

# TOWN COUNCIL MEETING

TOWN OF CHASE CITY, VA

Monday, September 13, 2021 at 7:00 PM

319 North Main Street, Chase City, VA 23924

Phone: (434) 372-5136 | [www.chasecity.org](http://www.chasecity.org)

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## MINUTES

### Invocation

Mayor Fahringer gave the invocation.

#### PRESENT

Town Manager Dusty Forbes

Mayor Alden Fahringer

Vice-Mayor James Bohannon

Council Member Brenda Hatcher

Council Member Pauline Keeton

Council Member Marshall Whitaker

Council Member Michelle Wilson

#### ABSENT

Council Member BJ Mull

### Call to Order

Mayor Fahringer called the meeting to order at 7:04 p.m.

### Citizen's Recognition

Peggy Duffey, 293 High Street, asked has anything been done regarding the double parking on High Street. It still remains a problem and is a safety concern. Council Member Whitaker stated that it is a safety concern because it is not enough room for emergency vehicles to respond. Town Manager Forbes stated that he would go back to the Street Committee about this problem.

### Consent Agenda

Motion to accept the consent agenda as presented was made by Vice-Mayor Bohannon, Seconded by Council Member Hatcher. Voting Yea: Vice-Mayor Bohannon, Council Member Hatcher, Council Member Keeton, Council Member Whitaker, Council Member Wilson.

1. RCM August 9, 2021
2. Bills Paid August 2021
3. Report to Council/Operating Budget August 2021
4. Charge Offs August 2021
5. Public Works Report August 2021
6. CCPD August 2021 Report

## 7. CCVFD August 2021 Report

**Old Business**

## 8. Approve as a second reading and adopt Lodging tax as presented

Motion to approve the lodging tax ordinance as a second reading was made by Vice-Mayor Bohannon, Seconded by Council Member Hatcher. Voting Yea: Vice-Mayor Bohannon, Council Member Hatcher, Council Member Keeton, Council Member Whitaker, Council Member Wilson.

Motion to adopt the lodging tax ordinance as presented was made by Council Member Whitaker, Seconded by Council Member Keeton. Voting Yea: Vice-Mayor Bohannon, Council Member Hatcher, Council Member Keeton, Council Member Whitaker, Council Member Wilson.

Article E

*State Law reference— Tax on transient room rentals, Code of Virginia, § 58.1-3840.*

## Sec 2-3-46 Tax on transient lodging

The following words and phrases, when used in this article, have the following respective meanings except when the context clearly indicates a different meaning:

*Hotel* means any public or private hotel, inn, hostelry, tourist home or house, motel, rooming house, or other lodging place within the city offering lodging for compensation to any transient.

Lodging means space or room furnished any transient.

*Transient* means any person who, for a period of not more than thirty (30) consecutive days, either at his own expense, or at the expense of another, obtains lodging at any hotel.

*Treasurer* means the town treasurer and any of his/her duly authorized agents.

## Sec 2-3-47 Violations

There is hereby imposed and levied by the town on each transient a tax equivalent to six and one-half percent (6.5) percent of the total amount paid for lodging including any other taxes levied thereon by or for any transient to any hotel or motel.

## Sec 2-3-48 Exemptions

No tax shall be payable under this article in any of the following instances:

- (1) On charges for lodging paid to any hospital, medical clinic, convalescent home or home for the aged.
- (2) On charges made for providing space for a mobile home in a duly authorized mobile home park.

## Sec 2-3-49 Collection Generally

The tax imposed and levied by this article shall be collected from the transient by the person providing such lodging at the time and in the manner provided in this article.

#### Sec 2-3-50 Collection Procedure

(a) The person designated as the responsible person shall receive any payment for lodging with respect to which a tax is levied under this article shall collect the amount of such tax so imposed from the transient on whom such tax is levied or from the person paying for such lodging at the time payment for such lodging is made. The taxes required to be collected under this section shall be deemed to be held in trust by the responsible person required to collect such taxes until remitted as required in this article.

(b) The person collecting any tax shall make out a report thereof, upon such forms and setting forth such information as the treasurer may prescribe and require, showing the amount of lodging charges collected and the tax required to be collected and shall sign and deliver such report to the treasurer with a remittance of such tax. Such reports and remittances shall be made on or before the 20th day of each month covering the amount of tax collected during the preceding month.

#### Sec 2-3-51 Collector's Records

It shall be the duty of every person liable for the collection and payment to the town of any tax imposed by this article to keep and to preserve, for a period of two years, such suitable records as may be necessary to determine the amount of such tax as he may have been responsible for collecting and paying to the town. The treasurer may inspect such records at all reasonable times.

#### Sec 2-3-52 Duty of collector disposing of or going out of business

Whenever any person required to collect and pay to the town a tax under this article shall cease to operate or otherwise dispose of his business, any tax payable under this article to the town shall become immediately due and payable and such person shall immediately make a report and pay the tax due.

#### Sec 2-3-52 Penalties for late remittance or false return

If any responsible person shall fail or refuse to remit to the town treasurer the tax required to be collected and paid under this article within the time and in the amount specified in this article there shall be added to such tax by the treasurer a penalty in the amount of ten (10) percent thereof and interest thereon at the rate of ten (10) percent per annum which shall be computed upon the tax and penalty from the date such tax are due and payable.

#### Sec 2-3-53 Procedure upon failure to collect; report

(a) If any person, whose duty it is to do, shall fail or refuse to collect the tax imposed under this article and to make, within the time provided in this article, the reports and remittances required in this article, the treasurer shall proceed in such a manner as deemed best to obtain facts and information on which to base the estimate of the tax due. As soon as the treasurer shall procure such facts and information obtainable upon which to base the assessment of any tax payable by any person who has failed or refused to collect such tax and to make such report and remittance, the treasurer shall proceed to determine and assess against such person the tax and penalties provided by for this article and shall notify such person, by registered mail, sent to such person's last known place of address, of the total amount of such tax and penalties and the total amount thereof shall be payable within ten days from the date of such notice.

(b) It shall be the duty of the treasurer to ascertain the name of every person operating a hotel or motel in the town, liable for the collection of the tax levied by this article, who fails, refuses or neglects to collect such tax or to make, within the time provided by this article, the reports or remittances required in this article. The treasurer may have a summons issued for such person in the manner provided by law and may serve a copy of

such summons upon such person in the manner provided by law and shall make one return of the original to the general district court.

### **New Business**

9. A representative from Davenport will answer any questions and explain the bond resolution.

A representative from Davenport spoke to Council regarding the upcoming bond and the different scenarios for the loan and advised Council of the best option.

Motion to approve the general bond resolution for purchase of the Wells Fargo building was made by Council Member Whitaker, Seconded by Council Member Hatcher. Voting Yea: Vice-Mayor Bohannon, Council Member Hatcher, Council Member Keeton, Council Member Whitaker, Council Member Wilson.

10. ARPA Fund Appropriation

Motion to appropriate ARPA funds as presented was made by Council Member Whitaker, Seconded by Vice-Mayor Bohannon. Voting Yea: Vice-Mayor Bohannon, Council Member Hatcher, Council Member Keeton, Council Member Whitaker, Council Member Wilson.

### **Mayor/Council Comments**

Mayor Fahringer stated that more people need to participate and attend events. He also encouraged people to join the various civic organizations in town.

Vice-Mayor Bohannon thanked PW for repairing the sidewalks at Red Barn. He also stated that the Fly-Ins are cancelled for the rest of the year due to health issues and COVID.

Council Member Whitaker stated that the 9/11 ceremony was very nice and we should do it every year.

Council Member Keeton stated that the events of the weekend were very nice and that council members should reach out to citizens to let them know about events going on in town.

Council Member Wilson asked what flowers are allowed at the cemetery. Town Manager Forbes stated that the town does not want any thing stuck in the ground.

### **Town Manager's Oral Report**

Town Manager Forbes gave the following report.

**Blighted Properties** - IDA purchase of Garrett Buildings complete. Phase I environmental survey complete. Awaiting findings.

**Business Opportunities** - Roses Shopping Center purchased by Development group from Mississippi. Business Development Group from Richmond led by Sanjay Mittal looking to purchase local property for 100 two bedroom unit apartments and commercial use.

**Contacts/ Meetings** - Sanjay Mittal, Mayor, Chamber, Realtor, B and B to discuss site infrastructure

**Airport** - Police Academy used airport for driver training 2 weeks

**Streets** - Sidewalk repaired at Red Barn

**Water/Sewer** - Upcoming projects: Anderson St Repair and line replacement

**Endly Street Project** - Street repair to begin 15 September per contractor

**Grants** - Lee Building grant contract sent for signature.

**Community Park** - New door ordered for utility building.

### **Closed Session pursuant to VA Code Section 2.2-3711 (5).**

#### 11. Map

Motion to enter closed session pursuant to 2.2-3711 (5) to discuss a made by Council Member Whitaker, Seconded by Council Member Keeton.

Voting Yea: Town Manager Forbes, Mayor Fahringer, Vice-Mayor Bohannon, Council Member Hatcher, Council Member Keeton, Council Member Whitaker, Council Member Wilson.

Meeting entered closed session at 7:45 p.m.

Mayor Fahringer reconvened open session at 7:50 p.m.

Motion that only discussed in the closed session were those both lawfully permitted and pertaining the matter referenced in the previous motion was made by Council Member Whitaker, Seconded by Council Member Brenda Hatcher. Vote by roll call.

Council Member Hatcher	Yea
Council Member Whitaker	Yea
Vice-Mayor Bohannon	Yea
Council Member Keeton	Yea
Council Member Wilson	Yea

Motion to proceed with a boundary adjustment of the Butler farm was made by Council Member Keeton, Seconded by Council Member Whitaker. Voting Yea: Vice-Mayor Bohannon, Council Member Hatcher, Council Member Whitaker, Council Member Keeton, Council Member Wilson.

### **Adjournment**

There being no further business the meeting was adjourned at 7:55 p.m.

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**Alden Fahringer, Mayor**

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**Tonya M. Duffer, Clerk of Council**