

## February 13, 2024 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 6:30 p.m. with all members of Council present. Town Attorney Richard Matthews was absent, however Jason Dunn was present.

### Adopt Agenda:

On a motion by Council President Cox, seconded by Councilman Bernstorff and carried the proposed agenda was approved. It was later determined after Presenter A the agenda need to be amended to add under New Business item H. Girl Scouts Donation. On a motion by Councilman T. Jones, seconded by Council President Cox and carried the agenda was amended.

### Presenters:

- A. **Kristina Carroll – Girl Scouts** – Mrs. Carroll came before Council at ask if they would consider donating \$300 - \$500 to the Girl Scouts as she is starting a multi-level troop here in Waverly, Troop 242. Mrs. Carroll explained that the Girl Scout Council has agreed that all members associated with this troop will have their dues paid through September 2024. Mrs. Carroll stated registration will be held February 15, 2024 from 5:15 pm – 6:15 pm at the Jessica Ann Moore Community Center.
- B. **Jesse Hellyer – Chamber of Commerce** – Mr. Hellyer stated at the end of 2023 there were 90 active members of the Chamber of Commerce. Mr. Hellyer made note of recent events he has attended and upcoming events the Chamber is hosting or co-hosting.

### Citizen's Wishing to Appear:

- A. **Jean Keene** – Mayor McPhaul introduced the Keene's as they are newer residents to the Town, and have been the center to quite a bit of controversy over their plans for the property they purchased on Middle St. Mrs. Keene addressed the Council and citizens of their plans to keep the property agriculturally based. Mrs. Keene stated they have plans to eventually have a Christmas Tree Farm there and they would like to establish a small community garden. Mrs. Keene also made note that the animals currently on the property are the only animals they plan to have. The animals are secured on the property and away from where anyone would be able to interact unless they are trespassing.

### Clerk's Report:

- A. **Reading/Approval of January 9, 2024 Council Meeting Minutes** – On a motion by Councilman T. Jones, seconded by Councilwoman Norris and carried the reading of the January 9, 2024 Council 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 February 1, 2024. Mrs. Morman stated she is continuing to work with the Auditors with the assistance of Edmunds as needed. Mrs. Morman made note she has scheduled some in-depth training with Edmunds. Mrs. Morman also updated the Council on current tax revenue collected as of February 1, 2024. Mrs. Morman also would like to schedule a budget workshop for late March. Mrs. Morman and Council President Cox went over the money that was transferred to the Virginia Investment Pool from the water sale funds and made note that Council needs to start thinking about what we are going to be doing with that money in the upcoming budget process. On a motion by Councilman Bernstorff, seconded by

Councilman K. Jones and carried the Treasurer's Report was accepted as presented.

- B. **Bills Paid and Presented for Payment** – On a motion by Councilman Bernstorf, seconded by Council President Cox and carried the Bills Paid and Presented for Payment were approved as presented.

**Sussex Service Authority Report:**

Mayor McPhaul stated that Mr. McPhaul will be present at the next meeting. However she stated that Susan Seward was elected the new member at large for Sussex County and Tom Baicy was elected the new representative for Stony Creek.

**Planning Commission Report:**

Ms. Williams advised no report. Mayor McPhaul did state things were moving along with the plans for Wawa.

**Zoning Administrator – Lee Copeland:**

Mayor McPhaul advised no report.

**Mayor's Report:**

Mayor McPhaul stated having the electronic sign board is already proving to be a great investment for local businesses and individuals. Mayor McPhaul stated that unfortunately the Brewery project has fallen through, but she has had interested parties already contact her regarding the buildings. Mayor McPhaul advised the Town has applied for a new grant through the Tobacco Commission where some of the funds will be used to help renovate downtown space. Mayor McPhaul advised she is on the Board of Directors for the James House. Mayor McPhaul also noted that proceeds from this year's 5K will be donated to the James House.

**Departments Reports:**

- A. **Police** – No one was present from the Sheriff's Department, however January stats had previously been provided to Council.
- B. **Public Works** – Howard in 3 weeks post-surgery and Randy has been doing a great job of getting things completed in his absence. Councilman K. Jones added Public Works is currently working on sectioning out the next area for future burials at the cemetery.

**Standing Committee Reports:**

- A. **Health & Safety** – Councilman T. Jones advised Ms. Britton was unable to make the meeting, but she is excited to work with the Town and have stations set up at upcoming events for health checkups for those interested.
- B. **Finance** – Councilman Bernstorf advised no report.
- C. **Memorial/Beautification** – Councilwoman Norris advised there were 3 entries for the pole decorating contest for Valentine's Day. Councilwoman Norris stated she hopes there will be more participation in future contests.
- D. **Public Property** – Council President Cox advised VDOT has been given some suggestions for areas that could use some repairs within the Town.
- E. **Streets** – Councilman K. Jones presented Council with a handout of items he has been working on since the last meeting. The listed items included repairs to the railroad crossing at Main St. and damages to New St. from a sewer line that caused a portion of the road to collapse due to the erosion. Councilman K. Jones added the railroad ties are being replaced throughout Waverly to Wakefield, this may cause some delays as the crossing may be blocked for several minutes.

### Old Business:

- A. **USDA - Rural Business Development Grant** - Mayor McPhaul stated there was no update at this time.
- B. **Community Block Loan Grant** - Mayor McPhaul advised this is a "Shark Tank" style grant. Successful applicants can received anywhere from \$500 - \$20,000 with the remaining part of the grant is to be distributed amongst the administrators of the grant and the teachers of the classes. Mayor McPhaul advised in order to be considered you must apply and attend classes every Wednesday from 6:00 pm - 8:00 pm for 9 consecutive weeks starting March 20, 2024. People Advantage Federal Credit Union will oversee the grant funds. These classes will teach individuals how to write a business plan, accurately figure finances, manage and market on social media and anything else to be a successful business. On May 23, 2024 there will be a "pitch night" where everyone who has attended all classes will pitch their business. The only stipulations are it has to be a business ready to open within 6 months and has to be located in the down area of Waverly along W. Main St or County Dr. This grant is open to new businesses as well as business that would like to expand their services.
- C. **Industrial Revitalization Fund Grant** - Mayor McPhaul advised there is no report as the people who were interested in starting the brewery have decided to back out of the project.
- D. **Planning Commission Re-appointments** - Mayor McPhaul advised that the current terms for the members of the Planning Commission are going to start staggering their expiration dates again, starting with having two members' terms end on June 30, 2024 and the other three members' terms will expire on June 30, 2025. Mayor McPhaul assured that she does not want anyone to feel as they are being forced to leave the Planning Commission.
- E. **Update to Town Code** - There was no update as Mr. Matthews was not in attendance.
- F. **LibertyOVE Trails** - Mayor McPhaul advised a few weeks back Mr. Murray came and met with Council members and walked the proposed trails and discussed the potential for different types of events that could be held at the Museum and the nearby property. The idea is to have between three and six miles of trails.
- G. **Economic Development Authority (EDA)** - Mayor McPhaul advised no update.

### New Business:

- A. **Cemetery House** - Mayor McPhaul stated public works has finally cleaned the inside of the house out and it is in quite a bit of disrepair. Mayor McPhaul asked Council to start thinking of what we can do with the house. We could fix it and rent it for short term, use for events as a visitor center or demolish.
- B. **Community Block Loan Grant Resolution** - Mayor McPhaul asked Council to establish a Resolution for the "Shark Tank" grant that states the Town Council approves opening an account at Peoples Advantage Federal Credit Union and the deposits that are being made are funds received by the state to support the CBL grant and are not tax payer dollars. On a motion by Council President Cox, seconded by Councilwoman Norris and carried the proposed Resolution was approved as presented.
- C. **Mrs. C. Gray Proclamation** - Mayor McPhaul read a Proclamation honoring and celebrating Mrs. Carrie Lee Dobie Delk Gray on her 100<sup>th</sup> Birthday. On a motion by Council President Cox, seconded by Councilwoman Norris and carried the Proclamation was approved as presented.
- D. **BZA Reappointment** - Mayor McPhaul advised there may be a need to start thinking of an eligible person to serve the Board of Zoning Appeals as a current members' term expires June 30, 2024. Town Hall has reached out to see if this individual has interest in serving another 5 year term, but has not heard back at this time.

- E. **Melody Inn Update** – Mayor McPhaul advised that Jason Dunn and herself attended the auction of the property on January 25, 2024 as the Town has a vested interest in the property as we are owed over \$65,000. Mayor McPhaul advised she bid highest at \$60,000 and after everything is distributed to Sussex County and auctioneers the Town should receive a check to refund the Town as majority of the debt was to the Town. Mayor McPhaul advised she is going to have a survey of the property completed and in time resell the property. A judge will finalize and approve the sale in April.
- F. **Enforcement of Existing Zoning Ordinances** – Mayor McPhaul briefly went over two zoning ordinances in Section 703 of the Land Development Ordinance that will start being enforced as of April 1, 2024 in an effort to start a spring clean-up project. Mayor McPhaul assured everyone these ordinances have been on the books for years.
- G. **Week Closing** – Mayor McPhaul asked Council if they would consider closing Town Hall again this year July 29, 2024 – August 2, 2024 to have yearly maintenance scheduled for the heating and cooling system, have the carpets cleaned and any other maintenance to the building as needed. On a motion by Council President Cox, seconded by Councilman T. Jones and carried with Councilman K. Jones abstaining as he is an employee of the Town, Town Hall will be closed the week of July 29 – August 2, 2024 for routine yearly maintenance.
- H. **Girl Scouts Donation** – On a motion by Councilwoman Norris seconded by Council President Cox and carried it was approved to donate \$500 to the Girl Scouts.

**Closed Session:**

Council President Cox moved that Council go into Closed Session at 7:27 p.m. under Section 2.2-3711(A)(1)(7) of the Code of Virginia to discuss legal matters and to include in this session the Mayor, Council, and Town Attorney. This motion was seconded by Councilwoman Norris and carried on a roll call vote with all members of Council present and voting in the affirmative.

**Rise and Certify Closed Session:**

Council Rose from Closed Session at 7:58 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 Bernstorff and carried on a roll call vote with all members of Council being present and voting in the affirmative.

**Closed Session Report:**

As there was no further business to come before Council the meeting was adjourned at 7:58 p.m. on a motion by Councilman Bernstorff, seconded by Council President Cox and carried.

  
Clerk of Council

  
Mayor