

**COUNCIL MEETING MINUTES**

**January 2, 2024**

Due to the New Year’s Holiday, the Regular Meeting of the Town Council of Drakes Branch was held on Tuesday, January 2, 2024 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., Eugene Wells Jr. (Charles Errickson entered the meeting at 7:17 p.m.) Peery Wells Sr. delivered the invocation and Mayor Jackson led the Pledge of Allegiance to the flag.

On a motion by Eugene Wells Jr., seconded by Deborah Kennedy, to approve the minutes to the last Regular Meeting was passed on a voice vote of 4 Ayes, 0 Nays. Errickson was not in attendance yet.

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

General Fund	\$ 95,168.17
Water/Sewer	116,938.93
Account Balance with State’s LGIP Program:	463,257.43
<b>TOTAL</b>	<b>\$675,364.53</b>

On a motion by Eugene Wells Jr., seconded by James K. Gregory, to pay the bills, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., & Eugene Wells Jr. Nays: None. Motion carried 4 Ayes, 0 Nays, by a unanimous vote. Errickson was not in attendance yet.

At this time, Alissa Stewart, Ed Wynn & Cary Brazil who are the town’s newly hired employees introduced themselves to the town council and the council introduced themselves to them as well.

**COMMITTEE REPORTS:**

Finance – Mayor Jackson said the LGIP Program is still going good.

Water/Sewer – No report.

Streets – Deborah Kennedy said it finally looks like all the streetlights are fixed. Mayor Jackson said Charles Errickson isn’t here yet, but that he had submitted information on the trash cans but this still needs to be worked on some more and he will get with him on that.

Museum – Mr. Jackson said no repair has been done on this and he forgot to call Nemiah again. He said the town needs to watch the electric bills on the museum.

Charles Errickson entered the meeting.

Buildings & Grounds - Peery Wells Sr. said that there is a streetlight out at Sheena Eubanks’ on New York Avenue. Eugene Wells Jr. asked how the employees are coming along with fixing the former Gazette Building and Mayor Jackson stated they are working on it so it can be occupied. Eugene also asked about the mini-splits and Mayor Jackson said the insurance company has been approved by the insurance company for the town to purchase and Rick Griffith has to order them. He also said Griffith can’t figure out what is wrong with the big heater upstairs.

Personnel – Peery Wells Sr. said they met with the personnel and said he didn’t have any bad report to give. Mayor Jackson said he went through all the paperwork with the new employees today. Charles Errickson said he has gone to the sewage treatment plant to learn more about it and Mayor Jackson said the employees will be working at the sewer plant and at the former Gazette building when it’s ready.

Grant – No report.

**UNFINISHED BUSINESS:**

On the property repurpose issue concerning the town trading land with a property owner near our new building Deborah Kennedy waiting on what will happen with the catch basin and Mayor Jackson said she and Eugene can work on this and he will get with her also.

**NEW BUSINESS:**

On a motion by Deborah Kennedy, seconded by Charles Errickson, to approve the five applications to use the Municipal Building as per their written requests, was passed on a voice vote of 5 Ayes, 0 Nays. The rental date of the application will be moved over on the form to add what the event is for and the times.

Charles Errickson asked about what he came up on the trash cans, concerning what he had emailed the clerk. It was discussed that this needs further study since the issue is whether the town will require a trash can for each address and what rules we will use for that. That is what the committee needs to come up with.

On a motion by Deborah Kennedy, seconded by Peery Wells Sr., to adopt the Resolution for Noah Davis, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote.

On a motion by Peery Wells Sr., seconded by Deborah Kennedy, to accept the donation of the communications tower from Mid-Atlantic Broadband to the town, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote. This donation will double the town's revenue yearly, less the cost of our insurance and inspections.

On a motion by Eugene Wells Jr., seconded by James K. Gregory, to open the nominations to fill the vacancy on the town council for the rest of this year, was passed on a voice vote of 5 Ayes, 0 Nays with Eugene Wells Jr. nominating Thomas Pettus and Charles Errickson nominating Phillip Flippen. On a motion by Deborah Kennedy, seconded by Eugene Wells Jr., to close the nominations was passed on a voice vote of 5 Ayes, 0 Nays. On a motion by Eugene Wells Jr., seconded by James K. Gregory, to appoint Thomas Pettus for the vacancy just for a year, from January 1<sup>st</sup> - December 31<sup>st</sup>, 2024, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote.

On a motion by Deborah Kennedy, seconded by Eugene Wells Jr., to instruct the town attorney to have the necessary legalities done for a Special Election for next November to finish out Noah's term for Jan.1, 2025 – Dec. 31, 2026, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote.

On a motion by Charles Errickson, seconded by James K. Gregory, to approve the water/sewer application from Mike Smith, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote.

Eugene Wells Jr. presented his idea to have each council member take two months out of each year to inspect this facility after it is used for an event such as a baby shower, birthday party, etc. He said the months could be rotated and he had drawn up a chart. He then said after that, a form would be given to the

clerk to let her know if the rooms are clean, so she will know whether to refund the deposit or not. After some discussion, a motion was made by Eugene Wells Jr., that we divide the year in every six months, and then again in six months to follow up on any use of the building where a request is made and a fee is involved, however the motion died on the floor for lack of a second. After discussion, Deborah Kennedy volunteered to inspect the building during January and Eugene Wells Jr. said he will do February until our next meeting.

**CLOSED SESSION:**

On a motion by Deborah Kennedy, seconded by Peery Wells Jr., that the Drakes Branch Town Council convene in closed session under Section 2.2-3711(A)(6) of the Code of Virginia for discussion or consideration of information relating to the negotiation and award of a specific contract where competition or bargaining is involved and where the release of such information would adversely affect the bargaining position or negotiating strategy of the public body, and pursuant to Section 2.2-3711(A)(3) the Code of Virginia for discussion or consideration of the acquisition 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., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote.

**RETURN TO OPEN MEETING:**

On a motion by Deborah Kennedy, seconded by Peery Wells Sr., to return to Open Session, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote.

On a motion by Deborah Kennedy, seconded by James K. Gregory, to adopt (Exhibit A), was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote.

On a motion by Deborah Kennedy, seconded by Peery Wells Jr., to allow the use of funds to make the purchases required from FEMA, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote.

Relative to the discussion on the lake property, a motion was made by Peery Wells Sr., and seconded by Deborah Kennedy, to proceed, was passed on a roll call vote as follows: Ayes: Deborah Kennedy, James K. Gregory, Peery Wells Sr., Eugene Wells Jr. & Charles Errickson. Nays: None. Motion carried 5 Ayes, 0 Nays, by a unanimous vote.

On a motion by Deborah Kennedy, seconded by James K. Gregory, and passed on a voice vote of 5 Ayes, 0 Nays, the meeting was adjourned at 8:37 p.m.



Phillip D. Jackson, Mayor



Mary Sands, Clerk

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.