

Lebanon Town Council
Regular Monthly Meeting
Town Hall, Lebanon, Virginia
Monday, July 11, 2022
6:00 P.M.

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

Council Members Absent: DeAnna C. Jackson, Vice-Mayor

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

Staff Members Absent: Andrew R. Shortt, Town Manager

- I. The meeting was called to order by Mayor Dodi.
- II. Prayer: Jason Wilson Pastor at Anchor Baptist Church
- III. Pledge of Allegiance
- IV. Edit for items not on the agenda:

Mr. Lambert requested to add sanitation.

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

- V. Edit and approve minutes from the 06/13/22 regular council meeting and 06/20/22 reconvened council meeting.

Mayor Dodi advised that Ms. Nunley revised the minutes for the June 13, 2022, item XXI to state a major water leak which is ruffly losing 100 to 150 gallons a minute. Mr. Leonard questioned the June 20, 2022, minutes state that the Town Council monthly pay increase should be effective January 1, 2023. Ms. Nunley stated that the Financial Officer was not aware that it should be January 1, 2023, therefore she paid the Town Council monthly pay increase effective July 1, 2022, but she would correct the issue. Mr. Leonard requested to change the wording on page 2 of the June 20, 2022, minutes to Mr. Leonard advised that he felt the Town Council earned a monthly pay increase because of the time and expenses they incur with the meetings and research.

Upon motion made by Mr. Leonard, seconded by Mr. Gilmer, the minutes from the 06/13/22 regular council meeting, 06/20/22 reconvened council meeting as amended was unanimously approved. The vote was as follows: 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 June:

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

VII. Recognition

Mayor Dodi presented certificates to the following students for being selected to the 2022 Virginia High School League Class 1 All-State Teams:

Derek Mitchell	Sixth place in the 1600 and third place in the 3200	Track Team
Andy Lambert	Eighth place in the 100-meter	Track Team
Seth Buchanan	Shortstop and Pitcher	Baseball
Dagan Barton	At-Large	Baseball
Morgan Varney	Shortstop	Softball
Alexis Horne	Second Base	Softball
Josiah Wilson	At-Large	Boys' Soccer
Grayson Olson	Forward	Boys' Soccer
Emmitt Breeding	Defense	Boys' Soccer
Carter Dillon	At-Large	Boys' Soccer

VIII. Public Request:

Randy Burke advised that he planned to attend every Town Council meeting until something was resolved concerning the Suboxone Clinics. He stated that one thing he is upset about is that he attended the May meeting and discussed that another Suboxone Clinic Spero Health was planning to open in Lebanon. He was advised that Spero Health would attend the June meeting, but the Town Manager signed the business license for Spero Health 7-days after the May meeting. Mr. Burke advised that he is trying to protect the kids. Mr. Burke advised that they have a petition against the Suboxone Clinics as of now around 300 names have signed it. He stated that he plans to get that petition to the Town, County and Attorney General's office. Mr. Gilmer requested that once the Town Council receives an official response from the Attorney General that it will be on the agenda and present the full response to the public.

Eddie Hall advised that at the Christmas Parade and July 4th Parade, patients leaving the Russell County Dialysis center are not permitted to leave because they have the street blocks due to the parade. He requested the police officers allow them to leave if the parade has not started by crossing the road for a detour route. Mayor Dodi advised that the Police Chief handle this issue. Chief Deskins advised that he would speak with the Police Officers concerning this situation.

Shelly Yarber advised that on June 24, 2022, there was an accident in the Jones Addition which involved a Town Brush Truck that took down some power lines and snapped a power pole. She stated that the power lines were attached to her mother's home therefore it pulled siding from her

home. She stated her concerns was that VRSA the Town Insurance advised her mother that the case is closed that she needed to file with her homeowner's insurance to pay for the damage, but the Town would pay her deductible. Ms. Yarber advised that her mother is older therefore her and her sister are trying to help her out. Mayor Dodi advised Ms. Yarber that he would contact VRSA to discuss this issue and would follow up with her. Ms. Yarber stated that as everyone know homeowner insurance is good until you use it then the premium increases.

IX. New Business

USDA Loan Resolution

Mayor Dodi advised that when they met with USDA concerning the grant to purchase a Police Vehicle, he signed the documents, but the Town Council need to approve a resolution for the funding of the vehicle.

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

Wastewater Plant HVAC Repair

Mayor Dodi presented three quotes for replacing the Heat Pump unit at the Wastewater Plant. The three quotes are as follows:

Southern Air	\$4,623.46
Starnes Inc.	\$5,500.00
Thermco	\$3,950.00

Mr. Leonard advised the Southern Air only has a 30-day labor warranty; the rest of the parts fall under the manufacturer. Mr. Leonard advised that Thermco quote includes a 5-year warranty on the compressor and 2-year on labor. Mr. Gilmer advised that due to the quote falling under the Town Manager's purchase policy limit just allow Mr. Shortt to move forward in replacing the heat pump unit not repairing the unit.

Set Date for Surplus Auction

Mayor Dodi stated that each Council Member has a surplus item list. Mr. Gilmer advised that he would like for the Finance Committee to review the surplus item list before making a decision to declare these items as a surplus to the Town. Mayor Dodi requested to add surplus items to the August Agenda.

Approve the Proposal for A & E Services for ARC Grant

Mr. Gilmer advised that the ARC Grant requires the Town to have an engineering firm under contract for the project. The Town Council discussed the A & E Service agreement with The Lane Group. Mr. Gilmer requested to negotiate the fee structure cost with The Lane Group.

Upon motion made by Mr. Gilmer, seconded by Ms. Stanley, the Town Council unanimously voted to award the proposal for A & E Services on the Russell Theater to The Lane Group-Equipment project not to exceed 10% of the grant. The vote was as follows: Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

X. Town Managers Report

Theater Park Update

Mayor Dodi advised that he, Drew and some of Town Employees met with Nathan Brown to discuss the Russell Theater Park area. Mayor Dodi advised that Mr. Brown should stake off the park area soon. Mr. Leonard stated that he thought they removed the Terrace structure from the project. Mr. Leonard stated that in the previous drawings he thought they agreed to utilize as much road frontage as possible for spill out of the theater after showings. He stated the concrete pad looked very small in the current drawing for the size of the property. He advised that he thought they were going to pour a concrete pad the length of the property. Mayor Dodi advised that he would discuss with Mr. Brown to make sure the concrete pad was the length of the road frontage.

New Water Line Update

Mayor Dodi advised that all the materials to install the new water line are here. Mr. Gilmer stated his concerns that after reviewing the water loss report for June the numbers didn't add up to what loss the Town thought. He stated he needed to be reassured that the Town has a water leak where they think the leak is and that on the distribution side is the best route to go is up on Big Cedar Creek Road. Mr. Gilmer advised that he feels an engineer needs to review this water leak issue and present his views on this issue. He stated that one of the Town Employees stated that the Town didn't have the equipment to be able to install this line and that the reason the Town had not already laid a water line on Big Cedar Creek was due to the rock. The Town Council discussed the water line issue.

Citizen Tax Relief Status

Ms. Nunley advised that the Town Staff was beginning to review the Town's Real Estate list of names to check payments up to date as well as any nuisance issues. Mr. Leonard stated that in his motion it was specific to process after July 1, 2022. He stated that for the Town Staff to check delinquent taxes and nuisance issues with properties it will take time for the to be processed.

AEP Light Update

Mr. Leonard advised that the Town paid AEP a check in the amount of \$158,882.10 for the Downtown Street Lighting project of the \$250,000.00 that was first proposed in 2021-2022 fiscal year using State Street funds. Mayor Dodi requested if the Town had received any notification from the State regarding the amount of Urban Maintenance Funds the Town would be allotted for the 2022-2023 fiscal year.

XI. Chief Police Report

Chief Deskins presented the monthly police report. Mr. Leonard requested to add in the monthly police report each police officer's monthly performance.

XII. Town Attorney Report

Mr. Tiller advised that the property transfer was completed for Ms. Deel's property. He advised that the Business License cases are scheduled for court next week.

XIII. Sanitation

Mr. Lambert advised that the Sanitation Department are reporting large amount of trash on the ground not in trash containers and some not even in bags. He stated that he would like for the Town Council to revisit the Town Code which states that all trash must be in containers. The Town Council discussed this issue.

XIV. Committee Reports and Recommendations

None

XV. Enter closed session: 7:18 P.M.

A. Upon motion made by Mr. Gilmer, seconded by Mr. Lambert, the Town Council unanimously voted to go into closed session under Code Section 2.2-3711(A)(1) (3) (7) for the purpose to discuss personnel, acquisition or sale of property and legal issues. The vote was as follows: 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. Leonard, the Town Council unanimously voted to return to regular session. The vote was as follows: 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; Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye; Mr. Tiller, Aye.

XVI. Adjourn closed session: 8:25 P.M.

XVII. Old Business

Mr. Gilmer requested an update regarding the Lebanon Baptist Church Wall project concerning the church deacon's approval. He advised that he is interested in bidding that project out. Mayor Dodi advised to move forward with the bidding process while the Town is wanting on an answer from the church. Mr. Leonard advised that Steffey Construction quoted a price of \$27,600 but Mr. Steffey stated that as of July 1, 2022, the rock price would increase by 10%. The Town Council discussed the Lebanon Baptist Wall project.

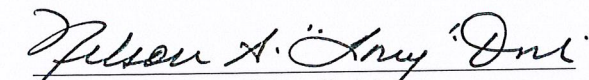
Upon motion made by Mr. Gilmer, seconded by Mr. Leonard, the Town Council unanimously voted to bid out the Lebanon Baptist Church Wall project. The vote was as follows: Mr. Fields, Aye; Mr. Gilmer, Aye; Ms. Stanley, Aye; Mr. Leonard, Aye; Mr. Lambert, Aye.

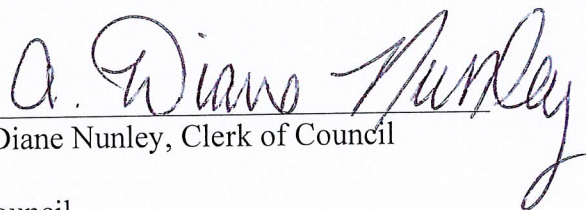
Mr. Gilmer requested to check on installing lights over the banner that goes across Main Street. He advised that by adding lights it would show up at night better. Mr. Lambert questioned if the lights around the board at the Russell Theater can run. The Town Council discussed these issues. Mayor Dodi advised that Mr. Shortt will check on both of these issues.

Mr. Leonard questioned Mr. Tiller regarding the past due Meals and Lodging Taxes. Mr. Tiller stated he wasn't at the last council meeting. Ms. Nunley stated that she had not sent Mr. Tiller the information concerning the Meals and Lodging taxes. Mr. Leonard advised that he would like to adopt a standard operating procedure concerning any Meals and Lodging taxes that are over 60-days.

XVIII. Adjourn: 8:37 P.M.

Upon motion made by Mr. Lambert, seconded by Mr. Fields, the Town Council unanimously voted to adjourn. The vote was as follows: 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