

March 14, 2023 Council Meeting Minutes

This meeting was available on Zoom.

Mayor McPhaul asked everyone to rise for the Pledge of Allegiance.

Councilman T. Jones led the prayer.

Mayor McPhaul called the meeting to order at 6:34 p.m. with four members of Council present. Councilman K. Jones was absent. Town Attorney Richard Matthews was also present.

Adopt Agenda:

Mayor McPhaul made note that there needed to be a change to the agenda by adding Eric Fly as a Presenter and under 17 add item G. Wayne Cook Electric Estimate. On a motion by Council President Cox, seconded by Councilman Bernstorff and carried the proposed agenda was approved as amended.

Presenters:

Eric Fly – current Courthouse district member of the Board of Supervisors, but with redistricting he is now within the Blackwater district. Mr. Fly is currently undecided as to whether he is going to run for the Blackwater Board seat as Susan Seward is the current Blackwater Board member and she hasn't advised on her plans as of yet. The Blackwater district encompasses an area of the Town of Waverly. He stated that he has been on the Board for 20 years and of those 19 years he has been the Finance Chair. In the last 20 years taxes have not been increased, in fact the Board has decreased taxes twice. In the last 20 years the County has been awarded \$22 million in grants. Sussex County has also applied for three more access points on the Nottaway River through Wildlife Resources. Mr. Fly advised that if Sussex Service Authority did end up going bankrupt the County Board would step in and keep things running for the customers affected. Mr. Fly does not feel confident that there are enough votes to reinstate Waverly Rescue Squad as the primary provider to answer emergency service calls on this side of Sussex County. He stated that other agencies have started acquiring licenses and hiring their own staff to answer calls for service and he hopes that Sussex does not have to go this route.

Citizen's Wishing to Appear:

- A. **Glenn Miller** – inquired as to how much has the park bathroom costs to this point and was a septic tank considered. Mayor McPhaul advised next month we will have a running total of expenses to the park bathroom. Also Mr. Miller inquired as to if there is a business being operated at 138 Bank St. Mayor McPhaul did advise that Mr. Copeland has sent letters to determine the status of what is going on at that location.
- B. **Yvonne Williams** – is concerned that Mayor McPhaul is not rightfully being compensated for all that she is and has done for this Town since becoming Mayor. She asked Council to consider a raise for Mayor McPhaul in the next budget year.
- C. **Robert Richardson** – came before Council to encourage citizens to attend the SSA Board Meetings, on the third Monday of each month at 7:00 pm, so you can be made aware of what is taking place.
- D. **Alfred Futrell** – advised that in his campaign this year he is going to ask citizens if they approve of the current state of Waverly Rescue Squad and Lifestar. He also advised that Sussex Service Authority needs to be more transparent with their finances.

Clerk's Report:

- A. **Reading/Approval of February 16, 2023 Council Meeting Minutes** – On a motion by Councilman Bernstorff, seconded by Council President Cox and carried the reading of the February 16, 2023 meeting minutes were dispensed with as they are a matter of public record and previously provided to Council and were approved as presented.

Treasurer's Report:

- A. **Treasurer's Report** – Mrs. Morman gave a brief update on the status of the general operating fund as of March 1, 2023. Mrs. Morman also noted she is beginning to work on the operating budget for Fiscal Year 2024. The audit will be wrapping up in the coming weeks. On a motion by Councilman Bernstorff, seconded by Councilman T. Jones and carried the Treasurer's Report was accepted as presented.
- B. **Bills Paid and Presented for Payment** – On a motion by Councilman Bernstorff, seconded by Councilman T. Jones and carried the Bills Paid and Presented for Payment were approved as presented.

Sussex Service Authority Report:

No Report

Planning Commission Report:

Ms. Yvonne Williams made note at their last meeting they were reviewing the revised amendment for manufactured homes, since the current ordinance does not address the current state laws. There needs to be a public hearing scheduled for the April meeting date.

Zoning Administrator:

Mayor McPhaul advised the American Legion building on Bank St. is being taken down as well as the trailer on Railroad Ave. where the triple shooting took place.

Mayor's Report:

Mayor McPhaul stated that she and Council President Cox are meeting with the Interim Public Safety Coordinator on Thursday to discuss an emergency action plan in the event that a train derailment happens in Waverly. Mayor McPhaul advised the shade sails over the playground will be put back up in early April. She also noted the 5K will be held on April 29, 2023 with proceeds to benefit the James House.

Departmental Reports:

- A. **Police** – Sheriff Giles went over the February stats. He also commended the Mayor on trying to get an emergency action plan together.
- B. **Public Works** – Mayor McPhaul stated that Public Works has done a great job overhauling the cemetery. The project at the park is moving along.

Standing Committee Reports:

- A. **Health & Safety** – Councilman T. Jones stated he had no report, but is still working on CPR classes.
- B. **Finance** – Councilman Bernstorff stated he had no report.

- C. **Memorial/Beautification** – Councilwoman Norris made note of the amount of litter at the park is unacceptable with the amount of trash receptacles available.
- D. **Public Property** – Council President Cox stated he was approached by a county resident about metal detecting and what would be the right way to proceed such endeavors on Town property if permissions were established. Council President Cox stated it might be a good idea to have a waiver form on file for such instances to relinquish liability from the Town if injured.
- E. **Streets** – Councilman K. Jones was absent, but Council President Cox advised Councilman K. Jones had noted VDOT has approved to extend the “No Parking” area at the Pharmacy. Councilman K. Jones is working on getting a complete list of all the street signs that need to be replaced. He has not heard anything from Norfolk Southern in regards to repairs to the Main St. crossing.

Old Business:

- A. **Carpenter Museum** – Mayor McPhaul stated the paperwork has been drawn up and will meet with the 2 board members on next Tuesday to sign over everything to the Town. Also, Mayor McPhaul noted Sussex County was awarded a \$30,000.00 grant to help with fixing things up.
- B. **Industrial Revitalization Fund Grant** – Mayor McPhaul advised the committee meeting was held earlier in the day and is moving forward.
- C. **Cemetery** – Mayor McPhaul stated that the work is about 90% complete, the trees have been trimmed and the old structure near the road has been taken down.
- D. **Update to Town Code** – Attorney Matthews stated he is awaiting a new contact representative from the merger.
- E. **Paving the Park** – Mayor McPhaul advised the prep work has been completed and the paving should take place anytime now.
- F. **Park Bathroom Sewer** – Mayor McPhaul stated the sewer line has been run.

New Business:

- A. **4-H Camp Sponsorship** – Mayor McPhaul presented a letter from the Cooperative Extension through VA Tech and asked if Council would consider sponsoring three children for summer camp at \$315.00 each. On a motion by Council President Cox, seconded by Councilman T. Jones and carried Council agreed to sponsor three 4-H summer campers for a total of \$945.00.
- B. **Accept SSA Alt. Board Member Resignation** – On a motion by Council President Cox, seconded by Councilman Bernstorff and carried the resignation of Larry Diehl as the Waverly Alternate Representative to the Sussex Service Authority Board was accepted.
- C. **Park Grill** – Mayor McPhaul presented an estimate from Agri Supply for a larger charcoal grill to be placed at the park near the bathroom. On a motion by Council President Cox, seconded by Councilman T. Jones and carried the estimate was approved.
- D. **Purchase of Police Vehicle** – On a motion by Council President Cox, seconded by Councilman T. Jones and carried it was approved to spend \$51,546.89 to purchase a police vehicle to replace a previously damaged vehicle.

- E. **USDA Grant Resolution** - On a motion by Councilman Bernstorf, seconded by Council President Cox and carried the Resolution for the USDA Grant being applied for by Jeff Sadler was adopted.

- F. **Investment of Water Sale Funds Ordinance** - Mayor McPhaul advised that since we are passing an ordinance that we must table discussion for 30 days and then set a Public Hearing for any concerns or comments from the public.

- G. **Wayne Cook Electric Estimate** - Mayor McPhaul presented an estimate for power and security lighting at the park bathroom. On a motion by Councilman Bernstorf, seconded by Council President Cox and carried the estimate was approved.

Closed Session:

Council President Cox moved that Council go into closed session at 8:11 p.m. under Section 2.2-3711(A)(7) of the Code of Virginia to discuss legal matters and to include in this session the Mayor, Council, and the Town Attorney. This was seconded by Councilman Bernstorf and carried on a roll call vote with four members of Council present and voting in the affirmative with Councilman K. Jones being absent.

Rise and Certify Closed Session:

Council rose from Closed Session at 8:35 p.m.


Council President Cox moved that Council certify the Closed Session under Section 2.2-3712(d) that to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under this chapter and only such business matters as were identified in the motion by which the Closed Session was convened were heard, discussed or considered in the meeting by the public body. This motion was seconded by Councilman Bernstorf and carried on a roll call vote with four members of Council being present and voting in the affirmative with Councilman K. Jones being absent.

Closed Session Report:

There was no report.

As there was no further business to come before Council the meeting was recessed at 8:36 p.m. on a motion by Councilman Bernstorf, seconded by Councilman T. Jones and carried.


Clerk of Council


Mayor