

Lebanon Town Council  
Regular Monthly Meeting  
Town Hall, Lebanon, VA  
Monday, February 12, 2018  
6:00 P.M.

Council Members Present: Nelson A. "Tony" Dodi, 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

Council Members Absent: J. C. Boyd, Vice Mayor

Staff Members Present: Jackie L. Hubbard, Controller/Interim Town Manager  
A. Diane Nunley, Administrative Assistant  
Mark A. Mitchell, Chief of Police  
Kevin D. Tiller, Town Attorney

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:

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

V. Edit and approve minutes from the 01/08/18 regular council meeting:

Upon motion made by Mr. Kegley, seconded by Mr. Ferguson, the minutes from the 01/08/18 regular council meeting were unanimously approved. The vote was as follows: 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 January:

Additional item to D.R. Wanless & Associates, LLC., for Water Exam Prep/Ops Review Classes in the amount of \$870.00.

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

VII. Public Hearing to consider:

An application submitted by Jessica Helbert for a conditional use permit for home occupation use (Day Care Center) of the property located at 112 Dodge Street in a R-2 General Dwelling District.

An application submitted by The Veritas Campus Church for a conditional use permit for home occupation use of the property located at 345 Donald C. Moore Lane in a R-1 Single Family Dwelling District. The home occupation will be a day care center.

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.

Planning Commission Members Present:

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

Planning Commission Members Absent:

Stephen M. Quillen, Member  
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. Jessica Helbert spoke on behalf of a Day Care Center at her residence. She informed the council she is a subsidy provider by the Department of Social Services, meaning for lower income individuals Social Services would pay part of child care and individuals would be responsible for remaining. She is now equipped for providing day care up the four kids and would like in the future to reach the maximum of twelve. The committee had several questions for Ms. Helbert regarding fencing, parking and location. She informed that there was no fencing needed due to the maximum speed limit at 35 mph as per an inspector, Angela Farmer with Department of Social Services. She has two additional parking spaces and feels that would be sufficient due to parents being on different schedules.

- D. No public comments.

Upon motion made by Mr. Coleman for approval, no second, the motion failed for approval.

- E. Jeanette Puckett spoke on behalf of The Veritas Campus Church concerning the day care facility, they are a non-profit organization, Christian based, promote healthy eating, provide fenced outside playground. The day care is located inside of Grace Wood

Community Church, they currently have seventeen kids enrolled. They are DSS approved for foster children.

F. No public comments.

Upon motion made by R. D. Snead, seconded by Tim Coleman, the Planning Commission unanimously approved The Veritas Campus Church application. The vote was as follows: Mr. Ramey, Aye; Mr. Snead, Aye; Mr. Coleman, Aye; Ms. Jackson, Aye.

G. Gabriella Range spoke on behalf of the need for custom apparel here in Lebanon, they customize the shirts at their home but no one comes to their home for pick-up, the shirts are either mailed or either Ms. Range will meet for pick-up.

H. No public comments.

Upon motion made by Mr. Coleman, seconded by Mr. Snead, the planning commission unanimously voted to approve the Gabriella Range application. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Ms. Jackson, Aye; Mr. Snead, Aye.

VIII. Mr. Ramey closed the public hearing, 6:30 P.M.

IX. The Town Council returned to regular session, 6:30 P.M.

X. Mr. Ramey, Lebanon Planning Commission Chairman, advised that the Commission's motion to recommend the application for Jessica Helbert be approved had failed for due to lack of a second.

Mayor Dodi ask for a motion on the application for Jessica Helbert, no motion was made.

Mr. Ramey, Lebanon Planning Commission Chairman, on behalf of the Lebanon Planning Commission that the application for The Veritas Campus Church for daycare facility was unanimously approved.

Upon motion made by Mr. Fields, seconded by Mr. Gilmer, the council unanimously voted to approve the application submitted by The Veritas Campus Church for conditional use permit. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

Mr. Ramey, Lebanon Planning Commission Chairman, recommended on behalf of the Lebanon Planning Commission that the application for Gabriella Range for online sales and custom apparel was unanimously approved.

Upon motion made by Ms. Jackson, seconded by Mr. Gilmer, the council unanimously voted to approve the application submitted by Gabriella Range for conditional use permit. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XI. Mayor Dodi opened public hearing, 6:34 P.M.

- A. Cable Plus Franchise Agreement.
- B. Mr. Tiller commented that he saw no harm to the Town to approve the Franchise Agreement as presented, the changes he requested had been made.
- C. No public comment.

XII. Mayor Dodi closed the public hearing, 6:36 P.M.

XIII. The Town Council returned to regular session, 6:36 P.M.

Upon motion made by Mr. Kegley, seconded by Mr. Gilmer, the council unanimously voted to approve the Cable Plus Franchise Agreement as presented. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XIV. The Town Council closed regular session, 6:37 P.M.

XV. Mayor Dodi opened public hearing, 6:37 P.M.

- A. Downtown Revitalization Grant.

Shane Farmer spoke on behalf of the Downtown Revitalization Block Grant, the application scored good last year so he feels with changes in the application and increase in the 2018 CDBG funds the Town has a definite chance of receiving Grant funds. Mr. Farmer requested the 2<sup>nd</sup> Public Hearing be set for the March council meeting.

XVI. Mayor Dodi closed public hearing, 6:46 P.M.

XVII. The Town Council returned to regular session, 6:46 P.M.

XVIII. Bid Opening: Painting the Town Hall and Community Rooms:

Mayor Dodi opened the sealed bid received from Richard Candler, Candler's Painting Company. The bid amount was \$5,800.

Upon motion made by Mr. Kegley, seconded by Mr. Fields, the council unanimously voted to approve the bid from Candler's Painting Company. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XIX. Public Requests:

- A. Reggie Childress requested an update on the health of Vice Mayor, J. C. Boyd. Mayor Dodi informed him that Mr. Boyd was doing well. Mr. Childress requested to keep Mr. Boyd in everyone's prayer. He informed the council that they had a new director to the County Parks and Recreation Committee whom he would introduce in the future. He was thankful the air in his water line has been corrected.

- B. Larry Johnston thanked the council for the honor of being the Christmas Parade Marshal and recommended the judging of the floats be in the middle of town at the Court House. Once the floats are in line it is very difficult to see the details which results not a fair judgement.
- C. Dustin Keith, Heather Powers and Donna Meade with the Health Coalition – Farm to Table Dinner Event. Mr. Keith thanked the Council for their financial support, police support and other physical support on the 2017 event. The Farm to Table event will be September 15, 2018, they are again this year selling 150 tickets at \$50 a ticket, also Charlie Howard will once again be the chef. He requested the council have a banner across Main Street, have availability for Farmers Market shelter in case of rain, police support and financial support.

Upon motion made by Mr. Fields, seconded by Mr. Gilmer, the council unanimously voted to donate \$400 for the farm to table event. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

- D. Kitty Barker, Executive Director for Heart of Appalachia, presented a slide presentation showing their mission to utilize tourism to improve economic growth in Lee, Scott, Russell, Wise, Dickenson, Buchanan, Tazewell Counties and City of Norton. Ms. Barker informed the council the need for more outdoor attractions, ATV trails, horse riding trails, biking trails, hiking trails, kayaking and need Jeep trails. She requested financial support and said the Heart of Appalachia in turn would market your Town's attractions.

XX. Police Department Report:

Mark Mitchell, Chief of Police, presented the Police Report for the month of December. He advised the council that the IDA has requested the Town install curb and guttering at the Department of Social Services. They will pay the Town for the labor plus supply the materials. Mr. Mitchell informed the council that the County and Northrop Grumman are scheduled to meet in Richmond on March 12, 2018 to settle the lawsuit. He advised the council the CIT Assessment Center is working out well, plus more officers are CIT trained. The Russell County Sheriff's department donated a crime scene vehicle unit to the Town if they will accept it.

Mayor Dodi requested Robbie Meade and Mr. Kegley to look at the project, the council unanimously approved the Town employees to provide the labor.

Upon motion made by Mr. Kegley, seconded by Mr. Ferguson, the council unanimously voted to accept the vehicle given by Russell County Sheriff's Department. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XXI. Town Attorney Report: None.

XXII. New Business:

- A. IGO Technologies- Steve Vandyke:

Mr. Vandyke addressed the council concerning installing satellite for internet service thru IGO Technologies at the ASAA Tank, same as has been installed at the Duty Tank.

Upon motion made by Mr. Ferguson, seconded by Mr. Kegley, the council unanimously approved for Mr. Vandyke to install his equipment on the ASAA Tank. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

B. Wireless Resolution:

Mr. Hubbard advised the council the need to pass the Wireless Resolution and send to VML to present to lobbyists regarding House Bill 1258 that strips local control over the installation and operation of wireless infrastructure.

Upon motion made by Mr. Fields, seconded by Ms. Jackson, the council unanimously approved the Wireless Resolution. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

C. Fire Department Request-Brad Cook, John Michael McCoy:

Mr. Cook and Mr. McCoy informed the council that the fire department is in need of air-paks being replaced this year. The air-paks must be replaced every 15 years. This is a big investment for the fire department. They both feel 24 air-paks would be sufficient and the cost around \$209,000.

Upon motion made by Mr. Fields, seconded by Ms. Jackson, the council unanimously voted to advertise the sealed bid offer to purchase air-paks using the specification Mr. Cook requested. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XXIII. Old Business: None.

XXIV. Recess: 7:49 P.M.

XXV. Enter closed session: 7:54 P.M.

- A. Upon motion made by Mr. Gilmer, seconded by Mr. Kegley, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711(A)(1)(3)(7) for the purpose of discussing personnel, acquisition or sale of property and legal. The vote was as follows: 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. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.
- C. A. Diane Nunley, Administrative Assistant, 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. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Mr. Tiller, Aye; Mr. Hubbard, Aye.

XXVI. Adjourn closed session: 9:09 P.M.

XXVII. Upon motion made by Mr. Fields, seconded by Mr. Kegley, the Council unanimously voted to pay the line of duty plus cost as discussed in closed session. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye, Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XXVIII. Town Manager's Report:

Mr. Hubbard advised the Council that there were seven places in town that the guardrail was in bad condition. One location the town has repaired, three locations the town employees can repair but three other locations will need to be repaired by a Contractor and the quote price is \$8,000.

Upon motion made by Mr. Gilmer, seconded by Mr. Kegley the Council unanimously voted to approve the \$8,000 price to repair the guardrail. The vote was as follows; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

Mr. Hubbard advised the Council that he has completed the VDOT State of Good Repair pavement grant application for paving on Cleveland Road for the amount of \$180,925.

Mr. Hubbard advised the Council that the Town has about 15 to 20 customers in Glade Hollow that is provided town services. Benny Robinson has spoke with the Russell County PSA and the line needs repairing and would cost about \$150,000. The PSA has applied for a grant to replace the line and are willing to provide the labor if the Town would turn those 15 to 20 customers over to the Russell County PSA.

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

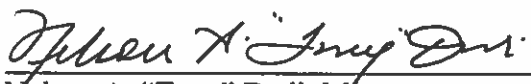
Mr. Hubbard advised the Council that Benny Robinson and Robbie Meade have requested the addition of a storage building onto the Town Shop. The storage building would provide a place for all small tools. The expected cost is \$5,000. The size of the building should be about 12 X 40.

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

XXIX. Ms. Jackson requested a Parks and Recreation meeting on February 15, 2018, at 5:00 P. M. at the Town Hall.

XXX. Adjourn: 9:26 P.M.

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

  
Nelson A. "Tony" Dodi, Mayor

  
A. Diane Nunley, Administrative Assistant

Minutes recorded by: A. Diane Nunley, Administrative Assistant

Minutes prepared by: A. Diane Nunley, Administrative Assistant