

Lebanon Town Council
Regular Monthly Meeting
Town Hall, Lebanon, Virginia
Monday, April 4, 2022
5:00 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: Jeff Talent Pastor Lebanon United Memorial Methodist Church
- III. Pledge of Allegiance
- IV. Edit for items not on the agenda:

Mr. Gilmer requested to add under Old Business Broadband Expansion. Mr. Leonard requested to add Personnel to Executive Session. Mr. Lambert requested to add under New Business Lebanon Youth Basketball.

Upon motion made by Ms. Stanley, seconded by Mr. Leonard, 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 03/07/22 regular council meeting.

Upon motion made by Mr. Lambert, seconded by Ms. Stanley, the minutes from the 03/07/22 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 March:

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

Mayor Dodi presented James "Jim" Baldwin a plaque for his 50 years of service at Cumberland Plateau. Mr. Baldwin expressed his appreciation to the Town Council.

Upon motion made by Ms. Jackson, seconded by Mr. Gilmer, the Town Council unanimously voted to approve the resolution for James "Jim" Baldwin 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.

Mayor Dodi presented Ms. Sara Stoots a certificate for Lebanon High School winning the 2022 Class 1 VHSL State Forensics Championship. Mayor Dodi presented the following certificates to the Lebanon High School 2022 Class 1 VHSL State Forensics Champions:

Brianna Johnson	State Champion Original Oratory
Ellen Sautters	State Champion Serious Duo
Carter Dillon	State Champion Serious Duo
Madison Huffman	State Runner-Up Storytelling
Emma Martin	State Runner-Up Prose
Emmitt Breeding	State Runner-Up Impromptu
Cheyenne Ball	State Runner-Up Serious Duo
Kendra Horn	State Runner-Up Serious Duo
Brianna Potts	3 rd Place Serious Dramatic Interpretation
Gracie Ford	3 rd Place Humorous Interpretation

VIII. Public Request:

Mr. Jerry Stinson expressed his appreciation for the Town Council's donation to help Elite Grappling kids participate at the State Wrestling Championship. He advised that seven kids participated at the State Wrestling Championship which they all did well. Mr. Stinson presented a Thank You Card and pictures of each kid that participated.

Debbie Milton with Cumberland Plateau Planning District Commission advised that the Town of Lebanon recently received a \$500,000 ARC Grant for renovation of the Russell Theater. She advised that she needed approval by the Town Council to authorize Mayor Dodi to sign for the Administrative Agreement and Non-Discrimination Policy plus she requested that the Town Council approve to authorize Mayor Dodi to sign any other documents that might be needed to get under contract with ARC.

Upon motion made by Mr. Fields, seconded by Mr. Lambert, the Town Council unanimously voted to approve for Mayor Dodi to sign the Non-Discrimination Policy and Administrative Agreement 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.

Upon motion made by Mr. Leonard, seconded by Ms. Stanley, the Town Council unanimously voted to approve for Mayor Dodi and Andrew Shortt to sign necessary documents for the completion of the contract for the ARC Grant. The vote was as follows: Ms. Jackson, Aye; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

Hannah Long stated that she is a member of CWA which is the union at AT&T. She advised that they are having an informational picnic concerning bargaining for a new contract with AT&T because they haven't had a raise since 2017. She requested the Town Council's support if they see them picketing out in Town.

IX. Enter closed session: 5:30 P.M.

A. Upon motion made by Mr. Leonard, seconded by Mr. Lambert, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711(A)(7) for the purpose to discuss a legal matter with the Town Attorney. 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. Gilmer, 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. Shortt, Aye; Mr. Tiller, Aye.

X. Adjourn closed session: 5:48 P.M.

XI. Recess: 5:50 P.M.

XII. Resume: 6:00 P.M.

XIII. Public Hearing:

Amendments to Section 21-Zoning

Planning Commission Members Present:

Tim Coleman, Vice-Chairman
R. D. Snead, Member
DeAnna Jackson, Member
Leonard Kegley, Member
Andrew R. Shortt, Member

Planning Commission Members Absent

J. S. Easterly, Jr., Clerk

- A. The Town Council recessed from regular session, 6:02 P.M.
- B. Mr. Coleman opened the Public Hearing: 6:02 P.M.
- C. Ms. Nunley read the proposed amendments to section 21-zoning.
- D. David Coleman located at Donald C. Moore Drive advised that he is in support of the amendments to the zoning. He stated that currently on Viers Court there is a trailer sitting there. He is concerned about the wind safety of an unsecured trailer in the neighborhood. Mr. Coleman requested how long the Town will allow the trailer to sit there?
- E. Mr. Snead stated his concerns as a Planning Commission member as well as a realtor. He advised that a blanket restriction would allow consideration for any type of mobile home in a R-1 Zoning. He advised that allowing mobile homes in certain location would add income to the Town. Mr. Snead stated that a citizen having several acres of land and desiring to place a mobile home they should be able to apply for a conditional use permit to do so. He stated that he would like to allow citizens to be able to least apply for conditional use permit to place mobile homes in R-1 Zoning.
- F. Mr. Shortt stated that in a R-2 Zoning a mobile home/manufactured home is allowed by conditional use permit which gives that blanket for the citizens. He advised that in a R-1 Zoning it is not permitted now for citizens to even request a conditional use permit to place a mobile home or manufactured home so really nothing is changed just clarifying the language.
- G. Mr. Coleman advised that if you allowed someone with several acreage to place a mobile home/manufactured home in a R-1 Zoning but would not allow someone with a small lot to place a mobile home/manufactured home on their lot they would be classified as discrimination. Mr. Coleman advised that he recommended amending the R-1 Zoning as presented.
- H. Mr. Gilmer advised that to Mr. Snead's concerns a citizen can apply for a zone change or variance.

- XIV. Mayor Dodi closed the public hearing, 6:17 P.M.
- XV. The Town Council returned to regular session, 6:17 P.M.
- XVI. Upon motion made by Mr. Gilmer, seconded by Mr. Leonard, the Town Council unanimously voted to approve the Amendments to Section 21-Zoning 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.
- XVII. Public Request

Robbie Martin stated that he received a letter concerning the nuisance ordinance concerning his dad's property. He stated that his father passed away and he had surgery therefore he had not been able to clean up the property. Mr. Tiller, Town Attorney advised that the Judge awarded the Town to clean up the property according to the nuisance ordinance with the Town's expense to be added to the property tax. Mr. Martin requested the Town Council give him eight months up to a year for him to bring the property up to the Town's Nuisance Ordinance. Mayor Dodi advised that the Town Council will speak with Mr. Tiller for legal counseling and get an answer to Mr. Martin regarding the property.

Ms. Svitlana Boyd expressed her appreciation for the Town of Lebanon supporting her Country Ukraine and she requested the Town continue praying for them.

XVIII. New Business

Resolution-Cumberland Plateau Regional Housing Authority

Mayor Dodi advised that this resolution is in regard to the C-Prop Application.

Upon motion made by Mr. Lambert, seconded by Ms. Stanley, the Town Council unanimously voted to approve the Cumberland Plateau Regional Housing Authority Resolution 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.

Resolution-USDA Grant for Police Vehicle

Mayor Dodi advised that in order to apply for the USDA Grant for a Police Vehicle this resolution needed to be approved by the Town Council.

Upon motion made by Ms. Jackson, seconded by Mr. Leonard, the Town Council unanimously voted to approve the USDA Grant Resolution 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.

Lebanon Youth Basketball

Mr. Lambert advised that he would like to present the Town Council a Thank You Plaque on behalf of Lebanon Youth Basketball for their support. He advised that Lebanon Youth Basketball had a successful year with 278 kids participating.

XIX. Town Managers Report

Mr. Shortt advised that he had received a contract for Nathan Brown. Mr. Brown has the construction documents ready for the Town Employees to start working on the green space at the Russell Theater. Mr. Shortt advised that anytime you disturb over 10,000 square foot of dirt that it calls for an erosion and sediment control plan which requires an Engineer Firm. He stated that the price of Nathan Brown's construction documents is \$2,250, then the cost for the erosion and sediment control plan is \$4,000. The Town Council approved for Mr. Shortt to sign the contract with Nathan Brown but split the projects up therefore there would be no need for an erosion and sediment control plan. Mr. Gilmer stated that he would like to proceed with Mr. Brown at the principal rate for basic services.

Mr. Shortt advised that he is working on a GIS Mapping System for the Town which it includes water, wastewater and zoning. He advised that most of the GIS was already finished by the Lane Group when they did the SSES for the Town. He stated that text my gov can be integrated into the GIS system.

Mr. Shortt advised that Southwest Virginia Community College has started in person classes at the government center. The College has requested to hang some banners near the government center. Mr. Shortt suggested from the Fire Department up to Wendy's and from C-Health down to Wendy's would be good to place the banners. Ms. Stanley requested the size of the banners.

Mr. Leonard requested that the Shop each month provide a daily log sheet of the maintenance they do each day and hours per job.

XX. Chief of Police Report

Chief Deskins presented the monthly Police Report. Chief Deskins expressed the Police Officers appreciation for their new vest that was purchased with funds from the grant that Mr. Shortt recommended. Mr. Leonard expressed his appreciation for the Police Officers presence on Donald C. Moore because of the speeding.

XXI. Town Attorney Report

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

XXII. Enter closed session: 7:53 P.M.

- A. Upon motion made by Mr. Gilmer, seconded by Mr. Leonard, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711(A)(1)(3)(7) for the purpose of personnel, acquisition or sale of property 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 Ms. Jackson, seconded by Mr. Gilmer, 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; Mr. Tiller, Aye.

XXIII. Adjourn closed session: 8:30 P.M.

XXIV. Committee Reports

Broadband Expansion

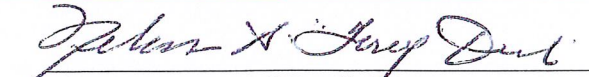
Mr. Gilmer advised that approximately \$400,000 ARPA Funds was set aside for broadband expansion. Mr. Gilmer presented an update concerning the meeting with Point Broadband. He stated that it wasn't just the cost estimate they discussed, they discussed scope of the project as well as items the council has discussed before. Mr. Gilmer advised that the scope of work meets the Town's project requirements. He advised that they discussed the construction timeline, which was outlined in the proposal, Mr. Puckett quoted 60-days that he would need post executed contract to get started but then five-month completion which is still inline with the proposal. Mr. Gilmer advised his concerns was funding, but Mr. Puckett agreed that no payment would be due until the Town receives the second round of ARPA funds. He stated that the final number after negotiations is \$504,850. Mr. Leonard advised that by having two Broadband providers within the Town creates competition. Mr. Leonard advised that Mr. Puckett did state that the Town could pay upon competition.

Upon motion made by Mr. Gilmer, seconded by Mr. Leonard, the Town Council unanimously voted to go under contract with Point Broadband for the Town of Lebanon broadband expansion project providing Mr. Tiller review the contract and authorize the Mayor or Town Manager to sign the agreement.

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

XXV. Adjourn: 8:48 P.M.

Upon motion made by Mr. Lambert, seconded by Mr. Leonard, 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