

June 14, 2022

MINUTES OF THE BROOKNEAL TOWN COUNCIL

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

The municipal government of the Town of Brookneal met with the following members present:

Richard Adams, Mayor
Mark Wilkes, Vice Mayor
Barbara Laprade, Joseph David, Cynthia Johnson, Scott Fisher and Conner Francis, Council Members
Bobbie Waller, Clerk/Treasurer
Russell Thurston, Town Manager
Mike Crews, Public Works Director
Richard Baldwin, Chief of Police

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

Upon motion by Mark Wilkes, seconded by Conner Francis, and unanimously carried, Council approved the agenda for the June 14, 2022, regular meeting of the Brookneal Town Council with the following additions: 1) Motion to approve a resolution for Golden Skillet Restaurant for their 50 years of business in the Town to be presented at the July 12, 2022 Town Council meeting 2) Motion to approve a resolution for retiring Police Chief Richard Baldwin to be presented at the July 12, 2022 Town Council meeting 3) Comments from Town Attorney Tripp Isenhour.

MINUTES

Upon motion by Mark Wilkes seconded by Conner Francis, and unanimously carried, Council approved the minutes for the May 10, 2022, Town Council meeting.

TREASURER'S REPORT

Mayor Adams asked that the June 2022 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 May 11, 2022 through June 14, 2022, in the amount of \$35,807.49.

PUBLIC COMMENT

Mr. Ken Silby, of 914 Lynchburg Avenue, told the Council that this town has gone to crap. He said when you send paperwork to people about chickens in their yard, and you don't worry about the blight properties in Town, the drug dealers in Town, or anything else, but you are worried about somebody with a chicken in their yard. He said this town, this county, was based and raised and continued to be a farming community; a town in which we had business and we took care of all of our neighbors. He said it didn't matter and this goes for whoever was the responsible party for being so racist in the grocery store. He said it didn't matter what color or where you came from, we took care of each other; we took care of our own. That's what this town needs to get back to. He said forget the chickens; how about doing something about these people that don't care about their properties, the slum lords that have people outside doing drugs and fighting themselves in the middle of the road and then hitting people in the head with ball bats. He said it is not where he wants to grow up, and he was glad his kids were grown. He said if anybody asked him, he would tell them not to come here; it is kind of like a little Chicago. He said we are not to be governed by people who like to dictate; this town has and will always be somebody and people who vote on stuff. He said he hadn't seen the first vote to do away with chickens and farm animals, but he said a whole lot of people talking about doing away with the drug dealers, the slumlords, the blight properties, the bad road maintenance. He said how about giving the police officers some more money, and the guys that pick up the trash some more money, how about y'all taking a pay cut.

Ms. Carolyn Zimmer, of 116 Charlotte Street, said that she just moved here a little over 6 months ago, and that she had to surrender her animals, her dogs and her chickens. She said that when she read the ordinance before she moved here that we went under Campbell County rule and that you could have 10 hens. She said that since then she found out that she can't have anything which is really disappointing. She said as the other gentleman said, that there is so much more this Town could be doing than nitpicking on certain items. She said that she did not understand how someone who lives less than 150 feet from the school can have guns and ammo sold out of their house; she said that makes no sense to her especially with what is going on in the world lately. She said the town has great opportunity, she said she felt we just need different leadership, she said "you guys" are not going in the right direction. She said there is a reason people are not coming here with property not being sold. She said she doesn't see the Council sending out anything asking people who live here and pay their taxes what they want done with this Town. She said she sees 9 people sitting up here dictating what we're doing and nobody is saying let's put this to a vote for the Town to decide on do we want increases in taxes, do we want this, do we want that. She said, "I just see 9 people dictating everything, and I don't think that's how it should be run."

Ms. Tracey Meisenbach, of 527 Cook Avenue, said that she wanted to talk about an ordinance that is on the books, 92.19, which is about fireworks being exploded in the city limits. She said she is not talking about snappers or sizzlers; she said she is talking about shot up into the air and 10-15-foot-wide starbursts. She said that it has been going on for several years and the same two families are doing it. She said she has talked to Chief Baldwin, Clif Mason and Russell Thurston about this. She said whether anybody likes it or not, she has horses and she has had them here for 23 years. She said if you shoot off fireworks in a deliberate attempt to spook her horses, you are not only violating a town ordinance, you are violating a state law where it is a misdemeanor to deliberately spook a horse. She said Chief Hires handled this and Chief Cousins handled this when he was here. She said she didn't care about snappers or sizzlers, but when they are shot off by the nursing home and the police are down there and nothing is done and she can see the fireworks going off. She said she has a video of them and

there is a police car in the video and nothing is done. She said somebody should have been charged with a misdemeanor and fined. She said it is in the town code and it is on the town website. She said that if it is your position that the ordinances should be enforced, then this July 1-4, 2022 she expects people to be charged and the fireworks to be shut down. She said it is ridiculous that nobody is enforcing this especially after it is brought to their attention. She said she would appreciate it if this year if you get a complaint, that something would be done.

POLICE REPORT

Police Chief Richard Baldwin presented the police report for June 2022. He said of the 156 calls for service, 136 were answered by the Brookneal Police Department and 20 by the Campbell County Sheriff's office. He also presented a press release listing the indictments for the May 2022 grand jury term. He said there were drug-related offenses, distribution and possession of narcotics, weapons violations, as well as various other offenses.

Chief Baldwin addressed the fireworks complaint presented by Ms. Meisenbach. He said that Ms. Meisenbach is right about the fireworks being illegal in town, anything which explodes, rises into the air or travels laterally, or fires projectiles into the air. He said that as law enforcement they work on probable cause; he said they can't work on suspicion only. He said that if they go somewhere on a complaint where someone is shooting fireworks, but they see no fireworks when they get there; he said if they interview the person, and they say they haven't done it and there were no witnesses. He said just because there is a picture, where did that picture come from? He said they do enforce laws in the Town of Brookneal. He said if a video is taken of the fireworks being set up and exploding, then that is good evidence. He said a video of something exploding in the air does not prove where the explosion came from. Councilperson David noted that a citizen has every right to go to the magistrate and press charges themselves. Chief Baldwin said they have to have probable cause; they can't charge somebody with a crime off mere suspicion. Officer Mason addressed the fireworks complaint and recalled the night it happened. He said he never saw who shot the fireworks off. He warned the suspected persons not to shoot off fireworks, but he did not see them shoot it, so he could not charge them. He said if he charged them and does not have proof, the commonwealth attorney is not going to prosecute any of it.

Discussion turned to the gun shop on Charlotte Street in light of recent events with a school shooting in Uvalde, Texas. Chief Baldwin said that he goes by there and talks with the gun shop owner at least once per week; he said he is constantly in contact with him. He said that the gun shop owner recently renewed his federal firearms license. There was much discussion about the gun store and discussion turned to the Dillon rule. Tripp Isenhour, the Town attorney, clarified a statement made by Ms. Meisenbach who said that the Town of Brookneal was absolutely subordinate to Campbell County. Mr. Isenhour said that the Town of Brookneal is its own independently chartered entity. He said the Dillon rule specifically states that localities whether it be a town or a county, have no authority to pass laws or ordinances other than what is specifically delegated to them by the state or through the general assembly. He said the supremacy clause in the Constitution which states that any aspect of law that is governed by federal law, the United States Congress, states and localities cannot mess with. He said that includes things like firearms regulations that are subject to federal firearms licensing and federal firearms standards. He said the feds are going to set the standards and that is the only standard that is going to apply and the localities cannot do anything different on that. He said the distinction between towns and counties, is that towns are within counties, and the counties provide a backdrop. He said all the rules and restrictions in the County apply in a Town unless

and until the Town creates their own rules and once the Town creates their own rules, they can be different from the County entirely. He said the Town can impose its own rules that can be different from the County because they are independent of the county, the county is just a backdrop.

PUBLIC WORKS REPORT

Public Works Director Mike Crews noted in his report that there is not an agriculture zoning district in the Town of Brookneal, and there has not been one here since the Town of Brookneal incorporated the zoning districts.

Mr. Crews said that the Town is in the middle of a water meter upgrade through Fortiline for radio read water meters. He said a crew put the collector (the antennas for the radio read meters) on the water tank last week. He said a washout of the downtown tank was also done last week by a utility service company. He said they are awaiting reports about the condition of the tank. He said hopefully they can fill it after a meeting with VDH (Virginia Department of Health) and get it back online. He said the radio read meters will save time in the maintenance department by eliminating the need for 2 employees to read meters 2 days per month. He said the meters will be time saving, provide more accurate collection of data, provide the opportunity for wider integration and enhanced customer service. He said the system will have leak detection which will provide an alert to the office when this occurs. He said he had received no updates on the part he is waiting for on the 2020 trash truck. He said the Dixie Girls are hosting all stars this weekend here in Brookneal.

TOWN MANAGER REPORT

Town Manager Russell Thurston told the Council that a new police chief will be starting on August 1, 2022. He thanked Chief Richard Baldwin for his many years of service in law enforcement, 48 years in total. Mr. Thurston said that the real estate market has been extremely hot in the Town of Brookneal; houses are selling or going under contract within 30 days of going on the market. He said Brookneal Elementary is showing the highest increase in student enrollment than any other school in Campbell County.

Mr. Thurston said that he is working on a new playground at the ball park in the coming fiscal year; he is working with a landscaping design architect. He said his plans are for a new shelter/picnic pavilion that will be handicap accessible for the ball park as well as new playground equipment for the kids. He said that he is also working on a project to make improvements at the boat landing on Town owned land in that area. He said he would like to put in a picnic shelter/pavilion that would be designed flood worthy since it is in a flood plain; he said this would make the project more expensive for the correct materials. He said he plans for improvements at the community building as well.

Mr. Francis asked about dogs being at large in Town, and what the status was on that. Mr. Francis said he also understood that the Town does not have an animal control contract with Campbell County to enforce the Town's codes. Mr. David said that he could not enforce the Town codes without an agreement; he said Altavista has that but Brookneal does not. Mr. Thurston said that we could have this discussion in the future to have an agreement with the County to enforce the Town codes.

RESOLUTION RECOGNIZING THE GOLDEN SKILLET RESTAURANT

Upon motion by Conner Francis, seconded by Cynthia Johnson, and unanimously carried, the Council voted to approve a resolution for the Golden Skillet Restaurant for their 50 years of business in the Town of Brookneal to be presented at the July 12, 2022, Town Council meeting.

A roll call vote was taken as follows:

Mr. Francis	Aye	Ms. Laprade
Mr. David	Aye	Ms. Johnson
Mr. Wilkes	Aye	Mayor Adams
Mr. Fisher	Aye	

RESOLUTION FOR RETIRING POLICE CHIEF RICHARD BALDWIN

Upon motion by Barbara Laprade, seconded by Conner Francis, and unanimously carried, the Council voted to approve a resolution for retiring Police Chief Richard Baldwin to be presented at the July 12, 2022 Town Council meeting.

A roll call vote was taken as follows:

Mr. Francis	Aye	Ms. Laprade
Mr. David	Aye	Ms. Johnson
Mr. Wilkes	Aye	Mayor Adams
Mr. Fisher	Aye	

APPROVAL/DISAPPROVAL OF THE 2022/2023 GENERAL FUND BUDGET AS PRESENTED AND ADVERTISED

Upon motion by Barbara Laprade, seconded by Joseph David, and unanimously carried, the Council voted to approve the 2022/2023 general fund budget as presented and advertised.

A roll call vote was taken as follows:

Mr. Wilkes	Aye	Mr. Fisher	Aye
Ms. Laprade	Aye	Mr. Francis	Aye
Mr. David	Aye	Mayor Adams	Aye
Ms. Johnson	Aye		

REVENUE	BUDGET FY 2022-2023	
GENERAL FUND	01	
ACCOUNT	NAME	BUDGET 22/23
1101-0100	REAL ESTATE TAXES	87,000.00
1102-0100	CURRENT RE TAXES,PUBLIC SERVICE	12,700.00
1102-0300	CURRENT PP TAXES,PUBLIC SERVICE	600.00
1103-0100	PERSONAL PROPERTY	62,000.00

1103-0200	PPTRA	26,913.30
1103-0300	MOBILE HOME TAXES	0.00
1104-0100	MACHINERY & TOOLS	15,000.00
1106-0100	PENALTIES/INT,TAXES	3,000.00
1106-0200	INTEREST	0.00
1106-0300	PENALTIES/INT-BUS LIC	200.00
1201-0000	LOCAL SALES TAX	62,000.00
1201-0100	MEALS TAX	213,808.40
1202-0000	CONSUMER UTILITY TAX	28,000.00
1202-0100	COMMUNICATIONS TAX	16,000.00
1203-0100	B/L CONTRACTING	500.00
1203-0200	B/L RETAIL SALES	40,000.00
1203-0300	B\L PROF.,RE &FINANCE	
1203-0400	B\L REPAIR, PERSONAL	11,000.00
1203-0500	B\L WHOLESALE	9,500.00
1203-0600	B\L OTHER	150.00
1204-0000	FRANCHISE TAX	
1205-0000	DECALS/MOTOR VEHICLE TAX	22,625.00
1206-0000	BANK STOCK TAX	50,000.00
1303-3100	CIGARETTE TAX	35,000.00
1401-0100	COURT FINES	2,000.00
1401-0200	PARKING FINES	0.00
1401-0300	OTHER FINES	0.00
1501-0100	INTEREST ON BANK DEPOSITS	11,000.00
1501-0200	INTEREST ON INVESTMENT	0.00
1501-0400	OTHER FROM USE OF MONEY	0.00
1502-0100	RENTAL OF RECREATIONAL	3,000.00
1502-0200	RENTAL OF GENERAL PROPERTY	0.00
1502-0300	RENTAL OF CONCESSION STAND	0.00
1502-0400	JENSEN BUILDING RENT	0.00
1502-0500	KERSEY BUILDING RENT	600.00
1608-0200	WASTE COLLECTION	26,000.00
1608-0300	WEED CUTTING,BUSHHOGGING	0.00
1899-0300	GIFTS & DONATIONS	0.00
1899-0600	SALE OF SALVAGE	0.00
1899-0700	SALE OF REAL ESTATE	0.00
1899-1200	SALE OF CEMETERY LOTS	1,000.00
1899-1300	OTHER MISC. REVENUE	1,800.00
1899-1400	TOBACCO GRANT	0.00
2201-0100	ABC PROFITS	0.00
2201-0800	DMV/ROLLING STOCK	8,500.00

2403-0200	YOUTH CONSERVATION	0.00
2403-0300	OTHER CATEGORICAL AID	0.00
	AMERICAN RESCUE PLAN ACT	194,000.00
2404-0100	POLICE GRANTS	33,000.00
2404-0300	MISC. POLICE GRANTS	0.00
2404-0700	LITER CONTROL GRANT	1,000.00
2404-1000	OTHER INCOME - CAMPBELL COUNTY	3,000.00
2404-1100	FIRE FUND	15,000.00
TOTAL		995,896.70

EXPENSE	BUDGET FY 2022-2023	
General Fund		
ACCOUNT	NAME	BUDGET 22/23
01-1101-5307	TOWN COUNCIL/PUBLIC	400.00
01-1101-5801	TOWN COUNCIL/OTHER	6,700.00
	<i>Bass Festival</i>	
	<i>Day in the Town</i>	
	<i>Dixie Youth Girls</i>	
	<i>VML</i>	
	<i>VA Institute of Government</i>	
	<i>Local Government Council</i>	
	<i>Misc. expenses</i>	
	<i>CVCC</i>	
	<i>Hazardous Mitigation Plan</i>	
	<i>Comprehensive Plan</i>	
TOTAL		7,100.00
01-1103-1001	MAYOR - SALARY	2,000.04
01-1103-2001	MAYOR - SS/MEDI	153.00
01-1103-2002	MAYOR - VSRS	0.00
01-1103-2005	MAYOR - HOSP INS	0.00
01-1103-2011	MAYOR - WORKMAN COMP	0.00
01-1103-5500	TRAVEL	100.00
TOTAL		2,253.04
01-1201-1001	TOWN MANAGER - SALARY	62,843.36

01-1201-2001	TOWN MANAGER - SS/MEDI	4,807.52
01-1201-2002	TOWN MANAGER - VSRS	11,048.33
01-1201-2005	TOWN MANAGER - HOSP	0.00
01-1201-2006	TOWN MANAGER - LIFE	771.08
01-1201-2011	TOWN MANAGER - WORKM	0.00
01-1201-5408	TOWN MANAGER - VEHICLE	1,250.00
01-1201-5409	TOWN MANAGER-VEHICLE FUEL	1,500.00
01-1201-5500	TOWN MANAGER - TRAVEL	600.00
01-1201-5801	TOWN MANAGER - DUES	90.00
TOTAL		82,910.29
01-1202-1001	TREASURER - SALARY	44,973.92
01-1202-1002	TREASURER - OVERTIME	1,200.00
01-1202-2001	TREASURER - SS/MEDI	3,532.30
01-1202-2002	TREASURER - VSRS	7,617.39
01-1202-2005	TREASURER - HOSPITAL	16,629.00
01-1202-2006	TREASURER - LIFE INS	531.63
01-1202-2011	TREASURER - WORKMANS	0.00
01-1202-5500	TREASURER - TRAVEL	200.00
01-1202-5801	TREASURER - DUES & SUB	200.00
TOTAL		74,884.24
01-1203-1001	REC/CASHIER - SALARY	4,012.80
01-1203-1001	REC/CASHIER - OVERTIME	0.00
01-1203-2001	REC/CASHIER - SS/MED	306.98
01-1203-2002	REC/CASHIER - VSRS	0.00
01-1203-2005	REC/CASHIER - HOSP	0.00
01-1203-2006	REC/CASHIER - LIFE INS	0.00
01-1203-2011	REC/CASHIER - WORKM	0.00
01-1203-5500	REC/CASHIER - TRAVEL	0.00
01-1203-5801	REC/CASHIER - DUES	0.00
TOTAL		4,319.78
01-1204-3002	LEGAL AND PROFESSIONAL	3,000.00
TOTAL		3,000.00

01-1208-3002	AUDITOR	5,100.00
TOTAL		5,100.00
01-1220-0000	TEMP EMPLOYEES	0.00
TOTAL		0.00
01-1226-3006	PRINTING & BINDING	0.00
01-1226-3007	ADVERTISING	2,500.00
TOTAL		2,500.00
01-1227-5401	OFFICE SUPPLIES	7,800.00
01-1227-5403	INFORMATION TECH	4,000.00
01-1227-5411	BOOKS & SUBSCRIPTIONS	400.00
TOTAL		12,200.00
01-1228-5201	POSTAL SERVICES	2,500.00
01-1228-5203	TELECOMMUNICATIONS	6,650.00
TOTAL		9,150.00
01-1229-5308	GEN LIABILITY INS	4,731.48
01-1229-5309	AUTO INS	2,838.92
01-1229-5310	PROPERTY INS	24,685.68
TOTAL		32,256.08
01-2401-5606	W&S LOANS PAYABLE	0.00
TOTAL		0.00
01-3101-1001	POLICE - SALARIES	141,837.76
01-3101-1002	POLICE - OVERTIME	4,000.00
01-3101-2001	POLICE - SS/MEDICARE	11,156.59
01-3101-2002	POLICE - VSRS	24,180.05
01-3101-2005	POLICE -HOSPITAL INS	26,617.20
01-3101-2006	POLICE - LIFE INS	1,687.57

01-3101-2011	POLICE - WORKMAN	4,100.00
01-3101-5203	POLICE - TELECOMMUN	6,200.00
01-3101-5308	POLICE - LIABILITY INS	4,250.00
01-3101-5309	POLICE-LINE OF DUTY ACT	1,600.00
01-3101-5401	POLICE - SUPPLIES	4,000.00
01-3101-5403	POLICE - INFORMATION TECH	3,500.00
01-3101-5407	POLICE - REPAIRS & MAINT	5,500.00
01-3101-5408	POLICE - VEHICLE FUEL/OIL/ETC	10,100.00
01-3101-5410	POLICE - UNIFORMS	1,500.00
01-3101-5411	POLICE - BOOKS & SUBSCR	200.00
01-3101-5412	POLICE - REPLACE CARS	4,000.00
01-3101-5413	POLICE - SEIZURE	0.00
01-3101-5500	POLICE - TRAVEL	1,500.00
01-3101-5601	LOCAL LAW ENFORCEMENT	0.00
01-3101-5801	POLICE - DUES & MEMBER	1,500.00
01-3101-5805	POLICE - MISC	200.00
TOTAL		257,629.17
01-3202-5604	FIRE DEPT - OPERATING	15,000.00
01-3202-7001	FIRE DEPT - EQUIPMENT	0.00
TOTAL		15,000.00
01-3203-5309	RESCUE SQUAD INSURANCE	0.00
01-3203-5604	RESCUE SQUAD	0.00
TOTAL		0.00
01-4101-1001	PUBLIC WORKS - SALARY	48,296.16
01-4101-1002	PUBLIC WORKS - OVERTIME	4,000.00
01-4101-2001	PUBLIC WORKS - SS/MEDI	4,000.66
01-4101-2002	PUBLIC WORKS - VSRS	8,447.26
01-4101-2005	PUBLIC WORKS - HOSPITAL	7,990.56
01-4101-2006	PUBLIC WORKS - LIFE INS	589.55
01-4101-2011	PUBLIC WORKS - WORKMANS	0.00
01-4101-5411	PUBLIC WORKS - BOOKS	0.00
01-4101-5500	PUBLIC WORKS - TRAVEL	0.00
01-4101-5801	PUBLIC WORKS - DUES	40.00

TOTAL		73,364.19
01-4102-1001	STREETS - SALARIES	32,350.40
01-4102-1002	STREETS - OVERTIME	1,000.00
01-4102-1003	STREETS - SUMMER GROUNDS	0.00
01-4102-1004	STREETS - TEMP	0.00
01-4102-2001	STREETS - SS/MEDICARE	2,551.31
01-4102-2002	STREETS - VSRS	5,193.68
01-4102-2005	STREETS - HOSPITAL INS	9,988.20
01-4102-2006	STREETS - LIFE INS	362.48
01-4102-2011	STREETS - WORKMAN COMP	1,050.00
01-4102-2012	GF--VIRGINIA LOCAL DISABILITY (VRS)	600.00
01-4102-5407	STREETS - REPAIRS	5,000.00
01-4102-5408	STREETS - VEHICLE SUPP	1,800.00
01-4102-5409	STREETS - FUEL	3,000.00
01-4102-5409	INMATE WORKER PROGRAM	0.00
01-4102-5801	STREETS - SAFETY EQUIP	1,100.00
TOTAL		63,996.07
01-4104-5100	STREET LIGHTING	26,700.00
TOTAL		26,700.00
01-4203-1001	SANITATION - SALARIES	40,836.80
01-4203-1002	SANITATION - OVERTIME	1,000.00
01-4203-2001	SANITATION - SS/MEDICARE	3,200.52
01-4203-2002	SANITATION VSRS	6,823.07
01-4203-2005	SANITATION - HOSPITAL	9,988.20
01-4203-2006	SANITATION - LIFE INS	476.19
01-4203-2011	SANITATION - WORKMANS	2,400.00
01-4203-5407	SANITATION - REPAIRS	4,000.00
01-4203-5408	SANITATION - VEHICLE SUP	1,200.00
01-4203-5409	SANITATION - FUEL	8,500.00
01-4203-5412	SANITATION - REPLACE V	0.00
01-4203-5801	SANITATION - SAFETY EQUIP	1,100.00
TOTAL		79,524.78
01-4302-5101	ELECTRICAL SERVICE	5,300.00

01-4302-5102	HEATING SERVICE	1,000.00
01-4302-5103	WATER & SEWER	1,104.00
01-4302-5405	HOUSEKEEPING SUPPLIES	1,200.00
01-4302-5407	GENERAL PROP. - REPAIR	5,500.00
01-4302-5408	JENSEN BUILDING EXP	0.00
01-4302-5409	KERSEY BUILDING EXP	1,200.00
01-4302-5804	AIRPORT	6,000.00
TOTAL		21,304.00
01-7104-5101	RECREATION - ELECTRIC	6,000.00
01-7104-5102	RECREATION - HEATING	6,500.00
01-7104-5103	RECREATION - WATER & SEWER	1,104.00
01-7104-5405	RECREATION - HOUSEKEEPING	9,600.00
01-7104-5407	RECREATION - REPAIRS& MAINT.	151,800.00
01-7104-5408	RECREATION - VEHICLE & SUPPL	1,200.00
01-7104-5409	RECREATION - FUEL	420.00
TOTAL		176,624.00
01-7105-5101	LIBRARY - ELECTRICAL	0.00
01-7105-5102	LIBRARY - HEATING	0.00
01-7105-5103	LIBRARY - WATER & SEWER	552.00
01-7105-5407	LIBRARY - REPAIRS & MAINT	0.00
TOTAL		552.00
01-8102-7010	CONTINGENCY FUND	35,529.06
01-8102-7006	HEALTH INSURANCE RESERVE FUND	5,000.00
01-8102-7007	VEHICLE REPLACEMENT RESERVE	5,000.00
TOTAL		45,529.06
01-8106-7009	CAPITAL IMPROVEMENTS	0.00
TOTAL	EXPEND FOR FUND	995,896.70

APPROVAL/DISAPPROVAL OF THE 2022/2023 WATER FUND BUDGET AS PRESENTED AND ADVERTISED

Upon motion by Barbara Laprade, seconded by Joseph David, and unanimously carried, the Council voted to approve the 2022/2023 water fund budget as presented and advertised.

A roll call vote was taken as follows:

Mr. Wilkes	Aye	Mayor Adams	Aye	Mr. David	Aye
Mr. Francis	Aye	Mr. Fisher	Aye		
Ms. Johnson	Aye	Ms. Laprade	Aye		

APPROVAL/DISAPPROVAL OF THE 2022/2023 SEWER FUND BUDGET AS PRESENTED AND ADVERTISED

Upon motion by Barbara Laprade, seconded by Cynthia Johnson, and unanimously carried, the Council voted to approve the 2022/2023 sewer fund budget as presented and advertised.

A roll call vote was taken as follows:

Mr. Wilkes	Aye	Mayor Adams	Aye	Mr. David	Aye
Mr. Francis	Aye	Mr. Fisher	Aye		
Ms. Johnson	Aye	Ms. Laprade	Aye		

Revenue	Budget FY 22/23	22/23 BUDGET	22/23 BUDGET WATER	22/23 BUDGET SEWER
UTILITY FUND	02	BUDGET	WATER	SEWER
1100-0000	WATER & SEWER RENTS	406,045.97	265,797.10	140,248.87
1200-0000	WATER & SEWER CONNECTIONS	2,500.00	1,250.00	1,250.00
1300-0000	CUT ON FEES	5,200.00	5,200.00	
1400-0000	W&S PENALTIES	8,000.00	4,000.00	4,000.00
1500-0000	W&S INTEREST	9,000.00	4,500.00	4,500.00
1600-0000	CAMPBELL CO. GRANT	48,000.00	13,275.37	34,724.63
1700-0000	W&S MISC. REVENUE	2,500.00	1,250.00	1,250.00
1800-0000	TOWN RESERVOIR FISHING PERMITS	600.00	600.00	
	ARPA	511,000	505,500.00	5,500.00
TOTALS		<u>992,845.97</u>	<u>801,372.47</u>	<u>191,473.50</u>

EXPENSE	BUDGET FY 2022-2023	22/23 BUDGET	22/23 BUDGET WATER	21/22 BUDGET SEWER
02	WATER AND SEWER FUND		WATER	SEWER

02-1101-1001	ADMIN - SALARIES	0.00		
02-1101-1002	ADMIN - OVERTIME	0.00		
02-1101-2001	ADMIN - SS/MEDI	0.00		
02-1101-2002	ADMIN - VSRS	0.00		
02-1101-2005	ADMIN - HOSPITAL INS	0.00		
02-1101-2006	ADMIN - LIFE INS	0.00		
02-1101-2011	ADMIN - WORKERS COMP	0.00		
02-1101-5500	ADMIN - TRAVEL	0.00		
02-1101-5801	ADMIN - DUES	0.00		
TOTAL		0.00		
02-1102-3002	LEGAL SERVICES	0.00	0.00	0.00
TOTAL		0.00	0.00	0.00
02-1103-3002	AUDITOR	4,750.00	2,375.00	2,375.00
TOTAL		4,750.00	2,375.00	2,375.00
02-1104-3002	ENGINEER	0.00	0.00	0.00
TOTAL		0.00	0.00	0.00
02-1105-5401	W&S - OFFICE SUPPLIES	2,000.00	1,000.00	1,000.00
02-1105-5402	W&S - STATE FEES	7,900.00	3,160.00	4,740.00
02-1105-5403	W&S - INFORMATION TECH	4,100.00	2,460.00	1,640.00
02-1105-5408	W&S - VEHICLE SUPPLIES		0.00	
02-1105-5411	BOOKS & SUB			
02-1105-5413	W&S OTHER	150.00	75.00	75.00
TOTAL		14,150.00	6,695.00	7,455.00
02-1106-5201	W&S POSTAL SERVICES	2,600.00	1,820.00	780.00
02-1106-5203	W&S TELECOMMUNICATIONS	3,200.00	2,240.00	960.00
TOTAL		5,800.00	4,060.00	1,740.00

02-1101-1001	ADMIN. ASSISTANT SALARY	6,019.20	3,611.52	2,407.68
02-1101-2001	ADMIN. ASSISTANT-SS/MED	460.47	276.28	184.19
TOTAL		6,479.67	3,887.80	2,591.87
02-1120-0000	TEMP EMPLOYEE	24,000.00	12,000.00	12,000.00
TOTAL		24,000.00	12,000.00	12,000.00
02-2030-1001	PUBLIC WORKS SALARY	12,298.37	7,379.02	4,919.35
02-2030-1002	PUBLIC WORKS OVERTIME	1,000.00	600.00	400.00
02-2030-2001	PUBLIC WORKS MED/SS	1,017.33	610.40	406.93
02-2030-2002	PUBLIC WORKS VSRS	2,111.69	1,267.01	844.68
02-2030-2005	PUBLIC WORKS HOSPITAL INSURANCE	1,997.64	1,198.58	799.06
02-2030-2006	PUBLIC WORKS LIFE INSURANCE	147.38	88.43	58.95
02-2030-2011	PUBLIC WORKS WORKERS COMP	0.00	0.00	0.00
02-2030-5500	PUBLIC WORKS TRAVEL			
02-2030-5801	PUBLIC WORKS DUES	0.00	0.00	0.00
TOTAL		18,572.41	11,143.44	7,428.97
02-2101-1001	FILTER PLANT - SALARIES	109,200.00	76,440.00	32,760.00
02-2101-5500	FILTER PLANT - TRAVEL			
TOTAL		109,200.00	76,440.00	32,760.00
02-2102-3003	FILTER PLANT - ANALY	13,100.00	13,100.00	
02-2102-3004	FILTER PLANT TREATMENT	25,000.00	25,000.00	
02-2102-5101	FILTER PLANT - ELECTRIC	12,200.00	12,200.00	
02-2102-5102	FILTER PLANT - HEATING	4,500.00	4,500.00	
02-2102-5203	FILTER PLANT - TELECOM	720.00	720.00	
02-2102-5401	FILTER PLANT - OFFICE	0.00	0.00	
02-2102-5403	FILTER PLANT - INFORMATION TECH	0.00	0.00	
02-2102-5407	FILTER PLANT - REPAIR	6,000.00	6,000.00	
02-2102-5408	FILTER PLANT - VEHICLE	0.00	0.00	
02-2102-5409	FILTER PLANT - FUEL	0.00	0.00	
02-2102-5411	FILTER PLANT - BOOKS	0.00	0.00	
02-2102-5801	FILTER PLANT - SAFETY EQUIP	1,140.00	1,140.00	
02-2102-5805	FILTER PLANT - MISC	0.00	0.00	

TOTAL		62,660.00	62,660.00	
02-2103-3003	SEWER PLANT - ANALYT	14,000.00		14,000.00
02-2103-3004	SEWER PLANT - TREATMENT	3,000.00		3,000.00
02-2103-5100	SEWER PLANT - FEMA/95F	0.00		0.00
02-2103-5101	SEWER PLANT - ELECTRIC	13,000.00		13,000.00
02-2103-5102	SEWER PLANT - PUMP STATION ELEC	800.00		800.00
02-2103-5407	SEWER PLANT - REPAIRS	2,000.00		2,000.00
02-2103-5408	SEWER PLANT - VEHICLE	0.00		0.00
02-2103-5409	SEWER PLANT - OUTFALL RE	0.00		0.00
02-2103-5410	SEWER PLANT - VEHICLE FUEL(NEW08/09)	0.00		0.00
02-2103-5411	SEWER PLANT - BOOKS	0.00		0.00
02-2103-5805	SEWER PLANT - MISC	0.00		0.00
TOTAL		32,800.00		32,800.00
02-2301-1001	W&S SALARIES	64,625.92	32,312.96	32,312.96
02-2301-1002	W&S OVERTIME	3,000.00	1,500.00	1,500.00
02-2301-2001	W&S SS/MEDICARE	5,173.38	2,586.69	2,586.69
02-2301-2002	W&S VSRS	5,091.84	2,545.92	2,545.92
02-2301-2005	W&S HEALTH INS	19,976.40	9,988.20	9,988.20
02-2301-2006	W&S LIFE INS	355.37	177.69	177.68
02-2301-2011	W&S WORKMANS COMP	1,867.39	933.70	933.69
02-2301-2012	W&S VA LOCAL DISABILITY PROGRAM	264.14	132.07	132.07
TOTAL		100,354.44	50,177.23	50,177.21
02-2302-2001	SEWER - ARCH/ENG FEES			
02-2302-3001	SEWER - INSPECTION FEES			
02-2302-4001	SEWER - CONNECTION FEES			
02-2302-5001	SEWER - CONSTRUCTION FEES			
02-2302-5407	W&S - REPAIR & MAINTENANCE	523,000.00	513,800.00	9,200.00
02-2302-5408	W&S VEHICLE SUPPLIES	1,200.00	720.00	480.00
02-2302-5409	W&S VEHICLE FUEL (NEW FOR 08/09)	4,500.00	3,150.00	1,350.00
02-2302-5801	W&S - SAFETY EQUIP	960.00	672.00	288.00
02-2302-5805	W&S - MISC			
02-2302-5806	W&S - INFLOW & INFILT			

02-2302-5807	W&S PUMP STATION	5,000.00		5,000.00
TOTAL		534,660.00	518,342.00	16,318.00
02-0032-0000	BONDS PAYABLE	0.00		0.00
02-2401-5605	WATER & SEWER BOND INTEREST	0.00		0.00
02-2401-5606	W&S OTHER INTEREST	0.00		0.00
02-2401-5607	W&S DEPRECIATION			
02-2401-5608	W&S GEN FUND LOAN			
02-2401-7010	CONTINGENCY FUND	24,327.45	0.00	24,327.45
02-2401-7011	HEALTH INSURANCE CONTINGENCY FUND	3,000.00	1,500.00	1,500.00
TOTAL		27,327.45	1,500.00	25,827.45
02-2501-6001	W&S - CAPITAL IMPROVEMENTS	52,092.00	52,092.00	
TOTAL		52,092.00	52,092.00	
TOTAL	WATER & SEWER FUND	992,845.97	801,372.47	191,473.50

MOTION TO REPEAL THE CURRENT MEALS TAX ORDINANCE

Upon motion by Scott Fisher, seconded by Joseph David, and unanimously carried, the Council voted to repeal the existing meals tax ordinance.

MOTION TO REPLACE THE MEALS TAX ORDINANCE TO INCLUDE AN INCREASE IN THE TAX FROM 5% TO 6.5%

Upon motion by Scott Fisher, seconded by Joseph David, and with a vote of 5-1 with Conner Francis voting nay, the Council voted to replace the meals tax ordinance to include an increase in the meals tax from 5% to 6.5% effective July 1, 2022. A copy of the revised ordinance is below.

MEALS TAX

§ 34.065 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CATER. The furnishing of food, beverages or both on the premises of another, for compensation.

FOOD. All **FOOD**, beverages or both, including alcoholic beverages, purchased in or from a food establishment, whether prepared in that food establishment or not, and whether consumed on the premises or not, and without regard to the manner, time or place of service.

FOOD ESTABLISHMENT. Any place in or from which food or food products are prepared, packaged, sold or distributed in the town, including but not limited to any restaurant, dining room, grill, coffee shop, cafeteria, café, snack bar, lunch counter, convenience store, movie theater, delicatessen, confectionery, bakery, eating house, eatery, drugstore, ice cream/yogurt shops, lunch wagon or truck, pushcart or other mobile facility from which food is sold, public or private club, resort, bar, lounge or other similar establishment, public or private, and shall include private property outside of and contiguous to a building or structure operated as a **FOOD ESTABLISHMENT** at which food or food products are sold for immediate consumption.

MEAL. Any prepared food or drink offered or held out for sale by a food establishment for the purpose of being consumed by any person to satisfy the appetite and that is ready for immediate consumption. All such food and beverage, unless otherwise specifically exempted or excluded in this subchapter, shall be included, whether intended to be consumed on the seller's premises or elsewhere, whether designated as breakfast, lunch, snack, dinner, supper or by some other name, and without regard to the manner, time or place of service.

SALE (OF A MEAL). A final sale to the ultimate consumer.

SELLER. Any person receiving any payment for food with respect to which a tax is levied under this subchapter.

TREASURER. The Town Clerk/Treasurer and/or any duly designated deputy, assistant or inspector, or any other duly authorized agent, employee or designee.

(1997 Code, § 62-110) (Ord. passed 6-8-2004)

§ 34.066 LEVY OF TAX.

(A) There is imposed and levied by the town on each person a tax at the rate of 5% (to be replaced July 1, 2022 with) 6.5% on the amount paid for meals purchased from any food establishment, whether prepared in the food establishment or not, and whether consumed on the premises or not. Any fractional cent shall be rounded to the next higher cent.

(B) The tax imposed by this subchapter applies to all sales of meals and food by a food establishment which place of business is located within the town, without regard to the locality of delivery or possible use by the purchaser.

(1997 Code, § 62-111) (Ord. passed 6-8-2004)

Statutory reference:

Excise tax on meals, see VA Code, § 58.1-3840

§ 34.067 COLLECTION OF TAX BY SELLER.

(A) Every seller shall collect and remit the amount of the tax imposed by this subchapter from the person on whom the tax is levied or from the person paying for the food at the time payment for the food is made; provided, however, that as set forth in VA Code, § 51.5-98, no blind person operating a vending stand or other business enterprise under the jurisdiction of the State Department for the Visually Handicapped and located on property acquired and used by the United States for any military or naval purpose shall be required to collect or remit these taxes.

(B) All amounts collected as taxes by the seller under this subchapter shall be deemed to be held in trust by the seller collecting the taxes, until remitted to the town as provided in this subchapter. If the amounts collected as taxes are not paid as and when due, they shall thereafter become a debt of the seller due to the town.

(1997 Code, § 62-112) (Ord. passed 6-8-2004)

§ 34.068 EXEMPTIONS; LIMITS ON APPLICATION.

(A) The tax imposed under this subchapter shall not be levied on the following items when served exclusively for off-premises consumption:

- (1) Factory-prepackaged candy, gum, nuts and other items of essentially the same nature;
- (2) Factory-prepackaged doughnuts, ice cream, crackers, nabs, chips, cookies and items of essentially the same nature;
- (3) Food sold in bulk. For the purposes of this division, a **BULK SALE** shall mean the sale of any item that would exceed the normal, customary and usual portion sold for on-premises consumption (e.g., a whole cake, a gallon of ice cream); a **BULK SALE** shall not include any food or beverage that is catered or delivered by a food establishment for off-premises consumption;
- (4) Alcoholic beverages sold in factory- sealed containers and purchased for off-premises consumption;
- (5) Any food or food product purchased with food coupons issued by the United States Department of Agriculture under the Food Stamp Program or drafts issued thorough the Virginia Special Supplemental Food Program for Women, Infants and Children; or
- (6) Any food or food product purchased for home consumption as defined in the federal Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, except hot food or hot food products ready for immediate consumption.

(a) For the purposes of administering the tax levied under this subchapter, the following items, whether or not purchased for immediate consumption, are excluded from the definition of food in the federal Food Stamp Act: sandwiches, salad bar items sold from a salad bar, prepackaged single- serving salads consisting primarily of an assortment of vegetables, and non-factory-sealed beverages.

(b) This division shall not affect provisions set forth in divisions (C)(3), (4) and (5) of this section.

(B) A grocery store, supermarket or convenience store shall not be subject to the tax except for any portion or section therein designated as a delicatessen or designated for the sale of prepared food and beverages.

(C) The tax imposed under this subchapter shall not be levied on the following purchases of food and beverages:

(1) Food and beverages furnished by food establishments to employees as part of their compensation when no charge is made to the employee;

(2) Food and beverages sold by daycare centers, public or private elementary or secondary schools, or food sold by any college or university to its students or employees;

(3) Food and beverages for use or consumption and which are paid for directly by the commonwealth, any political subdivision of the commonwealth or the United States;

(4) Food and beverages furnished by a hospital, medical clinic, convalescent home, nursing home, home for the aged, infirm, handicapped, battered women, narcotic addicts or alcoholics, or other extended care facility to patients or residents thereof;

(5) Food and beverages furnished by a public or private nonprofit charitable organization or establishment or a private establishment that contracts with the appropriate agency of the commonwealth to offer at concession prices to elderly, infirm, blind, handicapped or needy persons in their homes or at central locations;

(6) Food and beverages sold on an occasional basis, not exceeding 3 times per calendar year, by a nonprofit education, charitable or benevolent or religious purposes; or

(7) Food and beverages sold through vending machines.

(1997 Code, § 62-113) (Ord. passed 6-8-2004)

§ 34.069 GRATUITIES AND SERVICE CHARGES.

(A) Where a purchaser provides a gratuity for an employee of a seller, and the amount of the gratuity is wholly in the discretion of the purchaser, the gratuity is not subject to the tax imposed by this subchapter, whether paid in cash to the employee or added to the bill and charged to the purchaser's account; provided that, in the latter case, the full amount of the gratuity is turned over to the employee by the seller.

(B) An amount or percent, whether designated as a gratuity, tip or service charge, that is added to the price of the food and beverages by the seller, and required to be paid by the purchaser, as a part of the selling price of the food and beverages is subject to the tax imposed by this subchapter.

(1997 Code, § 62-114) (Ord. passed 6-8-2004)

§ 34.070 REPORT OF TAXES COLLECTED; REMITTANCE; PRESERVATION OF RECORDS.

(A) It shall be the duty of every seller required by this subchapter to pay to the town the taxes imposed by this subchapter to register with the Clerk/Treasurer providing such information as the Clerk/Treasurer may prescribe.

(B) (1) Every seller required by this subchapter to pay to the town the taxes imposed by this subchapter shall file a report with the Clerk/Treasurer within 20 days after the last day of each calendar month, on forms prescribed by the Clerk/Treasurer, signed by the person, reporting: all purchases taxable under this subchapter; the amount charged the purchaser for each purchase;

the date thereof; the taxes collected thereon; and the amount of tax required to be collected by this subchapter.

(2) Each report shall be accompanied by a remittance of the amount of the taxes due thereon for the preceding month.

(C) These records shall be kept and preserved for a period of 5 years. The Clerk/Treasurer shall have the power to examine the records at reasonable times and without unreasonable interference with the business of the person, for the purpose of administering and enforcing the provisions of this subchapter, and to make transcripts of all or any parts thereof. In the administration and enforcement, the Clerk/Treasurer shall also have the powers set forth in [§§ 31.030](#) *et seq.* and this chapter.

(D) For the purpose of compensating the persons required by this subchapter to pay the taxes for accounting for and remitting the tax levied under this subchapter, the person shall be allowed a commission of 2% of the amount of tax due and accounted for in the form of a deduction of that amount in submitting his or her monthly report and remittance, provided that the amount paid was not delinquent at the time of payment.

(1997 Code, § 62-115) (Ord. passed 6-8-2004)

§ 34.071 INTEREST AND PENALTIES FOR FAILURE TO FILE A REPORT OR MAKE REMITTANCES.

(A) When any seller shall fail to make any report or remit the tax required by this subchapter there shall be imposed, in addition to any other penalties provided in this section, a specific penalty to be added to the tax in the amount of 10%; provided, however, that in no case shall the penalty be less than \$10, and the minimum penalties shall apply whether or not any tax is due for the period for which the report was required.

(B) Interest shall accrue at the rate of 10% per annum which shall be computed on the taxes and penalty commencing 30 days from the date the report or remittance is due.

(1997 Code, § 62-116) (Ord. passed 6-8-2004) Penalty, see [§ 10.99](#)

§ 34.072 OBLIGATIONS UPON GOING OUT OF BUSINESS.

Whenever any person required to collect and pay to the town a tax under this subchapter shall cease to operate or otherwise dispose of his or her business, any tax payable to the town shall become immediately due and payable through that date, and the person shall make a report and remittance thereof within 10 days of that date.

(1997 Code, § 62-117) (Ord. passed 6-8-2004) Penalty, see [§ 10.99](#)

§ 34.073 CIVIL WARRANT FOR COLLECTION OF DELINQUENT TAX.

The Clerk/Treasurer is authorized, when any tax becomes delinquent under this subchapter, to cause a civil warrant to be issued for the collection of the tax, penalty and interest as soon as the tax becomes delinquent against the seller or person liable for payment of the tax.

(1997 Code, § 62-118) (Ord. passed 6-8-2004)

§ 34.074 PROMULGATION OF SUBCHAPTER REGULATIONS.

(A) The Clerk/Treasurer shall monitor and oversee the accuracy, timeliness and completeness of the filing of reports and payment of taxes levied under this subchapter. The Clerk/Treasurer shall adopt and promulgate rules and regulations and forms not inconsistent with the provisions of this subchapter as deemed necessary for the effective administration of this subchapter.

(B) In administering the provisions of this subchapter, the Clerk/Treasurer may give any seller 10 days' notice to appear before the Clerk/Treasurer, with such books, records and papers as the Clerk/Treasurer may require relating to the seller's business for the taxable period in question. The Clerk/Treasurer may require that the seller or its agents and employees give testimony or answer interrogatories under oath administered by the Clerk/Treasurer respecting the meals provided and the revenues therefrom which are or may be subject to the tax imposed hereby, or the failure to make a report thereof as provided in this subchapter.

(1997 Code, § 62-119) (Ord. passed 6-8-2004)

MOTION TO ADOPT THE CIGARETTE TAX ORDINANCE WHICH PLACES A \$0.27 PER PACK TAX ON EACH PACK OF CIGARETTES SOLD IN THE TOWN OF BROOKNEAL

Upon motion by Cynthia Johnson, seconded by Mark Wilkes, and unanimously carried, the Council voted to adopt the following cigarette tax ordinance which places a \$0.27 per pack tax on each pack of cigarettes sold in the Town of Brookneal. A copy of the ordinance is below.

• **34.134 - CIGARETTE TAX**

• **34.135 - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agent means every dealer and other person who shall be authorized by the treasurer to purchase and affix stamps to packages of cigarettes under the provisions of this article.

Dealer means every manufacturer, distributor, jobber, wholesale dealer or other person who supplies a seller with cigarettes.

Package means every package, box, can or other container of any cigarettes to which the internal revenue stamp of the United States government is required to be affixed by and under federal statutes and regulations and in which retail sales of such cigarettes are normally made or intended to be made.

Sale means every act or transaction, irrespective of the method or means employed, including the use of vending machines and other mechanical devices, whereby title to any cigarettes shall be transferred from the seller, as defined in this section, to any other person within the town.

Seller means every person engaged in the business of selling cigarettes at retail within the town, in whose place of business title to any such cigarettes is transferred to any other person and not for the purpose of resale.

Stamp means the small gummed piece of paper or decal to be sold by the treasurer and to be affixed by the agent to every package of cigarettes; it shall also denote any insignia or symbol printed by a meter machine upon any such package under authorization of the treasurer.

Treasurer means the town treasurer and every person duly authorized by him/her to serve as his/her representative.

- **34.136 - Tax levied; amount.**

There is hereby levied and imposed by the town, in addition to any other taxes which may be or have been imposed, a tax to be paid and collected as provided in this article on each and every sale of cigarettes made in the town. The tax is to be paid by the seller, dealer or other agent by affixing a stamp, or causing a stamp to be affixed to every package of cigarettes, in the kind and manner required in this article and at the applicable rates as follows: The rate or amount of tax levied or imposed on cigarettes shall be at the rate of \$0.27 for each 20 cigarettes or fractional part thereof.

In the event that the rate stated herein is increased by act of the Town Council, any person with unsold inventory to pay the tax increase on the unsold inventory by filing a return within one calendar year after the increase rather than requiring the use of a stamp or meter impression. Such return shall identify the amount of unsold inventory, the amount of tax paid on such unsold inventory, and the amount of tax due as a result of the tax rate increase. Such return shall be due six calendar months after the effective date of the tax rate increase. For purposes of this subsection, "unsold inventory" means cigarettes held prior to the tax rate increase.

Deleted: ¶

- **34.137 - Preparation, sale, etc., of stamps; duties of treasurer generally.**

(a) The treasurer shall acquire, keep and sell necessary stamps to dealers and other agents, the stamps to be of such denominations and quantities as may be necessary for the payment of the tax imposed in this article.

(b) In the sale of such stamps to a dealer or other agent, the treasurer shall allow a discount of \$0.02 per stamp of the face value thereof to cover the cost which will be incurred by such dealer or agent in affixing the stamps to packages of cigarettes.

(c) The treasurer may, from time to time and as often as he/she deems advisable, provide for the issuance and exclusive use of stamps of a new design and forbid the use of stamps of any other design. The treasurer is empowered to make and carry into effect such reasonable rules and regulations relating to the preparation, furnishing, sale and redemption of stamps as he/she may deem necessary. In redeeming stamps or making refunds for destroyed stamps, he/she shall not in any case refund more than 90 percent of the face value of such redeemed or destroyed stamps. He/she is further authorized and empowered to prescribe the method to be employed, the conditions to be observed, and any other necessary requirements not

contrary to this article in the use of meter machines for printing upon packages of **cigarettes** an insignia to represent the payment of the tax and in lieu of stamps.

(d) The treasurer may require every dealer, agent or seller to cancel stamps upon all packages of **cigarettes** in his/her possession.

(e) In addition to powers granted in subsections (a) through (c) of this section, the treasurer is further authorized and empowered to:

(1) Prescribe, adopt, promulgate and enforce rules and regulations relating to the method and means to be used in the implementation of this article;

(2) Delegate his/her powers to agents or others, including the police officers of the town;

(3) Act in any other matters pertaining to the administration and enforcement of the provisions of this article.

- **34.138 - Inspection of records, premises, etc.**

The treasurer, or his/her duly authorized agent, is empowered to examine books, records, invoices and papers related to purchases, sales, etc., of **cigarettes**, and to examine all **cigarettes** in and upon any premises where **cigarettes** are placed, sold, stored, offered for sale or displayed for sale by a seller.

- **34.139 - Seizure and disposition of untaxed cigarettes, etc.**

(a) If the treasurer or his/her agent discovers any **cigarettes** subject to the tax imposed under this article, but upon which such tax has not been paid and upon which stamps have not been affixed or evidence of payment is not shown thereon by printed markings of a meter machine in compliance with the provisions of this article, then the treasurer or duly authorized agents or officers, any of them, may seize and take possession forthwith of such **cigarettes**, which shall thereupon be deemed to be forfeited to the town. Such **cigarettes** may, within a reasonable time thereafter, and after written notice is posted at the front door of the town hall at least five days before the date given therein for sale, shall sell such **cigarettes** in the place designated in such notice.

(b) Any property, other than motor vehicles, used in the furtherance of any illegal evasion of the tax may be seized, confiscated and disposed of as provided in subsection (a) of this section. No credit from any sale or other disposition shall be allowed toward any tax or penalties owed.

(c) The seizure and sale of any property shall not be deemed to relieve any person of any other penalties provided in this article.

- **34.140 - Presumption based upon stamps or markings.**

If any package of **cigarettes** is found in the possession of a seller without proper stamps or authorized printed markings thereon, and the seller is unable to submit evidence establishing that he/she received such packages, containers or items within the immediately preceding 48 hours, and that he/she has not offered the same for sale, then it shall be presumed that such packages, containers, or items are being kept in violation of the provisions of this article, and the seller shall be subject to the tax and a penalty in the amount of 50 percent thereof, even though such seller is also an agent.

- **34.141 - Obligation of dealers and agents regarding stamps.**

(a) Every dealer in **cigarettes** and every agent appointed under this section shall purchase necessary stamps from the town treasurer to pay the tax imposed under this article and shall affix or cause to be affixed a stamp of the monetary value provided by this article to each package of **cigarettes** prior to delivery or furnishing such **cigarettes** to any seller who is not also an agent.

(b) Nothing contained in this section shall be deemed to preclude any dealer from employing an agent, so long as such agent is duly authorized by the treasurer, to purchase and affix such stamps on his/her behalf or to have a stamp meter machine used in lieu of stamps to effectuate the provisions of this article.

(c) Stamps or printed markings of a meter machine shall be placed upon each package of **cigarettes** in such a manner as to be readily visible to the purchaser.

(d) It shall be the responsibility of every seller to determine that each package of **cigarettes** offered for sale has a proper stamp affixed thereto in compliance with the provisions of this article.

(e) If inspection by the treasurer or his/her agents discloses unstamped or improperly stamped packages of **cigarettes**, the seller, when such **cigarettes** were obtained from a dealer, shall immediately notify such dealer and upon such notification such dealer shall forthwith either affix to the unstamped or improperly stamped package, container or item with proper amount of stamps or he shall replace such package, container or item with others to which stamps have been properly affixed. If a seller, who is not also an agent, acquires or has in his/her possession unstamped or improperly stamped **cigarettes**, the seller shall forthwith notify the treasurer of such fact. The treasurer shall thereupon affix or cause to be affixed the proper stamps to such **cigarettes**. The cost of such stamps at face value shall be advanced by such seller.

(f) Every dealer and seller shall maintain and keep for a period of at least two years such records of **cigarettes** received and sold by him/her as may be required by the treasurer; such records shall be made available for examination in the town by the treasurer upon demand, and the means, facilities and opportunities for making any such examination shall be made available at all reasonable times.

- **34.142 - Presumptions based on quantity.**

Cigarettes found in quantities of more than six cartons within the town shall be conclusively presumed for sale therein and may be seized and confiscated if:

(1) They are in transit, and are not accompanied by a bill of lading or other document indicating the true name and address of the consignor or seller and of the consignee or purchaser, and the brands and quantity of cigarettes so transported, or they are in transit and accompanied by a bill of lading or other document which is false or fraudulent, in whole in part;

(2) They are in transit and are accompanied by a bill of lading or other document indicating:

a. 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 cigarettes on which the taxes imposed by such other jurisdiction have not been paid, unless the tax of the state or district of destination has been paid and the products bear the tax stamps of that state or district; or

b. A consignee or purchaser in the commonwealth but outside the town who does not possess a state sales and use tax certificate, a state retail cigarettes license and, where applicable, both a business license and retail cigarettes license issued by the local jurisdiction of destination; or

(3) They are not in transit and the tax has not been paid, nor have approved arrangements for payment been made, provided that this subsection shall not apply to cigarettes in the possession of distributors or public warehouses which have filed notice and appropriate proof with the town that those cigarettes are temporarily within the town and will be sent to consignees or purchasers outside the jurisdiction in the normal course of business.

- **34.143 - Disposition of revenue.**

Revenue derived from the tax imposed in this article shall be deposited by the treasurer to the credit of the general fund of the town for utilization for such legal purposes as the council of the town may from time to time determine.

- **34.144 - Illegal acts.**

It shall be unlawful and a violation of this article for any dealer or other person liable for the tax to:

(1) 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 under him/her under the provisions of this article or to fail or refuse to obey any lawful order which may be issued under this article;

(2) 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;

(3) Sell, offer for sale or authorize or approve the sale of any cigarettes upon which the town stamp has not been affixed;

(4) Possess, store, use, authorize or approve the possession, storage or use of any cigarettes in quantities of more than 60 cigarettes upon which the town stamp has not been affixed;

(5) Transport, authorize or approve the transportation of any cigarettes in quantities of more than 60 packages into or within the town upon which the town stamp has not been affixed, if they are:

a. Not accompanied by a 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;

b. Accompanied by a bill of lading or other document which is false or fraudulent in whole or part; or

c. Accompanied by a bill of lading or other document indicating:

1. A consignee or purchaser in another state or 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 such cigarettes bear the tax stamps of the jurisdiction; or

2. A consignee or purchaser in the state but outside the taxing jurisdiction who does not possess a state sales and use tax certification, a state retail tobacco license and, where applicable, a business license and a retail tobacco license issued by the local jurisdiction of destination;

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

(7) Remove from any package any stamp with intent to use or cause the package to be used after such package 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 therefore 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 in this article.

- **34.145 - Violations and penalty.**

Any persons violating any of the provisions of this article shall be guilty of a Class 1 misdemeanor. Any fine and/or imprisonment pursuant to conviction of a Class 1 misdemeanor shall not relieve any such person from the payment of any tax, penalty or interest imposed by this article.

- **34.146 - Each violation a separate offense.**

The sale of any quantity or the use, possession, storage or transportation of more than 60 packages of cigarettes upon which the town stamp has not been affixed shall be and constitutes a separate violation. Each continuing day of violation shall be deemed to constitute a separate offense.

§ 58.1-3830. Local cigarette taxes authorized; use of dual die or stamp to evidence payment.

A. Any locality is authorized to levy taxes upon the sale or use of cigarettes. The governing body of any locality that levies a cigarette tax and permits the use of meter impressions or stamps to evidence its payment may authorize an officer of the local or joint enforcement authority to enter into an arrangement with the Department of Taxation under which a tobacco wholesaler who so desires may use a dual die or stamp to evidence the payment of both the local tax and the state tax, and the Department is hereby authorized to enter into such an arrangement. The procedure under such an arrangement shall be such as may be agreed upon by and between the authorized local or joint enforcement authority officer and the Department.

B. Any county cigarette tax imposed shall not apply within the limits of any town located in such county where such town now, or hereafter, imposes a town cigarette tax. However, if the governing body of any such town shall provide that a county cigarette tax, as well as the town cigarette tax, shall apply within the limits of such town, then such cigarette tax may be imposed by the county within such town.

C. The maximum tax rate imposed by a locality on cigarettes pursuant to the provisions of this section shall be as follows:

1. If such locality is (i) a city or town that, on January 1, 2020, had in effect a rate not exceeding two cents (\$0.02) per cigarette sold or (ii) a county, then the maximum rate shall be two cents (\$0.02) per cigarette sold.

2. If such locality is a city or town that, on January 1, 2020, had in effect a rate exceeding two cents (\$0.02) per cigarette sold, then the maximum rate shall be the rate in effect on January 1, 2020.

Code 1950, § 58-757.27; 1960, c. 392, § 27; 1962, c. 473; 1977, c. 595; 1984, c. 675; 2020, cc. [1214](#), [1263](#); 2021, Sp. Sess. I, c. [61](#).

REQUEST FOR TRANSFERS OF APPROPRIATION

Upon motion by Conner Francis, seconded by Mark Wilkes, and unanimously carried, the Council voted to approve the following transfers of appropriation as outlined by the Clerk/Treasurer.

REQUEST FOR TRANSFERS OF APPROPRIATION

To: Brookneal Town Council

Date: June 14, 2022

The following **Appropriation Transfers** are requested for **FY2022**:

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Town Manager—Vehicle Fuel—01-1201-5409	\$ 300.00	\$ 1,800.00	\$ 51.92

<u>Category---Expense</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Town Manager--Travel—01-1201-5500	\$ 300.00	\$ 300.00	\$ 227.96

To cover the increase in fuel.

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Information Technology--01-1227-5403	\$ 900.00	\$ 5,726.00	\$ 10.01

<u>Category---Revenue</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
B/L—Retail Sales—01-1203-0200	\$ 900.00	\$49,120.00	N/A

To cover the costs of information technology that have gone over budget for FY22.

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Postal Services—01-1228-5201	\$ 400.00	\$ 2,665.00	\$ 0.00

<u>Category---Expense</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Advertising—01-1226-3007	\$ 400.00	\$ 2,100.00	\$ 946.10

To cover the increase in postal services for FY22.

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Gen.Property--Repairs —01-4302-5407	\$ 800.00	\$ 4,584.48	\$ 0.00

<u>Category---Revenue</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
B/L--Retail Sales--01-1203-0200	\$ 800.00	\$49,920.00	\$ N/A

To cover the costs of light repairs at the shop.

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Recreation—Repairs&Maint. —01-7104-5407	\$ 6,330.00	\$25,421.00	\$ 0.00

<u>Category---Revenue</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Local Sales Tax--01-1201-0000	\$ 6,330.00	\$71,551.00	\$ N/A

To cover the costs of the repairs to the lights at the ball park.

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Police--Overtime—01-3101-1002	\$ 2,000.00	\$ 6,000.00	\$ 1,060.89

<u>Category---Revenue</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Misc. Police Grants—01-2404-0300	\$ 2,000.00	\$ 6,453.00	N/A

To document DCJS grant of \$2988 to cover overtime expenses for the period 1/1/22 to 6/30/22 for special enforcement purposes

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Police Dept. Worker's Comp—01-3101-2011	\$ 59.00	\$ 4,059.00	\$ 0.00

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Police--Telecommunications—01-3101-5203	\$ 850.00	\$ 6,250.00	\$ 29.66

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Police—Liability Ins.—01-3101-5308	\$ 236.92	\$ 4,236.92	\$ 0.00

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Police Supplies--01-3101-5401	\$ 2,000.00	\$ 9,465.00	\$ 96.39

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Police-Vehicle Fuel/Oil/Etc. --01-3101-5408	\$ 3,000.00	\$11,600.00	\$ 178.46

<u>Category---Expense</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Police—Hospital Ins.--01-3101-2005	\$ 6,145.92	\$19,011.08	\$ 19,011.08

To cover increased costs of fuel and other police dept. expenses for FY22

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Street-Fuel—01-4102-5409	\$ 800.00	\$ 3,800.00	\$ 17.36

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Street—Safety Equipment—01-4102-5801	\$ 100.00	\$ 1,200.00	\$ 41.84

<u>Category---Expense</u>	<u>DECREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
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Streets—Vehicle Supplies--01-4102-5408 \$ 900.00 \$ 900.00 \$ 278.39

To cover the increased cost of fuel and other street expenses for FY22.

Respectfully requested by:

Treasurer

Date

REQUEST FOR TRANSFERS OF APPROPRIATION

To: Brookneal Town Council

Date: June 14, 2022

The following **Appropriation Transfers** are requested for **FY2022**:

<u>Category---Expense</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Recreation—Electric Service—01-7104-5101	\$ 1,000.00	\$ 7,000.00	\$ 133.43
<u>Category---Revenue</u>	<u>INCREASE</u>	<u>New Total</u>	<u>Balance in Account</u>
Local Sales Tax--01-1201-0000	\$ 1,000.00	\$72,551.00	\$ N/A

To cover the costs of electric bills at the ball park that have gone over-budget for FY22.

Respectfully requested by:

Treasurer

Date

COMMENTS FROM TOWN ATTORNEY TRIPP ISENHOUR

Town Attorney Tripp Isenhour addressed some zoning issues and answered questions. He said the zoning ordinance that has been adopted in the Town was initially adopted in 1968, and there has not been a lot of changes to it since then. He said he knew chickens in the Town has come up, and he also wants to generally discuss some of the blight issues that have been raised. Information Mr. Isenhour discussed is as follows:

- The zoning ordinance generally provides 7 different zonings. He said this information is all on the Town website. He said they are all defined in the ordinance. He said the ordinance is what is called an inclusive ordinance which means it defines what is available, what uses are allowed in any particular zone. That inclusivity excludes anything that is not listed. The ordinance says you may in a residential zone do these specific things. If what you want to do is not listed, then you can't do it. Every piece of property is zoned and is zoned immediately after being taken in to the Town. He said he knew there was some questions about whether some portion of the Town may have previously been zoned A1 prior to the boundary adjustment or annexation bringing it in. He said that may have been the case since the County does have an A1 zone, but the Town does not. He said the state code requires that upon a boundary adjustment or annexation that the Town that takes in the property must immediately thereafter rezone the property to a zone that is consistent with the Town's zoning.
- He said the Town code in section 153.005 includes a number of definitions one of which is agriculture which is the tilling of the soil, raising crops, horticulture, forestry, and gardening including the keeping of livestock and poultry. So, agriculture is listed in the code, it is a specific definition in the code, but look through the 7 different zones:
 - a. Residential
 - b. General Residential
 - c. General Business
 - d. Central Business
 - e. Manufacturing
 - f. Flood Plain
 - g. Residential Mobile Home

The only zone within the Town that allows for any agriculture use is the Flood Plain district. Within the floodplain district, there is a provision for agricultural use, but for no other zone. For no other zone in the Town is there a provision for agriculture use and because it is an inclusive ordinance, it says only what you can do, the absence of agriculture in the definition for any of the listed zones excludes any of those zones for agriculture uses.

- Mr. Isenhour responded to a question from Ms. Tracy Meisenbach about a hypothetical scenario. Her scenario was if the Pruitt plantation (on Cook Avenue below Heritage Hall) was taken into the Town limits, and it is a farm and has been a farm since the 1700s. She continued if the Town assigned a zoning of R2 (for example), they would still be allowed to farm into perpetuity (it is grandfathered in) unless they quit farming for a period of 2 years. Mr. Isenhour said that it is with any prior use not just agriculture, any use that was already claimed (prior to adoption of zoning or boundary adjustments) continues unless it is discontinued for a period of 2 years (he referenced code section 153.031—a non-conforming use).

- Mr. Isenhour responded to a question from Ms. Tracy Meisenbach about land use. She said Campbell County allows you to file for a permit for large pieces of property for land use which reduces your taxes. She asked where this applies to zoning. He said that properties that are in land use for tax purposes are determined by the Commissioner of Revenue not by the Town. He said that is related to taxation not land use. The land use determination would go back to Town code 153.031 as to whether it still maintains a non-conforming use status.
- Mr. Isenhour wanted to make the point clear that the enforcement action that has been taken recently is not changing the law as it has been written. The law has been written for some time that agriculture is not allowed on any residential use other than floodplain use in the Town of Brookneal. He said poultry running at large within the Town have been prohibited and simply applying that ordinance...it is simply an enforcement action rather than a change of law. He said if that is an enforcement action that the Council did not want, then the Council would then need to make changes to the law to designate whether, when and how chickens could or should be allowed. He said if no changes are needed, then no changes are needed, but if changes are needed then they would have to come from Council.
- Mr. Isenhour said that there are provisions in the code for a re-zoning if a property owner wants to change the zoning on their property. They would need to come to the Town office and make application to rezone their property. He said that request would come before the planning commission and then it would come before Council and Council would make a determination on whether or not that should happen. Mr. Francis asked would this apply to a special needs case where an assisted animal is needed that is not permitted when the resident could come before the Council and appeal it. Mr. Isenhour said the ordinance could be amended to allow for that, but right now there is not a provision for that in the Town ordinance. He said but that could be a potential option for the Council. He said that is separate from a re-zone. He said right now, it is not possible in "your" ordinance as it currently stands for the Council to allow a special needs case for poultry use because there is simply no provision there, there is no other zone that allows it other than flood plain and floodplain has a very specific definition. He said the ordinance may be amended to allow for a special use permit. There are 2 ways to handle that. The first way would be to allow to create an agriculture district if you wanted to where certain properties could be allowed to enter into agricultural zoning; that is a broad-based way to handle that. The 2nd way to handle that is more specific, focused or case by case basis with a special use permit. It would be a separate ordinance passed by this body, first the planning commission acts on it and then the Council. He said that would be an application-based process with an insertion in the Town code that within R1 or R2 or whatever zones you would like to allow a potential for animal, agricultural or poultry usage, you would insert a special use permit process that says animals may be allowed in this zone subject to a special use permit. He clarified that once that special use permit is given, it's there forever, unless the use is discontinued for 2 years. However, he said that it is subject to code enforcement by the Town.
- Mr. Isenhour responded to a question by Mr. Francis concerning the Council's authority regarding empty buildings, slum lords, and getting them to cleaning up their act. Mr. Francis wanted to know if there was anything the Council could do to these slumlords? Mr. Francis said the Town gets complaints about the abhorrent conditions in some of

these properties. Mr. Isenhour said that if a tenant makes a complaint, the building department can go in the property to determine if the property is compliant with local building codes. Other than that, for rental residential properties, the Town is limited in what can be done to interior conditions. He said that if the outside conditions create a public nuisance or a danger to life, health and safety of passers-by, that is a property that the Town can take action to abate, but that is costly. He said for a property just to be an eyesore or less than desirable, that is not enough.

- Mr. Isenhour said that the ADA (Americans with Disabilities Act) does not speak to zoning or localities. He said a letter concerning the need or desire for a therapy animal does not have any bearing on the zoning of a property. The zoning may be enforced regardless of somebody's status under the ADA. Any provider of housing or lodging or town services (for example) permits a citizen to bring a therapy chicken into the Town office if the ADA says they need it.
- Mr. Francis asked about a committee assignment to look into the possibility of adopting a similar ordinance that the County has regarding chickens. The committee could recommend a public hearing regarding the issue of chickens. Mayor Adams said he didn't see any harm in that, but he didn't know what the Town would be able to adopt or what would be suitable for the Town to adopt. He said everyone has their own versions of this.
- Ms. Laprade said she felt that perhaps this issue with the child's chickens (the Gills on Carson Street) and her emotional health needs to be revisited. She said that Mr. David asked where does this end? He said he had spoken with several people who had chickens, and they all call them their emotional support animals. Mayor Adams concurred with Mr. David and said that if you grant something for one person you better be prepared to grant it to anyone who asks. Ms. Laprade said that everybody who has chickens doesn't have a doctor or counselor who will write a letter for them. Mr. David said that anyone can go on the internet and pay \$50 and get a certified therapist letter for any emotional support animal you want.

COMMITTEE RECOMMENDATIONS

There were no committee recommendations.

ITEMS FROM TOWN COUNCIL

Councilperson Laprade said the hotel project is moving along, and the representative from Cobblestone will be here in Brookneal on June 20, 2022 at 4 p.m. for a meeting. She also asked that someone be contacted about the big hole with water standing in it in the parking lot of the Family Dollar store; she said her lawn care people are worried about that becoming a mosquito pit as the summer progresses.

ADJOURNMENT

Upon motion by Cynthia Johnson, seconded by Mark Wilkes, and unanimously carried, Mayor Adams announced that the June 14, 2022, Council meeting was adjourned.

Bobbie A. Waller
Clerk/Treasurer

Richard Adams
Mayor

