

Town of Burkeville
Council Meeting Minutes
Tuesday July 8, 2025
7:00 p.m., Train Station



Present: Gerald Smith, Joshua Knight, Ann Wolven, Jamie Osborne, Lee Simmons, Ivory Oliver

Call to Order: 7:00 p.m.

Pledge of Allegiance- Lead by Mayor Smith

Prayer- Lead by Councilman Josh Knight

Welcome of Visitors

Establish decorum: Mayor Smith requests that all citizens who wish to speak would sign in on the roster, and limits speaking to 5 minutes per citizen.

Approval of:

- Agenda for July 8, 2025, Council Meeting
 - Motion made by Ann Wolven, Seconded by Josh Knight. Unanimous approval, no opposition. Motion carried.
- Approval of the minutes of June 10, 2025, Council Meeting
 - Motion made by Josh Knight, Seconded by Ivory Oliver. Unanimous approval, no opposition. Motion carried.
- Approval of the minutes for June 12, 2025, Special Council Budget meeting
 - Motion made by Ann Wolven, Seconded by Ivory Oliver. Councilman Josh Knight abstained from voting, due to not being present for the meeting. No opposition, motion carries.
- Approval of the General Fund Account Statement for June 2025
 - Motion made by Josh Knight, seconded by Lee Simmons. Unanimous approval, no opposition. Motion carried.
- Funds Available Statement for June 2025
 - Motion made by Lee Simmons, seconded by Joshua Knight. Unanimous approval, no opposition. Motion carried.
- Accounts Payable for June 2025
 - Motion made by Lee Simmons. Motion to approve the accounts payable for June 2025 seconded by Councilwoman Ann Wolven. Unanimous Approval, no opposition. Motion Carries.
 - Councilwoman Ann Wolven added discussion
 - Councilwoman Ann Wolven and Councilwoman Debbie Welch request that they would like to see a complete list of all bills that are being covered under the motion to be paid, as well as a complete list of all bills that were paid during the month. In addition, currently employee salaries are on the accounts



payable list and they should be on a separate list, otherwise it is able to be requested under FOIA.

- Treasurer Jamie Osborne clarified that utilities had already been approved previously by council to be paid without approval, and wanted to confirm that council would still like to see those listed as well.
- Councilwoman Ann Wolven advised Clerk/Treasurer Jamie Osborne that if an invoice comes in that is under \$100, she is able to pay it prior to obtaining approval from council. However, any larger invoices, not including utilities, would still need to be approved by council prior to paying them.

Guest Speakers:

- **Lee Kerns- Owner of Dark Sun over Value**

- **Mayor Smith**

- Requested that Lee Kerns attend the council meeting regarding his business, and issuing a conditional use permit for Dark Sun over Value. Mayor Smith asks Councilwoman Ivory Oliver to speak regarding the conditional use permit.

- **Councilwoman Ivory Oliver**

- Councilwoman Ivory Oliver informs Lee Kerns, owner of Dark Sun over Value, that the Town of Burkeville Council is presenting him a conditional use permit for the building located at 124 Mclean St. Burkeville, VA. The conditional use permit is under Town Ordinance _ and states that The permit shall take effect and be enforced from and after the date approved by council (July 8, 2025) and will be reviewed annually for compliance. Lee Kerns was asked if he understood and agreed with the conditional use permit, and he responded that he understood and agreed with the terms of the conditional use permit.

- **Mayor Smith**

- Asks for a motion to approve the conditional use permit. After Lee Kerns read over the conditional use permit, he responded that he did not have any questions regarding the terms of the conditional use permit. There were questions regarding the conditional use permit from citizens as well as council.

- Mr. Kerns explained to the citizens about Dark Sun over Value. Which is a predominantly online retail store that will occasionally take appointment only walk in customers. Mr. Kerns explained that they sell military surplus items, field gear, back packs etc. Mr. Kerns states that due to the business growing, they are unsure how long they will be able to remain in the building. Mr. Kerns explains that he hopes to hire employees soon, however has noticed that the post office has appeared to benefit from the business brining in packages.

- Mayor Smith asked if the building was a "dual use" building, which Mr. Kerns responded yes. Half of the building is used as the business, where the other half is occupied as the residence of his business partner, Jacob McDonald.

- Billy Ray Thompson asked clarification that the owner of the building is not living in the building. Mr. Kerns responded that was correct, that he does not live in the building. Mr. Thompson questions that if the owner is renting or subleasing the building as he is praising on having a residence in the building, but the owner lives in Amelia, VA. Mr. Thompson informed Mr. Kerns

that he lives down the street from the business and does not like that there is a business operating out of the building, as well as that Mr. Kerns states that he is living in the building, when he actually is not.

- Mr. Kerns informed Mr. Thompson that he is the owner of the building, however Mr. McDonald resides in the building. Mr. Thompson asks for clarification if Mr. McDonald is the co-owner of the business, and is informed that Mr. Kern's Wife is the co-owner of the company. Mr. Thompson voices his dislike of the council granting a temporary permit based on someone living in the building.
- Councilman Lee Simmons asked if the conditional use permit required a public hearing.
 - Mayor Smith responded that it did not, as there was an ordinance that was found.
 - Councilman Simmons states that he does not have a problem with issuing the conditional use permit, and will approve it, but is unsure if he is comfortable with the process. He believes that it should be a little more formal. Councilman Simmons stated that he had mentioned in the last meeting that there should be a formal written application for the conditional use permit, and regardless if the ordinance states that there is not a public hearing required in the ordinance, that he feels as though there should be one.
 - Mr. Thompson states that the building is zoned for a church, it is not zoned for a business. The location is a R1 , and thinks that council granting a temporary conditional use permit is "skirting around the ordinance." That R-1 zoning allows a church, but it does not allow a business.
- Councilman Josh Knight made the motion to approve the conditional use permit as it reads to Mr. Kerns and Mr. McDonald at 124 Mclean St. Motion was seconded by Councilwoman Ann Wollen. Unanimous approval, no opposition. Motion carries and the Conditional use permit is granted.

Fire Report: Included in packet

- Chief Welch was not present to give the Fire Report.

Police Report: Included in packet

- **Chief Herlong**
 - Received the January to June stats for this year, compared to last year. Reports that he was unable to give a copy of the report previously as he had to wait for a check to come through. He thanked Clerk/Treasurer Jamie Osborne for being on top of that.
 - Stats for January to June 2025 compared to January to June 2024:

	2024	2025	Change
Calls	234	283	+49
Traffic Summons	398	364	-34

Revenue	\$42,651.97	\$43,608.93	+\$956.96
Warrants	6	11	+5
Arrests	6	8	+2
Call outs	3	5	+2
Protective Orders	3	3	No change

- Chief Herlong reports that the stats are staying pretty consistent as of right now.

Committee Reports:

- **Emergency Services (Knight- Dr. Wolven)**
 - **Councilman Josh Knight**
 - Nothing to report
- **Water & Sewer (B. Weltch- Simmons)**
 - **Councilman Lee Simmons:**
 - States that approximately 3 meetings ago he had brought up a proposed water ordinance that will deal with delinquencies, deposits and things of that nature. States that he and Councilman Brian Weltch both got busy with the budget as they are both on the finance committee as well, so they had not been able to work on that. However now that the budget is completed for FY 26, they will work on getting together and will work on a draft of the ordinance taking into account the work that the attorney had did from the previous council as well as other recommendations that that council has talked about. He hopes to have at least a draft prepared for the August meeting.
- **Buildings (Oliver- Jones)**
 - **Councilwoman Ivory Oliver**
 - Requests an update on the appraisal of the Municipal building.
 - Councilman Simmons advises that finding an appraiser for the building was more difficult that he expected it to be. He contacted numerous appraisers in attempt to find one that did commercial appraisals, but was unable to find one. He reports that the appraisers that he spoke with stated that the appraisal would cost over \$1,500 (which was approved in the June council meeting as the amount for the appraisal) Councilman Simmons states that in his experience as a Real Estate broker that an appraiser would do the same thing as a broker, essentially. They would find comparable properties that are sold, compare amenities, square footage and come up with a value adjustment, but in the end an appraisal is just an opinion that is meant to give the owner an idea of the value of the building. Councilman Simmons does not think that spending \$4,000 on an idea of what the building is worth is worth it.
 - Councilwoman Oliver asks if it is possible for a relator to come in and look at the building and give council and idea of what should be or could be asked for the building?
 - Councilman Simmons states it may be best to go in a different direction, that he is not in favor of selling the building personally, but if that is what the council is wanting to do, he would suggest another method of trying to dispose of the building as opposed to putting it on the market. He reports that he had success, in Crewe with the community building, with putting out a RFP for proposals, and it gave the council more control of what would go into the building. If a proposal was offered that the council did not like, then they did not have to accept it. If there was a proposal that council agreed with, and the proposal was in line with what the

council thought the future of the area of town would be, then the council would be able to accept it. There would be no beginning or end date. Councilman Simmons reports that there is a procedure to do that, and that it would require the help of the attorney, but he thinks that may be a better solution than putting the building on the market. There is able to be a suggested price, but he does not think that anything would come of that. He states that if there was a proposal that "blew him away" and he thought it would be in the best interest of the town that he would be all for it.

- Mayor Smith states that he would like to see it turned into a money generator versus a money pit. The longer that the building sits, the worse the condition of the building is going to be. The building is not in the best shape and will need a roof and windows, to name a few, and that the town does not have the funds to do the renovations for that building.
- Mr. Kerns asked if the building has lead paint in the building?
 - Councilman Simmons responded that he is unsure, but due to the age of the building that it is a very good possibility that there could be lead paint buried beneath layers of paint.
- Mr. Kerns asked for clarification on:
 - if the building is a net loss, which he was advised that the town does still have water/sewer/electricity going to the building, as well as insurance on the building.
 - If the garage behind the building and if the lots behind it were included with the property. Mr. Kerns was advised that he building was, however the lots behind the building were not.
 - What the zoning was on the building
 - It is zoned as business
 - Councilwoman Wolven advised that for someone who had never been in the building that there is a large area that used to be used for dances, nice sturdy bookshelves, as well as jail cells in the area where the police department was located.
- A citizen spoke up stating that another concern with the older building could be asbestos, which could be costly.
- Mr. Thompson stated that these questions could be answered if the town would get the county municipal inspection report, and asked if council members had been provided that as well as the inspection from the Petersburg contractor that was paid last February to do an inspection of the Municipal building. Mr. Thompson asked if the council members had been provided the reports that so that they would be able to make an informed decision. Mr. Thompson reports that Councilman Brian Weltch was mayor at that time and that those documents should be within the town. Assistant Town Manager Greg Wolven stated that Councilman Weltch would be the one to ask about those records, which Mr. Thompson responded that as a council member he is not responsible for records, that the town manager and clerk need to look for the reports. Mr. Wolven informed Mr. Thompson that one of those records was reportedly a voicemail, not a written report. Mr. Thompson gave a list of the reports in question: The Municipal Building inspection report that was done by the county, the train depot building inspection report done by the county which would prove why the town office should not be in the train station, The Municipal building inspection survey.

- Personnel (Dr. Wolven- Oliver)

- **Councilwoman Wolven**
 - The personnel committee has pretty much finished the last job description for Artie's position. The next one will be looking at Jake's position and they will have to start working on that.
- **Parks & Grounds (D. Weltch- Knight)**
 - **Councilman Knight**
 - Councilman Knight reports that he and Councilwoman Weltch have been talking back and forth about the park agreement. They have a proposal that Councilwoman Weltch wrote. He does not think it needs approval tonight, that it is able to be tabled until next month.
 - Proposed changes:
 - Lessening the refundable deposit, so that the upfront cost would be a little cheaper.
 - Rec League rental will be a case by case basis
 - Packets will be emailed to council members for review for next month's meeting.
- **Finance & Purchasing (Simmons-B. Weltch)**
 - Nothing to report at this time.
 - Mayor Smith would like to do quarterly budget reviews. This will be beneficial to keep the town up to date on how the budget is currently progressing and if there will need to be adjustments next budget cycle.
- **Planning Committee (Simmons- Dr. Wolven)**
 - **Councilman Lee Simmons**
 - Councilman Simmons and Councilwoman Wolven have been working diligently on the comprehensive plan, and intend to get together soon to continue working on it. They have a copy of the Comprehensive Plan for Burkeville that is dated 1992 that has given good insight on things to include in the new plan.
- **Cemetery (D. Weltch-Oliver)**
 - Nothing to Report at this time.
- **Streets & Town Signage (Jones-D. Weltch)**
 - No committee members available to give report.
- **Zoning Committee (Knight- Simmons)**
 - Letter was received from Patricia Fitzgerald requesting consideration under the grandfather clause for her property at 123 Dimmick St. There was previously a trailer on the lot that was torn down, and Ms. Fitzgerald would like to build a new structure to move into.
 - Jeff Lavell (surveyor) was present to speak on Ms. Fitzgerald's behalf. Informed council that there are 2 parcels that are owned by Ms. Fitzgerald at that location. She would like to return to the town and build a home on the property, but had been advised that the property does not comply with the town's current regulations for building due to the size of the property.
- **Treasurer Report (Treasurer-Jamie Osborne)**
 - For the month of June (5/28/25 – 6/27/25) the town brought in \$1,045.78 over the amount that was billed.
 - Notices have been sent out informing late fees will be applied to any account that is delinquent.
 - Meridian will be starting August 20, 2025. There will be a 96-gallon trash can issued to the citizen, that fits approximately 7 normal sized kitchen trash bags.
 - Any additional cans will be an additional \$9 charge per can.
 - Meridian will offer bulk pick-up (couches, etc.) and small yard debris pick up. Citizens will need to schedule prior to the pickup, and there will be an additional cost added to the citizen's bill on the next billing cycle.

- Meridian offers back door service for those who are unable to bring the cart down to the road. If anyone needs this service, they will need to notify the town so that Meridian will be aware of the needs.

New Business:

- **Luther E. Foster Alumni Association**
 - Councilwoman Ann Wolven states that the donation was approved in the past, but she would like to know where the funds are coming from.
 - Mayor Smith would like Finance committee to make a form for donations.
 - Table until next month.
- **Chemical Spill Response Training**
 - Chemical Spill and Response Training is required by OSHA and EPA for all state and local government employees that are expected to respond to a chemical spill or handle chemicals.
 - **Mayor Smith**
 - Expresses that this class is very important for our water works personnel, It is essential that they all know what to do if there is a chemical spill, how to clean it properly and how to remain safe while doing their job. He would like the council to approve to send Harold, Ray and Artie to this class,
 - Questions on the class:
 - Councilwoman Oliver asked where the training location would be.
 - Glen Allen at Comfort Suites on August 8, 2025.
 - The price of the class is \$160 per person and is from 8 am to 5 pm.
 - Motion made to approve sending Artie, Ray, and Harold to the Chemical Spill Response Training on August 8, 2025 in Glen Allen VA by Councilwoman Ann Wolven. Motion was seconded by Ivory Oliver. Unanimous approval, no opposition. Motion carries.
 - Mayor Smith informs Clerk/Treasurer Jamie Osborne to go ahead and schedule the employees for the class and to go ahead to pay.
- **Inverness Zoning**
 - Owners are wanting to rezone 316 acres from Rural Residential to Conservation at 884 Inverness Rd.
 - Mayor Smith advises that while this has nothing to do with the town, he wanted to make everyone aware.

UPDATE:

- **Sewer**
 - The valve on sewer pump number 1 was installed last week and everything is back in working order. The valve was cleaned out and replaced the gate valve. These valves need to be turned frequently and this one had not been, so when it was turned it broke off.
- **Water**
 - **Mayor Smith**
 - There have been numerous leaks around town, that have been fixed. It appears that summertime has more leaks than any other time. He believes that the cause of this could potentially be that we are letting people come and purchase bulk water from the hydrants, and that could be putting a strain on the pumps. There was an instance during the month where a company was coming and getting water out of the hydrant without the towns knowledge.

- **Chief Herlong**
 - The company that was taking water without the towns knowledge had been told a couple of times. It was a company named Grid-Lock, that was using channel locks to access the hydrant instead of the proper wrench, which was damaging the hydrants. The hydrants are over \$4,000 each. There are numerous companies that are staying at the Quality Inn, and Citizen Billy Ray Thompson sent a photo of the company accessing the hydrant, and we were able to identify the truck and speak with the supervisor of the company.
 - Advises if anyone sees someone filling up at the fire hydrants to let the him know
- The companies that were getting water did come and set up an account, leaving a card on file, and let the clerk know how much water they had gotten during the week and that card was charged for the amount owed.
- Mayor Smith recommended to the council that we completely stop selling bulk water. Other towns have already stopped doing it, because of the havoc it takes on their system. Other localities have municipal sources, but we are using wells.
 - Councilman Knight states that we had just bought a hydrant meter, but was informed by Mayor Smith that meter is for swimming pools.
- Councilman Lee Simmons asked how much revenue we had made from selling the bulk water. Clerk/Treasurer Jamie Osborne responded with approximately \$2,000, but that is only for the water that we know that they had gotten. There could still be some that we were not aware of them getting, that was not charged for.
- Councilwoman Ann Wolven makes a motion to stop selling water to the tankers and businesses. Motion was seconded by Ivory Oliver. Unanimous approval, no opposition. Motion carries.

Old Business:

- **Boundary Adjustments**
 - Greg is currently working on the map that we will present to the County.
 - Proposed that we go down 723 (to include the power plant), meet at the Crewe line, go up 360 and take in the Rock Quarry, John Deere and our wells and then come back to Nunnally St. Including the grave yard.
 - Is not wanting to take in all of Inverness Road, at this time, as we would not be able to provide services to those customers in the required amount of time. There are difficulties with how to get the sewer in due to the land. We are trying to pre-plan before we bring Inverness Rd into town limits, because once they are within town limits, there have to be services provided. The current line that goes to the prison is not able to be tapped into, so there would need to be another line ran.
 - Have been communicating with other towns for input on things to do and not to do.
 - There is a lot of planning and engineering that goes into placing pumps, and the town does not have the funds to be able to provide all new sewer lines. In the future, if the town were able to get a grant to assist, it would be more likely to happen.
- **Chemical Cabinets**
 - **Mayor Smith**
 - Would like to order chemical safety boxes to put in the town office as well as at the town shop to lock up chemicals and flammable liquids. Would like to make sure that eyewash stations and MSDS manuals are readily available, and functional. Requests approval for purchase of the containers.
 - Councilman Knight verifies that the cabinets are made of metal
 - Councilwoman Wolven asks the approximate cost of the cabinets.

- Mayor Smith states that he would like to see if he could find used ones prior to purchasing new, but he is going to quote approximately \$300 apiece.
- Councilwoman Ivory Oliver makes the motion to approve purchasing 2 chemical safety boxes, one for the town office and one for the town shop. Motion was seconded by Councilman Josh Knight. Unanimous approval, no opposition. Motion carries.
- Councilman Knight asks if we are keeping gas in the town office, Mayor Smith informs him that we are not but we do have cleaning chemicals that should not be out in the open. The cabinet for the town office does not have to be certified for explosive chemicals, only requires a lock.
- Councilwoman Oliver asked if employees are up to date on their CPR certifications. Mayor Smith believes that CPR training was done last year, but does not know if everyone was in the class.

Citizen Comments:

- **Pearl Bowlin**
 - Lives on Simmons St and would like to ask the council to contact the property owner across from the body shop because the property has become overrun with Katsu.
 - Mayor Smith advises that we will contact them tomorrow.
- **Ms. Edith Smith**
 - An incident occurred at her home where they had to call EMS. Requests that Councilman Knight would pass the word on to Mr. and Mrs. Welch.
 - The only issue she had was that she used her cell phone to call, and due to how close she lives to Prince Edward it sent her 911 call to Prince Edward instead of Nottoway.
 - Reports that EMS did a beautiful job, they had to take the young man that was there to the hospital. Wanted to compliment BVFD on the good job they did.
- **Billy Ray Thompson**
 - Thanks the council members who ran for election and for doing their best to do what is best for the town.
 - Asked for the status of the VA 250 sign that the town paid for the State Revolutionary War Celebration.
 - Businesses that won't business
 - When he was a council member, he was informed that there was a state ordinance that can be used and adapted by the town for commercial real estate owners with vacant properties that will not allow businesses to come into the vacant buildings.
 - Praises common sense boundary adjustments that is being proposed.
 - Asks what newspaper that the town uses to advertise.
 - Was advised that the town uses the Currier Record.
 - Asks if the town is being charged for their trash cans as well as the trash cans at the pavilion.
 - Councilman Knight advises that trash is not provided to pavilion renters.
 - Clerk/Treasurer Jamie Osborne advises that if the park is rented, then the renters are responsible for removing the trash prior to leaving. Additional trash from citizens (not renters) at the park is taken care of by town workers. They check the cans and remove the trash when its needed.
 - Hopes that the town is flushing pipes monthly for those citizens that are unable to drink their water if the lines are not flushed.

- Encourages town to find reports that are mission on the municipal building and train depot, including:
 - County inspection report on the municipal building
 - County inspection report on the train depot
 - Building assessment from Petersburg company that was hired in February of 2024.
- Asked if anyone on council would admit to telling the county that they were unable to use the municipal building for their town offices.

Councilmembers Comments:

- **Councilman Weltch- Not present**
- **Councilman Knight –**
 - Wanted to add that Councilwoman Weltch did write a policy on the park rental that employees and council members get 1 free rental. States that he believes that it had been decided by council in the past to allow that.
- **Councilwoman Wolven- No comments**
- **Councilman Simmons-**
 - States that he lost his mother this last month, and Thanks Chief Herlong for his efforts during the funeral precession for his mother. As well as commenting on how nice the cemetery is in Burkeville. That he has seen a lot of cemeteries, and this one is one of the most well-kept cemeteries in the region. He is appreciative to the cemetery committee and council (both past and present) for their efforts.
- **Councilwoman Oliver- No comments**
- **Councilman Jones- Not present**
- **Councilwoman Weltch- Not present.**

Mayor Comments:

- **Mayor Smith**
 - We are trying our best to look at the monthly costs, and do a reset on the costs.
 - Finding cost effective analysis on what we are paying for, and ensuring that we are getting the best bang for our buck. We are trying to find savings, to prevent having to go up on taxes and fees.
 - Wants to know that the town is not spending money unnecessarily, and we are cutting things that are not needed.
 - Comments on Clerk/Treasurer Jamie Osborne doing a great job taking care of the office. Explains how we are doing our own bank reconciliations instead of paying someone else to do them.
 - Clerk/Treasurer Jamie Osborne explains that since we are behind on the bank reconciliations, we had asked for a quote from FMS to get those completed. Council had approved this in the past, to help get caught up. The quote to get all reconciliations up to date was a minimum of \$15,000.
 - Councilwoman Oliver asked if bank reconciliations were done monthly.
 - Clerk/Treasurer Jamie Osborne responded that we are currently still trying to get caught up on the ones that had not been done, and you cannot skip months and work on a current one. She is inputting information daily that is required and doing as much as she can to prepare for when everything is up to date.

MOTION TO ADJOURN

Motion to adjourn made by Councilman Knight, Seconded by Councilwoman Oliver. Unanimous approval, no opposition. Motion Carried.

End of meeting: 8:36 pm.

Minutes taken by:



Jamie Osborne, Town Clerk/Treasurer

Approved by Council on: 8/12/2025