

Lebanon Town Council  
Regular Monthly Meeting  
Town Hall, Lebanon, VA  
Monday, January 8, 2018  
6:00 P.M.

Council Members Present: Nelson A. "Tony" Dodi, Mayor  
J. C. Boyd, Vice Mayor  
J. Hassel Kegley, Council Member  
A. Doyle Fields, Council Member  
DeAnna C. Jackson, Council Member  
Kevin B. Ferguson, Council Member  
Scott J. Gilmer, Council Member

Staff Members Present: Jackie L. Hubbard, Controller/Interim Town Manager  
Stephanie L. Burke, Clerk of Council/Accountant  
Mark A. Mitchell, Chief of Police  
Kevin D. Tiller, Town Attorney

Staff Members Absent: A. Diane Nunley, Administrative Assistant

I. The meeting was called to order by Mayor Dodi.

II. Prayer: Mr. Mitchell

III. Pledge of Allegiance

IV. Edit for items not on the agenda:

Mayor Dodi requested to add Richmond Legislative Meeting discussion as Item C under New Business.

Upon motion made by Ms. Jackson, seconded by Mr. Kegley, the agenda with edited items was unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.

V. Edit and approve minutes from the 12/11/17 regular council meeting:

Mr. Tiller requested that the final sentence of Item XIV (Town Attorney Report) be struck from the December 11, 2017 council minutes draft.

Upon motion made by Mr. Ferguson, seconded by Mr. Fields, the minutes from the 12/11/17 regular council meeting with edited items were unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.

VI. Approve accounts payable and capital assets for the month of December:

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the accounts payable and capital assets for the month of December as presented to include additional accounts payable presented were unanimously approved. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.

Upon motion made by Mr. Kegley, seconded by Mr. Gilmer, to reconsider payment of the December accounts payable. Mayor Dodi ask for roll call vote.

The roll call vote was as follows: Mr. Ferguson, Aye; Ms. Jackson, Nay. The motion and the second were withdrawn before any other roll call votes were taken.

VII. Public Hearing to consider:

An application submitted by Gabriella Range for a conditional use permit for home occupation use of the property located at 240 Fields Avenue in a R-2 General Dwelling District. The home occupation will be online sales of custom apparel.

An application submitted by The Veritas Campus Church for a conditional use permit for home occupation use of the property located at 354 Donald C. Moore Lane in a R-1 Single Family Dwelling District. The home occupation will be a day care center.

Planning Commission Members Present:

Donald Ramey, Chairman  
Tim Coleman, Vice-Chairman  
R.D. Snead, Member  
Stephen M. Quillen, Member  
DeAnna C. Jackson, Member

Planning Commission Members Absent:

J.S. Easterly, Jr., Clerk

- A. The Town Council recessed from regular session, 6:08 P.M.
- B. Mr. Ramey, Chairman opened the public hearing, 6:08 P.M.
- C. No one was present on behalf of the Gabriella Range application.
- D. No one was present on behalf of The Veritas Campus Church application.
- E. No public comments.

Upon motion made by Mr. Quillen, seconded by Mr. Coleman, the planning commission unanimously voted to deny the Gabriella Range application due to no one was present to provide information regarding the application. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Ms. Jackson, Aye; Mr. Snead, Aye; Mr. Quillen, Aye.

Upon motion made by Mr. Quillen, seconded by Mr. Coleman, the planning commission unanimously voted to deny The Veritas Campus Church application due to no one was present to provide information regarding the application. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Ms. Jackson, Aye; Mr. Snead, Aye; Mr. Quillen, Aye.

VIII. Mr. Ramey closed the public hearing, 6:13 P.M.

IX. The Town Council returned to regular session, 6:13 P.M.

X. Mr. Ramey, Lebanon Planning Commission Chairman, recommended on behalf of the Lebanon Planning Commission that both conditional use permit applications be denied for lack of information.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the council unanimously voted to not approve the application submitted by Gabriella Range and The Veritas Campus Church for conditional use permits due to insufficient information. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

Mr. Boyd directed Ms. Nunley to inform all conditional use permit applicants that they must be present at the public hearing.

XI. Enter closed session: 6:14 P.M.

A. Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the town council unanimously voted to go into closed session under Code Section 2.2-3711 (A) (7) for the purpose of discussing legal. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

B. Upon motion made by Mr. Boyd, seconded by Mr. Ferguson, the town council unanimously voted to return to regular session. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

C. Stephanie L. Burke, Clerk of Council/Accountant, presented the Roll Call Vote:

Virginia Code, 1950, Section 2.2-3712(D)

Do you certify that to the best of your knowledge, (1) the Town Council in its' closed session; only discussed public business matters lawfully exempted from open meeting requirements under this Chapter and (2) that only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the Town Council. Any member of the Town Council who believes that there was a departure from the requirements of clauses (1) and (2), shall so state prior to the vote, indicating the substance of the departure that, in their judgement, has taken place.

The roll call vote was as follows: Mayor Dodi, Aye; Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Mr. Tiller, Aye.

XII. Adjourn closed session: 6:48 P.M.

XIII. Public Requests: None.

XIV. Town Manager's Report:

Mr. Hubbard advised the Council that he was informed by Russell County Commissioner, Randy Williams, that Northrop Grumman had appealed to the Virginia Tax Commission for the refund of the prior two years property tax payments and abatement of their 2017 property taxes for office equipment that they claim to be intangible. Mr. Hubbard advised that this could cost the Town approximately \$1.2 million dollars.

Mr. Hubbard also advised that he has been working with Hungate Business Services to install cabinets in the server room to make the server more secure and not accessible to unauthorized personnel. He advised that the cost to complete the cabinet installation would be about \$2,300.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley the Council unanimously authorized Mr. Hubbard to secure the server room. The vote was as follows; Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

A. Police Department Report:

Mark Mitchell, Chief of Police, presented the Police Report for the month of December. He advised the council that CITAC services were now underway. He also advised that the Virginia State Police now requires that state vehicle inspection stickers be placed at the bottom left corner of the windshield. Mr. Mitchell inquired where the Town vehicle decals should be placed or if they were even necessary due to the Town's use of the VStop service.

Upon motion made by Mr. Boyd, seconded by Mr. Fields, the council unanimously voted to approve to do away with the display of town decals from this month forward. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XV. Town Attorney Report: None.

XVI. New Business:

A. Nick Polier and Butch Lambert-VA DMME:

Nick Polier and Butch Lambert, VA Department of Mines, Minerals & Energy, addressed the Council and advised that the DMME has converted their vehicles to use

propane fuel. Mr. Polier presented a report to the Council informing them of the incentives available through Virginia Clean Cities for propane filling station installment and vehicle propane conversion. He informed the Council of propane providers and contracts available, and also advised that propane skids may be provided at no cost if a large fleet would be converted.

Mayor Dodi inquired about conversion and installation costs. Mr. Lambert addressed these issues and advised that his department spent about \$5,000 for gas and propane conversion. He estimated that this cost would be recovered within 6 months of the conversion. He also advised that vehicle MPG is approximately the same for both gas and propane fuel. Mr. Polier further advised that Virginia Clean Cities may assist in recovering about 40% of the conversion expenses and also advised that the Town could sell propane to other government agencies. He clarified that for fleets of over 10 propane-converted vehicles, the only expenses to install the filling station would be for items such as wiring, concrete pads, etc.

Mayor Dodi informed Mr. Polier and Mr. Lambert that the Council would review the information before making a decision on this topic.

B. Downtown Revitalization:

All council members agreed to reapply for the Downtown Revitalization grant. Mayor Dodi advised that he would check on the public hearing advertisement requirements and notify the council members by email of the date for the first public hearing.

C. Richmond Legislative Meeting:

Mayor Dodi informed the Council of the upcoming Richmond Legislative Meeting to be held January 24-26, 2018.

Upon motion made by Mr. Ferguson, seconded by Mr. Kegley, the council unanimously voted for Mayor Dodi to attend the Richmond Legislative Meeting. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XVII. Old Business: None.

XVIII. Recess: 7:29 P.M.

XIX. Enter closed session: 7:34 P.M.

A. Upon motion made by Mr. Boyd, seconded by Mr. Ferguson, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711(A)(1) for the purpose of discussing personnel. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.

B. Upon motion made by Mr. Kegley, seconded by Mr. Ferguson, the Town Council unanimously voted to return to regular session. The vote was as follows: Mr. Boyd Aye;

Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.

- C. Stephanie L. Burke, Clerk of Council/Accountant, presented the Roll Call Vote:

Virginia Code, 1950, Section 2.2-3712(D)

Do you certify that to the best of your knowledge, (1) the Town Council in its' closed session; only discussed public business matters lawfully exempted from open meeting requirements under this Chapter and (2) that only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the Town Council. Any member of the Town Council who believes that there was a departure from the requirements of clauses (1) and (2), shall so state prior to the vote, indicating the substance of the departure that, in their judgment, has taken place.

The roll call vote was as follows: Mayor Dodi, Aye; Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Mr. Tiller, Aye; Mr. Hubbard, Aye.


- XX. Adjourn closed session: 8:58 P.M.
- XXI. Upon motion made by Mr. Boyd, seconded by Mr. Gilmer, the Council unanimously voted to name Andrew Shortt as Assistant Plant Manager at the Water Plant with pay as discussed in closed session. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye, Mr. Gilmer, Aye; Mr. Ferguson, Aye.
- XXII. Upon motion made by Mr. Boyd, seconded by Mr. Fields, the Council unanimously voted to pay employees for time worked on a holiday in addition to the holiday pay, and to pay any employees that have outstanding holiday hours remaining. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.
- XXIII. Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the Council unanimously voted to adjust Adam Breeding's pay as discussed in closed session. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.
- XXIV. Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the Council unanimously voted to employ Benjamin Holmes part-time, 24 hours per week, at the sewer plant. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.
- XXV. Upon motion made by Mr. Boyd, seconded by Mr. Ferguson, the Council unanimously voted to authorize Mr. Hubbard to advertise in the Lebanon News for the painting of the Town Hall and community rooms. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XXVI. Adjourn: 9:11 P.M.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the Council unanimously voted to adjourn. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.



Nelson A. "Tony" Dodi, Mayor



Stephanie L. Burke, Clerk of Council/Accountant

Minutes recorded by: Stephanie L Burke, Clerk of Council/Accountant

Minutes prepared by: A. Diane Nunley, Administrative Assistant