



Town of Mineral  
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Pam Harlowe, Mayor  
Tommy Runnett, Vice-Mayor  
Ed Jarvis  
Edward Kube  
Roy McGehee  
Tony Henshaw  
David Lawson  
Reese Peck, Interim Town Manager  
Andrea Erard, Town Attorney

Town Council meets for its regular session on the second Monday of each month at 7:00 p.m. Persons wishing to be heard or having an item to be placed on the agenda should make their request to the Clerk of Council by the final Monday of the month preceding the meeting.

## **TOWN OF MINERAL TOWN COUNCIL MEETING**

### **MINUTES**

**Monday, April 11, 2022  
7:00 PM**

**COUNCIL MEMBERS:** Mayor Pam Harlowe, Vice-Mayor Tommy Runnett, Edwin Jarvis, Edward Kube, Roy McGehee, Tony Henshaw, David Lawson

**STAFF MEMBERS:** Reese Peck; Interim Town Manager, Andrea Erard; Town Attorney, Shannon Hawkins; DMV Supervisor, Lisa Yates; Acting Town Clerk/Treasurer

**PUBLIC:** Blair Nipper, Chris Guerre, Olivia McCarthy

**ABSENT:** Mayor Pam Harlowe

**Town of Mineral Council Meeting**

Vice-Mayor Tommy Runnett called the meeting to order with the Pledge of Allegiance.

Vice-Mayor Tommy Runnett opened the floor to public comments.

**Motion was made by Councilman Edwin Jarvis to amend the agenda and move the closed session after the Public Hearings seconded by Councilman Tony Henshaw motion passed (5-1-0).**

**Tommy Runnett – yes**

**Tony Henshaw - yes**

**Ed Jarvis- yes**

**David Lawson - no**

**Ed Kube- yes**

**Roy McGehee – yes**

**Public Hearing-November Election Ordinances**

The Town Attorney reported that at the 2021 session of the general assembly a law was passed that all municipalities move to an election cycle starting with November 2022 it is a required ordinance.

Opened Public Hearing

Chris Guerre of 80 Saint Cecilia Avenue explained his concerns that regarding election he would like to see council to take opportunity to add scattering terms and that there are very few towns that have a full council operating equally at the same time for four years. He mentioned that the town still has an ordinance on the books regarding the town elections and that the town elections are to take place at the town office.

Blair Nipper of 301 West Fourth Street, began her public comments by agreeing with Chris Guerre on the staggering of the election of town council members.

Closed Public Hearing

Councilman Edwin Jarvis said he always thought staggering was good but as was just brought up it is kind of late in the game to do this year, but whomever is on Council in November it could be addressed for the next time. Roy McGehee is concerned about the turnout numbers if polling place is at the Town Office. Councilman Tony Henshaw stated his concerns about staggering and there would not be enough people interested on being on council. Councilman Ed Kube commented that he thought the staggering of council would be a good idea and best to be done at the same location as the general election.

**Motion was made by Councilman Ed Kube to pass the Ordinance 2022-01 An Ordinance Providing For The Election Of The Mayor And Town Council Members At The November General Election Date Of Even-Numbered Years With The First Such Election Occurring In 2022, seconded by Councilman Edwin Jarvis. Motion passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

Open public hearing

**Public Hearing-Ordinance 2022-02 Planning Commission**

Town Attorney gave a brief introduction that Mr. Snyder requested ordinance 2022-02 which reduces the number of the Planning Commission from seven to five.

Chris Guerre of 80 Saint Cecilia Avenue reported that he has not seen on the website a notice of when and where the Planning Commission meets.

Olivia McCarthy of 201 West Third Street questioned why the Planning Commission is going from seven to five members. The Town Attorney reported the Planning Commission had not been able to get a quorum together with seven members so they were hoping when they reduce to five members, they will get a quorum.

**Motion was made by Councilman Edwin Jarvis to pass the Ordinance 2022-02 Adds To The Mineral Town Code, Part 1: “Administrative Legislation, Chapter 106, “Planning Commission,” Sec. 106-1, “Planning Commission” Which Contains General Requirements For Operation Of The Mineral Planning Commission And Reduces The Number Of Members Of The Planning Commission From Seven To Five, seconded by Councilman Tony Henshaw. Motion passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

### **Public Comments**

Olivia McCarthy of 201 West Third Street commented she was having difficulty with website and receiving the agenda and things like that. She has been getting her water bill very sporadically and last couple of months hadn't gotten any bills at all and is concerned about accruing a large bill and that was not her intention.

Chris Guerre of 80 Saint Cecilia Avenue spoke regarding the town ordinances provide that the Budget and Finance Committee are to present a budget, but he didn't see it on the agenda, or a notice of this meeting posted on the website three days prior to meeting. Notices should be posted 1<sup>st</sup> website, 2<sup>nd</sup> public location 3<sup>rd</sup> office of the clerk. He also commented on FOIA laws in general in regard to going into closed session.

Blair Nipper of 301 West Fourth Street has noticed that we have not had any budget financial report for six months, she passed out an example of what the City of Louisa budget report looks like. In the future she would like to see more than just the bills the Town is paying.

Olivia McCarthy of 201 West Third Street commented she did not receive her personal property tax bill until March 30, 2022.

Shannon Hawkins of 2868 Owens Creek Road addressed the Council and stated that she was informed that Reese Peck was resigning. She stated that she thrives in a work environment with structure which Mr. Peck has worked diligently to provide us. We are in this situation due to a toxic workplace. Last week Pam Harlowe indirectly called Reese Peck a jackass in front of her and a client.

**Motion was made by Councilman Jarvis seconded by Councilman Henshaw to go into closed session 2.2-37-11(A)(1) for the discussion or consideration of the resignation of the interim Town Manager, the performance and compensation of the DMV Manager the hiring of the Town Manager and the hiring of the acting Clerk/Treasurer, also pursuant to VA code 2.2-311(A)(8) for**

**consultation with legal counsel regarding two specific matters requiring the provision of legal advice, requirements of Virginia Freedom of Information Act, requirements and mandates regarding VRS Retirement System as well as specific locality requirements for record keeping.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson - yes**

**Go back into open session**

**Motion was made by Councilman Lawson to reconvene and certify that only the matters identified in the motion to go into closed meeting were heard, discussed or considered. Seconded by Councilman Jarvis. Motion was passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

**Motion was made by Councilman Jarvis to approve the salary increase for the DMV supervisor of 10% and amend the job description seconded by Councilman Henshaw motion passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

**Motion was made by Councilman Jarvis to accept the resignation of the interim Town Manager with regret, seconded by Councilman Lawson Motion passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson - yes**

**Motion was made by Councilman Jarvis to authorize the Town Attorney to notify the state police in regard to missing records and to request an investigation, seconded by Councilman Lawson Motion passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson - yes**

**Motion was made by Councilman Jarvis to split the Clerk/Treasurer position in terms of functions given that with the interim Manager leaving and the financials as it is set up with signing checks, we need to do something to help the staff, seconded by Councilman Kube Motion passed (5-1-0).**

**Tommy Runnett – yes**

**Roy McGehee - no**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

Councilman Jarvis is concerned that there is yet another Town Manager that is leaving before their time and it continues to point in one direction and that individual is an elected official the best the Council can do is do a resolution and/ or sanction the Mayor. Vice Mayor Tommy Runnett read the resolution 2022.03 before the Council. Councilman Lawson commented that silence is consent, but he does not agree with the resolution. Councilman Kube commented that there has not been support shown to the Town Manager as it should have been. The resolution passed at the last meeting stated that the Town Manager had day to day authority to direct staff. He also expressed his regrets that the Town Manager is leaving. Councilman Henshaw commented there are consequences for your actions. Councilman Jarvis commented that he could care less about the resolution and that he would be happy to just make a motion that the Mayor should be sanctioned publicly. Councilman Jarvis withdrew his motion. Vice Mayor Tommy Runnett stated that we cannot condone nor accept this behavior from the Mayor.

**Motion was made by Vice Mayor Tommy Runnett to approve Resolution 2022-03 as amended, seconded by Councilman Tony Henshaw. Motion passed (5-0-1).**

**Tommy Runnett – yes**

**Roy McGehee - abstain**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

**Motion was made by Councilman Lawson that the interim Town Manager act as the VRS administrator, seconded by Councilman Jarvis. Motion passed with all in favor.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

#### **Approval of March 2022 Council Meeting Minutes**

**Motion was made by Councilman Lawson to approve the March 2022 Town Council Meeting Minutes. Seconded by Councilman Jarvis. Motion was passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

**Approval of August 2021 Council Meeting Minutes**

**Motion was made by Councilman Jarvis to approve the August, 2021 Town Council Meeting Minutes. Seconded by Councilman Lawson. Motion was passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

**Approval of Bills to be Paid**

**Motion was made by Councilman Lawson to approve the April bills to be paid, 2022, seconded by Councilman Jarvis. Motion passed with a unanimous vote.**

**Tommy Runnett – yes**

**Tony Henshaw - yes**

**Ed Jarvis- yes**

**David Lawson - yes**

**Ed Kube- yes**

**Roy McGehee - yes**

**Town Manager and Staff Reports**

The following staff reports were presented to the Council:

- Interim Town Manager report presented by Mr. Reese Peck
- DMV Supervisor report presented by Ms. Shannon Hawkins

**Town Attorney Report**

The Town Attorney, Ms. Andrea Erard, had three questions. Does the Council want to authorize an advertisement for a public hearing to change the due date on a tax ordinance, authorize an ordinance on check signing and did they want to authorize advertisement on an ordinance to change the polling place?

**Motion was made by Councilman Lawson to accept June 15, as the tax delinquent date for 2021 Real Estate and Personal Property taxes as well as authorize a Public Hearing for next month, seconded by Councilman Jarvis. Motion was passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

**Motion was made by Councilman Kube to move the election polling place to Mineral Baptist Church, and have a public hearing seconded by Councilman Lawson. Motion passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

**Motion was made by Vice Mayor Runnett to approve Shannon Hawkins to sign checks, seconded by Councilman Jarvis motion passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

### **Standing Committee Reports**

Auditor Committee Report presented by Councilman Kube. No report

Beautification/Anti-Litter Committee was presented by Councilman Kube. There will be a beautification festival the last weekend of April.

Building Committee report was presented by Councilman Jarvis the Mineral Historic Foundation will make a presentation next month regarding the use of the old Town Office.

Budget and Finance Committee: no report

Cemetery Committee report presented by Councilman Runnett. Cemetery looks well maintained

Communication Committee report presented by Councilman Kube no report

Economic Development Committee presented by Councilman Lawson no report

Personnel Committee: no report

Planning Commission no report

Police and Legal Matters Committee report presented by Councilman Runnett. No report

Streets Committee report presented by Councilman Runnett. No report

Water and Sewer Committee presented by Councilman Runnett Usage has been reduced on Louisa County water and sewer.

**New Business**

Sal Luciano gave a presentation of how he wants to develop block 150, lots 1-3, 5-13,16-20 & Block 151 lots 1-8, 10-12,14-16. He plans on building 5 or 6 houses.

**Past Due Utility Bills**

Reese Peck reported that there is a sizable amount of past due utility bills in the amount of \$25,800 which was reduced to \$20,000 with the COVID CARE monies. It was discussed that as of June 1, 2022, the Town would go back to its old policy of shutting off water to customers if they did not pay their past due bills or at least make payment arrangements with the Town.

**State & Local Fiscal Recovery Funds Budget**

**Motion was made by Councilman Lawson to adopt RESOLUTION 2022-04 “ADOPTION OF BUDGET- Coronavirus State & Local Fiscal Recovery Funds”, seconded by Councilman McGehee. Motion passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

**Motion was made by Councilman McGehee to adjourn the meeting. Seconded by Councilman Henshaw. Motion was passed with a unanimous vote.**

**Tommy Runnett – yes**

**Roy McGehee - yes**

**Ed Jarvis- yes**

**Tony Henshaw - yes**

**Ed Kube- yes**

**David Lawson – yes**

**ORDINANCE NO. 2022-01**

**AN ORDINANCE PROVIDING FOR THE ELECTION OF THE MAYOR  
AND TOWN COUNCIL MEMBERS AT THE NOVEMBER GENERAL  
ELECTION DATE OF EVEN-NUMBERED YEARS WITH THE FIRST  
SUCH ELECTION OCCURING IN 2022.**

WHEREAS members of the Mineral Town Council are elected in May in even numbered years for four-year terms and take office on July 1; and

WHEREAS Virginia Code section 24.2-222.1, 1950, as amended, provides that, notwithstanding any contrary provisions of a town charter, the council of a town may provide by ordinance that the council shall be elected at the November general election date of any cycle as designated in the ordinance, for terms to commence January 1; and

WHEREAS the 2021 General Assembly passed Senate Bill 1157 shifting all municipal elections for towns from May to November, beginning with elections held after January 1, 2022; and

WHEREAS the Mineral Town Council, after public hearing and considering the interests of the voters of the Town of Mineral, has concluded that it is in the public interest to shift municipal elections to odd numbered years pursuant to the grant of authority contained Va. Code section 24.2-222.1, 1950, as amended.

NOW THEREFORE BE IT ORDAINED THAT the Mineral Town Code, Chapter 182, "Elections," be amended by adding § 182-2, "November Elections" to read as follows:

**"Sec 182-2 November Elections**

The Mayor and six members of Town Council shall be elected for four year terms at the November general election date beginning in November 2022 for terms to commence January 1, 2023."

This Ordinance shall take effect upon adoption.

**ORDINANCE NO. 2022-02**

**ORDINANCE NO. 2022-02 ADDS TO THE MINERAL TOWN CODE, PART 1: "ADMINISTRATIVE LEGISLATION, CHAPTER 106, "PLANNING COMMISSION," SEC. 106-1, "PLANNING COMMISSION" WHICH CONTAINS GENERAL REQUIREMENTS FOR OPERATION OF THE MINERAL PLANNING COMMISSION AND REDUCES THE NUMBER OF MEMBERS OF THE PLANNING COMMISSION FROM SEVEN TO FIVE.**

**Part 1: Administrative Legislation Chapter 106.**

**Planning Commission. Sec. 106-1. Planning**

**Commission**

A town planning commission is hereby created. Such commission shall consist of five members with staggered terms, qualified by knowledge and experience to make decisions on questions of community growth and development. All members shall be residents of the town and at least half the members shall be owners of real property. One member may be the mayor, a member of the town council or the Town Planner and he/she shall be an ex-officio member of the planning commission.

The remaining members hereinafter referred to as appointed members, shall be appointed by the town council. The terms of the mayor or council member and of the town planner who is appointed as a member of such commission shall in all cases correspond with their terms of office. All other members shall be appointed for terms of four years.

Any vacancy in membership shall be filled by appointment of the council for the unexpired term. Members may be removed for malfeasance in office. A member of the planning commission may be removed from office by the town council in the event that the commission member is absent from any three consecutive meetings of the commission or is absent from any four meetings of the commission within any 12-month period. In either such event, a successor shall be appointed by the town council for the unexpired portion of the term of the member who has been removed.

All members of the town planning commission shall serve without compensation.

The local planning commission shall elect a Chairman and a Secretary and fix the time for holding regular meetings. The planning commission shall schedule additional meetings as needed in accordance with state law.

April 11, 2022, Resolution 2022-03

WHEREAS the Mineral Town Council approved a Resolution on March 14, 2022 stating that the Interim Town Manager shall be vested with the sole authority to direct staff on a day-to-day basis; and that neither the Mayor nor any member of the Town Council shall direct any member of Town staff to take any action unless requested by the Interim Town Manager; and

WHEREAS the purpose of the Resolution dated March 14, 2022 was to allow the Interim Town Manager to accomplish tasks and projects that are critical to the operation of the Town of Mineral; and

WHEREAS during the time in 2021 and 2022 that the Mayor served as the Town Manager due to the resignation of the prior Town Manager, there were significant matters relating to the Town of Mineral that were either not tended to, or were tended to incorrectly; and

WHEREAS the Town of Mineral must take swift action to ensure that all legally required actions are taken in a timely manner; and

WHEREAS because the Mayor has continued to interfere with the day-to-day operations of the Town of Mineral and has failed to adhere to the March 14, 2022 Resolution by continuing to direct staff; and

WHEREAS the Mayor has also disparaged the Interim Town Manager to staff by referring to him as a “jack ass;” and

WHEREAS the Interim Town Manager has now tendered his resignation effective May 11, 2022; and

WHEREAS the Mayor has obstructed and had conflicts with at least the past two Town Manager’s such that they resigned; and

WHEREAS the Interim Town Manager’s resignation is directly attributable to the interference and disparagement by the Mayor.

NOW THEREFORE BE RESOLVED that the Mayor is hereby censured as a result of her failure to abide by the March 14, 2022 Resolution, her interference with the day-to-day operations of the Town and her insulting and inappropriate comments about the Interim Town Manager; and

BE IT FINALLY RESOLVED that the Mayor is hereby directed by the Mineral Town Council to:

1. Cooperate fully with the Interim Town Manager in terms of sharing information, login information and passwords; and
2. Treat the Interim Town Manager and all Town staff with respect and courtesy; and
3. Refrain from any and all actions that have the potential to be detrimental to the Town of Mineral.

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*Town Clerk*

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*Date*

RESOLUTION 2022-04  
ADOPTION OF BUDGET

Coronavirus State & Local Fiscal Recovery Funds

WHEREAS it is necessary to adopt a budget for the expenditure of the \$542,622.00 of the Coronavirus State & Local Fiscal Recovery Funds allotted to the Town Mineral.

NOW THEREFORE BE IT RESOLVED by the Mineral Town Council at its regular monthly meeting on April 11, 2022, adopted the following budget for the expenditure of the Coronavirus State & Local Fiscal Recovery Funds:

- \$9,199.98 for the audio/visual upgrade of the Councils meeting room to allow for remote participation.
- \$533,422.02 for rehabilitation water and sewer distribution lines.

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*Town Clerk*

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*Date*