

May 11, 2021

MINUTES OF THE BROOKNEAL TOWN COUNCIL

7:00 PM – The regular meeting of the Brookneal Town Council

Due to the Covid-19 pandemic, the municipal government of the Town of Brookneal met at the Brookneal Community Building, 261 Main Street, so that social distancing could be practiced properly, with the following members present:

James Nowlin, Mayor
Richard Adams, Vice Mayor
Joseph David, Mark Wilkes, Cynthia Johnson, and Scott Fisher, Council Members
Russell Thurston, Town Manager
Bobbie Waller, Clerk/Treasurer
Mike Crews, Public Works Director
Clif Mason, Police Officer
Absent: Barbara Laprade, Council Member, and Richard Baldwin, Chief of Police

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC HEARING FOR THE GENERAL FUND BUDGET

Mayor Nowlin opened the public hearing for the general fund budget at 7:10 p.m. No one spoke in favor of or in opposition to the general fund budget; therefore, Mayor Nowlin closed the public hearing at 7:11 p.m.

PUBLIC HEARING FOR THE WATER FUND BUDGET

Mayor Nowlin opened the public hearing for the water fund budget at 7:11 p.m. No one spoke in favor of or in opposition to the water fund budget; therefore, Mayor Nowlin closed the public hearing at 7:12 p.m.

PUBLIC HEARING FOR THE SEWER FUND BUDGET

Mayor Nowlin opened the public hearing for the sewer fund budget at 7:12 p.m. No one spoke in favor of or in opposition to the sewer fund budget; therefore, Mayor Nowlin closed the public hearing at 7:13 p.m.

APPROVAL OF AGENDA

Upon motion by Richard Adams, seconded by Mark Wilkes, and unanimously carried, Council approved the agenda for the May 11, 2021 regular meeting of the Brookneal Town Council with

the following addition: 1) Closed Session under VA code section 2.2-3711 (A) (1) for the purpose of discussing personnel matters.

RIDGEVIEW PERFORMING ARTS SOCIETY REQUEST FOR USE OF COMMUNITY BUILDING

Members from the Ridgeview Performing Arts Society appeared before Council to request the use of the community building. Maria Childress, spokesperson for the group, told Council a little bit about the group. She said the members were involved with 246 The Main until they decided to close their doors for the time being. She said they are a brand-new traveling theater group, and this will be their first performance. She said they would like to request the use of the community building for their performance which will consist of 2-1 act plays; the dates are July 2 and 3 and July 9, 10 and 11 with one show each night and a matinee on July 3. They would also like to use the building for as many of their rehearsals as possible.

Upon motion by Cynthia Johnson, seconded by Joseph David and unanimously carried, the Council voted to allow the Ridgeview Performing Arts Society to use the community building on July 2, 3, 9, 10, and 11, 2021 for their performances contingent upon the receipt by the town of the group's liability insurance policy with usage charges to be worked out by the Town office.

PUBLIC COMMENT

Dana Callahan, of C. F. Gray Street, appeared before Council, to see what needs to be done to get the Town of Brookneal cleaned up. She said C. F. Gray Street is filthy; she said half the streets in the Town of Brookneal are full of junk, weeds, overrun, broken windows, just awful. She said she wants to know what has to be done to get it cleaned up and stay cleaned up. She said she has been to the Town Office several times, but at this point, she just wants to know who can do something to clean it up. Councilperson Johnson said that the Council is trying to encourage people to take care of their property; however, she said that they can't force anyone to do anything. Councilperson Wilkes said that they are working on this problem, but it takes time; once you get one property straightened up, another one is messed up, it is a never-ending cycle. Mr. Wilkes said that the physical development committee met last month and last week discussing this issue, and he is planning on encouraging citizens to get involved and clean up their neighborhoods. He said he is going to start on his neighborhood first and then move to other neighborhoods. Ms. Setzer asked if there was some ordinance that could be adopted that would help; Mr. Wilkes said that that was something that his committee was looking at. Ms. Setzer asked about making the owner of rental properties responsible for making sure their tenant keeps the property clean; Mr. Thurston said that that already exists. Mr. Thurston also pointed out that the Town of Brookneal as a political subdivision of the Commonwealth of Virginia can only enact ordinances that the General Assembly gives us the authority to enact, it is called the Dillon rule. He said that the Town of Brookneal cannot invent laws or ordinances. He said the Town cannot make up a law that applies to rental property vs. a commercial business. He said the Town does not have enough manpower to deal with these issues like they should be dealt with; it is going to take more resources and more money to deal with these issues. Officer Mason pointed out from the legal side of the issue that when you end up in court with a case like this (after waiting a month or so to get it before the judge), the offenders bring a picture of what little bit they have done to the property to the judge, and the judge says you did your job and then he throws it out, and then the next week the property is back to the same way it was beforehand.

There was much discussion about this issue. Ms. Juliane Thurston, of Nathalie, told the Council that Halifax County has an improvement council made up of citizens of the county that work on issues like this. She said that the citizens are appointed by the governing body, they go through a learning process to learn about the codes and rules, and she suggested that it might be a good idea for the Town to look into something like this. She said without citizen involvement the problem is not going to be solved. Mr. Thurston agreed that that might be a good idea.

MINUTES

Upon motion by Joseph David seconded by Mark Wilkes, and unanimously carried, Council approved the minutes for the April 13, 2021 Town Council meeting and the May 3, 2021 Physical Development Committee meeting.

TREASURER'S REPORT

Mayor Nowlin asked that the May 2021 treasurer's report be filed for audit.

PRESENTATION AND APPROVAL OF INVOICES

Be it resolved that motion was made by Mark Wilkes, seconded by Cynthia Johnson and unanimously carried, authorizing the payment of the invoices for the period of April 14, 2021 to May 11, 2021 in the amount of \$19,387.51.

POLICE REPORT

Officer Mason presented the police report for April 2021. He said of the 63 calls for service, 61 were answered by the Brookneal Police Department and 2 by the Campbell County Sheriff's office.

PUBLIC WORKS REPORT

Public Works Director Mike Crews said that all the trash cans have been received. He said they did start distributing them last week.

TOWN MANAGER REPORT

Town Manager Russell Thurston said that he has been working on the community building landscaping project.

REQUEST FOR TRANSFERS OF APPROPRIATION

Upon motion by Mark Wilkes, seconded by Cynthia Johnson, and unanimously carried, the Council voted to approve the following request for transfers of appropriation as outlined by the treasurer.

REQUEST FOR TRANSFERS OF APPROPRIATION

To: **Brookneal Town Council**

Date: **May 11, 2021**

The following **Appropriation Transfers** are requested for **FY2021**:

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
General Prop. Rep. & Maint. ---01-4302-5407	\$10,402.00	\$21,402.00	\$ 556.47
<u>Category---Revenue</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Contingency Fund—01-8102-7010	\$10,402.00	\$25,057.13	\$ 25,057.13

To cover the cost of the new heat pump for the Town Office. This money was already approved by the Council in February 2021. The money was put into the contingency fund from the CARES Act until the exact amount was determined for the heat pump.

<u>Category--Revenue</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Housekeeping Supplies—01-4302-5405	\$ 400.00	\$ 3,090.00	\$ 353.65
<u>Category---Expense</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Contingency Fund—01-8102-7010	\$ 400.00	\$24,657.13	\$ 24,657.13

To cover the cost of housekeeping supplies for the remainder of FY21.

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Legal and Professional--01-1204-3002	\$1,000.00	\$ 5,451.00	\$ 68.86
<u>Category---Revenue</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Contingency Fund—01-8102-7010	\$1,000.00	\$23,657.13	\$ 23,657.13

To cover the cost of legal expenses for collection of real estate taxes. These costs will be reimbursed once delinquent real estate taxes are collected.

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Heating Service--01-4302-5102	\$ 360.38	\$ 6,019.30	\$ 0.00
<u>Category---Revenue</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>

Contingency Fund—01-8102-7010	\$ 360.38	\$23,296.75	\$ 23,296.75
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To cover the cost of heating service for FY21

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Public Works—Overtime—01-4101-1002	\$ 1,500.00	\$ 5,500.00	\$ 1,106.82

<u>Category---Revenue</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Contingency Fund—01-8102-7010	\$ 1,500.00	\$ 21,796.75	\$ 21,796.75

To cover the cost of overtime in public works for the remainder of FY21 which has gone over budget due to the flood in November 2020.

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
General Fund Va. LDP—01-4101-1002	\$ 70.00	\$ 238.00	\$ 59.40

<u>Category---Revenue</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Contingency Fund—01-8102-7010	\$ 70.00	\$ 21,726.75	\$ 21,726.75

To cover the cost of VRS Long Term Disability in the General fund for the remainder of FY21.

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Recreation Repairs & Maint. —01-7104-5407	\$ 3,000.00	\$ 6,800.00	\$ 203.04

<u>Category---Revenue</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Contingency Fund—01-8102-7010	\$ 3,000.00	\$ 18,726.75	\$ 18,726.75

To cover the cost of repairs at the playground, ballpark and the cost of new lamps for the ball fields.

Respectfully requested by:

Treasurer

Date

COMMITTEE RECOMMENDATIONS

There were no committee recommendations.

ITEMS FROM TOWN COUNCIL

There were no items from Town Council.

MOTION TO ENTER INTO CLOSED SESSION UNDER VA CODE SECTION 2.2-3711 (A)(1) TO DISCUSS MATTERS INVOLVING THE CHANGE IN THE EMPLOYMENT STATUS OF AN EMPLOYEE OF THE TOWN OF BROOKNEAL

Upon motion by Richard Adams, seconded by Joseph David, and unanimously carried, the Council voted to enter into closed session under VA Code Section 2.2-3711 (A)(1) to discuss matters involving the change in employment status of an employee of the Town of Brookneal. Mr. Adams reminded everyone of the confidentiality of the matters discussed in the closed session and that these matters are not to be discussed outside of this closed session.

CERTIFICATION

Vice Mayor Richard Adams called for a vote certifying that only those items were discussed as allowed under VA Code Section 2.2-3711 (A)(1) for the purpose of discussing matters involving the change in employment status of an employee of the Town of Brookneal.

The vote was as follows:

Mr. Fisher	Aye	Ms. Johnson	Aye
Mr. Adams	Aye	Mr. Wilkes	Aye
Mr. David	Aye	Mayor Nowlin	Aye

ADJOURNMENT

Upon motion by Cynthia Johnson, seconded by Mark Wilkes, and unanimously carried, Mayor Nowlin announced that the May 11, 2021 Council meeting was adjourned.

Bobbie A. Waller
Clerk/Treasurer

James Nowlin
Mayor