

Town of Hurt, Virginia  
Council Meeting Minutes  
June 22, 2022

Hurt Town Council held a called meeting on Wednesday, June 22<sup>nd</sup>, 2022, at Town Hall. The meeting opened at 6:00 PM by Mayor Gary Hodnett with a quorum present.

**Roll Call**

Members present: Mr. Luke Perdieu, Mr. Gary Poindexter, and Mr. Donney Johnson

Members absent: Vice-Mayor Shirley Barksdale-Hill, Mrs. Kathy Keesee, and Mr. Collin Adams

**Closed Session**

A motion was made to enter closed session to discuss personnel, prospective business, real estate, and consultation with legal counsel, as authorized by VA FOIA § 2.2-3711 A (1, 3, 5, 7).

Motion: Mr. Poindexter

Second: Mr. Perdieu

Passage: Unanimous

Council entered closed session at 6:00 PM and exited closed session at approximately 6:42 PM.

A motion was made to return to open session and to certify that only personnel and prospective business matters were discussed during closed session, as required by VA FOIA § 2.2-3712 (D).

Motion: Mr. Poindexter

Second: Mr. Johnson

Passage: Unanimous

Attorney Eller stated we need to wait until 6:45 PM. Mayor Hodnett stated okay we are back in open; we will do the pledge. Does anyone have any public comments? No response.

**Invocation and Pledge of Allegiance**

Invocation: Mr. Poindexter

Pledge of Allegiance: led by Mayor Hodnett

**Additions to the Agenda**

Mayor Hodnett asked if there were any additions to the agenda. Mr. Poindexter stated, you have a catch-all on there about items arising subsequent to notice, but nothing major. Just a reminder if you don't already have it, we said we we're going to talk about our July meeting dates. Do you already have that on there, on your list? Mayor Hodnett responded no, not on my list, but we will add that. Mr. Perdieu stated that, and the mowing contract. Mayor Hodnett stated correct. Mr. Poindexter stated mowing contract and also, well why we are talking about meeting dates, I want to say some things about a finance committee meeting to cover that when we come to that time.

**Consideration of 2022/2023 Proposed Budget and Confirmation**

Mayor Hodnett stated, let's move forward with item E. Are there any considerations, or anything that you guys feel like we need to talk about or bring up about the budget before we go into a motion for a vote? I know we have had 2-3 meetings on it, and we have had zero comments at the public hearing, no input from the public whatsoever. Any discussion? Mr. Poindexter stated just a few general comments

on the proposed budget. Obviously, this is historic for us. It's a significant milestone, as it's the first time in our 55-year history that we've crossed the threshold to a million-dollar budget. There are two sides to that proverbial coin. It's indicative of a town on the move and committed to its mission. Yet, it's happening amid a difficult national and global economy. The steps that we're having to take are not taken casually or lightly, but rather, out of necessity to sustain key core services for the citizens, and to complete long overdue capital projects. It's my hope that this will be a learning and growing experience for us all. I think we all realize that there are things that could have been done better in previous years and decades, and that would have made it easy for us to process this now, but as they say, hindsight is always 20-20 and that's water under the bridge. We need to do what we need to do now to move our town forward. Some of what we're feeling is partially attributable to what we might call 'growing pains' as we progress into areas that we should have crossed into long ago. That's my thoughts on it.

Mayor Hodnett asked, any more discussion or comments? Mr. Perdieu stated I just think with the with the rising costs, you mentioned in the last meeting, I would like to urge my fellow council members to seriously consider not taking their payment, because it's not that much money, and it would help the town and keep the budget lower. That little bit to help ourselves; I think it would help the town swallow up rate increases. Mayor Hodnett stated that's one of the things that I was going to bring up and I'm glad you brought it up. I'm working on a resolution for that, hopefully at the July meeting, Council will see fit to approve that resolution. That'll be for the fiscal year 22-23 in that we do not take a salary for that year. Mr. Perdieu stated I am all for it. Mayor Hodnett stated okay we will take it up at the July meeting. Any other comments? Alright, well, do I hear a motion to move forward and approve the 2023 operating budget?

A motion was made to formally adopt the 2022-23 budget as presented and tentatively approved after a public hearing at the Council meeting on June 7, 2022, including the tax rate increases it contains.

Motion: Mr. Perdieu

Second: Mr. Johnson

Passage: Unanimous

Mr. Poindexter stated we need a 4<sup>th</sup> vote on that. Mayor Hodnett stated he supports it, yes. Why do we need a 4<sup>th</sup> vote? Mr. Poindexter stated because four constitute the majority of council membership. Attorney Eller stated there is no one on the phone. Mr. Poindexter stated we have 3 and the mayor. Attorney Eller stated that is a quorum; you've got 3 of the 4 votes that are here. Mr. Poindexter stated I just wanted to be sure. Attorney Eller stated majority is present, with a quorum present.

### **July 5<sup>th</sup> Council Meeting Date**

Mayor stated alright, we've got that taken care of. Let's go ahead and cover the July meeting. Gary, you said you had some stuff with that? Mr. Poindexter stated the calendar configuration this year makes the July monthly business meeting fall on the 5<sup>th</sup>. Of course, as we mentioned last time, for some people that is a vacation week. It may be a good idea to look at having it the following week, either on Monday the 11<sup>th</sup> or Thursday the 14<sup>th</sup> to allow for people who have family or vacation or other plans. I'm just one person; I don't have any plans; it's fine with me to have it either week. The only thing that I would say, I would like us to try not to have meetings on Wednesday, except in emergency situations, because I don't think that's fair to the people who attend church on Wednesday, and or if you have other things related to that – family functions and school functions perhaps at times. I would discourage that if we can help it. Beyond that, Finance Committee, I know Shirley isn't here this evening, but in my opinion

we need to have another finance committee meeting sometime in July. There are two reasons for that. As alluded to last time, I've reviewed the business licenses that had been turned in up until, I think, early June and I need to talk with our mayor and treasurer and see if any more have come in. I identified a few that as of that time had not filed. We need to review those for compliance and any other questions that may arise. Also, once we're well into July, we should start to see some type of end-of-fiscal year data come available for the outgoing fiscal year. We need to discuss that in order to come up with a recommendation on how much money to transfer, how much carryover funds to transfer to reserve versus how much to leave in the operating fund for the new FY per the budget we just approved. Those would be the two main things that I think finance needs to look at sometime in July. That's all I have for meetings. Mayor Hodnett asked, do you have a suggestion for a day other than Monday and Thursday, either of those days would work? Mr. Perdieu stated why don't we do the 12<sup>th</sup>, the second Tuesday after? Mr. Poindexter stated, well the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays, John has Altavista council; that's the only issue. Other than that, I don't have problems with it. Just in case, which is nice, we need to have everybody here if we can. Attorney Eller stated any other day is fine with me, even Wednesday. Mr. Perdieu stated I don't mind doing it on the 5<sup>th</sup> or any other day, so it doesn't matter to me. The ones that are absent are probably the ones that may have a problem. Mr. Poindexter stated we have 3 that are not here to speak tonight, so we don't know. Mayor Hodnett stated well we have four people here, so we ought to go ahead and make a decision. Mr. Perdieu stated I am fine with sticking with the 5<sup>th</sup>. Mr. Poindexter asked stay with the 5<sup>th</sup>? Mr. Johnson stated I am good with that. Mayor Hodnett stated the 5<sup>th</sup> is the Tuesday after the 4<sup>th</sup> so that is good. Our July meeting will be July 5<sup>th</sup>.

### **Mowing Contract**

Mayor Hodnett stated how about we take up the mowing contract, any recommendation or further discussion on that? Mr. Perdieu stated I don't have any further discussion on that; I just have my recommendation. Mayor Hodnett responded, alright do you want to put it in a motion form?

A motion was made that in response to the request we had to increase the mowing contract for the town properties. I make a motion that we increase compensation for the mowing to \$475 per event and additionally add a \$100 gas adjustment that will remain in effect until gas prices have dropped below a \$3/gallon on average.

Motion: Mr. Perdieu

Second: Mr. Johnson

Passage: Unanimous

Attorney Eller asked above \$3? Mr. Perdieu stated trying to get some money back if we can. Attorney Eller stated someday, maybe. Mayor Hodnett stated we know; it'll be a year out for sure. Mr. Poindexter stated, it doesn't look to be on the horizon.

### **Report from Mayor**

Mayor Hodnett stated, we talked about the resolution so we will have that worked up for the next meeting. The only other things that I have are just a couple little cleanups. We had a situation where a person in town wrote a check for their water bill, and we went to the bank with it and the bank noticed on it that the check wasn't filled out correctly. It was something, 75 cents, but then in the descriptive line it had 00 over 100. The bank kicked that back and wouldn't take it. The bill was paid the last day of

the no-penalty period, but now since we lose the deposit on that, we have to go back and take that payment out of the system until we get a new check that the bank will take, that's going to move them to delinquent status. The question is, in a situation like this, where a person makes a mistake, do we want to give them the grace of saying if they write a check, you know, 10 days later that we're going to still say that it was paid on time? Since the original check was written on time or are we going to say you wrote a check wrong. It's on you; the bank kicked it out, we charge them a penalty, because they're past the past due date. Mr. Perdieu asked, do we have a return check fee policy? Mayor Hodnett responded I think it's buried in the paperwork somewhere, but it's really not a return check. Mr. Perdieu stated I'm just curious. Mr. Poindexter stated there is a fee for that and it's on the master list of rates and fees. I want to say there is a \$50 penalty, but don't quote me on that; I'm not sure. Mr. Perdieu stated I just want to set a precedent. Mr. Johnson stated if it happens again, no. Mr. Perdieu stated well, I don't want to set a precedent if it's someone who might not have the money and they just mess the check up on purpose. Mayor Hodnett stated, so we will count it as a no-penalty. Mr. Johnson stated that's what I would say. Mr. Perdieu stated I would like to give them grace. Mr. Poindexter stated I think so in this case, because it looks to me just to be an honest mistake, a human error that anyone could make. The original was paid on time, so that demonstrates an intent to pay it on time. It's just something that happened. Attorney Eller stated good faith effort. Mr. Poindexter stated good faith effort, well put. Mr. Johnson stated I agree with that. Mayor Hodnett stated so we're good with that, not a problem. The second one, we had a person that was seen getting water out of a fire hydrant, putting it in a tank on the back of their truck and it's been two weeks; they've made no effort to come down here and let us know. They didn't ask ahead of time if they could get that water, and they did it and they haven't paid for it. Mr. Perdieu asked what are our legal options? Mayor Hodnett stated, have a warrant sworn out against them for theft of public utilities. Mr. Perdieu stated we pump water out the fire hydrants all the time, but you got to buy a meter from a water source and keep up with the meter. Mayor Hodnett stated yeah, any other comments? Attorney Eller stated yep, they are just stealing the water. Mr. Poindexter stated just call it what it is. Mr. Perdieu asked what do you think, is that theft to you? Chief Lovelace responded yea that is theft, it's no different than setting a bylaw. Mr. Johnson stated we have to pay for our water. Mr. Perdieu stated yeah, the town is paying for it; the town pays for their water. If they had come down and asked somebody, we probably would have said OK, or made them pay the base rate. Mr. Poindexter stated we sell it at the volumetric rate; you can buy all you want. Mr. Perdieu stated, and it's not expensive. Mr. Poindexter stated, but if you want to buy water, you need to come down here and tell somebody what you want to do. Mr. Perdieu stated Altavista sells it all the time; they have a station set up for it. Mayor Hodnett stated, and one of the things is somebody saw them filling up a tank, you don't know if another tank was filled up and another one later, so you don't know how much water. Just know it's one single one at this time. Mr. Perdieu stated most tanks take 300 gallons, like the one I have is a 300-gallon one. Attorney Eller stated, well we know who the person is, so you can look at their truck and see what tank is on it, whoever saw it. Attorney Eller stated we do need a motion to renew the fees and charges on the master list for 22-23.

A motion was made that we update or revise the master list of rates and fees to reflect the changes incurred by the recently approved FY 2022-23 budget and to reenact that list for the new fiscal year.

Motion: Mr. Poindexter

Second: Mr. Perdieu

Passage : Unanimous

Mayor Hodnett states that's all I have. Mr. Perdieu stated, thank you for all your work, Mr. Gary, on the budget. Mr. Poindexter stated thank you everyone; it was not a one-person effort. Our mayor, treasurer, finance committee, it's a team effort, so thank all of you. Mayor Hodnett stated in closing, one of the things that I want to throw out there is that last year, when we did committee assignments, I told everybody that I firmly believe in, if you're going to volunteer, you should work on different committees. Get an experience for everything that's going on, so you know, I feel that way toward Vice Mayor as well. It shouldn't constantly be the same person. Other people should experience that position and see what it's about, because when we move forward, the more people that we have on Council that have sat on different committees and had different titles, like Vice Mayor or SRIFFA or whatever, the better the town's going to be. When we go forward in January and we have committee assignments, don't be insulted if you're not on a committee that you think you ought to be on or you're not on a committee that you've been on for the last 10 years or something like that. You know, we're going to move things around, and it'll be a learning experience for everybody. Mr. Poindexter stated it's actually a good idea. Mr. Perdieu stated it's good to get varied experience; we're not all going to be here. Mayor Hodnett responded we are not all going to be here, I can promise you that. Mr. Perdieu stated you are going to stick around a long time, you've got to. Mayor Hodnett stated, I appreciate all you do.

Meeting adjourned at 7:04 PM.

*Kelsie Sligh*

Kelsie Sligh, Clerk

*Gary Hodnett*

Gary Hodnett, Mayor