complete

- **Update Lab Equipment**

- The D.O. (Dissolved oxygen) meter cap had expired. County staff provided a new D.O. cap from our stock with the understanding the Town would replace our D.O. cap.
 - Cost ~\$185.00 – (In progress)
Complete

WASTEWATER TREATMENT PLANT

Immediate Action Required

- **Effluent/U.V. Area**

- U.V. lights, controls and Trojan 3000 system are scheduled to be replaced by funds set aside by the town council. The Town issued a P.O. to Heyward on April 25th. Heyward gave a set of submittals to Mr. Irby on May 11th and was awaiting approval of the submittal to order the equipment. County staff has received the submittals, and with permission from Town Manager, Mrs. Finchum, County staff has reviewed and approved the submittals with comments.

- Cost - P.O. was previously issued – (In progress – approximately three (3) months out)

Submittals Approved 8/23/23

Two-month lead time

White Oak Electric will be performing the install (not part of the PO)

Delivery Schedule week of Nov.

- **Drying Beds**

- Town staff is seeking quotes for removing the improper sand that had been installed in the sand beds in 2018 and installing new class A sand as required. Coordination with Waste Management on sand disposal has also begun. Quotes are forthcoming.

- Cost ~\$25,000 - \$45,000 (In progress, Town staff is gathering quotes and need approval to move forward once we have the required three quotes)

Working on Specification - Complete

Paint Filter Test - Complete

Sand Classification - In Progress

Completed November 2, 2023

- **Oxidation Sump Pits**

- Oxidation ditch sump pit areas housing chain drives and roller block bearings were full of water and oil as the two chain drive motors are leaking oil on both sides of the ditch and into the sump pit. The oil in the sump pits must be removed to prevent hydrocarbons from entering the waterways. Staff recommends temporarily installing oil drip pans and hydrocarbon absorption pads to relieve oil issues.

- Cost ~\$500 - \$2,000 (Need approval to move forward)
Pans and hydrocarbon pads installed
Working on scheduling a Pump Truck
Completed in October

Action Highly Recommended (90-days)

- **Solids Issue/ Infiltration**

- Town staff has been asked to increase waste rates, and once the drying beds are repaired, the solids issue should, at that time, resolve itself.
 - Cost – Staff Time (In progress)
Replacing Sand -specification in progress
Emergency hauling of Waste Activate Sludge – Local Services
Completed November 3, 2023 – TSS is around 3,500

- **Oxidation Ditch**

- The two ditch drive gearboxes need to be looked at for replacement as they are worn out, causing the oil leaks.
 - Cost ~\$25,000 - \$50,000 (Need approval to gather quotes)
Atlantic Pump and Equipment (Inspection pending)
White Oak Electrical (Inspection 8/30 quote pending)
Still waiting on quotes

- **Sand filters**

- Sand filters are in need of rotation. The three filters are supposed to be rotated in operation every 30 days at a minimum. We began the process and found that the middle sand filter was not in proper working order. It was brought to our attention that the other two sand filters were rehabbed in 2017; however, the middle sand filter was not. This middle sand filter needs further evaluation and priced for repair. The O&M (Operations and Maintenance Manual) for the sand filter requires the sand to be four (4) feet from the water surface. All three filters are approximately eight (8) feet from the surface.
 - Cost ~\$25,000 - \$50,000 (Need approval to spend more time evaluating this issue)

The two filters that were rehabbed in 2017 only have half the required sand. They need additional sand to function properly
The middle filter needs to be rehabbed Parkinson provided a quote in Feb 2023
Will be requesting in December that the Town authorize a contract with Parkinson to repair rehab sand filters.

- **Influent**

- Auger/ Debris removal was installed in 2017, and the headworks seem to be in good operational condition; however, the control screen is not functional and requires replacement.

- Cost ~\$1,500 - \$2,500 (Need approval to gather quotes)

White Oak Electrical (Inspection 8/30/23)

SEI (inspection pending)

Quotes Received will be requesting to authorize the expenditure in November

- **NON Potable Water Pumps**

- These pumps recirculate water to the water WWTP hoses and plant lines to assist with washing down and cleaning the plant. Both of these pumps have been removed and were not replaced. The wastewater plant now uses the Town's potable water to wash down and clean the facility.

- Cost ~\$5,000 - \$30,000 (Need approval to gather quotes)

Atlantic Pump and Equipment (inspection Pending)

White Oak Electrical (Inspection 8/30/23)

Waiting on quotes

- **Digesters**

- Town staff recently replaced a digester blower and now has an issue with one side of the digester not draining correctly. Town staff recently repaired this; however, the digester blower vibrates significantly. Town staff has contacted a contractor to have it examined.

- Cost ~\$5,000 - \$12,000 (In progress)

Contractor pulled and installed a metal plate it's in working order

- **Wet well**

- Missing one telescopic valve from the future side that is used in case a spare is needed.

- Cost ~\$2,000 - \$3,000 (Need approval to gather quotes)

Still gathering quote

Quotes was \$28,789. It has been determined that there would be on no beneficial use to have this installed at this time.

- **Scum Pumping Station**

- This station is in operating order; however, the control box is very weathered and dated, along with corroding on the inside.

- Cost ~\$4,000 - \$5,000 (Need approval to gather quotes)

White Oak Electrical (Inspection pending 8/30/23)

- **O&M Manual**

- The O&M Manual is still the original version and has not been updated, and it still lists hours of operation as 16 hrs per day. The hours were changed and approved in 1994,

and staffing went to 12 hours. Apparently, it was changed in 2016 or 2017 from 12 hrs to 10 hrs; however, neither the Town nor DEQ has any record of this change. The O&M manual needs to be updated to reflect the proper hours of operation and updated for current operational use. The change of hours approval letter from DEQ would also be required to insert the appropriate date of the change.

- Cost Staff Time ~\$2,500 - \$3,500 (Need approval to start the update)

Digitizing InProgress

The O&M manual has been updated

- **Chemical Feed/ Addition**

- All chemical addition plumbing and chemical addition pumps have been removed from the chemical room. The WWTP DEQ permit was approved with four (4) LMI pumps, and two (2) stainless steel polymer mixers that have been removed and discarded.

- Cost ~\$75,000 - \$100,000 (Need approval to proceed with quotes)

Oh Hold – This equipment is part of the permitted equipment required by the Sewer Collection and Treatment regulation (SCAT Regs) However, chemical have not been used in recent years and that money can be spent on more urgent matter at this time.

O&M Manual Has been updated and removed chemical feed from its content.

- **Influent grit**

- Excess buildup of grit needs to be removed from the influent chamber.

- Cost ~\$500 - \$1000 (Need approval)

Completed

- **Spare Parts**

- There are not any spare parts that are required to be on hand as per the WWTP O&M manual. Attached is the list of required Critical Spare Parts Inventory per the Towns O&M as approved by DEQ.

- Cost ~\$16,835-18,000 (Need approval to purchase spare parts)

UV spare parts ordered

Ditch bearings order

All Spare Parts have been ordered and Spare parts list was updated in the O&M manual.

- **Water Leak**

- There is a potable water leak at the WWTP old office. This is a simple repair as the line needs to be capped off.

- Cost ~\$50 - \$150 (Need approval to repair)

Repaired 8/11/23

Other items being worked on by County and Town staff

- **Generator Batteries**
 - Both batteries need to be replaced due to age and corrosion.
Batteries Clean and corrosion inhibitor applied
Batteries are 4- years old and should be replaced

- **Generator Exhaust**
 - The exhaust appears to have nesting debris packed around it, creating a fire hazard.
Removed in October - Complete

- **Generator Ventilation**
 - Confirm the operation of the automated louver's function (semi-open when not running)

- **Sand Filter Compressor**
 - Pressure vessel safety inspection on the air compressor.
Need Town Insurance Carrier to order the inspection
Contacting the Town insurance Carrier

- **Sand Filters**
 - Unclear what controls work (float controls don't work). Investigating this issue.
Six Control Valves need to be replaced \$1,200 total. Unit is currently running in test mode
Will be completed as part of the Parkson Filter Rehab noted above asking for approval in December.

- **Effluent gate**
 - The U.V. effluent gate needs to have stripped bolt drilled out and re-tapped to be able to tighten/adjust counterweights to prevent water from escaping.
White Oak Electric (Repairing pending)
This will be done during the UV light installation currently scheduled for December.

- **Oxidation Ditch Gate**
 - Adjustment of the gate that has allowed sludge to back up into bearing pits.

- **Aeration Disk Replacement**

Oxidation ditch is unable to maintain proper Dissolved Oxygen (DO) levels. Need to replace missing disks. **May need to remove a few from the outer ring.**

We continue to monitor the DO levels in the ditch. Now that the TSS has been lowed we may need to remove additional disks.

- **Digester Controls**

- At some point, the controls have been rewired, causing a potential unsafe exposure to wiring. In addition, there is only local control, and the main panel may not function. Staff is looking into the cause.

White Oak Equipment (inspection pending 8/30)

Waiting on quotes

WATER FACILITIES AND WELLS

Immediate Action Required

- **Well 4**

- It is operating at 25 percent of its normal capacity of 80 gallons per minute. Town staff does not know if it is a Pump issue or holes in the piping inside the well. Town staff has not pulled the well to review the issue since the reduction issue. According to staff, this well is scheduled to be re-drilled near the existing well by DEQ permit due to improper screening. Stated they did not want to put money into the well if a new well was to be drilled. We recommend pulling the well and seeing if we can identify the cause of the loss of production. (test the pump on the ground and look for holes in the well pump piping)
 - Cost ~\$5,000 to pull the pump
 - ~\$5,000 - \$10,000 If the well pump piping and pump are required to be replaced.
 - Total Cost ~\$15,000 **(Need approval to proceed)**
- If the lift pipe and pump are required to be replaced.
 - Cost ~\$5,000-\$10,000 additional dollars **(Need approval to proceed)**

The well pump was pulled on 8/24. The screen was stopped up and some of the stages on the pump were not operational. Also found two pipe joints were leaking along with a nick in the power core that had been taped.

New piping and pump have been ordered. Two week lead time.

New well pump and piping was installed on September 8th the well is now running at 115 gpm.

- **Well Analysis**

- On July 15th, Town staff asked for advice on a contaminant of Gross Alpha. The limit for Gross Alpha is 15 pc/l, the Town received a result in the range of 40 pc/l in Well 5, and the following week received a result in the range of 20 pc/l for Well 4. Both wells are over the acceptable limits for this analyte. The County reviewed prior results on July 15th, noting that the Town had not had an issue with these analytes recently.
- Town staff has taken split samples at both locations and sent them to two different laboratories for analysis to identify a laboratory issue if one exists.

The first sample came back at 16 pc/l still want on the second sample. The well was cut back to 220 gpm and a second split sample was taken.

VDH has not instructed us to start quarterly testing. We will be testing again in December.

- The County requests permission to examine emergency treatment options if these results return positive. This process would include looking for and receiving quotes on portable R.O. (Reverse Osmosis) treatment systems and how to handle the backwash from the temporary R.O. system and talking to the regulatory agencies about their requirements. This will speed up the system installation process if the test results are similar to the last report and the well must be turned off.
 - Cost Staff Time ~\$500 (Need approval to proceed)

Staff has consulted with our engenders about treatment option and it appears that Green Sand Filter would be the most cost-effective solution to remove gross alpha. There are few companies that provide trailer mounted Green Sand Filters that could be installed fairly quickly. A temporary pump station would also need to be installed to handle the daily backwash.

A task contact has been drafted to design a green sand filter and backwash pump station for well 5. The cost for WW Associates is \$55,000

- **Gutter on Sludge Drying Beds need to be cleaned**

- **The recent heavy rains over flowed the gutters causing water to run on top of the sludge drying beds causing excessive flow and slowed down the sludge drying time.**
- **The Town is purchasing a ladder. The sides of the drying bed have been washed**

SEWER COLLECTIONS

Other items being worked on by County and Town staff

- Maury Heights Pump Station has a pump issue. One pump has been replaced while awaiting the second for replacement. In addition, the Rt.301 pump station also has one pump inoperable at this time. Town staff is working on repair costs.

Two pumps have been installed
Bypass pump has been removed

MISCELLANEOUS ITEMS

- Inspection of the Main Street Sewer Line Work.
 - We did not have a clear expectation from the Town if they would like us to inspect this work.
 - Do you want the County to continue the inspections?
Work has been completed

- Septage
 - Due to the organic overloading of the wastewater treatment plant, the County recommends an immediate stop all septage trucks being allowed to dump into the Town Wastewater System.
 - Authorize the immediate stoppage of septage truck dumping.
All Septic dumping has been stopped

- Pump Station Reliability Review
 - DEQ has requested that the Town perform a Pump Station Reliability Review of all six (6) Town Sewage Pump Stations. During this review, the County will examine the spare pumps for each pump station and create a list of spare pumps/parts with a cost estimate to bring back to Council for approval.
 - Authorize the County to proceed with this review by staff.
DEQ gave us 90 days to complete this task
All pump station had to be cleaned (completed on 8/25)
This will be completed the week of November 13-16
- Habitat
 - Habitat has contacted the County asking for assistance as they prepare to connect and add two (2) new manholes in the Town when connecting the three new homes.
 - Has the Town Approved these Plans?
 - Do you want the County to assist with reviewing and inspecting this project?
 - Are these three (3) lots approved to connect to the water system?
Plans are being reviewed
Note there are no profile sheets
Water connections are not shown
Plan Review Completed November 3
- DEQ Inspection
 - Yesterday afternoon we were notified by DEQ that they would be coming to inspect the Towns WWTP today at 10:30 am. DEQ will return on Wednesday, August 16th at 1:00 pm at Town Hall to review their findings with us.

I would like to thank my staff for their hard work and acknowledge Mr. William Stanley for assisting with the data included in this memo.

Town of Bowling Green WWTP Critical Inventory List

Item Description	Area of Use	Cost	Quantity
Shear Pins	Clarifier(s)		12
Limit Switch for Shear Pin Coupling	Clarifier(s)	\$300.00	1
Oil	Clarifier(s)		
Discs (Complete)	Oxidation Ditch		2
Plastic Slinger	Oxidation Ditch		3
Bearings	Oxidation Ditch	\$3,500.00	1 set each type
Shaft Chain Coupling	Oxidation Ditch		1
Woods Coupling	Oxidation Ditch		
Oil	Oxidation Ditch		
Seal Kit	RAS/WAS		1
Set of Gaskets	RAS/WAS		1
Impeller	RAS/WAS	\$6,000.00	1
Set of Belts	RAS/WAS		1
Shaft and Shaft Seal	RAS/WAS		1
Oil	RAS/WAS		
O-Ring - Air Lift Pump Chamber	Sand Filter		1
O-Ring - Air Lift Inlet Nut	Sand Filter		1
Screen - Air Lift Pump	Sand Filter	\$3,500.00	1
Regulator - Air Control Panel	Sand Filter		1
Air Flow Indicator - Air Control Panel	Sand Filter		1
Air Inlet Filter	SF Compressor		1
Valve Kit	SF Compressor		1
Oil	SF Compressor	\$200.00	
Set of Belts	SF Compressor		1
Coalescing Filter	SF Compressor		
UV Lamps	UV		8
Quartz Sleeves	UV	\$715.00	8
Lamp Holder Seals	UV		8
Electronic Ballast	UV	\$320.00	4
UV Module	UV		2
pH Probe	Laboratory	\$910.00	1
LDO Probe	Laboratory	\$1,200.00	1
LDO Probe Cap	Laboratory	\$190.00	1
Total		\$16,835.00	



The Historic Town of **BOWLING GREEN** V I R G I N I A

MEMORANDUM

To: The Honorable Mark Gaines, Mayor and Members of the Bowling Green Town Council

From: John A. Anzivino, Interim Town Manager

Subject: Town Finances

Date: November 2, 2023

As Council is aware the Town continues to deal with a variety of important issues including staffing, financial reporting and operation and maintenance of its utilities. Each is interdependent and has, or could have, a significant impact on the Town's vitality. Being dealt with via cooperative efforts with the County (utilities) and staffing (internally) the Council is being updated in separate and regular communications and the situation is improving. The topic of this memorandum is to provide an additional update on the Town's financial situation which drives the Town's ability to respond to the issues noted above. The following outlines and highlights progress being made and steps being taken to stabilize and improve the Town's financial position.

Financial Position on October 31

While we had hoped to do so by the November Council meeting, unfortunately due to continuing staffing challenges, we are not yet able to provide a clean report on monthly expenses and revenues, an important target for Council to understand the Town's financial position for Fiscal Year 2024. While recent temporary staffing additions have allowed the Deputy Clerk/Treasurer to reduce the backlog of 'catch up' items (entries to be made for prior fiscal years) by about a third the Town's Clerk/ Deputy Treasurer indicates that we will need to delay production of the Town's first year to date report until your December meeting. As you know, production of the report will provide the Council an accurate picture of how we're doing in managing the budget, and if any challenges exist or may be developing. On a positive note, the Town, at close of business on October 31, had, what continues to be, a healthy cash balance \$2,666,833.96 at Atlantic Union. This balance reflects a major unexpected expense for repairs to the collapsed sewer line on North Main Street, which has been paid with successful closeout of the project, the Town's emergency operations agreement with Caroline County and typical operating expenses.

Progress in Restoring/Utilization of the Town's Financial Reporting Systems

As noted in my prior communication (August 28) to Council, a significant number of challenges existed in bringing the Town back to a stable financial reporting position. These included entering financial data which is still being located in various parts of Town Hall (we believe we now have all the information identified and it is now being entered into the Keystone system), correcting errors in utility, business license and tax billing, and in general, cleaning up the general ledger.

I am pleased to note that significant progress is being made to correct the Town's identified deficiencies.

Some of these include:

Real Estate and Personal Property Tax Bills – All tax bills have been prepared and sent to the printing company to be mailed out. A hold up here was in getting some minor assistance from outside support personnel on minor functions. Particular attention was paid to real estate tax billing in the US 301 corridor taxing district and several properties were checked back to prior ordinance adjustments.

Volunteer Assistance from Steve Manster – Mr. Manster has completed checking the accuracy of assigned financial records, it has been reviewed by the Clerk/Deputy Treasurer and the data is now being entered by temporary staff. Mr. Manster is now working on finalizing compilation of data for the Town's groundwater renewal permit, which I had started, but been sidetracked from. Target date for completion for forwarding the data is November 30.

Part-time data entry assistance- The Town has engaged temporary data entry persons to assist in entering the backlog of data needed to begin preparation of financial reports and to serve as temporary support for walk in payments, screening calls and supporting the Clerk/Deputy Treasurer. According to the Deputy Treasurer, the persons assigned these tasks have stepped in, picked up the Town's software and financial reporting processes quickly, and are performing beyond expectations. All of this is important to ready the Town in advance of engaging Brown Edwards to begin their work on closing out Fiscal Years 2021,2022 and 2023 in preparation and production for each respective year's audit; documents required to more clearly understand the Town's financial position and for presentation to lending agencies, when project financing is applied for.

Support from Caroline County – As previously noted, the Town has experienced some challenges with the accuracy of tax bills due to past practices and software (Bright). To remedy this, Beth Curran, retired County Treasurer, and David Watson from the Commissioner of Revenue's office with Caroline County, have provided support to 'clean up' and correct deficiencies in the real estate and tax billing systems. These efforts have been completed and, as noted above, we will be moving into tax collections which will add cash to our current balance.

Training with Keystone – It is pretty clear our lead financial staff person was thrust into the primary role of Treasurer with limited training in the Keystone software system and in general the Town's financial processes. She has done remarkably well in keeping the Town's financial systems operating given other responsibilities (Clerk, Harvest Festival planning/coordination, administrative support, public information, etc.).

As noted previously, the Town has \$7,320 in unused / unbilled services hours for Financials, Payroll/HR and Utility Billing. At the contracted bill rate of \$120/hour, this provides 61 hours of available training. Coupled with this the Town also has a travel estimate budget with an unused amount of \$9,775 (across all remaining project / implementation work) which is used for reimbursement of actual cost of our personnel travel-related expenses for being on-site in Bowling Green. To improve the Deputy Treasurer/Clerks performance and knowledge of the Keystone system we have scheduled on site training with Keystone for November 14-16. Upon completion of this training, it is anticipated that processing times and knowledge of the systems and their capabilities will be improved significantly and stress reduced.

Discussions with Brown Edwards – Brown Edwards and their support is on hold due to our need to enter previous years financial data. They are on the list for a call to assist Town staff in closing out prior fiscal years in anticipation of formal audits as the information entering process winds down.

Discussions with Retired Finance Director to memorialize internal processes – I have contacted a retired municipal finance director to carry out a review of and to document internal financial processes and am in discussions to initiate the process. As you know one of the challenges that the Town faces is that former staff often carried out the same function, but carried out those functions differently. This has resulted in confusion and errors and has placed the Town in its current position. Documentation of those practices will reduce inconsistencies and inaccuracies and will serve as a useful tool when staff turnover occurs.

I have also called Robinson, Farmer and Cox, the Town’s former auditors and have initiated discussions with them to determine pricing and timing of the outstanding audits for prior fiscal years.

Staffing Impacts on the FY 2024 Budget

As is true in any municipal budget personnel costs make up over a third (33%) of the annual budget expense due to the service-oriented nature of the business. This is true in Bowling Green and it is an area which must be monitored carefully, particularly when major shifts take place as they have in the Town. Because personnel expenses are a major cost center, I have prepared the analysis below which, hopefully, will provide the Council some level of comfort knowing that with all the changes made or proposed you have not ‘blown the budget’. I will go into more detail at the Council meeting should you have questions.

Town of Bowling Green Projected Personnel Costs – Fiscal Year 2024		
Position Title	FY 2024 Budgeted Compensation Level And Position Status (Filled/Unfilled)	
	Filled	Unfilled
Administration		
Administrative Assistant	-	\$32,414
Deputy Treasurer/Town Clerk	\$50,800	
Treasurer	-	\$69,372
Community Development Assistance	-	\$10,000
Town Manager	-	\$80,000
Subtotal	\$50,800	\$191,786

Police Department		
Police Chief	\$65,500	
Police Officer	\$40,000	
Administrative Assistant	\$6,000	
Subtotal	\$111,500	
Public Works/Utilities		
Director	-	\$70,887
Chief WWTP Operator	-	\$64,297
PW/Utilities Foreman	\$45,212	
WWTP Operator I	\$35,818	
PW/Utilities Worker	\$31,718	
Maintenance/ Groundskeeper II	\$29,445	
Subtotal	\$142,193	\$135,184
Total Full-Time/Part-time Expense	\$304,493	\$327,060
Total budgeted \$631,553 all funds exclusive of fringe benefits		
Unanticipated Personnel Expenses		
County WWTP/WT Agreement (estimate based upon available history through 6/30/24)		
County Personnel (through 9/30/23 with initial start-up)	\$25,900	
County WWTP/WT Emergency Agreement (Estimated 10/1-6/30/23 based on non-start-up costs and three (3) estimated waterline repairs)	\$90,900	
Actual/Projected County Expense	\$116,800	
Temporary Support (projected costs through 12/1)		
Administration Temporary Assistance (1)	\$25,920	
Town Manager (2)	\$51,600	
Subtotal	\$77,520	
New Hires (after 12/1 estimates only and subject to change)		

Town Manager (\$100,000 annual) prorated over 7 months	\$58,333	
Administrative Assistant prorated over 7 months	\$20,417	
Total New Hires (salary only)	\$78,750	
Unanticipated Personnel Costs Subtotal	\$273,070	
Anticipated Personnel Expense Total	\$577,563	

- (1) Two (2) temporary assistants @\$18 hour for 12 weeks @40 hours/week, plus overhead
- (2) One Interim Manager @\$100 /expenses for 16 weeks @32 hours week

Getting to the Bottom Line

- Total Budgeted Salaries FY 2024 budget \$631,533 (Full and Part-time, exclusive of overtime and benefits)
- Anticipated Annual Personnel (Salary) Cost with Temporary Support (through December 1) and County WWTP and WTP support through 6/30/24 -\$553,563
- Balanced against approved personnel (salary only) budget of \$631,553
- Results in under expenditures of \$53,970 in salary costs and does not take into account required fringe benefit match for full-time positions

What Makes This Possible

- Unfilled full-time positions (annualized) - \$ 327,060 (\$311,060 FT/\$16,000 PT)
- Unfilled positions fringe benefits (Full -time employees (\$311,060 of pay factored at 30% of gross pay) savings annualized through 12 months (July to June,2024) projected = \$93,318
- Total unexpended salaries and benefits projected if all positions remain unfilled through end of fiscal year = \$420,378 (unexpended salaries \$327,060 + projected benefits \$93,318)

Summary

If current expense patterns hold and projection are accurate the Town should have aa cushion of \$53,970 in unexpended salary costs indicating that the Town will be within planned budget projections for projected personnel costs – a major cost center for the Town.

Summary of Significant Improvements Over the Past Month

That’s about it and much of the last month has been devoted to continuing to correct past errors and cleaning up errors. Progress is steadily being made, but is directly proportionate to staffing challenges and resources and is critical to bringing a sense of financial order to the Town.

Please feel free to contact me should you have any questions or need additional information.



TOWN OF BOWLING GREEN TOWN COUNCIL MEETING AGENDA ITEM REPORT

AGENDA ITEM: Minutes – September 7, 2023 Town Council Meeting

ITEM TYPE: Consent Agenda

PURPOSE OF ITEM: Decision - By Motion

PRESENTER: Trish Chenault, adminclerk@townofbowlinggreen.com

PHONE: (804) 633-6212

BACKGROUND / SUMMARY:

Minutes transcribed from the September 7, 2023 Town Council Meeting

ATTACHMENTS:

Minutes from September 7, 2023 Town Council Meeting

REQUESTED ACTION:

Approve Minutes.



**TOWN OF BOWLING GREEN
TOWN COUNCIL MEETING
DRAFT MINUTES**

September 7, 2023
7:00 p.m.
Town Hall

ROLL CALL AND QUORUM ESTABLISHED:

Mayor Gaines called the meeting to order and noted a quorum was present.
The Pledge of Allegiance was recited.

MEMBERS PRESENT:

Mayor Mark Gaines
Vice-Mayor Valarie Coyle
Council Member Jean Davis – By phone
Council Member Randy Hageman
Council Member David Storke
Council Member Jeff Voit
Council Member Arthur Wholey

MEMBER ABSENT:

Council Member Dan Webb

On the motion of Council Member Voit, seconded by Council Member Wholey, which carried a vote of 5-0, the Town Council motioned to allow Council Member Jean Davis to participate via phone in the September 7, 2023 Town Council Meeting.

On the motion of Council Member Voit, seconded by Council Member Wholey, which carried a vote of 6-0, the Town Council motioned to amend the agenda to add under New Business (13B) discussion on the Town Manager moving forward on contacting an Accountant Firm and Temp Agency for hiring part-time staff.

PUBLIC HEARINGS:

None

DELEGATIONS:

None

PUBLIC COMMENTS:

Paula Shaver, Town Resident was present representing The Disability Resource Center concerning handicapped parking on public streets – Deborah Lately, Director of Advocacy for the Disability Resource Center has requested reconsideration of a request to designate additional handicapped parking spaces in the downtown area. The Interim Town Manager would like Council to consider

the issue and direct the Town Manager to study the issue further and return to Council with a report.

On the motion of Council Member Coyle, seconded by Council Member Storke, which carried a vote of 6-0, the Town Council motioned for the Town Manager to move forward with a report with more information to bring back to Council concerning the request.

Resident from Hill Mobile Home Park was present and discussed the sewer situation at the Mobile Home Park. The resident told Council how the sewer system has not worked since April, 2023, and that she has filed a complaint with the Health Dept. Mayor Gaines gave resident Jeff Sili with Caroline County Board of Directors name to contact about the situation
Bonnie Cannon, Town resident, was present and would like to have more information about the Interim Town Manager and new Town Attorney. Mayor Gaines introduced both to her.

MEMBER COMMENTS:

Council Member Voit discussed two topics with Council. One was about extra sewer pumping due to items such as non-disposable wipes being flushed down the toilets. The second was concerning Music on The Green smoking policies.

Council Members Davis, Coyle and Storke thanked and welcomed the Interim Town Manager and Town Attorney.

STAFF REPORTS & PRESENTATIONS:

The following staff reports were presented to Council:

Public Works/Utilities Monthly Report for September 2023

- No questions/comments

Police Department Monthly Report for September 2023

- No questions/comments

Town Clerk/Treasurer Council Monthly Report for September 2023

- No questions/comments

Town Administration Monthly Report for September 2023

- The Interim Town Manager spoke to Council about have committees and gave a handout on the benefits, disadvantages and general thoughts on having committees. He also spoke about the process for hiring a full-time Town Manager.

CONSENT AGENDA:

On the motion of Council Member Voit, seconded by Council Member Hageman, which carried a vote of 6-0, the Town Council motioned to approve the Consent Agenda as presented.

NEW BUSINESS:

Town Council discussed the following matters:

- Goodwill drop-off site – Goodwill Industries wishes to develop a drop off/donation site in the Town of Bowling Green. A zoning permit application was filed by Ken Phillips of Goodwill Industries along with a request for an amendment to the Town’s Zoning ordinance since the use requested is not defined with the ordinance. The Interim Town Manager would like to refer Goodwill’s request to the Planning Commission for potential and appropriate zoning ordinance amendments and joint public hearing between the Council and Planning Commission.

On the motion of Council Member Hageman, seconded by Council Member Voit, which carried a vote of 6-0, the Town Council motioned for Goodwill Industries request for amendments to the Town’s zoning ordinance allowing for drop off/donation site of clothing and related materials be referred to the Planning Commission for study and appropriate zoning ordinance amendment and that a joint public hearing between the Council and Planning Commission be scheduled upon the Planning Commission’s completed review and at the earliest possible time.

- Moving forward with Accountant Firm and Temp Agency for part-time staff

On the motion of Council Member Voit, seconded by Council Member Hageman, which carried a vote of 6-0, the Town Council motioned for the Interim Town Manager to proceed with contacting an Accountant Firm and Temp Agency for part-time staff.

UNFINISHED BUSINESS:

Town Council discussed the following matters:

- Tobacco Tax Implementation (next steps) – The Interim Town Manager spoke about the benefits and concerns of implementing the tax. Adoption of the tax parallels the process of adoption of any ordinance and requires the proper public notification and a public hearing.

On the motion of Council Member Storke, seconded by Council Member Coyle, which carried a vote of 6-0, the Town Council motioned for the Town Attorney to develop draft ordinances for a public hearing concerning adoption and administration of a cigarette tax in the Town of Bowling Green at a rate of \$0.40 per package of cigarettes sold.

Roll Call Vote:

Vice-Mayor Valarie Coyle = Aye

Jean Davis = Aye

Randy Hageman = Aye

David Storke = Aye

Jeff Voit = Aye

Dan Webb = Absent

Arthur Wholey = Aye

- GWRC Hazard Mitigation Plan (Recommended Resolution Adoption) – Meredith Keppel with GWRC was present to discuss the Hazard Mitigation Plan. The GWRC has updated the region’s FEMA required hazard mitigation plan to meet FEMA requirements. Maintenance and adoption of such a plan is a benefit to the Town in that it speaks to potential hazards in the Town and identifies resources to mitigate problems should those hazards create a threat to the Town and its residents.

On the motion of Council Member Wholey, seconded by Council Member Hageman, which carried a vote of 6-0, the Town Council motioned to adopt a resolution adopting the 2023 Hazard Mitigation Plan update as developed and presented by the George Washington Regional Commission (GWRC).

Roll Call Vote:

Vice-Mayor Valarie Coyle = Aye

Jean Davis = Aye

Randy Hageman = Aye

David Storke = Aye

Jeff Voit = Aye

Dan Webb = Absent

Arthur Wholey = Aye

INFORMATIONAL ITEMS:

The RHA Regional Housing Assembly (Regional Housing Summit Flyer was handed out to Council stating registration is open October 17, 2023 along with the event schedule.

COMMITTEE REPORTS:

None

ADJOURNMENT:

On the motion of Council Member Wholey, seconded by Council Member Hageman, which carried a vote of 6-0, the Town Council motioned to adjourn the Town Council Meeting at 7:55 PM.



TOWN OF BOWLING GREEN TOWN COUNCIL MEETING AGENDA ITEM REPORT

AGENDA ITEM: Minutes – October 5, 2023 Town Council Worksession

ITEM TYPE: Consent Agenda

PURPOSE OF ITEM: Decision - By Motion

PRESENTER: Trish Chenault, adminclerk@townofbowlinggreen.com

PHONE: (804) 633-6212

BACKGROUND / SUMMARY:

Minutes transcribed from the October 5, 2023 Town Council Worksession

ATTACHMENTS:

Minutes from October 5, 2023 Town Council Worksession

REQUESTED ACTION:

Approve Minutes.



TOWN OF BOWLING GREEN TOWN COUNCIL MONTHLY WORKSESSION MINUTES

A G E N D A

Thursday, October 5, 2023
6:00 PM

CALL TO ORDER AND QUORUM ESTABLISHED:

Mayor Gaines called the meeting to order and noted a quorum was present.

COUNCIL PRESENT:

Mayor Mark Gaines
Vice-Mayor Valarie Coyle
Council Member Jean Davis
Council Member Randy Hageman
Council Member David Storke
Council Member Jeff Voit
Council Member Dan Webb
Council Member Arthur Wholey

BRIEFING ITEMS:

Town Council discussed the following matters:

- Discussion of Draft Tobacco Tax Ordinance – The Interim Town Manager went over a draft Tobacco Tax Ordinance and Resolution designating the Chesapeake Bay Cigarette Tax Board as the Town’s administrative body for the purposes of administering the tax drafted by Town Attorney Jeff Gore. The ordinance will be subject to public hearing notice requirements, and if adopted, there is roughly a two- month lag time between adoption of the ordinance and revenues being collected so suppliers and sellers can legally purchase stamps.
- Update on Pedicab authorization/regulation – The Town Attorney discussed updates on the Pedicab process. Council asked questions concerning the proof of insurance and route map for the Pedicab as well as safety issues. The Interim Town Manager advised Council that if an accident was to happen, it may not come back on the Town financially, but it could affect the Town’s reputation. The Interim Town Manager suggests having an ordinance adopted.

Due to the meetings time limit, other topics on the Agenda were not discussed.

ADJOURNMENT

The Town Council closed the Worksession.



**TOWN OF BOWLING GREEN
TOWN COUNCIL MEETING
AGENDA ITEM REPORT**

AGENDA ITEM: Minutes – October 19, 2023 Town Council and Planning Commission Joint Public Hearing

ITEM TYPE: Consent Agenda

PURPOSE OF ITEM: Decision - By Motion

PRESENTER: Trish Chenault, adminclerk@townofbowlinggreen.com

PHONE: (804) 633-6212

BACKGROUND / SUMMARY:

Minutes transcribed from the October 19, 2023 Town Council and Planning Commission Joint Public Hearing

ATTACHMENTS:

Minutes from October 19, 2023 Town Council and Planning Commission Joint Public Hearing

REQUESTED ACTION:

Approve Minutes.



**TOWN OF BOWLING GREEN
TOWN COUNCIL AND PLANNING COMMISSION JOINT PUBLIC HEARING
DRAFT MINUTES**

October 19, 2023
6:00 p.m.
Town Hall

ROLL CALL AND QUORUM ESTABLISHED:

Vice Mayor Coyle called the October 19, 2023 meeting of the Bowling Green Town Council to order at 6:00 PM and noted a quorum of Council was present. Upon determination of a quorum Vice Mayor Coyle asked all in attendance to stand for and participate in the Pledge of Allegiance.

MEMBERS PRESENT:

Vice-Mayor Valarie Coyle
Council Member Jean Davis
Council Member Randy Hageman
Council Member Jeff Voit
Council Member Dan Webb
Council Member Arthur Wholey

MEMBERS ABSENT:

Mayor Mark Gaines
Council Member David Storke

Planning Commission Chairperson Tina Gambill called the October 19, 2023 meeting of the Bowling Green Planning Commission to order at 6:00 PM and noted a quorum of Commission was present.

PLANNING COMMISSION PRESENT: Chairperson Tina Gambill, Commission members Lisa Gattie, Scott Seigmund and Jeff Voit.

BUSINESS:

Vice Mayor Coyle welcomed the Bowling Green Planning Commission members and visitors to the joint public hearing and special meeting of the Council and Planning Commission noting that the subject of tonight's hearing was to hear citizen comments in regard to Ordinance #2023-007," An Ordinance to amend Chapter 3, Article 1, Division 2 of the Town Code, by adding definitions of a Charitable Organization and a Recycling Collection Drop Off Center; and Chapter 3, Article 1, Division 9, Section 134 and Chapter 3, Article 1, Division 10, Section 139 adding Recycling Collection Drop Off Centers as a permitted use in the Business B-1 and Business B-2 zoning districts of the Town of Bowling Green".

The Vice Mayor opened the Joint hearing at 6:05 PM and asked Interim Town Manager John Anzivino to provide a brief summary of the topic of the evening's public hearing. Mr. Anzivino, noted that a full report concerning the reason for and the proposed zoning ordinance amendments had been discussed at the Planning Commission's September 21, 2023 meeting and the report provided to the Planning Commission and Council included a summary of what prompted the requested amendments to the zoning ordinance, the proposed additions to the definitions section for Charitable Organization and Drop off/Recycling Center and the zoning districts which would have Drop off/Recycling Centers added to them as a by right, permitted use. Upon conclusion of Mr. Anzivino's report, the Vice Mayor asked for comments from the public.

Mr. Ken Phillips, representing Goodwill Industries, offered comments outlining Goodwill Industries history, business model and intent for Good will to lease space in the Town and develop a Drop off Recycling Center and offered support for the proposed amendments. In response to Council questions Mr. Phillips noted that the Recycling Drop off Center accepts a wide variety of household goods as identified in the ordinance amendments and would be open 10 AM to 7 PM five days a week and that staff visits regularly when the store is closed to ensure donated items are moved inside. In addition, Mr. Phillips noted that a 4'x4'x4' box would be available for donations and emptied daily.

Noting no additional members of the public to be in attendance the Vice Mayor called for questions from the Planning Commission and Council members in attendance. There being none the Vice Mayor closed the public hearing at 6:17 PM.

Planning Commission Chairperson Gambill asked if there was additional discussion from Planning Commission members concerning the proposed amendments to the zoning ordinance. All Planning Commission members noted that they were comfortable with the proposed changes as presented. Commission member Gattie offered the following motion, " I move that amendments to Chapter 3, Article 1, Division 2 of the Town Code, adding definitions of a Charitable Organization and a Recycling Collection Drop Off Center; and Chapter 3, Article 1, Division 9, Section 134 and Chapter 3, Article 1, Division 10, Section 139 adding Recycling Collection Drop Off Centers as a permitted use in the Business B-1 and Business B-2 zoning districts of the Town of Bowling Green zoning ordinance as presented at a joint public hearing of the Bowling Green Town Council and Planning Commission held on October 19, 2023 be forwarded to the Town Council with a recommendation for approval by the Bowling Green Town Council." Commissioner Voit seconded. Chairperson Gambill called for a vote and the motion was approved on a vote of 4-0.

Vice Mayor Coyle noted that the Planning Commission had recommended that Chapter 3, Article 1, Division 2 of the Town Code, adding definitions of a Charitable Organization and a Recycling Collection Drop Off Center; and Chapter 3, Article 1, Division 9, Section 134 and Chapter 3, Article 1, Division 10, Section 139 adding Recycling Collection Drop Off Centers as a permitted use in the Business B-1 and Business B-2 zoning districts of the Town of Bowling Green zoning ordinance as presented at a joint public hearing of the Bowling Green Town

Council and Planning Commission held on October 19, 2023 be accepted for adoption by the Council and called for additional questions or discussions. Hearing none the Vice Mayor called for a motion concerning the Planning Commission's recommendation. Councilmember Hageman offered the following motion, "I move that the Town Council accept the recommendation for text amendments to the Town of Bowling Green's zoning ordinance "REGARDING CHARITABLE ORGANIZATIONS AND RECYCLING DROP OFF CENTERS; PERMITTED USES IN B-1 AND B-2 BUSINESS DISTRICTS as described in ORDINANCE NUMBER 2023-006". Council member Voit seconded the motion. The Vice Mayor called for a vote accepting the motion and the motion passed 6-0.

ADJOURNMENT:

Planning Commission Chair Gattie called for any additional business and noting none called for a motion to adjourn. Commissioner Gattie moved that the Bowling Green Planning Commission meeting of October 19, 2023 be adjourned. Commissioner Voit seconded and the motion was approved 4-0 and the Planning Commission meeting adjourned at 6:22 PM.

The Vice Mayor called for a motion to adjourn. Councilmember Hageman moved that the Special Meeting of the Bowling Green Town Council be adjourned. Council member Voit seconded the motion and the motion was approved 6-0 by those present and the Special meeting of the Bowling Green Town Council was adjourned at 6:26 PM.



**TOWN OF BOWLING GREEN
TOWN COUNCIL MEETING
AGENDA ITEM REPORT**

AGENDA ITEM: Bills – October 2023
ITEM TYPE: Consent Agenda
PURPOSE OF ITEM: Decision - By Motion
PRESENTER: Trish Chenault, Interim Treasurer
PHONE: (804) 633-6212

BACKGROUND / SUMMARY:

Items purchased and services rendered in October 2023

ATTACHMENTS:

October 2023 AP Disbursements Summary
October 2023 ACH Disbursements Summary

REQUESTED ACTION:

Approve/Deny

TOWN OF BOWLING GREEN
 MONTH-END DISBURSEMENTS SUMMARY
 FROM:10/01/2023 TO:10/31/2023

VENDOR#	NAME	INVOICE#	GROSS	DISC	NET	CHECK AMT	CHECK NBR	VOID	DATE
18	A & M HOME CENTER	C96446	29.76	0.00	29.76	285.07	AP*30696		10/09/23
		C96542	24.36	0.00	24.36				
		C97169	67.98	0.00	67.98				
		C97467	49.41	0.00	49.41				
		C97474	39.99	0.00	39.99				
		C97546	34.44	0.00	34.44				
		C97684	39.13	0.00	39.13				
		TOTAL	285.07	0.00	285.07				
1257	BERKLEY INVESTMENTS LLC	3	7,296.93	0.00	7,296.93	7,296.93	AP*30697		10/09/23
		TOTAL	7,296.93	0.00	7,296.93				
843	CAROLINE COUNTY PUBLIC UTIL	TOPR24-09130	25,454.17	0.00	25,454.17	25,454.17	AP*30698		10/09/23
		TOTAL	25,454.17	0.00	25,454.17				
897	CINTAS CORPORATION	8406451139	91.82	0.00	91.82	91.82	AP*30699		10/09/23
		TOTAL	91.82	0.00	91.82				
14	CINTAS OF RICHMOND	1904243851	181.35	0.00	181.35	181.35	AP*30700		10/09/23
		TOTAL	181.35	0.00	181.35				
1058	CRYSTAL SPRINGS	234840340929	30.75	0.00	30.75	103.56	AP*30701		10/09/23
		234849000929	72.81	0.00	72.81				
		TOTAL	103.56	0.00	103.56				
1238	EUROFINS ANALYTICS, LLC	81609	115.00	0.00	115.00	885.00	AP*30702		10/09/23
		81610	115.00	0.00	115.00				
		81764	135.00	0.00	135.00				
		81765	105.00	0.00	105.00				
		81813	155.00	0.00	155.00				
		81893	115.00	0.00	115.00				
		82001	145.00	0.00	145.00				
		TOTAL	885.00	0.00	885.00				
28	G & G MILFORD FARM SERV.	201077	15.97	0.00	15.97	343.90	AP*30703		10/09/23
		201186	16.32	0.00	16.32				
		201200	21.96	0.00	21.96				
		201205	31.98	0.00	31.98				
		201251	29.98	0.00	29.98				
		201252	87.97	0.00	87.97				
		201265	39.10	0.00	39.10				
		201268	100.62	0.00	100.62				
		TOTAL	343.90	0.00	343.90				
1256	HEFTY WILEY & GORE, P.C.	12604	3,000.00	0.00	3,000.00	3,000.00	AP*30704		10/09/23
		TOTAL	3,000.00	0.00	3,000.00				
1208	JOHNS BROTHERS SECURITY, IN	1250061	39.95	0.00	39.95	79.90	AP*30705		10/09/23
		1250062	39.95	0.00	39.95				
		TOTAL	79.90	0.00	79.90				
546	JOHNSON'S EXTERMINATING	2023-09	625.00	0.00	625.00	625.00	AP*30706		10/09/23
		TOTAL	625.00	0.00	625.00				

TOWN OF BOWLING GREEN
 MONTH-END DISBURSEMENTS SUMMARY
 FROM:10/01/2023 TO:10/31/2023

VENDOR#	NAME	INVOICE#	GROSS	DISC	NET	CHECK AMT	CHECK NBR	VOID	DATE
1115	JUSTTECH	140200	176.63	0.00	176.63	176.63	AP*30707		10/09/23
		TOTAL	176.63	0.00	176.63				
743	LOCAL SERVICES	188692	295.26	0.00	295.26	295.26	AP*30708		10/09/23
		TOTAL	295.26	0.00	295.26				
48	MID-ATLANTIC LAB	17382	1,110.00	0.00	1,110.00	1,110.00	AP*30709		10/09/23
		TOTAL	1,110.00	0.00	1,110.00				
611	UNITED STATES TREASURY	CP220	4,728.12	0.00	4,728.12	4,728.12	AP*30710		10/09/23
		TOTAL	4,728.12	0.00	4,728.12				
1265	ADAM WOOLRIDGE	1500.00	1,500.00	0.00	1,500.00	1,500.00	AP*30711		10/19/23
		TOTAL	1,500.00	0.00	1,500.00				
1254	ALAN BURRELL	2023-10-21	800.00	0.00	800.00	800.00	AP*30712		10/19/23
		TOTAL	800.00	0.00	800.00				
477	BEAZLEY A W	600.00	600.00	0.00	600.00	600.00	AP*30713		10/19/23
		TOTAL	600.00	0.00	600.00				
1257	BERKLEY INVESTMENTS LLC	3-REPLACEMEN	7,296.93	0.00	7,296.93	7,296.93	AP*30714		10/19/23
		TOTAL	7,296.93	0.00	7,296.93				
1269	DARRELL SCOTT	2023-10-19	500.00	0.00	500.00	500.00	AP*30715		10/19/23
		TOTAL	500.00	0.00	500.00				
1080	DAVIS ADRIENNE HUDSON	2023-10-21	600.00	0.00	600.00	600.00	AP*30716		10/19/23
		TOTAL	600.00	0.00	600.00				
664	JEAN DAVIS	2023-10	16.84	0.00	16.84	16.84	AP*30717		10/19/23
		TOTAL	16.84	0.00	16.84				
1127	GRAY SHAD	2023-10-21	800.00	0.00	800.00	800.00	AP*30718		10/19/23
		TOTAL	800.00	0.00	800.00				
1267	JAMES PADGETT JR	2023-10-21	800.00	0.00	800.00	800.00	AP*30719		10/19/23
		TOTAL	800.00	0.00	800.00				
1218	LISA STEVENS	2023-10-21	3,000.00	0.00	3,000.00	3,000.00	AP*30720		10/19/23
		TOTAL	3,000.00	0.00	3,000.00				
1026	MIKE LUCCI BAND	2023-10-21	600.00	0.00	600.00	600.00	AP*30721		10/19/23
		TOTAL	600.00	0.00	600.00				
593	CHAD NEAL	550.00	550.00	0.00	550.00	550.00	AP*30722		10/19/23
		TOTAL	550.00	0.00	550.00				
1268	PATRICIA CHENAULT	1	22.82	0.00	22.82	22.82	AP*30723		10/19/23
		TOTAL	22.82	0.00	22.82				
1271	AUTOMATION PERSONNEL SERVIC	899179	1,080.00	0.00	1,080.00	3,348.00	AP*30724		10/28/23

TOWN OF BOWLING GREEN
 MONTH-END DISBURSEMENTS SUMMARY
 FROM:10/01/2023 TO:10/31/2023

VENDOR#	NAME	INVOICE#	GROSS	DISC	NET	CHECK AMT	CHECK NBR	VOID	DATE
		900721	1,080.00	0.00	1,080.00				
		900722	864.00	0.00	864.00				
		901176	324.00	0.00	324.00				
		TOTAL	3,348.00	0.00	3,348.00				
117	BAI MUNICIPAL SOFTWARE	WATS2024A-10	8,274.00	0.00	8,274.00	8,274.00	AP*30725		10/28/23
		TOTAL	8,274.00	0.00	8,274.00				
1257	BERKLEY INVESTMENTS LLC	4	6,996.27	0.00	6,996.27	6,996.27	AP*30726		10/28/23
		TOTAL	6,996.27	0.00	6,996.27				
843	CAROLINE COUNTY PUBLIC UTIL	24-101901	7,390.73	0.00	7,390.73	23,060.37	AP*30727		10/28/23
		TOPR24-10190	15,669.64	0.00	15,669.64				
		TOTAL	23,060.37	0.00	23,060.37				
897	CINTAS CORPORATION	8406497785	31.34	0.00	31.34	31.34	AP*30728		10/28/23
		TOTAL	31.34	0.00	31.34				
1199	CORRESPONDENCE	Q-45132-1	1,982.50	0.00	1,982.50	1,982.50	AP*30729		10/28/23
		TOTAL	1,982.50	0.00	1,982.50				
1020	CONSOLIDATED PIPE & SUPPLY	6230688-002-	2,772.20	0.00	2,772.20	2,772.20	AP*30730		10/28/23
		TOTAL	2,772.20	0.00	2,772.20				
1017	CORE & MAIN	S170855	8,733.46	0.00	8,733.46	8,733.46	AP*30731		10/28/23
		TOTAL	8,733.46	0.00	8,733.46				
1052	ENCO UTILITY SERVICES FLORI	INV61843	559.55	0.00	559.55	559.55	AP*30732		10/28/23
		TOTAL	559.55	0.00	559.55				
1270	ENMOTION	2160390ENN	481.17	0.00	481.17	481.17	AP*30733		10/28/23
		TOTAL	481.17	0.00	481.17				
1238	EUROFINS ANALYTICS, LLC	217.00	217.00	0.00	217.00	1,442.00	AP*30734		10/28/23
		82114	155.00	0.00	155.00				
		82205	115.00	0.00	115.00				
		82206	135.00	0.00	135.00				
		82207	115.00	0.00	115.00				
		82225	185.00	0.00	185.00				
		82338	115.00	0.00	115.00				
		82340	115.00	0.00	115.00				
		82377	105.00	0.00	105.00				
		82585	185.00	0.00	185.00				
		TOTAL	1,442.00	0.00	1,442.00				
882	FERGUSON ENTERPRISES LLC #3	SC909	15.40	0.00	15.40	15.40	AP*30735		10/28/23
		TOTAL	15.40	0.00	15.40				
1208	JOHNS BROTHERS SECURITY, IN	1262896	39.95	0.00	39.95	79.90	AP*30736		10/28/23
		1262897	39.95	0.00	39.95				
		TOTAL	79.90	0.00	79.90				
546	JOHNSON'S EXTERMINATING	2023-10	625.00	0.00	625.00	625.00	AP*30737		10/28/23

TOWN OF BOWLING GREEN
 MONTH-END DISBURSEMENTS SUMMARY
 FROM:10/01/2023 TO:10/31/2023

VENDOR#	NAME	INVOICE#	GROSS	DISC	NET	CHECK AMT	CHECK NBR	VOID	DATE
		TOTAL	625.00	0.00	625.00				
898	MARY JAMES	2023-10	140.00	0.00	140.00	140.00	AP*30738		10/28/23
		TOTAL	140.00	0.00	140.00				
1042	OMNIGO SOFTWARE	I-OS016740	3,757.40	0.00	3,757.40	3,757.40	AP*30739		10/28/23
		TOTAL	3,757.40	0.00	3,757.40				
934	TOTAL POWER SWEEPING SER	38129	2,379.30	0.00	2,379.30	2,379.30	AP*30740		10/28/23
		TOTAL	2,379.30	0.00	2,379.30				
949	ULINE	169480583	199.50	0.00	199.50	298.00	AP*30741		10/28/23
		169530857	98.50	0.00	98.50				
		TOTAL	298.00	0.00	298.00				
291	USA BLUE BOOK	INV00174353	718.59	0.00	718.59	718.59	AP*30742		10/28/23
		TOTAL	718.59	0.00	718.59				
406	WINDING BROOK AUTO	58679	1,150.03	0.00	1,150.03	1,150.03	AP*30743		10/28/23
		TOTAL	1,150.03	0.00	1,150.03				

TOTALS

128,587.78

TOWN OF BOWLING GREEN
 MONTH-END DISBURSEMENTS SUMMARY
 FROM:10/01/2023 TO:10/31/2023

VENDOR#	NAME	INVOICE#	GROSS	DISC	NET	CHECK AMT	CHECK NBR	VOID	DATE
1063	ALACRITI PAYMENTS, LLC	NMXGRB1393PY	1.35	0.00	1.35	1.35	ACH*30701		10/09/23
		TOTAL	1.35	0.00	1.35				
1094	BMW CLEANING SERVICES	39	1,050.00	0.00	1,050.00	1,050.00	ACH*30702		10/09/23
		TOTAL	1,050.00	0.00	1,050.00				
918	STAPLES ADVANTAGE	1651247179	587.71	0.00	587.71	587.71	ACH*30703		10/09/23
		TOTAL	587.71	0.00	587.71				
41	VISA	09/27/2023	1,532.26	0.00	1,532.26	1,532.26	ACH*30704		10/09/23
		TOTAL	1,532.26	0.00	1,532.26				
44	VUPS	08230464	45.10	0.00	45.10	69.30	ACH*30705		10/09/23
		09230471	24.20	0.00	24.20				
		TOTAL	69.30	0.00	69.30				
12	WASTE MANAGEMENT	280304602814	985.80	0.00	985.80	4,919.15	ACH*30709		10/25/23
		280470902816	2,340.81	0.00	2,340.81				
		280553302819	214.98	0.00	214.98				
		280564002812	1,377.56	0.00	1,377.56				
		TOTAL	4,919.15	0.00	4,919.15				
1211	P-FLEET	A889383	377.08	0.00	377.08	377.08	ACH*30712		10/03/23
		TOTAL	377.08	0.00	377.08				
19	VERIZON	SEPT2023	17.26	0.00	17.26	17.26	ACH*30714		10/20/23
		TOTAL	17.26	0.00	17.26				
12	WASTE MANAGEMENT	28044992814	108.55	0.00	108.55	108.55	ACH*30735		10/17/23
		TOTAL	108.55	0.00	108.55				
1116	COBANK, ACB	09/29/2023	6,655.55	0.00	6,655.55	6,655.55	ACH*30739		10/20/23
		TOTAL	6,655.55	0.00	6,655.55				

TOTALS

15,318.21

PROPOSED MOTIONS:

I. Motion to Approve a Tobacco Tax Ordinance and an Ordinance Designating a Regional Collection Authority

"I move to adopt 'AN ORDINANCE AMENDING CHAPTER 7 OF THE TOWN OF BOWLING GREEN CODE, BY ADDING ARTICLE IX THERETO, IMPOSING A CIGARETTE TAX; ADMINISTRATION; PENALTIES and to adopt an ORDINANCE APPROVING the TOWN OF BOWLING GREEN MEMBERSHIP IN A JOINT ENTITY KNOWN AS THE CHESAPEAKE BAY REGION CIGARETTE TAX BOARD'.

2. Motion to Table Approval of a Tobacco Tax Ordinance and Designation of Regional Collection Authority

"I move to table adoption of adopt 'AN ORDINANCE AMENDING CHAPTER 7 OF THE TOWN OF BOWLING GREEN CODE, BY ADDING ARTICLE IX THERETO, IMPOSING A CIGARETTE TAX; ADMINISTRATION; PENALTIES and to adopt an ORDINANCE APPROVING the TOWN OF BOWLING GREEN MEMBERSHIP IN A JOINT ENTITY KNOWN AS THE CHESAPEAKE BAY REGION CIGARETTE TAX BOARD' for the following reasons _____ _

3. Motion to Reject a Tobacco Tax Ordinance and Designation of Regional Collection Authority

I move to reject 'AN ORDINANCE AMENDING CHAPTER 7 OF THE TOWN OF BOWLING GREEN CODE, BY ADDING ARTICLE IX THERETO, IMPOSING A CIGARETTE TAX; ADMINISTRATION; PENALTIES and to adopt an ORDINANCE APPROVING the TOWN OF BOWLING GREEN MEMBERSHIP IN A JOINT ENTITY KNOWN AS THE CHESAPEAKE BAY REGION CIGARETTE TAX BOARD'.

As always, both the Town Attorney and I are prepared to answer any questions you may have.