

Town of Hurt, Virginia  
Council Meeting Minutes  
March 1, 2022

Hurt Town Council held its monthly business meeting on Tuesday, March 1st, 2022, at Town Hall. The meeting opened at 6:00 PM by Mayor Gary Hodnett with a quorum present.

## Roll Call

Members present: Mr. Collin Adams, Mr. Gary Poindexter, Mr. Donney Johnson, Mrs. Shirley Barksdale-Hill, Mrs. Kathy Keesee, and Mr. Luke Perdieu

## Closed Session

A motion was made to enter closed session to discuss personnel, prospective business, and real estate, as authorized by VA FOIA § 2.2-3711 A (7)

Motion: Mr. Poindexter                      Second: Mrs. Barksdale-Hill                      Passage: Unanimous

Council entered closed session at 6:00 PM and exited closed session at approximately 6:50 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: Mrs. Barksdale-Hill                      Second: Mr. Adams                      Passage: Unanimous

## Invocation and Pledge of Allegiance

Invocation: Mrs. Keesee

Pledge of Allegiance was led by Mayor.

## Closed Session Outcomes

Mayor Hodnett asked do we have anything coming out of closed session that we need to have a motion to vote on, about moving forward with the contractors.

A motion was made to move forward in seeking contractors to renovate our building and giving Mayor Gary Hodnett the authority to negotiate on behalf of the town.

Motion: Mrs. Barksdale-Hill                      Second: Mr. Poindexter                      Passage: Unanimous

## Trash Pickup

Mayor Hodnett stated we've got a trash pickup scheduled for March 19th, starting about 8:00 AM. We really and truly hope everyone can attend because it's going to look good if we've got all our staff and council there. Mayor Hodnett stated that Regina Adams is heading this up along with Bob Majure. Now I think, Collin correct me if I'm wrong, Regina already has the track team. Mr. Adams stated I'm not sure if she's got them or not, but I know she was going to contact them. Mayor Hodnett stated she told me the other day that she had contacted them. Mayor Hodnett stated that Tim Dudley is going to be talking to First Southern Baptist Church. We're looking for a good crowd. Mayor Hodnett stated I think Regina told me today she had eight people that had already signed up for it. Mrs. Keesee asked if we wanted to park at the church again. Mayor Hodnett responded that's what we'd like to do if it's okay with you guys. Mrs. Keesee stated I will make sure that is okay.

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**FOIA Training**

Mayor Hodnett stated just a little house cleaning for those of you who have not finished your online education that Mike sent out to everybody. We need to get that moved forward and caught up as quick as we can.

**Storage Container**

Mayor Hodnett stated we've talked about a storage container for the inventory that we're going to be needing. A motion was made to get the storage container that we are going to need for inventory.

Motion: Mr. Perdieu

Second: Mr. Poindexter

Passage: Unanimous

**Municode**

Mayor Hodnett stated a little unfinished business we had. We talked two meetings ago about the Municode and getting that done; Luke has done a little project work for us on that. Mr. Perdieu stated I looked at some of their competitors, I do think that Municode is the best at what they do. I think the formatting and the user interface online look the nicest and easiest to use and that usually goes along with the most expensive. I know Mayor Hodnett stated that they gave us an estimate of \$9,000 a couple of years ago; I am going to try and get another estimate from them. Mr. Perdieu stated some alternatives to Municode are General Code and Code 360. LexisNexis has a product that is like what we want to do but it is not exact. Also, I have sent this to the mayor and am reporting it to you guys, it is an estimate for another town when they estimated the cost to do this, and it looks to me that it would be around \$5,000. Attorney Eller stated we can email them the code just to give an idea. Mr. Perdieu stated one thing I like about Municode, and some of the others offer this as well, is they spell and grammar check and look over the code and rewrite it to make it look good, but they also have an attorney to go over it and make sure it complies with all the state and federal law so that we aren't in any violation. It's never a bad idea to have a second set of eyes. General Codes also offers this service, but it is unclear if it is in with the offer price. Mr. Poindexter stated I would be surprised if the price of that has gone down since I got that estimate a couple years ago and that \$9,000 does sound vaguely familiar but it's been a while. My thoughts are that even if it is a little bit more than that, we are at the point where this is something we can't afford not to do. It's one of those things that should've been done a long time ago, the longer we wait the higher it's going to get, and the more problems it's going to continue to cause.

**Other**

Mayor Hodnett stated two additional things... This week we have been having a problem with the printer, and I have been talking about this printer for several months now. This week it went out on us and every 8-10 pages we would print, it would jam, and we would have to stop and clean the system out. Mayor Hodnett stated Kelsie was kind of enough to call and get the technician out and talked with the owner of the company about getting us a quote for a new color and laser copier/printer as well as a folding machine and envelope stuffer. We are going to see if they can locate one for us. Mayor Hodnett stated the one thing that we do know, we don't want another Kyocera because yesterday the tech told us that they had more trouble with Kyocera than anything that they worked on, so we want to move away from that. Mrs. Barksdale-Hill asked if they had any recommendations? Mayor Hodnett stated a Canon or Xerox, and they had another one. Mr. Perdieu asked is that something you do on a lease, or do we buy the machine and pay them to service it? I think we bought the machine and paid them to service it. Mr. Poindexter stated that is what we did before, I don't remember if it was 2017 or 2018

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when we got this one, but as you and I have talked, I like the idea of a lease agreement better because then you have something in place there for maintenance and repairs. It is part of the program and if you don't have that, you're totally on your own if anything were to happen and it might seem like you're buying a whole new one. Mr. Perdieu stated I like the idea of getting prices both ways and comparing. Mayor Hodnett stated I know that we've got a lease agreement with them that costs us about \$400 - \$500 a year and they replace and do whatever they have to. They just put a rebuild kit in it two months ago and part of the problem that we've got is directly related to the rebuild kit they put in two months ago. It's got I think 188,000 copies on it, but even the tech admitted that for a commercial grade printer 188,000 isn't a lot and we shouldn't be having this problem and yet they're coming out here every two months because we do have a problem. If we were in the middle of a billing cycle and had this issue, we would probably be delayed three to four days for billing, so we need to decide and move forward prior to our billing. Mr. Perdieu asked did they give you a time frame? Mayor Hodnett responded that they said it depended on what we picked because inventories decent on some and not existing on others. Mr. Poindexter stated I'm wondering if we could get all the information together to make an informed decision at our April meeting, would that be enough time to get it in place? Because the next billing will be in the middle of May. Mayor Hodnett responded well it depends on whether we can get our hands on a printer or not. Mr. Perdieu asked do you recommend we move on this sooner rather than later? Mayor Hodnett stated I say we move on this as soon as possible. Mayor Hodnett stated we can get the prices in and if we must have a called meeting then we will have a called meeting and decide on it and move forward. We don't want to run into a building cycle with it. Mr. Poindexter stated I like the sound of that. Mayor Hodnett stated as soon as we get the quotes, I can email you guys and you can look at it.

#### **Consent Agenda**

Mayor Hodnett stated do I hear a recommendation to approve the February minutes and the budget expenditures? A motion was made to approve the February Minutes, the consent agenda, and this month's budget expenditures.

Motion: Mrs. Keese

Second: Mr. Johnson

Passage: Unanimous

#### **Public Hearing**

Mayor Hodnett stated does anyone have any comments or would like to address council. Mayor Hodnett stated to Bob Majure, just so you know we've talked about the March pick up and we're on with that. Mayor Hodnett stated we have no public comments.

#### **Building Security**

Mayor Hodnett stated that moving on to building security, I've been looking at some keyless locks and it's going to cost us somewhere around \$700-\$800. We do need that, any discussion, or any questions? Mr. Poindexter asked if this is something to go ahead and do? Mayor Hodnett replied this is something to go ahead and do immediately. Mr. Perdieu asked if it was something that you just unbolt and pop a new one back in with codes? Mayor Hodnett responded yeah, I think something close, I'm not an expert on it, but what I do know is you've got the card that you get in and nobody else gets in. Mayor Hodnett states that Kelsie will set a camera outside so that if somebody hits the buzzer wanting to come in, she can talk to them and ask what they are here for and then open the door and let them in. Mr. Poindexter stated this will be a lot better for our employees and citizens, especially with the climate we are in now.

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A motion was made to move forward with the keyless locks for our building.

Motion: Mrs. Barksdale-Hill

Second: Mrs. Keesee

Passage: Unanimous

**Report from Legal Counsel – Attorney Eller**

Attorney Eller stated well we have our two applicants for zoning action. We got one from Blackstock Properties for rezoning property at 301 Prospect Rd from residential to commercial and then if that's granted for special use permit for construction headquarters. That one you're referring to the Planning Commission and the council needs to do that, and we have tentative dates for the hearings on those. Attorney Eller states we also have the application from Safari Energy. They are asking for something like 25-29 acres that is directly above the Riverside Minute Market from residential to industrial and if that's granted for special use permit for solar farm. The council needs to refer that to the Planning Commission. We have a hearing scheduled for both of those. The Planning Commission hearing is going to be on the Blackstock rezoning on March 15th and then hearing for council will be April 5th at the regular meeting and on the solar, the Planning Commission tentatively would have a hearing on the 29th and the Town Council would have a special meeting on April 19th for that. Attorney Eller states that's what we got planned on the zoning. I do have one other thing on the board of zoning appeals, we came up with three names and I reviewed the minutes to see what we had and if we had a specific kind of a resolution that I could give to the court and we really don't, we have the names of the people. One of them would be for one year, but we didn't get the other two and their terms. Now we do have Brooke Gibson who would be the one year. I made them all start January 1st, 2022, Brooke Gibson January 1st, 2022-December 31st, 2022, Kenneth Crews is 3 years from January 1st, 2022-December 31st, 2024, and Jeffrey Blaesing would be 5 years from January 1st, 2022-December 31st, 2026. Attorney Eller states I got all that in a resolution that we can present to the court, and I would like for the council to pass this resolution and then Kelsie can sign it certified as a valid resolution that we can present to the court and will go right through. This is just to make it simple for the judge.

A motion was made to adopt the resolution appointing members to the Board of Zoning Appeals as drafted/presented by Attorney Eller.

Motion: Mr. Poindexter

Second: Mr. Perdieu

Passage: Unanimous

Attorney Eller stated that's all I have. Mr. Adams asked, do we need a motion to move the zoning request? Attorney Eller responded yeah; we'll need the council to pass both of those resolutions to move these zoning applications to the Planning Commission. Eller stated one motion at a time.

A motion was made to move the zoning request change Michael Blackstock LLC 4/2 planning and zoning on March 15th 7:00 PM and that council would have a hearing on April 5th.

Motion: Mr. Adams

Second: Mr. Johnson

Passage: Unanimous

Attorney Eller states now we need a motion on the Safari Energy rezoning request and referred to the Planning Commission hearing March 29th and Town Council would hold their hearing on April 19th.

A motion was made to refer the zoning request change for Safari Energy to the Planning Commission for consideration and that will be on March 29th and the Planning Commission will follow up on April 19th after the Council meeting.

Motion: Mr. Perdieu

Second: Mrs. Barksdale-Hill

Passage: Unanimous

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**Reports from Staff**

Administrative – Ellen Brumfield (Treasurer’s Report): Mrs. Brumfield reported that our bank account at First National balance is \$400,301.40. If we take out the Covid recovery ARPA funds being \$226,057.00 and if we take out the PD children’s Christmas PD funds being \$112.02 it leaves us in the general fund \$174,138.38. Brumfield states the LGIP bank account is \$440,471.51, the general fund there has \$177,655.80, the water account is \$297,817.65, and the PD has \$4,998.06. I think every council member has page 10 of the revised handbook in front of them. If you look in the section that states driving the Town of Hurt’s motor vehicles, the very first statement has been added and that is if involved in an accident while driving or occupying a Town of Hurt vehicle, the employee must report the accident immediately to his or her supervisor. We revised the handbook earlier this year and there were things in the handbook that pertain to injury, but this is something I did with the renewal with VRSA as it was among the questions asked, and one of them was do you have a formal policy in place for employees regarding an accident and reporting it and we didn’t have anything for the motor vehicle. Gary and I discussed that and decided that the handbook was a formal documentation. All the new hires, employees, and existing staff signed today and acknowledged and replaced their page 10 today. Mrs. Brumfield stated what we must do today is have Town Council approve it.

A motion was made to approve page 10 in the Employee Handbook.

Motion: Mr. Perdieu

Second: Mr. Adams

Passage: Unanimous

Brumfield stated the last thing I have is that Gary Poindexter, Gary Hodnett, and myself are going to start working soon on the budget.

Administrative - Kelsie Sligh (Clerk Report)- Sligh stated on the 15th I reported the tax collections being 73% for real estate and personal property, it's now up to 75.46, it's going up slowly but we're getting there. Water collections right now are at 51% with a couple weeks to go. Sligh stated she has been working on the website and updating a few little things that needed updating for example, taking Rainy Clay off and adding Luke, putting the new state of the town, just a few little things there. Lastly Sligh stated the last thing I had; we are starting to plan the Memorial event, we are going to do that again this year, but we just need to decide if we want to do it the weekend of memorial weekend or if we want to do it the weekend before so either the 21st or the 28th. I didn't know if the council had plans for the three-day weekend or if they just wanted to do it the weekend before. I need some ideas for that as well. Sligh asked does anybody have any preferences? Mr. Perdieu asked May, correct? Sligh responded yeah and we are trying to do things different this year like getting a bounce house for the kids and cotton candy or snow cone machine. A problem we are running into is that a lot of places are already booking up on the weekend of Memorial Weekend, so that’s why I figured maybe doing it the weekend before wouldn’t be a bad idea. Mrs. Keesee stated I think that is a great idea. Mr. Poindexter stated one thing we must keep in mind to is that all 4 Pittsylvania County high schools graduate on Memorial weekend, that won’t have a huge impact here in Hurt, but it could have some. Mr. Poindexter states but a lot of families have plans on Memorial weekend so it’s a good idea to look at doing the weekend before or after. Sligh states she is also working to find a different band, and a lot have come back stating

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they are booked on Memorial weekend so doing it the weekend before would be better and hopefully suitable for everyone else. Mrs. Keesee stated she liked that idea, along with the rest of the council. All council members agreed to hosting the Memorial Day event on May 21st. Mrs. Keesee stated she has a few concerns about the picnic tables, they either need to be replaced or refinished because they are like splinter city. Sligh states yes, I agree, we discussed that today. Mr. Poindexter stated we can look to see where we can find some money before this FY runs out. Sligh stated they are needed though, and Mrs. Keesee stated she agreed.

Michael Blackstock

Mr. Blackstock stated I just want to make a few points to council. Last week I'm sorry that I wasn't here, my son was having some major problems and still is, so I stayed home, and I think that's where my obligations should have been. Last week after reading the minutes, I've been coming down here since November 15. Blackstock stated 1971 was first brought up last Tuesday night from the time that the zoning first come into effect. We have always talked about 1967, is that correct Blackstock asked? Mr. Poindexter stated that was the year incorporation and no one realized that much lag time before the zoning kicked in. Mr. Blackstock stated he found out that in 1971, after talking with Mrs. Key, right Gary? Attorney Eller stated he found the original zoning ordinance, December 15th, 1971, that is how we got that date. Mr. Blackstock stated doing some research I did find out that in 1971, 301 Prospect Rd was a service station. The Hunt brothers bought it in 1967 from Russell Martin. In 1969-1970 G.W. Jacobs from Revis, is still living and ran it as a service station. He still has the documentation where he bought and sold some merchandise. Sometime in 1970 he went out of business and then Roy Roberts opened it up and he's now deceased. Mr. Blackstock stated it's hard to go back and get the day, month, and year that it was closed or that it was opened. Mr. Blackstock stated I have another question, y'all talked about the board or zoning appeals, that's a 3-member board, what is the proper procedure for if you have a vote on board of zoning appeals for Town Council, what is the proper procedure? Attorney Eller responded are you asking what the board of zoning appeals does? Mr. Blackstock stated yes. Attorney Eller stated they decide appeals from the decisions of the zoning administrator, and they decide requests for variances from the zoning orders. Attorney Eller stated they do not decide appeals from decisions of the Town Council. The Circuit Court decides those.

Mr. Blackstock stated I went and talked to Council and an attorney these past couple weeks, well like last Tuesday night the board of zoning come back with the decision and within I guess 15 minutes the Council decided and voted too on that same decision. Mr. Blackstock states you must have time I think, from when the board of zoning makes a decision before whoever is applying for the zoning, has a right to appeal that zoning decision, so if you're coming right out of the zoning and Collin is on the board of zoning so he's coming right out of the board of zoning and then coming right back in here to the council to vote on it, what's the use of even needing the board of appeals. Attorney Eller stated the Planning Commissions task is to look at the zoning matters and make a recommendation to the Council, it's not binding, it's not a final decision, it's not something to appeal, it's just a recommendation. The Council takes that into consideration, and the Council is the one who makes the decision. Attorney Eller stated it doesn't have to be any time between when the Planning Commission makes a recommendation and when the Council acts. Sometimes you have joined meetings like that one was and sometimes you have separate meetings. The Planning Commission would have a hearing and issue their recommendation and the Council meets later as their hearing; this is what we are doing in this case now. Then the Council is free to do what the Planning Commission recommended or not, they don't have to. Mr. Blackstock stated but shouldn't you wait on that vote before in case it happens again, to give you time to have a board of zoning appeals meeting? Attorney Eller stated the board of zoning appeals is a different body from the Planning Commission. Attorney Eller stated the board of zoning appeals hears appeals from the

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seating by the zoning administrator or variances. The Planning Commission hears zoning matters and gives their recommendation. They don't do anything that's binding, they just give their opinion, and the Council can accept it or not. If you look and see the reports of Campbell County and Pittsylvania County and sometimes, you'll see the Board of Supervisors accepting what the Planning Commission recommended and sometimes they don't, they don't have to. Mr. Blackstock asked so at what time would you use the board of zoning appeals? Attorney Eller stated when requesting a variance, and that is if there is a zoning law that affects you and you prove that and there's something unique about your property. Attorney Eller stated typically the topography of it, like if you have a distance from the property line and say that you have to keep your house with a certain distance from the property line and the backyard has to be 25 feet but your house is sitting on a cliff and you can't get it 25 feet through the property line or the property lines at the bottom of the cliff. That gives you topographical reason to varyiate from the zoning ordinance, it is some things that you can't help. Attorney Eller states the board of zoning appeals can grant a variance and say ok in this case because of these ordinary circumstances that apply to your property and just yours and we will not apply strictly the zoning ordinance regulation that's what the variances says. The other thing the board of zoning appeals will do is if somebody applied for a zoning permit and the zoning administrator denied it for whatever the reason, say there is something wrong, and you don't like that, then you can appeal it to the board of zoning appeals and then they could overturn the zoning administrator and grant the zoning permit. If they backup the zoning administrator, then you can take that to the Circuit Court. Mayor Hodnett added, and the zoning administrator is Joe. Mr. Blackstock stated the other thing that I had was the Supreme Court case that we use down here for my situation, I was under the impression when I was coming down here talking with John and Council with whatever it was and that date before it was 1967 and it changed to 1971, whatever it was at that date it had to be the same type of business. What I learned and I don't know if John agrees with this, but the business that were there before me was not unlawful in my view or Gordons's view, but they either had to be more restrictive or less restrictive than the business that was there in 1971. Attorney Eller stated yeah, I think that is in the ordinance but that's a question of fact. Attorney Eller states the burden is on you to prove that whatever was in there in 1971 is restrictive than what you are going to do, nobody knows what you are going to do. Attorney Eller asked how many trucks are you going to have down there and how many piles of material are you going to have down there? Mr. Blackstock responded I figured talking with people in 1971 to have a service station, and even Mike Jones, we spoke in the parking lot with the environmental issue to, but it would have been to run a successful business for a service station or grocery store you would have had at least 50-100 more customers in one day's time I would have thought. Mr. Blackstock states he thinks he would have been more restrictive in what I'm doing but anyway we have moved on and I've asked for R1 to be C1. Blackstock states thank you.

#### Public Works

Joseph Smith states the first thing we had the alarm system installed at the pump station and the water tower. It will let us know when the power is out or when anything is wrong, it will call me, and it will call Collin. Mayor Hodnett stated and just to clarify, for years I think you guys thought that it was working and in effect, but it wasn't. Mr. Poindexter stated we were told it was, but now it is in place working, and fully operating? Joseph responded yes sir. Mr. Smith states we had an inspection with Virginia Department of Health, they gave the Town a new list of bacti testing sites, 6 total. They want to do 2 per month. Also, they want the Town of Hurt to put in 12 sample stations at a rate of four per year, to better monitor water samples in the Town. Joe states this is going to cost some money. Tom Fore adds that this was requested in 2017 by the Health Department and the Town is just now getting around to it. Tom states also had an inspection on all your cross connection and backflow prevention program and Joe is

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doing inspections for those places that do have currently crossing the control device, making sure that backflow reports are sending to Joe annually. Joe states I have three that I must get, one is at Family Dollar, one is a church but must figure out which church and one is a school and must figure out which school. Joe states he has stated the inventory list, which is just a partial list. Joe states he estimated this list to about \$20,000-\$22,000. Joe states therefore I gave you all a list to see what is needed. Mr. Poindexter asked how much more you anticipate this list to grow, no issue with it just need to understand. Joe states I need a lot more stuff. Mr. Perdieu asked is this stuff you already have or need? Joe responded I have nothing; these are all things I need. Mr. Poindexter stated these are things you need to keep on hand for all those what ifs. Mr. Adams stated can you explain to Luke what we are trying to do for this? Joe responded I am trying to build up a water inventory for repairs to services lines that reconnect to the meter and valves, and compression joints that go onto the lines, trying to get the main parts, and different clamps that go onto the lines, different size lines like 6, 4, 2in, that way if we have a blowout and need a contractor we aren't standing around trying to find parts, we already have them on hand. Mrs. Keesee asked this inventory right here on this list that you are talking about being \$7398, the \$22,000 that you are talking about, is this included in that? Joe responded yes. Joe states it is going to hit hard trying to build up the list at first but once you have the inventory in place you just replace what you need here and there, but right now we have nothing. Mr. Perdieu asked if this is something we can use the ARPA money for? Mayor Hodnett responded no. Mr. Poindexter stated this is the kind of thing that should have been done along the way. Mr. Poindexter asked if Joe had appropriate storage that you can keep all of that in, that you can keep your hand on it? Mayor Hodnett responded no, that is why we need the storage container. Mayor Hodnett stated the building out back isn't large enough to do this, we must have the container to put the racks in and put the parts on. Mr. Poindexter stated therefore I was asking because that building already has stuff in it. Mr. Johnson stated I can look for a container. Tom Fore stated I also want to point out you know the basic list that Joe has is for taking care of service lines, now Altavista is always here to help but we aren't always going to have certain parts, and if he placed that order today it might be 6 months before we see it. it is just that bad, he said I ordered generators last year in April and they are just now shipping out, it has been 11 months since we ordered them. Tom states I don't think Joe's asking for anything out of the ordinary and to take the \$20,000 number I think he's trying to ease it in and get all his parts. Mr. Perdieu asked shouldn't we go ahead and order everything we need and get it on order that way we have it. Mayor Hodnett responded we are going to ask you guys to allocate the money into this project, we don't have a price point on it now, \$20,000 can be a little bit low and it may be as much as \$30,000 but we need to move on these parts ASAP because we may be able to get some of them and not others. Mr. Poindexter stated I was looking over the enterprise fund, you mentioned earlier on Joe that it could be \$22,000-\$24,000, the big line item that we have is a water line repair/maintenance, we have a \$50,000 budget for that, and we have only used \$13,000, so we still have \$36,800 available in that line item. Do we anticipate any big breaks? Mayor Hodnett stated the budget doesn't matter we have to deal with it. Mr. Poindexter stated I don't see where there is a lot of choice but to act on this and get Joe in a position where he can do what he needs to do, where and how he needs to do it. Mayor Hodnett stated we have been in a situation where the guys came in from Lynchburg and didn't have the parts, and they had to turn around and drive back to Lynchburg to try and find the parts, they are charging you \$80 an hour for the trip. Joe states him and Tom found flash drives from an inspection on fire flow test and valve exercise back in 2019, we have a few fire hydrants that must be repaired or possibly replaced, but I'm not sure yet. We have valves that are missing, we have located a couple but still some missing, we have valves that are not functioning, so if there is a break you can't shut off that part in the system, they would have to. Joe states this is something we need to get on because from 2019- now that is considered neglect. Mayor



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Hodnett stated welcome to the Town of Hurts highly maintained water system. Mr. Adams asked due to some of this stuff and not being able to get it, why don't we get a full list and just order it all, why would we wait if it is six-eight months out and ok it now and then must do it again? Mayor Hodnett responded they are working on the list right now; this is just the start. Tom stated we have bigger parts that you need in Altavista, and all he must do is call and we're going to get it and then we'll replace and replenish our stuff, I mean we are neighbors, and we will take care of that. Tom stated what he's asking for right now is parts that I can't spare.

Joe states that he has two residents that are asking for water billing forgiveness because of a water leak. I have tried to work with formula several ways and even had Mayor Hodnett look at it, and it doesn't work, so we must come up with a way to make it work. It's not like the others where it is super high, like \$1800 or \$1000, these are smaller water bills, but when you try to plug in the numbers into the formula it just doesn't work. Joe states I have sheets here that I am going to pass out with their usage, what they were billed, and what the actual cost will be. We are going to have to come up with a way to give some relief to their water bill if council approves it. Mayor Hodnett states these are both 3 quarters that they had a leak, and we told them about the leak. Joe states they both jumped right on the repairs, it isn't like they waited, except for the one, the lady is very elderly, she did the best she could do, and they have finally got around to fix it. Joe states she has dementia as well. Mr. Poindexter asked so this line of the actual cost is what it should have been? Mayor Hodnett responded no that is what the water cost us from Altavista.

Tom stated something for Joe and to give Council a little direction if they were to appropriate funding to take care of that part list right, if the Town buys the parts for the 4 sampling stations, then installation is going to have to take place. Tom stated I think that's the number he's talking about up to \$25,000, purchasing those parts, installing the sample stations, and beginning the process of working on the valves. Mr. Poindexter asked do you feel that \$25,000 is sufficient, do we need to move it to \$27,000? Tom Fore replied I think he needs to bring it back to Council if he must go over \$25,000, I think \$25,000 is a good start. Mr. Perdieu asked if we should recommend the \$25,000 and then if it goes over that bring it back to council. Tom Fore replied yes. Mr. Blackstock asked could you have another business for your sampling stations? Joseph replied, no. Mayor Hodnett stated so we need two things, appropriating money and the two relief on these 2 water bills, I think we are just going to have to do a percentage. Mrs. Barksdale-Hill asked if we get a percentage, the Town? Mayor Hodnett responded yes this is what these numbers are, the billed amount and what it cost us from Altavista. Mr. Perdieu asked if the formula we have now that was approved by council is there a percentage in there that gives you a relief? Mayor Hodnett stated no, it is based on having 1 of the 2 bills much lower than the other, but when you have them all running about the same it's hard to have anything to calculate it down. Mrs. Barksdale-Hill stated so these are based on leaks, do we have anything to go back through them to when they didn't have a leak? Mayor Hodnett stated we went back 9 months. Mrs. Barksdale-Hill stated we don't normally go back that far, correct? Mayor Hodnett stated no, but we did in this case because we couldn't get the calculation, these are 9 months. Mr. Perdieu stated if we cut 50% off it would still cover our cost of water plus a little bit extra for the billing and paperwork.

A motion was made for the two incidents to reduce their bill 50% on a one-time basis based off their leak.

Motion: Mr. Perdieu                      Second: Mr. Poindexter                      Passage: Unanimous  
Mr. Poindexter stated Joe we need to get started on this program and see this through.

A motion was made to appropriate \$25,000 out of our water line repair and maintenance so he can get started.

Motion: Mr. Poindexter                      Second: Mrs. Barksdale-Hill                      Passage: Unanimous

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Joe stated the last thing he had was they started the recommendations for the engineering firms to do projects for the Town of Hurt. The ones we have heard back from are Pete and Bortz's, Dewberry, SEH, M & C, and Engineering Concepts. Joe stated we picked 5 out of 9. Mr. Poindexter stated so it's best to have all 5 on retainer as needed? Mayor Hodnett stated you don't pay all 5, they are just in the stable. Mr. Fore stated the RFP that went out on the street was kind of built around VDH requirements for your funding stream and construction funding so that if we want to pick one off the shelf. Then we supplied them all their prequalification's that they sent back to us we advertised it; we gave everybody an opportunity to do work in the Town of Hurt. You got a list of qualified engineers that meet the state requirements for borrowing from VDH and they're looking forward to working with the Town. A motion was made that we accept the 5 engineers recommended by Joe out of the 9 selected to meet the orders and requirements for the Town.

Motion: Mrs. Barksdale-Hill

Second: Mr. Johnson

Passage: Unanimous

Mayor Hodnett stated just going back now did we get the money allocated for the \$25,000 to include the mandated testing sites we have. Tom stated for 4 of them. Mayor Hodnett stated but that's like 4 for this year and 4 for next year, but we're going to have to do 12 altogether, right? Tom stated yes. Mayor Hodnett stated so that \$25,000 includes those and they are \$1400 apiece. Joe states this is just for the stations, we must get saddles and stuff, but that should do it. Mr. Poindexter stated we need to look at this some more after July 1 for next budget cycle. Mr. Perdieu asked do you think you can have a more narrowed down list hydrant and valves issue by the next council meeting and maybe an idea of what it will cost? Joseph responded yes.

Police Department Report

No report. Chief Lovelace was on a call.

Public Safety/ Assistant Town Manager- Mike Jones

Mike Jones states, first I want to commend Kelsie for her hard work that had longer legs and she thought I started as you know this is the kickoff on the enforcement program for nuisance properties and nuisance issues. I started a week early and of course working closely with Kelsie and Ellen to get a list of addresses and people and we came across one piece of property that Kelsie did some detective work, so we need to raise her salary to be clerk and detective, but she came up with the name of a person that was affiliated with the property that is the subject of a Claire Parker foundation situation. She gave it to me and gave me enough information and allowed me to contact a niece that lived in Biloxi Mississippi who then turned and gave me the information to the last surviving child of the owner. I was able to reach out to her and you know the rest of it and hopefully it will continue to be a shining star, so not only will we hopefully eliminate a nuisance property but will be able to have a restoration, but Kelsie went above and beyond her duties to help me and by being a little creative, we were able to find people. Also, the current owner of the property is disabled and was so pleased to know that she might be able to help, so congratulations kelsie and thank you. I've got 7 pieces of property picked out for the first enforcement efforts. Notices will be going out and meetings will be going out in the next two weeks. The notice will go out very soon so just be prepared to hear some interesting comments as people receive those. I'm still getting a few littering complaints and have some strategies and thoughts on that which I'll pass on as I finish developing. Additional 599 funding which is the funding that we get from the state for the Police Department is up for approval in the waning days of the General Assembly. The house did not approve any additional, kept status closed, the Senate approved more. The thought is that the governor and the Senate will prevail and there will be more funding and if that happens it's designed to increase compensation of our existing police officers, entry level, and salary compression levels and additional funding for operations. Mike stated the other good news and it's going to be signed by the governor is that the Town of Hurt and any other Town can get its own license plate without

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having to get 350 paid applicants before even be designed. The only drawback is that the town would have to pay the small amount of its initial issuance fee for the development and issuance of the plate so we could get our own identity on our license plates if we want to after July 1. We need to be aware of the recent threat to our cyber infrastructure that was just reported out being the Secret Service essentially what we need to do that and there's a whole article for you to read but be careful of things you did in the in the email. If you didn't ask for it and you don't recognize it cut it out and change your passwords regularly. As you probably know Russia has an entire cyber army that is out for this, and all bets are off on that but doesn't interesting article that you see in your report. The Virginia General Assembly has some legislation, that's if it passes, it could significantly affect cities and towns. It's Senate bill 694 regarding eminent domain and essentially it makes it very hard on the town for the taking or affecting of land or road, water, sewer, and public projects and what that concern is, it creates a new rule on when a landowner can sue for loss of access. Since 1970s Supreme Court ruled that a landowner is not entitled to payment for change in access to its property if they have reasonable access. This substitute bill throws out 50 years of court decisions by allowing a suit for any change of vehicular access. What that does is it does away with the stipulation the law that only protects direct access to a road and it requires that the locality pay for loss of access or profits even if the benefits paid to the landowner are greater than the loss. Under current law with the landowners affected in the same way as all other property owners in the area, the project has no compensation. This substitute bill does away with that. Essentially what that does is if we have a festival, parade, or a temporary water project that closes the street for a few days, this will require us to pay a fee to the landowners who are affected. That bill is contested, but if it passes every time and we have a water main break, and somebody decides they want some money because they had to go left instead of right, we will have to pay. Another few bills that have passed, there's now a local government hiring preference for people with disabilities. I think that's a good thing, but that's just for push by the state. The law has been changed, as you know last year the General Assembly changed mandatory reporting for incidents in schools and were essentially taken away, that's being put back and since where the department of record and jurisdiction for Hurt Elementary and Faith Christian it just restores what went on two years ago. One thing that we ran in on the house bill 167 is the local government notice for publications and for once common sense coming out of the General Assembly and it says that in any instance in which your locality submitted a correct and timely notice to the newspaper, having general circulation in the newspaper fails to publish the notice or makes an error, the locality should meet the appropriate notice requirements as long as the notice was published in the next available edition. That removes somewhat arbitrary legal provision that could cause a lot of problems for us. There is a new bill under local government conflict of interest acts, prior to this bill, the Town of Hurt couldn't give its own employees or officers a gift ticket or registration or nation fees for an event to reward employees public service and now we can, it removes that ethics issue. Another bill that's going to affect us, VRS separates the employer contribution to the employee and the hybrid retirement plan, and Ellen, this will mainly affect you as you calculate this. What it does is it requires a single combined employer contribution rate that includes both. What this will do, it I have an effective date of July 2024. However, it directs VRS and Localities to make the preparations for full implementation of the bill beginning 2022. We are continuing to have data breaches and cyber security incidents, those of you who are on Facebook on Sunday you probably saw a denial-of-service attack. They're not ready to say they attribute that to the Russians, but it did knock Facebook down for quite a while and essentially the rest of the report is and nice saw article on cyber security awareness. I'll be down soon to start the notices on the property, the cleanup, and the inoperable vehicles. I think we'll realize more benefits from that, and I've got photographs and I'm

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finishing up my last data, but I think that will be good. Mike states if anybody has any questions, I will be happy to answer them.

Mr. Adams stated to Mike, I think the Town has a little bit of a problem that needs addressing. I don't know how we need to go about doing this I know me, and Donney talked about it the other day, but we've got a lot of people speeding in this Town and I don't know what we need to do to slow these people down. I noticed it on our police report I don't think we are writing any speeding tickets, so my question to you is how we slow these people down. Mike responded I'll be doing a study on the zoning request and working with VDOT to get traffic studies, those traffic studies serve two purposes, one for the specific property and two for traffic to determine where we need to put our resources. The speeding, we have put in for the DMV grant, once DMV allows that, that requires nothing but dedicated speed enforcement in our town. It's overtime that is paid for by the state without any requirement with the exception that traffic enforcement be done within our town limit. When I put that in place in Chatham, we had the same issue and that we had speeding, but the officers were either tied up when other cases or being shorthanded and not enough officers so that's one thing we're doing. Another thing we could do is bring in a speed trailer and in about a year or so depending on where finances are, I'd like to get a radar trailer and put it out. You will see the Opta Traffic system going in and soon at Hurt Elementary and that will start putting some tickets out. The other thing is we can look at speed issue and we have a variety of things where we're trying to get some time to dedicate it fully to speed enforcement. A balance of tickets one of the things that we're doing is we're we could lower the threshold right for tickets, which means that normally you give people three to five miles over the limit, we can reduce it to 3 miles per hour on our radar and start doing that. The intent as soon as everybody gets out of training and spring returns for safety purposes of doing a couple of road checks that include radar throughout the Town. That's what we can do. The whole idea is we want people to voluntarily comply, but as you know they don't, so as we get these figures and set up the time frames, I think we need to do some direct control specifically for speeders. Mr. Adams stated thank you, I just want a little more focus on it. Mrs. Barksdale-Hill stated Mike where are we on the school zone speed checkers? Mike responded we are at the end, since we were the first ones in the state to go for this, we are at the end of a bureaucratic journey which I would put that broke ground for the rest of the state. I don't have the exact date, but I know we finally got all the approvals for VDOT, for the Dominion Power and it should be within the next month that we go live. When we go live, we're going to have an educational program that we send out on Facebook and other venues that tell everybody hey it's here, this is what it does, you will get a ticket. Now nothing prohibits our officers from being there supporting that during the time that is working for other types of violations, but we don't know what the revenue impact will be out of the positive because it's no negative revenue impact for us. The fees for the company are paid for based on the formula established by the study so it's coming. Mike stated Jason has been handling this and but again we blaze the ground for everybody else but talking with Mike Feeling we should be going live very soon. Mrs. Barksdale-Hill stated so Altavista already has theirs in place and they are already giving some people I know tickets, and it was our idea first, so that's why I wanted to know how did they get ahead of us? Mayor Hodnett stated I was under the impression Altavista hadn't moved forward with it, that they were having some problems with it. Attorney Eller stated that they moved forward with it because he got a picture of his car. Mrs. Barksdale-Hill stated and its zero tolerance if you are one mile over the speed limit you get a ticket. Mike stated no it's a set number and they did have some technical difficulties where they took the system down for a little bit, but that's to be expected with when you have the system going into place for the first time. Mike states Chief Merricks and I worked on this and it's not a competition but we both want to be first so we just decided to say look our Towns were first and in case you forgot, what will happen is, the company gets its revenue to

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support this from the ticket and we get a certain portion of that. One of the things that we're doing is that we're adding a late fee on tickets, so if they don't pay it then we get 100% of the late fee and that late fee company takes none of that. The benefit to the person who gets the ticket, it's a civil ticket, so it doesn't go on your DMV record. The other benefit we get, is those cameras are available to our police officers to review the footage at any time it's active and we have something like a burglar or something like that in the Town, we could pull and check that footage and see if they went through that neighborhood. I'm not saying it's surveillance system, but I'm saying that we can use it appropriately to help fight crime near the school.

Reports from Membership, Boards, and Commissions

Administrative: Kathy Keesee will be redoing our slideshows for the website as soon as all the flowers, bushes, and birds start coming out, within the next month hopefully we will be getting some new stuff. Also, signage which I've talked about before, I would really like to get together and come up with littering signs, and directional signs, like where Town Hall is located and where the Police Department is located that type of thing, like some of the signs that Altavista has currently, so that's something for us to think about and how we want to go forward with that.

Community Development and Public Relations: Mr. Johnson reported on March 19th will have a cleanup, pick up some of this trash trying to get the Town presentable again going down Hurt hill and going down Tanyard to. Mayor Hodnett stated we will probably have time to move to secondary street, so just think about whichever one. Mr. Johnson stated we are going to meet at the Methodist Church at 8:00 AM on the 19th of March. Mayor Hodnett stated and if you're interested, we want a sign up from, so just have everybody call Town Hall and let us know who all is going to participate. Mayor Hodnett states the Town will be supplying the vest, pick up sticks, rubber gloves, and bags, so like we mentioned earlier we're counting on every Council member to be a part of this.

Finance: Mr. Poindexter stated the only other thing I have for the report tonight, we will be moving forward with constructing the budget for the upcoming fiscal year over the next month or two. March and April are the heating time for that. All the framework has been constructed on the excel document and that has been shared with the Treasurer so we can all access it independently or remotely wherever we are. We're going into busy season with finances and there are still things that we won't know for a while because they are pending the results in the budgeting process. It was mentioned last month that the health insurance is going up, but the work will be ongoing and that's about all I have for finance right now.

Mayor Hodnett stated one of the things and Mike you might want to hang up on this one. Mayor Hodnett stated we must decide to continue his contract, because that must be included in the budget, and it needs to be worked and started on. Mayor Hodnett stated I will go out on a limb here, he's an extremely valuable asset to the Town, he not only helps me, but he also helps John on some stuff, he's been instrumental in a lot of the projects that have gone forward, and I strongly recommend that Council continues his contract. Mr. Poindexter stated honestly, I can't imagine not doing that, with the services and the expertise that he brings to our table. We are beyond fortunate to have a person with that caliber and resume to help us with the complexity of the things that keep coming along. The cost of it has been very reasonable for what it is. Mrs. Keesee asked if the cost is going to remain the same as it was in the previous budget? Mayor Hodnett stated no it's going to be more. Mr. Perdieu stated he cares a lot about the Town. Mr. Adams stated I think we should keep him on.

A motion was made to continue with Mike Jones as our Public Safety Director.

Motion: Mrs. Keesee

Second: Mr. Johnson

Passage: Unanimous

Public Works & Planning/Zoning Commission: Mr. Adams stated the only thing I have is there is going to be Planning and Zoning meetings on March 15th and March 29th and they are opened to the public.

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Report from Mayor Hodnett

Mayor Hodnett stated the Memorial Day event staff will take the lead on organizing that and Kelsie, I think that would be something good for you to do. I know that she would like to have some volunteers so Council calls her and let her know that you're willing to volunteer, and you'll be here and whatever she needs you'll be willing to help with. Also, tomorrow morning Tim Dudley, Donney Johnson, and I are going to Mount Airy and Renan to extend the feed the children. We're taking supplies down there and will be giving out bags to those kids tomorrow morning so that's an extension of the program that we had here in Hurt. Tim Dudley states we are going to be doing that for the rest of the school year. Mayor Hodnett stated but we are just starting tomorrow morning. Mayor Hodnett stated we will be doing it weekly. Also, just to confirm with Council, we will be moving forward with Webster Day with Spillman and if we close on this loan that we're working on right now, if we close in six months, we get two tenths of a percent off the loan. Instead of being at 2.2 will be at 2, and something this big every penny makes a difference so we will be working to close in less than 6 months hopefully 4. Tim Dudley states also to add going back to the Mount Airy and helping the kids, this is with the backpack program. They do have a church there that is helping and they're doing it every week and what we're doing is alleviating just giving them a little help. That church has been doing this for a long time, and we did go in and ask them. Tim states I also checked over here at Hurt Elementary with Mrs. Lowery and we are going to be feeding the children there on their spring break week. Us 3 will be taking some bags there to give them some additional food to get through that week as they are off. Tim states I also want to say thank you Town Council for everything that you guys do, you've made some good decisions tonight, I just appreciate everything that you guys do, the things you have done, and the support that I got. Mayor Hodnett stated to Tim, we appreciate everything that you do, and another thing just remind First Southern about the trash pickup, we had a huge crowd from down their last time. Tim states one final thing, Gary had sent me an email on the assessment, and I think it is a concern of every bodies. Mr. Poindexter stated I was going to ask for an update on that. Tim responded if I could give you an update I would. Majority of the work that we have done as a board, we have done it in closed session, and of course you all know what closed session means, but we are getting some final report back from the state tomorrow and I will let you know what the state has said. Tim states they did 50 samples field test of some high complaint, and it was just completely out of the way. Anyway, I'll give you a final number of what they have come up with and what they are going to recommend us to do. That is where we are at right now. I am supposed to hear it tomorrow and I will let you know. Therefore, I couldn't get back with you because of the information being shared in closed. Mayor Hodnett stated like I mentioned early, everyone got the new State of The Town and it is on the website, and I recommend that you read it and see what we're doing. All of you have been a part of it and you are mentioned in it. Mayor Hodnett stated thank you for everything that you do, couldn't do it without you. Tim stated we have a board member on the board of supervisors and some of you may have heard it and some may not, his name is Tim Chesher, and he is brand new on the board. Tim has been very sick the last couple of months, just in and out of the hospital. He was UVA and now he is at Duke, and he has been there close to two weeks, and they have not figured it out yet, so if you will guys take it back to your church and put him on your prayer list. Tim is a good guy, and he needs prayers. Mayor Hodnett stated thank you everyone for coming.

Meeting adjourned at 8:17pm

Kelsie Sligh, Clerk

Gary Hodnett, Mayor