



Town of Mineral Council Meeting  
June 12, 2023

**Council Members Present**

Ed Jarvis, Mayor  
Blair Nipper, Vice Mayor  
Ron Chapman  
Bernice Kube  
Olivia McCarthy  
Rebecca McGehee

**Staff Present**

Reese Peck, Town Manager  
Andrea Erard, Town Attorney

Mayor Jarvis called the meeting to order at 6:34 p.m. followed by the Pledge of Allegiance.

The mayor asked if there were any additions to the agenda.

Councilwoman McGehee stated that she thought that council should congratulate the Lady Lions Softball team on the town sign as well as the website.

Mayor Jarvis agreed and directed that it be reflected on the town sign, website and social media.

Debbie Moon, a Lake Anna Resident, spoke to council. She said she had recently purchased 232 Mineral Avenue. She said she had come to share her vision with the council. She said her vision was to build and open a shop for local artisans and consignment items. She said she was a senior real estate specialist and she helps seniors and their families when they need to sell their homes, items they don't need or don't want to pack. Moon cited several excerpts from the current town comprehensive plan and asked the council to help fund her business with a grant of \$170,000. She also proposed that a mural be painted on the new building by some of the artisans she would showcase in her business.

Mike Handrahand spoke to council on the digital sign that was recently purchased. He said his daughter's business, LKA Signs, was not approached to provide a quote to design the sign. He

wanted to know where the sign came from. Councilwoman Kube, who is the chair of beautification committee told him the sign was created by Epic Signs, Fredericksburg. She told him that area sign makers had been researched extensively and there was nothing on websites or the internet that suggested LKA signs had the ability to make the sign. He said that he had traveled to Illinois to have training on digital sign making. Mayor Jarvis told Handrahand that three bids were obtained and apologized. Kube said that the item was researched heavily and there was no website or anything when searching the internet that indicated, that LKA Signs could produce a digital sign. Hanrahand said he had investigated a website but it was expensive and his daughter's company was not at that level yet.

**Mayor Jarvis opened the public hearing for the FY 23/24 Budget.**

Chris Guerre addressed council. He brought up some points on the annual budget as required by the Code of Virginia. He said the budget, which is required by July 1 should contain A.) the total assessed valuation of all property, real, personal and mixed, located within the Town Limits. B.) A classified list of all sources of revenue other than those included under subsection A above, together with an estimated amount of revenue to be received from each. C.) The estimated expenditure that will be required for the maintenance and improvement of the town and its properties. D.) Such rate of tax property, real, personal, mixed, not exceeding the limitation fixed by law, as will be required in order to meet the deficiency between subsection C above and the estimated revenue under subsection B. His notes are attached to minutes.

With no other public comment, the Mayor closed the public hearing.

**The Mayor opened the public hearing on Ordinance 2023-01,**

Lauren Ball, 904 Mineral Avenue, spoke to the council asking them to close East 8<sup>th</sup> Street. Ball said the street had been moved due to the title company's request since the carport was in the street. She and her husband have been maintaining the property for the past eight years and that they had invested approximately \$5000 in erosion control. She asked the council to consider vacating the property so that her driveway could fully belong to them. The Mayor closed the public hearing.

**Ordinance Number 2023-01**

CLOSES AND ABANDONS EAST EIGHT STREET BETWEEN MINERAL AVE (522) & TOWN/COUNTY LINE IN THE TOWN OF MINERAL. THE REQUEST TO CLOSE AND ABANDON THE STREET HAS BEEN MADE BY JOHN AND LAUREN BALL. ORDINANCE NO. 2023-01 IS CONSIDERED PURSUANT TO THE GRANT OF AUTHORITY CONTAINED IN VA. CODE SECTION 15.2-2006.

BE IT ORDAINED by the Mineral Town Council at its regular monthly meeting on June 12, 2023, that a section of East Eight Street between Mineral Ave (522) & Town/County Line in the Town

Of Mineral be closed and abandoned for the purpose of an addition to the properties of John and Lauren Ball, subject to the following terms and conditions:

1. Any transfer of the vacated/abandoned street way shall be conveyed to the adjoining properties equally from the center line.
  2. After transfer of the vacated/abandoned street, the property owners shall be responsible for obtaining approval for a boundary line adjustment, the preparation of such necessary surveys, deed preparation and recordation, which shall be subject to review and approval by the Town Attorney.
  3. Each deed shall dedicate a utility easement across and underneath the property for the benefit of and future use by the Town of Mineral.
  4. Both property transfers shall occur within sixty (60) days of the date of this ordinance, or the aforementioned closed/abandoned street shall automatically revert to an undeveloped street.
- BE IT FINALLY ORDAINED by the Mineral Town Council at its regular monthly meeting on June 12, 2023, that the closed and abandoned portion of East Eight Street between Mineral Ave (522) & Town/County line in the Town of Mineral shall be transferred to John and Lauren Ball by quitclaim deed, provided that the other property owner(s) decline to purchase half of the vacated/abandoned street, pursuant to the following terms and conditions:

1. Purchaser shall be responsible for the preparation and recording of all documents necessary for the transfer of the property.
  2. Purchaser shall submit the deed and plat for review and approval of the Town Attorney prior to closing.
  3. Closing shall occur within sixty (60) days of the date of this Resolution.
- With no other public comment, the Mayor closed the public hearing.

**The mayor opened the public Hearing for Ordinance 2023-02:**

Michele Covert spoke on behalf of Mr. Carpenter since he was not present. She said she had no objection as a neighbor down the street to the road closure.  
The Mayor Closed the public Hearing.

**Ordinance Number 2023-02**

ORDINANCE NO. 2023-02 CLOSES AND ABANDONS EAST THIRD STREET BETWEEN THE RAILROAD TRACKS ON EAST THIRD STREET AND LOUISA AVE IN THE TOWN OF MINERAL. THE REQUEST TO CLOSE AND ABANDON THE STREET HAS BEEN MADE BY BOBBY CARPENTER. ORDINANCE NO. 2023-02 IS CONSIDERED PURSUANT TO THE GRANT OF AUTHORITY CONTAINED IN VA. CODE SECTION 15.2-2006.

BE IT ORDAINED by the Mineral Town Council at its regular monthly meeting on June 12, 2023, that a section of East Third Street between the railroad tracks on East Third Street and Louisa Ave in the Town of Mineral be closed and abandoned for the purpose of an addition to the properties of Bobby Carpenter, subject to the following terms and conditions:

1. Any transfer of the vacated/abandoned street way shall be conveyed to the adjoining properties equally from the center line.
  2. After transfer of the vacated/abandoned street, the property owners shall be responsible for obtaining approval for a boundary line adjustment, the preparation of such necessary surveys, deed preparation and recordation, which shall be subject to review and approval by the Town Attorney.
  3. Each deed shall dedicate a utility easement across and underneath the property for the benefit of and future use by the Town of Mineral.
  4. Both property transfers shall occur within sixty (60) days of the date of this ordinance, or the aforementioned closed/abandoned street shall automatically revert to an undeveloped street.
- BE IT FINALLY ORDAINED by the Mineral Town Council at its regular monthly meeting on June 12, 2023, that the closed and abandoned portion of East Third Street between the railroad tracks on East Third Street and Louisa Ave in the Town of Mineral shall be transferred to Bobby Carpenter, provided that the other property owner(s) decline to purchase half of the vacated/abandoned street, by quitclaim deed pursuant to the following terms and conditions:
1. Purchaser shall be responsible for the preparation and recording of all documents necessary for the transfer of the property.
  2. Purchaser shall submit the deed and plat for review and approval of the Town Attorney prior to closing.
  3. Closing shall occur within sixty (60) days of the date of this Resolution.

### **Minutes**

The Mayor asked council since the last meeting was continued and they only had minutes for the May 8<sup>th</sup> meeting if they wanted to approve what was available or wait and approve both sets of minutes at the same time.

Councilwoman McCarthy requested that they wait and approve both together.

The mayor called for council to look over December's meeting minutes. He needed a motion and a second to approve the minutes. Councilwoman Kube asked that on page 6 where it said that the townhomes would not adversely affect the neighborhood. Mr. Kube, a past council member, had asked that his specific concern that the townhomes would adversely affect the neighborhood be recorded in the minutes.

Councilwoman Kube made the motion to approve the minutes as amended. Vice Mayor Nipper seconded the motion.

Bernice Kube - Yes

Vice Mayor Nipper – Yes

Ron Chapman – Yes

Olivia McCarthy – Abstain

Becky McGehee – Abstain

Motion Passed 3-0-2

## **Bills**

The mayor told council that the citizens that had requested the road closures had given the town a check for the advertising. He also brought to the council's attention the charge for the computer equipment as well as the sign, which he said were the two big ticket items.

Motion to approve the May 2023 bills was made by Vice Mayor Nipper and seconded by Councilman Chapman.

Rebecca McGehee – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

Vice Mayor Nipper – Yes

Bernice Kube – Yes

Motion Passes 5-0-0

## **Town Manager's Report**

Reese Peck reported that he had gathered a packet of ordinances that he had found in the files. He said that he had been working to get a firm in to perform a reconciliation of the books for a two-year audit. They will work to put in entries and put in a chart of accounts into the Southern Software. He reported that he had worked with the personnel committee on benefits.

Mayor Jarvis said due to paperwork getting misplaced that it was found that some of the lots in the town cemetery that they thought were for sale had in fact been sold. He said that staff was going through all the paperwork to update the master chart. Peck said the new accounting system will help keep track with the cemetery items such as mowing cost, etc.

Peck also reported that the money that was moved to the Local Government Investment Pool (LGIP) made just \$30 short of \$4000 worth of interest. He said more money has been moved to the LGIP and he expects more than \$4000 worth of interest at the next reporting time.

## **Town Attorney's Report**

Andrea Erard, Town Attorney, said council had a revised version of a contract for the town manager. She said she had also combined the Vacating Abandonment of streets into one document from the two ordinances that were recently sent to her. She also added that the property was purchased by one owner and that the property would go to the one owner if the adjoining property owner declined to purchase.

There will need to be a new policy written for FOIA. As of July 1, state law is going to require every locality to post the charges for FOIA. She said a new policy should be written for participation in meetings electronically. That policy had also changed. She said she would give a legislative update next month.

## **DMV Report**

Shannon Hawkins, DMV Manager reported that the Mobile DMV Unit would be back in Mineral on July 11 from 9-3. The Mineral DMV Select is hiring for a full-time and a part-time DMV Clerk. She said the server in the office was down two days and the DMV headquarters was down which caused a decrease in the numbers. Hawkins was asked why the DMV Mobile Unit was in Louisa previously and that it was confusing. Hawkins said that when the town had persons lined up around the building the mobile unit started going to Louisa. Since then, they are returning to Mineral due to the fact that Mineral has a contract with DMV and Louisa County does not.

## **Committee Reports**

### **Beautification**

Councilwoman Kube presented plans for an aluminum, black 6 ft. park bench from The Bench Factory for council's consideration. One for the town building and one to put in the area of the post office. Vice Mayor Nipper made the motion for purchase of two park Benches for use on Mineral Ave. Councilman Chapman seconded the motion. Councilwoman McCarthy asked if the money was already in the beautification budget, which was verified.

Ron Chapman – Yes

Olivia McCarthy – Yes

Rebecca McGehee - Yes

Bernice Kube – Yes

Vice mayor Nipper – Yes

Motion Passed 5-0-0

### **Utilities**

Councilwoman Kube reported that there would be a utility committee meeting June 15.

### **Budget**

Vice Mayor Nipper had no report.

### **Personnel**

Councilman Chapman presented supplemental benefits for the staff. He said the personnel committee had met with the representative a week prior. The benefits were in addition to what was currently being offered to staff. He told council they were very inexpensive. Chapman said the committee would like to offer the benefits to staff and pay \$50 per employee. If the employee goes over the \$50 it would be up to them to pay. If the council were to vote tonight the benefits would start in July. If council were to delay, it would be pushed back to August.

Vice Mayor Nipper made the motion to approve the purchase of supplemental insurance and the town pay \$50 per employee. Councilwoman Kube seconded the motion.

Rebecca McGehee – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes  
Vice Mayor Nipper -Yes  
Bernice Kube – Yes

Motion Passed 5-0-0

### **Cemetery**

Councilwoman Rebecca McGehee reported that the grass cutting at the cemetery may need to be cut back due to the lack of rain. She reported Lewis Keller is still working on the wording for a sign.

### **Fire and Legal**

McGehee reported that the car show was a success. She said the MVFD carnival begins the July 4th with the VFW parade on the 7<sup>th</sup>. She said there were mostly normal traffic stops during the month.

### **Social and Public Affairs**

Councilwoman McCarthy reported that shortly after last month's meeting a town newsletter was sent out. She reported that the committee ran into a glitch due to the town not having a comprehensive list of residents. She thanked Mayor Jarvis for trying to get a list from the county, which was unsuccessful. She also thanked everyone that helped to fold and Councilman Chapman for helping her deliver. She requested that council authorize her to take the newsletters to the post office and have them distributed to each mailbox and pay the postage outright. She said she had been able to utilize the town's Facebook page. She said she intends to start to reach out to local businesses.

Councilwoman Kube asked that a quote be obtained from the post office as to how much it would cost to put a newsletter in each Mineral post office box.

### **Streets**

Vice Mayor Nipper asked how many streets have been closed in the past. Mayor Jarvis said we did have a list, but he did not know how accurate the list was.

Mayor Jarvis said the county is currently working on a new GIS map that will show that information.

### **Planning Commission**

James Snider said he had sent Jenny Staudinger's name to be placed on the planning commission.

New Business

**Ordinance number 2023-01**

Ordinance to close and abandon East Eighth St. between Mineral Avenue (522) and town/county line in the Town of Mineral and to authorize the transfer of the property vacated and abandoned to John and Lauren Ball.

Motion to close made by Councilman Chapman, second, Councilwoman McGehee.

Olivia McCarthy – Yes

Vice Mayor Nipper – Yes

Bernice Kube – Yes

Ron Chapman – Yes

Rebecca McGehee – Yes

Motion Passed 5-0-0

### **Ordinance Number 2023-02**

Ordinance to close and abandon East Third St. between the railroad tracks on East Third St. and Louisa Avenue in the Town of Mineral and authorize the transfer of property vacated and abandoned by Ordinance number 2023-02 to Bobby Carpenter.

Vice Mayor Nipper asked if there was a chance that a rail crossing could be place on Third Street. Councilwoman McCarthy said that she had looked at the area and that there was a significant slope and that point.

Motion made by Councilman Chapman, Seconded by Councilwoman McCarthy.

Bernice Kube – Yes

Vice Mayor Nipper – Yes

Ron Chapman – Yes

Olivia McCarthy – Yes

Rebecca McGehee – Yes

Motion Passed 5-0-0

### **VRS Group Life Insurance**

The Mayor told council that the council had committed to providing life insurance to staff as an extra benefit. The Mayor read Resolution 2023-04.

Councilman Chapman asked if the Town was paying 100%. Mayor Jarvis confirmed.

Motion to approve the Town paying for staff life insurance Ron Chapman. Second Vice Mayor Nipper.

Rebecca McGehee. – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

Vice Mayor Nipper – Yes

Bernice Kube – Yes

Motion Passed 5-0-0

### **Pre-Audit Service**



Reese Peck reported on the firm that will be performing the Pre-Audit Services. He said they would be reconciling accounts, get the Town in shape for the audit and help set up the new accounting software. He said it would take a lot of time to reconstruct the Town's records. He said the cost would be approximately up to \$30,000. Councilwoman McCarthy asked if they had projected a timeline to get the job done. Peck said he would not know until the firm would be done.

Motion to hire Brown Edward to perform pre-audit services not to exceed \$30,000 was made by Bernice Kube. Second Ron Chapman.

Rebecca McGehee – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

Vice Mayor Nipper – Yes

Bernice Kube – Yes

Motion Passed 5-0-0

#### **Notice to Publish road closure, utility rates and meal tax increase.**

Mayor Jarvis told the council that the meals tax was implemented to subsidize the water and sewer systems. Councilwoman Kube told the Mayor and Council that when the meals tax was implemented the accountant for the Town at the time told the council that using the meals tax for that purpose was against the law.

Andrea Erard, town attorney, said that from a legal standpoint you could use money from the general fund to subsidize the utility system, but the utility system should support itself.

Mayor Jarvis asked if the ordinance that dedicates the meals tax to the utility system should be revoked. Erard said that was not a bad idea.

Reese Peck told the council that he opposed the dedication of funds because it negates the prerogative of future councils.

The mayor directed the town attorney to modify the language of the meals tax to remove the dedication of the meals tax to the utility system.

Councilwoman McGehee asked why council could not use DMV money for the water system. Peck said it is a matter of philosophy that the people that use the system should pay for the system. McGehee said the out of town people do not pay taxes but were getting the water for \$5 extra per month. She asked why she is being penalized on her bill for sewer when going over 3,000 gallons. She also said she did not support a \$6 administration fee.

Mayor Jarvis reminded McGehee that council also had the right to lower the tax rate.

McGehee said that she didn't think people would be able to pay their water bill. Councilman Chapman said he thought council should remove the administrative fee and reevaluate next year.

Peck said he had to come up with an ordinance so he needed a decision tonight.

Nipper told council that the utility committee wanted to advertise a conservation rate. She said it was suggested by a citizen. She said if a citizen uses less than 1500 gallons their water bill would be \$20. Reduced sewer would be \$30.

Councilwoman McGehee said she wanted the rates to be higher for out of town residents because they did not pay town taxes.

Andrea Erard, Town Attorney, told council that when adjusting the rates, they need to be based on need.

Councilwoman Kube told the council that if they wanted to raise the out of town rates, it would have to be done next year as the rates had already been advertised. She said that council needed to see how much money the rates generate over the next year. She said that council needs to see if the utility system is in any way paying for itself.

Councilman Chapman made the motion to accept the rates as published except striking the \$6 administrative fee and adding a conservation rate for users under 1500 gallons for water at a rate of \$20 and sewer at the rate of \$30. The motion was seconded by Councilwoman Kube.

Rebecca McGehee – Abstain

Olivia McCarthy – Yes

Ron Chapman – Yes

Vice Mayor Nipper – Yes

Bernice Kube – Yes

Motion Passed 4-0-1

Council discussed when they could schedule a continued meeting to appropriate the budget. They settled on Jun 22 at 6:30 PM.

Closed Session

After a five-minute break council reconvened. The mayor asked for a motion to go into closed session under Virginia Code 2.2-3711-a for the discussion and consideration of 1.) Appoint a vacancy to a council seat. 2.) The compensation of a town manager. 3.) The appointment of a town manager. 4.) And under Virginia code section 2.2-3711-a3 for the purpose of discussion or consideration of the acquisition of real property for a public [purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Motion Ron Chapman, Second Vice Mayor Nipper.

Vice Mayor Nipper – Yes

Bernice Kube- Yes

Ron Chapman – Yes

Olivia McCarthy – Yes

Rebecca McGehee – Yes

Motion Passed 5-0-0

Motion was made to reconvene in open session and certify that only the matters identified to go into closed session were heard discussed or considered was made by Vice Mayor Nipper and Seconded by Ron Chapman.

Rebecca McGehee – I so certify  
Olivia McCarthy – I so certify  
Ron Chapman – I so certify  
Vice Mayor Nipper – I so certify  
Bernice Kube – I so certify

Motion passed 5-0-0

Councilwoman McCarthy made a motion to appoint Dr. Michelle Covert to the vacant seat on Mineral Town Council until the special election when the elected person becomes qualified.  
Second by Vice Mayor Nipper.

Bernice Kube – Yes  
Vice Mayor Nipper – Yes  
Ron Chapman – Yes  
Olivia McCarthy – Yes  
Rebecca McGehee – Yes

Motion Passed 5-0-0

Ron Chapman made the motion to appoint immediately Reese Peck as town manager and to approve the contract as presented. Second Councilwoman McCarthy.

Rebecca McGehee – Yes  
Olivia McCarthy – Yes  
Ron Chapman – Yes  
Vice Mayor Nipper – Yes  
Bernice Kube – Yes

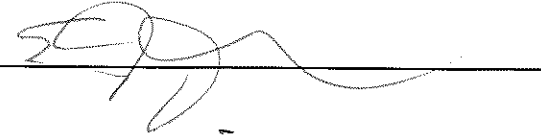
Motion passed 5-0-0

The Motion was made to continue the meeting to June 22 at 6:30 p.m. by Ron Chapman seconded by Olivia McCarthy.

Bernice Kube – Yes  
Blair Nipper – Yes  
Ron Chapman – Yes  
Olivia McCarthy – Yes  
Rebecca McGehee – Yes

Motion Passed 5-0-0

Minutes respectfully submitted by Bernice Wilson Kube, Mineral Town Council.

Mayor 

Clerk Bernice W. Kube