

Lebanon Town Council
Regular Monthly Meeting
Town Hall, Lebanon, Virginia
Tuesday, December 7, 2021
2:00 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: Andrew R. Shortt, Town Manager
Kevin D. Tiller, Town Attorney
A. Diane Nunley, Clerk of Council
Richard Eric Deskins, Chief of Police

- I. The meeting was called to order by Mayor Dodi.
- II. Prayer: Timmy Brown Pastor Gracewood Community Church

III. Pledge of Allegiance

IV. Edit for items not on the agenda:

Mr. Gilmer requested to add Russell Theater Project under Old Business.

Upon motion made by Mr. Gilmer, seconded by Ms. Stanley, the agenda as amended 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 11/08/21 regular council meeting

Upon motion made by Mr. Leonard, seconded by Ms. Stanley, the minutes from the 11/08/21 regular 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 November:

Upon motion made by Mr. Gilmer, seconded by Mr. Fields, the accounts payable for the month of November 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.

VII. Recognition

A. Lebanon High School Cross Country Team

Mayor Dodi presented the Lebanon High School Cross Country Team members who placed in the Virginia High School League State Cross Country the following certificates:

Derek Mitchell	Eighth Place
Alec Deckard	Tenth Place
Eli Taylor	Sixteenth Place
Landon Hess	Thirty-Third Place
Ethan King	Forty-Fourth Place
Katie Jones	Fifty-Fourth Place
Emmitt Breeding	Seventy-Third Place
Owen Jones	Eighty-Eighth Place

Mayor Dodi presented a certificate to Lebanon High School Cross Country Coach Travis Hooker for his team placing in the Virginia High School League State Championship.

VIII. Public Hearing to Consider:

Abandon of San Doe Avenue

- A. The Town Council recessed from regular session, 2:18 P.M.
- B. Mayor Dodi opened the Public Hearing: 2:18 P.M.
- C. Mr. Shortt advised that the public hearing is to abandon San Doe Avenue which has been advertised in the Lebanon News for two weeks plus all adjacent property owners have been notified. Mr. Shortt advised that part of the retaining wall on San Doe Avenue is collapsed therefore the road is not safe for heavier traffic. He stated that by the Town abandoning San Doe Avenue would free the Town from any liability or maintenance.
- D. Ms. Joann Street adjacent property owner to San Doe Avenue stated her concerns about not being able to enter her home from San Doe Avenue in an emergency situation.
- E. Mr. Shortt stated that she would have full access to San Doe Avenue, but the Town would no longer maintain the road. Mr. Shortt advised Ms. Street that he would help her get her 911 address changed to Banner Street.
- F. Mr. Leonard questioned Mr. Tiller what act of law the Town needed to do to deed this property to the adjacent property owners. Mr. Tiller advised that it happens by operation of law, he stated that once an abstract of the minutes is recorded in the Clerk's office which states that the Town voted to abandon by operation of law that ownership advertises to adjacent property owners.

IX. Mayor Dodi closed the public hearing, 2:23 P.M.

Mr. Shortt made recommendation to the Town Council for the Town to abandon San Doe Avenue.

Upon motion made by Mr. Leonard, seconded by Mr. Lambert, the Town Council unanimously voted for the Town of Lebanon to abandon San Doe Avenue. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

X. Public Request

The Ridges owned by Lebanon Tech Development

Mr. William Turpen stated that he lives at 423 Scenic Drive in Lebanon. He advised that he is an authorized agent for Lebanon Tech Development. Mr. Turpen stated that he is here to answer any questions the Town Council may have concerning the final approval for The Ridges Phase II. He stated that Lebanon Tech Development request was for the Town to approve just the selling of the lots in Phase II, not to take over the water/sewer lines or the road. Mr. Turpen advised that when the original plat was approved back in 2010; they thought that it was for Phase I and Phase II but recently found out that was not correct. He stated that all the underground utilities are in which will be maintained by the owners. He stated that the Town's main concerns are when will the water/sewer lines be in good working order and when the road will be up to state specs. He stated that Lebanon Tech Development is projecting to sell ten lots a year under the new price structure, therefore within four years 50% of all lots should be sold. He advised that all the Lebanon Tech Development Owners are willing to commit that the Ridges Road will be paved and up to VDOT specs by December 1, 2025, if not sooner. Mr. Tiller stated that Lebanon Tech Development has presented a timeline for the Ridges project which was Mr. Shortt's request. Mr. Tiller advised that the Town could approve the plat once he draws up a performance agreement that will state Lebanon Tech Development will have the water/sewer lines up to the Town's specification and the road paved up to VDOT's specification. Mr. Tiller feels this should satisfy the requirements.

Upon motion made by Mr. Fields, seconded by Mr. Gilmer, the Town Council unanimously voted to approve the final plat of the Ridges Phase II contingent upon completion of the infrastructure and roadways by December 1, 2025, and contingent upon the performance agreement being executed. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

XI. New Business

Appoint Andrew Shortt as Town Treasurer, Zoning Administrator, Housing Board Chairman, Planning Commission member, Subdivision Agent, authorized to sign Grants and Legal Documents.

Upon motion made by Ms. Stanley, seconded by Mr. Lambert, the Town Council unanimously voted to appoint the Town Manager Mr. Andrew Shortt as Town Treasurer, Zoning Administrator, Housing Board Chairman, Planning Commission member, Subdivision Agent plus

authorized to sign Grants and Legal Documents. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Approve John Gibson's Retirement Resolution

Upon motion made by Mr. Lambert, seconded by Ms. Jackson, the Town Council unanimously voted to approve the Retirement Resolution for John Gibson as presented. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Set next ARPA Committee meeting date

Mr. Gilmer advised that he would like to revisit setting the ARPA Committee meeting at the regular Town Council meeting in January. He stated that the Town by that date would be able to calculate the total loss of revenue for the year 2021. He advised that this information is necessary for the next ARPA meeting, therefore his desire is to set the ARPA Committee meeting at the regular January Town Council meeting.

XII. Town Managers Report

Mr. Shortt requested the Town Council pleasure regarding the VDOT Gateway Project. Mr. Shortt advised that the project cost increased than first projected about \$100,000 due to not being able to use the existing poles. The Town Council agreed to close out the VDOT Gateway Project with a reimbursement to VDOT for the amount of \$1,302.30.

Mr. Shortt advised that he received a letter from Southern Corrosion stating that for the water tank maintenance agreement with the Town of Lebanon. They donated \$250 to Victory Junction which is a camp for children with serious illnesses and chronic medical conditions.

Mr. Shortt advised that due to installation of the new software plus due to the office staff sickness, the Personal Property taxes due date will need to be extended to January 31, 2022.

Upon motion made by Mr. Fields, seconded by Ms. Jackson, the Town Council unanimously voted to extend the Personal Property tax due date to January 31, 2022. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Mr. Shortt advised that he received a couple small quotes possibly using ARPA Funds. Don Johnson Door Service provided the first quote which is for upgrade of the Liftmaster Slidagate operator software by installing a 850 LM receiver at the shop, water plant and wastewater plant gates with a total of twenty-five remotes. He stated the quote was for the amount of \$2,367.00. Mr. Gilmer advised that he was for moving forward with this quote and discuss using ARPA Funds at the next ARPA Committee meeting. The Town Council all agreed with Mr. Gilmer's request.

Mr. Shortt presented a quote from Lowes to purchase a Ductless Heating/Cooling unit for the Street Department breakroom at the top building and the Water Maintenance/Sewer Maintenance Building. Mr. Gilmer advised that he is for moving forward with purchasing the two Ductless Heating/Cooling units from Lowes and Mr. Shortt submit the invoice at the next ARPA

Committee meeting. The Town Council all agreed with Mr. Gilmer's request to purchase the units and present the invoices at the next ARPA Committee meeting.

Mr. Shortt advised that the State of Good Repair application for Cleveland Road has been submitted. Mr. Shortt advised that the RFP and the RFQ for Engineering Services for the DEQ Loan and Russell Theater has been advertised in the newspaper. Mr. Shortt advised that the Russell County PSA picked up the audit information. Mr. Shortt advised that he received the quote from Fast Signs for the banners for the new poles which he suggested to order the Town of Lebanon Banner, Eagle Banner, Fall Banner and the Summer Banner as well as the American flags now and the others later.

Mr. Shortt advised that the VML Conference for Newly Elected Officials is January 6, 2022, in Charlottesville, Virginia the registration fee is \$65 which he expressed his interest to attend. Mayor Dodi advised that Mr. Lambert and Mr. Leonard might wish to attend also.

Mr. Lambert advised that in the Town Council packets the Lebanon Fire Department invoice tracker through the month of November the Town has billed \$17,945.00 for services and collected \$6,665.00.

Mr. Shortt advised that Ms. Stinson requested he speak with the Town Council about changing the VRSA payment to an annual payment instead of quarterly because once the first quarterly payment is paid, they do not send any other reminders therefore, it is easy to forget the payment. Mr. Gilmer requested to keep it quarterly because half of the fiscal year is gone plus this would affect the budget amount.

XIII. Chief of Police Report

Chief Deskins presented the monthly Police Report. He advised that the new Police Vehicle is ready, and he will make arrangements to get it picked up.

XIV. Town Attorney Report

Mr. Tiller advised that he had nothing to report to the Town Council at this time.

XV. Committee Reports

Ms. Stanley presented an update regarding the Community Thanksgiving Meal. She advised that over 250 boxes went out to serve people in Russell County Thanksgiving Dinner plus 100 was served meals at Lebanon High School. Ms. Stanley stated that they were also able to donate some dry goods to Elk Garden Food Pantry. Ms. Stanley advised that the Christmas Parade and Santa Claus was a great success this year also.

Mr. Leonard presented a State Street update, he stated the expense for the month of November was \$28,794.00. He advised that the Lohr Street wall is just waiting for the rock to be laid. Mr. Gilmer presented an ARPA update of what funds had been spent, allocated expenses, recurring payments and possible future projects. He advised that looking at the council approved invoices there are items that are not listed such as administrative hours, street closure barricades and cones, clockwise system, police department body cams, plus any items from Ferguson or CMC that are for infrastructure, A & E services for the Russell Theater Pavilion, any Lane Group

Engineering Services for water and sewer and possible any invoices from National Pools for replacement or repairs and any overage cost on the Russell Theater not covered by the grant. He stated anything over the donation amount from Mr. Easterly for the new park shelter to send it to the ARPA Committee. Mr. Gilmer also advised that under possible future projects he would like to add Police Department Radios, Fire Truck payoff, plus add the water and wastewater projects and the distribution side estimate for those improvements.

Mr. Shortt advised that Shentel is interested in providing their service to all Town Citizens and Businesses, therefore they wish to submit a cost estimate for this project.

Mr. Gilmer requested the credit card statements be placed back in the monthly Town Council packets.

XVI. Recess: 3:39 P.M.

XVII. Resume: 3:59 P.M.

XVIII. Old Business

Update on Cedar Fest

Mayor Dodi advised that the gospel day organized by Aaron Bostic has not requested any additional funding except the stage. Mayor Dodi advised that Friday, June 10, 2022, is set for Bluegrass/Folk music night which includes Simply Us, If Birds Could Fly, Mountain Heart and Blue Highway. The line up for Saturday, June 11, 2022, is Parmalee, Crawford and Power, Creedence Revisited and Carson Peters. He advised that the entertainment for the Beach Party is The Tams. The Town council discussed the Town Wide Yard Sale, they agreed to set the date for the second Saturday in May.

Nuisance Ordinance and Junk Dealer

Mr. Leonard advised that the Town Council had taken a break with the nuisance issue since Mr. Blankenship left as Town Manager. He advised that Mr. Blankenship did a follow-up visit with the automotive businesses, but he didn't give any kind of direction on their noncompliance issues. Mr. Leonard advised that before Mr. Shortt moves forward with the nuisance issues and inoperable vehicles is the Town Council willing to stand behind him with this issue. The Town Council discussed their view concerning the nuisance ordinance and inoperable vehicles. The Town Council agreed for Chief Deskins and the police officers work with Mr. Shortt concerning the inoperable vehicles.

Russell Theater Project

Mr. Gilmer stated that the Town Council agreed to put the Russell Theater Pavilion project on hold but go ahead with the earth work. Mr. Gilmer stated that for the \$4,500 invoice from Barrington Landscape Architecture, PLLC., he feels the Town should have some bid documents.

XIX. Enter closed session: 4:46 P.M.

- A. Upon motion made by Mr. Lambert, seconded by Ms. Stanley, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711(A)(1) for the purpose of personnel. 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 Ms. Stanley, 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)

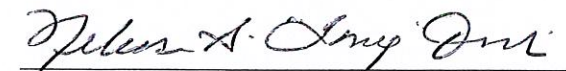
Do you certify that to the best of your knowledge, (1) the Town Council in its' closed session; only discussed public business matters lawfully exempted from open meeting requirements under this Chapter and (2) that only such public business matters as were identified in the motion by which the closed 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.

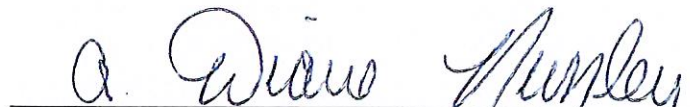
The roll call vote was as follows: Mayor Dodi, Aye; Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye; Mr. Shortt, Aye.

XX. Adjourn closed session: 5:50 P.M.

XXI. Adjourn: 5:50 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