

January 9, 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
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
Absent: Barbara Laprade, Council Member and Russell Thurston, Town Manager

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF AGENDA

Upon motion by Conner Francis, seconded by Cynthia Johnson, and unanimously carried, Council approved the agenda for the January 9, 2024, regular meeting of the Brookneal Town Council with the following addition: 3A) Mayor appointed committees for 2024

ANNOUNCEMENT FOR THE MAYOR APPOINTED COMMITTEES FOR 2024

Mayor Jennings announced the following committees for 2024.

Physical Development Committee:

Joseph David, Chairman
Scott Fisher
Barbara Laprade

Finance and Planning Committee:

Cynthia Johnson, Chairman
Conner Francis
Mark Wilkes

MINUTES

Upon motion by Cynthia Johnson, seconded by Mark Wilkes, and unanimously carried, Council approved the minutes for the November 14, 2023 Town Council meeting.

TREASURER'S REPORT

Mayor Jennings asked for a motion to file the treasurer's reports for December 2023 and January 2024 for audit. The motion was made by Mark Wilkes, seconded by Conner Francis, and unanimously carried.

PRESENTATION AND APPROVAL OF INVOICES

Be it resolved that motion was made by Conner Francis, seconded by Cynthia Johnson, and unanimously carried, authorizing the payment of the invoices for the period of December 13, 2023 through January 9, 2024, in the amount of \$8,663.12.

REQUEST FOR THE COMMUNITY BUILDING BY WILLIAM CAMPBELL HIGH SCHOOL BAND

Ms. Shannon Burton representing the William Campbell High School band respectfully requested use of the community building on Saturday, March 9, 2024 for the band banquet from 6 pm to 1030 pm. Upon motion by Mark Wilkes, seconded by Joseph David, and unanimously carried, the Council voted to allow use of the community building to the WCHS band on March 9, 2024 at no charge.

PUBLIC COMMENT

Ms. Tracy Meisenbach, of Cook Avenue, said that she has an issue that continues to arise; people are contacting her Brookneal Network page when they have trouble with their landlords. She said the town could address if they would just move forward and do these things. She said Virginia is a state that allows rent to own properties; she said landlords are allowed to create these rent to own contracts. She said it is supposed to follow state guidelines; there is a specific code on this in section 55.1-1204 that requires a landlord to set the terms of the rent to own. She said that there are 7 different tenants right now that have rent to own properties in Brookneal that don't have contracts. She said state code says the landlord "shall" offer a prospective tenant a written rental agreement containing the terms governing the rental of the dwelling unit. She said that a town can set up something called a landlord tenant commission which is an arbitrator for if somebody keeps having problems with a landlord; they go into a mediation thing where the town stays aware of it and they talk to the landlord about issues such as no heat, broken windows, etc. She requested that Brookneal do this and get these people some help. She said she is looking up the codes, giving them the names of attorneys and calling their landlords; she said she was absolutely worn out with it. She said the house next door to her has no heat, mold, electric problems and it has been condemned twice. She said she was "begging" you guys to do something about it. Mayor Jennings told Ms. Meisenbach if she would inform him in private who this is, he would take care of it. Councilperson David said that the county building inspector was here at the earlier meeting, and he said that the Town could not initiate any action against a residence; the tenant of the residence has to call building and zoning to come and look at the property. Ms. Meisenbach said that this landlord scares them so bad that the tenants are afraid of being booted out on the street. She said this landlord is renting properties out in violation of state code without lease to own contracts; he is taking deposits and they will wait weeks before they get anything in writing. She said people are

dinging her at 4 am in the morning, and she is tired of it. Ms. Meisenbach said that the town can go into arbitration with the landlords about complaints received about them. She said if the landlord refuses to do anything, the Town can contact the commonwealth's attorney and they will initiate proceedings against them; she said the commonwealth attorney can send it right into court. Ms. Meisenbach also said that before the Town turns on utilities, the Town can request a copy of the lease. Ms. Meisenbach clarified that the landlord tenant commission would be volunteers. She talked about getting codes in place to prevent this from happening in the future; she said the Town of Blackstone adopted these codes years ago and it has worked for them.

POLICE REPORT

Chief Robert Kolich, presented the police report for December 2023 and January 2024. He said that of the 128 calls for service in November 116 were answered by the Brookneal Police Department and 12 by the Campbell County Sheriff's office. He said in December of the 151 calls for service, 136 were answered by the Brookneal Police Department and 15 by the Campbell County Sheriff's office.

PUBLIC WORKS REPORT

Public Works Director Mike Crews presented a written report which contained the following items:

- The maintenance department repaired a water leak at the old Farm store on January 6.
- The dump truck transmission has gone out. He said he is looking for a place to get it repaired.
- He said water cutoffs will be done this week; he said cutoffs were not done in November and December due to being kind during the holidays. He said businesses as well as residences are on the cutoff list.
- The Environmental Protection Agency is requiring localities to do a lead service line inventory. He said that all localities with public water service have to do a lead service inventory. He said they will have to go to each home and business and test pilot 3 feet on the back side of the meter and 3 feet on the opposite side of the meter going to the home, and they want them to dig on the property of the home owner to determine the type of pipes the home has. He said his crew may do some of this, but they will also subcontract some of this out. He said it has to be done by 10/16/24. He said the Town has applied for a grant for \$100,000 from VDH to help with this project. He said the water treatment plant staff does copper and lead monitoring every 3 years based on 10 residences that are picked out by VDH; he said they have been in compliance.
- He also said the new playground is being installed at the ballpark. They started on 1/8/24.

MOTION TO ALLOW STAFF TO PURSUE PURCHASE OF PROPERTY ON HUNTER ROAD ADJACENT TO THE BROOKNEAL WATER TANK FOR THE TOWN TO DRILL A WELL

Upon motion by Conner Francis, seconded by Mark Wilkes, and unanimously carried, the Council voted to allow staff to pursue the purchase of property on Hunter Road adjacent to the Brookneal water tank for the town to drill a well.

SETTING THE MEETING DATES FOR 2024 AND APPROVAL OF TOWN HOLIDAYS FOR 2024

Upon motion by Mark Wilkes, seconded by Cynthia Johnson, and unanimously carried, the Council voted to approve the meeting dates for 2024 and the town holidays for 2024.

COMMITTEE RECOMMENDATIONS

There were no committee recommendations.

PUBLIC COMMENT #2

Mr. Howard Wells reported that a large brick had fell in the area of the Cook Avenue/Main Street intersection last night; he believes it had fallen off of a building in that area. He said it could really have hurt someone.

Mr. Jeffrey Carpenter asked if there would be grants to help homeowners to replace their water lines from the water meter to their home if needed. Mr. Crews said all of this is new; he still does not know a lot of information. He said the main thing they are concerned with right now is just the inventory of the service lines themselves.

ITEMS FROM TOWN COUNCIL

Councilperson Conner Francis said that the Staunton River Masonic Lodge is looking for sponsors for the catfish tournament. He said 246 The Main is doing a production of The Sound of Music in March.

Councilperson Johnson thanked Mike and all the Town employees for being out in the bad weather Saturday morning to fix the water lines. She then asked if the Council would be interested in donating the kiosk from the downtown revitalization project to 246 The Main.

- **MOTION TO DONATE THE KIOSK FROM THE DOWNTOWN REVITALIZATION PROJECT TO 246 THE MAIN**

Upon motion by Cynthia Johnson, seconded by Conner Francis, and unanimously carried, the Council voted to donate the kiosk from the downtown revitalization project to 246 The Main with the stipulation that they have to remove the town seal from the kiosk.

CLOSED SESSION UNDER VA CODE 2.2-3711 (A) (7) FOR THE PURPOSE OF STAFF BRIEFING CONCERNING PROBABLE LITIGATION

Upon motion by Mark Wilkes, seconded by Conner Francis, and unanimously carried, the Council voted to go into closed session under VA Code 2.2-3711 (A) (7) for the purpose of staff briefing concerning probable litigation.

A roll call vote was taken as follows:

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

CERTIFICATION

Upon motion by Conner Francis, seconded by Scott Fisher, and unanimously carried, the Council came back into open session.

Mayor Jennings called for a vote certifying that only those items were discussed as allowed under VA Code Section 2.2-3711 (A)(7) for the purpose of staff briefing concerning probable litigation.

Voting was as follows:

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

ADJOURNMENT

Upon motion by Conner Francis, seconded by Cynthia Johnson, and unanimously carried, Mayor Jennings announced that the January 9, 2024 Council meeting was adjourned.

Bobbie A. Waller
Clerk/Treasurer

Kenneth Jennings
Mayor