

COUNCIL MEETING MINUTES

August 7, 2023

The Regular Meeting of the Town Council of Drakes Branch was held on Monday, August 7, 2023 at 7:00 p.m. in the Municipal Building, located at 4801 Drakes Main Street, Drakes Branch, Virginia.

Mayor Phillip D. Jackson called the meeting to order and Mary Sands, Clerk recorded the minutes. Members present were as follows: Deborah Kennedy, James K. Gregory, Vice-Mayor Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Peery Well Sr. delivered the invocation and Mayor Jackson led the Pledge of Allegiance to the flag.

On a motion by Noah Davis, seconded by Deborah Kennedy, to approve the minutes to the last Regular Meeting, Public Hearing & Special Meeting, was passed on a voice vote of 6 Ayes, 0 Nays.

Account Balances with The Bank of Charlotte County were as follows:

General Fund	\$528,134.10
Water/Sewer	170,264.79
Debt Service Reserve	42,942.00

TOTAL \$741,340.89

On a motion by Noah Davis, seconded by Eugene Wells Jr., to pay the bills, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

Mayor Jackson said that James K. Gregory wanted to address the Council, and he said he thought it would be discussed in Closed Session but he said he asked before about the Council Members getting an increase in their salary and after doing some research, he said there is nothing that stops them from getting a raise. He said he proposes a 5% increase for them. Mayor Jackson said this had been talked about before and according to the statue the Council cannot give themselves a raise while they are in office, but it could be budgeted and approved in 2025 for those elected to take office in January 2026. After discussion, it was decided for the clerk to check with our town attorney and get the statue from him, along with his interpretation of the statue and have it for the next meeting.

COMMITTEE REPORTS:

Finance – Mayor Jackson said he has looked further into the LGIP Program and Cindy Bomar with USDA has approved the town putting our Debt Service Reserve into this program after their review. On a motion by Charles Errickson, seconded by Deborah Kennedy, to proceed further so the Finance Committee can make a decision of what to do, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

Water/Sewer – Peery Wells Sr. asked how they are doing on marking the meters and Mayor Jackson updated everyone on this project, saying they had to order some different size meters and boxes and they are having to dig out and raise the ones that are too low. He reminded council that James Webb is in class at VA Tech this week, and will take the test on Friday. He said the SIM card (from US Cellular) needed for the project has been received to transmit the data and work should start soon.

Streets – Charles Errickson had not spoken with Butch Hamlett on the banners requested so he will get with him this month. The Proctor Street sign that he reported on last month has been replaced. The sign that Peery Wells Sr. reported on last month will be put back up.

Museum – Deborah Kennedy reported on the museum saying nothing has changed since last month.

Buildings & Grounds – The front door lock was discussed again, since Mr. Gregory was not at the last meeting. On a motion by Deborah Kennedy, seconded by Charles Errickson, that we keep the lock as is until we have an issue with it, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

Personnel – The Committee met with the personnel, saying issues will be discussed later in Closed Session. It was said that Isaac (Napier) had resigned.

Grant – Mayor Jackson said the town is no longer looking at having the electric pole moved and it is now suggested since we are purchasing The Charlotte Gazette building, to put the sign at the grassy area. On a motion by Eugene Wells Jr., seconded by Deborah Kennedy, to go with the sign at the Gazette property, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote. Mayor Jackson said that he and Noah Davis met with two property owners and made offers on purchasing their building and land for the demolition project, and both owners rejected the town's offers. It was asked who they were, and one was Mr. Mittleman, and the other Jimmy C. Hudson, although it was stated that Mr. Hudson wanted time to think about it. So the town is looking at next tearing down the old Municipal Building and Fire House so the Fire Department can get their share of the money to pay on their loan for the building etc.

UNFINISHED BUSINESS:

Mayor Jackson said the request for bids repairing the Ladies Club Building and Museum Building were advertised in the two newspapers for two weeks, with no results, not even a phone call or inquiry. On a motion by Deborah Kennedy, seconded by Noah Davis, to award the bid for repairing the Museum to Nehemiah Braxton for \$9,800, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote. It was stated by Mayor Jackson that the Ladies Club Building we will hold off on for now, and the town employees may be able to work on that one.

On a motion by Noah Davis, seconded by Deborah Kennedy, to table the Planning Commission's proposed changes to the Zoning Ordinance, was passed on voice vote of 6 Ayes, 0 Nays.

Mayor Jackson explained the employee retirement plan, saying VRS would have to do a study which would cost \$3,000-\$4,000 and the different plans, and whether Mary could buy into the plan since she has the deferred comp. plan now. Noah Davis said he thought the Personnel or Finance Committee should meet with the Mayor for further discussion on this matter. Peery Wells Sr. said he will meet with the Mayor at 11 a.m. on the 15th of this month and then a recommendation would be made at the next meeting.

NEW BUSINESS:

On a motion by Noah Davis, seconded by James K. Gregory, to allow Dorothea Knott to use the Municipal Building, as per her letter for Mary Kay Team Meetings, etc., was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

On a motion by Noah Davis, seconded by Deborah Kennedy, to allow Tracey Smith-Gregory to use the Municipal Building, as per her letter for a bridal shower, was passed on a roll call vote as follows: Ayes:

Deborah Kennedy, James K. Gregory Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

Upon a recommendation of Eugene Wells Jr., concerning reviewing the prices for renting town property, Noah Davis made a motion, seconded by Deborah Kennedy, to allow the Buildings & Grounds Committee to discuss different prices for renting the building and make them effective January 1st, with the proposal due by the October meeting, was amended to include all town properties being rented out, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

On a motion by Noah Davis, seconded by Deborah Kennedy, to proceed with the purchase of The Charlotte Gazette building for \$45,000 was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

On a motion by Deborah Kennedy, seconded by Eugene Wells Jr., to approve Jim Spence's water/sewer application for his cottage house, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

The clerk and mayor discussed how expensive the telephone bills are with Verizon and that the clerk checked with U.S. Cellular and read the email on the prices. She said the lines at the pump station and sewer plant will need further investigating by U.S. Cellular since they have the chatterbox at each location. Also, the town is committed to a one-year contract for the phones in the Municipal Building, and may have to buy out or pay a fee to change now. On a motion by Eugene Wells Jr. seconded by James K. Gregory, to allow the town to proceed with their investigation of finding a cheaper telephone provider, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote. It was further agreed, that if the town can get the town office phone and mayor's phone changed with no penalty to go ahead and change those now without waiting.

Mayor Jackson explained to council about trying to acquire the "Bunn" building which is the condemned building to be torn down in the FEMA/VDEM project. He said the lawyer said there are fifteen liens on the building and he said it would be best to let it go to tax sale and purchase it to get it free of the liens. After he suggested a price, Noah Davis said that this should be discussed in a Closed Session at the next meeting so the price isn't made public, as it could affect our strategy for purchasing it. This matter was tabled as he recommended.

Mayor Jackson explained that the heat pump upstairs is not working and the repair cost will be \$1,384.82, with the labor not being covered under warranty. On a motion by Noah Davis, seconded by Deborah Kennedy, for approval of the repair with the town paying the bill, and the Fire Department reimburse the town for ½ of the cost, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

On a motion by Noah Davis, seconded by Peery Wells Sr., to move the discussion item H. Advertisement for a New Hire, until after the Closed Session, was passed on a voice vote of 6 Ayes, 0 Nays.

Mayor Jackson explained that he and the clerk are checking on billing software to go along with the new water metering system. Questions were asked about this since council approved the metering system. Mayor Jackson explained that this is a separate item that we will need since we have no software to work with. The Mayor and Clerk will report back to council on the companies, prices and their recommendation at

the next meeting. They already had webinars with two companies, and have at least one more scheduled to talk to.

CLOSED SESSION:

On a motion by Peery Wells Sr., seconded by Deborah Kennedy, that the Drakes Branch Town Council convene in closed session under Virginia Code Section 2.2-3711 (A)(1) to discuss personnel concerning wages & job performance, and pursuant to Section 2.2-3711(A)(3) for discussion or consideration of the disposition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

RETURN TO OPEN MEETING:

On a motion by Deborah Kennedy, seconded by Noah Davis, to Return to Open Session, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

On a motion by Deborah Kennedy, seconded by Noah Davis, to adopt (Exhibit A), was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Noah Davis, Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 6 Ayes, 0 Nays, by a unanimous vote.

On a motion by Deborah Kennedy, seconded by Peery Wells Sr., to authorize Mayor Jackson to hire a contractor at \$10.00 per hour, with no benefits, was passed on a voice vote of 6 Ayes, 0 Nays.

Deborah Kennedy reminded everyone of the Bloodmobile on the 17th.

On a motion by Deborah Kennedy, seconded by Noah Davis, and passed on a voice vote of 6 Ayes, 0 Nays, the meeting was adjourned at 9:53 p.m.

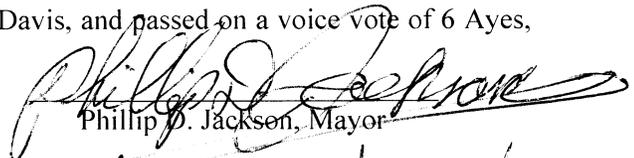
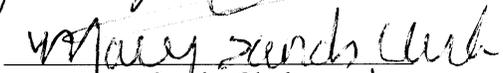

Phillip D. Jackson, Mayor

Mary Sands, Clerk

EXHIBIT A

Certification Resolution of Closed Session

WHEREAS, this Drakes Branch Town Council convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Drakes Branch Town Council after such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, be it resolved that the Drakes Branch Town Council hereby certifies that, to the best of each member’s knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification applies; and (2) only such public business which the closed meeting was convened were heard, discussed or considered in the meeting to which this certification applies.