

January 9, 2024

MINUTES OF THE BROOKNEAL TOWN COUNCIL

6:00 PM – Hearing for property owner at 104 Lusardi Drive

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

Kenneth Jennings, Mayor

Mark Wilkes, Vice Mayor

Joseph David, Cynthia Johnson, Scott Fisher and Conner Francis (came in at 6:07 p.m.),
Council Members

Mike Crews, Public Works Director

Bobbie Waller, Clerk/Treasurer

Robert Kolich, Chief of Police

Mr. Randall Johnson, Campbell County Fire Marshal

Mr. Ronnie Guthrie, Campbell County Building Inspection

Absent: Barbara Laprade, Council Member and Russell Thurston, Town Manager

HEARING FOR PROPERTY OWNER OF 104 LUSARDI DRIVE

Mr. Tom Keefer appeared before Council concerning the determination by the county fire marshal that his property at 104 Lusardi Drive (Map # 103C-31-2-1) is unsafe and poses a danger to the public. Mr. Keefer said that it was true that the roof has caved in on the building, but he still believes that the building is still structurally sound. He said the building is 95% secure. He said he believes the building is salvageable. He said the back door does need to be boarded up. He said he spent several thousand dollars to clean up the property that was overgrown with bushes and trees. He said the roof is caved in, but it poses no danger to the road and unless someone gets into the building, it poses no danger to anyone. He said he has talked to someone about working on the building.

Mayor Jennings asked Mr. Keefer did he receive a notice dated 1/3/24 making him aware that the county fire marshal determined the property was unsafe. Mr. Keefer said he did, but he only considered it unsafe if someone goes in the building. Vice Mayor Wilkes asked Mr. Keefer how long it would be before he could fix the roof. Mr. Keefer said it would be months, possibly summer before he could do that. He said it would take possibly 6 months to clear out the rafters and equipment in the building.

Mr. Randall Johnson, fire marshal for Campbell County, said that the structure needs to be secured. He noted that on the photos he took upon evaluating the building, it showed the cinder blocks are starting to give way; he said the roof could shift the wrong way and those cinder blocks could come into the parking lot which is an active thoroughfare for the restaurant. Mr. Johnson said that he was unsure of what other work would have to be done to support the roof work he is doing with the walls starting to fail the way they are. Mr. Johnson read the fire code regarding unsafe structures. He said he investigated this building and another building based off of a complaint received through their public safety email address; both properties were reported in the same email. Mr. Ronnie Guthrie, building inspector from Campbell County, said

that it might be wise to fence off the area so that if it did fall, it wouldn't hurt anybody. Mr. Johnson said a report on the building from an engineer would give the Council some of the answers they are looking for. Mr. Guthrie said that an engineer would determine if the walls are stable and if the concrete floor is stable. Mr. Guthrie said that with all the rain the area has received, where is that going, and it could be deteriorating that building.

Vice Mayor Wilkes called attention to a person who sits on the steps of Mr. Keefer's building very often, and he was concerned about someone suing Mr. Keefer if they got hurt since the building has been deemed unsafe. Mr. Keefer said he would address that as soon as he sees the man again; he said a no trespassing sign is already up at the building. Mr. Wilkes asked Mr. Keefer about putting a fence around the area. Mr. Johnson said that a temporary fence can be rented; it is chain linked and does not go in the ground.

Ms. Waller asked Mr. Keefer about informing the front office as he completes steps to get the building secured and inspected so that she could inform the Council accordingly; Mr. Keefer said that he could do that.

After much discussion, a motion was made by Cynthia Johnson, seconded by Scott Fisher and unanimously carried to declare the property at 104 Lusardi Drive/101 Virginia Avenue (tax map # 103C-31-2-1) owned by Mr. Tom Keefer a public nuisance. Ms. Johnson stipulated in her motion that Mr. Keefer has 3 weeks to secure the building with fencing and correct the door issue and he is allowed 60 days to get a structural engineer in to look at the property. Mr. Keefer said he would be back at the March 2024 Town Council meeting to update the Council on what he has done concerning the building.

A roll call vote was taken as follows:

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

Mr. Keefer said he would be back at the March 2024 Town Council meeting to update the Council on what he has done concerning the building.

HEARING FOR PROPERTY OWNER OF 220 LYNCHBURG AVENUE

Mayor Jennings said that the second hearing that was scheduled for 6:30 p.m. for 220 Lynchburg Avenue (tax map # 103C-10-2-11) will not be needed. He said the building has been mitigated and taken care of by the property owner and has satisfied the requirements of Mr. Randall Johnson and Mr. Ronnie Guthrie.

ADJOURNMENT

Upon motion by Cynthia Johnson, seconded by Joseph David, and unanimously carried, Mayor Jennings announced that the January 9, 2024 meeting for hearings with property owners was adjourned.

Bobbie A. Waller
Clerk/Treasurer

Kenneth Jennings
Mayor