

The Town Council of Victoria, Virginia met on December 8, 2020 in the Victoria-Lunenburg Community Centre with the Honorable Allen D. Smith, Mayor, presiding: Councilmembers in attendance were Ronald Mattox, Johnnie Brame, James G. Elam, Jr., Christopher Garrett, Sandra Jones and Chris Gill. Also attending were Town Manager Rodney Newton, Treasurer Diane Harding, Vickie McDaniel, Town Clerk, Police Chief H. Keith Phillips, Corporal Matthew Gatling. Absent was Assistant Fire Chief Chris Garrett.

Mayor Smith called the meeting of the Town Council to order.

The Pledge of Allegiance to the American Flag was followed by the invocation by Councilmember Mattox.

Mayor Smith asked if there were any additions to the agenda. There were none.

Mayor Smith asked if there were any Conflicts of Interest on matters being discussed on the agenda. No comments.

Motion was made by Councilmember Brame and seconded by Councilmember Gill to accept the November 2020 regular meeting minutes as presented. Motion carried.

Motion was made by Councilmember Mattox and seconded by Councilmember Elam to accept the Treasurer's report for November 2020. Motion carried.

Chief H. Keith Phillips gave the Police Report. Chief Phillips stated they had 57 calls, 2 arrests and 9 citations. Chief Phillips advised Officer Jones has started the ordinance on inoperable vehicles. Motion was made by Councilmember Mattox and seconded by Councilmember Brame to accept the Police Report as presented. Motion carried.

Mr. Rodney Newton gave the Fire/Rescue Department Report. He stated they had another busy month with a total of 161 calls. Station 2 had 99 calls and Station 7 had 62 calls. Mr. Newton advised the last Truck-n-Tractor Pull did well and was reflected in the budget. There were no questions regarding the budget. Motion was made by Councilmember Mattox and seconded by Councilmember Brame to approve the Fire Department report as presented. Motion carried.

Informational Items:

- a) Lunenburg Animal Control Officer, Mr. Ray Elliott addressed questions and concerns from both council members and citizens regarding dogs running at large. Mr. Elliott advised their job is to provide service for calls and respond to those individuals with issues with dogs or other animals in the county and town or on their property. Mr. Elliott stated things are different in the county than in town whereby, leash laws do apply in the town limits. Councilmember Jones stated a citizen has had the same complaint for two years with a dog running at large and doesn't understand why the dog is not taken care of. Mr. Elliott explained his role with both dogs and cats. When someone calls about newborn kittens, they cannot take them without the mother as they do not have the facility to care for them. Therefore, they are obligated by state guidelines to take the mother of a nursing litter with them. As far as dogs running at large, Mr. Elliott advised this was a civil issue meaning if the dog is coming on your property and damaging your property, you can seek legal assistance for the dog owner to take care of those damages. Once Animal Control responds to the call and the dog is not there, they cannot go to the owner and take the dog but rather issue a notice that the dog has been seen running at large. Citizens can file a complaint at the magistrate's office. Mr. Elliott advised he cannot take a dog off of someone else's property as he could be civilly sued by the state. He suggested talking with town council and local law enforcement regarding ordinances for dogs running at large. Mayor Smith advised he has also spoken with citizens regarding a dog running at large. Unfortunately, Mr. Elliott is covering the entire county and encouraged everyone to work with Animal Control. Mayor Smith also advised contacting the sheriff's department so it can be documented. Town Manager Newton agreed as this will show how often calls were made concerning the dog in case any civil action is taken. Mr. Elliott also stated they are not mandated to pick up cats, but are mandated to pick up dogs. Councilmember Mattox asked Mr. Elliott if a dog does not have proper tags, can he go on the property and pick it up. Mr. Elliott stated only if you

called and said the dog was on your property however, he can do a welfare check on the dog. Mr. Newton stated we need to coordinate with Chief Phillips and have him enforce town ordinance without involving Animal Control. Mr. Elliott also expressed talking with the property owner on dog issues with a tenant.

- b) Mr. Newton presented council with the 2021 Holiday Schedule. Mr. Newton advised this follows the State Department of Human Resources. There were two additions this year, Easter Monday, April 5th and Election Day, November 2nd. Motion was made by Councilmember Mattox and seconded by Councilmember Brame to accept the 2021 Holiday Schedule. Motion carried.
- c) Mr. Newton presented council with employee bonuses for 2020 which have been reviewed by the Personnel Committee. Motion was made by Councilmember Mattox with the Personnel Committee to accept the employee bonuses for 2020 and seconded by Councilmember Brame. Motion carried.
- d) Mr. Newton presented council a housing study conducted through the Berkley Group to look at some of the housing needs in the community and made recommendations of housing needs for the town. The Berkley Group will be presenting the findings of this report at 6pm prior to the Kenbridge Town Council meeting in the auditorium at the Kenbridge Community Centre, Tuesday, December 15th. Mr. Newton recommended to council to have a work session next week at the Kenbridge Community Centre auditorium at 6pm. Mr. Newton advised since the study started in 2019; the housing market in the towns of both Victoria and Kenbridge has changed dramatically. Motion was made by Councilmember Mattox and seconded by Councilmember Garrett to have a work session at the Kenbridge Community Centre auditorium at 6pm, Tuesday, December 15th. Motion carried. .

Town Manager Update:

- a) Mr. Newton updated council on recent wastewater facilities. A consent order has been sent in to DEQ and is currently going through the advertisement process. We are still working on the smoke testing. Mr. Newton advised much of everything going to the west of Tidewater Avenue towards the left side of Court Street, with the exception of West 1st Street, has been smoke tested. Starting Thursday, December 10th and Friday, December 11th, smoke testing will begin at Nottoway Blvd. towards Main Street and from 11th Street to 14th Street. This will get as much as possible that feeds to the west wastewater facility. During this process, we have found a certain area on W. 7th Street. Mr. Newton advised Tidewater Avenue and Mecklenburg Avenue both feed to West 7th Street along with Lunenburg Avenue to the brick pump station on Park Avenue. A VDOT culvert pipe was put in nearly 15 years ago on West 7th Street. After smoke testing a second time, heavy smoke was seen on West 7th Street at the culvert pipe. A manhole on Lunenburg Avenue is also taking in water. Another finding was the Park Avenue Pump Station is using twice as much electricity as the Marshall Pump Station due to a bad pump. Mr. Newton recommended replacing 310 feet of sewer pipe on West 7th Street; 300 feet on Lunenburg Avenue, replacing three manholes and replacing the bad pump at the Park Avenue Pump Station at approximately \$47,698.85 for the materials and an additional \$5,000.00 contingency to deal with any issues that may come up. Mr. Newton advised we have \$85,000.00 in Capital Improvements at this time. This is part of the process that we need to treat rain water at the east wastewater plant. Mr. Newton also sent Mr. Jeff Reynolds at DEQ what has been found.
- b) Mr. Newton discussed working with Attorney Robert Clement to negotiate to retain as Town Attorney after he retires as Commonwealths Attorney. Mr. Clement has agreed to do so as a Part Time employee at the Town of Victoria as well as pay his bar fee of \$250.00 and also provide some funding for continuing education. Mr. Newton contacted VML and they recommended Mr. Clement join the Local Government of Virginia Association as it will give him an avenue for continuing education and a forum to ask questions. This will cost approximately \$1,100.00 a year. Attorney Clements hourly rate will be \$125.00. The Personnel Committee has met and agreed for Mr. Clement to continue services with the Town of Victoria. Motion was made by Councilmember

Mattox and seconded by Councilmember Brame to hire Mr. Robert Clement as town attorney. Motion carried.

- c) Mr. Newton advised we applied for funds with the State Cooperation Commission through the Housing Development Authority for the availability of Cares Act Fund to help offset lost revenue over the past months for delinquent water bills due to COVID 19, loss of employment, etc. We applied for just under \$10,000.00 and were awarded \$5,900.00. This will have to go through the county first and they will send the monies to us. Mr. Newton also advised this has to be finalized by January 29, 2021.

Motion was made by Councilmember Mattox and seconded by Councilmember Elam to go into closed session:

- a. Prospective Business in which there has been no public announcement of the business, according to Code of VA §2.2-3711(A)(5).

CLOSED SESSION December 8, 2020

Councilmember Mattox and seconded by Councilmember Brame to return to regular session according to Code of VA §2.2-3711(A)(5) to certify that only business matters identified in the motion to convene and those lawfully exempted from open meeting requirements were discussed. By show of hands, all voted unanimous yes. Motion carried.

Motion was made by Councilmember Elam and seconded by Councilmember Brame to authorize the proceeds from the sale of the Bridgforth Medical Building be loaned to the Industrial Development Authority (IDA) of the Town of Victoria to begin repairs on the 300 Court Street facility to expedite renovations to allow for new tenants. Motion carried.

With no further business to discuss and on a motion by Councilmember Elam and a motion by Councilmember Brame, Mayor Smith adjourned the meeting.

Vickie McDaniel, Clerk

Allen D. Smith, Mayor

Approved January 12, 2021

Rodney Newton, Town Manager