

MEETING MINUTES OF THE  
BROADWAY TOWN COUNCIL  
Tuesday, May 7, 2024  
7:00 p.m.

The Broadway Town Council met in regular session on Tuesday, May 7, 2024, in the Council Chambers of the Broadway Town Hall. The following members were present: Mayor David L. Jordan and Council Members Chad L. Comer, Travis M. Driver, Leslie E. Fulk, Richard E. Fulk, Douglas W. Harpine, and Beverly L. London.

The following staff members were present: Deputy Town Manager Cari Orebaugh, Town Clerk Donna Lohr, Town Attorney Matthew Light, and Police Chief Doug Miller.

Mayor Jordan welcomed all citizens to the Town Council meeting. He then called the meeting to order at 7:00 p.m. with the Pledge of Allegiance followed by the invocation.

**Approval of Minutes and Bills:**

**Ms. Beverly L. London moved to approve the minutes of the March 28, 2024 workshop of the Town Council, the April 2, 2024 Town Council Meeting, the April 15, 2024 Special Called Meeting of Town Council, the April 19, 2024 Special Called Meeting of Town Council, and to authorize payment of bills in the amount of \$678,545.50. Mr. Chad L. Comer seconded the motion which was approved with the following recorded roll call vote:**

<b>Leslie E. Fulk</b>	<b>Aye</b>	<b>Richard E. Fulk</b>	<b>Aye</b>
<b>Travis M. Driver</b>	<b>Aye</b>	<b>Chad L. Comer</b>	<b>Aye</b>
<b>Beverly L. London</b>	<b>Aye</b>	<b>David L. Jordan</b>	<b>Aye</b>
<b>Douglas W. Harpine</b>	<b>Aye</b>		

Mayor Jordan then made the following statement in response to rumors that are circulating in the Town of Broadway:

“The Town of Broadway is not bankrupt. There was never any embezzlement of funds anywhere that we have been able to locate. Nor do we suspect any type of embezzlement. We are actively in search of a new Town Manager. We are able to pay all our bills. One hundred percent. All our salaries. One hundred percent. And there are no funds missing. Let me be clear when I say that. There are no funds missing. There is a lot of rumors going around so I wanted to make that clarification.”

Mayor Jordan then asked Ms. Orebaugh to introduce Aiden May. Ms. Orebaugh stated that Aiden May came to the Town several years ago as a Cub Scout and he has been working on a project since that time and would like to give Town Council an update on the project.

Aiden May stated that he is a member of Boy Scout Troop 124 in the Broadway area. He thanked Council for the opportunity to speak at this evening’s meeting. Aiden stated that he had spoken with Ms. Orebaugh in February regarding the environmental issues in the area. They came up with a three-part project on which Aiden has been working. The first part of the project was to clean up Linville Creek in Heritage Park. Twelve people, consisting of cub scouts, boy scouts and adults, helped Aiden pull weeds and remove trash from the creek and the park on April 20, 2024. The second goal for the project was to help with the community tree canopy. Aiden met with Mr. Chad Comer at Blue Ribbon Nursery to find out what the cost of two trees would be and what type of trees are needed for the project. Aiden announced that one tree is fully funded and as of 4:00 pm today, the second tree is fully funded as well. The trees will be planted by May 31, 2024, with the aid of the cub scouts troop. Aiden stated that the third part of the project is to acquire a bench for the path around the community park in the summer. Aiden thanked the Town for allowing him to do this project.

Council Members applauded and thanked Aiden for the work he is doing for the community.

**Public Hearing – FY 2025 Budget:**

The next item on the agenda was a public hearing on the FY 2025 Budget. Ms. Orebaugh reminded Town Council and members of the public that the FY 2025 budget would not be voted on at tonight’s meeting in

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compliance with State Code. Ms. Orebaugh gave a brief power point presentation on the FY 2025 budget. The proposed budget, which begins July 2024, includes total revenues and total expenditures of \$8,226,031.00. The FY25

budget is increased from FY24 budget by \$509,245. Key points of this proposed budget include a possible increase in the real estate tax rate from \$.07 per \$100 to \$.10 per \$100 of assessed value, a 5% increase to the water and sewer fees, a \$2,000 increase in the residential water connection, a \$1,500 increase in the sewer connection fee, an increase in the refuse collection fees, an increase in the renter's deposit from \$100 to \$200, and an increase in the meals tax and business license tax fees. The rising cost of chemicals, electricity, and disposal/hauling of wastewater and its by-products are the reason for increases in the water and sewer rates and connection fees. The increased costs of general operations, the need for additional staff members, a lack of increases to rates in past years, as well as efforts to keep up with the national inflation rate are the explanations for increases in tax rates affecting the general fund revenues. Proposed projects for FY 25 include the purchase of a Muffin Monster Grinder for the Wastewater Facility, and painting of the water storage tank (Tank #3), which has never been painted in the estimated 30 years of its existence. Ms. Orebaugh provided a few scenarios of how the increases to the water sewer rates, as well as the real estate rates would affect citizen's bills. A copy of Ms. Orebaugh's presentation is on file with the minutes.

At 7:22 p.m., Mayor Jordan opened the public hearing for public comment on the FY25 Budget. Mayor Jordan asked citizens to come to the podium to speak, identify themselves, where they live, and to try to keep their comments to a three-minute timeframe.

The first citizen to speak was Mr. Woody Brown, of 331 Essex Street in Broadway. Mr. Brown stated, "My name is Woody Brown. I live at 331 Essex Street in the Windermere subdivision. Mr. Mayor and Town Council, thank you for allowing me to speak. In speaking with the Mayor on May 1<sup>st</sup>, he advised me that on February 29<sup>th</sup>, 2024 at the Council Workshop, Council was made aware that there was \$500,000 worth of bills to be paid but only \$300,000 worth of money. I asked him where the money was and he advised he wasn't sure but the Town did get all the bills paid. I find it hard to believe the Town was short but the big question is why were they that short. The Mayor then advised me the \$200,000 was found. I asked where the money was and he told me they were still looking into it. So approximately sixty days after the money was misplaced, this Town, according to the Mayor, still didn't know where it was. Maybe an investigation by a third party auditor or someone from the Commonwealth needs to be started since it has not been determined where it was as of that date. But you as a Council want us to trust you with a budget based on a tax increase when you can't even find where the misplaced money was. It is my understanding that after Town Manager, Kyle O'Brien went on leave was when the money couldn't be found but after council decided to fire Mr. O'Brien, the money was located. Maybe this was a coincidence. Maybe it wasn't. I challenge you the Council at the next Council meeting to let us, the residents, know what happened concerning the misplacement of \$200,000 because in the end, it is our tax money. Everyone, including each of you, are trying to watch our personal budgets and spending due to the economy but it appears, based on the budget, everyone except the Town. In information I received from the Mayor, the Town spent \$80,000 of unbudgeted money on the pickleball court, which I understand still isn't complete and \$145,211 at the Town park at the pool but only received a revenue of \$82,223 for a loss of \$62,988 for a total of \$142,988 on just two projects. I'm not sure who came up with the idea of building a pickleball court before building bathrooms at Heritage Park but if it was not voted on by you, the Council, that person doesn't know about priorities or wants versus needs. If it was voted on by the Council, then shame on you all for putting a want above a need. Speaking of the pickleball courts, I find it interesting that the Town spent \$80,000 of taxpayer money on a want, the pickleball court, instead of a necessity, the bathrooms at Heritage Park. I understand the bathrooms are going to cost over \$200,000. The money spent for the pickleball court would have at least paid for a third of the bathrooms plus saved money on not having to rent port-a-johns. It is my understanding that there is going to be lights installed on the pickleball court as well. It is interesting that we are installing lights on a court in a park where the curfew is dark. I am not sure who came up with the idea of building the pickleball courts before the bathrooms... (inaudible) which makes me wonder with the budget, what could be in the Councils minds or plans in this budget that they want to spend additional tax money on. Through information I received as of April 30<sup>th</sup>, the Town is under budget, which is great and I commend you all for that.

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But just remember, because the Town is under budget doesn't mean you have to spend the surplus. Put it in a reserve, which the Mayor mentioned to me. Try to get ten percent of the budget, \$800,000. Put it in reserve or pro-rate the next year's budget. I encourage you to take the time to re-look at the items in the budget and decide if they are really a need or just a want. I'll put it in personal perspective. If there is something I want but don't have the money for, I have a choice. Take out a loan or borrow the money from someone. Both of those have to be paid back. It appears the Town has a different perspective. Raise taxes because those don't have to be paid back. Thank you."

The next citizen to speak was David Emswiler, 156 Second Street. Mr. Emswiler stated, "My name is David Emswiler. I live at 156 Second Street and I have been a resident of Broadway for almost thirty-four years. During that time I have served on the Broadway Community Park Board, Broadway Volunteer Fire Department board and I have also served as president and chief of that organization. My work experience has involved facilities management and maintenance in addition to public safety in a university setting. Basically a small town in and of itself. So I have some management and budgeting background. After having an opportunity to review some of the documents provided to me at last week's Council workshop session, plus having had conversations with Council members, Town employees, and a short list of citizens, it's very concerning to me that there seems to be a push to increase the real estate tax rate along with other numerous town fees, particularly when it was reported that our most recent Interim Town Manager with over forty years of small town management experience said that if the Town would have just tightened its belt a little and watched the expenditures, we would have no problem meeting our expenses or replenishing our reserve without tax increases. Following the trail of expenditures it was proudly told to me that all bills and payouts are reviewed and approved by the Council. Yet when I asked the question, did the Council review on a monthly basis the balance sheets of the Town checking accounts owned, the answer received was 'no, we didn't.' Because in the past, we as a Council have depended on, and I believe rightly so, the Town Manager to manage those accounts and move monies as necessary to pay expenses. I expect one or more of you to report that you are looking at those figures now since all this turmoil has surfaced. My question to you is why wasn't this being done all along? Why weren't there any questions to start with? From what I've learned this whole fiasco would likely not have happened if Council had been willing to sit down with Kyle O'Brien and give him an opportunity to explain it. Instead, as I understand it, only two of you were willing to do that. It appears you folks went into a tizzy based on a panic button being pushed by a relatively new Town employee who it appears may have had some interesting interactions with her last place of employment. I'll just leave it at that. You all should know what I'm talking about. If you don't, you may want to get your head out of the sand and ask some questions. So no, I cannot support the Town budget as presented when I find there are too many unanswered questions at this time."

The next citizen to speak was John Dove, 263 Fourth Street. Mr. Dove stated, "I'll be brief. I've got bad feet so I'm not going over there to try to speak. I'll just do it right here. My name is John Dove. I live at 263 Fourth Street, right here in Broadway. I have to tell you I am opposed to any real estate and fee increases. Less than a year ago, you increased the real estate taxes by forty percent. You increased the meals tax and you increased the water and sewer and trash pick up. And I mean this has gotten ridiculous. This simply tells me you have mismanaged the Town's finances with wasteful spending that we cannot afford. As a result of your poor oversight, you have this town in disarray. This happened on your watch and each one of you should be ashamed of yourselves. Enough of taxes is enough."

The next citizen to speak was Bonnie Caplinger, McKinley Drive. Ms. Caplinger stated, "My name is Bonnie Caplinger and I live on McKinley Drive and I can understand some of your all's stuff because I'm in the business field myself but my concern is for the people that can't afford this stuff. And I was asked about, well, what would I cut? Well, honestly, if you're spending \$80,000 for a pickleball court that is not necessary, that would be where I first would start because right now the economy and everything is in a total turmoil and I can say this for a total fact because I'm dealing with it every day and it's a nightmare. So if I have to do that in my business, I expect my council to actually do it in their business also with my money and everyone else's money. And I don't expect it to be thrown away. Just as an example, I love the fireworks. But if you don't have the money, cut it. Period. If it's things that is not available right now to do, then them belts do need to be tightened up because we can not afford to be continually taxed and continually added on to because people are not making it, the way it is right now themselves because everything is either twenty-five to fifty percent except our wages. Thank you."

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The next citizen to speak was Veronica Ranck. Ms. Ranck stated, "I just have a question. I'm naïve. Is there any reduction in taxes for people on a certain income level? I live at Timber Heights, Freemont Circle. I know that Harrisonburg has reduction for, I mean it's income sensitive. Does Broadway do that?"

Mayor Jordan stated, "We do not. I think in Harrisonburg, it is the first year of trying that. And they put a cap at \$50,000 of income, but that's all I know."

Town Attorney, Matt Light, explained, "In large part, we are tied to the County, on some of that methodology because the County is the one that generates the bills, right?"

Ms. Orebaugh answered in the affirmative.

Mr. Rodney Shroeder stated, "Rodney Shroeder. I just want to make a motion that when you all have a crowd like this, postpone this and get it to where everybody can get in the same room because this is horrible out here."

With no further comments from the public, Mayor Jordan closed the public hearing on the FY25 proposed budget at 7:34 p.m.

The next public hearing was on an Ordinance regarding a water, sewer, and trash fee increase. Ms. Orebaugh summarized what she had previously presented in the budget presentation. A five percent increase is proposed on the water and sewer rates. An \$8.20 increase in the bi-monthly trash collection fee plus a \$1.06 increase on the rate for each additional toter. This ordinance also includes the \$2,000 increase on residential water connections and a \$1,500 increase in residential 4" sewer connections. This ordinance also includes an increase on the renter's deposit from \$100 to \$200.

Mayor Jordan reminded citizens that this public hearing is for comments on the ordinance regarding water, sewer and trash fee increases. Mayor Jordan stated that this ordinance is something that can be voted on at tonight's meeting.

Mr. Matt Light requested that Ms. Orebaugh explain her earlier comment that this increase equalizes the trash fees. Ms. Orebaugh stated that historically the Town has been consuming the cost of yard waste and bulk trash pick up. Yard waste is done the first Tuesday of each month and bulk trash pick-up is done four times a year. This increase is reflecting that the cost is being passed on to the customer rather than the Town carrying the cost.

At 7:36 p.m., Mayor Jordan opened the public hearing for comment.

Ms. Bonnie Caplinger asked Ms. Orebaugh to explain to citizens why the water and sewer rates are going up and the rising costs of chemicals the Town pays to treat water and wastewater.

Ms. Orebaugh responded that certain sewer chemical costs have gone up over twenty percent over the past year. The rate of inflation has increased, and the Town is seeing those increases in the cost of chemicals purchased for the sewer plant. It doesn't necessarily reflect the cost of normal goods and services but the cost for certain, specific chemicals has increased.

Mayor Jordan stated that the cost of chemicals has increased 23.9% since 2018.

Mr. John Dove asked how much of that cost is passed on to the Town of New Market.

Ms. Orebaugh responded that each of the wastewater facility customers has individual contracts for their wastewater services. The Town invoices them for their cost for services and labor as part of their contract. The Town does not absorb the cost of servicing wastewater for any of its contracted partners. The rates are all negotiated within the contracts and those contracts do allow for rate increases.

Mr. Dove asked if the Town pays for repairs to the sewer treatment plant. Ms. Orebaugh responded that the Town does pay for repairs, but then passes those repair costs to the contracted partners.

Marcie Phares asked for clarification on whether the proposed increase to the sewer connection fee is being passed on to the residents. Ms. Orebaugh answered that the connection fee increase is not being passed on to the residents.

One citizen asked if there is a difference in cost for in-town and out-of-town connection fees. Ms. Orebaugh responded that out-of-town connections must come before Town Council for consideration and approval. That is a rate that Town Council would set if they approve the out-of-town connection.

Mr. Light stated that nobody has a right to connect if they are not located inside Town limits.

Mr. Dove then asked, "Given that we had a forty percent real estate tax increase last year, why is it necessary for another real estate tax increase this year? It's less than a year. It's only been 9 months."

Ms. Orebaugh responded that the Town did not have an increase to the real estate tax rate last year. The Town

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raised personal property last year.

Mr. Dove responded that the tax rate did increase last year based on Rockingham County's reassessment.

Bev London responded that the Town's expenses went up and so the Town did not reduce Real Estate rates when the County's reassessment values increased. She further clarified that the Town did not have to raise Real Estate rates last year because the Town's real estate tax income increased due to the County's reassessment.

Mr. Dove stated, "The County actually lowered theirs but Broadway didn't. And now you are seeking an additional tax rate increase."

Ms. Orebaugh responded in the affirmative and stated, "That is what is proposed."

With no further comments on the water, sewer, trash rate increases, Mayor Jordan closed the public hearing at 7:42 p.m.

**Ms. Beverly L. London then made a motion to adopt the Ordinance as presented regarding the Water, Sewer, & Trash fee increases. Mr. Douglas W. Harpine seconded the motion which was approved with the following 6-1 recorded roll call vote:**

<b>Leslie E. Fulk</b>	<b>Nay</b>	<b>Richard E. Fulk</b>	<b>Aye</b>
<b>Travis M. Driver</b>	<b>Aye</b>	<b>Chad L. Comer</b>	<b>Aye</b>
<b>Beverly L. London</b>	<b>Aye</b>	<b>David L. Jordan</b>	<b>Aye</b>
<b>Douglas W. Harpine</b>	<b>Aye</b>		

The next public hearing was to hear comments on the proposed real estate tax increase. Ms. Cari Orebaugh stated that the proposed FY25 budget includes a \$.03 increase in the real estate tax, increasing the tax rate from \$.07 to \$.10 per \$100 of assessed value.

Mayor Jordan opened the public hearing on the real estate tax rate increase at 7:43 p.m.

The first citizen to speak was Mr. Woody Brown, 331 Essex Street. Mr. Brown stated, "Over the past several years, the Town has completed several large projects. Pool house, Wastewater Treatment facility, Water Treatment facility, sidewalks, and street improvements around Town. I understand some of this was paid for with the ARPA funds. The American Rescue Plan Act funds, which I would have to argue, was it really spent wisely? All of this was done without a tax increase. I was told there are a couple projects in the pipe line, but none of them appear to have the financial burden that the previous ones did. In speaking with the Mayor on May 1<sup>st</sup> and a Council Member, they both advised me, the then acting Town Manager, Mr. Holton, said if the Town watches their spending then no increase would be needed and that they could still replace the 10% reserve. This is coming from a man who served as a top official for Bridgewater, and I don't know how long it was, but according to the Daily News Record, for forty-three years. I would hope that you as a Council, who has less experience than that in running a Town, would take the advice to heart in making a decision about the tax increase and the spending. With that being said from an experienced Town Manager Superintendent, I am trying to figure out why there needs to be a tax increase. Speaking of Mr. Holton, I would like to know why he left. You have said we need to raise taxes to make ends meet. In my personal life, when I have a shortfall for something, or just want something, I don't have the luxury of getting more money like you do by raising taxes. I save or cut in other areas to make sure ends meet, or I save enough to be able to purchase it. Based on your statements that we need to raise taxes to pay for everything that you need, not want, where are you going to be able to cut to meet that? In closing, before you create a financial burden on the citizens with tax increases, you, the Town, get your financial situation in order and remember, raising taxes isn't a way to accomplish that.

Ms. Veronica Ranck asked, "Are they willing at all to consider a reduction in real estate taxes compared to one's income? Is that something they would be willing to entertain for people who do have hardships in paying real estate taxes?"

Ms. Bonnie Caplinger stated that is also her concern. She commented that there are people on Social Security who are barely making their rent and may not be able to pay for food and they also have medications to go with it. They are unable to handle this increase. Ms. Caplinger stated, "Right now, the way this economy is, the luxuries need to go away. Just like the other gentleman said, if it's not totally essential and you don't need it right now and it's not for our infrastructure, we don't need to play around with it. We need to leave it alone."

Mr. John Dove asked, "What is the additional real estate tax revenue going to be used for?"

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Ms. Orebaugh responded that it would go towards the Muffin Monster and the painting of the water tank. The Town also has some additional service and aging infrastructure projects and improvements that need to be looked at, so that would go towards those items as well.

Ms. Caplinger stated, "It comes back to the thing, just as an example, and it's been all over Facebook, how much of that infrastructure could have been done if they wouldn't have done the luxury of the pickleball courts, wanting the lights up over there and things like that. Those are the type of things that kind of aggravate people to the point where that's not needed. Our water meters are needed. Our sewer lines are needed. To run the sewer plant, it is needed. But a piece of concrete in the park is not needed right now. I know a lot of people that want to do updates on their homes. Not right now. They don't have the money."

Mr. David Emswiler, 156 Second Street, remarked, "As I stated before, I do not support the budget because of the Real Estate tax rate increase. I asked myself, for what? Pickleball courts and lights, bathrooms at the park which cost as much as small homes. The uniforms and insignia for the Police Officers vehicles when the particularly branded existing equipment works. What about budget line items that are in excess, in some cases, two hundred, four hundred, and seven hundred fifty percent? Or departments that are at 127% of their budget with two months left in the fiscal year. I'm sure you'll answer these questions. But ask yourselves, are they good answers? Were those expenditures based on genuine needs of our community or rather the wants of certain council members and department heads? And then to hear that during the whole budgeting process, we've lost track for a period of time of hundreds of thousands of dollars. Come on Council, get with it. Don't ask the citizens to pay bills because you folks can't keep up with it. Don't ask the citizens to suck it up, tighten their belts, and do with less, when you yourselves can't demonstrate our government. There's a lot of trust that has been damaged by your actions. Think about that."

Ms. Anjanette Mackey stated, "My name is Anjanette Mackey and I have lived in Rockingham County all my life. Timberville. Broadway. Fulks Run. Recently Broadway. I just bought a house three years ago. I rented for awhile in Broadway. Moved from Fulks Run to Broadway and I bought a house. Like I said, I live on Morningside Drive. I'm not here to throw any daggers at any of you all. I appreciate everything you all do. Well for those of you that have high aspirations out here, some of these Council Members terms expire, I think in 2025, 2027. Start your campaigns now. Go ahead. Get your signs. Get ready. Get your signs and get ready if you guys think you can do any better. Ok? I think probably pretty much everybody that lives here probably does work in the Town of Broadway. Kyle's not here to speak but I know there was an incident back in 2021 where the Town of Broadway received ARPA money. Everyone was given a credit of \$750 for their water bill. I spoke to Kyle directly myself. And I told Kyle, listen I just bought a house. I'm moving. And he said you're not going to be able to get the credit because we can't figure it out. You can't figure out how to transfer a credit from Lee Street to Morningside Drive? No, no. I talked to Andrea who worked in the office at that time. She said the same thing. So, you know, that's the only thing that I wanted to bring up to you guys. I know COVID money is way past. ARPA money is all behind us. That's already been divvied out. But, you know, maybe we should have looked a little bit harder at that and put that in reserves. Because we have 4,500 residents in the Town of Broadway. I'm just throwing that out there. You know that's a lot of money. People probably for six months to a year didn't have a water bill. And I still paid mine. Thank you all for what you do."

Ms. Elena Henry, Robin Roost Court, asked, "This goes to, Cari, you were talking about the real estate increases, part of that going towards the Muffin Monster and the painting of the Water Tank. I'm a little confused about why those items fall under Real Estate and not Water and Sewer."

Ms. Orebaugh responded, "They don't. That income will help offset those expenses. Every year we will have to do a budget amendment ad, so that will probably be part of that. The increases in the water will not probably cover the entire cost of the water tank re-painting, but we will probably have to pull additional money from that to cover those expenses."

Ms. Elena Henry then asked, "So, it's always bothered me, and this is not anything against Broadway in particular. But it's always bothered me when things don't seem to be transparent. Like you're pulling from one fund. I mean the Government does it all the time."

Mr. Leslie Fulk responded, "Your real estate income, if I can interrupt, your real estate tax goes into the General Fund, not the Water Fund, not the Sewer fund. And most all expenses in Broadway come out of that General fund, whether it is employee's salaries, gas for cars, whatever. You see what's pulled from the profit of the

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sewer plant. Let's say the money that the sewer plant makes. Or money that the water plant makes. That money has to come over into the General checking account to pay everybody. The painting of the water tank is going to come out of that regular checkbook because it only comes around once every thirty years or whatever. And the real estate tax increase, if it's approved, would increase the amount of money that's in the General checking account, and we've got to buy a Muffin Monster and paint a tank, and it's going to come out of those funds. You could probably, I guess, have put it over into the other fund, but if you're going to take the \$50,000 Muffin Monster and take it out of the sewer plant money, then there's just that much less money in the sewer plant that we have to bring forth to the regular checking account to pay the guys' salaries and their cars and things like that. And it is, the money is moved around all the time."

Ms. Henry then asked, "Is there a budget detail available online?"

Ms. Orebaugh responded, "The budget is available online, but we can print out charts of accounts or that sort of thing and have them online tomorrow if that would be helpful. We can work on that. And if you would want to stop by afterwards or I can get your email, I can email it to you."

Ms. Henry responded, "Thank you."

Mr. Woody Brown asked, "So how much is this Muffin Monster, and the painting of the tank?"

Ms. Orebaugh responded, "The Muffin Monster is about \$50,000 and the painting of the tank is several tens of thousands of dollars."

Ms. Bev London added, "It's \$47,000."

A citizen then remarked, "It seems to me if we were to take that out of the sewer fund, we could pass a lot of that cost on to our partners instead of us absorbing all the cost for those projects."

Ms. Bev London responded, "No. The Muffin Monster. They are our lines. They are not the sewage that comes from our corporate partners. That is a piece of equipment that is here in town that our sewage goes through. It has nothing to do with Cargill or Timberville or Pilgrim's. So we can't do that. That would be totally not cool."

Another citizen asked, "So do we tell residents the 3 P's? Poop? Pee? Paper? No other flushables. That's what we do in the County."

Ms. Bev London responded, "We talked about that just today. Cari and I had quite the discussion about that. And a lot of us have lived here for so long that nobody ever thinks about it anymore and new things come online that nobody ever talks about. And that's something that we..."

The citizen then remarked, "And that's something that we push in the County with their water and sewer, is the 3 P's. Don't put the flushable wipes down. No baby wipes. Anything."

Ms. Bev London responded, "We just talked about that today, Marcia. Like hours ago."

Ms. Orebaugh commented, "That's a good suggestion."

Mr. Woody Brown commented, "Mr. Mayor, one last comment. So Cari just mentioned, and a lady asked for, a detailed review of the proposed budget. And it can be put online?"

Ms. Orebaugh remarked, "It is very detailed and a little messy. We can make it a little bit cleaner, but still transparent and have all the numbers on there. That's not what I mean by that. As a PDF to where it can be downloadable."

Ms. Bev London then mentioned, "I just want to say one thing. Last year we took on a new software program which made our accounting a lot more detailed than it was in previous years which is part of the reason why we're seeing the 126% on this account, or that account, or something that looks like a ridiculous amount of money because there was no way of us going back into the old hand system and getting those numbers extracted. So don't put a whole lot of credence in what the past was. The present is on the money. But what we have for fiscal year 23-24 was not. It was an Excel spreadsheet and that's the way the budgeting was done."

Mr. Brown commented, "That's fine. The details are what we want."

Ms. London then remarked, "Well, I'm just telling you that the old information isn't going to be all that wonderful."

Mr. Brown reiterated, "I guess what we are asking for is a proposed detailed budget put online for us to review."

Ms. Orebaugh clarified, "Which includes what is in each chart of accounts."

Mr. Brown remarked, "Yes, what's in each line item."

Ms. Caplinger then commented, "At least you all are educating a bunch of people."

Mr. John Dove then asked, "If this proposed real estate tax increase passes, which I'm sure it will, or you

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wouldn't be here discussing it, to pay for the tank and to pay for the Muffin. After that's paid for, will this additional tax, that being real estate taxes, be decreased? Or are you going to continue to absorb that money?"

Ms. Bev London responded, "There will always be projects, John. You know that."

Mr. Dove responded, "I understand that. But you're going beyond your means and the citizens of Broadway have spoken here tonight. We don't want it. Come up with something else."

Mr. Brown remarked, "We're OK with projects, as long as they're needs, not wants."

Mayor Jordan responded, "Ok. Point taken."

Mr. Dove then asked, "And based on Mr. Brown's comments about the swimming pool over here, how much was the cost of that renovation project over there?"

Ms. Orebaugh responded, "1.2 million".

Mr. Dove remarked, "1.2 million. For a facility that's open three months of the year and loses money."

Mr. Brown added, "And only \$900-something of that was budgeted."

Mayor Jordan asked if there were any additional questions. With no additional questions, Mayor Jordan closed the public hearing on the real estate tax increase at 8:01 p.m.

At the request of the Town Attorney, the minutes reflect - **The ordinance increasing the rate of the Town's real estate tax is being introduced and read for the first time. Town Council can consider approval of the ordinance at their next council meeting.**

At 8:02 p.m., Mayor Jordan opened the public hearing regarding the cigarette tax increase.

Ms. Orebaugh stated, "To summarize the proposed cigarette tax increase. It is a \$.05 increase to the cigarette tax to go from \$.20 to \$.25 on each package containing twenty cigarettes.

A citizen asked "what about smokeless tobacco? Can they tax that too?"

Town Attorney, Matt Light responded, "No, it's just cigarettes."

Ms. Orebaugh remarked, "It's just cigarettes but that's a great question. It's something we talked about too."

Ms. Elena Henry asked, "So cigarette tax increase, back to my question. I'm calling it transparency. What does that money get used for or is that just part of the General Fund?"

Ms. Orebaugh responded, "It's part of the General Fund. And that will be reflected in that budget that we will have tomorrow."

Mayor Jordan asked for any additional questions on the proposed cigarette tax increase.

With no further comments or questions, Mayor Jordan closed the public hearing on the cigarette tax increase at 8:04 p.m.

At the request of the Town Attorney, the minutes reflect - **The ordinance increasing the rate of the Town's cigarette tax is being introduced and read for the first time. Town Council can consider approval of the ordinance at their next council meeting.**

**Old Business:**

Mayor Jordan stated that a few years ago, the Town renamed the Turner Avenue bridge in Broadway after fallen firefighter, Anthony Whetzel.

A presentation was brought to Council back in January requesting the re-naming of the Route 259 bridge, after a fallen Broadway resident who was the only Broadway resident to be killed in the line of duty in Vietnam. Mayor Jordan then read aloud the resolution recommending the naming of the Route 259 Bridge in Honor of William "Billy" M. Pangle. A copy of the resolution is on file with the minutes.

**Mr. Douglas W. Harpine made a motion to adopt the resolution naming the Route 259 bridge in honor of William "Billy" M. Pangle as presented. Ms. Beverly L. London seconded the motion which was approved with the following recorded roll call vote:**

Leslie E. Fulk	Aye	Richard E. Fulk	Aye
Travis M. Driver	Aye	Chad L. Comer	Aye
Beverly L. London	Aye	David L. Jordan	Aye
Douglas W. Harpine	Aye		



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Ms. Orebaugh stated that she will send the approved resolution to VDOT, and then it goes to the Commonwealth Transportation Board. Rockingham County also adopted a resolution in support as well, so both resolutions will be sent down to Richmond to go through their process.

**Departmental Reports:**

- a. **Parks & Recreation:** Mr. Douglas W. Harpine reported that the Town is getting the pool ready to open. The Town is also waiting for a date for the bathrooms for Heritage Park, which, he advised, he would have canceled but it was too far along in the process to cancel them so the bathrooms are coming. The pool is scheduled to open Saturday, May 25, 2024. Mr. Harpine advised that as part of the cuts, the hours at the pool will be reduced to 12:00pm – 6:00pm. The lifeguards will only have to work one shift. There is not overlapping shifts which should save the Town some money. Mr. Harpine also stated, “In regard to the pool, before I was sitting here, I was on the Parks and Rec board for many years. And, as a retail background, I thought, I’m going to show these people how to make money at the pool. If anybody has any idea that they can do that, give it your best shot, because you can’t. Pools and parks are for the pleasure of the residents. You cannot make money on these. I’ve looked at it every which way. If you just break even, you would price yourself to the point that no one could afford to go there. So, again, someone said something about it was a \$67,00 deficit. That’s not bad really.”
- b. **Finance:** Mr. Richard E. Fulk remarked, “I’d like to thank everybody for the meetings that we have had to, believe it or not, to try and make this as do-able as possible with the least amount of pain to everybody and anybody within the Town. There are certain things that you have to bite the bullet unfortunately and we’ve had to do that. Again, I appreciate everybody’s input in getting what we think is a very fair budget to be presented to you folks tonight.”
- c. **Personnel/Police:** Mr. Leslie Fulk advised that the police department report has been distributed to Council members. There was nothing additional to report. A copy of the Police Department report is included with the minutes as Attachment A.
- d. **Utilities:** No report. A copy of the water production report for the month of April 2024 is included with the minutes as Attachment B.
- e. **Streets & Properties:** No report.
- f. **Events & BHP:** Mr. Comer reported that Kid’s Fishing Day was held two weeks ago. There was a huge turnout, despite the rain. The event was fully sponsored. The Arbor Day Celebration was held the same day. That event was fully funded by Grandle Funeral Home and The Kerry Group. Trees were planted as well as given away to attendees. The Community Market is held each Saturday. A movie night is scheduled for Friday, June 14<sup>th</sup>. Movie nights are fully sponsored. Volunteers are always needed for those events.  
Mayor Jordan reminded everyone that fireworks in Broadway are scheduled for June 22, 2024.
- g. **Planning Commission:** Mr. Travis M. Driver reported that the Planning Commission is continuing to meet to review the Comprehensive Plan Update. They hope to complete the review mid-summer or early fall. Planning Commission members will be getting planning commission certified through a virtual training session scheduled for September. Homework will be assigned and then a final training session will be completed in November.

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**New Business:**

There was no new business to discuss.

**Public Comment:**

Ms. Lydia Kephart stated, "I am from Broadway. Now I don't live in the Town of Broadway but I'm from Broadway. Now, the pool. The sign says, 'Broadway Community Pool'. I belong to the Broadway community. Why is the rates for me going to be more expensive than the person that lives in the Town of Broadway even though I live in the Broadway community?"

Ms. Beverly London responded, "Because the Broadway tax payers are paying for the pool. And that is why there are two different rates."

Ms. Kephart asked, "So what money goes to the pool from the tax payers?"

Ms. London responded, "All of it. We fund the entire operation."

Ms. Kephart stated, "People with a Broadway address ought to get the same as the people that live in Broadway."

Ms. London responded, "That wouldn't work because we've got Broadway addresses over in Timberville. They are not Broadway taxpayers. We are in the corporate limits of Broadway."

Ms. Kephart expressed her thanks.

Nancy Morales, a representative from BHP then commented, "Our Kids Fishing Day was a success. We had a whole bunch of volunteers but now we are preparing for Red, White, & Brew and we are asking for sponsorships, but we are also asking for volunteers so we can put on an event just like Cari put on an event last year and the year before. That is what we are working on at BHP. In the coming months we hope to provide you with minutes from our past meetings or maybe even, my wish list is to post them on our website so that anyone can go there and see our expenses or any type of minutes that we have.

Ms. Veronica Ranck was the next citizen to speak. She advised that she had moved to Freemont Circle almost eight years ago and they were told that the street was still going to get another coat of blacktop.

Ms. Ranck asked what the plan is for putting the finishing surface on the street at Freemont Circle.

Ms. Orebaugh advised that it is up to the Developer and that is normally completed towards the end of the process once the homes have been primarily completed so that the equipment and construction materials do not damage the new pavement. The Developers will do it at the end, but the Town will inspect it and make sure they do it accurately, and tie in appropriately to driveways and curb and gutter.

Another resident, who lives on Mesa Court, asked when streetlights would be installed on Mesa Court.

Ms. Orebaugh responded that the Town is currently working with Dominion Power on streetlights for this street, however she did not know a timeframe for when lights would be installed.

Ms. Bonnie Caplinger asked if an email notification list could be created so that citizens could receive notifications regarding important happenings in the Town.

Ms. Orebaugh advised that the Town can work towards creating a list like that. Currently everything that is posted on Social Media is also posted on the Town's website, so there is cross-promotion of events.

Mr. Woody Brown, 331 Essex Street, then commented, "So the first thing is to talk a little bit about transparency. Someone else has mentioned it. What I mean about transparency is this is a perfect opportunity with this many citizens, probably more than at any council meeting in the past year, you've never once mentioned the search you are doing for a town manager. Where it stands. How you're doing it or anything like that. See, transparency? In most (inaudible) the Town posts on their Facebook page about the Council meeting but there was a special meeting held to discuss (inaudible) the firing of the Town Manager. Yes, the Town did meet all the legal requirements for the posting of the meeting on

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the bulletin board and website, which by the way, is very cumbersome to get around. But you sure didn't put that meeting on Facebook. I wonder now how many other special meetings were called. Another way to be transparent on the Town's website, where you have the current budget listed, put a column beside it showing how much of that line item is spent for the year each month. Or better yet, put it on Facebook where everyone can see it. So before you say that information is public record and you can get that at any time, why make us ask for it? I did ask for information and that was met with a letter from the Town Attorney's office, a phone call from the Mayor, and a Facebook message from a Council member. So why not be transparent and put it out for the citizens to know without asking. Another way, the Town of Timberville does it – why not video these meetings? Put this out on live video through Youtube or something like that. Some of them are free. So those of us who are out enjoying our nice town parks and can't be here tonight can see that. Second. Confidence. I had a lot of confidence in this Town and in this Council but now with just what little I've found out by asking has really decreased and I'm sure if I knew everything would decrease even more. Possibly more citizens, their confidence would decrease also. I've been around Rockingham County either working or visiting with friends for the last thirty-five years. When you mentioned you were from Broadway everyone used to say that's a nice Town, seems to be a good place to live. But just in the last two weeks, and I know a lot of it's rumors, I've had friends from other Towns, including our neighbor Timberville say, 'what's going on in Broadway? I hear there is financial issues and to solve them the Council is looking to raise your taxes.' So, now the Town has to hire a Town Manager. Please take your time in making that decision. It is my understanding the Council has decided to do the search on their own without hiring an outside agency to help with the search because of the cost of \$25,000. I'm not sure how the rest of the residents feel, but I feel that would be very good money spent, to have someone come in and assist in the search who knows what to look for, then waste the money on a pickleball park and lights. I mentioned before when I was speaking, before you create a financial burden on the citizens with a tax increase, you the Town need to get your financial situation in order and remember raising taxes isn't the way to accomplish that. It is my understanding the Town is in the process of installing lights at the pickleball court. But have any of you ever driven in the community park at night after the baseball lights have turned off? People have fallen. I asked three years ago about putting lights in the parking lot. Once the lights are turned off on the baseball fields, it is complete dark. And I'm sure the Police Department would be willing to look for a safety thing down there. So, in closing...actually before I close, thank you Councilman Fulk for listening to us and voting 'no' on the increase of the water. It seemed you listened to us. Lastly, maybe, it's a coincidence but when Town Manager Kyle O'Brien was here, we didn't have these issues, or the rumors flying around, but as soon as he takes a leave, things seem to fall apart. Thank you."

Ms. Jennifer Knick, Broadway High School Assistant Principal, provided a brief update on events at the school. She reported that there are 21 days of school left in the school year. Graduation and Prom are coming up. The last "Kind closet" is happening on the fourth Thursday in May. Food and clothing are available for families in need. Ms. Knick mentioned that attendance rates are still good and Broadway High School is coming in first in attendance rates among the other schools in the County. Ms. Knick mentioned that some Spotswood students will be re-districted to Broadway High School in the next school year and the school is looking forward to having those students.

Mr. Dale Hulvey was the next citizen to speak. Mr. Hulvey stated, "I just want to thank Doug for his work. He mentioned the pool awhile ago about parks and recreation and the pool. And certainly people have been fairly negative about all of that, but I don't think any of us want to live in a town that doesn't have any amenities or things for our kids or our citizens to do. So, I think that what Doug is trying to do is a good thing. We've got over a hundred people that are playing pickleball at these pickleball courts and they are enjoying it. Anytime they are coming here from other areas they are playing

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pickleball and they are going to Gobbler Grill. They're going to the restaurants in Town so that's bringing in some revenue in terms of taxes and whatever. I know that the tax increase is difficult for everybody. It's very difficult for me as well. I live in the Town of Broadway, but I'm one who believes that, kind of what my hat says, the First Tee. If you're not familiar with what the First Tee does. It provides youth an opportunity to learn how to play golf in Harrisonburg. And it's a great opportunity for those kids to not only learn about golf but to learn about how to be a good citizen and to do the right thing. And I think that's some of what we are trying to do here in Broadway. Thank you."

The next citizen to speak was Danielle Nguyen. She stated, "Hello guys. My name is Danielle Nguyen. This is actually my first meeting. I live at 216 Third Street, Broadway, Virginia. I just wanted to say raising taxes will burden citizens especially if they're already struggling financially. It is important for Council, you guys, to consider the impact on the residents. Budget and explore alternative ways to manage expenses or generate revenue. Raising your citizens' taxes should be the last resort. Raising real estate taxes can make it harder for homeowners to afford their properties, particularly those on fixed incomes. It may also discourage potential buyers and hurt property values in the long run. The council should weigh the potential negative effects on the residents and the local economy before deciding on tax increases. Thank you, guys."

Ms. Bonnie Caplinger was the next citizen to speak. She stated, "I know today it seems like we rag on a lot of you all. But right now, as you probably know yourself, the people that's in business, everybody is on pins and needles because they don't know what's coming. You all have lots of good ideas and a lot of things that the community and you guys want, but you all have to keep in mind when you're doing these things that now is not the time to do these items. Now is the time to tighten those belts because everyone else is doing it also."

Mr. Joey Suters asked, "Could I just clarify something, Mr. Mayor? Going back to the committee reports. Mr. Fulk, you do the police and personnel, right?"

Mr. Fulk responded in the affirmative.

Mr. Suters continued, "And then there was no, nothing to add on the personnel side. I understand you can't make comments on personnel issues. But kind of the elephant in the room here is we've lost five employees in the last recent months. A couple more in the paper we're just hearing about today. And there's no comment from the Council on it. And I think maybe you pointed to the Mayor to talk about it and nothing was said of what we're trying to do, where we're going or where we are. We're just losing employees."

Mr. Fulk responded, "Well, we're putting... Personnel. The Council approves hiring of the manager, the assistant manager, the director of finance, and the police chief. So when we report on recent personnel, if Chad Dellinger, who was here a moment ago, if one of his guys leaves, we just don't necessarily know it. But back to what you're saying. Yes, here recently, we've lost our manager, the Interim Town Manager, our Assistant Town Manager and two police officers. And I think that's it. I'm not...I think that's it. I don't know what comment to make if I make it here tonight after it's already been put in the newspaper, Facebook, and so on and so forth and everybody knows all about it, I don't know what comment to make about it. But, yes, we've lost quite a bit of our management and a couple of employees."

Mr. Suters responded, "It just seems like the biggest departure of employees in my lifetime so at least, (inaudible) you as a Councilman should know, on the management level. Twenty-four years, I think Kyle was here. That's a big employee to miss. Big shoes to fill."

Mr. Fulk agreed, "Huge shoes to fill."

Mayor Jordan remarked, "And I mentioned earlier when I was talking, I made the comment earlier on that we are actively pursuing getting a new town manager here. We've had several candidates. We are talking to two different groups as far as your headhunters. We need to give them some criteria on what

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we are looking for. But we have an opportunity, and we want to make sure that opportunity is made correctly.”

Mr. Suters asked, “So you are using an outside agency?”

Mayor Jordan responded, “We are communicating with two outside agencies. We haven’t picked either one of them, but there is communication. And we did do...Mr. Holton when he was here, he put an ad on VML. So that’s out there. We are actively talking to two different groups. That is all they do. They go out and do a nationwide search to bring in candidates for different locales.”

Ms. Caplinger commented, “And that was done on the Thursday meeting when you were bringing all that up. You talked about that on Thursday. I don’t think a lot of people, from what I talked to, they don’t know that you all have a meeting before the meeting so they don’t...A lot of people don’t know.”

Mr. Chad Comer remarked, “They are advertised.”

Chief Doug Miller commented, “And to add to the two departures from the police department. That was their decisions to move on. And then, I mean, you know as well as I do, how hard it is to fill those positions. There is no dedication or whatever to the departments like it was back when you and I started.”

Mayor Jordan stated, “Doug has had advertisement’s out since April and has had two candidates.”

Mr. Chad Comer commented, “And I will add that the loss of our Deputy Town Manager is huge. But she has been carrying a huge burden running things for these last months on her. Her and the staff in this office and she’s decided to go in a different direction with her career. I mean she’s done that because she has had a weight on her and had a huge amount of responsibility. Her and the staff which have run the Town seamlessly for these last months. Cari has been involved for years with the Town, helping with events from BHP. I know Lisa can attest to that. Cici can because they’ve worked with her. And she has been doing the advertising, marketing, social medias. Marci knows that too and it is a huge loss for the Town. But, she has to go and do what she needs to do for her change in career. I mean you can’t stop her. But it is huge loss for us.”

Ms. Marcie Phares, “I just want to say that too. In case we never get to say it again. Cari, what you’ve done is amazing.”

Ms. Orebaugh responded, “I’m still here. You’ll see me next month. I’m still going to be presenting the budget next month, so I’m still here.”

Mr. David Emswiler asked, “Does the minutes from last Thursday’s work session reflect that the Town is looking for headhunters search committee. Because I was at the meeting and I was under the impression, based on what I heard from conversation, that you were going to move ahead without looking at anybody right now.”

Mayor Jordan responded, “I’ve been talking to one headhunter, and I’ve been talking to the individual that applied through VML.”

Mr. Emswiler answered, “That was my understanding as well from Thursday’s meeting but I got the impression that you guys decided on the front end you were going to try and do it yourselves.”

Mr. Fulk stated, “I think that would be true. What you should have got out of Thursday’s meeting was that we’ve started immediately, through the avenues that we can, advertise to get it out there as quickly as we can. But at the same time we are talking to and getting this ground work laid in case we are not successful here in the next short bit. So that we can move ahead with the headhunter company or whatever you want to call them. They are two to three months, if you sign up with them, you are giving them two to three months to try and get a pool together to choose from. And we thought we would run ahead of that by spending at least a couple of weeks to see if there’s a good candidate out there that pops up right away. So we’re just getting a little bit of a jump on it. We have not hired the headhunters yet, but we may hire them just as soon as Dave gets done with some of his preliminary work and questions and so forth. We may have to hire them in the next week or two.”

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Richard Fulk stated, “That VML that he’s talking about. That’s Virginia Municipal League, which we as a Town, and cities and this type of thing are a member. And that’s a service that they provide for our annual membership and this type thing of helping people when they get in this type of a situation. Hopefully if we’re successful with them, then you save that twenty-five, thirty, forty, maybe as much as fifty thousand dollars that you pay the headhunters. That headhunter doesn’t give you any guarantee that he’s going to be here for twenty years or he’s going to be here for twenty minutes if you hire him. So that’s why we’re working through VML as well as looking at the headhunters.”

With no further comments from the public, Mayor Jordan closed the public comment portion of the meeting.

**Adjourn:**

**With no further business to discuss, at 8:37 p.m., Mr. Douglas W. Harpine moved, seconded by Mr. Travis M. Driver, to adjourn the May 7, 2024, Town Council meeting. The motion was approved with the following recorded roll call vote:**

<b>Leslie E. Fulk</b>	<b>Aye</b>	<b>Richard E. Fulk</b>	<b>Aye</b>
<b>Travis M. Driver</b>	<b>Aye</b>	<b>Chad L. Comer</b>	<b>Aye</b>
<b>Beverly L. London</b>	<b>Aye</b>	<b>David L. Jordan</b>	<b>Aye</b>
<b>Douglas W. Harpine</b>	<b>Aye</b>		

\_\_\_\_\_  
David L. Jordan

Mayor

\_\_\_\_\_  
Donna J. Lohr

Town Clerk