

Lebanon Town Council  
Regular Monthly Meeting  
Town Hall, Lebanon, VA  
Monday, September 9, 2019  
6:00 P.M.

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

Staff Members Present: Mark A. Mitchell, Town Manager/Chief of Police  
A. Diane Nunley, Clerk of Council  
Kevin D. Tiller, Town Attorney

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

II. Prayer: Mr. Dwayne Musick

III. Pledge of Allegiance

IV. Edit for items not on the agenda:

Mr. Dodi requested to add under Other Business letter from VCEDA for approval and light poles in the project area at North Church Street.

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

V. Edit and approve minutes from the 08/12/19 regular council meeting.

Upon motion made by Mr. Fields, seconded by Mr. Kegley, the minutes from the 08/12/19 regular council meeting was unanimously approved. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye.

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

Upon motion made by Mr. Gilmer, seconded by Ms. Jackson, the accounts payable for the month of August was unanimously approved. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

VII. Public Hearing:

An application has been submitted by Clinton Collins for a conditional use permit to place a double wide mobile home on the property located on Lee Avenue in a R-2 General Dwelling District.

Planning Commission Members Present

Donnie Ramey, Chairman  
Tim Coleman, Vice-Chairman  
R. D. Snead, Member  
Leonard Kegley, Member  
DeAnna Jackson, Member  
Mark A. Mitchell, Member

Planning Commission Members Absent

J. S. Easterly, Jr., Clerk

- A. Enter into public hearing: 6:07 P.M.
- B. Mr. Collins advised that he had spoken with all the neighbors on Lee Avenue and no one was opposed to him moving a double wide mobile home on his property located on Lee Avenue.
- C. Mr. Mitchell advised that he had spoken with J. S. Easterly Jr. Mr. Easterly was not able to attend the meeting, and he was opposed to moving any mobile home on any property except in Mobile Home Parks. Mr. Mitchell advised that he didn't have any issues personally except, to make sure a larger porch would be on the front of the mobile home. Mr. Collins assured him they would build a 25' X 6' porch on the front.
- E. Upon motion made by Mr. Snead, seconded by Mr. Mitchell, the Planning Commission voted to approve the conditional use permit for Clinton Collins to place a double wide mobile home on the property located on Lee Avenue with the condition that a porch is built on the front at least measuring close to 150 square feet. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman Aye; Mr. Snead, Aye; Mr. Mitchell, Aye; Mr. Keglev, Aye; Ms. Jackson, Aye.
- E. Closed public hearing: 6:11 P.M.

VIII. Mr. Ramey, chairmen, recommended on behalf of the Planning Commission that the conditional use permit application for Clinton Collins be approved with the amended changes for the front porch.

Upon motion made by Mr. Fields, seconded by Mr. Kegley, the Town Council unanimously voted to approve the conditional use permit for Clinton Collins to place a double wide mobile home on the property located on Lee Avenue with amended porch requirements. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

IX. Public Request:

A. Pat Gray – Constitution Week Proclamation

Ms. Pat Gray requested that the Council declare September 17-23, 2019 as Constitution Week.

Upon motion made by Ms. Stanley, seconded by Mr. Kegley, the Town Council unanimously approved to proclaim September 17-23, 2019 as Constitution Week. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye.

X. Recognition

A. Lebanon Swim Team

The Lebanon Swim Team was the winner of the 2019 BASA Summer League Championship. Team members are Kaylee Bostic, Addyson Carpenter, Burton Casey, Kaimen Casey, Adelaide Cross, Gabriel Cross, Ava Delp, Ellie Davis, Jaidyn Fields, Kenlie Fields, Phoenix Fleming, Avie Gilmer, Elizabeth Gilmer, Hailey Miller, Brooklyn Mock, Grayson Monk, Kyler Monk, Alexis Musick, Madelyn Musick, Brentley Osborne, Dylan Powers, Ethan Powers, Andrew Price, Caiden Rasnick, Gabriella Rasnick, Jady Stinson, Olivia Sykes, Saylor Sykes, Eric Ball, Mitchell Campbell, Natalie Campbell, Henry Carpenter, Annabelle Cross, Bill Gilmer, Kaden Gray, Kaitlyn Gray, Kara Gray, Joseph Hawkins, Bella Hess, Bailey Jackson, Madison Jessee, Haven Johnson, Shade Johnson, Kaleb Lester, Mary Looney, Nathan Musick, Aaron Price, Emily Roher, McKenna Senters, Juliana Stanley, Booker Steffey, Makayla Stinson, Aubrey Turner, Caleb Vaden and Lindsey Musick.

XI. Public Request:

B. Jack Hinshelwood, Executive Director for The Crooked Roads

Mr. Hinshelwood spoke concerning the purpose of The Crooked Road was to market the wonderful asset of local music and to showcase the incredible history behind it. The service area of The Crooked Road in Southwest Virginia covers 19 counties, 4 cities, 50 towns and communities. They print over 100,000 visitor guides to place in all the Virginia Welcome Centers across the state. He stated that The Crooked Road had Tobacco Funding for one way-side but they would need a \$3,000 match from the town and county.

C. Gayle Martin owner of Hugs & Kisses Daycare located in the Lebanon Manor spoke about some issues she had concerning her neighbors Mr. & Mrs. Mark Mitchell. She

stated that Ms. Mitchell had complained about her dogs barking. Ms. Martin stated that officer Bise made more than one trip by her daycare, concerning the kids playing in the road. In July, the daycare had a water balloon day and the kids were in the road drying and she stated someone from the Mitchell's took pictures and reported to the Department of Social Services. The Department of Social Services licensing department contacted Ms. Martin that someone had reported the kids playing in the road with no supervision. Several neighbors and one daycare parent spoke on Ms. Martin's behalf. Mr. Mitchell stated the only problem he had was the kids are not allowed in the road. Ms. Martin assured him this issue is taken care of.

XII. Recess: 7:24 P.M.

XIII. Resume: 7:38 P.M.

XIV. Town Managers Report

Mr. Mitchell advised that Emma Buchanan had requested a MOU between the Town of Lebanon and People Incorporated at the last council meeting. Ms. Buchanan stated that because her position is funded from the ARC POWER Grant they require a Memorandum of Understanding between the client and Peoples Incorporated to show that they are providing service for the client at no cost to provide community development project.

Upon motion made by Ms. Jackson, seconded by Ms. Stanley, the Town Council unanimously voted to approve the MOU as presented between the Town of Lebanon and People Incorporated. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye.

Mr. Mitchell presented the Code of Conduct for approval.

Upon motion made by Mr. Gilmer, seconded by Mr. Ferguson, the Town Council unanimously voted to approve the Code of Conduct as presented. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye.

Mr. Mitchell requested the approval for Hicok, Brown & Company, CPA's to conduct the 2019 pre-audit.

Upon motion made by Mr. Gilmer, second Mr. Ferguson, the Town Council unanimously voted to approve for Hicok, Brown & Company, CPA's conduct the 2019 pre-audit and authorize Mr. Mitchel to pay the agreed amount. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

Mr. Mitchell advised the wooden power poles located on North Church Street would remain because there was power coming to the poles. He advised to change the cobra head lighting to a vintage style lighting would cost about \$1,230 each. The council agreed to change to vintage style lighting.

Mr. Mitchell requested he had a couple things for closed session.

XV. Town Attorney Report

Mr. Tiller requested to speak with the council in closed session.

XVI. New Business

A. Russell Theater – VCEDA Grant Approval – Authorize Mayor to sign Grant Agreement

Upon motion made by Mr. Ferguson, seconded by Mr. Gilmer, the Town Council unanimously voted to approve for Mayor Dodi to sign the grant agreement as presented. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye.

XVII. Committee Reports and Recommendations

Mr. Gilmer, chairman of the Finance Committee, stated the committee meet and agreed to reinvest the \$3,000,000 CD into 18-month CD's at two different Financial Institutions.

XVIII. Enter closed session: 7:51 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 issues. The vote was as follows: Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Ferguson, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye.

B. Upon motion made by Mr. Kegley, seconded by Ms. Stanley, 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; Ms. Stanley, Aye.

C. A. Diane Nunley, Clerk of Council, 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.

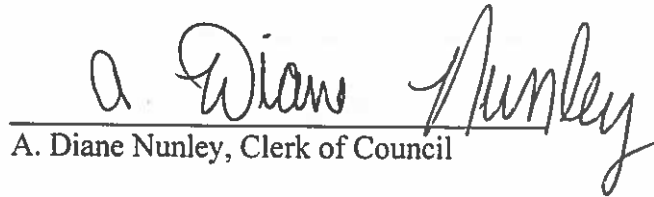
The roll call vote was as follows: Mayor Dodi, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Mr. Ferguson, Aye; Ms. Stanley, Aye; Mr. Tiller, Aye; Mr. Mitchell, Aye.

XIX. Adjourn closed session: 9:42 P.M.

XX. Adjourn: 9:45 P.M.

Upon motion made by Mr. Gilmer, seconded by Mr. Fields, the Town 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; Ms. Stanley, Aye.

  
Nelson A. "Tony" Dodi, Mayor

  
A. Diane Nunley, Clerk of Council

Minutes recorded by: A. Diane Nunley, Clerk of Council

Minutes prepared by: A. Diane Nunley, Clerk of Council