



Town of Mineral Meeting Minutes
May 9, 2023

Members Present

Ed Jarvis – Mayor

Blair Nipper – Vice Mayor

Ron Chapman

Bernice Kube

Olivia McCarthy

Rebecca McGehee

Mayor Jarvis called the meeting to order at 6:31 p.m. Mayor Jarvis explained that since the last meeting Councilman Anthony Wade had passed. The mayor held a moment of silence in the councilman's memory.

Pledge

The mayor called for the Pledge of Allegiance.

Mayor Jarvis called for members of the public wishing to speak during the public comment session.

Public Comment

Anitoj (AJ) Singh, who said he was one of the owners of Miller's Market, spoke to the council about the proposal to place gas pumps at the store. He said he had looked through the agenda and saw that gas pumps were on the agenda. He said he would like to speak to that. He asked the council where in the process was that proposal. He said he would like to answer any questions that the council had.

The mayor closed the public comment.

Agenda

The mayor asked if there were any other items to be added to the agenda. The agenda was amended to include gas pumps at Millers Market, newsletter, fire department water usage. The motion to approve the agenda as amended was made by Councilman Chapman and seconded by Councilwoman McCarthy.

Bernice Kube – Yes

Vice Mayor Nipper – Yes

Ron Chapman – Yes

Olivia McCarthy – Yes

Rebecca McGehee – Yes

Motion Passed 5-0

Minutes

Mayor Jarvis presented minutes for the December 2022 town council meeting. Jarvis said he had contacted the attorney about the minutes since there were only two members present that were on council at that time. He said the attorney said that the current council could vote on the minutes. Vice mayor Nipper brought to councils' attention that Ron Chapman was listed as absent, when he was not on council and asked why. She also brought to the council's attention that Rebecca McGehee's Comments were in the wrong place and should have been in the public comment period.

Reese Peck, consultant to the mayor, brought to council's attention that there were no minutes for November or December 2022. He also stated that the minutes need to be certified. He also said that by ordinance that the minutes need to be in order, so December needed to wait until all were ready to be passed.

The mayor moved on to the April Minutes. Councilwoman McGehee said that she understood what Mayor Jarvis was saying as it read in the April 10 minutes, but it could be interpreted in a different way. She said she felt that the minutes did not say what Mrs. McGehee was saying. It made it sound like she wasn't telling the truth. She said what the former employee said to her in detail was not in the letter.

The motion was made to approve the April 10 minutes with the modification that the attorney was in attendance electronically by Vice Mayor Nipper and seconded by Councilman Chapman.

Bernice Kube – Yes

Vice Mayor Nipper – Yes

Ron Chapman – Yes

Olivia McCarthy – Yes

Rebecca McGehee – No

Motion Passed 4-1

The mayor brought to the council's attention that as of this meeting he had implemented a free software program that would be keeping the minutes using artificial intelligence or AI.

Town Sign

Councilwoman Kube presented three quotes for digital signs. Stewart Signs \$19,357.00, Signs Plus \$22,184.29 and Epic Signs \$25,124.99. Kube said that Stewart Signs and Signs Plus did not include the installation and according to representatives from each company the cost for that could be \$4000 to \$5000. Kube told the group that she was recommending Epic Signs because their cost included installation. She said she did not think the council wanted to go searching for a contractor to install the digital sign.

Mayor Jarvis told the council that currently he was working with an IT person to purchase the new server and computers and that maybe the council wanted to defer purchase of the sign until the cost for the computers and server was complete.

Vice Mayor Nipper suggested that the council pay the 50 percent down and install the sign at a later date.

Councilman Chapman said he would like to see the sign approved. He said that it was intended to be purchased when the building was built. He further said that it was a way to communicate with the public which he felt the council was severely lacking in at the moment.

Vice Mayor Nipper said the sign would also be available to advertise community events.

Councilman Chapman asked for the item to be placed on the agenda for the next meeting and for the committee to see if council could make a 50% deposit what would be the length of time given.

Councilwoman McGehee asked why wait? She told council members that they would still have to come up with the money.

Councilman Chapman made the motion to approve the Epic LED sign quote and have the sign installed. Councilwoman McGehee seconded the motion.

Rebecca McGehee – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

Blair Nipper – Yes

Bernice Kube – Yes

Motion Passed 5-0

Current Budget

Mayor Jarvis advised the council that work was being done on the current budget. He said they were trying to come up with last minute additions. He said the proposed budget public hearing was set to be held June 12.

Reese Peck told the council that he intended to have a copy of the budget for council on May 24. Also during the continued meeting, he recommended that council hold a public hearing on water rates, lease of old town hall and street closures. During that meeting the council would also be reviewing the budget.

The mayor asked the personnel committee what the decision on the group life insurance would be. Councilman Chapman said that he wanted to get through the budget first to see what the financial situation was like. He also said that he wanted to fill in Councilwoman McCarthy, who had been appointed to the committee since the death of Councilman Wade.

Unfinished Business

Gas Pumps at Millers Market.

Mayor Jarvis said there had been confusion about the timeline on when the application for gas pumps could come back to council. Jarvis said he had not been able to find in the Code the requirement that an item can't come before council a second time before waiting a year.

Councilman Chapman told the mayor it was State Code not the Town of Mineral Code.

Reese Peck told the mayor that the attorney said that there was a 12-month waiting period.

Mayor Jarvis asked Mr. Singh if he remembered when he made the application. Singh said he thought it was late spring early summer. However, Singh told the council that he did not want a rezoning, he was in

fact seeking a variance. Councilman Chapman said it was his understanding that the action had to wait one year from the time it came to the council, not date of the application. Mayor Jarvis said that Singh was asking for a different form of approval. He was no longer wanting a rezoning but a variance.

Singh told Council that an environmental company would be assessing the area and if the land was not suited for the pumps they would not be installed.

Councilman Chapman told council that they were putting the cart before the horse since the planning commission had not met on the subject because they had not been able to get a quorum. Reese Peck told council that if the planning commission did not meet that could not hold up the decision. They would have to meet within a certain time frame. Mayor Jarvis asked Singh for another 30 days in order for the planning commission to get their act together. After Mr. Peck said he sent a text to the town attorney, he reported later in the meeting that Andrea Erard, Town Attorney, had texted him that there was no waiting period with a variance.

Bills

Vice Mayor Nipper asked why flowers were sent to an individual and if Pure Water Virginia was to be paid the same amount each month. The mayor said the individual had a baby and the other was an introductory cost. The vice mayor also asked about the cost of sewer. Mayor Jarvis said when the manhole covers were re-lined four or five were not done because they were in a treacherous area and that they allowed for increased waste water to enter the system. He said the Utility Committee had not come up with a figure yet as to the cost for those manholes to be re-lined. He said the expense was on going.

Vice Mayor Nipper made the motion to pay the bills. Councilman Chapman seconded the motion.

Bernice Kube – Yes

Vice Mayor Nipper – Yes

Ron Chapman – Yes

Olivia McCarthy – Yes

Rebecca McGehee – Yes

Motion Passed 5-0

Councilman Chapman asked that the nameplate made for Tony Wade be delivered to his wife. The Mayor Concurred.

Review of Draft Water Rates

A copy of the draft water rates for FYI 23-24 as submitted by the utilities committee is attached to these minutes. After much discussion, the rates were to be advertised as part of the FY 23-24 budget.

Vacant Council Seat

Mayor Jarvis reiterated to the council that the vacant council seat needed to be appointed by 45 days or it would be appointed by the Court. He asked for the vacancy to be posted on the town website and Facebook. Councilwoman McCarthy said that she still did not have the login to access the page.

Newsletter

Councilwoman McCarthy reported that she would like to reinstate sending out a physical town newsletter to residents each month. She said that one of the things citizens had expressed to the council was that they needed more communication. The newsletter would include upcoming events, public hearing dates, ordinances, resolutions and vacancies on council and acknowledgements to citizens for their service.

Councilwoman McCarthy made a motion to approve a monthly town newsletter. Ron Chapman seconded the motion.

Rebecca McGehee – Abstain

Olivia McCarthy – Yes

Ron Chapman – Yes

Blair Nipper – Yes

Bernice Kube – Yes

Motion Passed 4-0-1

Water at Fire Dept. and Walton Park

Mayor Jarvis told the council that on the rescue side of the building there was a water meter. On the side with the fire trucks there appears to be no meter. In the past the Fire Dept., on the six-inch line that goes into the station, had been allowed to fill the tankers and wash the trucks. He said he had sent the fire chief a letter that the well was not functioning and asked him to refrain from filling the tank and washing the trucks because we, the town, are paying for that water. He said they are now going to the county.

Councilwoman Rebecca McGhee stated that she wanted to support the fire department by giving them free water at Walton Park. She stated that that was where they did their fundraising. She said she wanted to support them by not charging them for water.

Councilwoman Kube told the group that the fire department should be charged for functions that were not fire related, such as the AG Fair.

Councilman Chapman stated that he agreed that the fire dept. should not have to pay for water if it was their event, but the fire department should pay for the water used by non-fire related functions.

Councilwoman Nipper said she had asked for the fire dept. to receive \$5000 in the budget.

Councilwoman Kube said that the point was the water system needs to pay for itself.

Councilwoman McCarthy clarified that when the fire dept. had functions, they should not be charged. However, if it was the county, they were charging the town for the water so the town should be paid for it by the fire department.

Councilwoman McGehee made the motion not to charge the fire department for water. It was seconded by councilman Chapman.

Mayor Jarvis clarified that the fire dept. would not be charged for fire dept. functions, but anything else would be charged to the fire dept.

Rebecca McGehee – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

Vice Mayor Nipper – Yes

Bernice Kube – Yes

Motion Passed 5-0

Town Manager's Report

Mayor Jarvis commented on the managers' report. There had been a programming issue in the town software. He said that when someone gets a pay raise you have to go in and set up the amount that goes to the retirement system. He said it had been rectified. He said the cost amounted to \$3255.92

The mayor said the new LAN (server) was being relocated from the hall closet to the DMV file room. He said the file room was climate controlled and the floors were sealed and it has better ventilation than the closet.

Reese Peck said he was trying to get the calendar system up to date to reflect when to put notices in the newspaper etc. in order to keep from missing the dates. He said the system was approved in last year's budget.

The mayor said he had to send out letters for delinquent water bills. He said he wished there was a better way to collect water bills. He said our water rates were lower than other entities. He said he wished that people would let him know their story instead of waiting two months. He said if it was a legitimate story he would try to work with them. He asked for ideas.

Councilwoman McGehee asked if they could pay a little until they could be caught up.

The mayor responded that they had done that. He said there was no written policy. He said he would be reaching out to other entities to see how they handle it.

Councilman Chapman asked if the town was following its Code. Chapman said they were not. He said he was a month behind and received a letter. He said the letter was a violation because it needed to go through the postal system and he was not 60 days delinquent. He said that council was throwing the Code out the window.

The mayor said there are six other people that are seven months late.

Vice Mayor Nipper said that maybe we could change the Code.

Reese Peck said that the Code was incorrect and that maybe the council should take the code off the website.

Councilman Chapman said that the council should follow the code that they have.

Reese Peck stated that once people know that they will be sent to court they will have the incentive to pay their bills.

Town Attorney Report – None

DMV Report

The mayor explained that they will be changing the way the DMV revenue is being reported. The report will be attached to the minutes. The DMV has a part-time position available and the DMV Connect will be returning. Dates will be announced June 1.

Beautification

Councilwoman Kube reported that the April 29 beautification festival had a good showing. However, there was a Hazmat situation and people could not get across the railroad tracks. It took until midday for people to get across the tracks without finding a detour. She also reported that the flower bed at Luck Field was weeded and watered.

Utilities

Councilwoman Kube reported that the committee would be meeting May 15 and that it has been advertised so if any other council persons want to attend it will be OK.

Buildings

Councilwoman Kube had no report

Police

Councilwoman McGehee reported that as Kube had said there was a Hazmat situation on April 28-29 in town. She said multiple power strips (surge protectors) caught fire at Truist Bank. She did not receive a report from the sheriff's dept. The fire department held their fair at Walton Park and they will also be hosting a car show June 3. She said Timmy Luck will oversee the fire hydrant inspections.

Economic Development – No report

Planning commission

Councilman Chapman said the planning commission did not have a quorum for the April meeting to decide on Miller's gas pumps. They are working on street closures and they are reaching out for volunteers for the board of zoning appeals.

Finance

Mayor Jarvis reported that they were working on the budget.

Cemetery

Councilwoman McGee said Lewis Keller asked that the clerk give clients a copy of the cemetery rules when she sells a plot. Keller will give the clerk a template for a sign to be placed at the cemetery with the rules.

Personnel

Chapman reported that the committee was reviewing the health plan. He stated the council needs to fill the position currently vacant in the town. Chapman said they need to know if the money is there for the positions. He did not want to make promises and then not have the money. He felt the job vacancy advertisement should be shorter.

Closed Session

Vice Mayor Nipper made the motion to go into closed session 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.

Ron Chapman seconded the motion.

Rebecca McGehee – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

Blair Nipper – Yes

Bernice Kube – Yes

Motion Passed 5-0

Motion to enter back into open session made by Vice Mayor Nipper and seconded by Councilman Chapman.

Rebecca McGehee – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

Blair Nipper – Yes

Bernice Kube – Yes

Motion Passed 5-0

The motion was made to reconvene and certify that only matters identified to go into the session were discussed was made by Vice Mayor Nipper and seconded by Councilman Chapman.

Bernice Kube – I so certify

Blair Nipper – I so certify

Ron Chapman - I so certify

Olivia McCarthy – I so certify

Rebecca McGehee - I so certify

Motion Passed 5-0

The motion was made to recess the meeting until May 24 at 6:30 at the Mineral Municipal Building.

Rebecca McGehee – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

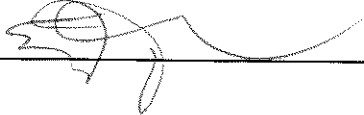
Blair Nipper – Yes

Bernice Kube – Yes

Motion Passed 5-0

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

Mayor

A handwritten signature in black ink, appearing to be "Bernice W. Kube", written over a horizontal line.

Acting Clerk

A handwritten signature in black ink that reads "Bernice W. Kube", written over a horizontal line.