

Lebanon Town Council  
Regular Monthly Meeting  
Town Hall, Lebanon, VA  
Monday, December 11, 2017  
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  
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:

Mayor Dodi requested to add under New Business Item B resolution for Robert M. Godsey and resolution for Bernard Darrell Fields.

Upon motion made by Mr. Ferguson, 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 11/13/17 regular council meeting:

Upon motion made by Mr. Kegley, seconded by Mr. Ferguson, the minutes from the 11/13/17 regular council meeting 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 November:

Mr. Hubbard advised the council that the \$9,012.50 invoice from Streetscapes had been edited to include an additional \$4,506.25 for paint for the Old Mill Park but due to the color not matching the paint wasn't used. The Council did not approve the additional charges.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the accounts payable and capital assets for the month of November were unanimously approved as listed. The vote was as

follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye.

Mr. Hubbard presented under Capital Assets item for Schwartz & Associates, Inc. that these services were necessary to comply with new bridge structure load ratings requirements.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the council unanimously voted to hire Schwartz & Associates, Inc. to provide bridge load rating services with half of the total quoted price to be billed and paid during the current fiscal year and the remaining during the following year. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

Mr. Hubbard presented under Fixed Assets proposed sale of compactor boxes to Russell County Board of Supervisors for the amount of \$7,000.00.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the council unanimously voted to sale the compactor boxes to the Russell County Board of Supervisors at the stated price. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, 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.

Planning Commission Members Present:

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

Planning Commission Members Absent:

J.S. Easterly, Jr., Clerk  
Stephen Quillen, Member

- A. The Town Council recessed from regular session, 6:05 P.M.
- B. Mr. Ramey, Chairman opened the public hearing, 6:05 P.M.
- C. No one was present on behalf of the application.
- D. Mr. Coleman was concerned about no fence on the property and also Ms. Jackson was concerned about the parking.
- E. No public comments.

Upon motion made by Mr. Snead, seconded by Mr. Coleman, the planning commission unanimously voted to not approve the application due to insufficient information. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Ms. Jackson, Aye; Mr. Snead, Aye.

VIII. Mr. Ramey closed the public hearing, 6:08 P.M.

IX. The Town Council returned to regular session, 6:08 P.M.

X. Mr. Ramey, Lebanon Planning Commission Chairman, recommended on behalf of the Lebanon Planning Commission to not approve the application submitted by Jessica Helbert for conditional use permit due to insufficient information.

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the council unanimously voted to not approve the application submitted by Jessica Helbert for conditional use permit 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 clarified that if the applicant wished to address the Council at another meeting to provide the information needed, then the application could be reconsidered.

XI. Enter closed session: 6:00 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) (1) (7) for the purpose of discussing personnel and 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. 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. Gilmer, Aye; Mr. Ferguson, Aye.

C. 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 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. Upon motion made by Ms. Jackson, seconded by Mr. Kegley, the council unanimously voted to hire Lucas Hobbs with Elliott Lawson & Minor, P.C. to represent the Town and individuals in the lawsuit case. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XIII. Town Manager's Report:

Mr. Hubbard presented the town managers report for the month of November. He informed the council that DMME requested they approve for them to install a fuel center in Lebanon for propane vehicles. The council agreed for DMME to come to the January meeting for further discussion.

A. Police Department Report:

Mark Mitchell, Chief of Police, presented the Police Report for the month of November. He informed the council that due to the pattern change at the Walmart red light there has been four accidents, he has reported the pattern light changes to the news media & on social media. He presented two "Thank You" notes one for Officer Bise and the other for all officers. He also informed them that Officer Couch would start in the academy in January.

Mr. Mitchell requested the council approve an agreement with Cumberland Mountain Community Services to provide training for officers to be CIT (Crisis Intervention Team Training) certified.

Upon motion made by Mr. Ferguson, seconded by Ms. Jackson, the council unanimously voted to approved to enter into an agreement with Cumberland Mountain Community Services for officers CIT training. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XIV. Town Attorney Report:

Mr. Tiller informed the council that attorney Frank Kilgore's office had presented a franchise agreement for Cable Plus, he made the altered changes needed to the agreement.

XV. New Business:

A. Discuss Street lights on Regional Park Road:

Mayor Dodi informed the council that Steel Fab and Lebanon Inn had requested the need for more lights on Regional Park Road.

Upon motion made by Mr. Kegley, seconded by Mr. Boyd, the council unanimously voted to install two more street lights on Regional Park Road. The vote was as follows:

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

B. Resolution for Robert M. Godsey and Bernard Darrell Fields:

Upon motion made by Mr. Boyd, seconded by Mr. Kegley, the council unanimously voted to approve the resolutions for Robert M. Godsey for his thirty-eight years of service and Bernard Darrell Fields sixteen years of service with the Town of Lebanon. The vote was as follows: Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye.

XVI. Old Business: None.

XVII. Recess: 7:37 P.M.

XVIII. Enter closed session: 7:42 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)(1)(7) for the purpose of discussing personnel and legal. 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. Boyd, seconded by Ms. Jackson, 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. 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.

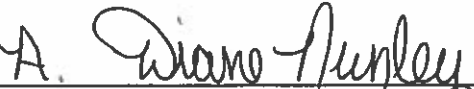
The roll call vote was as follows: Mayor Dodi, Aye; Mr. Boyd, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Mr. Tiller, Aye; Mr. Hubbard, Aye.

XIX. Adjourn closed session: 8:10 P.M

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

Adjourn monthly meeting: 8:12 P.M.

  
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Nelson A. "Tony" Dodi, Mayor

  
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A. Diane Nunley, Administrative Assistant

Minutes recorded by: A. Diane Nunley, Administrative Assistant

Minutes prepared by: A. Diane Nunley, Administrative Assistant