

February 13, 2024

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:

Kenneth Jennings, Mayor

Mark Wilkes, Vice Mayor

Barbara Laprade, Joseph David, Cynthia Johnson, Scott Fisher and Conner Francis, Council Members

Mike Crews, Public Works Director

Bobbie Waller, Clerk/Treasurer

Robert Kolich, Chief of Police

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

Upon motion by Conner Francis, seconded by Joseph David, and unanimously carried, Council approved the agenda for the February 13, 2024, regular meeting of the Brookneal Town Council.

MINUTES

Upon motion by Conner Francis, seconded by Joseph David, and unanimously carried, Council approved the minutes for the January 9, 2024 Council hearing and regular Town Council meeting and the January 24, 2024 Finance and Planning Committee meeting.

TREASURER'S REPORT

Mayor Jennings asked that the treasurer's report for February 2024 be filed for audit.

PRESENTATION AND APPROVAL OF INVOICES

Be it resolved that motion was made by Cynthia Johnson, seconded by Conner Francis, and unanimously carried, authorizing the payment of the invoices for the period of January 10, 2024 through February 13, 2024 in the amount of \$43,383.25.

PUBLIC COMMENT

Brenda Short, of Guthrie's Hardware, appeared before Council concerning the no parking sign in front of Guthrie's Hardware. She said she was approached by Councilperson Johnson way back asking her input about a sign being put up, and she said she told her she was against it. She said she believed there were other options that might work, and she told Ms. Johnson to get back with her. Ms. Short said time passed, she never heard anything else, and all of a sudden, the sign was put up. She said she talked to Mr. Brown at VDOT, and he told her that when the study was done that he warned a local government person that the hardware store needed to be notified. She said that she was never notified; she said other businesses at that end of the street were affected as well. She said the report from VDOT singles out Guthrie's Hardware; she said the report states that traffic engineering practice is not to restrict parking on state-maintained roads unless there is compelling reason. She said in her opinion the compelling reason was that a group of people took it upon themselves to put this sign up; she said she contacted several town council members on the day it was put up and none of them were aware that it was going up. She said this is a small town, the roads are narrow, our infrastructure is different, and we have to learn to deal with it. She said an engineering person from VDOT in Roanoke is making suggestions on how we can better use our streets. She said one of the comments on the report was about the wall being so high that people can't get out; she said it has been that way for years. She said this sign has impacted their business greatly. She said elderly and handicap customers pull up and see the no parking sign and think it is the entire strip up there. She said if they had been contacted as a business, they would have had some suggestions. She said when downtown revitalization was done, the Town took down a sign that said "no parking here to corner" which enabled them to have 2 parking spaces instead of the one they now have (she passed out a picture of where that sign was originally). She requested that the original sign be put back up which would enable them to have 2 parking spaces instead of one. She said that it also blocks their loading gate that was installed during revitalization specifically for Guthrie's Hardware for trucks. Ms. Short also suggested that signs restricting trucks on Main Street be done unless they are delivering on Main Street.

Mr. Jeff Carpenter, of the Department Store Antiques, appeared before Council about questions concerning the town manager position. He said he went to the Town Charter for answers on this. He said that the Town charter says that the administration and government of the town is vested in one principal officer, the mayor. He said that he noted that the Town Council "may" hire a manager, but it states that they "shall" hire a public works director, police chief and clerk/treasurer. He said the town manager term of hire is not to exceed two years, the same term as the mayor. He said the town manager's job description is chief administrator, same as the mayor's job. He said he personally believes the position of town manager is needed, but at this time a temporary town manager does not need to be appointed since there is an elected mayor given these responsibilities. He said that he heard Mr. Crews could be appointed to the town manager position until one could be hired. He said he felt Mr. Crews is quite capable of this position, but with him being only part time, is the best use of his time split between public works director and town manager. He believes that Mr. Crews is a valuable asset to the Town of Brookneal because of his knowledge of the infrastructure. He asked the Town Council to consider the charter, ask the mayor if he is up to the daily task of town manager or the position he was elected to fill until a new one can be hired. He asked the Town Council and mayor is it possible with such a long-term town manager that we have had, have your positions become less effective.

Ms. Tracy Meisenbach, of 527 Cook Avenue, appeared before Council also to address the position of town manager. She said that she hopes when this person is hired that the town manager gets a set of rules or policy that this town office needs to be "Switzerland". They need

to be neutral; there should be no discussion coming out of the town office about how bad a business is or about people that newcomers should or should not meet.

Mr. Dean Monroe, of Elite Recycling, said that there is an opportunity to hire a town manager. He said you can still keep doing the same thing you have always done with the same people you have always done it with, or you can let people in this town know that things have changed. He said that you have a mayor with experience and knowledge with a love of this town that can guide it so well in his opinion. He said he hopes that a decision has not been made on that yet.

Howard Wells, of Booker Road, said there is a possum problem at the old bank drive through behind the Town office. He said that he felt like he should not be put on a time limit; the council should be put on a time limit when speaking. He said this town needs to be fixed, and everyone needs to work together. He said the leak fixed at the old farm store on Lynchburg Avenue needs to be cleaned up.

POLICE REPORT

Chief Robert Kolich, presented the police report for February 2024. He said that of the 119 calls for service in February, 106 were answered by the Brookneal Police Department and 13 by the Campbell County Sheriff's office. He said there was an arrest made in a shots fired incident; the shots went into the ground and were concerning a suspicious person walking around the area. He said there was an arrest made that involved vandalism at the boat dock. He said there was a pursuit from Gladys into Town that ended into an arrest for DUI. Councilperson Johnson asked Chief Kolich if they were seeing many drugs come off the streets. He said drugs are never ending, but he said they are trying their best.

PUBLIC WORKS REPORT

Public Works Director Mike Crews presented the following in his report:

- The maintenance department repaired a water leak on Southeast Street 1/30/24
- The dump truck transmission was repaired by the maintenance department
- New sewer connection being done on 2/14/24 on Hunter Road and new water connection on Reke Owen Street on 2/21/24.
- He said the lead service line inventory is going to be a lengthy process. He said they would like all the water customers on town water to notify the town as to what type of line is coming into their house.
- He said that he and Mrs. Waller applied for funding to help with this lead service line inventory. The Town was awarded a state revolving fund in the amount of \$100,000 to help do this lead service inventory.
- He said they are still working on the purchase of land for the well on Hunter Road. He said the price of chemicals is going through the roof and this well should help the water treatment plant.
- He said the playground equipment has been installed, but a few minor adjustments need to be done on that.
- He said that there are some properties under contract; properties that the town has been receiving complaints on. He said this real estate group is remodeling, selling, and renting properties here in the Town. The homes include 501 and 511 Cook Avenue,

120 Church Street, 105 Ridge Street, 110 Hale Street and 205 Juniper Cliff Road. He said that 203 Cook Avenue has been boarded up.

- He said that when they did the repair on the line at the old farm store on Lynchburg Avenue, it was cold and raining and the dump truck was broken down. He said it needs to dry out and settle out; he said the final repair and dress out will be done. He also said it needs to be noted that the maintenance department is a limited crew; 2 part time guys, 2 full time guys and 1 temp guy doing what needs to be done for the citizens in the Town of Brookneal. He said if more needs to be done then more needs to be done to add on personnel to do what the citizens think needs to be done.
- He noted that Russell Thurston worked here for 12 ½ years, he put in his 2 weeks' notice as required and his last official day was 1/31/24.
- He said that WSET was here in Town about a week ago; they had Bron and China 8, and they wanted him to do an interview concerning a statement he made over a year ago. Mr. Crews said that he is not a racist. He said that if anybody owes China 8 an apology it is the ones that brought China 8's name into it. He noted that he did not put China's name in the statement made.

Councilperson Francis asked about the background of the parking issue Ms. Short brought up to the Council. Mr. Crews said that some people came to the Council about safety and concerns of people coming out of Cook Avenue. He said the physical development committee consisting of Councilperson Johnson, Councilperson David and Vice Mayor Mark Wilkes met and walked Rush Street and Main Street with Mr. Thurston and himself, and they came back to discuss the best solution concerning parking signs. He said a recommendation was made to the Council to authorize Mr. Thurston and Mr. Crews to meet with VDOT to come out and see what a resolution would be as far as parking signs. He said they met with Mr. Kenneth Brown from VDOT and showed him what the physical development committee showed them; he said Mr. Brown asked them if the governing body was sure they wanted to do this. Mr. Brown told them that once it was done and the VDOT engineering firm was involved, there would be no going back. He said they came back with the diagram (he and Mr. Thurston), and once the engineer from VDOT did the survey, he was the one that determined where the signs went. Mr. Crews suggested taking these concerns back to VDOT and see what they say. Mr. Crews noted that the fire hydrant was placed there in 2010 during downtown revitalization, so that wasn't there when the original no parking sign was there and subsequently removed during revitalization.

Ms. Short clarified that if the original parking sign (she passed out a picture) was put back and allowed 2 parking spaces rather than 1, and say "no parking here to corner" but wouldn't imply that there was no parking along the entire wall, it would satisfy Guthrie's Hardware. She also added that this proposal would still stay back one full parking space from the fire hydrant. Councilperson Johnson asked about specifying this extra parking space for compact cars only instead of full-size vehicles. Ms. Short said that the parking space from the fire hydrant back to the original no parking sign does not need parking there at all. Ms. Johnson suggested saying in that extra spot limit it to compact vehicles instead of a full size F150 being allowed to park there.

Mr. Crews pointed out that bump outs restricted parking spaces as well, including one near Guthrie's Hardware. He said the bump outs were put in to try and reduce the speeding complaints received when the downtown revitalization was being planned.

- **MOTION TO APPROACH VDOT WITH CONCERNS ABOUT PLACEMENT OF THE NO PARKING SIGN AT GUTHRIE'S HARDWARE**

A motion was made by Conner Francis to direct the public works director to contact VDOT to see if it would be possible to amend the parking situation in front of Guthrie's Hardware to eliminate the no parking sign where it sits currently and move it back to where it was originally to say "no parking from here to corner". The motion received a second from Barbara Laprade.

A roll call vote was taken as follows:

Mayor Jennings	Aye	Ms. Johnson	Aye
Vice Mayor Wilkes	Aye	Ms. Laprade	Aye
Mr. David	Aye	Mr. Fisher	Aye
Mr. Francis	Aye		

The motion was unanimously carried.

Mr. John Vincent, of Cook Avenue, suggested before getting rid of this, get input from people traveling Cook Avenue and the area down "in the bottom". He said before you make all these plans, get public input. Mayor Jennings noted that VDOT will do a safety study and make a decision based on the safety.

Ms. Short suggested that if VDOT is going to do a study, then include the study of the logging and transfer trucks on Main Street and possibly limiting to those delivering on Main Street only.

TOWN MANAGER DISCUSSION

Councilperson Francis addressed the town manager/administrative roles. He said that the Town attorney has given his advice on this matter. He said that Tripp Isenhour's opinion on this was the following:

"The Charter reflects a Council-Manager form of government and assumes the presence of a manager for all essential functions. Council isn't required to appoint a manager if they decide not to, but the Council would need to change its Charter to reflect how it intends to function without the manager. Unless the Council is prepared to make those changes (which would be significant), then the only practical option is to proceed with replacing the manager."

Councilperson Francis also addressed the question asked of the attorney regarding the mayor serving as the interim manager. He said that Tripp Isenhour's opinion on this was the following:

"The statute attached is clear that you cannot have an elected official appointed to a position filled by a Council on which he or she sits." He said Mr. Isenhour references state code 15.2-1535 which is titled "Members of governing body not to be elected or appointed by governing body to certain offices".

COMMITTEE RECOMMENDATIONS

Finance and Planning Committee Chairperson Cynthia Johnson said that the committee met on 1/24/24, and they discussed naming Mike Crews as the interim town manager. The consensus of the committee was to recommend Mike Crews as the interim town manager.

- **APPOINTMENT OF MIKE CREWS, INTERIM TOWN MANAGER**

Upon motion by Cynthia Johnson, seconded by Joseph David, and unanimously carried, the Council voted to make Mike Crews the interim town manager. A roll call vote was taken as follows:

Ms. Laprade	Aye	Mr. David	Aye
Ms. Johnson	Aye	Mr. Fisher	Aye
Vice Mayor Wilkes	Aye	Mr. Francis	Aye
Mayor Jennings	Aye		

- **MOTION CONCERNING BANK OF CHARLOTTE COUNTY**

Upon motion by Cynthia Johnson, seconded by Scott Fisher, and unanimously carried, the Council voted to ask the Bank of Charlotte County to update their resolution by adding Mike Crews, Interim Town Manager, and by removing Russell Thurston, former town manager. Mike Crews and Bobbie Waller, Clerk/Treasurer will be the only people that can open up new accounts and sign all legal documents for the Town of Brookneal.

- **TOWN MANAGER SEARCH COMMITTEE**

Ms. Johnson said that they have discussed forming a committee to start the search for a new town manager. She said several people have agreed to serve on that committee. She said the recommendation is 2 Council members, 2 business owners and 2 citizens. Upon motion by Conner Francis, seconded by Barbara Laprade, and unanimously carried, the Council voted to allow the personnel committee to organize a town manager search committee consisting of no more than 2 members of the Town Council, 2 business owners, and 2 citizens of the Town of Brookneal for the purpose of conducting a search for the town manager of Brookneal. He also stated that the position for town manager be immediately advertised in accordance to the charter via websites such as Indeed, and local government Virginia websites and also in the Town office.

A roll call vote was taken as follows:

Mayor Jennings	Aye	Ms. Johnson	Aye
Vice Mayor Wilkes	Aye	Ms. Laprade	Aye
Mr. Francis	Aye	Mr. Fisher	Aye
Mr. David	Aye		

Ms. Johnson said that a potential list is forming for the committee which as of now includes Brenda Short, Bobby Long, David Francis and Jeff Carpenter. Ms. Johnson said that she hoped to have the list finalized in 2 weeks.

Physical Development Committee Chairperson David said that there has been no response from the owner of the derelict property owned by Mr. Keefer on Lusardi Drive. He said his committee decided the town would write a letter to the property owner, and see what their response is; he said he would deliver the letter. He said if there is no response then the town would take steps to have the building removed.

PUBLIC COMMENT #2

Ms. Meisenbach asked that when VDOT investigates Main Street, please have Rush Street examined as well.

ITEMS FROM TOWN COUNCIL

Councilperson David said that he should know by the March meeting if the loan is approved to finance the hangers at the Brookneal Campbell County airport.

Councilperson Laprade said that she would like to say that she has the greatest esteem for each of her fellow councilmembers; she said that each of you is capable of whatever position you are put in, however, she wished to make the following statement:

While I respect and understand the provision in the Mayoral list of duties or privileges to include the appointment of committees, I have concerns about the manner in which the current committee changes occurred.

1. Changes in committees should have occurred at the beginning of the mayoral term, to set the tone for new standards and procedures during this mayor's term.
2. The mayor made his initial notification of possible changes after almost 11 months in office. During these 11 months, the mayor made no attempt to communicate with me as personnel chairperson to discuss his approval or disapproval of the handling of personnel matters. On many occasions when attempts were made to reach him by phone, he was unavailable. When asked if he saw missed calls from me, his reply was that his phone frequently malfunctioned. Yet he consistently states that his phone is blown off the hook by certain citizens.
3. The Personnel Committee as well as the Physical Development Committee have begun numerous projects which are ongoing. However, the mayor has disregarded the combined efforts of committee members in creation of projects and displaced them to other committees.
4. At the time of the Personnel Committee rearrangement, the committee was collaborating extensively on the following:
 - A. In recognition of councils' obligation to address business and citizen issues, committee members were creating means by which citizen requests or issues could be submitted in writing, followed by written responses from the appropriate personnel. These requests and responses would be shared with council to provide for possible resolutions and interventions, when necessary.
 - B. The committee along with town employees were exploring a Code of Conduct for communication with businesses and citizens.
 - C. The committee's ultimate goal was to change the public perception of the Town of Brookneal and its administration, as well as to promote a more "user friendly" environment.

Mr. Jennings began his term, referring to fellow council members and citizens as "brother" and "sister", giving the perception that his actions would be performed according to fair and "Christian" principles. The Bible states that if you have a problem with your brother that you should go to that brother and in this case "sister" to discuss differences. I was not afforded courtesies according to those Christian principles, nor the professional courtesy of due process to discuss any actions or policies deemed improper. Mr. Jennings' comment of "SURPRISE SURPRISE" after making his committee reorganization announcement reeks with unprofessionalism. Therefore, I wish to state for the record that rather than to

communicate with me regarding the operations of the Personnel Committee, Mayor Ken Jennings has chosen to eliminate me, Barbara McDowell LaPrade, as Personnel Committee Chair as well as Mark Wilkes, Chairperson of the Physical Development committee and two of the senior Brookneal Town Council members.

Councilperson Francis said that the catfish and bass tournaments will be April 19-21, 2024. He said the Brookneal Volunteer Fire Department is having their annual marathon April 6, 2024. Mr. Francis said that a letter was submitted to Centra on February 6, 2024 from Dr. Jones, Dr. Carwile and Phyllis Campbell describing how regretful they are in selling the practice to Centra Health; he said it was sent to the Chairman of the Centra board, Dr. Nyguard and Amy Carrier. He said the letter states that another physician is needed there and what a shame that the practice has become. Mr. Francis wanted Council aware of this letter.

Councilperson David said that someone wanted to walk out the door when Mike Crews was appointed interim Town Manager. He said Bobbie and Mike would have to fill in and do the work of the Town Manager because no one else is here to manage things. He said someone has to be there to take care of administrative roles. He said Mike is doing this with no increase in pay; he is doing more work to help the Town out on his own. He said to make this town do anything, everyone is going to have to work together, citizens and Town council. He said everyone needs to talk about what a great town this is and quit bringing up dirt from 10 years ago and spreading bad things.

Ms. Laprade told the Council that the Brookneal Woman's Club is spending about \$1,350 for a project at the community building to do landscaping. She said they will be pressure washing the building and sidewalks, replacing shrubbery and planting monkey grass and other low maintenance shrubbery.

ADJOURNMENT

Upon motion by Conner Francis, seconded by Joseph David, and unanimously carried, Mayor Jennings announced that the February 13, 2024 Council meeting was adjourned.

Bobbie A. Waller
Clerk/Treasurer

Kenneth Jennings
Mayor