

**April 11, 2017**

**MINUTES OF THE BROOKNEAL TOWN COUNCIL**

**7:30 PM – The regular meeting of the Brookneal Town Council**

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

Phyllis Campbell, Mayor  
James Nowlin, Vice Mayor  
Richard Adams, Barbara Laprade, Mark Wilkes, and Joseph B. David, Jr., Council Members  
Russell Thurston, Town Manager  
Bobbie Waller, Clerk/Treasurer  
Mike Crews, Public Works Director  
Richard Baldwin, Chief of Police  
Absent: Robert Jean

**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

**APPROVAL OF AGENDA**

Upon motion by Richard Adams, seconded by Joseph David, and unanimously carried, Council approved the agenda for the April 11, 2017, regular meeting of the Brookneal Town Council with the following addition 1) Ben Updike and Kenneth Jennings.

**MINUTES**

Upon motion by Joseph David, seconded by Mark Wilkes, and unanimously carried, Council approved the minutes for the March 14, 2017, Town Council meeting.

**TREASURER'S REPORT**

Mayor Campbell asked that the April 2017 treasurer's report be filed for audit.

**PRESENTATION AND APPROVAL OF INVOICES**

Be it resolved that motion was made by James Nowlin, seconded by Joseph David and unanimously carried, authorizing the payment of the invoices for the period of March 15, 2017 to April 11, 2017, in the amount of \$22,213.48.

## **PUBLIC COMMENT**

Ben Updike, who owns rental property at 102 East Forest Street, appeared before Council concerning water (sewer) issues at his rental property. He said he thought he and Mr. Kenneth Jennings have been having the same problems. He said he really just wants to know where things stand on fixing the sewer lines in Town. Mr. Crews said that the preliminary engineering report (PER) on the sewer lines has been done and was presented to the Council last month. He said that a grant was received to do the PER. Mr. Updike asked for an update on timelines and grants for the sewer project and what would be covered. Mr. Crews said no action was taken at the March meeting on this. Mr. Thurston noted that he did not receive the copy of the PER until March 16 (after the last Council meeting). He told Mr. Updike that he was welcome to look at the PER, but as of right now, he only had 1 copy. He said this document goes into what parts of the system have been evaluated and what the options might be to fix the problems. He said USDA gave the Town a grant to pay for this study. He said that right now the document is being reviewed by USDA to see if it meets their requirements for a PER. He said once they give their blessing on it then the Town needs to decide what to do with that report and how it is going to be funded (grants or fee increases). He said there are some very costly items in the report, and he said it is going to be a long process. Mayor Campbell said that in the meantime if there are problem areas in Town, maybe sections can be done before the Town gets a grant. Mr. Updike said that his property on East Forest Street is the last one on the Street, and it is very low. He said that it has been a repetitive problem from the time when he was there until now with his renters. He credited Mr. Crews with working hard on the problem last week. He said that he is questioning whose responsibility this problem falls on. Mr. Crews said that his workers pulled out a lot of personal hygiene items and wipes.

Mr. Updike said that he wanted his property on the record as an issue, he wanted advice on how to proceed, and he wanted to know what the process is to fix a failing system since Mike's hands are tied trying to fix a failing system. Citizen Tracy Meisenbach of Cook Avenue interjected on the issue. She said that since she had sit in on the budget stuff with water lines and sewer stuff before, she said that the infrastructure is bad and needs replacing. She said that certain houses are individually more of a problem than other houses; she said the solution in those situations is to address the individual problem, and it can be done with a simple backflow valve juncture. She said the low houses are the problem. She said you could put in a T-juncture with a backflow valve that prevents anything from going back down even though it will let sewer flow into the main line. She said it is a \$50-\$60 valve. Mr. Crews asked Ms. Meisenbach if the Town should pay for those valves on each lateral from each individual home. She said that if there is a home that is a problem that is costing the town manpower then yes because if someone else's sewage is coming up in your bathtub then that is the Town's problem. Mr. Updike asked if that was a good solution regardless of who pays for it. Mr. Crews pointed out that you cannot put one of these valves on a main because if you have to jet or snake the line one way or the other, then you have to dig it up. Mr. Crews said it could be put on the lateral. Mayor Campbell said that it appears to her that this problem with Mr. Updike's sewer was the Town's problem, and that the Town should put a backflow valve on his line. Mr. Crews noted that the Town needs to be careful when addressing the backflow valve issue. Mr. Thurston noted that the question of all of this becomes funding, who is going to pay for it? Mr. Thurston said that this issue is not going to be resolved tonight; he said he thinks the physical development committee needs to take on this issue. He said that a policy needs to be worked on, and the Council needs to agree as a board on what they are going to do so that when these things do come up there is already a consensus in place on what is going to be done.

Mayor Campbell asked that the physical development committee meet and get back with Mr. Updike with the next 10-12 days.

Mr. Kenneth Jennings, of 331 Virginia Avenue, addressed Council about the grant that the Town received for the sewer study grant. He asked a few questions about the grant. He said that he is having problems with basement flooding during episodes of heavy rain. He said that there is some sewage every now and then in his basement, but it is mostly drain water out of the mains. He said that the drain is so slow that he cannot use a washer; he said he has been going to the laundromat for about 4 years.

Ms. Tracy Meisenbach, of 527 Cook Avenue, addressed Council about several issues. She said there is a problem with people coming too fast out of the nursing home parking lot. She said in her daily travels to the Pruitt plantation, she has almost been killed. She said that last year one of her employees t-boned an employee leaving the nursing home because she didn't stop coming out of the parking lot onto Cook Avenue. She said she called the nursing home and asked them to put up a stop sign at their entrances, but they said it was the town's responsibility to do this. She said she did not think it was the town's responsibility, but she asked if the Town could approach VDOT about putting up stop signs at both entrances to the nursing home. Mr. Thurston said that he would put in a request with VDOT tomorrow. Ms. Meisenbach said the next issue she had is concerning the landlords that do not take maintain their properties. She brought a copy of something called "the Blackstone Model" for rental properties and property inspection that she said was discussed in 2008 when she was on Town Council. She said she thinks the Town needs to revisit this. She said there is a lot of trash from these rental properties, and the kids from these rental properties are constantly in the road. She asked about the town's litter ordinance. She said that she is picking up a lot of trash. She said people are putting trash out for trash pick-up, but a lot of time wind blows the Food Lion bags, animals have gotten in them and cars strewed the trash in the road and in her pasture. She asked how she could have someone charged with littering. Mr. Thurston said that there was an ordinance, and Chief Ricky Baldwin can write tickets, but the hard part is to see the person dumping the trash. He said that there have been some cases come up when they have tried to prosecute people, and the person comes back and says "I didn't do it", and so the question becomes did we see the person do it? He said to get a conviction; it has to be pretty fool proof. He told Ms. Meisenbach that she could go to the magistrate and fill out the criminal complaint form and certify that she saw that person dump the trash. Chief Baldwin pointed out that the process is quite extensive. He said that if he charges someone under town code with a class 1 misdemeanor, they go for an advisement and if they request an attorney be appointed for the them, then the Town has to pay for the attorney. He said the process is not as easy as it seems. He said that he has a case that is going to be heard on April 18 that is concerning people that are littering in their yards, and he said he has been working on this case for 6 months to get enough information to present to the commonwealth attorney's office to get their blessing on it. Mr. Thurston said that it boils down to the fact that you are trying to compel the wrong kinds of people into the right kinds of behavior.

## **POLICE REPORT**

Chief Richard Baldwin presented the police report for March 2017. He said of the 82 calls for service, 66 were answered by the Brookneal Police Department. He said that the in-car cameras that are currently in the police cars are around 10-12 years old, and he is starting to have trouble with them. He said Firehouse Subs offers grants for police and fire departments,

and he is hoping to replace some of these cameras with this grant; he said the grants they offer are up to \$20,000. He said a camera system for a police car is about \$5,000.

## **PUBLIC WORKS REPORT**

Public Works Director Mike Crews said that Hurt & Proffitt did the dam inspection at the water treatment plant, and he said the report will be sent off to DCR for their blessing. He said the trash truck finally came out of the shop last week. He said that he thought they need to look for another backup or replacement soon. He said that 511 Cook Avenue has met the requirements that need to be met to be removed from the condemned status. He said Mr. Thurston has received bids from a company that has looked at the fencing problems at the town ballpark.

## **TOWN MANAGER REPORT--BUDGET PRESENTATION**

Town Manager Russell Thurston presented a handout on the FY18 budget. He said the general fund is balanced at \$643,880.63. He said there are no new increases in revenues, but he noted the meals tax is a positive benefit for the Town. He said the general fund budget does include a motor vehicle tax/decals fee increase from \$15 to \$25, which will give the Town an additional \$9050 in revenue. He said the revenue will be applied to the general fund contingency which will allow for maintenance of town properties including needs to paint the interior and exterior of the community building, monument restoration at the town cemetery and roof maintenance at the Kersey building. He said there was an increase in town health insurance which would not exceed 2%. He said there is a proposed cost of living pay increase of 2% included in the town budget for FY18.

Mr. Thurston said the utility fund budget is balanced at \$460,423.49. He said this proposed budget does include a \$1.00 sewer rate increase. He said that in advertising this budget for public hearing, he is going to propose a \$1.00 sewer rate increase per year over the next 3 budget years. He said that there is "zero" in a sewer fund reserve right now. He said if the Town intends to petition the USDA for low interest loans or grants, then they are going to want to see the town pull these sewer rates up. He said the sewer fund is going to operate at a deficit or a loss if these rates are not increased, and USDA will not fund the Town if the utility fund is not self-supporting. He noted that according to the preliminary engineering report, the proposed estimates for replacing the two main sewer lines is \$1.2 million dollars. He said this does not include going on a street by street basis, this only covers the main arteries in the system.

Mr. Thurston said that repairs to the fence at the ballpark are going to cost between \$4,000-\$5,000. He said that his proposal is for the Town to cover \$2,500 of that cost.

- **FENCE REPAIRS AT THE BALLPARK**

Upon motion by Richard Adams, seconded by Joseph David, and unanimously carried, the Council granted the request to spend up to \$2500 for the repairs to the fence at the ballpark.

## **RECOMMENDATION TO ADVERTISE PUBLIC HEARING ON THE FY17/18 BUDGET ALONG WITH THE PERSONAL PROPERTY TAX RELIEF ACT (PPTRA) FOR 2017**

Upon motion by Richard Adams, seconded by Joseph David, and unanimously carried, the Council voted to advertise for a public hearing for the proposed FY 17/18 budget along with the PPTRA for 2017 at the regular meeting of the Town Council in May 2017.

**RECOMMENDATION TO ADVERTISE PUBLIC HEARING FOR THE SEWER RATE INCREASE**

Upon motion by Richard Adams, seconded by Mark Wilkes, and unanimously carried, the Council voted to advertise for a public hearing for the proposed sewer rate increase of \$1.00 for the next three fiscal years at the regular meeting of the Town Council in May 2017.

**RECOMMENDATION TO ADVERTISE PUBLIC HEARING FOR THE VEHICLE LICENSE FEE INCREASE FOR 2017 TAX YEAR**

Upon motion by Richard Adams, seconded by Joseph David, and unanimously carried, the Council voted to advertise for a public hearing for the proposed vehicle license fee increase from \$15 to \$25 for automobiles for the 2017 tax year at the regular meeting of the Town Council in May 2017.

**REQUEST FOR APPROPRIATION TRANSFERS**

Upon motion by Mark Wilkes, seconded by Joseph David, and unanimously carried, the Council voted to authorize the following appropriation transfers.

**REQUEST FOR TRANSFERS OF APPROPRIATION**

To: Brookneal Town Council

Date: April 11, 2017

The following **Appropriation Transfers** are requested for **FY2017**:

<b><u>Category---Expense</u></b>	<b><u>INCREASE</u></b>	<b><u>New Total</u></b>	<b><u>Balance in Account</u></b>
Sanitation Repairs & Maint.—01-4203-5407	\$ 3,388.94	\$ 17,114.94	\$ 0.00
<b><u>Category—Expense</u></b>	<b><u>DECREASE</u></b>	<b><u>New Total</u></b>	<b><u>Balance in Account</u></b>
Streets—VRS—01-4102-2002	\$ 775.00	\$ 0.00	\$ 0.00
<b><u>Category—Expense</u></b>	<b><u>DECREASE</u></b>	<b><u>New Total</u></b>	<b><u>Balance in Account</u></b>
Contingency Fund----01-8102-7010	\$ 2,613.94	\$ 3,566.46	\$ 3,566.46

To cover the cost of towing and repairs to the 2010 Kenworth sanitation truck.

**Respectfully requested by:**

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**Treasurer**

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**Date**

**COMMITTEE RECOMMENDATIONS**

There were no committee recommendations.

**ITEMS FROM TOWN COUNCIL**

Councilperson David said that the Dixie Girls want to purchase a 30' trailer to store supplies, and he said they want to sit it on blocks near the concession stand. Consensus was to allow them to do this. Mr. David said that he and some others are talking about doing a countywide pawpaw festival.

**ADJOURNMENT**

Upon motion by James Nowlin, seconded by Mark Wilkes, and unanimously carried, Mayor Campbell announced that the April 11, 2017, Council meeting was adjourned.

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Bobbie A. Waller  
Clerk/Treasurer

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Phyllis Campbell  
Mayor