



Town of Mineral Meeting Minutes
August 14, 2023

The Mayor called the meeting to order at 6:35 p.m.

Members Present

Ed Jarvis, Mayor
Blair Nipper – Vice Mayor, Present Via Zoom
Ron Chapman
Michelle Covert
Bernice Kube
Olivia McCarthy
Rebecca McGehee

Others present

Reese Peck, Town Manager

Pledge

The Mayor asked for all present to stand for the Pledge of Allegiance.

Agenda

Mayor Jarvis added to the agenda a 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.

Councilwoman McGehee asked who answers the emails sent to the website. Councilwoman Kube replied that she did not receive emails from the website. Reese Peck said that it could be mail champ. He said that the town does not receive emails from mail champ but it does provide a list of persons that want to sign up to receive notifications. The mayor asked Fred Vegas, IT, who was in the audience, if the server being down prohibited the town from receiving emails. Vegas said it was cloud based and did not affect the emails.

McGehee asked that the Louisa Education Foundation be put on the agenda.

Councilman Chapman made the motion to adopt the agenda as amended. Councilwoman McCarthy seconded the motion.

Michelle Covert – Yes

Bernice Kube – Yes

Ron Chapman – Yes

Olivia McCarthy – Yes

Rebecca McGehee – Yes

Vice Mayor Nipper joined the meeting electronically later in the meeting.

Motion Passed 5-0

Public Comment

Lauren Ball spoke to council on the closing of East 8th St., which serves as their driveway. They had been maintaining the area as part of their driveway for the past eight years. She said council approved the request and they were required to have a survey, an attorney prepare a deed, and to have the deed back to the town attorney for review within 60 days. She said they had turned in all the paperwork on July 14th, but the town attorney had not given her approval as of the current meeting. Ball said the 60 day timeframe had ended on Friday, August 11 and she asked for an extension and she further asked that the town engage a local attorney to approve the plat and deed since the town attorney was no longer available.

Howard Loudin spoke to council concerning a street closing that was voted on previously that abandoned an unopened right of way from St. Cecelia Ave. between East 1st Street. and east 2nd Street. He said he had the survey done and the attorney had the information but he did not think it could be completed in 60 days. He said that council should amend the time period on the requirement. He also said he thought the process was skewed for whoever wants the road closed. He said it was not right for others along the way to have to pay for a lawyer, a survey and then give a right of way. He said he did not think that was right.

Stewart Cameron told the council he was speaking for his parents and their estate, Julia Cameron and the late Paul Cameron. He said his mother is an adjoining property owner. He said he was totally against the road closure and the way the ordinance is written. He thinks it is totally in favor of the person who is requesting the road closure. He said the road was somewhat established and he said he did not know how that aligned with VDOT, but he was worried about the sight distance coming over the hill. So if the road gets closed he is the property owner coming over the hill. He asked would VDOT approve? Is the property grandfathered or would it be a new request? He said his was the shortest distance so he asked would he have the proper sight distance for a private drive? He said VDOT should be involved.

He also stated that the 60 days was not enough time. He said he is two years into settling his father's estate and it was nothing on his behalf or his family that had not provided for its completion. He said the holdup was from the lawyer's perspective. He said the 60 days is too short of time to get it all done.

He also was not in favor of the utility easement since if the road was closed it would no longer belong to the town. He stated he had a problem with how that part of the ordinance is written as well.

He asked if he decided to open the road would he be responsible for all cost to make it a state-maintained road.

The mayor said that all the roads in the town of mineral are 60 feet. He said when 8th street was closed there was a new twist in things that were required. The mayor said that council needs to have a workshop to decide what the procedure will be for road closures because it has caused so much anxiety. He said part of the problem in the town is that many times procedures were not put on paper. He asked that council hold a workshop on road closures as to get it in procedures in writing then publicize it so then everyone knows the procedures. He said as far as the 60 day time line, he knew that the 60 days had come and gone and he would have the town manager talk about that.

Vice Mayor Nipper joined the meeting.

Reese Peck, Town Manager, commented that the paper work would be done by the end of the week. He further stated that the town attorney had be harassed by a citizen at another place of work and that was unacceptable.

Mayor Jarvis told those attending the meeting that the Town of Mineral had never put in a road. The roads were paid for by either a contractor or a homeowner. Jarvis asked Loudin for concurrence.

Loudin, a local contractor, said that he had to take the road to the end of his property and that VDoT had approved it. He said he had to pay for and build it to state specs. He referenced other roads that he had built in the town.

Councilwoman Covert said that was the problem, because the code says if you are opening a road the entire thing is to be built. She said VDoT and the code are inconsistent.

The Mayor said the complaints were not falling on deaf ears. He said the council would make it right and would not be going through a restart. He said the residents were welcomed to come to the workshop.

Councilwoman McGehee wanted to know if council would be voting on the road closure. The mayor responded that it would be up to council.

Cameron told council that if the road is reverted back to private property he would be meeting with VDoT to see if the sight distance would be adequate for his property.

The mayor told council and those in the audience that a lot of work is needed and that he is not sure council is up to date on their own Code.

The mayor said that most members on council are new. He said the town is trying to do what was best for individuals and the town. Things sometimes in the town are not clear because it is not written. He told those involved with the road closure to call if time passed and they had not heard when it would be decided. He said they would be given a time line.

Minutes

The mayor called for a motion to approve the February Minutes. Councilman Chapman made the motion to approve and Councilwoman McGehee provided the second.

Michelle Covert – Yes

Bernice Kube – Yes

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

The Mayor asked for a motion to approve the July 10 minutes. Rebecca McGehee said she appears twice on page 3. Councilwoman Kube replied it was a typo. The motion to approve the minutes as amended was made by Councilman Chapman and seconded by Councilwoman McCarthy.

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

Bills

Reese Peck said that some of the bills were not on the current list and would show up in September. He said they had been involved in a couple of other projects. The bills were not paid late but would show up on next month's list. Councilwoman McGehee questioned the bill for advertising in the Central Virginian for \$4000. Peck said that council would have to advertise in one paper or another. He said that the new rules for advertising set by the legislature were geared for larger towns with daily papers. The town of Mineral's meetings fit the schedule perfectly and would be able to continue with the weekly paper.

Motion to pay the bills was made by Councilwoman McCarthy and seconded by Councilman Chapman.

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

Town Manager Report

Peck reported that he has been working with the personnel committee on job descriptions, pay plan, and amendments to the personnel handbook. He said he would be coming back in the next month on those items.

Peck said the town has been red flagged by the USDA. The town was late providing information regarding the USDA grant. It was due in August. Brown Edwards, the accounting firm assisting on this matter, was able to reshuffle and will be able to get it done by August 15. Hopefully the information is clean enough so the audit can be done quickly.

Brown Edwards is working with Southern Software. They are working on some issues on transferring data. They are still having difficulties with that and peck said he needs to get the two tech departments together to work it out and put a game plan together. The town has resolved tech issues in house and plan to focus on the web page and agenda management. He said the town has substantial budget costs

that are running larger than expected, particularly on the tech transition. Maintenance has said they need a new mower for the cemetery. He told council that they would have to pass a budget amendment. He said the new pay plan will cost \$40,000. Peck recommended to wait until December/January time frame to make the amendment.

Peck said Capital One will be doing all their DMV renewals with the town. Shannon Hawkins, DMV Manager, secured the account with a cold call. Her long-term plan is to give Capital One good customer service and eventually secure their fleets that need to be licensed. Peck said one of their title companies will be bringing all their business to Mineral once the new person is in place.

He said town administration was moving along slow. There are zoning issues that need to be addresses and once the new town attorney is in place attention needs to focus on code recodification.

The mayor asked how the search was going for a new town attorney. Peck said the town has an ad in the local government attorney newsletter and its website. He commented that one applicant that thought it was a full-time job since there was no salary originally posted on the ad. Had has had one firm that contacted the town but has received nothing as of yet. The town Joined VA Open Government Attorney Association, which gives the names of the attorneys that are a member. Peck said he thought it would be a slow process to find a new town attorney.

DMV

DMV needs to purchase two more credit card readers, which the cost will come out of DMV payments. Revenue will probably climb even with the added expenditure.

IT

Mayor Jarvis introduced Fred Vegas, IT. He said he had helped the town when the server crashed. Vegas said that the job was 80 percent complete (server was replaced). The mayor explained that the server was needed because the town purchased new software that will set up five seprate enterprise zones, which will negate the need for paper ledger, which is currently maintained.

Beautification

Councilwoman Kube reported that permission needed to be obtained from the postal service for a concrete pad to be placed on their property for placement of a town park bench. Another park bench would be placed on the town hall property. Also, the town sign advertised the need for volunteers to help with caring for the town signs. Kube reported that a resident had complained about a business that had employees working in the street. She explained that she had talked to Mr. Peck about it. She had obtained photos and he said he would check the code and write a letter.

Fire/Legal

Councilwoman McGehee reported that there was vandalism at one spot in the town. A lot of traffic stops had occurred. McGehee asked if it would be more feasible to purchase new hydrants than to purchase parts. The mayor said the cost would be prohibitive.

Stewart Cameron addressed the fire hydrants and explained how they work and why. Some have smaller pipes feeding the hydrant and you can only pump as much as you are getting through the pipe. He said the steamer connection type hydrant is the best.

Mayor Jarvis said that the town had in the past pumped their own water. Over the years the wells have ceased to produce. Well number four, in the past, would produce 152 gallons per minute. As time went on well four needed to be shut down a week to 15 days to recover. Therefore, the town was purchasing county water. He said in the past the town would give water to the fire department and with the town now having to purchase water he thought that was counterproductive. He said he had emailed the county administrator, giving him three proposals to help the town. The first was that the town would bill the fire department for the water and they would pay the water bill and resubmit it to the county. The second was to directly submit the bill to the county. The third would be to inform the water authority that the fire department used X amount of water and have them subtract it from the town's bill.

Councilwoman McGehee said that she had spoken on the subject before and she saw no reason that the town could not provide water for the fire department. She said that the men are volunteering their time and raise funds for the department. She said she did not think that was right. They should not have to turn around and pay for water. She said that maybe council should volunteer with the department. She said that she thought that at least the town can give the fire department water.

She continued that if the county wanted to pay that would be a different story. She said that the volunteer firemen keep up the trucks and provide their time and that there is no reason the town cannot give them water.

Mayor Jarvis told council that the Mineral Volunteer Fire Department no longer exists. He said that that it is now county EMS, although there are still volunteers. He said that the majority of the fire staff is paid county staff. He said that he had heard this from the county and from the fire chief. The Mineral Volunteer Fire Dept. has taken steps to reduce the water consumption, but last month the consumption went up by 18,000 gallons.

Councilwoman McGehee disagreed and said Mineral was still a volunteer fire Department.

The Mayor told the council that if it wants to give the water to the fire department they would have to answer to the public. The mayor also said the Mineral fire chief has asked if the council would cut the grass at Walton Park.

Stewart Cameron spoke from the audience to explain why career staff may be using the water in town rather than going to the High School to fill up with county water. He said it cost the county \$50 in gas to get the truck to and from the school.

Streets

Councilwoman Nipper had no report.

Planning Commission

Councilman Chapman said that Jim Schneider had officially resigned from the planning commission. He asked the council to appoint two new members to the commission.

Finance

Vice Mayor Nipper said that the town manager had covered the audit.

Cemetery

Councilwoman McGehee said that a citizen had suggested that park benches be placed at the cemetery.

Personnel

Councilman Chapman said that under new business there would be a new pay plan and job descriptions to approve. He also said that the committee has decided to have a regular monthly meeting on the last Monday of each month at 6:30.

Utilities

Councilwoman Kube read the committees top priorities.

Planning/zoning appeals

Councilman Chapman had no report.

Communications

Councilwoman Kube reported meeting have been advertised properly. The Mayor added that the brightness of the sign had been turned down. Kube said she was using darker colors in order to not disturb town residents living near the sign. The mayor also talked about the bright lights of some of the businesses in town and said he was trying to work on coming to an understanding that maybe they can tone them down.

Social

Councilwoman McCarthy gave her apologies that a newsletter did not go out as planned. She said that she would be including the July information in the August newsletter.

Old Business

Consideration of the transfer of ownership of the unopened right of way from St. Cecelia Avenue between East 1st St and East 2nd St.

The mayor said the applicant had actually pulled her request. The town manager said that without a town attorney trying to get it done in 60 days was not practical to move on it. He said it could be deferred.

Councilwoman Covert, who made the request asked for it to be deferred. The town manager asked the mayor to receive any other public comment concerning the road closure.

Chris Guerre, town resident, spoke to council on the new regulations for publicizing meetings. He said that it included all planning and zoning matters and as such the current meeting should have been advertised. The Town manager said that the matter had been deferred from a previous meeting and had been advertised previously.

Councilwoman Kube said that the council had voted on the same road closure before and that she could never vote to close a road when one of the adjoining property owners opposed the action.

Kube followed with the motion that council put a moratorium on any road closure until a clear policy that could be followed each and every time could be implemented. Councilman Chapman seconded the motion.

Reese Peck, Town Manager said that a decision about the current road closure should be made before voting on the moratorium.

Councilwoman McGehee made the motion to deny the road closure request. Councilwoman Kube seconded the motion.

Rebecca McGehee – Yes
Olivia McCarthy – No
Ron Chapman – No
Bernice Kube – No
Vice Mayor Nipper – No
Michelle Covert – Abstain

Motion failed 1-4-1

Councilwoman McCarthy made the motion to defer the matter until the council has legal counsel and has a specified plan as how road closures will be handled moving forward. Councilman Chapman Seconded.

Rebecca McGehee – No
Olivia McCarthy – Yes
Ron Chapman – Yes
Vice Mayor Nipper – Yes
Bernice Kube -Yes
Michelle Covert – Abstain

Motion passed 4-1-1

Councilwoman Kube made the motion to place a moratorium on all road closures until a policy was created and in effect. Councilman Chapman seconded the motion.

Ron Chapman - yes
Michelle Covert – Yes
Vice Mayor Nipper – Yes
Olivia McCarthy – Yes
Rebecca McGehee – Yes
Bernice Kube – Yes

Motion Passed 6-0

Tony Henshaw, town resident, asked the mayor if that included alleys also. Councilwoman Kube said that it was her intention that the moratorium included all roads including alleyways.

New Business

Pay Plan and Plan and Personnel Manual Revisions

The town manager told council that according to the personnel plan and style of management that the town needs to come up with a pay scale and employee classification system. They also needed to come up with minimum and maximum salaries. He said that working with the personnel committee they have come up with a proposed pay structure and career ladder for DMV. He said that he recommend that the clerk and treasurer be separate positions. He said they were combining the cemetery manager with the treasurer since Patricia Finch has been performing that function. He said they wanted to also combine the clerk position with the special projects coordinator. Depending on who is hired it could include planning and zoning. The DMV, he said, is a human resource business. He said that the committee sat down with Shannon and discussed the progression of the employees. The different roles they would play.

Peck said that since his role as town manager is part time he had written a part time hourly job description.

He said that the treasurer/cemetery manager, DMV Manager and clerk/special projects coordinator would be exempt and would not get paid overtime. He said the personnel manual needs to be cleaned up. He said currently employees can't take leave for 18 months. He suggested to accumulate time and to be able to use it after probation.

Motion to approve the pay scale was made by Councilman Chapman. Councilwoman McCarthy seconded the motion.

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

Motion Passed 6-0

Motion to approve amendments to the personnel policy and handbook was made by Councilman Chapman and seconded by Olivia McCarthy.

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

Motion Passed 6-0

Job Descriptions

Peck presented job descriptions for council's review including a a Part-time town manager position, breaking out the salary range per hour.

The treasurer/cemetery manager, he said was put in the same format. The position would be exempt for overtime.

The clerk/special projects coordinator also was put in the same format and was an exempt position and finally the DMV Manager. Peck said the DMV Manager was exactly the same as it was previously except the salary range was added and it was made exempt. He said if it was approved tonight he needed to advertise for the clerk special projects coordinator.

Councilman Chapman made the motion to approve the job descriptions as presented. Councilwoman McCarthy seconded the motion.

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

Motion Passed 6-0

Personal Property Tax Relief

Peck told council that he had contacted the commissioner of Revenue, Stacy Fletcher to calculate the Personal Property Tax Relief (PPTR) amounts. He said everything comes from the Commonwealth of Virginia with no mention of what it is for. He told council that what was received for PPTR was \$4415.00. He said Fletcher had calculated 26.2%. He said that everyone that qualified would receive a 26.2% reduction.

Councilman Chapman made the motion to approve the Personal Property Tax Relief in the amount of 26.2 percent. Councilwoman Kube seconded the motion.

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

Motion Passed 6-0

VDoT Issues

Peck said that people come to him with a variety of VDot issues and he recommended that the mayor meet with the district engineer, Shaun Nelson. He said that council needed to get together and come up with a list of issues that are important enough to take to the district engineer such as crosswalks.

Mayor Jarvis asked if council wanted to be assigned to a specific committee. Councilwoman Kube said that she thought the specific committee should be working with the planning commission to come up with the list.

Councilman Chapman said that the streets committee should work with the planning commission. The planning commission would be working on the comprehensive plan. Chapman said that all committees should be involved but it should be headed up with the streets committee and the planning commission.

Councilwoman Covert said information should be derived from the public as well. She said that somewhere along the line that the sidewalk at the farmers market had been made completely inaccessible to wheel Chairs.

Councilman Chapman said that the planning commission should take the lead but he needed until the next month because the commission was in the middle of turnover. He said that once the planning commission was in line he would begin bring in the other committees.

The mayor asked if that was a consensus. It was agreed that it was.

Town Council Conference Attendance Policy

Mayor Jarvis said that in the past several years that council had not attended conferences. He said it has been determined that there is no policy. He said a policy is needed to come up with the budget and also that he wants to make it so the right people were able to attend. He also wants to make it so that if someone wants to attend they could not say that others had attended six conferences and they were denied. He said he was throwing it out to council.

Peck said that VML Conferences were excluded. Three council members and one planning commissioner had attended the VML Conference and the cost was \$260. He said that the cost for one council member and one planning commissioner had attended the planning conference and the cost was \$900. He said that the entire conference budget for the year is \$2500.00. He said the VML Conference is usually in Richmond and usually only one day.

He said he wants a form prepared for council members to fill out with charges for the conference.

Mayor Jarvis said that the personnel committee should take up the preparation of policy for conferences and an approval process.

Councilwoman Kube said that council is not personnel.

Councilman Chapman said that the focus should be on staff training. Peck said that in the past he had a separate budget for staff. Peck said that the personnel committee should come back with the recommendation next month for both staff and council.

Directing the town manager to publish public hearing notices.

Peck said that the Andrea Erard, Town Attorney, had said she did not believe that council needed to address the item.

Halloween and Christmas Events

Councilman Chapman said that he had asked for this item to be on the agenda. Chapman said Halloween this year was on a Tuesday. He said council had talked about a trunk or treat. They needed to decide in order to publish it so that parents would know which night to bring their kids out.

Chapman said the Mineral Historic Foundation (MHF) was having their annual home tours on Dec. 9th. He said that last year the town had partnered with them and had the tree lighting on the same night. Chapman said the MHF would be advertising on the radio and numerous other places. He asked the town to purchase the tree and that council be present at the tree lighting with the mayor lighting the tree.

Councilwoman Covert asked that it be called holiday tour so that it would be more inclusive. She also asked how many people came to the event.

Chapman responded that about 150 spectators attended and the (MHF) was overwhelmed. He said this year there will be six homes including the Mineral Mercantile and hopefully the town hall. He asked that the town place the order for the Christmas tree before Halloween.

Councilwoman Kube made the motion to authorize the purchase of a tree for up to \$250. Michelle Covert seconded the motion.

Vice Mayor Nipper – Yes

Rebecca McGehee. – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

Bernice Kube – Yes

Michelle Covert – Yes

Motion passed 6-0

Councilman Chapman will coordinate the observance of Halloween with the Town of Louisa and the County of Louisa.

Stewart Cameron asked if the town would be having a reception afterwards and was funding needed for that. He had remembered that they had done it at the fire department in the past.

Kube said that it would be at the old town hall and the Mineral Historic Foundation would be hosting.

Councilwoman Kube asked the town manager if he had a quote to move the bands for Christmas Decorations from the old poles to the new poles.

Peck said he was working on it.

Councilman Chapman said that Dominion Energy had said they would move the mounting straps.

Email from website

Mayor Jarvis said that due to Councilwoman McGehee's concern that a citizen had emailed the town website recently and was not answered. He said council needs to find out where emails from the website are going. Councilwoman McGehee said she knew what the citizen wanted. She said that on Dec. 2 that the citizen wanted to know the town guidelines for a Fun Run to benefit the Louisa Education Association. It would begin in the town and end at Walton Park. McGehee said she wanted to know if

she needed a permit. Lauren Ball in the audience said that Barb Wilson intended to use the same route as a local group used but it was a fundraiser so she wanted to make it official.

Closed Session

A motion was made by Councilwoman McCarthy and seconded by Councilman Chapman to go into closed session with Section 2.2-3711 (A) (1) of the code of Virginia, to discuss the appointment of a Town Treasurer and individuals to the planning Commission and 2.2-3711 (A) (3) for 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.

Councilwoman McCarthy made a motion to go into closed session. Councilman Chapman seconded the motion.

Vice Mayor Nipper – Yes

Bernice Kube – Yes

Michelle Covert – Yes

Rebecca McGehee – Yes

Olivia McCarthy – Yes

Ron Chapman – Yes

Motion Passed 6-0

Upon returning to open session, Mayor Jarvis asked for council to certify that the reasons given for entering closed session were the only topics covered.

Michelle Covert – I so certify

Bernice Kube – I so certify

Ron Chapman – I so certify

Olivia McCarthy - I so certify

Rebecca McGehee - I so certify

Vice Mayor Nipper - I so certify

Certification passed 6-0

Councilman Chapman made a motion to appoint Lauren Ball and Nicole Washington to the planning commission effective immediately. Councilwoman McGehee seconded the motion.

Oliva McCarthy - Yes

Rebecca McGehee - Yes

Ron Chapman - Yes

Vice Mayor Nipper - Yes

Michelle Covert - Yes

Bernice Kube – Yes

Motion Passed 6-0

Councilman Chapman made the motion to appoint Patricia Finch as the town Treasurer. Vice Mayor Nipper seconded the motion.

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

Motion Passed 6-0

Councilwoman McGehee made the motion to adjourn the meeting. Councilman Chapman seconded the motion.

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

Motion passed 6-0

The meeting was adjourned.

Mayor _____

Clerk Bernice W. Kube

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