

Lebanon Town Council
Regular Monthly Meeting
Town Hall, Lebanon, Virginia
Monday, May 10, 2021
6:00 P.M.

Council Members Present: Nelson A. "Tony" Dodi, Mayor
DeAnna C. Jackson, Vice- Mayor
A. Doyle Fields, Council Member
Scott J. Gilmer, Council Member
Mary J. Stanley, Council Member
M. Elijah Leonard, Council Member
W. Bradley Lambert, Council Member

Staff Members Present: Kevin L. Blankenship, Town Manager
A. Diane Nunley, Clerk of Council
Richard Eric Deskins, Chief of Police
Kevin D. Tiller, Town Attorney

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

II. Prayer: Mr. Blankenship

III. Pledge of Allegiance

IV. Edit for items not on the agenda:

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

V. Edit and approve minutes from the 04/12/21 regular council meeting, 04/26/21 called council meeting.

Upon motion made by Mr. Gilmer, seconded by Mr. Lambert, the minutes from the 04/12/21 regular council meeting, 04/26/21 called council meeting was unanimously approved. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

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

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

Upon motion made by Mr. Leonard, seconded by Mr. Gilmer, the Town Council unanimously voted for Beverly Stinson, the Financial Officer, to pay the Town of Lebanon's credit card bill prior to the Town Council monthly meeting to eliminate the interest charge. The vote was as

follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

VII. Public Hearing to consider:

An Application submitted by Natasha Hughes for a Conditional Use Permit to place apartments in the lower level of the building located at 459 West Main Street.

Planning Commission Members Present:

Donnie Ramey, Chairman
Tim Coleman, Vice-Chairman
R. D. Snead, Member
DeAnna Jackson, Member
Leonard Kegley, Member
Kevin L. Blankenship, Member

Planning Commission Members Absent:

J. S. Easterly, Jr., Clerk

- A. The Town Council recessed from regular session, 6:07 P.M.
- B. Mr. Ramey, Chairman, opened the public hearing: 6:07 P.M.
- C. Ms. Hughes advised that she wished to place an apartment in the lower level of her Business located at 459 West Main Street.
- D. No one spoke in opposition of the application.
- E. Upon motion made by Mr. Kegley, seconded by Mr. Coleman, the Planning Commission unanimously voted to approve the application for Natasha Hughes for a conditional use permit to place apartments in the lower level of her business which is located at 459 West Main Street. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Mr. Snead, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Blankenship, Aye.

An Application submitted by Southwest Regional Housing Development Corporation for a Conditional Use Permit for residential use the property is located at 1312 East Main Street.

- A. Mr. Ketih Viers, Executive Director for Regional Housing Development Corporation, advised that the Regional Housing Development Corporation had requested a Conditional Use Permit for residential use. He advised that last Thursday the Housing Development Corporation acquired the Old Carriage House property with the intention of developing housing units for the elderly 62 plus years of age. They are looking to develop seventeen housing units plus three commercial spaces. Mr. Viers presented plans showing what the housing facility should look like once completed. He stated that Workforce Development Group has committed to one of the commercial units which he hopes they will put in some of their youth programs. Mr. Viers stated that he is hoping to bring Appalachian Agency for Senior Citizens to one of the commercial units also.

- B. Mr. Bryon "Bo" Rose advised that he was present on behalf of his mother which lives behind the Carriage House Property. His expressed his concerns with Puckett Street which is located at the back of this facility. He stated his mother was home bound with care takers and wanted to make sure the road was not admonished. Mayor Dodi advised that this is a Town Street with no plans to close this road.
- C. Mr. Archie Combs stated that he has lots that joint this property. He advised that there is a high wall that is a danger zone for the public because it is not fenced. Mayor Dodi advised that Mr. Viers will correct this issue due to safety. Mr. Combs questioned if the age 62 or plus would be enforced for this facility. Mr. Viers assured him it would.
- D. Upon motion made by Mr. Coleman, seconded by Mr. Blankenship, the Planning Commission unanimously voted to approve the conditional use permit for residential use on the property that is located at 1312 East Main Street based upon the citizens concerns that Puckett Street is not closed. The vote was as follows: Mr. Ramey, Aye; Mr. Coleman, Aye; Mr. Snead, Aye; Mr. Kegley, Aye; Ms. Jackson, Aye; Mr. Blankenship, 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 recommended on behalf of the Planning Commission the Conditional Use Permit for Natasha Hughes be approved to place apartment in the lower level of her business located at 459 West Main Street.

Mr. Ramey recommended on behalf of the Planning Commission the Conditional Use Permit for Southwest Regional Housing Development Corporation be approved for residential use on the property that is located at 1312 East Main Street based upon Puckett Street remain open.

XI. Upon motion made by Mr. Leonard, seconded by Mr. Lambert, the Town Council unanimously voted to approve the Conditional Use Permit for Natasha Hughes to place apartments in the lower level of her business that is located at 459 West Main Street. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Upon motion made by Ms. Jackson, seconded by Mr. Gilmer, the Town Council unanimously voted to approve the Conditional Use Permit for Southwest Regional Housing Development Corporation for residential use on the property that is located at 1312 East Main Street based upon the Planning Commission recommendation. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

XII. New Business

Mr. Lonzo Lester, Russell County Administrator, was present to discuss the Leachate treatment price along with Brian Ferguson with Russell County Sanitation. Mr. Lester advised that he had previously met with some of the Council Member to discuss the current Leachate program with the County. He advised that the County was currently working on their 2021-2022 Budget. He stated that with the financial planning the County is currently purchasing a Leachate/Disposal Truck. This truck will serve for dual purposes, one to haul leachate and the other to haul trash.

Mr. Lester stated that currently the County has only a gentleman agreement with the Town therefore, he requested the Town of Lebanon and the County have a formal contract with the consideration of reducing the rate amount. He stated that the County currently owns the Dante Sewage Plant. They are treating leachate at the plant with a permit in place plus running test through DEQ. Mr. Lester stated that the Dante Sewage Plant has a daily limit capacity of 125,000 gallons. Mr. Ferguson advised that the County is currently hauling leachate to the Dante Plant for testing. Mr. Gilmer questioned if the Town didn't reduce the treatment rate fee, is the County planning to haul all their leachate to the Dante Plant. Mr. Lester stated they are looking at different alternative plans that would save money for the County. Mr. Lester advised that the County have three storage tanks for leachate plus have applied for a grant through DHCD for a project that would run a line from Dante to Saint Paul for their leachate. Mr. Lambert questioned if there were plans to close the Dante Plant. Mr. Lester stated that it would come down to what was best for the County financially. Mr. Fields stated that he was not for cutting the leachate fee amount. Mr. Tiller advised that either party the Town or the County could initiate an agreement concerning the leachate treatment. Mr. Gilmer advised that after speaking with the Wastewater Plant Operators he would recommend keeping the leachate fee at \$.05.

XIII. Recess: 7:05 P.M.

XIV. Resume: 7:16 P.M.

XV. New Business

Cigarette Tax

Mayor Dodi advised that the County had passed at their meeting last week a Cigarette Tax Ordinance that would impose a tax on cigarettes. If the Town passes a Cigarette Tax Ordinance, the County would not receive the funds from the sale of cigarettes within the Town limits.

Upon motion made by Mr. Gilmer, seconded Ms. Stanley, the Town Council unanimously voted to authorize Mr. Tiller to develop a Cigarette Tax Ordinance for the Town of Lebanon. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Senior Yard Signs

Mr. Lambert advised that he was approached for the Town to provide banners for the Lebanon Senior Class which would cost at least \$36 per banner. Lebanon High School provided these last year for the senior class not the Town. Mr. Lambert suggested the Town purchase yard signs for the senior instead of the banners at a quoted priced from Preston Ball for \$12 per sign. Ms. Jackson received a quote from Jerry's Signs for the amount of \$1,658.78 for 125 signs. Ms. Stanley stated she was interested in providing something special for the senior to show the Town's appreciation for them. She suggested a banner across Main Street with all the senior names on it plus providing yard signs as well. Mr. Leonard suggested the Town provide a banner across Main Street and also provide a pool party with a cookout for them.

Upon motion made by Ms. Jackson, seconded by Ms. Stanley, the Town Council voted to purchase 125 senior yard signs from Preston Ball for the amount of \$12 per sign. The vote was

as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Nay; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Nay.

Upon motion made by Ms. Stanley to purchase a Senior Banner to go across Main Street. The motion failed for lack of a second.

XVI. Town Managers Report

Mr. Blankenship advised that Mr. Fields, Chairman of the Personnel Committee, would provide recommendation concerning the Part-Time Personnel.

Upon motion made by Mr. Fields, seconded by Ms. Jackson, to hire all five applicants for Street Labors as Seasonal Employees to work four days a week. Mr. Lambert advised that he had a concern regarding one of the applicants and he requested to speak with the Council in closed session. Mayor Dodi requested Mr. Fields redraw his motion and Ms. Jackson withdraw her second. They both agreed to withdraw their motions.

XVII. Town Chief of Police Report

Chief Deskins discussed the Police report. Chief Deskins advised that he had applied for a Body Camera Grant through DCJS. He advised that if he receives the grant, it would be enough funds to purchase body camera plus a storage system. Mayor Dodi requested Chief Deskins update the council concerning the issue on Dodge Street. Chief Deskins advised that on Saturday just before 3:00 P.M. Sargent Bise and Officer Matt Hurd was dispatched to Dodge Street reporting that someone had been shot. Upon arrival at the address the officers found the victim that had been shot but the shooter was gone. Within about 15 minutes the shooter was located and taken into custody, but the officers could not locate the weapon. After about three hours the weapon was located. Chief Deskins advised that, nineteen-year old Jonathan Wroten was charged with Aggravated Malicious Wounding. The victim was alive as of this morning. Mr. Gilmer suggested that Chief Deskins make some house calls to notify the neighbors that the shooting was only an isolated domestic issue. Chief Deskins advised that Officer John Jackson would graduate May 21, 2021, he plans to bring Officer Jackson to the June Council Meeting.

XVIII. Town Attorney Report

Mr. Tiller advised that he and Mr. Blankenship went to court concerning the BMM Nuisance Property issue. He advised that the Judge issued a detailed list of items that needed to be completed within 30-days.

XIX. Committee Reports and Recommendations

Ms. Stanley advised that the banners have been ordered for the downtown poles. The Cedar Fest Banners should be here before June 1, 2021, in order to be hung before the Cedar Fest events. Ms. Stanley requested the Lebanon High School Wrestling team that went to State be recognized at the June Town Council Meeting.

Mr. Leonard advised that water loss was down about 12% from the previous month. He stated his appreciation to the Water and Sewer Department for all their labor to help find and repair water leaks.

Mr. Gilmer presented a purposed water and sewer rate proposal and how it would impact the upcoming fiscal year budget.

XX. Old Business

Discuss Current Golf Cart Ordinance

Mr. Leonard stated that he would like for the Town Citizens to be able to ride their Golf Carts to the Downtown Events this year. In the current ordinance it states that no Golf Cart can run in a 35-mph zone or cross a 35-mph zone. Mr. Tiller advised him that the no Golf Cart in a 35-mph zone is a State Ordinance.

XXI. Enter closed session: 8:06 P.M.

- A. Upon motion made by Mr. Lambert, seconded by Mr. Leonard, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711(A)(1)(7) for the purpose of personnel to discuss part time employment and employee compensation and legal issues. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.
- B. Upon motion made by Mr. Lambert, seconded by Mr. Fields, the Town Council unanimously voted to return to regular session. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, 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; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye; Mr. Blankenship, Aye; Mr. Tiller, Aye.

XXII. Adjourn closed session: 10:25 P.M.

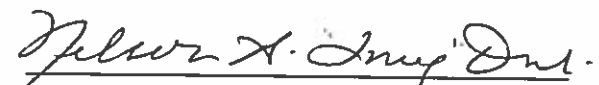
XXIII. Upon motion made by Mr. Fields, seconded by Mr. Leonard, the Town Council unanimously voted to hire Ethan Owens, Jacob Crabtree, Austin Caldwell and Timothy Duty as Seasonal Employees for Street Labors to work up to five days a week and to start as soon as possible. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

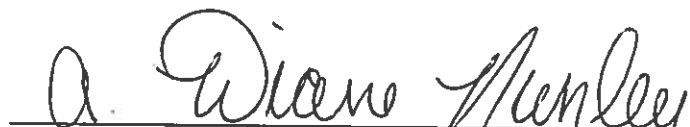
XXIV. Mr. Gilmer advised that the Lebanon Community Center does not have enough space to store all the swim teams supplies. The Town Council discussed adding an addition to the pump house building or other areas to store the swim team equipment. The Town Council agreed for the Parks and Recreation Committee to discuss and prepare a solution for storage to the Town Council.

Mr. Gilmer discussed the Aramark charges for the Lebanon Community Center mats. Mr. Gilmer requested Mr. Blankenship find out if the Town is in a contract with Aramark and if so when it expires. Mr. Lambert will check with another vendor to see if their prices are lower than Aramark.

XXV. Adjourn: 10:40 P.M.

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