

Regular Meeting – January 16, 2002

The regular meeting of the Appomattox Town Council was held on Monday, January 14, 2002, at 7:30 PM with Mayor Spiggle presiding.

Those members present were: Joyce Bennett, Marvin Mitchell, W. H. Carson, C. Lewis McDearmon, and Norman Mayberry. Absent – Steve Lawson.

Others present were: Lisa Knott, Times Virginian, William Phillips, Town Attorney, John R. Caldwell, Fund Raising Committee, John Wilson, Tim Garrett, Clyde Mayberry, Fred Godsey, Bobby Wingfield, Benny Harvey, Cory Osborne, Earl Martin, David T. Garrett, Jr., and Bobbie Mullins, Clerk.

The meeting opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to approve the Consent Agenda with the following addition of consideration of transfer of monies from the Sanitation Equipment Fund into the Roll Out Cart Maintenance Fund and all those present voting aye. Motion carried.

Mr. John Wilson, Downtown Committee, came to Council to give an update on their efforts to entice tourist downtown including Tour Buses.

Mr. John R. Caldwell, Chairman, Funds Raising Committee for the Fire Department, appeared before Town Council to request funds from the Town of Appomattox. They need commitments from the government entities in order to borrow the money to begin construction on the new Fire House.

On a motion by Mrs. Bennett, seconded by Mr. McDearmon, Council voted to pledge a contribution of \$15,000.00 per year for six years for a total amount of \$90,000.00, beginning July 1st, to the Appomattox Volunteer Fire Department to build a new Fire House on Route 460 next to the Rescue Squad building.

Bennett-aye Mitchell-aye McDearmon-aye Mayberry-aye Carson-aye Motion carried.

On a motion by Mr. McDearmon, seconded by Mrs. Bennett, Council voted to accept the bid from J. E. Jamerson & Sons to repair and paint the Depot as presented (see attached) at a price of \$26,375.00 and all those present voting aye. Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to approve the demolition of the Martin Building at the Town Shop at an approximate cost of \$2500.00 and all those present voting aye. Motion carried.

Page 2 of 3
Council Minutes – January 16, 2002

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to adopt the Resolution for Region 2000 Change in the By-Laws:

WHEREAS, the Region 2000 Regional Commission has proposed a change to the ByLaws, specifically Article VII – Section 1, in the makeup of the current Executive Committee, and

WHEREAS, the Commission is proposing the Executive Committee be expanded in order that all localities may be represented on the Executive Committee , and

WHEREAS, the Commission is proposing to add those elected officials, or their designated alternate who must be a Regional Commission Member, that are currently not serving on the Executive Committee, and

WHEREAS, the current Executive Committee office structure will remain in place which consists of the chair, vice chair, immediate past chair, past chair, treasurer, and secretary; and

WHEREAS, the Commission also proposed a change at its October 17, 2001 meeting to include under the Article VII, Section 1a. That six (6) voting members of the Executive Committee would constitute a quorum,

NOW, THEREFORE, BE IT RESOLVED THAT the Town of Appomattox hereby approves the proposed changes recommended by the Region 2000 Regional Commission to Article VII – Committees, Section I – Executive Committee and Section 1 a. to read as shown on the attached:

Bennett-aye Mitchell-aye McDearmon-aye Mayberry-aye Carson-aye Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to decline the request from the Board of Supervisors to appoint a council member to serve on a Committee to study the future of the Appomattox Elementary School and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to approve the request from Fred Jones for a water connection to the Storage Building on Route 656, for Fire Protection and restroom facility and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to table the request for a street light for Bonnie Cunningham on Ethel Street until the workshop meeting, to allow the Street Committee to meet and make a recommendation, and all those present voting aye. Motion carried.

Page 3 of 3
Council Minutes

On a motion by Mr. Mayberry, seconded by Mrs. Bennett, Council voted to approve the transfer of \$1500.00 from the Sanitation Equipment Fund and put it in the Roll Out Cart Maintenance Fund, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to authorize Mr. Phillips to draw up an ordinance for the Town Code to add a section to cover "conditional zoning", and all those present voting aye. Motion carried.

There being no further business to come before Council, the meeting adjourned at 8:45 PM

Ronald C. Spiggle MAYOR
Ronald C. Spiggle

Bobbie H. Mullins CLERK
Bobbie H. Mullins

WORKSHOP MEETING

January 22, 2002

A workshop meeting of the Appomattox Town Council was held on Tuesday, January 22, 2002, at 7:00 PM with Vice Mayor Mitchell opening the meeting.

Those members present: W. H. Carson, C. Lewis McDearmon, Norman Mayberry, Joyce Bennett, and Steve Lawson.

Others present were: Lisa Knott, Times-Virginian, William Phillips, Town Attorney, and Bobbie H. Mullins, Clerk.

On a motion by Mr. Lawson, seconded by Mr. Carson, Council voted to deny the request from Mrs. Bonnie Cunningham for a Street Light on Ethel Street in front of her property, and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to deny the request from the Appomattox Assembly for some relief on their water bill due to a leak in a restroom, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adopt the following resolution:

WHEREAS, Charles T. Moses, Jr., served the Town of Appomattox from 1949-55 as a member of Council and as Mayor from 1958-60; and

WHEREAS, He was devoted, dedicated and conscientious in his service to the citizens of the Town of Appomattox; and

WHEREAS, Charles Thomas Moses, Jr., was born, reared and lived all of his life in Appomattox; and

WHEREAS, he distinguished himself as a successful businessman and an avid supporter of his community, serving in various capacities; and

WHEREAS, in memory of Charles Thomas Moses, Jr., who died on January 9, 2002, justly earned the respect, admiration and high regard of all with whom he came into contact with; and

NOW, THEREFORE, I, Ronald C. Spiggle, by virtue of the authority vested in me as Mayor of the Town of Appomattox and on behalf of the entire Town Council and the citizens of the Town of Appomattox, extend our sympathy to the Moses Family and our gratitude for the service so freely rendered by Mr. Moses to the Town of Appomattox.

Page 2 of 3
Workshop Meeting January 22, 2002

BE IT FURTHER RESOLVED that a property copy of this Resolution be presented to the Moses Family.

Carson-aye Bennett-aye McDearmon-aye Mayberry-aye Lawson-aye
Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to deny the request by John Wilson to have surveillance camera's installed downtown and all those present voting aye. Motion carried.

At this time Mayor Spiggle came in and took over the chair (7:30 PM).

It was the general consensus of the Town Council, that David Garrett, Jr., as Town Manager coordinate the holiday decorations for the downtown area.

Mayor Spiggle informed Council that he will be issuing a zoning permit to Mark Drinkard for his gym in the Precision Bed Rail Building. The limits will be put on the time of use, and parking places

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council voted to become a part of the "VML/VACo Virginia Power Steering Committee" to negotiate for the purchase of services from the utilities with adoption of the following resolution:

(see enclosed)

Lawson-aye Bennett-aye Mitchell-aye Mayberry-aye Carson-aye McDearmon-aye
Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Lawson, Council voted to approve the amending of the Town Code to include Sections 74-86 through 74-90, relating to the Board of Zoning Appeals, and all those present voting aye. Motion carried.

(see attached)

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to approve the adoption of a "Wildlife Program" in support of their proposal and all those present voting aye. Motion carried.

Council discussed the Tourism Committee as regards the appointment of members to serve through suggestions by the Mayor, Council, and Citizens. Mayor Spiggle made a list of over twenty-six names. He will begin calling and the first ten to agree to serve will comprise the committee.

Page 3 of 3
Workshop Meeting – January 22, 2002

Council was requested by Mr. Mayberry as the liaison with the Sheriffs Department regarding the Police Services Agreement to contact him with any questions they have and he will contact the Sheriff. The agreement is due to be renewed before June 30, 2002.

There being no further business the workshop meeting adjourned at 8:15 PM

Respectfully submitted,

Bobbie H. Mullins Clerk
Bobbie H. Mullins, Clerk

Regular Meeting – February 11, 2002

The regular meeting of the Appomattox Town Council was held on Monday, February 11, 2002 at 7:30 PM in the Town Office with Mayor Spiggle presiding.

Those present were: Steve Lawson, W. H. Carson, C. Lewis McDearmon, Norman Mayberry. Absent- Marvin Mitchell and Joyce Bennett

Others present were: John L. Wilson, H. Wayne Phelps, Harry & Joan Ranson, Linda Jo Mays, Mitch & Shirley Arrington, Frank & Vielca Brina, Lee & Charlotte Munsick, Lisa Knot, Times Virginian, William Phillips, Town Attorney, D. T. Garrett, Jr., Town Manager, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to approve the Consent Agenda as submitted and all those present voting aye. Motion carried.

Mayor Spiggle presented the "Memorial Resolution" in memory of C. T. Moses, Jr., that was adopted by Town Council to Linda Jo Mays and Harry & Joan Ranson.

Lee Munsick appeared before Council to discuss the letter he sent regarding C. T. Moses, Jr. He urged Council to do something to honor Mr. Moses. Perhaps name something after him.

Mitch Arrington spoke to Council regarding Tourism. He requested the support of Council in their endeavors to develop a strategic long range tourism plan by the group of Volunteers.

John Wilson, representing the Downtown Committee, with a request that Council give them \$1,000.00 towards the printing of the brochures that they will use to lure tour groups to Downtown Appomattox.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to table Item NB1, until the next meeting so that more information can be obtained, and all those present voting aye. Motion carried.

On a motion by M. Lawson, seconded by Mr. Mayberry, Council voted to appoint the Tourism Task Force Committee as presented by Mayor Spiggle, and all those present voting aye. Motion carried. (see attached list)

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to reappoint C. E. Harvey to the Board of Zoning Appeals and all those present voting aye. Motion carried.

Page 2 of 2

Council Minutes – February 11, 2002

On a motion by Mr. Mayberry, seconded by Mr. Carson, Council voted to table NB3 until the next meeting, and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to approve the request by the Chamber of Commerce to hold Five Friday Cheers at the Abbitt Park, waive the fees, and all those present voting aye. Motion carried. Schedule is June 21, 2002, July 19, 2002, August 16, 2002, September 20, 2002, and October 11, 2002.

On a motion by Mr. Carson, seconded by Mr Lewis McDearmon, Council voted to convene in Closed Session in accordance with Section 2.2-3711, Subsection A, Item 1, of the State Code for the purpose of discussion of assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees of the Town of Appomattox.

Carson-aye Mayberry-aye Lawson-aye McDearmon
Motion carried.

Now, therefore, be it resolved that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only public business matters lawfully exempted from open meetings requirements by Virginia Law were discussed in the closed meeting to which the certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council

Vote:

Lawson-aye
Carson-aye

Mayberry-aye

McDearmon-aye

Nay 0

Absent: Joyce Bennett and Marvin Mitchell

Motion carried.

There being no further business to come before Council, the meeting adjourned.

Ronald C. Spiggle MAYOR

Robin Mullins CLERK

WORKSHOP MEETING

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, February 26, 2002 at 7:00 PM with Mayor Spiggle presiding.

Those members present: Steve Lawson, Joyce Bennett, Norman Mayberry, C. Lewis McDearmon, Marvin Mitchell. (Left at 7:30 PM) Absent: W. H. Carson

Others present were: Nykia Douglas, Regional Commission, William Phillips, Town Attorney, David T. Garrett, Jr., Town Manager, Lisa Knott, Times Virginian, and Bobbie Mullins, Clerk.

Nykia Douglas, Regional Commission, made a presentation to Council on the plan to apply for a planning Grant to put in a sidewalk on Lee Grant Avenue for the new Elementary School. They are asking for a resolution of support. It was general consensus of Council to support this grant and make a \$500.00 donation. Action will be taken at the March Council meeting.

Graham Driver and Latisha Jenkins from Community Housing Partners made a presentation to Council on the purchase of Lee Grant Apartments. They are requesting the Town Council's support of their plans to purchase and rehabilitate these 45 Apartment Units. Action will be taken at the Council meeting in March.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to table indefinitely the request from John Wilson for \$1,000.00 to assist with the brochures for tourism, and all those present voting aye. Motion carried.

Item 4 on the Workshop Agenda will be taken up at the March Council meeting because the Chairman of the Committee is absent.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council approved the installation of a Street Light on Pine Street, and all those present voting aye. Motion carried.

Council authorized the Mayor to call the following citizens to see if one of them would be willing to serve on the Board of Zoning Appeals. They are as follows: Barbara Caldwell, Joe Coffin, Luella Coleman, Dot Wooten, Alfred Jones and Robert Scherle.

Page 2 of 2

Workshop Meeting – February 26, 2002

On a motion by Mr. Lawson, seconded by Mrs. Bennett, Council approved the Ordinance on the Power Agreement as drafted by Mr. Phillips, and authorize the Mayor to sign for the Town Council.

Bennett-aye McDearmon-aye Lawson-aye Mayberry-aye
Motion carried.

There being no further business to come before Council, the meeting adjourned.

Ronald C. Spiggle MAYOR
Ronald C. Spiggle

Bobbie H. Mullins CLERK
Bobbie H. Mullins

Regular Meeting - March 11, 2002

The regular meeting of the Appomattox Town Council was held on Monday, March 11, 2002, at 7:30 PM with Mayor Spiggle presiding.

Those members present were: Steve Lawson, Joyce Bennett, C. Lewis McDearmon, Norman Mayberry, Marvin Mitchell, and W. H. Carson.

Others present: Wayne Phelps, Lee & Charlotte Munsick, Lewis Edward Moore, Will Pettus, Tamara Jamerson, John & Patsy Wilson, Mitch Arrington, Shanna Webber, Sammy Webber, Samuel Webber, Jr., Maryann Mostrangel, Bryan Mostrangel, Majorie Goetz, Betty Roberts, William Phillips, Town Attorney, Lisa Knott, Times Virginian, Tom & Kathy Bloodworth, David T. Garrett, Jr., Town Manager, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to approve the Consent Agenda as presented, and all those present voting aye. Motion carried.

Lewis Edward Moore spoke in favor of the Volunteers for Tourism and asked that we financially support their endeavors.

Lee Munsick – Asked for the support of the Volunteer Committee working on Tourism in the Downtown Area.

Mary Mostrangel spoke for Linda & Bobby Shupe of B & L Sales regarding their support to the Volunteers on Downtown Tourism. They asked that we give the \$1,000.00 to aid them in their pursuit of the Tourism.

John L. Wilson appeared before Council to request three items. He wants the Town to close the streets on several occasions during the year to have the downtown celebrations. He would also like to see the Town have a Downtown Market. Third, he asked that once again, we consider donating \$1,000.00 to print the brochures that has been developed by the Volunteer Committee.

Mr. Will Pettus, FFA, spoke to Council regarding their proposal to repair and repaint at the Town Kiddie Park as a Community Project. Council agreed by consensus that they move forward with their plans.

Page 2 of 3

Council Minutes – March 11, 2002

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council voted to approve the following resolution:

BE IT RESOLVED, By the Council of the Town of Appomattox, that the Town of Appomattox fully supports the Virginia Housing Development Authority for the purchase and rehabilitation of the Lee Grant Apartments, and hereby authorize the Manager to sign the support documents on behalf of the Town.

Bennett-aye Lawson-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council approved the Recreation Departments use of the Watt Abbitt Memorial Park for an Easter Egg Hunt on March 30, 2002, from 11:00 AM until 12:30 PM, and waive the fee for use of the Park, and all those present voting aye. Motion carried.

On a motion by Mrs. Bennett, seconded by Mr. McDearmon, Council voted to grant the Jamerson Memorial Library the use of Abbitt park for a Summer Reading Fair, on June 15, 2002 from 7:00 AM until 4:00 PM and waive the fee.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to appoint Mrs. Dot Wooten to a five year term on the Board of Zoning Appeals, and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mitchell, Council approved an out of town water connection for Clayton Bryant on Tower Hill Road, and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to table New Business, Item 6, until the budget meeting, and all those present voting aye. Motion carried.

Page 3 of 3
Council Minutes – March 11, 2002

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to set the Clean Up Weeks for April 15th to 19th and April 22nd to April 26th, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council voted to allow the request of Virginia Department of Transportation to use inmate labor to pick up litter on the 460 By-Pass, and clean the bridges within the Town Limits, and all those present voting aye. Motion carried.

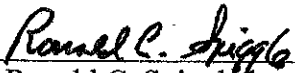
On a motion by Mr. Carson, seconded by Mrs. Bennett, Council approved the request from the Downtown Committee to close Main Street on Saturday, March 30, 2002.

Bennett-aye Lawson-aye McDearmon-aye Mayberry-aye Carson-aye
Mitchell-nay

Motion carried by a five to one vote.

Council requested Mr. Phillips, Town Attorney, to research the Code on the question of Whether the Town can legally give \$1000.00 to the Downtown Committee.

There being no further business, the meeting adjourned at 8:45 PM

 MAYOR
Ronald C. Spiggle

 CLERK
Bobbie H. Mullins

The Workshop Meeting of the Appomattox Town Council was held on Tuesday, March 26, 2002 at 7:00 PM with Mayor Spiggle presiding.

Those members present were: Norman Mayberry, Joyce Bennett, Marvin Mitchell, C. Lewis McDearmon, and Steve Lawson. Absent – W. H. Carson

Others present were: Butch Evans, John L. Wilson, Bill Gillespie, Roxanne Paulette, Lisa Knott, Times Virginian, David T. Garrett, Jr., Town Manager, William Phillips, Town Attorney, and Bobbie Mullins, Clerk.

Mr. Bill Gillespie, Executive Director, Region 2000, spoke to Council about a proposed "Bike Plan". This is the first step in a Master plan, which is needed to be eligible for grant funds.

Mr. Don Austin, VDOT, has requested that the Town Council reconsider their request to close Main Street on March 30, 2002. Marvin Mitchell has presented a petition from eleven businesses or groups on the Street Closing.

Butch Evans does not want the Street closed. He also felt that Town Council should go along with people who own property and pay taxes downtown.

After much discussion, Town Council decided to refer the request to the Street Committee. They also requested a meeting be held and invite all the merchants and interested individuals to make comments on the street closings and the celebrations.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council referred the street closing issue to the Street Committee for their study and recommendations, and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to reconsider the previous motion by Town Council to request Virginia Department of Transportation to close Main Street on March 30th and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to deny the request from the Volunteers for Downtown Celebrations to close Main Street on March 30th for an Easter Celebration, and all those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mr. Lawson, Council voted to refer the request for a weekly Downtown Market to the Street Committee for their study and recommendations and all those present voting aye. Motion carried.

There being no further business to come before the Workshop, it adjourned at 7:55PM.

Bobbie Mullins, Clerk

Regular Meeting – April 8, 2002

The regular meeting of the Appomattox Town Council was held on Monday, April 8, 2002 at 7:30 PM with Mayor Spiggle presiding.

Those members present were: Steve Lawson, C. Lewis McDearmon, Marvin Mitchell, and Norman Mayberry. Absent – W. H. Carson and Joyce Bennett

Others present were: Lisa Knott, Times-Virginian, William M. Phillips, Town Attorney, D. T. Garrett, Jr., Town Manager, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to approve the Consent Agenda with the addition of New Business 2. Permit for Entertainment – Clayton Tinnell and a Closed Session , and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. McDearmon, Council voted to table Unfinished Business; Item 1, until the April 23rd Workshop Meeting, to give the Committee Time to meet and make their recommendations, and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to adopt the following resolution:

WHEREAS, many progressive metropolitan communities around the country are actively developing biking and hiking trails, referred to as “green communities”, and

WHEREAS, the Regional Bike Plan was designed to make recommendations concerning the placement of potential bike paths and shared roadways in the region, and

WHEREAS, these recommendations were approved by both the Central Virginia Metropolitan Planning Organization and the Transportation Technical Committee in 2000, and

WHEREAS, the regional plan must be reviewed by each locality for recommendations and approval, and

WHEREAS, this plan should be regarded as a first step in developing a comprehensive bikeway system and does not constitute a preliminary engineering document and approval of the report and/or recommendations herein does not necessarily guarantee implementation, and

WHEREAS , the staff is requesting the Appomattox Town Council adopt the Regional Bike Plan for the Town of Appomattox.

NOW THEREFORE BE IT RESOLVED THAT the Town Council does hereby approve the Regional Bike Plan.

Lawson-aye McDearmon-aye Mitchell-aye Mayberry-aye Motion carried.

David Garrett reported that we have a application for an Entertainment Permit for Clayton Tinnell to have a Amusement event at the Town Center.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to approve the Entertainment Permit for Clayton Tinnell at the Appomattox Town Center, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to convene in Closed session in accordance with Section 2.2-3711, Subsection A. 7. Of the State Code for the purpose of consultation with legal counsel by the Council regarding specific legal matters requiring the provision of legal advice by such counsel.

NOW, THEREFORE, BE IT RESOLVED, That the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only such public business matters lawfully exempted from open meetings requirements by Virginia Law were discussed in the closed meeting to which this certificate resolution applies, and 2. Only such public business matters as were identified in the motion convening the closed session were heard, discussed, or considered by this Council.

Vote:

Lawson-aye Mayberry-aye Mitchell-aye
McDearmon-aye

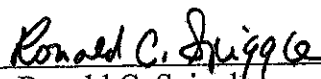
Nays: None

Absent: W. H. Carson
 Joyce Bennett

Motion carried

There being no further business to come before Council, the meeting adjourned.


Bobbie H. Mullins, Clerk

 MAYOR
Ronald C. Spiggle

Workshop Minutes -- April 23, 2002

A workshop meeting of the Appomattox Town Council was held on Tuesday, April 23, 2002 at 7:00 p.m. at the Appomattox Town Office with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Joyce Bennett and S. E. Lawson.

Others present: John Wilson, Lisa Knott, Times-Virginian Newspaper, William M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk.

Mayor Spiggle opened the meeting with a prayer.

The agenda was approved with the addition of one new item - 1. Conditional Use Permit for Melody Dyson - The Quilt Shop.

On a motion made by Mr. Carson, seconded by Mr. Mayberry, the request from the Appomattox County Assembly, Inc. for a monetary donation of \$200.00 was approved. All those voting aye. Motion carried.

On a motion made by Mr. Carson, the Personnel Committee recommended the adoption of the following resolution as written by the Appomattox Town Council and to become effective on July 1, 2002.

RESOLUTION

WHEREAS, the Personnel Committee appointed by the Appomattox Town Council has met, and by majority vote recommends that the Appomattox Town Council adopt the following resolution:

THEREFORE, BE IT RESOLVED, by the Council of the Town of Appomattox that:

- a) Council members shall receive a salary of \$50.00 per month to be paid whether such member is present at the monthly meeting, provided, however, that if a member is absent for three consecutive meetings, such member shall not be paid for any subsequent meetings until the member attends a regular meeting.
- b) Council members shall receive \$50.00 per meeting for each workshop session, special council meeting, or committee meetings more than thirty minutes long.
- c) Council members shall receive no compensation for recessed meetings or when two or more meetings are held at consecutive times on the same date, (that is, one following the other.)

- d) ~~The Mayor's salary shall be \$700.00 per month with no compensation for any other meetings of any kind.~~

All those present voting aye. Motion carried.

On a motion made by Mr. Lawson, seconded by Mr. McDearmon to allow the Appomattox Volunteers for Tourism Development to use the parking lot located between the Depot and Country Charm (Mill Building) for the Mother's Day Downtown Celebration on Saturday, May 11, 2002 thus making the parking lot closed during the hours of the celebration. All those present voting aye. Motion carried.

On a motion made by Mr. McDearmon, seconded by Mr. Mayberry to table the weekly market topic until the May 13 Regular Council Meeting and having the committee review the request. All those present voting aye. Motion carried.

On a motion made by Mr. Lawson, seconded by Mr. Mitchell to table the decision of the roof repairs until the May 13 Regular Council Meeting. All those present voting aye. Motion carried.

Town Manager's Report --

1. Update on work in progress at the depot including door repairs.
2. Update on Kiddie Park work in progress and vandalism occurring to the caboose. Also, the Abbitt Park and Library areas have become a concern. Numerous children are congregating, skateboarding, using abusive language, etc.
3. Update on wells and the water level status. Concurred to remind customers to conserve water.

Mayor/Zoning Administrator Report --

1. Informed council of the variance request from Gehad Natour for home owned on Loop Road needing 17.4 ft. to comply with frontage. The BZA met on April 18, 2002 and granted the variance. No action needed by the Appomattox Town Council.

On a motion made by Mr. Mayberry, seconded by Mr. McDearmon to accept the recommendation from the Appomattox Planning Commission for Melody Dyson -- The Quilt Shop -- Conditional Use Permit to erect a sign in R-2. All those present voting aye. Motion carried.

On a motion made by Mr. Carson, seconded by Mr. Mitchell, Council voted to convene in Closed Session in accordance with Section 2.2-3711, Subsection A, Item 7, of the State Code, for the purpose of Consultation with legal counsel by the Council regarding specific legal matters requiring the provision of legal advice by such counsel.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only public business matters lawfully

exempted from open meeting requirements by Virginia Law were discussed in the closed meeting to which this certificate resolution applies, and 2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote: Lawson – aye, McDearmon – aye, Mayberry – aye, Carson – aye, Mitchell – aye, Bennett – aye.

Motion carried.

On a motion made by Mr. Lawson, seconded by Ms. Bennett to accept the legal advice from legal counsel to have the Mayor enter into an agreement with Resource International Ltd. All those present voting aye. Motion carried.

On a motion made by Mr. Carson, seconded by Mr. Mitchell to proceed with the adoption of an ordinance allowing a 60 day application process. All those present voting aye. Motion carried.
(see attachment)

On a motion made by Mr. Carson, seconded by Mr. Lawson to adjourn the workshop session. All those present voting aye. Motion carried.

Rolando W. Lafette
Deputy Clerk

Ronald C. Spiggle
Mayor

Regular Meeting – May 13, 2002

The regular meeting of the Appomattox Town Council was held on Monday, May 13, 2002 at 7:30 PM with Mayor Spiggle presiding.

Those members present were: Norman Mayberry, C. Lewis McDearmon, W. H. Carson, Marvin H. Mitchell, Joyce Bennett, and Steve Lawson.

Others present: Bob Gay, Virginia Rural Water Association, Lisa Knott, Times-Virginian, John L. Wilson, D. T. Garrett, Jr., Town Manager, and Bobbie Mullins, Clerk.

The meeting opened with a prayer.

On a motion by Mr. Mitchell, seconded by Mr. Mayberry, Council voted to approve the Consent Agenda as submitted and all those present voting aye. Motion carried.

Mr. John L. Wilson, appeared before Town Council to present his amended requests for the Downtown Celebrations and the Downtown Market. See attached copies.

Mr. Bob Gay, Virginia Rural Water Association, came to make a presentation on his organization and how they can help us. We already are using their services.

On a motion by Mr. Lawson, seconded by Mrs. Bennett, Council voted to purchase some playground equipment at an approximate cost of \$8,000.00 to refurbish the Town Park and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to table the request for a Downtown Market, refer the matter to the Street & Property Committee, and give them time to talk with the Merchants and get their opinions, then take up the matter at the May 28th Workshop.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

On a motion by Mr. Lawson, seconded by Mr. McDearmon, Council voted to accept the bid from Woodall & Lang for the Depot Roof Repairs in the amount of \$33,278.00.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.


On a motion by Mr. Carson, seconded by Mrs. Bennett, Council voted to continue to pay the Employee Only share of Health Insurance until September 20, 2002, the renewal date, and all those present voting aye. Motion carried.

Page 2 of 2
Council Meeting – May 13, 2002

On a motion by Mr. Carson, seconded by Mr. Mitchell, Council voted to table New Business, Item 2 on Administrative Zoning Fees until the Workshop Meeting and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Lawson, Council voted to table the request from the Historical Society, to name the 460 By Pass the “C. T. Moses, Jr., Memorial Avenue”, until we have time to contact Virginia Department of Transportation and all those present voting aye. Motion carried.

There being no further business to come before Council, the meeting adjourned at 8:30 PM.



Ronald C. Spiggle Mayor



Bobbie H. Mullins CLERK

452

A workshop meeting of the Appomattox Town Council was held on Tuesday, May 28, 2002 at 7:15 p.m. with Mayor Spiggle, presiding.

Those present: Joyce Bennett, W. H. Carson, S. E. Lawson, C. L. McDearmon, Jr., N. H. Mayberry, M. H. Mitchell.

Others present: Charles Garrett, David Garrett, Town Manager, William M. Phillips, Town Attorney and Roxanne Paulette, Deputy Clerk.

On a motion made by Mr. Lawson, seconded by Mr. Mayberry, Council voted to deny the request for a Downtown Appomattox Market as presented by the Appomattox Volunteers for Tourism Development. All voting aye. Motion carried.

The following alternatives were suggested by the Property and Street Committee for the Downtown Appomattox Market.

The Property and Street Committee does not like the idea of markets downtown between the depot and Country Charm for the purpose of selling fruits, vegetables, and yard sale items. Alternate locations include: 1. Abbitt Park, 2. Courtland Field, 3. Triangle Plaza, 4. County Ball Park.

The Town has spent nearly \$500,000.00 on the downtown area and this is not part of the concept it was designed for.

On a motion made by Mr. Lawson, seconded by Mr. McDearmon, Council voted to deny the request of the Appomattox Volunteers for Tourism Development to close Main Street for the monthly downtown celebrations. All voting aye. Motion Carried.

The Property and Street Committee offers the following alternatives to closing the street:

1. The Town has agreed upon closing the parking lot between Country Charm and the depot.
2. The application can be faxed to the Town Office rather than bringing it to the Town Office as a matter of convenience. An application needs to be completed for each event and an explanation of the intent of the each event needs to be attached.
3. The committee is not in favor of closing the streets every 3 or 4 weeks.
4. Don Austin with VDOT advises that if the Town so chooses it will consider closing the street occasionally at the Town's request.

The Finance Committee referred the Zoning Administration Fees to the Ordinance Committee. The Ordinance Committee will meet at 6:30 p.m. on Monday, June 10, 2002 prior to the Council Meeting to go over the Zoning Administration Fee Ordinance draft.

The C. T. Moses, Jr. Memorial Highway request was tabled until the June 10, 2002 Council meeting pending written communication from VDOT.

Page 2 of 3
Workshop Minutes
May 28, 2002

The Two-Way Stop request at Church Street and Main Street was tabled until the June 10, 2002 Council meeting pending written communication from VDOT.

The County of Appomattox offered two dates to the Town Council to meet jointly reference the RFP for the Water Study. The meeting will take place on Saturday, June 15, 2002 at 8:00 a.m. at the Town Office as agreed upon by Town Council.

The Town Council was advised of the ongoing health insurance debate with the County of Appomattox and School Board. Rodney Deaner with Woodmen of the World has acted as the Town's agent and obtained competitive rates with Trigon Blue Cross Blue Shield for the Town only. The County of Appomattox now shows interest in participating in obtaining rates. The task is currently awaiting commitment by the County before the Town will take further action.

On a motion made by Mr. Carson, seconded by Mr. Mayberry, Joyce Bennett will serve on the Workforce Training Steering Committee for Appomattox County. All voting aye. Motion carried.

On a motion made by Mr. Mayberry, seconded by Mr. Mitchell, the Town of Appomattox will advertise to hold a public hearing on Monday, June 10, 2002 at 7:00 p.m. at the Municipal Building for the purpose of adjusting tax rates in accordance with the current reassessment. Bennett-aye, Lawson-aye, McDearmon-aye, Mitchell-aye, Mayberry-aye, Carson-no. Motion carried.

The police agreement will be discussed with the County on a one-year contractual basis rather than a two-year basis before the renewal date of July 1, 2002.

On a motion made by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to convene in Closed Session in accordance with Section 2.2-3711, Subsection A, Item 7, of the State Code, for the purpose of Consultation with legal counsel by the Council regarding specific legal matters requiring the provision of legal advise by such counsel.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the closed meeting to which this certificate resolution applies, and 2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Page 3 of 3
Workshop Minutes
May 28, 2002

Vote: Lawson-aye, McDearmon-aye, Mayberry-aye, Carson-aye, Mitchell-aye, Bennett-aye.

Motion carried.

On a motion made by Mr. Mayberry, seconded by Mr. McDearmon, the Council Workshop adjourned at 9:30 p.m.

Rolando Lauffette
Deputy Clerk

Ronald C. Spiggle
Mayor

PUBLIC HEARING

JUNE 10, 2002

A Public Hearing was held on June 10, 2002 at 7:00 PM with Mayor Spiggle presiding.

Those members of Council present: W. H. Carson, Norman Mayberry, Marvin Mitchell, C. Lewis McDearmon, Joyce Bennett, and Steve Lawson.

Others present: Lisa Knott, Times Virginian, John L. Wilson, Evans Thomas, Wayne Phelps, Tina LeValley, Chamber of Commerce, William M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, Bobbie H. Mullins, Clerk.

The purpose of the hearing was to hear citizen comments on the proposed tax increase. ~~The Town has an assessment increase and due to that must lower the rate, therefore, it makes an effective rate increase.~~ (see copy of ad for public hearing).

Mayor Spiggle opened the public hearing for citizen comments.

There being no one present wishing to comment, the public hearing was closed at 7:30 PM.

Respectfully submitted,

Bobbie H. Mullins
Bobbie H. Mullins, Clerk

~~Regular Meeting June 10, 2002~~

The regular meeting of the Appomattox Town Council was held on Monday, June 10, 2002, at 7:30 PM with Mayor Spiggle presiding.

Those members present were: C. Lewis McDearmon, Marvin Mitchell, Steve Lawson, Norman Mayberry, W. H. Carson, and Joyce Bennett.

Others present were: Lisa Knott, Times- Virginian, Evans Thomas, William M. Phillips, Town Attorney, Tina LeValley, Executive Director of the Chamber of Commerce, Wayne Phelps, John L. Wilson, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to approve the Consent Agenda as presented and all those present voting aye. Motion carried.

Evans Thomas, Vice-President, Chamber of Commerce, introduced Tina LeValley, Executive Director Chamber of Commerce to the Town Council. She looks forward to working with everyone.

Mr. John L. Wilson, appeared before Council to discuss the two letters he received from David Garrett, Town Manager, denying his two requests on the Downtown. (see copy attached).

On a motion by Mr. Mitchell, seconded by Mr. Lawson, Council voted to refer the request for Administrative Fees for Zoning to the Appomattox Planning Commission for a recommendation and have them hold a Public Hearing, and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to table the Items, Unfinished Business 2 and 3, until further information can be obtained from Don Austin, with VDOT, and all those present voting aye. Motion carried.

It was the general consensus that the Town Council wants the staff to move ahead with the plan to withdraw from the Health Care Plan with the School Board, to on our own, and be ready to take official action at the June 25, 2002 workshop.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to proceed with a one year contractual Police Agreement with Appomattox with concurrence of Sheriff Staples, and all those present voting aye. Motion carried. (see attached copy).

Page 2 of 2
Council Minutes – June 10, 2002

On a motion by Mrs. Bennett, seconded by Mr. Mayberry, Council voted to approve the use of Abbitt Park by the Library for July 20th from 10:30 until 1:30 PM for a presentation of “pet care” and to waive the fees, and all those present voting aye. Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to close the Town Office on July 5th as an extra holiday granted by the Governor and all those present voting aye. Motion carried.

Council discussed putting “No Loitering” signs at Abbitt Park and the Library parking lot to discourage the congregating by groups. Mr. Phillips will begin working on an ordinance that will be enforceable regarding loitering.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to convene in Closed Session in accordance with Section 2.2.3711, Subsection A, item 7, of the State Code for the purpose of obtaining legal advice on a pending matter.

Now, Therefore, Be It Resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only Public Business matters lawfully exempted from open meeting requirements by Virginia Laws were discussed in the closed meeting to which this certificate resolution applies, 2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council.

Vote:

Lawson-aye
McDearmon-aye


Mayberry-aye
Carson-aye

Mitchell-aye
Bennett-aye

Nays 0
Absent 0
Motion carried.

There being no further business to come before Council, the meeting adjourned.


Bobbie H. Mullins CLERK


Ronald C. Spiggle MAYOR

~~Workshop Meeting = June 25, 2002~~

A workshop meeting of the Appomattox Town Council was held on Tuesday, June 25, 2002 at 7:00 PM with Mayor Spiggle presiding.

Those members present were: W. H. Carson, C. Lewis McDearmon, Norman Mayberry, Joyce Bennett, Steve Lawson, and Marvin Mitchell.

Others present were: William Phillips, Town Attorney, Lisa Knott, Times Virginian, Douglas Steppe, Bif Gilliam, John L. Wilson, Rob Harrington, Carl Stanley, WSET, Ron Brown, Lynchburg News, David Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie H. Mullins, Clerk.

The Workshop opened with a prayer.

On a motion by Mr. Mitchell, seconded by Mr. Lawson, Council approved the Workshop Agenda with the following additions: 9. Adoption of the 2002/2003 Budget, 10. Approval of the use of Abbitt Park and waive fees, 11. Request for Closed Session – Possible Litigation, 12. Consideration of an RFP for a Water Study, 13. Discussion of amending the Town Code regarding drilling of wells within the Town Limits, and all those present voting aye. Motion carried.

On a motion by Mrs. Bennett, seconded by Mr. McDearmon, Council voted to purchase an HL 1440 Laser Printer for the Chamber of Commerce at a cost of \$450.00 and all those present voting aye. Motion carried.

Council took no action on the C. T. Moses, Jr., Memorial Highway or the two way stop sign at Main Street until further information can be obtained.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to withdraw from the health care plan under the Appomattox County School Board and County of Appomattox effective June 1, 2002, and all those present voting aye. Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to accept the Blue Care 200 Healthcare Plan from Trigon retroactive to June 1, 2002 and expiring May 31, 2003, to pay the employee share only of the plan, with the employee bearing 100% of the dependent costs.

Carson-aye Bennett-aye Mitchell-aye McDearmon-aye Mayberry – aye Lawson-aye
Motion carried.

At this time during the meeting, Barbara Williams, Clerk of the Circuit Court came to Council to administer the oath of office to the Council members and the Mayor.

Page 2 of 3
Council Workshop Meeting – June 25, 2002

Council discussed the water shortage. They decided that a “plan of action” was needed before we could take action on the restriction of water usage. This plan will be brought to Council at the July 8th meeting.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to amend and reenact sections 46-36 through 46-40 of the Town Code regarding “loitering” within the Town of Appomattox and all those present voting aye. Motion carried. (see attached copy).

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to set the Real Estate Rate at 0.15 per \$100.00 of assessed value for the 2002 Tax Year.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried unanimously.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council set the Personal Property tax rate at \$0.55 per \$100.00 of assessed value for the 2002 Tax Year.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried unanimously.

On a motion by Mr. Carson, seconded by Mr. Mitchell, Council set the Machinery and Tools Tax rate at \$0.55 per \$100.00 of assessed value for the 2002 Tax Year.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried unanimously.

On a motion by Mr. Mayberry, seconded by Mrs. Bennett, Council voted to set the Salaries for the Town Employees for the 2002/2003 Year as presented in the Budget.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried unanimously.

On a motion by Mr. Mayberry, seconded by Mrs. Bennett, Council voted to adopt the 2002/2003 Appomattox Town Budget as presented, having been duly advertised and public hearing held as prescribed by Law.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried unanimously.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to approve the use of the Abbitt Memorial Park by Liberty Baptist Church on July 4th, waive the fees, and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mrs. Bennett, the Town Council voted to join with the County of Appomattox in seeking RFP's for a Water Study and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mrs. Bennett, Council voted to amend the previous motion to have Mr. McDearmon serve on the Joint Committee seeking RFP's for the Water Study and all those present voting aye. Amended Motion carried.

Council discussed considering the prevention of Town Citizens from drilling a private well within the Town. The information will be brought to the July 8th meeting.

On a motion by Mr. Carson, seconded by Mr. Lawson, Council voted to convene in Closed Session in accordance with Section 2.2-3711, Subsection A, Item 3. Acquisition of real property for a public purpose and Item 7. Consultation with legal counsel – probable litigation.

Now, Therefore, Be It Resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the Closed Meeting to which this certificate resolution applies and 2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council.

Vote:

Lawson-aye
McDearmon-aye

Mayberry-aye
Bennett-aye

Mitchell-aye
Carson-aye

Nays 0

Absent 0

Motion carried.

There being no further business to come before Council, the meeting adjourned.

Ronald C. Spiggle MAYOR

Robin Mullins CLERK

A regular meeting of the Appomattox Town Council was held on Monday, July 8, 2002 at 7:30 p.m. with Mayor Spiggle, presiding.

Members present: M. H. Mitchell, N. H. Mayberry, C. L. McDearmon, Jr., W. H. Carson, Joyce Bennett. Absent: S. E. Lawson

Others present: John Wilson, Biff Gilliam, Lisa Knott, Ron Brown, Charles Garrett, Earl Dickerson, Bif Johnson, Hill Jones, Jack Moeller, JMT, Gary Miller, JMT, W. M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne Paulette, Deputy Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to remove item NB-1 Consideration to release Hurt & Proffitt, Inc. from General Engineering Services from the Consent Agenda and send to the Utility Committee. All members voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Carson, Council adopted the Consent Agenda as presented with the removal of NB-1. All members voting aye. Motion carried.

Mr. John Wilson gave a presentation to Council Members of his request to search for other alternatives to the lack of rain and current town water conditions.

There were no standing committee reports.

On a motion by Mr. McDearmon, the Street Committee requests an additional streetlight be erected on Pine Street. All members voting aye. Motion carried.

Mayor Spiggle advised Council that a letter has been written to the Historical Society requesting them to submit reasoning to the request of naming the 460 ByPass the C. T. Moses, Jr. Memorial Highway.

Mayor Spiggle also advised Council that he is waiting on a response from the VDOT Appomattox Residency Office concerning the two-way stop at Main Street and Church Street.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to adopt the Water Conservation Policy as presented. All members voting aye. Motion carried. (See attached copy)

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to enact the Water Conservation Ordinance as presented. All members voting aye. Motion carried. (See attached copy)

On a motion by Mr. McDearmon, the Utility Committee requests the prohibition of wells being drilled within the Town limits. All members voting aye. Motion carried. (See attached copy)

Page 2 of 2
 Council Minutes
 July 8, 2002

On a motion by Mr. McDearmon, seconded by Mr. Carson, the Council voted to name David T. Garrett, Jr., Zoning Administrator for the Town of Appomattox. All members voting aye. Motion carried.

On a motion made by Mr. Carson, seconded by Mr. McDearmon, Council voted to allow an out of town water connection to Sharon Bryant on Lot #24 on State Route 658. All members voting aye. Motion carried.

On a motion made by Mr. Mitchell, seconded by Mr. McDearmon, Council voted to allow an out of town connection to James Gowin on Rt. 691 near Walton Place Subdivision. All members voting aye. Motion carried.

Mr. Garrett informed Council members of a Joint Meeting with the Planning Commission and Board of Supervisors on July 29, 2002 at 7:00 p.m. at the Courthouse to discuss the Comprehensive Plan.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to refer the request for a sign by the Memorial Methodist Church to be placed on Rt. 460 near the Elementary School to the Street Committee. All members voting aye. Motion carried.

The standing committees will stand for the 2002-2004 term of Council.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to convene in Closed Session in accordance with Section 2.2-3711, Subsection A, Item 7, of the State Code, for the purpose of obtaining legal advice on a pending matter.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1) Only public business matters lawfully exempted from open meetings requirements by Virginia Law were discussed in the Closed Meeting to which this certificate resolution applies, and 2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council.

Vote:

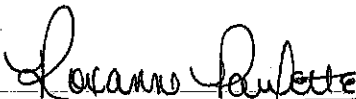
Lawson – absent
 McDearmon – aye

Mayberry – aye
 Carson – aye

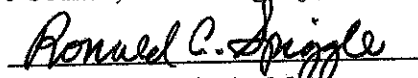
Mitchell – aye
 Bennett – aye

Nays: 0
 Absent: 1
 Motion carried.

There being no further business to come before Council, the meeting adjourned.



Roxanne W. Paulette, Deputy Clerk


 Ronald C. Spiggle, Mayor

SPECIAL CALL OF COUNCIL

A special call of Appomattox Town Council was held on Monday, July 15, 2002 at 6:30 PM with Mayor Spiggle presiding.

Those members present: Norman Mayberry, C. Lewis McDearmon, Joyce Bennett, W. H. Carson, Steve Lawson, and Marvin Mitchell.

Others present: William M. Phillips, Town Attorney, D. T. Garrett, Jr., Town Manager and Bobbie Mullins, Clerk.

The meeting was called to order with a prayer.

The purpose of this special call of council was to discuss the Engineering Service for the Well 39, and an update on the SBR System.

David Garrett, Jr., and Mr. Phillips briefed Council on their findings as to where the Town Council stands on hiring an independent engineer for the Well 39 Design.

The general consensus of Council was that due to time constraints we proceed immediately the design for Well 39 and let Hurt & Proffitt do the work.

There being no further business to come before Council, the meeting adjourned at 6:55 PM.

Ronald C. Spiggle MAYOR
Ronald C. Spiggle

Bobbie H. Mullins CLERK
Bobbie H. Mullins

Workshop Meeting -- July 23, 2002

The Appomattox Town Council held a workshop meeting on Tuesday, July 23, 2002 at 7:00 p.m. at the Town Office with Mayor Spiggle, presiding.

Members present: S. E. Lawson, Joyce Bennett, W. H. Carson, N. H. Mayberry, C. L. McDearmon, Jr., Marvin Mitchell.

Others present: David T. Garrett, Jr., Town Manager, William M. Phillips, Town Attorney, Lisa Knott, Times Virginian, Roxanne Paulette, Deputy Clerk.

Mayor Spiggle opened the workshop meeting with a prayer.

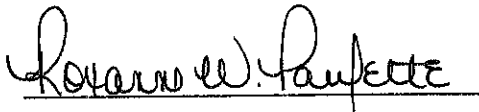
On a motion made by Mr. Carson, seconded by Mr. McDearmon, Council voted to amend the Code of the Town of Appomattox by adding Chapter 74, Article X, consisting of Section 74-93 through 74-323 referring to the regulations of the siting of wireless telecommunications facilities within the Town of Appomattox. All members voting aye. Motion carried.

On a motion made by Mr. Carson, seconded by Mr. Lawson, Council voted to table the request to erect a directional sign on Rt. 460 near Appomattox Elementary School by the Memorial Methodist Church to the August 12, 2002 Regular Council Meeting. All members voting aye. Motion carried.

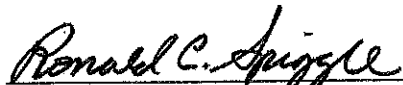
David T. Garrett, Jr., Town Manager gave Council an update on the water levels and well status.

David T. Garrett, Jr., Town Manager also gave Council an update and information on the levels of copper that Founders Furniture is discharging to the Town.

With no further business to come before Council, the meeting was adjourned.



Roxanne W. Paulette, Deputy Clerk


Ronald C. Spiggle, Mayor

Joint Planning Commission Meeting – July 29, 2002

A meeting of the Appomattox Town Council and Appomattox County Board of Supervisors with the Appomattox Planning Commission was held on Monday, July 29, 2002 at 7:00 p.m. at the Courthouse.

The meeting was called to order by Mayor Spiggle.

Members present: S. E. Lawson, Joyce Bennett, Marvin Mitchell and Lewis McDearmon.

Members absent: Jimmy Mayberry and W. H. Carson.

No action was taken.

On a motion by Mr. Mitchell, seconded by Mr. Lawson the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

David Garrett, Jr. *DTR*
Town Manager

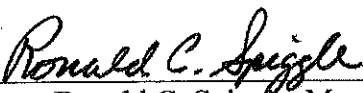
~~Regular Meeting - August 12, 2002~~

The regular meeting of the Appomattox Town Council was held on Monday, August 12, 2002 at 7:30 PM in the Town Office.

Those members present were: Joyce Bennett, Marvin Mitchell, and Norman Mayberry.
Absent: W. H. Carson, Steve Lawson, and C. Lewis McDearmon.

Others present were: Charles Garrett, Bif Johnson, William Phillips, David T. Garrett, Jr., Town Manager, and Bobbie H. Mullins, Clerk.

There was not a quorum present to transact the business of the Town, so the meeting was kept opened until 8:00 PM, then adjourned.



Ronald C. Spiggle, Mayor



Bobbie H. Mullins

Workshop Meeting – August 27, 2002

A workshop meeting of the Appomattox Town Council was held on Tuesday, August 27, 2002 at 7:00 p.m. at the Appomattox Town Office with Vice-Mayor Mitchell presiding.

Members present: W. H. Carson, N. H. Mayberry, C. L. McDearmon, Joyce Bennett and Steve Lawson.

Others present: David T. Garrett, Jr., Lisa Knott and Roxanne Paulette, Deputy Clerk.

The meeting was opened with a prayer.

On a motion made by Ms. Bennett, seconded by Mr. McDearmon, council voted to approve the consent agenda as present. All voting aye. Motion carried.

Committee Reports:

Street Committee – none

Safety Committee – none

Utility Committee –

On a motion made by Mr. McDearmon, seconded by Mr. Mayberry, council voted to place a moratorium on all out of town water connections effective September 1, 2002. All voting aye. Motion carried.

On a motion made by Mr. McDearmon, seconded by Mr. Mayberry, council amended the above motion by changing the effective date to August 28, 2002 for the moratorium on out of town water connections. All voting aye. Motion carried.

Ordinance Committee – none

Finance Committee – none

Personnel Committee – none

On a motion made by Mr. Lawson, seconded by Mr. McDearmon, council voted to approve the directional sign for the Memorial United Methodist Church on Confederate Blvd. as requested. All voting aye. Motion carried.

Consideration of the C. T. Moses, Jr. Memorial Highway was tabled to the September 9, 2002 Council Meeting.

Consideration of the Two-Way Stop on Church Street and Main Street was tabled to the September 9, 2002 meeting.

On a motion made by Mr. Lawson, seconded by Mr. McDearmon, council voted to leave the Tour Bus signs as they are. All voting aye. Motion carried.

On a motion made by Mr. Mayberry, seconded by Ms. Bennett, council voted to approve the water connection for Laura Stanley at Walton Place. All voting aye. Motion carried.

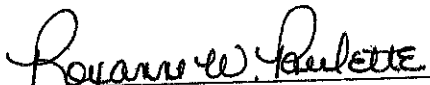
Page 2 of 2

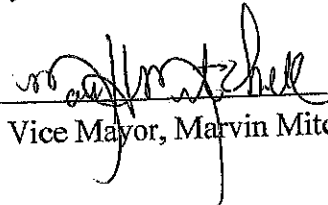
Workshop Minutes – August 27, 2002

On a motion made by Mr. Mayberry, seconded by Mr. McDearmon, council voted to transfer \$350,000.00 from line item 104900.7040 to line item 104900.7050 of the FY 2003 Budget for the Town of Appomattox. All voting aye. Motion carried.

On a motion made by Mr. McDearmon, seconded by Mr. Lawson, council voted to approve the water connection for William Martin on Rt. 26. All voting aye. Motion carried.

On a motion made by Mr. Mayberry, seconded by Mr. McDearmon, council adjourned with no further business. All voting aye. Motion carried.


Deputy Clerk, Roxanne Paulette


Vice Mayor, Marvin Mitchell

A Special Call of Council was held on Tuesday, September 3, 2002 at 6:30 p.m. at the Town Office with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, Marvin Mitchell, C. L. McDearmon, Joyce Bennett and Steve Lawson.

Others present: Jack Moeller (JMT), Chris Didio (JMT), Gary Miller (JMT), Gary Loomis (Masters Engineers), Southard Brumfield (Booth & Co.), Hill Jones (H&P), Bif Johnson (H&P), Earl Dickerson (H&P), William M. Phillips, Attorney, Charles Garrett, Lisa Knott, Times Virginian Newspaper and Roxanne Paulette, Deputy Clerk.

The purpose of the Called Meeting is for the following:

- 1) Consideration of placing Full Mandatory Water Restrictions.
- 2) Meet with Hurt & Proffitt, Inc., JMT, Masters Engineer, and Aqua-Aerobics to discuss the repairs needed at the SBR Treatment Plant.

The meeting was opened with a prayer.

On a motion made by Mr. McDearmon, Chairman, the Utility Committee recommended that the Appomattox Town Council impose Mandatory Restrictions under Condition 4 of the Town of Appomattox Water Conservation Plan effective today, September 3, 2002. All voting aye. Motion carried.

On a motion made by Mr. McDearmon, Chairman, the Utility Committee further recommends that Council pass an Emergency Ordinance to Restrict the Use of Water Produced and Distributed by the Town of Appomattox Water System effective immediately. The Town Manager will also notify all water customers by U. S. Mail of the Mandatory Water Restrictions. All voting aye. Motion carried.

The following recommendation comes from Hurt & Proffitt, Inc. and JMT to repair the SBR facility.

- Install Pressure Reducing Values and Reinforce the Exterior Walls and Basins with a minimum of 12" of concrete on the inside of the walls. This in no way changes the volume of capacity permitted at the SBR facility.
- Both basins will be fixed.
- Plans and Construction Draws will be delivered to the plant. (No presentation needed).

On a motion made by Mr. Mayberry, seconded by Mr. Mitchell, council voted to adjourn.

Ronald C. Spiggle
Mayor, Ronald C. Spiggle

Roxanne W. Paulette
Deputy Clerk, Roxanne W. Paulette

Regular Meeting – September 9, 2002

The regular meeting of the Appomattox Town Council was held on Monday, September 9, 2002 at 7:30 PM with Mayor Spiggle presiding.

Those members present were: C. Lewis McDearmon, Marvin Mitchell, W. H. Carson, Joyce Bennett, and Norman Mayberry. Absent: Steve Lawson.

Others present were: Bill Gillespie, Region 2000 Regional Commission, Anne Dixon, Recreation Department, Gary Gilliam, Brian Robinson, Lisa Knott, Times-Virginian, William Phillips, Town Attorney, Roxanne Paulette, Deputy Clerk, David T. Garrett, Jr, Town Manager, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to approve the Consent Agenda as presented and all those present voting aye. Motion carried.

Anne Dixon, Gary Gilliam, and Brian Robinson, appeared before Council to make a presentation on the Community Park located on Route 613 on County Property. They are only asking that we consider them for sewerage in the future.

Mr. Bill Gillespie, Executive Director, Region 2000, came before Council to make a presentation on the five priorities for the "Commission". One of which is Insurance Coverage for local government employees. He asked that a resolution of support be adopted before the end of the year.

On a motion by Mr. Mitchell, Chairman of the Ordinance Committee, the Council voted to approve the adding of a new section Number 74-8, which refers to fees charged for Zoning (see attached copy).

Bennett-aye McDearmon-aye Mayberry-aye Mitchell-aye Carson-aye
Motion carried by 5-0 vote.

On a motion by Mr. Mitchell, Chairman of the Ordinance Committee, Council voted to amend and reenact Sections 74-142 and 74-177 of the Town Code, referring to permitted uses in Residential Districts R-1, and Residential Districts, R-2, (see attached copy).

Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried 5-0 vote.

Council took a five minute recess.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to convene in Closed Session in accordance with Section 2.2.3711, Subsection A, item 7, of the State

Page 2 of 2
Council minutes – September 9, 2002

Code for the purpose of obtaining advice of legal counsel on pending litigation involving the wastewater treatment plant.

Bennett-aye McDearmon-aye Mitchell-aye
Mayberry-aye Carson-aye Lawson-Absent
Motion carried.

NOW, THEREFORE, BE IT RESOLVED, That the Appomattox Town Council hereby certifies that to the best of each member's knowledge: 1. Only public business matters lawfully exempted from open meetings requirements by Virginia Laws were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council.

Vote:

Bennett-aye McDearmon-aye Mitchell-aye
Mayberry-aye Carson-aye

Absent: Steve Lawson

Motion carried by a 5-0 vote.

There being no further business to come before Council, the meeting adjourned.

Ronald C. Spiggle MAYOR
Ronald C. Spiggle

Bobbie H. Mullins CLERK
Bobbie H. Mullins, Clerk

Workshop Meeting – September 24, 2002

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, September 24, 2002 with Mayor Spiggle presiding.

Those members present were: W. H. Carson, Steve Lawson, C. Lewis McDearmon, and Marvin H. Mitchell. Absent – N. H. Mayberry and Joyce Bennett

Others present were: Ned Cleland, Blue Ridge Design, William M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager, and Bobbie Mullins, Clerk.

The meeting was opened with a prayer.

Mr. Ned Cleland, Blue Ridge Design, made a brief presentation on his Company and their specialty. His expertise is in design and structural engineering, particularly in concrete.

On a motion by Mr. Lawson, seconded by Mr. McDearmon, Council voted to engage Mr. Cleland, Blue Ridge Design, Inc. to study the design and plans for our SBR System, relative to the settling basins for sludge, and make recommendations and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mitchell, Council voted to adopt the Resolution for the Adoption of the Regional Initiatives and their Priorities by the Central Region 2000 Regional Commission.
Carson-aye Mitchell-aye McDearmon-aye Lawson-aye Motion carried.

The question of the Town paying one-third of the \$3500.00 for the Consultants fee to study medical insurance premiums and plans will be taken up a later date.

Council agreed to move the October regular meeting to the 15th due to the second Monday being a holiday. The October Workshop will be set for the 29th of October. November regular meeting is being moved to Tuesday also due to the holiday. The Workshop for November is cancelled at this point.

On a motion by Mr. Lawson, seconded by Mr. Mitchell, Council voted to expend the monies to have the State Lab perform the ten samples on the Sewer Plant to see if the Dissolved Clean Metals sample limits are back within a normal range and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mitchell, Council affirmed the purchase of a water meter to account for the water loss within the Town and all those present voting aye. Motion carried.

The workshop was over at 8:20 PM

Regular Meeting – October 15, 2002

The regular meeting of the Appomattox Town Council was held on Tuesday, October 15, 2002, at 7:30 PM with Mayor Spiggle presiding.

Those members present were: Steve Lawson, Joyce Bennett, C. Lewis McDearmon, Marvin H. Mitchell, Norman Mayberry, and W. H. Carson.

Others present were: Evans Thomas, Marian Thomas, William N. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mitchell, seconded by Mr. McDearmon, Council voted to approve the Consent Agenda as presented and all those present voting aye. Motion carried.

Evans Thomas, representing TransDominion Express gave a brief presentation on why this would be beneficial to the Town of Appomattox. They are requesting a donation of \$500.00.

On a motion by Mr. Lawson, seconded by Mrs. Bennett, Council voted to purchase the recycled tire nuggets for the Children's Park at an approximate costs of \$1500.00 and all those present voting aye. Motion carried.

Mr. McDearmon reported that the Utility Committee will meet again on the RFP for the Water Study Plan. There are still some questions that need to be answered regarding the Plan.

Mr. Mayberry reported that the Fire Department would like for the Town to give the requested money up front, on their portion of the proposed new building.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to give the Appomattox Volunteer Fire Department \$90,000.00 for the Building Fund up front instead of in yearly payments.

Carson-aye Bennett-aye Mayberry-aye Mitchell-aye McDearmon-aye Lawson-aye
Motion carried.

Mr. Mayberry reported that Debbie Powell, Chairman of the Tourism Task Force, had approached him to request that the Town donate to the Chamber \$2000.00 for some part-time help to assist the Executive Director.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to expend \$2,000.00 for the Chamber of Commerce for part-time help in the office, and all those present voting aye. Motion carried.

Page 2 of 2

Council Minutes – October 15, 2002

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to table indefinitely Items UB, 1 and 2 on the Agenda and all those present voting aye. Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to agree to pay the Town's portion, \$1,166.67 for the Consultants Fee to study the health insurance for the Regional Commission, all those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mr. McDearmon, Council voted to set the Fall Clean Up Weeks as October 28th through November 1st, and November 4th thru November 8th, 2002, and all those present voting aye. Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mitchell, Council voted to appoint Mrs. Bennett, and Mr. Lawson to the CEDS Committee and all those present voting aye. Motion carried.

Mr. Garrett informed Council that the Water Samples for Clean Metals testing cost an additional \$400.00.

There being no further business to come before council, the meeting adjourned.



Ronald C. Spiggle, Mayor



Bobbie H. Mullins, Clerk

PUBLIC HEARING

A Public Hearing on the Sidewalk Grant was held on October 15, 2002 at 7:00 PM with Mayor Spiggle presiding.

Those present were: Steve Lawson, Joyce Bennett, C. Lewis McDearmon, Norman Mayberry, W. H. Carson, and Marvin Mitchell.

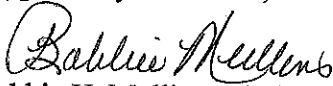
Others present: Marian Thomas, Evans Thomas, Nykia Douglas, William M. Phillips, Town Attorney, D. T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie H. Mullins, Clerk.

Nykia Douglas, of the Region 2000 Commission Staff, presented a brief presentation on the proposed Sidewalk Grant. Marian Thomas spoke regarding that if a sidewalk was constructed then she felt more children would be walking to school. Speed limits on Lee Grant Avenue need to be strictly enforced.

The Mayor asked for questions and comments.

There being no further comments, the hearing was closed at 7:15 PM.

Respectfully submitted,


Bobbie H. Mullins, Clerk

WORKSHOP MEETING - October 29, 2002

A workshop meeting of the Appomattox Town Council was held on October 29, 2002 at 7:00 p.m. at the Appomattox Town Office with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, Joyce Bennett, C. L. McDearmon, S. E. Lawson, Marvin Mitchell.

Others present: Jackie Mann, Nita Mann, Josh Rubinstein, VRWA, Eric Shortt, VRWA, Ted Dean, ATS International, David Garrett, Larry Mobley, Bill Phillips and Roxanne Paulette, Deputy Clerk.

On a motion by Mr. Carson, seconded by Mr. Mitchell to approve the petition as presented by Jackie & Nita Mann with the conditional use that the game room be supervised by an adult during its hours of operation. All voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry that the approval applies only to the petitioners, Jackie & Nita Mann. All voting aye. Motion carried.

On a motion made by Mr. Lawson, seconded by Mr. Mitchell to approve the Joint Water Study RFP with Appomattox County. All voting aye. Motion carried.

On a motion made by Mr. McDearmon, seconded by Mr. Mayberry, to approve the Well Option Agreement with the Appomattox County School Board at the new Elementary School. All voting aye. Motion carried.

Eric Shortt & Josh Rubinstein along with Ted Dean gave a short presentation to Town Council concerning fractured rock and how water reaches the water table. Mr. Dean also gave some scenarios of how to find water.

With no further business, the meeting was adjourned at 9:00 p.m.

Roxanne W. Paulette
Deputy Clerk

Ronald C. Spiggle
Mayor

Regular Meeting -- November 12, 2002

The regular meeting of the Appomattox Town Council was held on Tuesday, November 12, 2002 at 7:30 PM with Mayor Spiggle presiding.

Those members present were: Steve Lawson, Joyce Bennett, C. Lewis McDearmon, Marvin Mitchell, Norman Mayberry, and W. H. Carson.

Others present were: Gary Miller, Chris Didio, J. M. T Engineering, Gary Loomis, Masters Engineering, Hill Jones, Bif Johnson, Hurt & Proffitt, William M. Phillips, Town Attorney, Lisa Knott, Times-Virginian, Danny Heath, Nesbe Cable, Charles Garrett, Larry Mobley, David Garrett, Jr., Town Manager, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council approved the Consent Agenda with the addition of two items to New Business: 1. Use of Abbitt Park by Appomattox Volunteer Fire Department, and 2. Holiday Closing of Town Office, and all those present voting aye. Motion carried.

Mr. Danny Heath, Nesbe Cable, spoke to Council regarding the Cable System and why WGN was dropped from the system. It was dropped to make a slot for Channel 33, which is considered a must carry channel according to FCC regulations and the Telecommunications Act. They have met all the requirements.

Bif Johnson, Hurt & Proffitt, introduced the gentlemen from JMT, who made a presentation on the basins at the Sewerage Treatment Plant and the modifications necessary to correct these problems. The presentation was videotaped by Larry Mobley to send to Ned Cleland for his review.

Mr. Steve Lawson, Chairman of the Property Committee reported that his Committee is recommending that the pay telephone be removed from Downtown on Lee Street. Council approved the recommendation with a vote of four voting aye, one nay, and one member absent from the room. Motion carried.

Mrs. Joyce Bennett reported on her meeting with the Fire Chief Timmy Garrett. She was asked to get some more questions answered for the Council. (see attached copy of her report).

A Personnel Committee meeting will be set at a later date.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council voted to approve the use of the Abbitt Park by the Appomattox Volunteer Fire Department on November 30th, to waive the \$25.00 application fee, and all members present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to approve the Holiday Schedule for the Town Employees for Thanksgiving and Christmas, and all those present voting aye. Motion carried. See attached copy.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council voted to convene in Closed Session in accordance with Section 2.2.3711, Subsection A, Item 7, of the State Code for the purpose of legal advice from Counsel.

Now, Therefore, Be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only public business matters lawfully exempted from Open Meetings requirements by Virginia Law were discussed in the Closed Meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed, or considered by this Council.

Page 2 of 2
Council Meeting - November 12, 2002

Vote:

Lawson - aye
McDearmon - aye

Mayberry - aye
Carson - aye

Mitchell - aye
Bennett - aye

Nays 0

Absent 0

Motion carried.

There being no further business to come before Council, the meeting adjourned.

Ronald C. Spiggle MAYOR
Ronald C. Spiggle

Bobbie H. Mullins CLERK
Bobbie H. Mullins, Clerk

Regular Meeting - December 9, 2002

The regular meeting of the Appomattox Town Council was held on Monday, December 9, 2002 with Mayor Spiggle presiding.

Those members present: W. H. Carson, Norman Mayberry, C. Lewis McDearmon, and Joyce Bennett.

Absent - Steve Lawson and Marvin Mitchell.

Others present were: Debbie Powell, Tourism Task Force, Robert Mitchell, Mayor, Town of Pamplin, Bill Gillespie, Region 2000 Regional Commission, William M. Phillips, Town Attorney, Lisa Knott, Times-Virginian, Roxanne Paulette, Deputy Clerk, D. T. Garrett, Town Manager, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council approved the Consent Agenda as presented and all those present voting aye. Motion carried.

Debbie Powell and Robert Mitchell, members, Tourism Task Force Committee came before Council to make a presentation of the Tourism Plan. (see attached copy)

Mr. Bill Gillespie, Executive Director, Region 2000 Regional Commission appeared before Town Council to present the Legislative Agenda as proposed for the 2003 Session of the General Assembly. The Agenda insists that State Mandates and programs should be funded by State dollars not with local dollars. (see attached copy.)

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adopt the Legislative Agenda as presented and all those present voting aye. Motion carried.

Mrs. Bennett gave a report on her meeting with Mr. Caldwell, Chairman, of the Fire Department Fund Raising Committee.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council approved the out of Town water connection for Clayton Bryant in the Fairview Hills Subdivision due to a previous agreement for sixty connections for that area, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mrs. Bennett, Council voted to approve the appropriation of monies to drill a test well on the Elementary School property at a not to exceed figure of \$4000.00 and all those present voting aye. Motion carried.

Page 2 of 2

Council Minutes -- December 9, 2002

On a motion by Mrs. Bennett, seconded by Mr. McDearmon, Council approved the participation of the Town of Appomattox in the "Virginian to Virginians" Program with the Town of Clarksville and the Town of Gordonsville, and all those present voting aye. Motion carried.

There being no further business to come before Council, the meeting adjourned at 9:15 PM.

Ronald C. Spriggle MAYOR

Bobbie H. Mullins CLERK
Bobbie H. Mullins, Clerk

Regular Meeting – January 13, 2003

The regular meeting of the Appomattox Town Council was held on Monday, January 13, 2003 at 7:30 PM with Mayor Spiggle presiding.

Those members present were: Norman Mayberry, C. Lewis McDearmon, Marvin Mitchell, W. H. Carson, Joyce Bennett, and Steve Lawson.

Others present were: Wayne Phelps, Bif Johnson, Hurt & Proffitt, Lisa Knott, Times-Virginian, William M. Phillips, Town Attorney, Roxanne Paulette, Deputy Clerk, David T. Garrett, Jr., Town Manager, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to approve the Consent Agenda as submitted and all those present voting aye. Motion carried.

Mr. Wayne Phelps, spoke to Council regarding the proposal from the Historical Society to name the 460 By-Pass in memory of Charles T. Moses, Jr.

On a motion by Mr. Lawson, seconded by Mr. McDearmon, Council voted to send the request to the Virginia Department of Transportation to name the Route 460 By-Pass in memory of Charles T. Moses, Jr. and all those present voting aye. Motion carried.

Joyce Bennett reported the Fire Department has officially begun the fund raising campaign.

On a motion by Mr. McDearmon, seconded by Mrs. Bennett, Council voted to send the "Temporary Sign Ordinance to the Ordinance Committee for their study and recommendations and all those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mr. Lawson, Council voted to convene in Closed Session in accordance with Section 2.2.3711, Subsection A, Item 7, of the State Code, for the purpose of consultation with legal counsel employed by or retained by a public body regarding specific legal matters requiring the provision of legal advise by such counsel.

VOTE:

Bennett – aye	Mayberry-aye	Mitchell-aye
McDearmon –aye	Carson –aye	Lawson-aye

Now, Therefore, Be It Resolved, That the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only Public Business matters lawfully exempted from open meetings requirements by Virginia Law were discussed in the

Closed Meeting to which this Certificate of Resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

VOTE:

Lawson - aye

Mayberry - aye

Mitchell - aye

McDearmon - aye

Carson - aye

Bennett - aye

Nays: 0

Absent: 0

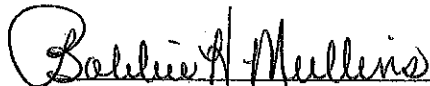
Motion carried.

There being no further business the meeting adjourned with a motion by Mr. Mayberry and second by Mrs. Bennett.



MAYOR

Ronald C. Spiggle, Mayor



CLERK

Bobbie H. Mullins, Clerk

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, January 28, 2003, at 7:30 PM with Mayor Spiggle presiding.

Those members present: Marvin Mitchell, C. Lewis McDearmon, Steve Lawson, W. H. Carson, Joyce Bennett, and Norman Mayberry.

Others present were: William M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager, Larry Mobley, Assistant Director of Public Works, Charles Garrett, Wastewater Treatment Plant Operator, Tim Garrett, Fire Chief, Duck Martin, Roxanne Paulette, Deputy Clerk, Marvin Hamlett, Times-Virginian, and Bobbie H. Mullins, Clerk.

On a motion by Mr. Mitchell, seconded by Mr. McDearmon, Council voted to approve the Consent Agenda with one addition of Item 9, Ordinance on Septage Receiving and all those present voting aye. Motion carried.

On a motion Mr. Carson, seconded by Joyce Bennett, Council voted to approve the "Travel Policy" as presented with the addition of the words "when approved" in the first paragraph and all those present voting aye. Motion carried.

Steve Lawson, Chairman of the Property Committee, reported that the Fire Department has made a request to construct a "temporary structure" to house the new Fire Truck until the new Building is constructed. This will be done at no costs to the Town of Appomattox.

Mr. Lawson made the motion for the Council to approve the temporary construction for housing the new fire truck at no cost to the Town, and all those present voting aye. Motion carried.

Mayor Spiggle informed Council that the Tourism Task Force would be hosting a dinner meeting for Town Officials, County Officials, and others to present their tourism plan. The cost would be approximately \$600.00 and will be taken from Tourism in the General Fund.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council approved the six dates for the Friday Cheers that has been requested by the Chamber of Commerce, waive the fees for these events, and all those present voting aye. Motion carried.

At this time David Garrett, Jr., Town Manager briefed Council on several items.

Also Larry Mobley and Charles Garrett gave a brief report of the Public Works and the Wastewater Treatment Plant.

On a motion by Mr. Mitchell as Chairman of the Committee, presented the proposed ordinance Section 70-198 to be added to the Town Code regarding the acceptance of hauled Wastewater into the Town's Treatment Plant.

Mayberry-aye Mitchell-aye Carson-aye McDearmon-aye Bennett-aye Lawson-aye
Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Carson, Council voted to hold a Public Hearing on February 10th at 7:00 PM to hear citizen comment on the Community Development Plan and all those present voting aye. Motion carried.

There being no further business to come before Council, the meeting adjourned.

Respectfully submitted,


Bobbie H. Mullins, Clerk

Regular Meeting – February 10, 2003

The regular meeting of the Appomattox Town Council was held on Monday, February 10, 2003 at 7:30 PM with Mayor Spiggle presiding.

Those members present: Norman Mayberry, C. Lewis McDearmon, Marvin Mitchell, W. H. Carson, Mrs. Bennett, and Mr. Lawson.

Others present were: Pat Wood, Marvin Hamlett, Times-Virginian, Bif Johnson, Hill Jones, Hurt & Proffitt, Inc., Gary Loomis, Masters Engineer, William Phillips, Town Attorney, Ned Cleland, Blue Ridge Design, Charles Garrett, Plant Operator, Roxanne Paulette, Deputy Clerk, and Bobbie Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council approved the Consent Agenda with the following additions to New Business: 3. Consideration of waiving water and sewer availability and connection fees for the New Courthouse, 4. Consideration of lifting the water moratorium, 5. Consideration of a water connection on Route 631, and all those present voting aye. Motion carried.

Mr. Ned Cleland, Blue Ridge Design, Inc. presented his final report on his review of the remedial design for the basins and revised drawings and specifications. He concurs with JMT, Hurt & Proffitt & Masters Engineers. (see copy of his letter dated February 10, 2003 that is attached).

Mr. Gary Loomis, Masters Engineer, stated he was satisfied that the plans and drawings meet all the requirements.

Mr. Bif Johnson, Hurt & Proffitt, Inc. spoke to Council that they are satisfied with the plans and drawings. They are ready to put closure to this project.

Mr. Lawson reported receiving two bids for the heating and cooling system for the Arts & Crafts and County Charm part of the Depot.

Mr. Lawson, Chairman of the Property Committee, recommends that the bid from David T. Garrett & Sons for \$8,995.00 for the Depot for the heating & cooling system, and all those present voting aye Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mitchell, Council rescinded a previous motion to hold a public hearing tonight because the date was wrong, and all those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mr. Lawson, Council voted to hold a joint public hearing on March 17, 2003 at 7:00 at a to be determined location for citizens to

Page 2 of 3
Council Minutes -- February 10, 2003

comment on the Community Development Plan and all those present voting aye.
Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council adopted the "Resolution of Support" for naming of the Town ByPass, as the C. T. Moses Memorial Highway, and send the request to Virginia Department of Transportation.

WHEREAS, the Town of Appomattox is desirous of having the Commonwealth of Virginia Department of Transportation name the U. S. Route 460 By-Pass, the Charles Thomas Moses, Jr., Memorial Highway; and

WHEREAS, Mr. Moses was an outstanding and dedicated citizen, a successful businessman, former Mayor of the Town of Appomattox, Sunday School Teacher, and active and faithful member of Memorial United Methodist Church; and

WHEREAS, Mr. Moses was a loyal and patriotic citizen, who served his country during World War II, a conscious member of the American Legion Post #104, an articulate supporter of Veterans and their families, and held a burning passion for our flag; and

WHEREAS, Mr. Moses was a gentlemen of influence and prestige in this Community; and

WHEREAS, he is held in high esteem by many who came in contact with him for his understanding, sincerity and willingness to help others regardless of who they were or their status in life; and

WHEREAS, his dedication to the best interests of this community and having been a powerful influence for good in the growth and progress of Appomattox;

NOW, THEREFORE, BE IT RESOLVED, by the Appomattox Town Council, at the February 10, 2003 regular session that we respectfully request the Virginia Department of Transportation name the Appomattox By-Pass the Charles Thomas Moses, Jr. Memorial Highway.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye
Carson-aye Motion carried.

On a motion by Mrs. Bennett, seconded by Mr. Mitchell, Council voted to declare the items on the list as presented as "surplus" with the exception the Chevrolet 4 Dr Sedan be put out for sealed bid, and the rest of the items be sold at public auction with the School System, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mrs. Bennett, Council voted to approve the water connection for the New Courthouse, and waive the availability fees and connection fees as requested by the County, and all those present voting aye. Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to table the request to consider lifting the water moratorium until further study can be made, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council tabled the request for the water connection on Route 631 for the Hudson Family until further study can be made, and all those present voting aye. Motion carried.

There being no further business to come before Council, the meeting adjourned at 8:30 PM.

Ronald C. Spiggle Mayor
Ronald C. Spiggle, Mayor

Bobbie H. Mullins CLERK
Bobbie H. Mullins, Clerk

WORKSHOP MEETING

APPOMATTOX TOWN COUNCIL

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, February 25, 2003 at 7:00 PM with Mayor Spiggle presiding.

Those members present were: Norman Mayberry, W. H. Carson, Marvin H. Mitchell, C. Lewis McDearmon, Joyce Bennett, and Steve Lawson.

Others present were: Mr. William M. Phillips, Town Attorney, Charles Garrett, Larry Mobley, Marvin Hamlett, Pat Wood, Times-Virginian, Mrs. Wood, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie Mullins, Clerk.

On a motion by Mr. Carson, seconded by Mr. Lawson, Council voted to adopt the "Resolution of Support" for the Pedestrian Sidewalk Safety as follows:

Whereas, the Town of Appomattox has experienced a tremendous amount of growth within the last two years, including the addition of a new elementary school within walking distance to both the primary and high schools; and

Whereas, the expansion of neighborhoods and community growth have resulted in the need to address pedestrian safety along streets of our town; and

Whereas, the Town has applied for a Rural Transportation Grant to fund the planning process and assess the need for the addition of a pedestrian connection that would provide a safe means of conveyance for pedestrians, especially school age children; and

Whereas, in order to initiate the planning process, the Town of Appomattox has requested support from the Appomattox County Board of Supervisors and the Appomattox County School Board, in their efforts to secure a pedestrian safety study.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Appomattox does hereby request Region 2000 Regional Commission to produce a pedestrian safety study funded by a Rural Transportation Planning Grant.

Bennett-aye Lawson-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

It was general consensus of Town Council to agree to allow Nextel Partners, Inc. to initiate a feasibility study on the site to determine if it is suitable for their antennas.

Page 2 of 2
Workshop Meeting
February 25, 2003

On a motion by Mr. Mayberry, seconded by Mrs. Bennett, Council voted to approve the application by the Appomattox County Library for the use of the Abbitt Memorial Park for the Summer Reading Fair on June 21, 2003, and waive the fee and all those members present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Lawson, Council voted to remove items 5. Lifting the water moratorium and 6. Water Connection request by Ken Hudson, from the Agenda as they have been withdrawn, and all those members present voting aye. Motion carried.

Council requested that Mr. Garrett ask Jerry Canada, Division of Motor Vehicles to come before Council's next meeting in order for them to ask some questions relative to the new offering of partial driver's license service.

Mr. Garrett informed Council that the DMV Clerk Penny Austin, will be going out on a six week maternity leave under the "Family Medical Leave Act" without pay.

There being no further business, the workshop adjourned at 7:45 PM

Respectfully submitted,


Bobbie H. Mullins, Clerk

~~Regular Meeting - March 10, 2003~~

The regular meeting of the Appomattox Town Council was held on Monday, March 10, 2003 at 7:30 PM with Mayor Spiggle presiding.

Those members present: W. H. Carson, C. Lewis McDearmon, Joyce Bennett, Marvin H. Mitchell, Steve Lawson, and Norman Mayberry.

Others present were: Bill Gillespie, Region 2000, Jeff Rogers, Consultant for Region Commission, Glennie Mullins, Clayton Tinnell, Owner, Appomattox Town Center, Kevin & Myra Trent, Merchants, Pat Wood, Times Virginian, Billy Perrow, School Board, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to approve the Consent Agenda as presented and all those present voting aye. Motion carried.

Mr. Jerry Canada, District Manager, DMV, appeared before Council to request permission to use Council Chambers one day a month for limited drivers license services. The date would probably be the third Thursday. They will need to install some telephone lines in the room which they will take care of the bills.

Mr. Clayton Tinnell and Kevin Trent, appeared before Council to request permission to construct a car wash on his property in the old Triangle Plaza Shopping Center. Mr. Tinnell will build the building and Kevin will lease the building. Council requested a site plan with the exact location in the Shopping Center.

Mr. Jeff Rogers, Consultant, Region 2000 made a presentation to Town Council regarding the T21 Grant for pedestrian safety. This grant will be used to construct sidewalks and crosswalks in the study area that need attention.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to allow the Division of Motor Vehicles the use of the Council Chambers for limited drivers license services one to two days per month, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council voted to table Items 1, 2, & 3, New Business, until further information can be obtained by staff, and all those present voting aye. Motion carried.

Page 2 of 2
Council Minutes
March 10, 2003

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to approve the use of the Council Chambers by the Board of Supervisors on the first and third Mondays, and all those present voting aye. Motion carried.

There being no further business, the meeting adjourned.

Donald C. Spiggle MAYOR

Robert H. Mullins CLERK

WORKSHOP MEETING

A workshop meeting of the Appomattox Town Council was held on Tuesday, March 25, 2003 at 7:00 PM with Mayor Spiggle presiding.

Those members present: Joyce Bennett, Steve Lawson, C. Lewis McDearmon, Norman Mayberry, Marvin Mitchell, and W. H. Carson.

Others present were: Clayton Tinnell, Keven & Myra Trent, William Phillips, Town Attorney, Larry Mobley, Charles Garrett, Pat Wood, Times Virginian, Roxanne Paulette, Deputy Clerk, and Bobbie H. Mullins, Clerk.

The workshop was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council voted to lift the water restrictions effective immediately, and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council tabled the question of the car wash at Triangle Plaza until the April 14th meeting, but requested the Attorney and Manager to get the answers to the questions regarding loitering, have a draft agreement drawn by the Attorney for consideration, and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mitchell, Council voted to begin the design phase of the Business 460 waterline replacement and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. McDearmon, Council voted to proceed with Phase I of the Inflow and Infiltration study of areas by Hurt & Proffitt, Inc. and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mrs. Bennett, Council voted to increase the reconnection fee to \$50.00 effective July 1, 2003, and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to increase the Bad Check fee to \$25.00 as allowed by the Code of Virginia, and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, Chairman, Street Committee, to allow the placement of the sign in the sidewalk on Main Street as part of the Battle of Appomattox Station, and all those present voting aye. Motion carried.

Page 2 of 4
Workshop Meeting
March 25, 2003

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council approved the Annual Spring Clean Up weeks of March 31st through April 4th, and April 7th through April 11th, and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, Chairman of the Utility Committee, recommends the amending and reenacting of section 70-198, Wastewater Truck Haulers Policy by removing number (3) and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to adopt the Joint Resolution of Support for Community Tourism Enhancement Efforts:

WHEREAS, Appomattox County and the Towns of Appomattox and Pamplin enjoy a rich history and heritage; and

WHEREAS, Appomattox is internationally known as the site of the final chapter of the Civil War in Virginia; and

WHEREAS, Appomattox is fortunate to be home to both a Federal park, Appomattox Court House National Park, and a Commonwealth of Virginia park, Holiday Lake State Park; and

WHEREAS, Appomattox offers visitors a variety of experiences including, but not limited to shopping, bird watching, canoeing, hiking, biking, swimming, horseback riding, battle reenactments, and festivals; and

WHEREAS, many Appomattox businesses offer tourist related services including bed and breakfasts, restaurants, motels, antique and specialty shops, convenience stores and travel agencies; and

WHEREAS, the success of tourist related businesses is vital to a well balanced local economy along with industrial recruitment and the retention of existing businesses; and

WHEREAS, local government resources have long been contributed to the tourism efforts of the Appomattox County Chamber of Commerce, Virginia's Retreat Tourism Consortium, the Lynchburg Regional Chamber of Commerce, and other local and regional tourism initiatives.

Page 3 of 4
Workshop Meeting
March 25, 2003

NOW, THEREFORE, BE IT RESOLVED THAT the Appomattox County Board of Supervisors, the Appomattox Town Council, and the Pamplin Town Council, in recognition of the importance of tourism to the Appomattox economy, does hereby support the efforts of the community to enhance Appomattox as a featured tourist destination; and

LET IT BE FURTHER RESOLVED THAT the Appomattox County Board of Supervisors, the Appomattox Town Council, and the Pamplin Town Council do hereby endorse the creation of an independent non-profit foundation, with membership from local, national, and international community's tourism objectives.

Mayberry – aye
Bennett – aye

Mitchell-aye
McDearmon-aye

Lawson-aye
Carson-aye

Motion carried.

It was the general consensus of the Town Council that we leave the Park closed after 2:00 PM during the week. The problem will be continually monitored.

The sale of the timber on the property owned by the Town, on Route 604, will be pursued and brought back to Council for their consideration.

On a motion by Mr. Mitchell, seconded by Mr. Mayberry, Council voted to table the Temporary Sign Ordinance until the April 14th meeting and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mrs. Bennett, Council voted to reschedule the Workshop in April from the 22nd until the 29th and all those present voting aye. Motion carried.

On a motion by Mr. Lawson, Chairman of the Property and Street Committee, recommends that the Town expend the additional \$2600.00 to obtain the original blue color for the signs, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to convene in Closed Session in accordance with Section 2.2-3711, Subsection A, Item 3 of the State Code for the purpose of discussing real estate for sale that adjoins property owned by the Town of Appomattox.

Page 4 of 4
Workshop Meeting
March 25, 2003

VOTE:

Bennett – aye
McDearmon –aye

Mayberry-aye
Carson –aye

Mitchell-aye
Lawson-aye

Now, Therefore, Be It Resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only Public business matters lawfully exempted from open meetings requirement by Virginia laws were discussed in the closed meeting to which this certificate resolution applies, and 2. Only such public business matters as were identified in the motion convening the closed meeting were heard and discussed, or considered by this Council.

Vote:

Lawson-aye
McDearmon-aye

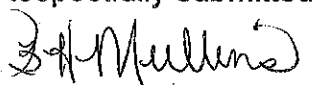
Mayberry-aye
Carson-aye

Mitchell-aye
Bennett-aye

Nays 0
Absent 0

Motion carried.

There being no further business, the meeting adjourned.

Respectfully submitted,

Bobbie H. Mullins, Clerk

Regular Meeting – April 14, 2003

The regular meeting of the Appomattox Town Council was held on Monday, April 14, 2003 at 7:30 PM with Mayor Spiggle presiding.

Those members present were: W. H. Carson, Norman Mayberry, Marvin Mitchell, C. Lewis McDearmon, and Joyce Bennett. Absent – Steve Lawson.

Others present: Curtis Pearson, Clayton Tinnell, Kevin & Myra Trent, Tim Garrett, Benny Harvey, Pat Wood, Times-Virginian, William M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mitchell, seconded by Mr. McDearmon, Council voted to approve the Consent Agenda as presented and all those present voting aye. Motion carried.

No Standing Committee Reports were given.

On a motion by Mr. Lewis McDearmon, seconded by Mr. Mitchell, Council voted to approve the application by Clayton Tinnell and Kevin Trent for a Car Wash in the Appomattox Town Center, that an agreement be prepared for all parties to sign and recorded in the Clerk's Office, said agreement to include several stipulations including hours of operation daily 6:00 AM until 11:00 PM, and all those present voting aye. Motion carried. See attached copy.

On a motion by Mrs. Bennett, seconded by Mr. McDearmon, Council voted to waive all fees relating to zoning and land disturbance permits for the courthouse construction project and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mrs. Bennett, Council agreed to lift the water moratorium on out of town water connections and all those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mr. McDearmon, Council approved the Slate of Officers for the 2003 Historic Appomattox Railroad Festival Board and all those present voting aye. Motion carried.

On a motion by Mrs. Bennett, seconded by Mr. Mayberry, Council approved the release of the Town's donation to the Appomattox Volunteer Fire Department's building fund of \$90,000.00 and all those present voting aye. Motion carried.

Page 3 of 3
Council Minutes
April 14, 2003

On a motion by Mr. Mitchell, seconded by Mrs. Bennett, Council voted to allow Ms Tina LeValley, Executive Director, Chamber of Commerce, to attend a tourism conference on April 27 through the 29th, and to pay the costs out of the budget specified for Tourism, and have her adhere to the Town's travel policy as pertaining to travel and meals, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council approved the trip by the Mayor, Manager, and Councilman McDearmon, to Washington to meet with Congressman Goode to seek grants for water sources, and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mitchell, Council voted to convene in Closed Session in accordance with Section 2.2.3711, Subsection A, item 7 of the State Code for the purpose of legal counsel regarding legal advice by Town Council.

Now, Therefore, Be It Resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council.

Vote:

Mayberry -aye
Carson-aye

McDearmon-aye
Bennett-aye

Mitchell-aye

Nays 0
Absent - Mr. Lawson
Motion carried.

There being no further business, the meeting adjourned at 8:15 PM

Ronald C. Spiggle Mayor
Ronald C. Spiggle, Mayor

Bobbie H. Mullins CLERK
Bobbie H. Mullins

WORKSHOP MEETING

April 29, 2003

A workshop meeting of the Appomattox Town Council was held on Monday, April 29, 2003 at 7:00 PM with Mayor Spiggle presiding.

Those members present were: Steve Lawson, C. Lewis McDearmon, Norman Mayberry, Joyce Bennett, W. H. Carson, and Marvin Mitchell.

Others present: Pat Wood, Times Virginian, Bif Johnson, Hill Jones, Hurt & Proffitt, Inc., William M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie H. Mullins, Clerk.

On a motion by Mr. Mitchell, seconded by Mrs. Bennett, Council voted to approve the Nextel Agreement and authorize Mayor Spiggle to sign for the Town, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mrs. McDearmon, Council voted to adopt the "Resolution of Support" for the grant request by the County for the Department of Recreation.

WHEREAS, the Department of Conservation and Recreation, provides funds to assist political subdivisions of the Commonwealth of Virginia in acquiring and developing open space and park land; and

WHEREAS, there are urgent needs within Appomattox County to develop land; and

WHEREAS, it is fitting that we set apart land and activities to highlight the growing need of our citizens for constructive, creative and meaningful free-time activities; and

WHEREAS, we are more aware than ever before of the importance which leisure activities will have in our future lives and in the lives of our children and grandchildren;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF APPOMATTOX, that the Town wholeheartedly supports the grant application of the County of Appomattox and hereby urges the Department of Conservation and Recreation to look favorably upon this application and fund the projects as outlined thereby improving the quality of life of all citizens of our county.

Bennett-aye Carson-aye Lawson-aye Mitchell-aye McDearmon-aye Mayberry-aye
Motion carried.

Page 2 of 2
Workshop meeting
April 29, 2003

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to convene in Closed Session in accordance with Section 2.2.3711, Subsection A, item 1, for Personnel, and Subsection A, item 7. Consultation with legal counsel and briefings by staff members,

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council hereby certifies that to the best of each members knowledge; 1. Only public business matters lawfully exempted from open meetings requirements by Virginia Law were discussed in the closed meeting to which this certificate of resolution applies, and 2. Only such public business as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council.

ROLL CALL VOTE:

Lawson – yes
McDearmon-yes

Mayberry –yes
Carson-yes

Mitchell- yes
Bennett-yes

Nays 0

Absent 0

Motion carried unanimously.

There being no further business to come before Council, the meeting adjourned.

Ronald C. Spiggle MAYOR
Ronald C. Spiggle

Bobbie H. Mullins CLERK
Bobbie H. Mullins

~~Regular Meeting - May 12, 2003~~

The regular meeting of the Appomattox Town Council was held on Monday, May 12, 2002 with Mayor Spiggle presiding.

Those members present: Norman Mayberry, Joyce Bennett, W. H. Carson, and Marvin Mitchell. Absent - Steve Lawson and C. Lewis McDearmon.

Others present were: Vivian Seay, Joe Giles, Roxanne Paulette, Deputy Clerk, Bif Johnson, Hurt & Profitt, Pat Yeatts, Attorney for Hurt & Profitt, Marvin Hamlett, Chad Denton, Times-Virginian, William Phillips, Town Attorney, David Garrett, Town Manager, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Carson, seconded by Mr. Mitchell, Council approved the Consent Agenda as presented and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to approve the out of town water and sewer connection for Curtis Pearson for an automatic car wash, and all those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mrs. Bennett, Council voted to approve the conditional use permit for an outside advertising sign in the R-2 District for Vivian Seay property on Court Street, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to convene in Closed Session, pursuant to Section 2.2-3711, Section A, Subsection 7, of the Code of Virginia, (1950), as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote:

Bennett - aye
Carson - aye

Mayberry-aye

Mitchell-aye

Absent - Steve Lawson and C. Lewis McDearmon

Page 2 of 2
Council Meeting
May 12, 2003

Now, therefore, be it resolved, that the Appomattox Town Council, hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council.

Motion carried unanimously.

There being no further business to come before Council, the meeting adjourned.

Ronald C. Spiggle MAYOR
Ronald C. Spiggle

Bobbie H. Mullins CLERK
Bobbie H. Mullins

Work Session

A workshop meeting of the Appomattox Town Council was held on Tuesday, May 27, 2003 at 7:15 PM with Mayor Spiggle presiding.

Those present were: Steve Lawson, C. Lewis McDearmon, Marvin Mitchell, Norman Mayberry, and W. H. Carson. Absent – Joyce Bennett.

Others present were: Bill Burke, Evans Thomas, Debbie Powell, Rich Guild, Chad Denton, Times Virginian, William M. Phillips, Town Attorney, David T. Garrett, Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie H. Mullins, Clerk.

Rich Guild and Debbie Powell made a presentation to Town Council regarding the Tourism Plan and the Chamber of Commerce. The Chamber is requesting \$5,000.00 emergency fund to help keep the Visitor Center open. They have had to lay off the Executive Director due to a funding problem.

On a motion by Mr. McDearmon, seconded by Mr. Mitchell, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 Section A, Subsection 7, of the Code of Virginia (1950) as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote:

Lawson –did not vote*
Carson –aye

McDearmon –aye
Mitchell –aye

Mayberry-aye

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Page 2 of 2
Workshop Meeting – May 27, 2003

Vote:

Lawson –aye McDearmon-aye Mayberry-aye
Carson –aye Mitchell –aye

Absent:

Bennett

*Note: At the time of the vote Mr. Lawson was out of the room

Council was in regular session.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to grant the Chambers request for \$5000.00 to help keep the Visitors Center open until the Fall (August).

Carson-aye Mayberry-aye Lawson-aye McDearmon-aye
Mitchell-aye Motion carried.

There being no further business to come before Council the work session adjourned at 9:10 PM.

Bobbie H. Mullins CLERK
Bobbie H. Mullins

Ronald C. Spiggle MAYOR
Ronald C. Spiggle

Regular Meeting – June 9, 2003

The regular meeting of the Appomattox Town Council was held on Monday, June 9, 2003 at 7:30 PM with Mayor Spiggle presiding.

Those members present: W. H. Carson, Norman Mayberry, C. Lewis McDearmon, Marvin Mitchell, Joyce Bennett, and Steve Lawson.

Others present were: Steven Andrews, Attorney for JMT, Pat Yeatts, Attorney for Hurt & Proffitt, Earl Dickerson, Bif Johnson, Hurt & Proffitt, Evans Thomas, Mr. William Phillips, Town Attorney, Charles Garrett, Chad Denton, Times Virginian, David T. Garrett, Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to approve the Consent Agenda as presented and all those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mr. Carson, Council voted to remove the Temporary Sign Ordinance from the Agenda as it is not needed, and all those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mrs. Bennett, Council voted to set the Real Estate Rate at 0.15 per \$100.00 of assessed value for the 2003 Tax Year.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

On a motion by Mr. Carson, seconded by Mr. McDearmon, Council voted to set the Personal Property tax rate at \$0.55 per \$100.00 of assessed value for the 2003 Tax Year.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to set the Machinery and Tools rate at \$0.55 per \$100.00 of assessed value for the 2003 Tax Year.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

On a motion by Mr. Mayberry, seconded by Mrs. Bennett, Council voted to set the Salaries for the Town Employees for the 2003/2004 Year as presented in the Budget.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

Page 2 of 3
Council Minutes
June 9, 2003

On a motion by Mr. Lawson, seconded by Mr. McDearmon, Council voted to adopt the 2003/2004 Appomattox Town Budget as presented, having been duly advertised and public hearing held as prescribed by law.

Lawson-aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to approve the entertainment permit for Tinnell Properties LLC to hold a Carnival at the "old Plaza Shopping Center" on June 18th thru Sunday, June 22, 2003 with the operational time being 6:00 PM until 11:00 PM and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mrs. Bennett, Council voted to adopt the following resolution:

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government in order that the Virginia Department of Transportation program transportation enhancement project in the Town of Appomattox.

Now, Therefore, Be It Resolved, that the Town of Appomattox, requests the Commonwealth Transportation Board to establish a project for the improvement of the safety and welfare of school-age pedestrian traffic to access the public schools along Ferguson Street and Lee Grant Avenue.

Be It Further Resolved, that the Town of Appomattox hereby agrees to pay a minimum 20 percent of the total cost for planning and design, right of way, and construction of this project, and that, if the Town of Appomattox subsequently elects to cancel this project the Town of Appomattox hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the department is notified of such cancellation.

Bennett-aye Lawson-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye
Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to accept the bid of Mr. David Sandman to handle the sale of timber from Town Property located on Route 604, with the stipulation that should the timber not be valued at more than his fee of \$3500.00, then we will not be obligated to pay, and all those present voting aye. Motion carried.

Page 3 of 3
Council Meeting – June 9, 2003

Mayor Spiggle informed Council that we have received word from VDOT that it has approved the renaming of the Town's portion of the By-Pass in memory of C. T. Moses, Jr. We will plan a small ceremony for this occasion when the signs are installed.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to convene in Closed session, pursuant to Section 2.2-3711, A.7 of the Code of Virginia (1950) as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advise by such counsel.

Bennett-aye Lawson-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye

Now, Therefore, Be It Resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

VOTE:

Lawson –aye Bennett-aye McDearmon-aye Mitchell-aye Mayberry-aye Carson-aye

Nays: None

Absent: None

Motion carried.

There being no further business to come before Council, the meeting adjourned at 8:45 PM



Ronald C. Spiggle Mayor



Bobbie H. Mullins CLERK

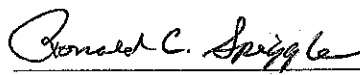
Regular Meeting -- July 14, 2003

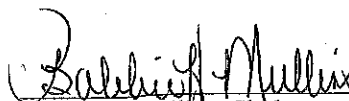
The regular meeting of the Appomattox Town Council was held on Monday, July 14, 2003 at 7:30 PM with Vice Mayor Marvin House presiding.

Those present were: Marvin H. Mitchell and Bobbie H. Mullins, Clerk.

Absent were: Joyce Bennett, C. Lewis McDearmon, Norman H. Mayberry, Steve Lawson, and W. H. Carson.

The Clerk of Council noted that a quorum was not present to conduct business, therefore, the meeting was recessed and reconvened until July 22, 2003 at 6:00 PM in the Appomattox Town Office.


VICE-MAYOR
Marvin H. Mitchell


CLERK
Bobbie H. Mullins, Clerk

Council Meeting – July 22, 2003

A recess and reconvene meeting of the Appomattox Town Council was held on Tuesday, July 22, 2003 at 6:00 p.m. at the Municipal Building with Mayor Spiggle, presiding.

Members present: N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Joyce Bennett and Steve Lawson. Absent – W. H. Carson.

Others present: John Aughenbaugh (Virginia Tech), Chad Miller (Virginia Tech), Chad Denton (Times Virginian), Wayne Phelps, Charles Garrett, W. M. Phillips, Town Attorney, Robert Wood, III (Edmunds and Williams), Earl Dickerson (Hurt & Proffitt), Bif Johnson (Hurt & Proffitt), Patrick Yeatts and Bevin Alexander (Freeman, Dunn, Alexander and Yeatts) and Roxanne Paulette, Deputy Clerk.

The meeting was opened with a prayer.

On a motion by N. H. Mayberry, seconded by M. H. Mitchell, Council voted to approve the consent agenda. All voting aye. Motion carried.

Town Council received a presentation by John Aughenbaugh and Chad Miller in regards to a Performance Measurement and Benchmarking Study to be performed by Virginia Tech for \$3,500.00.

Town Council also received a presentation by E. Wayne Phelps on behalf of the Reenactment Committee for the Chamber of Commerce and requested consideration of a \$2,500.00 donation to the event to be held on September 13 & 14, 2003.

On a motion by M. H. Mitchell, seconded by S. E. Lawson, Council voted to convene in Closed Session, pursuant to Section 2.2-3711A.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote: Bennett – yes, McDearmon – yes, Mayberry – yes, Mitchell – yes, Lawson – yes, Carson – absent.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote: Bennett – yes, McDearmon – yes, Mayberry – yes, Mitchell – yes, Lawson – yes, Carson – absent.

Committee Reports:

Property & Street Committee: Reports they have looked into the request by John Spiggle on Lee Grant Avenue near Liberty Cemetery. The committee agrees something needs to be done, but they are unsure of the placement. David Garrett will discuss location and price with Dominion Power and contact the committee.

No other committee reports.

Old Business:

None

New Business:

On a motion by Joyce Bennett, seconded by N. H. Mayberry, Council voted to cancel the July workshop meeting. The next Town Council meeting will be Monday, August 11, 2003 at 7:30 p.m.

On a motion made by S. E. Lawson, seconded by M. H. Mitchell, Council voted to award the bid for the Jones Street and Confederate Boulevard water line extension, service connections and fire hydrant upgrade to George E. Jones & Sons, Inc. for \$98,000.00. All voting aye. Motion carried.

On a motion made by N. H. Mayberry, seconded by S. E. Lawson, Council voted to table the request for a monetary donation by the Reenactment Committee until the August 11, 2003 Council meeting. All voting aye. Motion carried.

On a motion made by N. H. Mayberry, seconded by C. L. McDearmon, Council voted to amend and reenact Section 2-162.1 of the Town Code with changes to Item 1, subsection A and B. All voting aye. Motion carried.

On a motion made by N. H. Mayberry, seconded by C. L. McDearmon, Council voted to authorize the Mayor's signature on the FY 2004 Police Agreement between the Town and County for \$80,000.00. All voting aye. Motion carried.

The Town Council concurred with the use of the Kiddie Park for the purpose of a Wedding and Reception on August 2, 2003 from 10 am to 4 pm provided the applicant Robin Heater adheres to all state and local laws.

On a motion made by N. H. Mayberry, seconded by Joyce Bennett, Council voted to adopt the VIC plan and implement August 1, 2003. All voting aye. Motion carried.

On a motion made by N. H. Mayberry, seconded by C. L. McDearmon, Council voted to adjourn at 8:35 pm. All voting aye. Motion carried.

Roxanne W. Paulette

Roxanne W. Paulette, Deputy Clerk

Ronald C. Spiggle

Ronald C. Spiggle, Mayor

Regular Meeting – August 11, 2003

The regular meeting of the Appomattox Town Council was held on Monday, August 11, 2003 at 6:00 PM with Mayor Spiggle presiding.

Those present: Mayor Spiggle, David T. Garrett, Jr., Town Manager, and Bobbie H. Mullins, Clerk of Council.

There being no Council members present, the meeting was recessed and reconvened until August 25, 2003 at 6:00 PM in the Appomattox Town Office.

Respectively submitted,



Bobbie H. Mullins, Clerk

Recessed and Reconvened Meeting— August 25, 2003

The Appomattox Town Council held a recessed and reconvened meeting on Monday, August 25, 2003, at 6:00 PM with Mayor Spiggle presiding.

Those members present: C. Lewis McDearmon, Norman Mayberry, W. H. Carson, Marvin H. Mitchell, Joyce Bennett, and Steve Lawson.

Others present were: Chad Denton, Times Virginian, Robin Wood, Attorney, Ned Cleland, Engineer, William M. Phillips, Town Attorney, Bif Johnson, Hurt & Proffitt, Charles Garrett, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mitchell, seconded by Mr. Lawson, Council voted to approve the Consent Agenda with the addition of the Chamber of Commerce Agreement to Unfinished Business, and all those present voting aye. Motion Carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to convene in Closed Session in accordance with Section 2.2.3711 Subsection A, Item 7, of the State Code, for the purpose of consultation with legal counsel regarding specific legal matters requiring legal advice by such counsel.

Bennett-aye Carson-aye McDearmon-aye Mitchell-aye Mayberry -aye Lawson-aye

Now, Therefore, Be It Resolved that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only public business matters lawfully exempted from open meetings requirements by Virginia Law were discussed in closed meeting to which this Certificate Resolution applies, and 2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council.

Vote:

Lawson - aye	Mayberry -aye	Mitchell -aye
McDearmon - aye	Carson -aye	Bennett -aye

Nays: 0

Absent: 0

Motion carried.

Page 2 of 2
Council Minutes – August 25, 2003

Mrs. Bennett reported that the Fire Department will have a Ground Breaking Ceremony on September 3, 2003 at 4:00 PM at the proposed site.

On a motion by Mrs. Bennett, seconded by Mr. Mayberry, Council voted to accept the contract for a Performance and Benchmark Study from Virginia Tech at a cost of \$3500.00.

Carson-aye Mayberry –aye Mitchell-aye McDearmon-aye Bennett-aye
Lawson –aye Motion carried.

On a motion by Mr. Lawson, seconded by Mr. McDearmon, Council voted to hire Bio-Nomic Services, Inc. to clean and televise various sections of eight and ten inch sewer pipe lines located within the Town's Sewer System, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Carson, Council voted to table NB Item 3, Out of Town water connections on Route 691, until the next regular meeting so that more information can be obtained, and all of those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mr. Mayberry, Council voted to table Item 4, NB, Warner request, until the September 8th regular meeting, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Carson, Council voted to table the request for donation to the Reenactment until the September meeting so that Mr. Phelps can appear to answer some questions, and all those present voting aye. Motion carried.

There being no further business to come before Council, the meeting adjourned.

Ronald C. Spiggle Mayor
Ronald C. Spiggle, Mayor

Bobbie H. Mullins CLERK
Bobbie H. Mullins, Clerk

Regular Meeting – September 8, 2003

The regular meeting of the Appomattox Town Council was held on Monday, September 8, 2003 at 7:30 PM with Mayor Spiggle presiding.

Those members present were: Steve Lawson, Joyce Bennett, C. Lewis McDearmon, Marvin H. Mitchell, and Norman Mayberry. Absent – W. H. Carson

Others present were: Susan Warner, Chuck Warner, Wayne Phelps, Penny Taylor, Valerie Garrett, Shirley Wheeler, Timmy Garrett, Fire Chief, Charles Garrett, Larry D. Mobley, Kevin O'Brien, William M. Phillips, Town Attorney, Roxanne Paulette Deputy Clerk, David T. Garrett, Jr., Town Manager, Marvin Hamlett, Chad Denton, Times Virginian, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council voted to convene in Closed Session in accordance with Section 2.2.3711, Subsection A, Item 7, of the State Code, for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a know party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

Vote:
Bennett –aye McDearmon –aye Mitchell –aye
Mayberry – aye Lawson – aye.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: 1. Only public business matters lawfully exempted from open meetings requirements by Virginia Law were discussed in the closed meeting to which this certificate resolution applies, and 2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this Council.

Vote:
Lawson –aye Bennett –aye McDearmon –aye
Mitchell –aye Mayberry – aye

Page 2 of 2
Council Minutes – September 8, 2003

Nays 0
Absent – 1 – Mr. Carson
Motion carried.

On a motion by Mr. McDearmon, seconded by Mrs. Bennett, Council voted to donate \$2500.00 to the “Civil War Reenactment of September 13th & 14th”, and all those present voting aye. Motion carried.

Mrs. Gary Warner came before Council to speak regarding their proposed “Retirement Development” on Route 26.

On a motion by Mr. Lawson, Chairman, of the Street Committee, recommends that a Street light be installed on Lee Grant Avenue as requested by John Spiggle, at a cost of \$274.00, and all those present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to approve the two water connections on State Route 691, for Evergreen Homes because they are directly on the Town’s water line, and all those present voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mrs. Bennett, Council voted to deny the request from Gary Warner for water and sewer connection for the proposed “Retirement Development” off State Route 26.

Bennett-aye McDearmon-aye Mitchell-aye Mayberry – aye
Lawson – Abstains
Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council approved the connection for the new Fire House for water and sewer and waive any connection fees and all those members present voting aye. Motion carried.

Council agreed to have the “old street signs” sold on a day to be selected later on a first come, first serve basis.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to approve David Garrett and Marvin Mitchell, to attend the Economic Development Conference on October 6-8 in Blacksburg and all those present voting aye. Motion carried.

There being no further business to come before Council, the meeting adjourned.

Bobbie H. McAllister Clerk

Ronald C. Spiggle MAYOR
Ronald C. Spiggle, Mayor

September 23, 2003 - Joint Meeting - Appomattox Town Council and Appomattox Board of Supervisors

A joint meeting of the Appomattox Town Council and the Appomattox County Board of Supervisors was held on Tuesday, September 23, 2003 at 6:30 PM in the Council Chambers with Mayor Spiggle and Chairman Carter presiding.

Those present were: Joyce Bennett, Norman Mayberry, Steve Lawson, Marvin Mitchell, C. Lewis McDearmon, Jesse Hancock, Frank Carwile, Russell Moore, William M. Phillips, Town Attorney, Johnny Overstreet, County Attorney, Walter E. Hancock, Willie Craft, Tom Conrad, Mr. & Mrs. Gary Warner, Chad Denton, David T. Garrett, Jr., Charles Garrett, Andy Carroll, County Administrator, John Spencer, Asst. County Administrator, and Bobbie Mullins, Clerk.

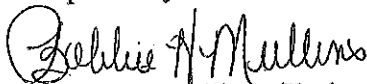
Mr. Walter Hancock made a presentation to the Town Council and Board of Supervisors on a Water Source Study for the Appomattox Area. Mr. Hancock made the following recommendation that we consider the Lynchburg to Appomattox Water Line at an approximate cost of 14.9 million. This would be the best solution because low O&M, unforeseen expenses, and will provide immediate water service for the Town.

The County of Appomattox has asked the Town Council for a discussion of the request for water and sewer connections from Mr. & Mrs. Gary Warner for a proposed Retirement Development called Freedom Ridge. Council has denied the request previously. A lengthy discussion followed. The Board and the Council felt there were still too many unanswered questions regarding this proposed development.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to approve the application by Scruggs Financial Services for use of the Abbitt Park on Thursday, September 25, 2003, and all those present voting aye. Motion carried.

There being no further business to come before Council, the meeting adjourned at 7:50 PM

Respectfully submitted,


Bobbie H. Mullins, Clerk

Regular Meeting – October 14, 2003

The regular meeting of the Appomattox Town Council was held on Monday, October 14, 2003 at 7:30 PM with Mayor Spiggle presiding.

Those members present: Steve Lawson, Joyce Bennett, C. Lewis McDearmon, Marvin H. Mitchell, and W. H. Carson. Absent – Norman Mayberry.

Others present were: Chad Denton, Times Virginian, Charles Garrett, William M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager, Roxanne Paulette, Deputy Clerk, and Bobbie H. Mullins, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Carson, seconded by Mr. McDearmon, Council voted to approve the Consent Agenda with one addition; Item 2, New Business, Resolution for Designation of Applicants Agent, and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Lawson, Council voted to set the Fall Clean Up for the weeks of October 27, 2003 thru October 31, 2003 and November 3, 2003 thru November 7, 2003, and all those present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mitchell, Council voted to adopt the Resolution for the Designation of Applicants Agent for FEMA. (see attached copy)

Lawson-aye Mitchell-aye Bennett-aye McDearmon-aye Carson-aye Mayberry-Absent
Motion carried.

There being no further business to come before Council, the meeting adjourned at 8:25 PM

 MAYOR
Ronald C. Spiggle

 CLERK
Bobbie H. Mullins

REGULAR MEETING – November 10, 2003

The regular meeting of the Appomattox Town Council was held on Monday, November 10, 2003 at 7:30 p.m. with Mayor Spiggle, presiding.

Those members present: Steve Lawson, Joyce Bennett, C. Lewis McDearmon, Marvin Mitchell, Norman Mayberry, W. H. Carson.

Others present: Chad Denton, Times Virginian, Charles Garrett, Larry Mobley, W. M. Phillips, Town Attorney, Penny Taylor, Pres. Chamber of Commerce, Wayne Phelps, Re-enactment Committee member, Hill Jones, Hurt & Proffitt, David T. Garrett, Jr., Town Manager, and Roxanne W. Paulette, Deputy Clerk.

The meeting was opened with a prayer.

On a motion by Mr. McDearmon, seconded by Mr. Mitchell, Council voted to approve the consent agenda. All members voting aye. Motion carried.

Wayne Phelps and Penny Taylor reported to Town Council the financial condition of the Reenactment held in September 2003. (Copy attached)

Wayne Phelps made a request for Town Council to consider renaming the section of Oakleigh Avenue from Church Street to 460 Business as Dr. Clyde G. O'Brien Street.

Penny Taylor advised Town Council of the Christmas festivities taking place on Saturday, December 6, 2003.

On a motion by Ms. Bennett, seconded by Mr. Lawson, Council approved the closing of streets as presented for the Christmas Parade at 3:00 p.m. on Saturday, December 6, 2003. All members voting aye. Motion carried. (Copy of letter attached)

On a motion by Ms. Bennett, seconded by Mr. Lawson, Council approved the closing of Main Street at the corners of Lee and Church Streets on Saturday, December 6, 2003 from 9:00 a.m. to 6:00 p.m. for downtown festivities. All members voting aye. Motion carried. (Copy of letter attached)

On a motion by Mr. Carson, seconded by Mr. McDearmon, Council approved the purchase of a 2004 Chevrolet Colorado pickup as presented under the state contract for \$10839.00 with an additional \$255.00 for the towing package. All members voting aye. Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council approved the 1993 Chevrolet truck as surplus. All members voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council approved the cancellation of the November workshop on Tuesday, November 25, 2003. All members voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council approved the holiday schedule as outlined by the Governor of Virginia for Thanksgiving, Christmas and New Year's. All members voting aye. Motion carried. (Memo attached)

The Town Attorney, William M. Phillips, requested the minutes show his absence at the October 28, 2003 Workshop was due to his illness.

On a motion made by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.1 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, discipling or resignation of specific public officers, appointees or employees of a public body; etc.

Vote:

Bennett – aye, McDearmon – aye, Mayberry – aye, Carson – aye, Mitchell – aye, Lawson – aye.

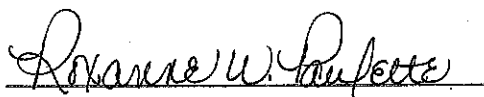
Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote:

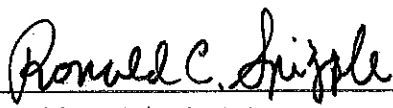
Bennett – aye, McDearmon – aye, Mayberry – aye, Carson – aye, Mitchell – aye, Lawson – aye.

On a motion by Mr. Carson, the Personnel Committee recommended the appointment of Roxanne W. Paulette, Clerk of Town Council, Treasurer, and Office Manager at a salary of \$14.50 per hour. All members voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Ms. Bennett, Council approved adjournment at 9:12 p.m. All members voting aye. Motion carried.



Roxanne W. Paulette
Clerk



Ronald C. Spiggle, Mayor

REGULAR MEETING -- December 8, 2003

The regular meeting of the Appomattox Town Council was held on Monday, December 8, 2003 at 7:30 p.m. with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, C. L. McDearmon, S. E. Lawson.
Absent -- M. H. Mitchell and Joyce Bennett.

Others present: Larry Mobley, Charles Garrett, Rich Guild, Appomattox Visitor's Center, Chad Denton, Times Virginian, W. M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne Paulette, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to approve the consent agenda. All members voting aye. Motion carried.

Rich Guild presented to Town Council the current financial condition of the Appomattox Visitor's Center. (Report attached)

Standing Committee Reports -- None.

Unfinished Business -- None.

On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to table Item NB -- 1 Consideration of Insurance Claim to the January Council Meeting. All members voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council appointed David T. Garrett, Jr., Acting Clerk/Treasurer in the event of the absence of Roxanne W. Paulette, Town Clerk/Treasurer. All members voting aye. Motion carried.

On a motion by Mr. Lawson, seconded by Mr. McDearmon, Council voted to approve the out of town water connection for Lot #23 E at Walton Place Subdivision. All members voting aye. Motion carried.

On a motion made by Mr. McDearmon, Chairman of the Utility Committee, Council approved an amendment to the contract between the Town and George E. Jones & Sons, Inc., dated August 15, 2003, for certain improvements to the town's water system to include the following sewer line improvements, West Lee Grant Avenue \$24,400.00, Evergreen Avenue \$16,800.00, Morris Avenue \$24,800.00 and Interceptor line connecting Morris Avenue \$20,480.00 and hereby authorizes the town manager to execute the necessary change orders to effect the amendment. All members voting aye. Motion carried.

Page 2 of 2 -- December 8, 2003

On a motion made by Mr. Mayberry, seconded by Mr. McDearmon, Council approved the cancellation of the December workshop on Tuesday, December 23, 2003. All members voting aye. Motion carried.

On a motion made by Mr. McDearmon, seconded by Mr. Lawson, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.3 of the Code of Virginia (1950), as amended, for the purpose of discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Vote:

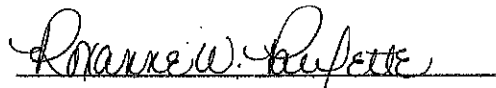
McDearmon – aye, Mayberry – aye, Carson – aye, Lawson – aye. Absent – Bennett, Mitchell.


Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote:

McDearmon – aye, Mayberry – aye, Carson – aye, Lawson – aye. Absent – Bennett, Mitchell.

On a motion by Mr. Mayberry, seconded by Mr. Lawson, Council voted to adjourn at 8:40 p.m. All members present voting aye. Motion carried.


Roxanne W. Paulette
Clerk


Ronald C. Spiggle, Mayor

REGULAR MEETING – January 12, 2004

The regular meeting of the Appomattox Town Council was held on Monday, January 12, 2004 at 7:30 p.m. with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, C. L. McDearmon, S. E. Lawson, Joyce Bennett and M. H. Mitchell.

Others present: Bob White, Region 2000 Regional Commission; Kelly Hitchcock, Region 2000 Regional Commission; Chuck Warner, Larry Mobley, Charles Garrett, Chad Miller, John Aughenbaugh, Justin Brooks, Curtis Brown, Jessica Evans, Michael Filiaggi, Andy Sorrell, Virginia Tech; Chad Denton, Times Virginian Newspaper, David T. Garrett, Jr., Town Manager; William M. Phillips, Town Attorney; and Roxanne W. Paulette, Clerk.

The meeting was opened with a prayer.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to approve the consent agenda. All members present voting aye. Motion carried.

John Aughenbaugh and Chad Miller along with Virginia Tech students gave a presentation to the Town Council regarding their Performance and Benchmarking Study of the Town of Appomattox.

Kelly Hitchcock of Region 2000 Regional Commission gave a presentation regarding the Virginia Greenways and Blueways Executive Summary and asked for support from the Town Council for their continuing efforts.

On a motion by Mr. McDearmon, seconded by Ms. Bennett, Council voted to endorse the project and convey to the Region 2000 Regional Commission. All members voting aye. Motion carried.

Standing Committee Reports –

On a motion by Mr. McDearmon, Chairman of the Utility Committee, Council approved an amendment to the contract between the Town and George E. Jones & Sons, Inc., dated August 15, 2003, for certain improvements to the town's water system to include the following sewer line improvement, East Lee Grant Avenue \$123,800.00 and hereby authorizes the Town Manager to executive the necessary change orders to effect the amendment. All members voting aye. Motion carried.

Page 2 of 3
January 12, 2004
Council Meeting

On a motion by Mr. Mitchell, seconded by Mr. Mayberry, Council voted to waive Sovereign Immunity and give Mr. Lawson fair value as determined by the insurance company after further investigation.

Vote: Mayberry – aye, Mitchell – aye, Bennett – aye, McDearmon – aye. Carson – No. Lawson – abstained.

Motion carried.

On a motion by Ms. Bennett, seconded by Mr. Mayberry, Council voted to grant Friday, January 16, 2004 Lee Jackson Day in addition to Monday, January 19, 2004 Martin L. King, Jr. Day. All members voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mr. McDearmon, Council voted to approve the 2004 Regular and Workshop meeting schedule. All members voting aye. Motion carried.

On a motion by Mr. Carson, seconded by Mr. Mayberry, Council voted to Table Item NB – 4 Consideration to approve Charles M. Warner conditional use permit to build apartment houses on Lucy Street to the January 27, 2004 Workshop Meeting. All members voting aye. Motion carried.

On a motion by Mr. Mitchell, seconded by Mr. McDearmon, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote:

McDearmon – aye, Mayberry – aye, Carson – aye, Lawson – aye, Bennett – aye, Mitchell – aye.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote:

McDearmon – aye, Mayberry – aye, Carson – aye, Lawson – aye, Bennett – aye, Mitchell – aye.

Page 3 of 3
January 12, 2004
Council Meeting

On a motion by Mr. Carson, seconded by Mr. McDearmon, Council voted to adjourn at 9:52 p.m. All members voting aye. Motion carried.

Ronald C. Spiggle
Ronald C. Spiggle, Mayor

Roxanne W. Paulette
Roxanne W. Paulette, Clerk

SPECIAL CALL – January 21, 2004

A Special Call meeting of the Appomattox Town Council was held on Wednesday, January 21, 2004 at 5:30 p.m. at the Town Office with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Joyce Bennett and S. E. Lawson.

Others present: David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

David Garrett explained to Town Council the “No fault” vs. “Sovreign Immunity” as explained to him by VML Insurance Programs.

On a motion by Mr. Mitchell, seconded by Mr. McDearmon, council voted to rescind the previous motion of January 12, 2004 that waived Sovreign Immunity and gave Mr. Lawson fair value as determined by the insurance company after further investigation.

Vote – Carson – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Bennett – aye. Lawson – abstained.

Motion carried.

On a motion by Mr. McDearmon, seconded by Ms. Bennett, Council voted to adjourn at 5:52 p.m. All voting aye. Motion carried.

Ronald C. Spiggle
Ronald C. Spiggle, Mayor

Roxanne W. Paulette
Roxanne W. Paulette, Clerk

~~WORKSHOP MEETING - January 27, 2004~~

A workshop meeting of the Appomattox Town Council was held on Tuesday, January 27, 2004 at 7:00 p.m. at the Town Office with Mayor Spiggle presiding.

Members present: W. H. Carson, C. L. McDearmon, S. E. Lawson, N. H. Mayberry, M. H. Mitchell, Joyce Bennett.

Others present: Chuck Warner, David T. Garrett, Jr., Town Manager and Roxanne Paulette, Clerk.

On a motion by Mr. Lawson, Chairman of the Property and Street Committee, Council voted to table Mr. Warner's request to build an apartment complex on Lucy Street the February 9, 2004 Council Meeting. All voting aye. Motion carried.

On a motion by McDearmon, seconded by Mr. Carson, Council voted to adjourn the meeting at 7:30 p.m. All voting aye. Motion carried.

Ronald C. Spiggle
Ronald C. Spiggle, Mayor

Roxanne W. Paulette
Roxanne W. Paulette, Clerk

Work Session – February 2, 2004

A work session of the Appomattox Town Council was held on Monday, February 2, 2004 at 6:00 p.m. at the Appomattox County Chamber of Commerce on Main Street.

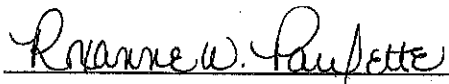
Members present: Joyce Bennett, W. H. Carson, N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Jr. Absent – S. E. Lawson.

Others present: Ronald C. Spiggle, Mayor, David T. Garrett, Jr., Town Manager, Chad Denton, Times Virginian Newspaper and Roxanne W. Paulette, Clerk.

Town Council engaged in conversation regarding participation in a Public Service Authority with the Board of Supervisors (Appomattox County). Town Council desires to meet with the Board on Saturday, March 20, 2004 at 8:00 a.m. David will set up the meeting and advise Council of a final date.

Council is concerned for the Town citizens if a PSA is formed that the Town taxes, etc will be a burden in addition to the PSA.

The work session ended at 7:50 p.m.



Roxanne W. Paulette, Clerk

Regular Meeting – February 9, 2004

A regular meeting of the Appomattox Town Council was held on Monday, February 9, 2004 at 7:30 p.m. in Council Chambers with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Jr., Joyce Bennett, S. E. Lawson.

Others present: Anne Dixon, Wayne Phelps, Charles M. Warner, Charles Garrett, Town of Appomattox; Larry Mobley, Town of Appomattox; Chad Denton, Times Virginian Newspaper; Christie Chapman, News & Advance; Robin Wood, Edmund & Williams; Joe Buchanan, Mike Johnson, Lelia Johnson, Aileen Ferguson, Bill Burke, David Garrett, Town Manager; W. M. Phillips, Town Attorney and Roxanne Paulette, Clerk.

The meeting was opened with a prayer.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the consent agenda. All voting aye. Motion carried.

On a motion by Councilmember Mitchell, seconded by Councilmember Mayberry, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote: Bennett – aye, McDearmon – aye, Mayberry – aye, Carson – aye, Mitchell – aye, Lawson – aye.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meetings to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote: Bennett – aye, McDearmon – aye, Mayberry – aye, Carson – aye, Mitchell – aye, Lawson – aye.

Bill Burke made an appearance to Town Council requesting \$1900.00 if funding is denied by the Spout Spring Ruritan Club to complete projects at the Abbitt Park. (Letter attached)

Page 2 of 3
Regular Meeting – February 9, 2004

Wayne Phelps made an appearance to Town Council requesting support of the World War II statue and wall in remembrance of our war hero's to be lead by E. Wayne Phelps and funded by the County of Appomattox at a cost of \$53,000 or less to be placed in the Courtyard Square.

Anne Dixon made an appearance to the Town Council requesting assistance in jointly (50/50) funding a Local/Regional Visitor Center seminar on March 18, 2004 with the County of Appomattox.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to participate in the partnership with the County. All voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Bennett, Council voted to approve the resolution of support to the Appomattox Recreation Department for funding of hiking trails in the Appomattox Community Park by the Virginia Recreation Trails Fund Grant. All voting aye. Motion carried.

Mike Johnson, Captain Appomattox County Volunteer Rescue Squad made an appearance to Town Council requesting an additional \$10,000 for the purchase of equipment.

Discussion was held concerning the lack of response to daytime calls in Appomattox County. David will coordinate with the County Board of Supervisors a meeting between representatives of the Town, County and Rescue Squad to develop ideas to remedy this problem.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the request of \$10,000 for additional equipment. All voting aye. Motion carried.

On a motion by Councilmember Lawson, Chairman of the Property and Street Committee, Council voted to deny the request of the Appomattox Historical Society to rename a section of Oakleigh Avenue to Dr. Clyde G. O'Brien street. All voting aye. Carson – absent from the room. Motion carried.

Page 3 of 3


Regular Meeting – February 9, 2004

On a motion by Councilmember Carson, seconded by Councilmember Bennett, Council approved the Conditional Use Permit for Charles M. Warner for the apartment houses on Lucy Street provided proper right of way is acquired. All voting aye. Motion carried.


On a motion by Councilmember Mitchell, seconded by Councilmember McDearmon, Council voted to pay the insurance claim of Steven E. Lawson under the "No Fault" clause of the insurance policy. Ayes – Mayberry, Mitchell, McDearmon, Bennett. Noes – Carson. Abstained – Lawson.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to authorize David T. Garrett, Jr., Town Manager to correct the Septage Receiving System at the SBR facility. All voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 9:35 p.m. All voting aye. Motion carried.



Ronald C. Spiggle, Mayor



Roxanne W. Paulette, Clerk

Workshop Meeting – February 24, 2004

A workshop meeting of the Appomattox Town Council was held on Tuesday, February 24, 2004 at 7:00 p.m. with Mayor Spiggle, presiding.

Members present: N. H. Mayberry, C. L. McDearmon, M. H. Mitchell, Joyce Bennett, S. E. Lawson. Absent: W. H. Carson.

Others present: Bill Gillespie, Region 2000 Regional Commission, Barbara Bennett, Region 2000 Regional Commission, Charles Garrett, Larry Mobley, W. M. Phillips, Town Attorney, David Garrett, Town Manager, Chad Denton, Times Virginian Newspaper and Roxanne Paulette, Clerk.

The meeting was called to order at 7:00 p.m.

Bill Gillespie of the Region 2000 Regional Commission made a presentation to Council regarding the tax credits for use in developments. (See attachment)

Bill Gillespie also presented the proposed Joint Study Appomattox Town & County, Department of Housing and Community Development Regional Planning Grant. (See attachment)

David Garrett made a presentation to Council about the Joint Water Study project.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the Secretary Job Description. All members voting aye. Motion carried.

On a motion by Councilmember Mitchell, seconded by Councilmember Mayberry, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote: Bennett – aye, McDearmon – aye, Mayberry – aye, Mitchell – aye, Lawson – aye. Carson – absent.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meetings to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

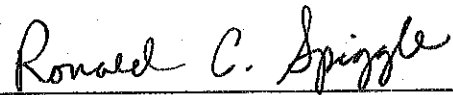
Page 2 of 2

Council Workshop – February 24, 2004

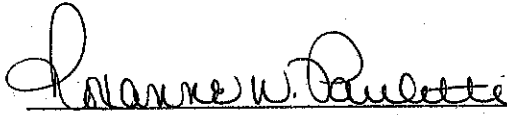
Vote: Bennett – aye, McDearmon – aye, Mayberry – aye, Mitchell – aye, Lawson – aye. Carson – absent.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to authorize the Mayor to sign the Tolling Agreement on behalf of the Town of Appomattox on advice by legal counsel. All voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Mitchell, Council voted to adjourn at 8:30 p.m.



Ronald C. Spiggle, Mayor



Roxanne W. Paulette, Clerk

Regular Meeting – March 8, 2004

A regular meeting of the Appomattox Town Council was held on Monday, March 8, 2004 at 7:30 p.m. with Mayor Spiggle, presiding.

Members present: N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Jr., W. H. Carson, S. E. Lawson, Joyce B. Bennett.

Others present: David T. Garrett, Jr., Charles E. Garrett, Chuck Warner, Danny Jobe, Nesbe Cable, Joe Buchanan, Wayne Phelps, Penny Taylor, Chad Denton, Times Virginian, W. M. Phillips, Town Attorney and Roxanne Paulette, Clerk.

The meeting was opened with a prayer.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the consent agenda. All members voting aye. Motion carried.

Danny Jobe of Nesbe Cable gave Council an update on cable service and was available for concerns and questions. The largest complaint at this time was in reception and Danny indicated that the problem had been identified and would soon be corrected.

Penny Taylor appeared before Council regarding the June 2004 Reenactment. She informed Council of some changes for this year including light refreshment and dance on Friday night at the site on Rt. 613 (same as 2003). VDOT will be providing entrances and the lighting and electricity have been secured.

Wayne Phelps appeared before Council to request support of the World War II Statue to be placed at the Courtyard Square. Mr. Phelps explained he was only here asking for support and reassured Council he would not be back just because they signed in support. A letter is all he wanted.

On a motion by Councilmember Carson, seconded by Councilmember Mitchell, Council voted to table the request by Bill Burke for Abbitt Park until the March 23, 2004 Workshop Meeting. All members voting aye. Motion carried.

On a motion by Councilmember McDearmon, Chairman of the Utility Committee, Council voted to purchase the Radio Read system and 95 water meters from Ferguson Enterprises for \$19,900. All members voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted to support the World War II statue at the Courtyard Square. All members voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to adopt the Policy Adoption Statement:

Whereas, the Occupational Safety and Health Act of 1970 requires employers to provide a safe place to work, a place free from hazards that might cause injury, disability or even death.

Whereas, it is the policy of the Town of Appomattox that every employee is entitled to work under the safety conditions possible. Every reasonable effort will be made to promote accident prevention for protection and health preservation.

Whereas, it is our belief that accidents injure people, damage equipment or property, or destroy materials cause needless personal suffering, inconvenience and expense. We believe that taking common sense precautions can prevent most all accidents.

Therefore, be it resolved that the Town of Appomattox through its appointed manager will endeavor to maintain a safe and healthful work place. The Town of Appomattox will provide safe working equipment, necessary personal protection and in the case of injury, the appropriate first aid and medical services.

On a motion by Councilmember Carson, seconded by Councilmember Mitchell, Council voted to send the request of tax exempt status by the Institute for Theonomic Reformation to the Finance Committee for review. All members voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Bennett, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote: Bennett-aye, McDearmon-aye, Mayberry-aye, Carson-aye, Mitchell-aye, Lawson-aye.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discuss, or considered by this council.

Vote: Bennett-aye, McDearmon-aye, Mayberry-aye, Carson-aye, Mitchell-aye, Lawson-aye.

On a motion by Councilmember Carson, seconded by Councilmember Mayberry, Council voted to adjourn at 8:58 p.m. All members voting aye. Motion carried.

Ronald C. Spiggle
Ronald C. Spiggle, Mayor

Roxanne W. Paulette
Roxanne W. Paulette, CMC

Workshop Meeting – March 23, 2004

A workshop meeting of the Appomattox Town Council was held on Tuesday, March 23, 2004 at 7:00 p.m. with Mayor Spiggle, presiding.

Those present: M. H. Mitchell, N. H. Mayberry, C. L. McDearmon, Jr., Joyce Bennett, W. H. Carson, S. E. Lawson.

Others present: David & Jillian Mitchel, Bill Burke, Larry Mobley, Chad Denton, Times Virginian Newspaper, W. M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

On a motion by Councilmember Lawson, Chairman of the Street & Property Committee, Council voted to proceed with the stage and pad at the Abbitt Memorial Park as presented and with the necessary brick foundation for the stage and lighting to come at a later date. All members voting aye. Motion carried.

David & Jillian Mitchel of Longacre Bed and Breakfast were present to inform Council of their recent purchase of the Appomattox True Value Hardware Building on Church Street.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to pay 1/2 of the cost of the new color brochures for the Visitor's Information Center at a cost of \$5922.50. All members voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted adoption of the 2000 Regional Commission Resolution requesting General Assembly Action on FY 2005/2007 Biennium Budget.

WHEREAS, the official end to General Assembly 2004 session culminated without the adoption of a budget for the next biennium and,

WHEREAS, the local governments of Central Virginia are now faced with the ominous task of preparing a local budget for the upcoming fiscal year without the benefit of knowing the funding levels that will be received from the Commonwealth and,

WHEREAS, the inability of the General Assembly to adopt a realistic budget will force the localities of Central Virginia to take unprecedented steps regarding services that are funded in part by the Commonwealth and,

WHEREAS, as a result of the inaction by the General Assembly the Region 2000 Regional Commission which represents the ten communities in Central Virginia re in agreement that our elected leaders across the Commonwealth must take responsible action regarding the adoption of a rational and realistic budget that will adequately support the functions of government and ultimately the well being of the citizens of Virginia.

THEREFORE, BE IT RESOLVED, that the communities of Central Virginia request the following of the 2004 General Assembly: 1) Come to timely and responsible regarding the budget issue. 2) Do not transfer any additional state responsible costs back to the localities and acknowledge the impact of previous year cuts in establishing future funding levels. 3) Should reimbursement reductions become a part of the General Assembly budget to the localities then be specific as to what services the General Assembly expects the local governments to cut. 4) Provide adequate constitutionally mandated funding for state supported programs including constitutional offices and education.

BE IT FURTHER RESOLVED, that should the General Assembly not resolve the budget issue by June 30, 2004 the localities of the Central Virginia area will have no choice but to close all non-law enforcement offices that are funded by the Commonwealth and only support those programs and positions that are locally funded.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to reappoint Clifford E. Harvey to another term of the Board of Zoning Appeals to begin April 1, 2004. All members voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:53 p.m. All voting aye. Motion carried.

Ronald C. Spiggle

Ronald C. Spiggle, Mayor

Roxanne W. Paulette

Roxanne W. Paulette
Clerk

REGULAR MEETING – APRIL 12, 2004

A regular meeting of the Appomattox Town Council was held on Monday, April 12, 2004 at 7:30 p.m. with Mayor Spiggle, presiding.

Members present: Norman H. Mayberry, C. Lewis McDearmon, Jr., Joyce Bennett, Walter H. Carson, Marvin H. Mitchell. Absent – Steven E. Lawson.

Others present: David T. Garrett, Jr., Town Manager, W. M. Phillips, Town Attorney, Christie Chapman, News and Advance, Larry Mobley, Charles Garrett, Chad Denton, Times Virginian, R. B. Moore – VDOT, Marvin Tweedy – VDOT and Roxanne W. Paulette, Clerk.

Mayor Spiggle opened the meeting with a prayer.

On a motion by Councilmember Carson, seconded by Councilmember Mayberry, Council voted to approve the consent agenda dated April 12, 2004. All members voting aye. Motion carried.

R. B. Moore and Marvin Tweedy with VDOT appeared before Council to address site distance problems at the intersection of Main Street and Church Street. Their recommendations were turned over to the Street and Property Committee for review.

Standing Committee Reports –
Property & Street Committee

- 1) The brick facing at Abbitt Park stage will cost approximately \$2600 for labor.
- 2) David Garrett informed Council that the lights at the Courthouse Square do not match the lights downtown. Council advised David not to proceed in asking the County to consider changing the light fixtures as this would be a cost borne by the Town. Consensus was not to proceed.

Fire & Safety Committee

- 1) The next meetings set for the Rescue Squad, Town & County are April 21, 2004 at 4:00 p.m. and May 3, 2004 at 4:00 p.m. The Town restated its position. The Town isn't trying to interfere however; we do feel we have a vested interest due to the funds that the Town provides to the Rescue Squad. If there are ways in which we can be of assistance in providing solutions to the amount of unanswered calls, we want to help.

Utility Committee – none

Ordinance – none

Finance – none

Personnel – none

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon. Councilmember Carson called for the question, meaning to limit debate. All in favor of limited debate. All voting aye. Council voted to approve the slate of officers for the 2004 Historic Appomattox Railroad Festival, Chairman – Dean Thompson, Vice-Chairman – David Garrett, Jr., Secretary – Roxanne W. Paulette and Treasurer – Bobbie H. Mullins. All members voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Bennett, Council voted to approve \$25,000 for the Region 2000 Regional Commission to be the Region 2000 Action Coordinator as it pertains to the Appomattox County/Town Water Supply Project. All members voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve David T. Garrett, Jr., Town Manager to execute the Memorandum of Understanding between Appomattox Courthouse National Historical Park and the Town of Appomattox. All members voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to ask Appomattox Courthouse National Historical Park to include the Jamerson site in their General Management Plan. All members voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to write a letter to the Appomattox Courthouse National Historical Park in support of the Appomattox County Chamber of Commerce and Final Campaign Reenactment Committee in support of the reenactment event to be held in Appomattox in April 2005 and how important tourism is to the Town. All members voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Mitchell, Council voted to approve the use of Abbitt Park on April 16, 2004, May 14, 2004, June 18, 2004, July 16, 2004, August 20, 2004 and October 8, 2004 for Friday Cheers. All members voting aye. Motion carried.

On a motion by Councilmember Carson, seconded by Councilmember Mitchell, Council voted to allow the use of and waive the fee for Abbitt Park by the J. Robert Jamerson Memorial Library Summer Reading Fair. All members voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Mitchell, Council voted to appoint Councilmember Steven E. Lawson to serve on the Elementary School Committee. All members voting aye. Motion carried.

David T. Garrett, Jr., Town Manager gave an update on Well #39. The project is expected to be complete by June 30, 2004.

David T. Garrett, Jr., Zoning Administrator informed Council of a Zoning Application submitted by Kidd's Collision for Used Auto Sales that will be sent to the Planning Commission for a Public Hearing to be held on May 17, 2004 for the purpose of a conditional use permit.

On a motion by Councilmember Mitchell, seconded by Councilmember Carson, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

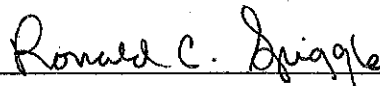
Vote: Bennett-aye, McDearmon-aye, Mayberry-aye, Carson-aye, Mitchell-aye, Lawson-absent.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discuss, or considered by this council.

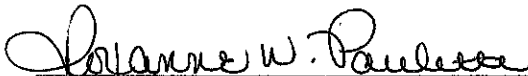
Vote: Bennett-aye, McDearmon-aye, Mayberry-aye, Carson-aye, Mitchell-aye, Lawson-absent.

Council as a result of the Closed Session took no action.

On a motion by Councilmember Carson, seconded by Councilmember Mayberry, Council voted to adjourn at 9:05 p.m. All members voting aye. Motion carried.



Ronald C. Spiggle, Mayor



Roxanne W. Paulette, CMC

WORKSHOP MEETING – April 27, 2004

A workshop meeting of the Appomattox Town Council was held on Tuesday, April 27, 2004 at 7:00 p.m. with Mayor Spiggle, presiding.

Members present: Walter H. Carson, Norman H. Mayberry, Marvin H. Mitchell, Joyce Bennett, C. Lewis McDearmon, Jr., and Steven E. Lawson.

Others present: Robin Wood, Edmund & Williams, W. M. Phillips, Town Attorney, David Garrett, Town Manager, Larry Mobley, Charles Garrett, Hill Jones, Hurt & Proffitt, Bif Johnson, Hurt & Proffitt, Chad Denton, Times Virginian and Roxanne Paulette, Clerk.

The meeting was called to order by Mayor Spiggle.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the agenda.

On a motion by Councilmember McDearmon, seconded by Councilmember Mitchell, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote: Bennett-aye, McDearmon-aye, Mayberry-aye, Carson-aye, Mitchell-aye, Lawson-aye.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discuss, or considered by this council.

Vote: Bennett-aye, McDearmon-aye, Mayberry-aye, Carson-aye, Mitchell-aye, Lawson-aye.

Council as a result of the Closed Session took no action.

David Garrett reported one informational item being the 12 lights in the parking lot at the courthouse are similar to the ones downtown.

On a motion by Councilmember Carson, seconded by Councilmember Mayberry, Council voted to adjourn at 8:05 p.m. All members voting aye. Motion carried.

Ronald C. Spiggle

Ronald C. Spiggle, Mayor

Roxanne W. Paulette

Roxanne W. Paulette, CMC

REGULAR MEETING – MAY 10, 2004

A regular meeting of the Appomattox Town Council was held on Monday, May 10, 2004 at 7:30 p.m. with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, M. H. Mitchell, Joyce Bennett, and S. E. Lawson. Absent: C. L. McDearmon, Jr.

Others present: W. M. Phillips, Town Attorney, David Garrett, Town Manager, Charles Garrett, Chad Denton, Times Virginian, Reed Johnson, National Park Service, Jim Klein, Landner/Klein Landscape Architects and Roxanne W. Paulette, Clerk.

Mayor Spiggle opened the meeting with a prayer.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the consent agenda dated May 10, 2004. All members present voting aye. Motion carried.

Reed Johnson appeared before Council to address the General Management Plan of the National Park Service.

Jim Klein appeared before Council to address transportation concerns along Rt. 24. Modification efforts are being incorporated into the General Management Plan.

Standing Committee Reports –

Street & Property Committee

On a motion by Councilmember Lawson, Chairman, the Street & Property committee recommended and Council approved the recommendation that was presented by VDOT on April 12, 2004 for a temporary curb (4 to 6 weeks) to be installed on Church Street, strip the center line and install no parking in front of the hardware store and Hunter Dickerson's store to determine if this will work before the Town expends funds for a permanent curb and gutter on Church Street. All members present voting aye. Motion carried.

The concrete dance pad for Abbitt Park will be poured next week (5/17/04) at a cost to the W. M. Abbitt Memorial Park checking account fund.

Fire & Safety Committee –

Ms. Bennett reported that the Rescue Squad/Town/County had met with Bryan David of Amherst County concerning billing procedures and paid personnel. The next meeting is scheduled for July.

Utility Committee – none

Ordinance Committee – none

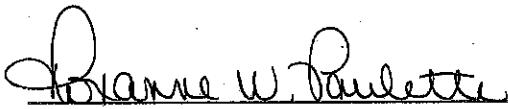
Finance Committee – none

Personnel Committee – none

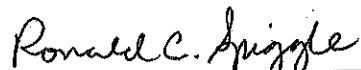
On a motion by Councilmember Mitchell, seconded by Councilmember Mayberry, Council voted to approve the out of town water connections for David A. Johnson for Lots 2 & 3 at Homeplace Subdivision on Rt. 691. Councilmember Carson called for the question meaning to limit debate. All in favor of limited debate. All voting aye. Original motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Carson, Council voted to waive the application fee for the use of Abbitt Park by the Appomattox County Chamber of Commerce for Friday Cheers. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 8:30 p.m. All members present voting aye. Motion carried.



Roxanne W. Paulette, CMC



Ronald C. Spiggle, Mayor

JOINT MEETING – May 20, 2004

A joint meeting of the Appomattox Town Council and Appomattox County Board of Supervisors was held on Thursday, May 20, 2004 at 6:00 p.m. in the Council Chambers.

Town Council Members: W. H. Carson, N. H. Mayberry, C. L. McDearmon, Jr., Joyce Bennett, S. E. Lawson, M. H. Mitchell, and Ronald C. Spiggle, Mayor.

Board Members: Russell Moore, Tom Conrad, Shawn Armbrust, William Craft, Samuel Carter.

Others present: David T. Garrett, Jr., Town Manager, Aileen Ferguson, County Administrator, Walter Hancock, Wiley & Wilson, Bill Gillespie, Region 2000 Regional Commission and Roxanne W. Paulette, Town Clerk.

Public present: John Wilson, Rick Butler, Marjorie Glover, Terrie Conrad, Mildred Wooten, T. W. Wooten, Ruby Williamson, E. L. Williamson, Richard Martin, Evelyn Marshall, Louise Tyree, Alice Layne, Estelle L. McFadden, Inez F. Carter, Dr. Betty Siano, Pamela M. Klein, Barbara Shelton, Katie Adams, Wade Adams, Bill Klein, Herbert Fleshman, Sara Carter, Ora McCoy, Jacqueline Davis, Odessa Booker, William Layne, Jr., Annie Humbles, Darlene F. Reed.

Chairman Carter called the board to order from a recessed and reconvened meeting and Mayor Spiggle called the Appomattox Town Council to order.

Chairman Carter opened the meeting with a prayer.

Walter Hancock, Wiley & Wilson was introduced by Chairman Carter as having conducted the Water Study being discussed.

Mr. Hancock briefed the board and council of the study siting the different types of water sources available, where they would be located and the types of things needed for each type such as booster pumps, length of line, 2 reservoir sites, in take from the James River or 460 waterline.

The construction costs came out to be fairly close and very expensive. Ranges from \$14.9 to \$16.4 million. A large portion of this could be secured by grants and would be very feasible.

The water study report concluded the following choices:

1. 2 (two) Reservoir sites
2. Raw water from the James River
3. 460 Waterline

Page 2 of 2
May 20, 2004
Joint Meeting

All of which are practical and feasible.

Appomattox to 460 waterline has more advantages, presents lowest risk and unforeseen expenses in the future. Immediate water service to 460 West Corridor. Some of the best land in Appomattox could be developed in the corridor from Appomattox to Concord. Utilization of more water from the 460 waterline than from any other source.

The study concluded that the 460 waterline should be pursued, Appomattox Town/County should hire an individual/agency with considerable knowledge regarding funding. A considerable amount of funding is needed as well as the backing of Campbell County and the City of Lynchburg.

Mr. Hancock took questions from the Board and Council Members.

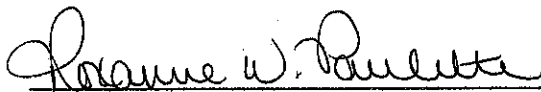
Mr. Bill Gillespie, Executive Director of Region 2000 Regional Commission was introduced by Chairman Carter.

The Water Committee decided it needed a project coordinator. The expertise, help and guidance that Bill Gillespie, Executive Director for Region 2000 Regional Commission provides made the commission a likely candidate as the project coordinator.

Mr. Gillespie advised the Board and Council that this is not a taxpayer issue for funding, it is would be funded by the users of the system. Mr. Gillespie took questions from the Board/Council regarding funding.

On a motion by Mr. Mayberry, seconded by Mr. Mitchell, Council voted to adjourn at 8:30 p.m.

Respectfully submitted,



Roxanne W. Paulette, CMC
Town Clerk

PUBLIC HEARING – May 25, 2004

A public hearing of the Appomattox Town Council was held on Tuesday, May 25, 2004 at 7:00 p.m. in the Council Chambers at the Town Office with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Jr., Joyce Bennett and S. E. Lawson.

Others present: Chad Denton – Times Virginian, Christie Chapman – News & Advance, W. M. Phillips – Town Attorney, Charles Garrett, David T. Garrett, Jr. – Town Manager and Roxanne W. Paulette, Clerk.

The Proposed Fiscal Year 2004-2005 Budget having been published once on May 12, 2004 by a newspaper having general circulation in the locality affected, and given notice of one or more public hearings, at least seven days prior to the date set for the hearing, at which any citizen of the locality shall have the right to attend and state his views thereon. The hearing shall be held at least seven days prior to the approval of the budget as prescribed in §15.2-2503, Code of Virginia.

The public hearing states that all interested persons are hereby notified that the Appomattox Town Council will hold a public hearing on Tuesday, May 25, 2004 at 7:00 p.m. at the Appomattox Town Office on Linden Street to hear citizen comments regarding the following:

1. Proposed FY 2005 Budget for the Town of Appomattox – In accordance with Section 15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2005.

GENERAL FUND EXPENDITURES	\$747,915.00
WATER FUND EXPENDITURES	\$277,300.00
SEWER FUND EXPENDITURES	\$709,112.00
TOTAL	\$1,734,327.00

GENERAL FUND REVENUE	\$747,915.00
WATER FUND REVENUE	\$277,300.00
SEWER FUND REVENUE	\$709,112.00
TOTAL	\$1,734,327.00

2. Proposed changes to the Water and Sewer Policy, User Charges (including water and sewer rates), Connection and Availability Fees Administrative Policy.

PUBLIC HEARING – May 25, 2004

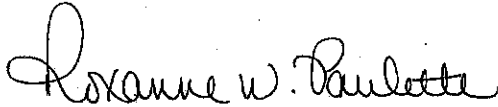
Page 2 of 2

The Documentation has been available at the Town Office for citizens to review.

The Mayor called for public comments and questions. Hearing none the hearing was held open until 7:15 p.m., at which time the Mayor closed the public hearing.

The minutes shall show that Councilmember Lawson left at 7:15 p.m.

Respectfully submitted,



Roxanne W. Paulette, CMC
Clerk of Town Council

WORKSHOP MEETING - May 25, 2004

A workshop meeting of the Appomattox Town Council was held on Tuesday, May 25, 2004 following the public hearing at 7:15 p.m. with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Jr., Joyce Bennett. Absent: S. E. Lawson,

Others present: David T. Garrett, Jr., Town Manager, W. M. Phillips, Town Attorney, Chad Denton, Times Virginian, Christie Chapman, News & Advance, Charles Garrett and Roxanne W. Paulette, Clerk.

The Mayor opened the meeting with a moment of silence in remembrance of Clayton Tinnell, owner and operator Triangle Plaza Shopping Center who died on May 22, 2004 and a word of prayer.

On a motion by Mr. Mayberry, Council voted to approve the Clerk or Town Manager to enter into an agreement with Harris Software System in the amount of \$13,115.00 for the purpose of a software package to meet the accounting, payroll and utility billing needs of the Town of Appomattox. The committee further agrees to allow the Clerk or Town Manager to purchase the necessary hardware for the programs not to exceed \$11,000.00. All members present voting aye. Motion carried.

David Garrett updated Council regarding:

- The Truck Hauled Wastewater Policy.
The policy will be on the June Council Meeting agenda for consideration to change the \$120.00 per 2500 gallon load charge to a flat \$.06 per gallon.
- Warning letter has been received for Copper & Zinc issues -- The Town is working on setting up a meeting with DEQ.
- Complaints of tall grass have been received and are being address.
- There is livestock in Town on Church Street and the property owner has been advised he/she has until Tuesday, June 1, 2004 to comply with the ordinance.
- Well #39 – Estimated date of completion is May 28, 2004. Hungerford & Terry will be on site for training the week of June 14, 2004.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 1.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

Page 2 of 2
May 25, 2004

VOTE:

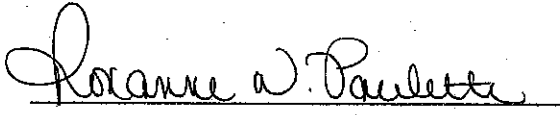
Bennett – aye, McDearmon – aye, Mayberry – aye, Carson – aye, Mitchell – aye,
Lawson – absent.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) only public business lawfully exempted from open meetings requirement by Virginia law were discussed in the closed meeting to which the certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

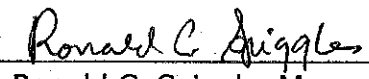
VOTE:

Bennett – aye, McDearmon – aye, Mayberry – aye, Carson – aye, Mitchell – aye,
Lawson – absent.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried.



Roxanne W. Paulette, CMC



Ronald C. Spiggle, Mayor

REGULAR MEETING – June 14, 2004

The Appomattox Town Council met in regular session on Monday, June 14, 2004 at 7:30 p.m. with Mayor Spiggle, presiding.

Members present: W. H. Carson, N. H. Mayberry, C. L. McDearmon, Jr., Joyce Bennett, M. H. Mitchell, S. E. Lawson.

Others present: Barbara Williams, Circuit Court Clerk, John L. Wilson, Harry G. Lawson, Percy Kidd, Brad Kidd, Brandon Kidd, Robert Hubbard, Chad Denton, Times Virginian, Charles Garrett, W. M. Phillips, Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Spiggle opened the meeting with a prayer.

Mayor Spiggle thanked Barbara Williams for swearing in the council members elect for their two year term commencing July 1, 2004.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the consent agenda with the addition of NB-8 Closed Session. All members present voting aye. Motion carried.

There were no public comments.

Committee Reports –

Street & Property Committee –

Councilmember Lawson, Chairman reported:

1. The Dance Pad at Abbitt Park is ready for use.
2. Welcome signs for the Town of Appomattox. He is awaiting more information from VDOT & sign design & prices.
3. Lucy Street easements are being obtained. Awaiting two more signatures from Trustees and then a resolution will be prepared and present to VDOT.

Fire & Safety Committee

Councilmember Bennett, Chairman reported:

1. The Rescue Squad committee has not met since the May 10, 2004 council meeting – but progress is ongoing.
2. The Fire Department's new building is making progress.

Utility Committee

Requested to wait until after the Closed Session.

Ordinance Committee

None

Page 2 of 12
June 14, 2004

Finance Committee

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to allow the Town Manager to purchase the video equipment necessary for recording Council Meetings to be aired on cable channel 7 not to exceed \$5000. Councilmember McDearmon called for the Question meaning to limit debate. All in favor of a limited debate. All voting aye. All members present voting aye on original motion. Motion carried.

On a motion by Councilmember Mitchell, seconded by Councilmember Lawson, Council voted to grant the Conditional Use Permit to Percy Kidd with no conditions as recommended by the Appomattox County Planning Commission. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to move remaining funds in the line items for Kiddie/Abbitt Park 105000.5040, Sidewalks & Curbs 104700.6090, Town Welcome Signs 104700.7080 to a Certificate of Deposit for future use. All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to waive the entertainment fee of \$25.00 for the Historic Appomattox Railroad Festival 5K Foot Race on Saturday, October 9, 2004. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to convene in Closed Session, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia (1950), as amended for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

VOTE:

Bennett – aye, McDearmon – aye, Mayberry – aye, Carson – aye, Mitchell – aye, Lawson – aye.

Page 3 of 12
June 14, 2004

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

VOTE:

Bennett – aye, McDearmon – aye, Mayberry – aye, Carson – aye, Mitchell – aye, Lawson – aye.

Utility Committee

Councilmember McDearmon, Chairman reported the following:

1. The Town has met with DEQ concerning the Wastewater Treatment Plant on Church Street notice of violations. The Town has been unsuccessful in trying to comply with the limits. Therefore, the Town will enter into a Consent Order in order to stop the point process against the Town. The Consent Order will allow the Town to resolve the copper limits during this time.
2. Water Tank Maintenance Program. On Monday, May 4, 2004 the Requests for Proposals were mailed and on Tuesday, June 8, 2004 the bids were received and opened at 2:00 p.m. 12 RFP's were mailed and 2 were received.

On a motion by Councilmember McDearmon, Chairman, the Utility recommends approval of the bid from Utility Service for Water Tank Maintenance on the 100,000 gallon tank for 10 years at a total of \$78,626. All members present voting aye. Motion carried.

3. Update on South Church Street Sewer Project. The project is currently out for bid. The town needs to obtain nine (9) easements from property owners. Construction is expected to commence on July 1, 2004 and be complete by October 1, 2004. The 1st phase will begin at Cole's field and end at the Grinels property on S. Church Street. The 2nd phase will begin at Grinels property and end at Dr. Powell's on Maple Street.
4. Update on Well #39. The Town has completed the mechanical, electrical and construction phases last week. The landscaping and mulching took place today. Hungerford & Terry will be here Tuesday, June 22, 2004 to begin training.

Page 4 of 12
June 14, 2004

5. Request from Bill Jamerson for water and sewer service to a 66 acre tract out of town. To date there are too many unanswered questions to recommend any action.

On a motion by Councilmember Mitchell, seconded by Councilmember McDearmon, Council voted to adopt the following appropriation resolution for the 2004-2005 Fiscal Year Budget

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2004-2005 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

SECTION I:

WHEREAS, Section 2-332, Appomattox Town Code and Section 15.2-2503, Code of Virginia, require that the governing body shall approve the budget and fix a tax rate for the budget year no later than the date on which fiscal year begins; and

SECTION II:

WHEREAS, the proposed Fiscal Year 2004-2005 Budget was published on May 12, 2004 in the *Times-Virginian*, Appomattox, Virginia, pursuant to Section 15.2-2506, Code of Virginia, and public hearing was subsequently held on the proposed budget on Tuesday, May 25, 2004;

SECTION III:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in Regular Session on June 14, 2004, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2004-2005;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	18,100.
Administrative Department	203,079.
Professional	42,200.
Commissioner of Revenue	8,830.
Police Department	80,000.
Division of Motor Vehicles	31,780.
Fire Department	37,200.
Street Department	115,665.
Sanitation Department	82,416.
Capital Improvements	50,000.
Property Maintenance & Construction	22,145.
Town Shop	11,000.
Donation/Contributions	45,500.
TOTAL GENERAL FUND EXPENSES	747,915.

SECTION IV:

BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at \$.15 per \$100.00 of assessed value for real estate, \$.55 per \$100.00 of assessed value for personal property, \$.55 per \$100.00 of assessed value for machinery and tools, and \$.15 per \$100.00 of assessed value for mobile homes; and

Page 5 of 12
June 14, 2004

SECTION V:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2004-2005;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	152,000.
Current Taxes – Personal Property	118,000.
Delinquent	0.
Penalties & Interest	0.
Bank Stock Tax	100,000.
Meals Tax	105,000.
Lodging Tax	10,000.
Franchise Tax	5,500.
Consumption Tax	8,000.
Town Tags	30,000.
Business License	40,000.
Division of Motor Vehicles	30,000.
Zoning	500.
Credits & Refunds	0.
Insurance Dividends	1,000.
Interest	20,000.
Rental of Misc. Property	45,000.
Alcohol Profits	3,500.
Motor Vehicle Tax	3,000.
Sales Tax	28,000.
Aid to Police Department (HB599)	42,315.
Fire Programs	6,000.
Certificates of Deposit	0.
Miscellaneous	100.
Grants	0.
Other Reimbursals	0.
TOTAL GENERAL FUND REVENUES	747,915.

SECTION VI:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2004-2005;

WATER AND SEWER FUND; EXPENDITURES BY CATEGORY:

Water Department	277,300.
TOTAL WATER EXPENDITURES	277,300.

SECTION VII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Revenue estimates for Fiscal Year 2004-2005;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	210,000.
Connection Fees	3,500.
Penalty Fees	4,800.

Page 6 of 12
June 14, 2004

Miscellaneous	0.
Availability Fees	3,500.
Interest	2,500.
Reconnect Fees	1,000.
Insurance Dividends	1,000.
MT/LT Appropriated Revenue	50,000.
TOTAL WATER REVENUES	277,300.

SECTION VIII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2004-2005;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	709,112.
TOTAL SEWER EXPENDITURES	709,112.

SECTION IV:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2004-2005;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	407,639.
Connection Fees	9,500.
Miscellaneous	3,000.
Availability Fees	7,000.
Interest	9,400.
WW Facility Improvement Fund (County)	76,573.
Insurance Dividends	1,000.
Septage Receiving	35,000.
MT/LT Appropriated Revenue	160,000.
TOTAL SEWER REVENUES	709,112.

SECTION X:

BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2004-2005 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XI:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2004-2005 is hereby adopted, effective July 1, 2004 and shall be certified by the Clerk of Council and maintained as an archive document with the official minutes of the Town Council of Appomattox, Virginia.

Adopted this 14th day of June, 2004.

All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Carson, Council voted to adopt the following resolution establishing a water and sewer policy for Fiscal Year 2004-2005.

A RESOLUTION ESTABLISHING A WATER AND SEWER POLICY FOR FISCAL YEAR 2004-2005

WHEREAS, the Town Council of the Town of Appomattox is enabled by the Code of Virginia to impose certain fees in connection with the exercise of its various municipal powers; and,

WHEREAS, the Town Council of the Town of Appomattox desires to establish a WATER AND SEWER POLICY including User Charges and Connection and

Availability Fees Administrative Policy for the convenience and benefit of town residents and businesses;

BE IT RESOLVED, that the following WATER AND SEWER POLICY for Fiscal Year 2004-2005 is hereby approved; and,

BE IT FURTHER RESOLVED, that where a charge listed on this WATER AND SEWER POLICY is at variance with the same fee listed in a lawfully adopted regulation, resolution or ordinance of the Town of Appomattox for the Fiscal Year 2004-2005, the fee listed in the lawfully adopted regulation, resolution or ordinance of the Town of Appomattox for the Fiscal Year 2004-2005 shall apply:

USER RATES

Water

- In Town - \$6.05/month with 2000 gallon allowable metered sales
- In Town - \$2.85/1000 gallons for all consumption above 2000 gallons
- Out of Town - \$13.40/month with 2000 gallons allowable metered sales
- Out of Town - \$3.00/1000 gallons for all consumption above 2000 gallons

Sewer

- In Town - \$8.25/month per Equivalent Residential Connection (ERC)
- In Town - \$5.20/1000 gallons for all metered water consumption
- Out of Town - \$12.40/month per Equivalent Residential Connection
- Out of Town - \$6.90/1000 gallons for all metered water consumption

CONNECTION FEES

Water -

- Standard 3/4" water connection with water main located on same side of the road as the resident **\$1,200.00.**
- For connection larger than 3/4", and require installing service line across any primary or secondary roads, cost of connection shall be at cost of materials and labor.

Sewer -

- Standard residential connection with sewer main located on the same side of the road as the resident **\$1,900.00.**
- For connection larger than the standard, and or installing service line across any primary or secondary roads, cost of connection shall be at cost of materials and labor.

Out of Town Connection:

- For all water or sewer connections, the above rates and charges shall be multiplied by a factor of **1.5.**

WATER FACILITIES - AVAILABILITY FEES

Availability fees are defined as a charge designed to defray a portion of the continuing cost of constructing and maintaining the plant and equipment.

<u>Availability Fees</u>	<u>Cost</u>
1. Single family dwelling (per dwelling) or ERC.....	\$1,200.00
2. Duplex dwelling - a single two family building (per unit).	\$1,200.00
3. Multi-family structure (duplexes, condominiums, townhouses, apartments, etc.) Each building is considered separately.	
(1) For the first five (5) units.....	\$1,200.00
(2) For the second five (5) units.....	\$1,200.00
(3) For all additional units.....	\$1,200.00
Each building subject to a maximum charge of \$1,200.00 under this subsection.	
4. Mobile Home	
a. Single lot.....	\$1,200.00
b. Two or more located on same lot, same meter (per mobile home).....	\$1,200.00
5. Mobile Home Park (per space).....	\$1,200.00
6. Commercial and Industrial	
a. Motels (per unit or room).....	\$300.00
b. Restaurants (per seat).....	\$100.00
c. Laundromats (per machine).....	\$900.00
d. Others - fees will be based on square footage (sq. ft.) using net usable area defined as the gross area of the establishment less hallways, stairways, closets, etc. as determined by the applicant's engineer/architect drawings and reviewed by the Town Council and Staff.	
(1) Factories.....	\$ _____
(2) Shopping Centers.....	\$ _____
Less than 20,000 sq. ft. (per sq. ft.)	\$ _____
More than 20,000 sq. ft. (per sq. ft.).....	\$ _____
(3) Office Buildings (based on use)	\$ _____
7. Medical Facilities	
a. Nursing Homes (per bed).....	\$400.00
b. Homes for the aged (per bed).....	\$200.00
c. Hospitals (per bed).....	\$600.00
d. Doctor's Office (see office in Medical Center)....	\$930.00
8. Schools	
a. High Schools with showers (per person).....	\$
b. Elementary Schools without showers (per person)....	\$
c. Boarding Schools (per person).....	\$
d. Community Colleges (per person).....	\$
9. Recreational Facilities	
a. Theaters, drive-in type (per car).....	\$30.00
b. Theaters, auditorium type (per seat).....	\$30.00
c. Picnic Areas (per person & park capacity).....	\$30.00

- d. Camps, resorts, day & night with limited plumbing (per campsite).....\$95.00
- e. Luxury Camps with flush toilets (per camp site) \$185.00
- f. Swimming Pools (per camp site).....\$30.00

10. Any proposed use not covered above or in cases where higher factor, hardship or community waiver is recommended by Staff, the Town Council shall make the final decision based upon written application with supporting data.

SANITARY SEWERAGE FACILITIES - AVAILABILITY FEES COST

- 1. Single family dwelling (per dwelling) or ERC.....\$1,900.00
- 2. Duplex dwelling - a single two family building (per unit)..\$1,900.00
- 3. Multi-family structure (duplexes, condominiums, townhouses, apartments, etc.)
Each building is considered separately.
 - (1) For the first five (5) units.....\$1,900.00
 - (2) For the second five (5) units..... \$1,900.00
 - (3) For all additional units.....\$1,900.00
 Each building subject to a maximum charge of \$12,700.00 under this subsection.
- 4. Mobile Home
 - a. Single lot.....\$1,900.00
 - b. Two or more located on same lot, same meter (fee per mobile home)..\$1,900.00
- 5. Mobile Home Park (per space).....\$1,900.00
- 6. Commercial and Industrial
 - a. Motels (per unit or room).....\$300.00
 - b. Restaurants (per seat).....\$100.00
 - c. Laundromats (per machine).....\$930.00
 - d. Others - fees will be based on square footage (sq. ft.) using net usable area defined as the gross area of the establishment less hallways, stairways, closets, etc. as determined by the applicant's engineer/architect drawings and reviewed by the Town Council and Staff.
 - (1) Factories.....\$
 - (2) Shopping Centers
 - Less than 20,000 sq. ft. (per sq. ft.).....\$
 - More than 20,000 sq. ft. (per sq. ft.).....\$
 - (3) Office Buildings (based on use)..... ..\$
- 7. Medical Facilities
 - a. Nursing Homes (per bed).\$400.00
 - b. Homes for the aged (per bed).....\$200.00
 - c. Hospitals (per bed).....\$600.00
 - d. Doctor's Office (see office in Medical Center).....\$930.00
- 8. Schools
 - a. High Schools with showers (per person).....\$
 - b. Elementary Schools without showers (per person)\$
 - c. Boarding Schools (per person).....\$
 - d. Community Colleges (per person).....\$
- 9. Recreational Facilities
 - a. Theaters, drive-in type(per car).....\$30.00
 - b. Theaters, auditorium type (per seat).....\$30.00
 - c. Picnic areas (per person & park capacity).....\$30.00

- d. Camps, resorts, day & night with limited plumbing (per campsite)...
.....\$95.00
 - e. Luxury camps with flush toilets (per camp site)...\$185.00
 - f. Swimming pools (per swimmer-design capacity)..\$30.00
10. Any proposed use not covered above or in cases where a higher factor, hardship or community waiver is recommended by Staff, the Town Council shall make the final decision based upon written application with supporting data.

ACCOUNT CHARGE - \$10.00

The purpose of this charge is to defray the cost incurred in establishing the new customer account.

DEPOSITS

The Town of Appomattox is authorized to require the following deposits from persons opening new water and/or sewer accounts:

	<u>In-Town</u>	<u>Out-of-Town</u>
a. Residential Customers	\$100.00	\$100.00
b. Business, commercial and institutional customers		
(1) with 3/4" meter connections	\$ 100.00	\$100.00
(2) with 1" meter connections	\$ 100.00	\$150.00
c. Commercial customers	\$ 200.00	\$300.00

The Town may also in its discretion, require additional deposit if the size of the service warrants. Deposit is to offset one two months average charge which may become delinquent. At such time as water and/or sewer service is discontinued, the deposit shall be returned to the person making the deposit. Any deposit not claimed after one (1) year after the depositor ceased to use Town water and/or sewer service shall be deemed abandoned by the depositor and shall not be subject to reclamation. When the person opening a new account owns the property to be supplied with water or sewer, the Town may not require a deposit.

BILLING POLICY

All bills are due and payable upon receipt. If not paid within thirty (30) days, a penalty in the amount of 10% of the bill will be added. If the bill and penalty are not paid within ten (10) days of the penalty date, service will be discontinued. If service is requested during the next ten (10) days period, a reconnection charge of \$30.00 and the past due bill and penalty must be paid prior to service being restored. If service is not restored within ten (10) days after discontinuation of service, a service charge of \$3.00 per month or any portion of a month will be assessed. When restoration of service is then requested, the past due bill, penalty and reconnection charge (availability charge) will be due before service is restored. Seasonal disconnection's will also be subject to an accrued service charge of \$3.00 per month or fraction thereof and a \$30.00 reconnection fee.

UNAUTHORIZED CONNECTIONS/CROSS-CONNECTIONS

The connection for any other water supply to the Town's system is strictly prohibited. See Cross-Connection Control Policy.

Cross-Connections of a private or an auxiliary water system to the Town's public water system is restricted according to the WATERWORKS REGULATIONS FOR PUBLIC DRINKING WATER SUPPLY as adopted by the Commonwealth of Virginia Department of Public Health.

USE OF SERVICE

The new service applicant is expected to begin use of water within thirty (30) days from the date of which such service is made available. Therefore, billing will commence at the end of this thirty-day period in accordance with prescribed rates, terms and conditions.

OUT-OF-TOWN CUSTOMERS

For all out-of-town customers, the above rates and charges shall be multiplied by a factor of 1.5.

The Town of Appomattox reserves the right to review each request or service and evaluate both the requested service requirements and available system well and storage capacity. Appropriate management of available system resources will be exercised by the Town Council with respect to new connections.

The Town of Appomattox reserves the right to institute any and all measures deemed necessary in the event of a natural disaster, emergency, drought or other conditions which impacts on the water system. All measures considered will be as reasonable as possible. Generally residential customer service, although it may be curtailed, will be given highest service priority.

Availability fees to be determined on the basis of equivalent residential connections and the equivalent residential availability charge.

BE IT RESOLVED, by the Town Council of Appomattox, Virginia that the Water and Sewer Policy listing for 2004-2005 is hereby adopted, effective July 1, 2004 and shall be certified by the Clerk of Council and maintained as an archive document with the official minutes of the Town Council of Appomattox, Virginia.

Adopted this 14th day of June, 2004.

All members present voting aye. Motion carried.

On a motion by Councilmember Mitchell, seconded by Councilmember Mayberry, Council voted to accept the terms of the Police Agreement for July 1, 2004 through June 30, 2005. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted to amend and reenact Section 70-198 of the Code of the Town of Appomattox, the amended and reenacted section referring to the disposal cost for residential waste. All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to allow the Town Manager to execute the Scope of Work for Appomattox County/Town Water Supply Project by Region 2000 Regional Commission. All members present voting aye. Motion carried.

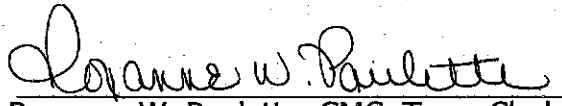
The Town Manager informed Council of the "no parking" on Main Street that continues to be a problem near Mr. Lawson's building. David and Sheriff Staples are working on this problem.

Page 12 of 12
June 14, 2004

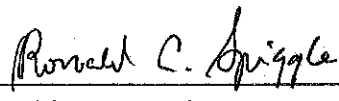
The Town Manager informed Council of the VML Defensive Driving class completed by employees. Certificates of completion are available for those employees.

The Town Attorney informed Council that in his opinion it would be appropriate to schedule a public hearing for the tax exempt status as requested by the Theonomic Reformation Institute for July 12, 2004.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 9:10 p.m. All members present voting aye. Motion carried.



Roxanne W. Paulette, CMC, Town Clerk



Ronald C. Spiggle, Mayor

WORKSHOP MEETING – June 22, 2004

The Appomattox Town Council held a workshop meeting on Tuesday, June 22, 2004 at 7:00 p.m. with Mayor Spiggle, presiding.

Members present: N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Jr., Joyce Bennett, S. E. Lawson. Absent – W. H. Carson.

Others present: Carlton Duck, Derek Norfield, Dink Lucado, Chad Denton, Times Virginian, John L. Wilson, David T. Garrett, Jr., and Roxanne W. Paulette, Clerk.

Mayor Spiggle called the meeting to order.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to approve the agenda as presented. All members present voting aye. Motion carried.

The Council was presented with information from Carlton Duck, Derek Norfield & Dink Lucado regarding the videotaping of council meetings. The council meetings will be aired on UHF Channel 33 and Cable Channel 7. They explained to council the needed equipment & where it would be placed. There will be two recordings, one that can be edited to remove "dead time" pauses and one that cannot be re-recorded or edited as an official archived copy.

On a motion by Councilmember McDearmon, seconded by Councilmember Mitchell, Council voted to approve the following resolution:

RESOLUTION APPROVING CONTINUING OPERATING UNDER THE SOLID WASTE MANAGEMENT PLAN FOR THE COUNTY OF APPOMATTOX REGION

WHEREBY, the Town of Appomattox agreed by resolution in 1991 to operate under the Solid Waste Management Plan for the County of Appomattox Region; and

WHEREAS, the Virginia Department of Waste Management has required updating of existing solid waste management plans; and

WHEREAS, the Region has made significant strides with regard to improving solid waste disposal and collection, and recognizes the necessity of a cooperative effort to meet the 25% recycling rate mandated by the Commonwealth and provide for the safe, efficient and environmentally sound disposal of solid waste throughout the County;

NOW, THEREFORE BE IT RESOLVED, by the Appomattox Town Council on this 22nd day of June 2004, that the Town of Appomattox continue to be included in the County of Appomattox Region and hereby approves the Solid Waste Management Plan for the Appomattox County Region as revised per public comments received on June 21, 2004.

June 24, 2004
22

All members present voting aye. Motion carried.

Mayor Spiggle read into the record Mr. William M. Phillip's resignation as Town Attorney.

June 15, 2004

Dear Mayor and Members of Council:

It is with sincere regret that I must advise you that for personal and health reasons I must curtail my law practice. After talking with the Town Manager, I think it appropriate for my resignation as Town Attorney to be effective this date.

I have enjoyed very much working with the Mayor, Council and staff for the last eight years, but I feel that the time has come for me to retire from the practice of law, which I have enjoyed for the past forty-seven years.

I recommend that the town join the Local Government Attorneys Association of Virginia, which I helped create in 1975. This will be of great benefit to my successor, who will then receive the publications of LGA and can attend its meetings.

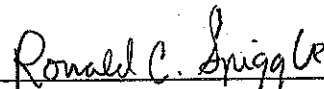
As it used to be said in earlier times, I am now and remain your most humble and obedient servant.

William M. Phillips

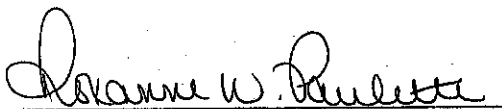
On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to accept with regret the resignation of William M. Phillips as Town Attorney. All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to secure the legal counsel of Overbey, Hawkins, Selz and Wright to perform legal services for the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.



Ronald C. Spiggle, Mayor



Roxanne W. Paulette, CMC
Town Clerk

PUBLIC HEARING – JULY 12, 2004

A public hearing was held on Monday, July 12, 2004 at 7:00 p.m. at the Municipal Building with Mayor Spiggle, presiding.

Members present: Joyce Bennett, Marvin Mitchell, C. Lewis McDearmon, Jr., Steven E. Lawson. Absent: Norman H. Mayberry and John L. Wilson.

Others present: Pastor and Mrs. Paul Michael Raymond, Constance Raymond, Paul Coviello, Buz and Deb Dupont, John Lombardi, Larry Mobley, Charles Garrett, Carlton Duck, Derek Norfield, Frank Wright, Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Mundy, Town Clerk.

With a majority of council members present Mayor Spiggle open the public hearing in accordance with §58.1-3651 of the Code of Virginia to hear the request of the Theonomic Reformation Institute for exemption of Real Estate Taxes for the property located at tax map no. 6-4-A-5(A)201, value \$17,000.00 with a yearly tax assessment of \$25.50.

Public Comments were received from Pastor Raymond of the Reformed Bible Church and Chief Executive Officer of the Theonomic Reformation Institute. He stated that the Theonomic Reformation Institute is a lawful Christian educational institute registered under the religious clause of the federal government of article 501(c)3 and the non-profit religious organization also incorporated as a Virginia Corporation and acknowledged by the federal bureau tax exemptions and the IRS as such.

Paul Coviello, Deacon and Preacher at the Reformed Bible Church asked for a favorable decision and thanked council for the opportunity to speak.

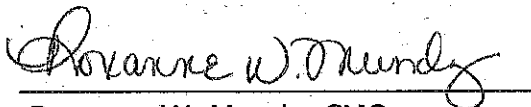
Mr. Wright, Town Attorney asked council to consider the following:

1. Whether the organization is exempt from taxation pursuant to §501(c) of the Internal Revenue Code of 1954? Pastor Raymond replied "Yes, we are tax exempt under the 501(c) 3 status".
2. Whether a current annual alcoholic beverage license for serving alcoholic beverages has been issued by the Virginia Alcoholic Beverage Control Board to such organization, for use on such property? Pastor Raymond responded "No, sir".
3. Whether any director, officer, or employee of the organization is paid compensation in excess of a reasonable allowance for salaries or other compensation for personal services which such director, officer, or employee actually renders? Pastor Raymond responded "No".

4. Whether any part of the net earnings of such organization inures to the benefit of any individual and whether any significant portion of the service provided by such organization is generated by funds received from donations, contributions or local, state or federal grants. As used in this subsection, donations shall include the providing of personal services or the contribution of in-kind or other material services? Pastor Raymond responded "Since being non-profit - No".
5. Whether the organization provides services for the common good of the public? Pastor Raymond responded "Any ethical, moral, religious organization is good for common folk".
6. Whether a substantial part of the activities of the organization involves carrying on propaganda, or otherwise attempting to influence legislation and whether the organization participates in, or intervenes in, any political campaign on behalf of any candidate for public office? Pastor Raymond responded "The Theonomic Reformation Institute does not endorse any political party or candidate."
7. The revenue impact to the locality and its taxpayers of exempting the property? Pastor Raymond responded "No - \$25.50 should not impact the community".
8. Any other criteria, facts, and circumstances that the governing body deems pertinent to the adoption of the resolution - None.

The public hearing was declared closed.

Respectfully submitted,



Roxanne W. Mundy, CMC
Town Clerk

REGULAR MEETING – July 12, 2004

The Appomattox Town Council met in regular session on Monday, July 12, 2004 at 7:30 p.m. at the Municipal Building with Mayor Spiggle, presiding.

Members present: Joyce Bennett, Marvin Mitchell, Lewis McDearmon, John Wilson, Steve Lawson. Absent: Norman (Jimmy) Mayberry.

Others present: Chad Denton, Times Virginian, Charles Garrett, Larry Mobley, Pastor and Mrs. Paul Michael Raymond, Constance Raymond, Paul Coviello, Buz and Deb Dupont, John Lombardi, Maurice Page, Jane Pack, Wayne Phelps, Joe Buchanan, Carlton Duck, Derek Norfield, Frank Wright, A. David Hawkins, Town Attorneys and Roxanne W. Mundy, Clerk.

Mayor Spiggle called the meeting to order.

Mayor Spiggle began with a prayer.

On a motion by Councilmember Bennett, seconded by Councilmember Mitchell, Council voted to approve the consent agenda with the addition of NB-2 Election of a President Pro-Tem (Vice-Mayor) as designed by the Town Charter and NB-3 Request of the Theonomic Reformation Institute for Tax Exempt Status from Real Estate Taxes in the Town of Appomattox. All members present voting aye. Motion carried.

There were no public comments.

The Mayor welcomed, A. David Hawkins and Frank A. Wright, Jr. of Overbey, Hawkins, Selz and Wright as Town Attorneys and John L. Wilson, Councilmember to their first council meeting.

Wayne Phelps appeared before Council to thank them for their support in the recent reenactment and ask for monetary support of \$3000-3500 for the 2005 Reenactment.

The Mayor also welcomed Carlton Duck and Derek Norfield who will be taping the council meetings and having the aired on Fridays at 10 am and 7 pm on Cable Channel 7 and UHF Channel 33.

Standing Committee Reports

1. Property & Streets – Chairman Lawson, reported that the lines have been painted on Church Street near the intersection with Main Street.

2. Ordinance Committee – Chairman Wilson, reported that the committee has not met since he is not sure of the charge of the committee. He put before each council member a proposed resolution to help identify the job description/charge of each committee for adoption.
3. Utility Committee – Chairman McDearmon, reported that the committee met last Thursday with all members present including Bif Johnson, Hill Jones and David Garrett to discuss copper limits. Hurt & Proffitt is drafting a letter to DEQ informing them of what has been done and what will be done.

On a recommendation by Councilmember McDearmon, Chairman of the Utility Committee council voted to approve the draft letter prepared by DEQ concerning the Copper Limits. All members present voting aye. Motion carried.

The committee also discuss easements on the South Church Street property sewer line replacement.

4. Finance Committee – Chairman absent.
5. Fire & Safety Committee – None.
6. Personnel Committee – None.

On a motion by Councilmember McDearmon, seconded by Councilmember Mitchell, Council voted to approve the out of town residential water connection for R. C. Stephens on Rt. 677. All members present voting aye. Motion carried.

Councilmember McDearmon nominated Marvin Mitchell, as President Pro-Tem (Vice Mayor), seconded by Councilmember Bennett. On a motion by Councilmember McDearmon, seconded by Councilmember Bennett, to close the nominations. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted to elect Marvin Mitchell by acclamation to the post of President Pro-Tem (Vice-Mayor) for the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to approve the request for tax exempt status by the Theonomic Reformation Institute. All members present voting aye. Motion carried.

Page 3 of 3
July 12, 2004

Information from the Town Manager:

- 1. Well #39 is up and running. The water is being treated through the Green Sand Filters and is pumping 120 gallons per minute.

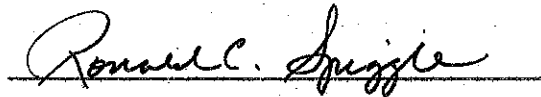
Zoning Administrator – None

Town Clerk – None

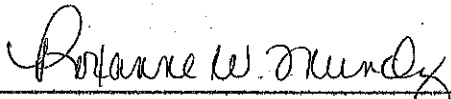
Mayor – Informed Council that he would be preparing a proclamation for Evergreen Day in the Town of Appomattox on August 14, 2004 for their 150th Anniversary.

On a motion by Councilmember Wilson, recommending adoption of a Resolution: Duties of Standing Committee introduced today July 12, 2004. The motion not receiving a second died.

On a motion by Councilmember Lawson, seconded by Councilmember Mitchell, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.



Ronald C. Spiggle, Mayor



Roxanne W. Mundy, CMC, Town Clerk

COUNCIL WORKSHOP – July 27, 2004

The Appomattox Town Council held a workshop meeting on Tuesday, July 27, 2004 at 7:00 p.m. at the Municipal Building with Mayor Spiggle, presiding.

Members present – John L. Wilson, C. Lewis McDearmon, Jr., Marvin H. Mitchell, Norman H. Mayberry, Joyce B. Bennett. Absent – Steven E. Lawson.

Others present – Carlton Duck, Derek Norfield, Charles Garrett, Chad Denton, Times Virginian, Frank Wright, Town Attorney, David T. Garrett Jr., Town Manager and Roxanne W. Mundy, Town Clerk.

Mayor Spiggle called the workshop meeting to order.

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to convene in closed session, pursuant to Section 2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues relating to condemnation of South Church Street sewer line replacement project easements, legal obligations created by the Town/County Memorandum of Understanding, legal procedures for the recovery of damages due to the negligent design of the Wastewater Treatment Plant and legal issues relating to a proposed Department of Environmental Quality consent order relating to the Wastewater Treatment Plant on Church Street. All members present voting aye. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by this council.

VOTE – Bennett – aye, McDearmon – aye, Mayberry – aye, Mitchell – aye, Wilson – aye, Lawson – Absent.

Kenny Rowlette was not present to given the presentation concerning the 2005 Reenactment.

On a motion by Councilmember Mitchell, seconded by Councilmember Wilson, Council voted to deny the request by KD Country 105.5 FM for Public Service

Page 2 of 2
July 27, 2004

Announcements for the Lynchburg Food Bank Campaign. All members present voting aye. Motion carried.

The Mayor informed Council members that the Appomattox Battlefield Protection Program did not fund the Battle of Appomattox Station property acquisition grant that was submitted.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council accepted the recommendation of award from Hurt & Proffitt for the South Church Street Sanitary Improvement Project to George E. Jones & Sons, Inc. being the low bidder for \$98,014.00. Hurt & Proffitt will send a Notice of Award, however, not a Notice to Proceed until all easements have been signed. All members present voting aye. Motion carried.

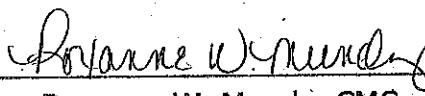
On a motion by Councilmember Bennett, seconded by Councilmember Wilson, Council voted to allow Mr. Frank Wright and Mr. David Garrett to identify sections of the Town Code for re-codifying and then meet with the Ordinance Committee for recommendations. All members present voting aye. Motion carried.

Mr. Garrett briefed Council regarding street names and numbers that have been supplied by the Timmons group for the E911 system. Grant funds were available for up to \$25 per sign for each location within the Town Limits. A type of sign needs to be decided upon. He is requesting some direction from Council. The types of signs and/or numbers exceeded the price allocated. The Mayor recommended the Street & Property Committee meet to discuss samples and bring a recommendation back to Council.

On a motion by Councilmember Bennett, seconded by Councilmember Wilson, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.



Ronald C. Spiggle, Mayor



Roxanne W. Mundy, CMC

~~REGULAR MEETING – August 9, 2004~~

The Appomattox Town Council met in regular session on Monday, August 9, 2004 at 7:30 p.m. at the Municipal Building with Mayor Spiggle, presiding.

Members present: Joyce Bennett, N. H. Mayberry, Marvin Mitchell, John Wilson, Steve Lawson. Absent: C. L. McDearmon, Jr.

Others present: Christie Chapman, News & Advance, Chad Denton, Times Virginian, Charles Garrett, Larry Mobley, Carlton Duck, Derek Norfield, A. David Hawkins, Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Mundy, Clerk.

Mayor Spiggle called the meeting to order.

Mayor Spiggle began with a prayer.

On a motion by Councilmember Bennett, seconded by Councilmember Mitchell, Council voted to approve the consent agenda of August 9, 2004. All members present voting aye. Motion carried.

There were no public comments.

There were no appearance before Council.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to convene in closed session, pursuant to Section 2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues relating to proposed guidelines set by the Department of Environmental Quality for zinc and copper issues at the Wastewater Treatment Plant on Church Street and a report from the Town Manager regarding easements for the S. Church Street sewer line replacement project. All members present voting aye. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by this council.

Page 2 of 3
August 9, 2004

VOTE – Bennett – aye, Lawson – aye, Mayberry – aye, Mitchell – aye,
Wilson – aye, McDearmon – Absent.

Standing Committee Reports

1. Property & Streets – None.
2. Ordinance Committee – None.
3. Utility Committee –

On a recommendation by Councilmember Mayberry, Member of the Utility Committee, Council voted to place a moratorium on all out of town water connections effective August 9, 2004. All members present voting aye.
Motion carried.

4. Finance Committee –

On a motion by Councilmember Mayberry, the Finance Committee recommends line item transfer to the FY05 Budget for the Town of Appomattox

Transfer from 104100.2099 Administrative Insurance \$450.67 and 104100.5526 Computer Expense \$450.67 transferred to 104700.2099 Street Department Insurance \$569.15 and 104800.2099 Sanitation Department Insurance \$569.15; Transfer from 306000.6020 Water Department Repairs & Maintenance \$957.69 transferred to 306000.2099 Water Department Insurance \$957.69; Transfer from 317000.6020 Sewer Department Repairs & Maintenance \$957.69 transferred to 317000.2099 Sewer Department Insurance for the purpose of General Liability Coverage under the Virginia Municipal League insurance and also to transfer from 104100.5526 Administrative Computer Expense \$303.02 transferred to 104100.2070 Administrative Workman's Compensation \$303.02; Transfer from 306000.6020 Water Department Repairs & Maintenance \$250.50 transferred to 306000.2070 Water Department Workman's Compensation \$250.50 and transfer from 317000.6020 Sewer Department Repairs & Maintenance \$148.48 transferred to 317000.2070 Sewer Department Workman's Compensation \$148.48 for the purpose of Workman's Compensation Coverage under the Virginia Municipal League insurance. All members present voting aye. Motion carried.

5. Fire & Safety Committee – Chairman continues to work with the County and Rescue Squad regarding suggestions on how the Town can help.
6. Personnel Committee – None.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to appoint Marvin H. Mitchell to the Appomattox County Planning Commission. Vote: Bennett, Mayberry, Mitchell, Lawson voted aye, Wilson voted no. Motion carried.

Page 3 of 3
August 9, 2004

The Mayor requested staff to prepare a notice of an open position to the Appomattox County Planning Commission and advertise the position in the newspaper. The deadline should be before the next council meeting, the Mayor will appoint a committee to review the application and then a name or names will be presented for council to consider.

Reports from

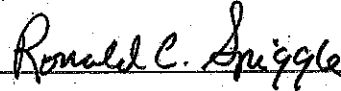
Town Manager – All informational items were attached to the agenda.

Town Attorney – none.

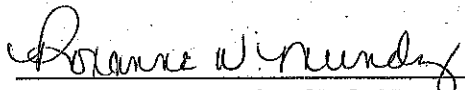
Town Clerk – none.

The Appomattox Town Council concurred, hearing no opposition, to continue with the grant application process for the Appomattox Battleground site.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.



Ronald C. Spiggle, Mayor



Roxanne W. Mundy, CMC, Town Clerk

WORKSHOP MEETING – August 24, 2004

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, August 24, 2004 at 7:00 p.m. at the Municipal Building with Marvin Mitchell, Vice-Mayor presiding.

Members present: Joyce B. Bennett, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson.

Others present: David T. Garrett, Jr., Town Manager, Frank A. Wright, Jr., Town Attorney, Charles Garrett, Larry Mobley, Mr. and Mrs. Carlton Duck, Chad Denton, Times Virginian, and Roxanne W. Mundy, Town Clerk.

Marvin Mitchell, Vice-Mayor called the meeting to order.

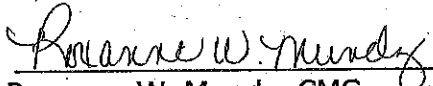
On a motion by Councilmember Wilson, recommending adoption of a Resolution: Earlier Release and Availability of Agenda Packets, died as a result of not receiving a second.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to convene in closed session, pursuant to Section 2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues relating to negotiations for proposed guidelines set by the Department of Environmental Quality for zinc and copper issues at the Wastewater Treatment Plant on Church Street and the SBR Plant on Ethel Street. All members present voting aye. Motion carried.

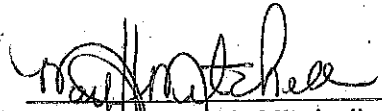
Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by this council.

Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Wilson – aye, Lawson – aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to adjourn at 7:52 p.m. All members present voting aye. Motion carried.



Roxanne W. Mundy, CMC
Town Clerk



Marvin H. Mitchell
Vice-Mayor

REGULAR MEETING – September 13, 2004

A Regular Meeting of the Appomattox Town Council was held on Monday, September 13, 2004 at 7:30 p.m. at the Municipal Building with Mayor Spiggle, presiding.

Members present - N. H. Mayberry, M. H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson. Absent - Joyce B. Bennett.

Others present: David T. Garrett, Jr., Town Manger, A. David Hawkins, Town Attorney, Charles Garrett, Larry Mobley, Carlton Duck, Penny Taylor, Bill Roy, Billy Roy, Chris Roy and Roxanne W. Mundy, Town Clerk.

Mayor Spiggle called the meeting to order, welcoming all guests and visitors and asked that we stand for an invocation.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the consent agenda. All members present voting aye. Motion carried.

There was no public to comment.

Penny Taylor, President of the Appomattox County Chamber of Commerce presented Financial Statements from January 2004 – July 2004 and a Visitor's Tally Sheet.

Committee Reports:

- Street & Property – None
- Ordinance – None
- Personnel – None
- Finance – None
- Fire & Safety – None

On a motion by Councilmember McDearmon, the Utility Committee recommended the approval of an out of town water and sewer connection that was previously requested by Bill Jamerson for property owned by him on Rt. 691 for construction of a new church. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to approve the Entertainment Permit Application and waive the \$25.00 fee for the Appomattox County Chamber of Commerce Friday Cheers event at the County Field on Friday, September 17, 2004. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mitchell, Council voted to approve the Use of Abbitt Park for a Cookoff Benefit on September 24, 2004 and waived the \$25.00 fee for the Appomattox County Chamber of Commerce. All members present voting aye. Motion carried.

On a motion by Councilmember Mitchell, seconded by Councilmember McDearmon, Council voted to convene in Closed Session pursuant to Section 2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues relating to negotiations for the recovery of damages due to the negligent design of the Wastewater Treatment Plant on Ethel Street.

Lawson – aye, Wilson – aye, McDearmon – aye, Mitchell – aye, Mayberry – aye, Bennett – Absent. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge (1) only public business matters lawfully exempted under the Freedom of Information Act, and (2) only such public business matters as were identified in the motion were heard, discussed or considered in the meeting by this council.

Lawson – aye, Wilson – aye, McDearmon – aye, Mitchell – aye, Mayberry – aye, Bennett – Absent. Motion carried.

Town Manager's Report –

Well #9 has been taken off line for 30 days due to test runs.

VDH has completed the inspection of Well #39.

The Chlorine and Sulfur Dioxide machine needs to be replaced at the Trickling Filter Plant on Church Street.

Town Attorney – None
Town Clerk – None

Page 3 of 3
September 13, 2004

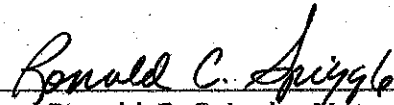
Mayor's Report –

The Mayor and David Garrett will meet with Pamela Green on Monday, September 20, 2004 to discuss strategic planning of the American Battlefield Protection Program.

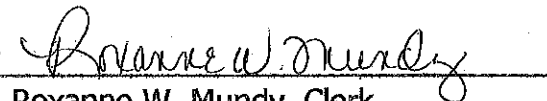
VML Conference 2004 – Voting Delegate and Alternate
Ronald C. Spiggle, Mayor – Delegate
Lewis McDearmon – Alternate Voting Delegate

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to appoint Barry S. Morris to the Planning Commission as the citizen representative for the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to adjourn at 8:35 p.m. All members present voting aye. Motion carried.



Ronald C. Spiggle, Mayor



Roxanne W. Mundy, Clerk

WORKSHOP MEETING – September 28, 2004

The Appomattox Town Council held a Workshop Meeting on Tuesday, September 28, 2004 at 7:00 p.m. with Mayor Spiggle, presiding.

Members present: Joyce B. Bennett, N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Jr., J. L. Wilson, S. E. Lawson.

Others present: David T. Garrett, Jr., Town Manager, Frank A. Wright, Jr., Town Attorney, Larry Mobley, Chad Denton, Times Virginian, Carlton Duck and Roxanne W. Mundy, Town Clerk.

Mayor Spiggle called with meeting to order.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to convene in Closed Session, pursuant to Section 2.2-3711(A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues relating to negotiations of easements for the South Church Street sewer line replacement project, legal issues relating to negotiations for the recovery of damages to the negligent design of the Wastewater Treatment Plant on Ethel Street, discussion of the present liability of the Town Council for employee claims under the Fair Labor Standards Act. All members present voting aye. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) only public business matters lawfully exempted under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by this council.

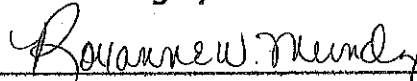
VOTE: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – aye, Lawson – aye.

On a motion by Councilmember Lawson, Chairman of the Street & Property Committee, the committee recommends approving the purchase of 12 Christmas Banner for downtown at the cost of \$66.40 each from Downtown Graphics. All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Lawson, Council voted to adjourn at 8:12 p.m. All members present voting aye. Motion carried.



Ronald C. Spiggle, Mayor



Roxanne W. Mundy, CMC

REGULAR MEETING – October 12, 2004

A regular meeting of the Appomattox Town Council was held on Tuesday, October 12, 2004 at 7:30 p.m. at the Municipal Building with Mayor Spiggle, presiding.

Members present: Joyce Bennett, C. Lewis McDearmon, Jr., John L. Wilson, Steve E. Lawson. Absent: N. H. "Jimmy" Mayberry, Marvin H. Mitchell.

Others present: Lillie Adams, Herb Chambers, Nelson Pankey, Carlton Duck, Chad Denton, Times Virginian Newspaper, Larry Mobley, Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager, Roxanne W. Mundy, Town Clerk.

Mayor Spiggle welcomed all the visitors.

Mayor Spiggle opened the meeting with an invocation.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to approve the consent agenda with the addition of NB-4 Closed Session. All members present voting aye. Motion carried.

There were no public comments.

Mr. Herb Chambers, Representative of the Appomattox Lion's Club appeared before Council to discuss safety issues at the Shopping Center on Route 460.

Standing Committee Reports –

Property & Street Committee –

On a recommendation by Councilmember Lawson, the Street & Property Committee recommended the purchase of 12 additional banners with brackets to be erected on street lamp poles for Church Street and Court Street adjacent to Main Street, in addition to those already purchased for Main Street. All members present voting aye. Motion carried.

Councilmember Bennett commended the Town Manager and Town Crew for work performed during the Railroad Festival. Everything looked very nice.

David Garrett asked for clear direction on the Lee Grant Avenue sidewalk project. VDOT has questioned the brick edging for the sidewalk. Council reiterated to the Town Manager that it does want to include the brick edging on all sidewalk projects, including Lee Grant Avenue.

Ordinance Committee –

On a recommendation by Councilmember Wilson, the Ordinance Committee recommends that Council accept the proposal of General Code Publishers to recodify the Town Code and Ordinances providing internet capability and hardbound copies as specified in the contract and that the contract be revised to specifications of the Town Attorney as reported by Mr. Garrett. All members present voting aye. Motion carried.

Utility Committee –

Councilmember McDearmon reported that the Notice to Proceed on South Church Street Sanitary Sewer Improvements has been sent to George E. Jones & Sons, Inc.

There was no unfinished business.

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to set October 25-29, 2004 and November 1-5, 2004 as Fall Clean Up weeks. All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Lawson, Council voted to ask VDOT to close the streets for the Downtown Christmas Parade on Sunday, December 5, 2004 from 1:00 p.m. – 6:00 p.m. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to deny the request of Babcock Manor, Inc. for a reduction of the availability fees for the out of town water connection. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Bennett, Council voted to recommend to the Board of Supervisors to observe Halloween on Sunday, October 31, 2004, however if they are inclined to change it, Council will go along with the change. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to deny the request by Lela Mann for relief on her water bill. All members present voting aye. Motion carried.

Council agreed by consensus to invite Ed McMahon to discuss "Smart Planning" with Council Members, Chamber of Commerce, and other interested individuals".

The Mayor also expressed a Special Thanks to Carlton Duck and Derek Norfield with Channel 33/Channel 7 for the videotaping of the Railroad Festival to be aired on the channel in the near future.

Page 3 of 3
October 12, 2004

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of assignment of a specific employee of the Town Council, specifically being the granting of paid or unpaid leave to such specific employee, identified as Employee A.

VOTE: Bennett – aye, McDearmon – aye, Wilson – aye, Lawson – aye, Mitchell – absent, Mayberry – absent.

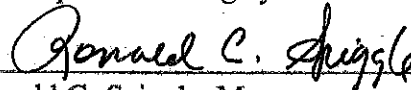
Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed considered in the meeting by this council.

VOTE: Bennett – aye, McDearmon – aye, Wilson – aye, Lawson – aye, Mitchell – absent, Mayberry – absent.

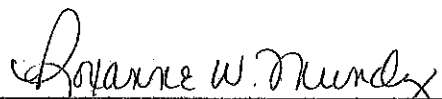
On a motion by Councilmember Wilson, seconded by Councilmember Lawson, Council voted to grant Employee A, a leave of absence for the period of October 18 – 29, 2004. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to grant the leave to Employee A with Guaranteed Reinstatement. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted to adjourn at 9:00 p.m. All members present voting aye. Motion carried.



Ronald C. Spiggle, Mayor



Roxanne W. Mundy, CMC, Town Clerk

~~WORKSHOP MEETING - October 26, 2004~~

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, October 26, 2004 at 7:00 p.m. at the Municipal Building with Mayor Spiggle presiding.

Members present: Joyce B. Bennett, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John L. Wilson and Marvin H. Mitchell. Absent: Steven E. Lawson.

Others present: Larry Mobley, Chad Denton, Times Virginian Newspaper, Frank A. Wright, Jr., Town Attorney, Bob Pierce, District Traffic Engineer VDOT, R. B. Moore, Assistant Traffic Engineer VDOT, David T. Garrett, Jr., Town Manager and Roxanne W. Mundy, Town Clerk.

Mayor Spiggle opened the meeting with a prayer.

Mayor Spiggle introduced Bob Pierce with VDOT who appeared before Council to discuss the proposed 65-mph speed limit on the bypass. He wanted Council to be aware of the facts regarding how we got to this point. Senator Ruff introduced SB408 but the 65-mph portion was added by VDOT. Mr. Pierce reassured Council that the speed zone in front of the Shoppes of Appomattox would remain at 45-mph. There would be a .20 mile area to decrease traffic from 65 mph to 55 mph then to 45 mph in front of the Shoppes of Appomattox.

*The average speed on the bypass is currently 64-mph. The average speed in front of the Shoppes of Appomattox is 51-mph.

*VDOT believes the flashing lights and rumble strips will decrease speed coming into the area of the Shoppes of Appomattox.

*VDOT is in the process of trying to move forward with all the 65-mph locations and they would like to hear from Council either for or against regarding this matters so they can move forward.

Update from David Garrett, Town Manager regarding the return of pigeons to the downtown area. The Town will continue to use the pellet gun to help rid the pigeons from the downtown area. David also would like to experiment with a new product similar to a clear plastic, adhesive spike to be placed on the buildings downtown.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to deny a request for an out of town water connection by Evergreen Homes, LLC for a lot at Cannon Oaks on Rt. 691. All members present voting aye. Motion carried.

Page 2 of 2
Workshop Meeting
October 26, 2004

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to meet jointly with the Board of Supervisors on Monday, November 15, 2004 at 7:00 p.m. at the Municipal Building. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Wilson, Council voted to cancel the November 23, 2004 Workshop Meeting. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adjourn at 8:15 p.m. All members present voting aye. Motion carried.

Ronald C. Spiggle
Ronald C. Spiggle, Mayor

Roxanne W. Mundy
Roxanne W. Mundy, CMC, Town Clerk

REGULAR MEETING – November 8, 2004

A Regular Meeting of the Appomattox Town Council was held on Monday, November 8, 2004 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce Bennett, N. H. Mayberry, M. H. Mitchell, C. L. McDearmon, Jr., J. L. Wilson, S. E. Lawson.

Others present: A. David Hawkins, Town Attorney, David T. Garrett, Jr., Town Manager, Larry Mobley, Christie Chapman, News & Advance, Chad Denton, Times Virginian.

The Mayor called the meeting to order and asked for everyone to stand for an invocation.

On a motion by Councilmember Bennett, seconded by Councilmember Lawson, Council voted to approve the consent agenda. All members present voting aye. Motion carried.

No public comments.

There were no appearances before Council.

Standing Committee Reports –

Street & Property Committee – Update from Chairman S. E. Lawson regarding the size of the proposed street numbers for the Town's 911 address signs. He showed council members life-size examples of the finished product. More information will be forthcoming.

Unfinished Business –

None

On a motion by Councilmember Wilson, seconded by Councilmember Mayberry, Council voted to approve the Resolution to Oppose the Proposed 65-MPH Speed Limit on the Appomattox By-pass as written. All members present voting aye. Motion carried.

On a motion by Councilmember Mitchell, seconded by Councilmember McDearmon, Council voted to allow the Appomattox Christmas Committee to use the Train for rides on Sunday, December 5, 2004 from 2:00 p.m. – 4:30 p.m. All members present voting aye. Motion carried.

Page 2 of 3
November 8, 2004

On a motion by Councilmember Lawson, seconded by Councilmember Bennett, Council voted to allow the Appomattox Christmas Parade Committee to hold a parade on Sunday, December 5, 2004 at 4:00 p.m. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the use and waive the fee for Abbitt Park by the Appomattox Christmas Committee on Sunday, December 5, 2004 from 3:00 p.m. – 5:00 p.m. All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to approve the Governor's schedule for additional leave at Thanksgiving, closing at 1:00 p.m. on Wednesday, Nov. 24, closed Thursday, Nov. 25 & Friday, Nov. 26, closing at 1:00 p.m. on Thursday, December 23, 2004 and closed Friday, December 24, 2004, also closed on Friday, December 31, 2004 for New Year's. All members present voting aye. Motion carried.

The Mayor read the following resignation dated November 3, 2004:

To Whom It May Concern:

Due to the fact that I will be relocating my place of residence outside of Appomattox, I hereby tender my resignation from the Appomattox Planning Commission effective 11-03-04.

*Respectfully,
James C. Seftor*

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel employed or retained by the council regarding specific legal advice by such counsel, specifically being legal issues relating to the negotiations for the recovery of damages due to the negligent design of the Wastewater Treatment Plant on Ethel Street.

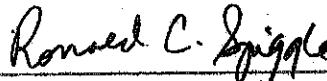
VOTE: Bennett-aye, Mayberry-aye, Mitchell-aye, McDearmon-aye, Wilson-aye, Lawson-aye.

Page 3 of 3
November 8, 2004

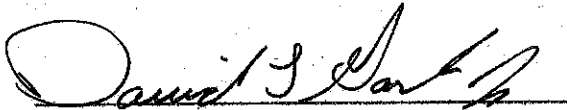
Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discuss, or considered by this council.

VOTE: Bennett-aye, Mayberry-aye, Mitchell-aye, McDearmon-aye, Wilson-aye, Lawson-aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn. All members voting aye. Motion carried.



Ronald C. Spiggle, Mayor



David T. Garrett, Deputy Clerk

(Roxanne W. Mundy, Town Clerk was absent from this meeting)

JOINT MEETING – NOVEMBER 15, 2004

The Appomattox Town Council held a Joint Meeting with the Appomattox County Board of Supervisors on Monday, November 15, 2004 at 7:00 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: S. E. Lawson, C. Lewis McDearmon, Jr., N. H. Mayberry, M. H. Mitchell, John L. Wilson. Absent: Joyce B. Bennett.

Others present: Frank Wright, Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Mundy, Town Clerk.

The Mayor called the meeting of the Appomattox Town Council to order.

The Mayor stated the purpose of the meeting to be an update on the Water Supply Project by the Region 2000 Regional Commission.

The Mayor suggested that members present their questions to Aileen Ferguson, County Administrator or David Garrett, Town Manager by mid-December 2004 so they can be answered by or before February 15, 2005, the next update.

Bill Gillespie, Executive Director of Region 2000 Regional Commission introduced Jeff Rogers, P. E., CPE for the Commission to give the update of the findings of the Water Study Project thus far. (See Attachment)

Bill Gillespie requested direction from each governing body regarding the forming of the PSA and funding possibilities and requirements by using the current rate base. The bodies indicated by consensus that they desire as much information as possible regarding the forming of a PSA and the funding possibilities and requirements as the Commission can provide. This information was not originally in the scope of work, however if each body wants this information, the Commission will provide it.

The Mayor invited the Board to view a video of "Smart Planning" by mid-January 2005 and agree to have a community effort to preserve community character. The board agreed to participate in the viewing at a 6:00 p.m. meeting.

The Council and Board decided to meet again on the third Tuesday in February 2005 at 7:00 p.m. for the next update by the Region 2000 Regional Commission.

Page 2 of 2

November 15, 2004

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried.

Roxanne W. Mundy
Roxanne W. Mundy, CMC, Town Clerk

Ronald C. Spiggle
Ronald C. Spiggle, Mayor

REGULAR MEETING – DECEMBER 13, 2004

A Regular Meeting of the Appomattox Town Council was held on Monday, December 13, 2004 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce Bennett, Jimmy Mayberry, Marvin Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson.

Others present: Carlton Duck, Jackie Drinkard, President, Chamber of Commerce, Penny Taylor, Past President, Chamber of commerce, Patricia D'Amario, Executive Secretary, Chamber of Commerce, Chad Denton, Times Virginian Newspaper, Christie Chapman, News & Advance, Frank A. Wright, Jr., Town Attorney, Larry Mobley, David Garrett, Town Manager & Roxanne W. Mundy, Town Clerk.

Mayor Spiggle called the meeting to order and asked for everyone to stand for an invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Mitchell, Council voted to approve the consent agenda. All members present voting aye. Motion carried.

There was no public to comment.

Appearance –

Jackie Drinkard, President Appomattox County Chamber of Commerce, Penny Taylor, Past President, Patricia D'Amario, Executive Secretary appeared before Council to give Council an update on the Friday Cheers. They thanked Council for the use of Abbitt Park. They were able to make a lot of money and gave approximately \$3000 back to the community through non-profit organizations, paid a substantial amount on the note at the Farmers Bank.

Joyce Bennett commended the decorations at the Visitor's Center.

Standing Committee Reports –

Fire & Safety – The Fire Department received a \$250,000 grant for a new truck..

Street & Property –

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to purchase the signs to place on houses in conformance with 911 and staying within the budget as allotted by the County's 911 committee. All members present voting aye. Motion carried.

Personnel Committee --

On a recommendation by Councilmember Mitchell, the Personnel Committee recommends compensating on call employees a minimum of 2 (two) hours, when called out for an emergency, effective immediately. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember McDearmon, Council voted to advertise the vacancy on the Appomattox Planning Commission created by the resignation of Jim Seftor. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to cancel the December 28, 2004 Workshop Meeting. All members present voting aye. Motion carried.

Discussion was held concerning the use of the downstairs space when it becomes available after the Fire Department moves to their new location. Council directed the Town Manager to discuss the matter with the County Administrator with regards to a joint meeting room, possibly obtaining a cost estimate for renovating and bring back to Council in January 2005.

David Garrett, Town Manager, discussed with Town Council snow removal within the Town Limits. There are some budgetary concerns with snow removal this year. Last year, the Town spent \$17,596.00, 76 overtime hours, 168 regular manpower hours, 244 equipment hours for 4 snow events. Councilmember Lawson suggested contacting other small towns to see how they address the issue with VDOT. Councilmember Mayberry suggested David get a report back from VDOT as to what they would be willing to do. The pushing of town streets is an auxiliary service provided by the Town to VDOT and has been going on for a number of years.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to purchase the 16 ft. Hercules Emergency Equipment Trailer for \$5,225.00. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Wilson, Council voted to convene in closed session, pursuant to Section 2.2-3711 (A)7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal council employed or retained by the Council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues relating to legal procedures for the recovery of damages due to the negligent design of the Wastewater Treatment Plant on Ethel Street.

Page 3 of 3
December 13, 2004

VOTE:

Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – aye,
Lawson – aye.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by this council.

VOTE:

Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – aye,
Lawson – aye.

Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 8:40 p.m. All members present voting aye. Motion carried.

Ronald C. Spiggle
Ronald C. Spiggle, Mayor

Roxanne W. Mundy
Roxanne W. Mundy, Clerk

TOWN OF APPOMATTOX

Tuesday, September 27, 2005

7:00 p.m.

Linden Street – Appomattox Town Hall

Meeting to be held in Council Chambers at the Municipal Building
on Linden Street.

WORKSHOP AGENDA

1. Discussion of Video System and Recording of Council Meetings/Workshops.
2. Update/Discussion from the meeting with Campbell County Utilities and Service Authority and Town of Appomattox/County of Appomattox for alternate Water Source.
3. Discussion of animals within the Town Limits.
4. Update on IMG Water Tank Maintenance Agreement
5. Update of Future Water and Sewer Projects.

Informational Items:

1. Sunday, October 2, 2005 – 3:00 p.m. – Appomattox Volunteer Fire Department – Open House – New Building – Rt. 460
2. 32nd Annual Historic Appomattox Railroad Festival – October 8 & 9, 2005
3. Offices closed Monday, October 10, 2005 – Columbus Day
4. Tuesday, October 11, 2005 – 7:30 p.m. – Regular Council Meeting
5. Thursday, October 20, 2005 – Regional Dinner Meeting – Appomattox County High School
6. October 23-25, 2005 – 100th Annual VML Conference – Richmond, VA
7. Tuesday, October 25, 2005 – 7:00 p.m. – Council Workshop

REGULAR MEETING – April 11, 2005

A Regular Meeting of the Appomattox Town Council was held on Monday, April 11, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce Bennett, N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson and Steven E. Lawson.

Others present: Joseph May, Derek Norfield, Carlton Duck, Chad Denton, Times Virginian Newspaper, David T. Garrett, Jr., Town Manager, Frank A. Wright, Jr., Town Attorney and Roxanne W. Mundy, Town Clerk.

Mayor Spiggle opened the meeting and gave an invocation.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the consent agenda as presented for April 11, 2005 with the addition of NB-6 for Discussion of the Water Study. All members present voting aye. Motion carried.

Committee Reports –

Finance Committee – On a recommendation by Councilmember Mayberry, the Finance Committee recommended and Council voted to amend the Police Agreement between the Town and County. Beginning July 1, 2005 the Town of Appomattox agrees to pay to the County of Appomattox, quarterly, the sum paid to the Town of Appomattox, quarterly, by the Department of Criminal Justice Services a sum not to exceed the 599 Allocation for each fiscal year. All members present voting aye. Motion carried.

Unfinished Business –

None

New Business –

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to set the weeks of Spring Clean Up as April 25-29 and May 2-6, 2005. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Mayberry, Council voted to close Main Street on Saturday, June 11, 2005 from 9:00 a.m. to 3:00 p.m. for the Appomattox County Parks, Recreation & Tourism Department to hold a Downtown Antique Show proceeds benefiting the Appomattox Community Park. Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Wilson – aye, Lawson – aye, Mitchell – no. Motion carried 5-1.

Page 2
April 11, 2005

On a motion by Councilmember Wilson, seconded by Councilmember Lawson, Council voted to approve the rezoning request by Rosalie Poole for Tax Map No. 64A1(A) 2 from M-1 to B-1. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Bennett, a motion was made to discontinue the contract with DMV as of June 30, 2005. Councilmember Wilson withdrew his motion and Councilmember Bennett withdrew her second after much discussion. The Town Manager was directed by Council to discuss options with the County Administrator to determine if the County would be willing to help in anyway to continue the service.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, a motion was made to execute a cooperative service agreement with the United States Department of Agriculture (USDA) for the proposed vulture relocation within the Town of Appomattox. Councilmember Lawson and Councilmember Mayberry withdrew the motion after much discussion. Council will explore other options.

It was a general consensus of Council to set a Joint Meeting with the Board of Supervisors to discuss the Water Study Report findings. The Town Manager will coordinate dates with the County Administrator.

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to approve the Conditional Use Permit for Founders Furniture, with no conditions for a concrete pad and building to house a generator. All members present voting aye. Motion carried.

The Town Attorney reported that the hearing in the Bowman Condemnation suit is Thursday, April 14, 2005 in Circuit Court, Appomattox, Va.

With no further business to come before Council, Councilmember Mayberry made a motion, seconded by Councilmember Lawson, to adjourn at 8:30 p.m. All members present voting aye. Motion carried.

Roxanne W. Mundy, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

COUNCIL MEETING – August 8, 2005

The Appomattox Town Council met in Regular Session on Monday, August 8, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: N. H. Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., Steven E. Lawson. Members absent: Joyce B. Bennett and John L. Wilson.

Others present: Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager, Jeff H. Elder, Utility Director, Derek Norfield and Carlton Duck, Alive TV, Jackie Drinkard, Penny Taylor, Bill Burke, Mike Scott, Zach Smith, News & Advance, Chad Millner, Times Virginian, Rick Butler and Roxanne W. Paulette, Town Clerk.

Mayor Spiggle called the meeting to order and gave an invocation.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the consent agenda of August 8, 2005 as presented. All members present voting aye. Motion carried.

Appearances –

Jackie Drinkard, President Appomattox County Chamber of Commerce appeared before Council to request Town Council to seriously consider “publicly” endorsing Liquor by the Drink.

Standing Committee Reports –

Property & Street Committee – Councilmember Lawson gave an update on Abbitt Park.

The electrical service is in at the Park. The next projects will be to try to place a cover over the stage and replace the tents at the park with a permanent pavilion.

Utility Committee – Councilmember McDearmon referred to Mr. Garrett for an update on Phase I of Sunnydale Avenue. The construction phase is complete. The next project for George E. Jones will be the sewer line extension on Park Lane for Glory Baptist Church.

Mr. Garrett also reported that Well #41 is out of service due to mechanical problems and Well #9 is out of service due to the lack of water.

Ordinance Committee – Mr. Garrett reported that the Ordinance Committee, Town Manager and Town Attorney are finalizing the review of the Town Code.

Unfinished Business – none

New Business –

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to purchase 100 water meters from Carolina Meter for replacement to the AMR Orion system. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to purchase the necessary pump, motor and pipe for repairs to Well #41 in order to get the well back online. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to support the issue of “Liquor by the Drink” to be placed on the November referendum. Vote: Mayberry – aye, McDearmon – aye, Mitchell – no, Lawson – no. With a tie vote, the Mayor voted no. The motion was defeated.

Town Manager reports were all located in the package.

Zoning Administrator reminded Council of the Joint Planning Commission Public Hearing on Monday, August 15, 2005 at 7:00 p.m. at the Town Office for the purpose of hearing citizen’s comments regarding the update of the zoning map. A public hearing is required before the maps can be officially adopted.

The Mayor reported that the American Battlefield Protection Grant was not funded for the property owned by G. H. & Joyce Jamerson. Only 12 of the 40 applications received were funded. Kristin Peppel will be obtaining additional material for the Mayor.

Rick Butler appeared before Council to discuss the Timber Tract recently harvested by the Town on Rt. 604 (Promise Land Road). The pines recently planted after the timber was harvested have been taken over by undergrowth. The Virginia Department of Forestry is recommending treating the undergrowth for approximately \$2050.00. The Town would be eligible to receive 35% of the cost to be refunded.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to follow the advice of the Virginia Department of Forestry and spray the hardwood undergrowth. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 8:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

COUNCIL WORKSHOP – AUGUST 23, 2005

The Appomattox Town Council Workshop Meeting was held on Tuesday, August 23, 2005 at 7:00 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Vice-Mayor Marvin Mitchell, presiding.

Members present: Joyce Bennett, Jimmy Mayberry, John Wilson and Steve Lawson.
Absent: C. Lewis McDearmon, Jr.

Others present: Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager, Jeff H. Elder, Utility Director, Derek Norfield and Carlton Duck, Alive TV, Chad Millner, Times Virginian, Sam Carter, Tom Conrad, and Roxanne W. Paulette, Town Clerk.

Vice-Mayor Mitchell called the Workshop Session to order.

Items added to the Agenda included:

- E. Consideration to purchase equipment for Well #15
- F. Update from the Town Manager on Zoning Maps
- G. Update from the Town Manager on DMV

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the Special Event Application for the Huddle House “Rides for the Child” on Saturday, August 27, 2005 from 8:00 a.m. to 5:00 p.m. on Court Street. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to accept the agreement as presented between the Town of Appomattox and the urban and regional planning program at Virginia Tech with changes to #4 as advised by the Town Attorney - #4 *Upon completion of the project and scope of work to the satisfaction of the town, reimburse the students for costs directly attributable to the project (i.e., travel, supplies, postage, printing), not to exceed \$1500.00.* All members present voting aye. Motion carried.

David Garrett, Jr., Town Manager gave an update to Council concerning the purchase of water from Campbell County.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the purchase of equipment and installation of the pump, motor and piping for Well #15. All members present voting aye. Motion carried.

David Garrett, Jr., Town Manager gave an update on the status of the Town’s wells.

David Garrett, Jr., Town Manager gave an update on the zoning maps that were heard at the Joint Planning Commission public hearing on Monday, August 15, 2005.

Page 2 of 2
August 23, 2005

David Garrett, Jr., Town Manager gave an update to Council regarding the DMV Contract. DMV is unable to arrange a meeting with the Town to negotiate the contract until September 26 or 27, 2005. DMV would like to extend the contract for another 30 days. Council requested the following alternatives:

1. Give Council atleast 2 (two) weeks to review the contract before the 30 day deadline, or
2. Extend the contract 60 (sixty) days, in order to give ample time to both parties to review any changes to the contract.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted with no further business to come before them to adjourn at 7:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Marvin H. Mitchell,
Vice-Mayor

COUNCIL WORKSHOP – AUGUST 23, 2005

The Appomattox Town Council Workshop Meeting was held on Tuesday, August 23, 2005 at 7:00 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Vice-Mayor Marvin Mitchell, presiding.

Members present: Joyce Bennett, Jimmy Mayberry, John Wilson and Steve Lawson.
Absent: C. Lewis McDearmon, Jr.

Others present: Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager, Jeff H. Elder, Utility Director, Derek Norfield and Carlton Duck, Alive TV, Chad Millner, Times Virginian, Sam Carter, Tom Conrad, and Roxanne W. Paulette, Town Clerk.

Vice-Mayor Mitchell called the Workshop Session to order.

Items added to the Agenda included:

- E. Consideration to purchase equipment for Well #15
- F. Update from the Town Manager on Zoning Maps
- G. Update from the Town Manager on DMV

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the Special Event Application for the Huddle House “Rides for the Child” on Saturday, August 27, 2005 from 8:00 a.m. to 5:00 p.m. on Court Street. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to accept the agreement as presented between the Town of Appomattox and the urban and regional planning program at Virginia Tech with changes to #4 as advised by the Town Attorney - #4 *Upon completion of the project and scope of work to the satisfaction of the town, reimburse the students for costs directly attributable to the project (i.e., travel, supplies, postage, printing), not to exceed \$1500.00.* All members present voting aye. Motion carried.

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On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the purchase of equipment and installation of the pump, motor and piping for Well #15. All members present voting aye. Motion carried.

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Page 2 of 2
August 23, 2005

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1. Give Council atleast 2 (two) weeks to review the contract before the 30 day deadline, or
2. Extend the contract 60 (sixty) days, in order to give ample time to both parties to review any changes to the contract.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted with no further business to come before them to adjourn at 7:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Marvin H. Mitchell,
Vice-Mayor

REGULAR MEETING – April 11, 2005

A Regular Meeting of the Appomattox Town Council was held on Monday, April 11, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce Bennett, N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson and Steven E. Lawson.

Others present: Joseph May, Derek Norfield, Carlton Duck, Chad Denton, Times Virginian Newspaper, David T. Garrett, Jr., Town Manager, Frank A. Wright, Jr., Town Attorney and Roxanne W. Mundy, Town Clerk.

Mayor Spiggle opened the meeting and gave an invocation.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the consent agenda as presented for April 11, 2005 with the addition of NB-6 for Discussion of the Water Study. All members present voting aye. Motion carried.

Committee Reports –

Finance Committee – On a recommendation by Councilmember Mayberry, the Finance Committee recommended and Council voted to amend the Police Agreement between the Town and County. Beginning July 1, 2005 the Town of Appomattox agrees to pay to the County of Appomattox, quarterly, the sum paid to the Town of Appomattox, quarterly, by the Department of Criminal Justice Services a sum not to exceed the 599 Allocation for each fiscal year. All members present voting aye. Motion carried.

Unfinished Business –

None

New Business –

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to set the weeks of Spring Clean Up as April 25-29 and May 2-6, 2005. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Mayberry, Council voted to close Main Street on Saturday, June 11, 2005 from 9:00 a.m. to 3:00 p.m. for the Appomattox County Parks, Recreation & Tourism Department to hold a Downtown Antique Show proceeds benefiting the Appomattox Community Park. Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Wilson – aye, Lawson – aye, Mitchell – no. Motion carried 5-1.

Page 2
April 11, 2005

On a motion by Councilmember Wilson, seconded by Councilmember Lawson, Council voted to approve the rezoning request by Rosalie Poole for Tax Map No. 64A1(A) 2 from M-1 to B-1. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Bennett, a motion was made to discontinue the contract with DMV as of June 30, 2005. Councilmember Wilson withdrew his motion and Councilmember Bennett withdrew her second after much discussion. The Town Manager was directed by Council to discuss options with the County Administrator to determine if the County would be willing to help in anyway to continue the service.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, a motion was made to execute a cooperative service agreement with the United States Department of Agriculture (USDA) for the proposed vulture relocation within the Town of Appomattox. Councilmember Lawson and Councilmember Mayberry withdrew the motion after much discussion. Council will explore other options.

It was a general consensus of Council to set a Joint Meeting with the Board of Supervisors to discuss the Water Study Report findings. The Town Manager will coordinate dates with the County Administrator.

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to approve the Conditional Use Permit for Founders Furniture, with no conditions for a concrete pad and building to house a generator. All members present voting aye. Motion carried.

The Town Attorney reported that the hearing in the Bowman Condemnation suit is Thursday, April 14, 2005 in Circuit Court, Appomattox, Va.

With no further business to come before Council, Councilmember Mayberry made a motion, seconded by Councilmember Lawson, to adjourn at 8:30 p.m. All members present voting aye. Motion carried.

Roxanne W. Mundy, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

COUNCIL MEETING – August 8, 2005

The Appomattox Town Council met in Regular Session on Monday, August 8, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: N. H. Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., Steven E. Lawson. Members absent: Joyce B. Bennett and John L. Wilson.

Others present: Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager, Jeff H. Elder, Utility Director, Derek Norfield and Carlton Duck, Alive TV, Jackie Drinkard, Penny Taylor, Bill Burke, Mike Scott, Zach Smith, News & Advance, Chad Millner, Times Virginian, Rick Butler and Roxanne W. Paulette, Town Clerk.

Mayor Spiggle called the meeting to order and gave an invocation.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the consent agenda of August 8, 2005 as presented. All members present voting aye. Motion carried.

Appearances –

Jackie Drinkard, President Appomattox County Chamber of Commerce appeared before Council to request Town Council to seriously consider “publicly” endorsing Liquor by the Drink.

Standing Committee Reports –

Property & Street Committee – Councilmember Lawson gave an update on Abbitt Park.

The electrical service is in at the Park. The next projects will be to try to place a cover over the stage and replace the tents at the park with a permanent pavilion.

Utility Committee – Councilmember McDearmon referred to Mr. Garrett for an update on Phase I of Sunnydale Avenue. The construction phase is complete. The next project for George E. Jones will be the sewer line extension on Park Lane for Glory Baptist Church.

Mr. Garrett also reported that Well #41 is out of service due to mechanical problems and Well #9 is out of service due to the lack of water.

Ordinance Committee – Mr. Garrett reported that the Ordinance Committee, Town Manager and Town Attorney are finalizing the review of the Town Code.

Unfinished Business – none

New Business –

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to purchase 100 water meters from Carolina Meter for replacement to the AMR Orion system. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to purchase the necessary pump, motor and pipe for repairs to Well #41 in order to get the well back online. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to support the issue of “Liquor by the Drink” to be placed on the November referendum. Vote: Mayberry – aye, McDearmon – aye, Mitchell – no, Lawson – no. With a tie vote, the Mayor voted no. The motion was defeated.

Town Manager reports were all located in the package.

Zoning Administrator reminded Council of the Joint Planning Commission Public Hearing on Monday, August 15, 2005 at 7:00 p.m. at the Town Office for the purpose of hearing citizen’s comments regarding the update of the zoning map. A public hearing is required before the maps can be officially adopted.

The Mayor reported that the American Battlefield Protection Grant was not funded for the property owned by G. H. & Joyce Jamerson. Only 12 of the 40 applications received were funded. Kristin Peppel will be obtaining additional material for the Mayor.

Rick Butler appeared before Council to discuss the Timber Tract recently harvested by the Town on Rt. 604 (Promise Land Road). The pines recently planted after the timber was harvested have been taken over by undergrowth. The Virginia Department of Forestry is recommending treating the undergrowth for approximately \$2050.00. The Town would be eligible to receive 35% of the cost to be refunded.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to follow the advice of the Virginia Department of Forestry and spray the hardwood undergrowth. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 8:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

COUNCIL MEETING – August 8, 2005

The Appomattox Town Council met in Regular Session on Monday, August 8, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: N. H. Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., Steven E. Lawson. Members absent: Joyce B. Bennett and John L. Wilson.

Others present: Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager, Jeff H. Elder, Utility Director, Derek Norfield and Carlton Duck, Alive TV, Jackie Drinkard, Penny Taylor, Bill Burke, Mike Scott, Zach Smith, News & Advance, Chad Millner, Times Virginian, Rick Butler and Roxanne W. Paulette, Town Clerk.

Mayor Spiggle called the meeting to order and gave an invocation.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the consent agenda of August 8, 2005 as presented. All members present voting aye. Motion carried.

Appearances –

Jackie Drinkard, President Appomattox County Chamber of Commerce appeared before Council to request Town Council to seriously consider “publicly” endorsing Liquor by the Drink.

Standing Committee Reports –

Property & Street Committee – Councilmember Lawson gave an update on Abbitt Park. The electrical service is in at the Park. The next projects will be to try to place a cover over the stage and replace the tents at the park with a permanent pavilion.

Utility Committee – Councilmember McDearmon referred to Mr. Garrett for an update on Phase I of Sunnydale Avenue. The construction phase is complete. The next project for George E. Jones will be the sewer line extension on Park Lane for Glory Baptist Church.

Mr. Garrett also reported that Well #41 is out of service due to mechanical problems and Well #9 is out of service due to the lack of water.

Ordinance Committee – Mr. Garrett reported that the Ordinance Committee, Town Manager and Town Attorney are finalizing the review of the Town Code.

Unfinished Business – none

New Business –

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to purchase 100 water meters from Carolina Meter for replacement to the AMR Orion system. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to purchase the necessary pump, motor and pipe for repairs to Well #41 in order to get the well back online. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to support the issue of “Liquor by the Drink” to be placed on the November referendum. Vote: Mayberry – aye, McDearmon – aye, Mitchell – no, Lawson – no. With a tie vote, the Mayor voted no. The motion was defeated.

Town Manager reports were all located in the package.

Zoning Administrator reminded Council of the Joint Planning Commission Public Hearing on Monday, August 15, 2005 at 7:00 p.m. at the Town Office for the purpose of hearing citizen’s comments regarding the update of the zoning map. A public hearing is required before the maps can be officially adopted.

The Mayor reported that the American Battlefield Protection Grant was not funded for the property owned by G. H. & Joyce Jamerson. Only 12 of the 40 applications received were funded. Kristin Peppel will be obtaining additional material for the Mayor.

Rick Butler appeared before Council to discuss the Timber Tract recently harvested by the Town on Rt. 604 (Promise Land Road). The pines recently planted after the timber was harvested have been taken over by undergrowth. The Virginia Department of Forestry is recommending treating the undergrowth for approximately \$2050.00. The Town would be eligible to receive 35% of the cost to be refunded.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to follow the advice of the Virginia Department of Forestry and spray the hardwood undergrowth. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 8:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

REGULAR MEETING – December 12, 2005

The Appomattox Town Council met in regular session on Monday, December 12, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson.

Others present: Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager, Jeffrey H. Elder, Utility Director, Gary Christie, Executive Director, Region 2000 Local Government Council, Reed Johnson, Superintendent, National Park Service, Derek Norfield, Alive TV, Carlton Duck, Alive TV, Chad Millner, Times Virginian and Roxanne W. Paulette, Town Clerk. Charlie Watts arrived at 8:15 p.m.

Mayor Spiggle called the regular meeting of December 12, 2005 to order.

Mayor Spiggle gave an invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to approve the Council Agenda of December 12, 2005 as presented. All members present voting aye. Motion carried.

There was no public to comment.

Appearances –

Gary Christie, Executive Director of Region 2000 Local Government Council appeared before Council asking endorsement of a Resolution supporting the development of a source water supply plan.

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to table the resolution presented by the Region 2000 Local Government Council until the December 27, 2005 Workshop Meeting. All members present voting aye. Motion carried.

Reed Johnson, Superintendent, National Park Service appeared before council asking endorsement of the traffic calming concept as part of the larger effort to enhance and promote tourism and citizen recreation in the Town and County of Appomattox.

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to accept the letter from Superintendent Reed Johnson endorsing through formal resolution the traffic calming concept and pedestrian trail concept on State Route 24 as it passes through the National Historical Park. All members present voting aye. Motion carried.

Standing Committee Reports:

Street & Property Committee:

On a recommendation by Councilmember Lawson, Chairman, the Town will ask Appomattox County Board of Supervisors if they are interested in participating in the renovation process downstairs at the Town Office Building, if so, also asking the County to share in the cost of \$1800 to provide diagrams and plans for the renovations. All members present voting aye. Motion carried.

On a motion by Councilmember Mitchell, seconded by Councilmember Lawson, Council voted to reappoint Barry Morris as a Town Representative to the Appomattox County Planning Commission. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to approve an agreement between the Town of Appomattox and the Commonwealth of Virginia, VDOT for water and sanitary sewer adjustment located on State Route 641, Church Street by adding Section 3, paragraph B which approval should not be reasonably withheld, as recommended by the Town Attorney. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 (A) 3 of the Code of Virginia (1950) as amended, for the purpose of discussion or consideration of the acquisition of real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, such property being property for a welcome center.

Vote: Bennett – aye, Mayberry – aye, Mitchell – not present (in the room), McDearmon – aye, Wilson – aye, Lawson – aye.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – aye, Lawson – aye.

Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 9:08 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

WORKSHOP MEETING – DECEMBER 27, 2005

The Appomattox Town Council held a Workshop Meeting on Tuesday, December 27, 2005 following the public hearing scheduled for 7:00 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Marvin Mitchell, Vice-Mayor, presiding.

Members present: N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson, Joyce Bennett (arrived at 7:30 p.m.).

Others present: Chad Millner, Times Virginian; Zack Smith, News & Advance; Carlton Duck and Derek Norfield, Alive TV; David T. Garrett, Jr., Town Manager; Frank A. Wright, Jr. and Roxanne W. Paulette, Town Clerk.

Marvin Mitchell opened the workshop meeting.

On a motion by Councilmember Wilson, seconded by Councilmember Mayberry, Council voted to adopt Section 62-37 Personal Property Tax Relief of the Code of the Town of Appomattox. All members present voting aye. Absent – Bennett. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the resolution for the Water Supply Planning as presented by Region 2000 Local Government Council as follows:

RESOLUTION

Whereas, the Virginia General Assembly has mandated the development of source water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process, and

Whereas, Based upon these regulations the Town of Appomattox is required to complete a water supply plan that fulfills the regulations by November 2, 2010, and

Whereas, the Virginia Department of Environmental Quality has announced the availability of grant funds to assist localities offset some of the costs related to the development of these plans and are encouraging localities to submit applications for grant funds using regional water supply plans, and

Whereas, the Virginia’s Region 2000 Local Government Council has offered to coordinate a planning study to examine the feasibility of the development of a regional water supply plan, develop a scope of work for such a project and to see grant funds from DEQ to offset the cost of this review, and

Whereas, regional water supply planning is a sensible approach to developing a water supply plan since watershed boundaries do not follow political boundaries and since there will likely be cost savings to all jurisdictions participating, and

Whereas, the Virginia’s Region 2000 Local Government Council has previously managed the development of successful regional plans and is a logical entity to organize and manage a regional water supply planning process, and

Whereas, the Town of Appomattox desire to participate in a regional water supply plan feasibility study that will develop a scope of work for a regional water supply plan and desire to secure DEQ grant funds to help offset the cost of the scope of work development.

Now, therefore, be it resolved, that the Town of Appomattox authorized Virginia's Region 2000 Local Government Council to develop an application for source water planning grant funds and to perform a feasibility study and to develop a scope of work for a regional source water supply plan which will meet mandated regulations and provide long range perspective on the needs and opportunities of the region's future water supply, and

It is resolved that David T. Garrett, Jr., Town Manager is authorized to sign appropriate documents related to the source water planning grant and the regional source water supply plan on behalf of the Town of Appomattox, and

It is further resolved that the Town of Appomattox intends to provide up to \$269 in matching funds for the project if the grant is awarded.

Vote: Lawson – aye, McDearmon – aye, Mayberry – aye, Wilson – no, Bennett – absent.
Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember McDearmon, Council voted to approve the job description for the Tourism Director. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted to table item #5 – Consideration to share in the cost of gift cards for the volunteers at the Visitor's Center until the January 9, 2006 Council Meeting. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 (A) 7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual litigation, where such consultation and briefing would adversely affect the negotiating or litigating posture of the public body, such litigation being the lawsuit currently pending in the Appomattox County Circuit Court on behalf of the Town against Hurt & Proffitt, Inc. and John, Mirmiran and Thompson.

Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Wilson – aye, Lawson – aye.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by this council.

Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Wilson – aye, Lawson – aye.
Motion carried.

Mr. Garrett informed council of an application for a burn permit he had received from Tommy O'Brien for the Lawson property between Rt. 26 and Hwy. 460.

Mr. Garrett presented Council Members with a final copy of the Consent Order for the Trickling Filter Plant on Church Street.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to adjourn at 8:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Marvin H. Mitchell, Vice-Mayor

REGULAR MEETING – February 14, 2005

A Regular Meeting of the Appomattox Town Council was held on Monday, February 14, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox Virginia with Mayor Spiggle, presiding.

Members present: Joyce Bennett, N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson.

Others present: Frank Brina, Larry Mobley, Frank Wright, Jr., Town Attorney, Chad Denton, Times Virginian Newspaper, David Garrett, Town Manager and Roxanne W. Mundy, Clerk.

Mayor Spiggle called the meeting to order and gave an invocation.

On a motion by Councilmember _____, seconded by Councilmember _____, Council voted to approve the consent agenda. All members present voting aye. Motion carried.

There was no public to comment.

There were no appearances.

On a motion by _____, seconded by _____,
Council voted to convene in closed session, pursuant to §2.2-3711 (A) 1 of the Code of
Virginia, 1950, as amended, for the purpose of discussion of salaries and performance of
eight specific public employees of the Town Council, specifically being discussion and
consideration of Employees A, B, C, D, E, F, G and H.

REGULAR MEETING – January 10, 2005

A Regular Meeting of the Appomattox Town Council was held on Monday, January 10, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox Virginia with Mayor Spiggle, presiding.

Members present: Joyce Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson. Absent: Marvin H. Mitchell.

Others present: Frank Brina, Larry Mobley, Frank Wright, Jr., Town Attorney, Chad Denton, Times Virginian Newspaper, David Garrett, Town Manager and Roxanne W. Mundy, Clerk.

Mayor Spiggle called the meeting to order and asked that everyone stand for an invocation.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to approve the consent agenda. All members present voting aye. Motion carried.

There was no public to comment.

There were no appearances.

Standing Committee Reports –

Utility Committee –

On a recommendation by C. Lewis McDearmon, Jr., Chairman, Utility Committee, the Council voted to approve the installation of a sewer line to serve Glory Baptist Church. All members present voting aye. Motion carried.

New Business –

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to Table Item NB-1 to the next regular meeting. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to appoint Bryan J. Baine as the Town’s Representative to the Appomattox County Planning Commission. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the observance of January 14, 2005 as Lee-Jackson Day and January 17, 2005 as Martin L. King, Jr. Birthday. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember McDearmon, Council voted not to reconsider a previous resolution passed by Town Council with regards to the 65 mph speed limit on the 460 bypass. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council had no objection to the WINvote Wireless Voting System to be used in all Town/County elections. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to transfer the following funds:

From 104900.7020 – Town Office Addition - \$15,000.00

To 104100.6010 – Town Code \$15,000.00

For the purpose of funding the recodification of the Town Code, and

From 104900.7020 – Town Office Addition - \$15,000.00

To 104900.7420 – Legal/Attorney \$30,000.00

To meet expenditures for Legal/Proceedings of the SBR Treatment Plant. All Members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene in Closed Session, pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of salary and assignment of a specific public employee of the Town Council, specifically being discussion and consideration of Employee A.

VOTE: Bennett – aye, Mayberry – aye, McDearmon – aye, Wilson – aye, Lawson – aye. Absent – Marvin Mitchell.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) only public business matters lawfully exempted under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the meeting by this council.

VOTE: Bennett – aye, Mayberry – aye, McDearmon – aye, Wilson – aye, Lawson – aye. Absent – Marvin Mitchell.

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to transfer Employee A. All members present voting aye. Motion carried.

Page 3 of 3
January 10, 2005

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 8:35 p.m. All members present voting aye. Motion carried.

Ronald C. Spiggle, Mayor

Roxanne W. Mundy, CMC

WORKSHOP MEETING – January 25, 2005

A workshop meeting of the Appomattox Town Council was held on Tuesday, January 25, 2005 at 7:00 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce Bennett, N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson.

Others present: David T. Garrett, Jr., Town Manager, Frank A. Wright, Jr., Town Attorney, Larry Mobley, Frank Brina, Chad Denton and Roxanne Mundy, Town Clerk.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to approve the workshop agenda as presented with the addition of Consideration of Hurt & Proffitt, Inc. to continue with the next phase of the Inflow and Infiltration Study. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to set up the Property/Maintenance Inspection Board as prescribed in 18-64 of the Town Code. All members present voting aye. Motion carried.

Council gave a consensus for John L. Wilson, Robert A. Sears and Barry Morris to serve a one-year term on the Property/Maintenance Inspection Board if they were willing.

On a motion by Councilmember Wilson, seconded by Councilmember Bennett, Council voted to send the revised zoning maps to the Appomattox County Planning Commission for review. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Wilson, Council voted to proceed with the last phase of the I&I Study as previously presented by Hurt & Proffitt, Inc. for \$15,121. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene in Closed Session, pursuant to §2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues relating to negotiations of easements for the South Church Street sewer line replacement project.

VOTE: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – aye, Lawson – aye.

Page 2 of 2
January 25, 2005

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) only public business matters lawfully exempted under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the meeting by this council.

VOTE: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – aye, Lawson – aye.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 8:20 p.m. All members present voting aye. Motion carried.

Ronald C. Spiggle, Mayor

Roxanne W. Mundy, CMC

WORKSHOP MEETING – January 25, 2005

A workshop meeting of the Appomattox Town Council was held on Tuesday, January 25, 2005 at 7:00 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce Bennett, N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson.

Others present: David T. Garrett, Jr., Town Manager, Frank A. Wright, Jr., Town Attorney, Larry Mobley, Frank Brina, Chad Denton and Roxanne Mundy, Town Clerk.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to approve the workshop agenda as presented with the addition of Consideration of Hurt & Proffitt, Inc. to continue with the next phase of the Inflow and Infiltration Study. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to set up the Property/Maintenance Inspection Board as prescribed in 18-64 of the Town Code. All members present voting aye. Motion carried.

Council gave a consensus for John L. Wilson, Robert A. Sears and Barry Morris to serve a one-year term on the Property/Maintenance Inspection Board if they were willing.

On a motion by Councilmember Wilson, seconded by Councilmember Bennett, Council voted to send the revised zoning maps to the Appomattox County Planning Commission for review. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Wilson, Council voted to proceed with the last phase of the I&I Study as previously presented by Hurt & Proffitt, Inc. for \$15,121. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene in Closed Session, pursuant to §2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues relating to negotiations of easements for the South Church Street sewer line replacement project.

VOTE: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – aye, Lawson – aye.

Page 2 of 2
January 25, 2005

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) only public business matters lawfully exempted under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the meeting by this council.

VOTE: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – aye, Lawson – aye.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 8:20 p.m. All members present voting aye. Motion carried.

Ronald C. Spiggle, Mayor

Roxanne W. Mundy, CMC

Joint Meeting – December 5, 2005

A Joint Meeting of the Appomattox Town Council and Appomattox County Board of Supervisors was held on Monday, December 5, 2005 at 6:30 p.m. at the Appomattox Community Center on Park Lane, Appomattox, Va.

Members present –

Appomattox Town Council: C. Lewis McDearmon, Jr., Joyce Bennett, N. H. “Jimmy” Mayberry, John L. Wilson, Steven E. Lawson, Marvin H. Mitchell, Ronald C. Spiggle, Mayor.

Board of Supervisors: Samuel E. Carter, W. H. Craft, Shawn Armburst, Tom Conrad Russell Moore.

Others present: Johnny Overstreet, County Attorney; David T. Garrett, Jr., Town Manager; Aileen T. Ferguson, County Administrator; Marvin Hamlett and Chad Millner, Times Virginian Newspaper; Zack Smith, News and Advance; John Spencer, Assistant County Administrator; Anne Dixon, Director of Parks/Recreation/Tourism; Barry Watkins, Appomattox County and Roxanne W. Paulette, Town Clerk.

Chairman Carter called the board meeting to order.

Mayor Spiggle called the council meeting to order.

Vice Mayor Mitchell gave an invocation.

Anne Dixon appeared before each governing body to give an overview of the areas of tourism her department has been working on over the last 12 months. (see attachment)

The question was asked of Mrs. Dixon, is she could see one thing that needed to happen in the area of tourism, what would it be – and her response was a very outgoing, energetic person to market and sell our area.

David Garrett advised the board of the Town’s recent efforts regarding tourism.

Mayor Spiggle commented that the Town would like to have some financial assistance from the County if available to offset the funds needed to pay a Tourism Director and the Town would appreciate the County’s blessing in their Tourism efforts.

Mr. Garrett also advised the board that the Town would be applying for the Battlefield Protection grant for the third time. The Town has been unsuccessful in obtaining the grant thus far.

Mr. Garrett also briefed the board and council of the on-going efforts of the Alternate Water Source Study with Campbell County Service Authority and Draper Aden.

Mr. Garrett also discussed with the board Council's desire to renovate the Town Office and would like to know if the board would like the Town to consider it's needs during the renovation process. David will provide the cost estimates to Aileen when available.

Mrs. Ferguson advised the board and council that the intended start date for the E911 will be between May 2006 and mid-summer 2006. The E911 center is now open in the old Circuit Court Clerk's Office and she invited everyone to stop by and see the facility.

Mrs. Ferguson also advised that the new animal shelter should be open within the next month.

Mrs. Ferguson reported that the landfill has submitted the permitting application for a new cell. They await an answer from the state.

Mrs. Ferguson also reported that Appomattox, Amherst and Nelson Counties have attempted an agreement for a Regional Jail, however Nelson County has opted to stay in the Albemarle/Charlottesville Regional Jail system. Appomattox will now seek with Amherst an agreement with the Blue Ridge Regional Jail system.

With no further business to come before the board, they adjourned.

On a motion by Councilmember Wilson, seconded by Councilmember McDearmon, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle, Mayor

JOINT MEETING – JULY 28, 2005

A Joint Meeting of the Appomattox Town Council and Appomattox County Board of Supervisors was held on Thursday, July 28, 2005 at 6:30 p.m. at the Appomattox Community Center, Park Lane, Appomattox, Virginia.

Members present: (Town Council) John L. Wilson, Steven E. Lawson, C. Lewis McDearmon, Jr., Joyce Bennett, Marvin H. Mitchell.

Members Absent: N. H. “Jimmy” Mayberry and Ronald C. Spiggle, Mayor.

Members present: (Board of Supervisors) Samuel E. Carter, Chairman, Shawn A. Armbrust, Thomas H. Conrad, William H. Craft, Russell H. Moore.

Also present: Aileen T. Ferguson, County Administrator
John G. Overstreet – County Attorney
David Garrett, Jr. – Town Manager
David Hawkins – Town Attorney
Bill Gillespie – Region 2000 Commission
Jeff Rogers – Region 2000 Commission
Gary Christie – Region 2000 Commission
Walter Hancock – Consultant, Wiley & Wilson

At 6:30 p.m. Mr. Carter gave the invocation and asked every one present to join in the Pledge of Allegiance to the American Flag.

Mr. Craft made a motion, seconded by Mr. Conrad to call the meeting to order. All members present voting aye. Motion carried.

Vice-Mayor Mitchell called the Town Council to order.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to approve the following resolution:

Resolution of Support
Request to the
National Park Service – Rivers, Trails, and Conservation Assistance Program

WHEREAS, the National Park Service provides technical assistance through the Rivers, Trails, and Conservation Assistance Program to help communities conserve and enhance cultural and nature resources; and

WHEREAS, the Town of Appomattox is committed to the preservation and enhancement of the historic, cultural and resources within the Town; and

WHEREAS, the Town of Appomattox, in partnership with Appomattox County and the Appomattox Court House National Historical Park, held a Community Visioning Workshop to develop a sustainable vision for the community; and

Page 2
July 28, 2005

WHEREAS, the Town of Appomattox is committed to increasing pedestrian access to resources within the Town and is committed to increasing the opportunities for recreation and leisure activities; and

WHEREAS, the *Region 2000 Greenways and Blueways Plan* identifies a trail corridor within the area of Appomattox and Appomattox Court House National Historical Park as a priority project within the regional plan; and

WHEREAS, Town of Appomattox recognizes the importance of highlighting the unique cultural and historical qualities of the community to ensure the quality of life for its residents now and in the future;

NOW, THEREFORE, BE IT RESOLVED BY THE APPOMATTOX TOWN COUNCIL that the Town of Appomattox wholeheartedly supports the application to the National Park Service – Rivers, Trails, Technical Assistance Program and hereby respectfully request that the National Park Service look favorably upon the application submitted by the County and Town of Appomattox.

All members present voting aye. Motion carried.

On a motion made by Councilmember Wilson, seconded by Councilmember McDearmon, Council voted to give the Town Manager permission to sign A Special Order by Consent Issued to the Town of Appomattox Permit Number VA0020249 provided the Town Attorney is in agreement with the order. All members present voting aye. Motion carried.

David Garrett instructed those present on how to approach the podium for delivering their comments.

Mr. Carter then gave the Rules of Procedures for Addressing and Making Comments.

Mr. Carter stated that as part of the ongoing process, the Appomattox Town Council and Appomattox Board of Supervisors has solicited as part of this process, citizen comments in regards to this very important project that is being undertaken and that is being looked at. That is the purpose of this Citizen Comment Period. With regard to this, we need to have some guidelines that we would like every speaker to follow in order to keep this organized and a session that will be of benefit to all concerned. Those guidelines are as follows:

1. During the comment period, citizens wishing to address the Board and the Appomattox Town Council should clearly state their name and address.
2. No individual citizen will be permitted to address the Board and Town Council for more than three (3) minutes. Three minutes is sufficient to express ones views or have questions and answers.

Mr. Carter then introduced Mr. Bill Gillespie, part of the staff that has undertaken to research this venture, provided feedback and data with regard to this project.

Mr. Gillespie introduced the panel that has been working on this project. Walter Hancock formerly with Wiley & Wilson; Jeff Rogers and Gary Christie with Region 2000 Regional Commission.

Mr. Jeff Rogers stated that the Commission has looked at what they consider the best feasible alternatives for this project. The first thing he would like to talk about is what this group should look at concerning the costs of evaluating a capital project. Costs involved are your operating costs: personnel, equipment and material costs. These costs will increase over time. There are also capital costs involved. These costs will increase uniformly based on the amount of capital you borrow and annualize over a course of twenty or thirty years. Basically, we will present six alternatives. Mr. Rogers briefly discussed each of these alternatives:

- A. Do nothing alternative – Continue to Produce Water
- B. Concord Waterline – Continue to Produce Water
- C. Concord Waterline – Purchase Wholesale from Local Purveyor
- D. Lynchburg – Mt. Athos area Waterline – Purchase Wholesale from Local Purveyor
- E. James River Intake – Produce Water
- F. Multi-purpose Reservoir – Produce Water

These last two alternatives will require a significant amount of capital. Plus, there are regulatory requirements in developing a reservoir which may take ten to fifteen years or longer. These costs were based on the existing town's population because once these projects go into place the existing customers will end up paying for the capital improvements as well as the operating costs.

Mr. Gillespie stated that the last three alternatives would be the most costly. There was also some discussion regarding the water-shed operation recently done in Nelson County. Appomattox County presently uses about three times the amount of water of Nelson County. Appomattox would require a much larger water-shed project at a much higher cost to build and operate, approximately 11 million dollars.

Mr. Carter then opened the session to citizen comments.

Dr. Betty Siano – 106 Virginia Avenue – Appomattox County. Dr. Siano stated she resided in the Falling River Areas Subdivision. She has spoken on this subject previously and has concluded that the Board does not care what any of the taxpayers think. You do not really want our opinions, you must want us to think you do. How many ways do we have to say NO WATER LINE!!! We have presented petitions with over 2000 signatures, written letters to the newspapers and some have even resorted to putting bumper stickers on our automobiles. Appomattox County residents have been betrayed. We elected a COUNTY Board of Supervisors to represent all of us, not just those citizens living in the town. If the TOWN wants more water, for whatever reason, let them have it and let them pay for it. If you really want to know how everyone feels regarding the water line, a referendum should be placed on the ballot for the upcoming election. Thank you.

Ms. Sam Carter - Rt. 3 Box 238 B - Appomattox County. Ms. Carter wishes to speak regarding her concerns about the water for the County which she understands is a difference, if you live in town. She is concerned about drought and economic development. If today someone would do an extensive land use, that land use would be limited to the town because the town has the public facilities. If we provide additional utilities and facilities along Route 460, we would be putting Appomattox County in direct competition with the Town. The Town and County should be bound together. She would not like to see the businesses in town moved out on Route 460. She is also concerned that utilities along Route 460 will bring more residential areas, which will in turn mean more children to be educated, along with increased services from the Fire Department and Emergency Medical personnel. This would also increase citizens concerns and what it would cost the County. She pleads with the Board to carefully consider how they address the impact that will come from that water line. How to insure that the right kind of development comes and how to deal with the future impact of such a water line. We need a better response to these questions. Thank you.

Mr. Bill Jamerson – P. O. Box 395 – Appomattox County. Mr. Jamerson stated that he has had a number of individuals ask him how he feels about this proposed water line. He is in support of an alternate water source, but is not supporting any particular alternative, but you have all the information before you to help you make this decision. You have a tough job and a tough responsibility. What is good for the Town is good for the County and vice versa. We cannot sit ourselves out on an island. We depend on joint localities for medical care, jobs, schooling, etc. We have a Planning Commission which he supports. We need to quit expending all the energy that has gone into letter writing, etc. Some of this information is not the right information and some of it no one can quite understand. We need to make a decision and move on.

Mr. Bill Slagle – Rt. 2 Box 400 – Spout Spring (Appomattox County) – Mr. Slagle commends the Council and the Board for the way they have dispersed information to the citizens. The information is there should anyone want to find it. He supports an alternative water source. When he came to Appomattox County he worked as the Town Manager and the County Administrator. At that time it was obvious that we needed to find an alternative water supply. There are some who think we are setting on top of a underground river and all we need to do is a dig a hole to find water. This is not true. He supports an alternative water source and advises the Town Council and Board of Supervisors move ahead.

Mr. Carter asked if anyone else wished to address the Town Council and Board of Supervisors. He also thanked those who participated for their comments.

Mr. Carter asked if the Board and Council felt they had sufficient data on this project from Wiley & Wilson, the Regional commission and comments from others to move forward or do nothing. He also stated he would entertain comments or motions from the Board to continue on this project, with the next step being to start negotiations.

Mr. Conrad stated that we do need a motion from the Board if we are going to move on with this and negotiate a contract with Campbell County PSA. It would be to our advantage to find out what our cost would be, based on what we have heard and discussed in regards to Option 2B.

Mr. Craft stated he feels we need to move one, we have been dragging our feet long enough.

Mr. Conrad made a motion, seconded by Mr. Craft to negotiate with Campbell County for rates on this project. All members present voting aye. Motion carried.

Mr. Carter turned the meeting over to the Town Council for any action they wished to take.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to join with the Appomattox County to negotiate with Campbell County for rates on this project. Vote: Bennett – aye, McDearmon – aye, Lawson – aye, Wilson – no. Motion carried 3 ayes to 1 no.

At 7:34 p.m., Mr. Conrad made a motion, seconded by Mr. Armbrust, to adjourn. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted to adjourn at 7:35 p.m.

David T. Garrett, Jr.
Deputy Clerk

Marvin H. Mitchell,
Vice-Mayor

COUNCIL MEETING – JULY 11, 2005

A Regular Meeting of the Appomattox Town Council was held on Monday, July 11, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson. Absent: Marvin H. Mitchell.

Others present: Frank A. Wright, Jr., Town Attorney; David T. Garrett, Jr., Town Manager; Jeff Elder, Utility Director; Marvin Hamlett and Chad Millner, Times Virginian; Zach Smith, News & Advance; Derek Norfield and Carlton Duck, Alive TV; Kelly Hitchcock, Region 2000 Regional Commission and Roxanne W. Paulette, Town Clerk.

Mayor Spiggle opened the meeting with an invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to approve the consent agenda with changes to the June 13, 2005 Council Meeting minutes to reflect the following:

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the Conditional Use Permit for Richard Purcell on Autumn Lane in M-1 with salvage vehicles to be placed on the side of the building. All members present voting aye. Motion carried.

All members present voting aye. Motion carried.

Kelly Hitchcock of the Region 2000 Regional Commission presented a program to the council regarding the National Park Service’s Rivers, Trail and Conservation Assistance Program. The technical assistance program helps provide guidance to communities in developing concrete plans for conserving cultural, historic and natural resources. Hitchcock said the commission would draft an application to be presented at a joint meeting of the town and county July 28, 2005.

On a motion by Councilmember Lawson, seconded by Councilmember Bennett, Council voted to support the creation of a Resolution of Support to the Region 2000 Regional Commission for an application for the National Park Service’s Rivers, Trail and Conservation Assistance Program. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to cancel the Council Workshop on Tuesday, July 26, 2005. Vote – Bennett-aye, Mayberry-aye, McDearmon-aye, Lawson-aye, Wilson-no. Motion carried 4-1.

Page 2 of 2
July 11, 2005

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 A.1 of the Code of Virginia (1950), as amended, for the purpose of discussion and salary consideration of a specific public employee of the Town of Appomattox, specifically being Employee A.

Vote: Bennett-aye, Mayberry-aye, McDearmon-aye, Wilson-aye, Lawson-aye. Mitchell-absent.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote: Bennett-aye, Mayberry-aye, McDearmon-aye, Wilson-aye, Lawson-aye. Mitchell-absent.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to change the salary of Employee A from \$32,000 to 34,500, retroactive to July 1, 2005. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 8:12 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

Regular Meeting – June 13, 2005

A Regular Meeting of the Appomattox Town Council was held on Monday, June 13, 2005 at 7:30 p.m. at the Municipal Building on Linden Street with Mayor Spiggle, presiding.

Members present: Joyce Bennett, C. Lewis McDearmon, John L. Wilson, Steven E. Lawson, N. H. Mayberry and M. H. Mitchell.

Other present: Buddy Conner, E. Wayne Phelps, Tommy Lawson, Richard & Joy Purcell, Jim Nolen, Jesse Osborne, Curtis Wooten, Frank Brina, Bill Burke, Del. Watkins M. Abbitt, Jr., W. W. Dickerson, J. Buchanan, Craig Carroll, Chris Simpson, Chad Denton, Times Virginian, Zack Smith, News & Advance, Jeff Elder, Utility Director, David Garrett, Jr., Town Manager, Frank A. Wright, Jr., Town Attorney, Roxanne W. Paulette, Town Clerk.

The Mayor called the meeting to order and gave an invocation.

On a motion by Councilmember Bennett, seconded by Councilmember Lawson, Council voted to approve the consent agenda of June 13, 2005. All members present voting aye. Motion carried

Public Comments were received from:

Buddy Conner – Rt. 2 Box 482, Appomattox – Requested Council maintaining an open DMV office rather than a closed one.

E. Wayne Phelps - semi-retired businessman – Requested Council keep the DMV here in Appomattox for the older people and veterans.

Jesse Osborne – P. O. Box 9, Red House – Requested Council keep the DMV office open especially for veterans and older people. The office is used by people from Farmville, Charlotte Courthouse and Buckingham.

Craig Carroll – Rt. 3 Box 479, Appomattox – Sees Appomattox as a growing community and people should not have to drive to another locality for DMV services.

Bill Burke – 310 Moses St – Rt. 5 – Appomattox – Please reconsider the closing of the DMV select office.

David Smith – Smith's Auto in Spout Spring – Please consider keep the DMV office open in Appomattox.

Delegate Abbitt – Thanked Town Council for the keeping the office open this long – intends to introduce legislation to increase the DMV compensation from 3.5% to 6% next year.

Page 2 of
June 13, 2005

Tommy Lawson – spoke on behalf of the Zoning Application for Richard Purcell –

Appearances –
A-1 Delores Kerr – Was unable to be present.

Committee Reports

Ordinance Committee – Councilmember Wilson reported that General Code Publishers has granted an extension to review the code until July 8, 2005.

Property Committee – Councilmember Lawson gave an update on the sidewalk projects throughout town.

Finance Committee –

On a recommendation by Councilmember Mayberry, Council voted to approve the increase requested by the Appomattox County Chamber of Commerce for an additional \$280.00 per month. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the Conditional Use Permit for Richard Purcell on Autumn Lane in M-1 with no conditions. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the following resolution:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2005-2006 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

SECTION I:

WHEREAS, Section 2-332, Appomattox Town Code and Section 15.2-2503, Code of Virginia, require that the governing body shall approve the budget and fix a tax rate for the budget year no later than the date on which fiscal year begins; and,

SECTION II:

WHEREAS, the proposed Fiscal Year 2005-2006 Budget was published on May 11, 2005 and May 18, 2005 in the *Times-Virginian*, Appomattox, Virginia, pursuant to Section 15.2-2506, Code of Virginia, and public hearing was subsequently held on the proposed budget on Tuesday, May 24, 2005;

SECTION III:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in Regular Session on June 13, 2005, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2005-2006;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	28,950.
Administrative Department	247,450.
Professional	131,000.
Commissioner of Revenue	8,930.
Police Department	49,248.
Fire Department	37,200.
Street Department	180,910.
Sanitation Department	77,000.
Capital Improvements	55,000.
Property Maintenance & Construction	82,500.
Town Shop	14,500.
Donation/Contributions	40,500.
TOTAL GENERAL FUND EXPENSES	953,188.

SECTION IV:

BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at \$.15 per \$100.00 of assessed value for real estate, \$.55 per \$100.00 of assessed value for personal property, \$.55 per \$100.00 of assessed value for machinery and tools, and \$.15 per \$100.00 of assessed value for mobile homes; and,

SECTION V:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2005-2006;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	152,000.
Current Taxes – Personal Property	120,000.
Delinquent	0.
Penalties & Interest	0.
Bank Stock Tax	90,000.
Meals Tax	105,000.
Lodging Tax	10,000.
Franchise Tax	5,800.
Consumption Tax	9,000.
Town Tags	28,000.
Business License	42,000.
Zoning	500.
Credits & Refunds	0.
Insurance Dividends	100.
Interest	20,000.
Rental of Misc. Property	45,000.
Alcohol Profits	2,000.
Motor Vehicle Tax	2,500.
Sales Tax	30,000.
Aid to Police Department (HB599)	49,294.
Fire Programs	6,000.
Certificates of Deposit	0.

Miscellaneous	100.
Use of Beginning Balance	235,894.
Grants	0.
Other Reimbursals	0.
TOTAL GENERAL FUND REVENUES	953,188.

SECTION VI:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2005-2006;

WATER AND SEWER FUND; EXPENDITURES BY CATEGORY:

Water Department	350,360.
TOTAL WATER EXPENDITURES	350,360.

SECTION VII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Revenue estimates for Fiscal Year 2005-2006;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	220,500.
Connection Fees	3,500.
Penalty Fees	4,800.
Miscellaneous	0.
Availability Fees	3,500.
Interest	2,500.
Reconnect Fees	2,000.
Insurance Dividends	100.
MT/LT Appropriated Revenue	70,000.
Use of Beginning Balance	43,360.
TOTAL WATER REVENUES	350,360.

SECTION VIII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2005-2006;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	822,451.
TOTAL SEWER EXPENDITURES	822,451.

SECTION IV:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2005-2006;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	451,000.
Connection Fees	5,000.
Miscellaneous	3,000.
Availability Fees	5,000.

Interest	9,000.
WW Facility Improvement Fund (County)	76,573.
Insurance Dividends	100.
Septage Receiving	50,000.
MT/LT Appropriated Revenue	125,000.
Use of Beginning Balance	97,778.
TOTAL SEWER REVENUES	822,451.

SECTION X:

BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2005-2006 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XI:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2005-2006 is hereby adopted, effective July 1, 2005 and the monies necessary to fund it are hereby appropriated and shall be certified by the Clerk of Council and maintained as an archive document with the official minutes of the Town Council of Appomattox, Virginia.

Adopted this 13th of June, 2005.

On a motion by Councilmember Mitchell, seconded by Councilmember Bennett, Council voted to approve the following resolution

A RESOLUTION ESTABLISHING A WATER AND SEWER POLICY FOR FISCAL YEAR 2005-2006

WHEREAS, the Town Council of the Town of Appomattox is enabled by the Code of Virginia to impose certain fees in connection with the exercise of its various municipal powers; and,

WHEREAS, the Town Council of the Town of Appomattox desires to establish a WATER AND SEWER POLICY including User Charges and Connection and Availability Fees Administrative Policy for the convenience and benefit of town residents and businesses;

BE IT RESOLVED, that the following WATER AND SEWER POLICY for Fiscal Year 2005-2006 hereby approved; and,

BE IT FURTHER RESOLVED, that where a charge listing on this WATER AND SEWER POLICY is at variance with the same fee listed in a lawfully adopted regulation, resolution or ordinance of the Town of Appomattox for the Fiscal Year 2005-2006, the fee listed in the lawfully adopted regulation, resolution or ordinance of the Town of Appomattox for the Fiscal Year 2005-2006 shall apply:

USER RATES

Water

- In Town - \$6.35/month with 2000 gallon allowable metered sales
- In Town - \$3.00/1000 gallons for all consumption above 2000 gallons
- Out of Town - \$9.55/month with 2000 gallons allowable metered sales
- Out of Town - \$4.50/1000 gallons for all consumption above 2000 gallons

Sewer

- In Town - \$9.10/month per Equivalent Residential Connection (ERC)
- In Town - \$5.75/1000 gallons for all metered water consumption
- Out of Town - \$13.65/month per Equivalent Residential Connection
- Out of Town - \$8.60/1000 gallons for all metered water consumption

CONNECTION FEES

Water –

- Standard ¾” water connection with water main located on same side of the road as the resident **\$1,200.00**.
- For connection larger than ¾”, and require installing service line across any primary or secondary roads, cost of connection shall be at cost of materials and labor.

Sewer –

- Standard residential connection with sewer main located on the same side of the road as the resident **\$1,900.00**.
- For connection larger than the standard, and or installing service line across any primary or secondary roads, cost of connection shall be at cost of materials and labor.

Out of Town Connection:

- For all water or sewer connections, the above rates and charges shall be multiplied by a factor of **1.5**.

WATER FACILITIES - AVAILABILITY FEES

Availability fees are defined as a charge designed to defray a portion of the continuing cost of constructing and maintaining the plant and equipment.

<u>Availability Fees</u>	<u>Cost</u>
1. Single family dwelling (per dwelling) or ERC.....	\$1,200.00
2. Duplex dwelling - a single two family building (per unit). \$1,200.00	
3. Multi-family structure (duplexes, condominiums, townhouses, apartments, etc.)	
Each building is considered separately.	
(1) For the first five (5) units.....	\$1,200.00
(2) For the second five (5) units.....	\$1,200.00
(3) For all additional units.....	\$1,200.00
Each building subject to a maximum charge of \$1,200.00 under this subsection.	

- 4. Mobile Home
 - a. Single lot.....\$1,200.00
 - b. Two or more located on same lot, same meter (per mobile home).....\$1,200.00

- 5. Mobile Home Park (per space).....\$1,200.00
- 6. Commercial and Industrial
 - a. Motels (per unit or room).....\$300.00
 - b. Restaurants (per seat).....\$100.00
 - c. Laundromats (per machine).....\$900.00
 - d. Others - fees will be based on square footage (sq. ft.) using net usable area defined as the gross area of the establishment less hallways, stairways, closets, etc. as determined by the applicant's engineer/architect drawings and reviewed by the Town Council and Staff.
 - (1) Factories.....\$ _____
 - (2) Shopping Centers.....\$ _____
 - Less than 20,000 sq. ft. (per sq. ft.)\$ _____
 - More than 20,000 sq. ft. (per sq. ft.)..... \$ _____
 - (3) Office Buildings (based on use)\$ _____

- 7. Medical Facilities
 - a. Nursing Homes (per bed).....\$400.00
 - b. Homes for the aged (per bed).....\$200.00
 - c. Hospitals (per bed).....\$600.00
 - d. Doctor's Office (see office in Medical Center)....\$930.00
- 8. Schools
 - a. High Schools with showers (per person).....\$
 - b. Elementary Schools without showers (per person)....\$
 - c. Boarding Schools (per person).....\$
 - d. Community Colleges (per person).....\$

- 9. Recreational Facilities
 - a. Theaters, drive-in type (per car).....\$30.00
 - b. Theaters, auditorium type (per seat)..... \$30.00
 - c. Picnic Areas (per person & park capacity)..... \$30.00
 - d. Camps, resorts, day & night with limited plumbing (per campsite).....\$95.00
 - e. Luxury Camps with flush toilets (per camp site) \$185.00
 - f. Swimming Pools (per camp site).....\$30.00

- 10. Any proposed use not covered above or in cases where higher factor, hardship or community waiver is recommended by Staff, the Town Council shall make the final decision based upon written application with supporting data.

SANITARY SEWERAGE FACILITIES - AVAILABILITY FEES COST

1. Single family dwelling (per dwelling) or ERC.....\$1,900.00
2. Duplex dwelling - a single two family building (per unit)..\$1,900.00
3. Multi-family structure (duplexes, condominiums, townhouses, apartments, etc.)
Each building is considered separately.
 - (1) For the first five (5) units.....\$1,900.00
 - (2) For the second five (5) units..... \$1,900.00
 - (3) For all additional units.....\$1,900.00Each building subject to a maximum charge of \$12,700.00 under this subsection.
4. Mobile Home
 - a. Single lot.....\$1,900.00
 - b. Two or more located on same lot, same meter (fee per mobile home)..\$1,900.00
5. Mobile Home Park (per space).....\$1,900.00
6. Commercial and Industrial
 - a. Motels (per unit or room).....\$300.00
 - b. Restaurants (per seat).....\$100.00
 - c. Laundromats (per machine).....\$930.00
 - d. Others - fees will be based on square footage (sq. ft.) using net usable area defined as the gross area of the establishment less hallways, stairways, closets, etc. as determined by the applicant's engineer/architect drawings and reviewed by the Town Council and Staff.
 - (1) Factories.....\$
 - (2) Shopping Centers
Less than 20,000 sq. ft. (per sq. ft.).....\$
More than 20,000 sq. ft. (per sq. ft.).....\$
 - (3) Office Buildings (based on use)..... ..\$
7. Medical Facilities
 - a. Nursing Homes (per bed).\$400.00
 - b. Homes for the aged (per bed).....\$200.00
 - c. Hospitals (per bed).....\$600.00
 - d. Doctor's Office (see office in Medical Center).....\$930.00
8. Schools
 - a. High Schools with showers (per person).....\$
 - b. Elementary Schools without showers (per person)\$
 - c. Boarding Schools (per person).....\$
 - d. Community Colleges (per person).....\$
9. Recreational Facilities
 - a. Theaters, drive-in type(per car).....\$30.00
 - b. Theaters, auditorium type (per seat).....\$30.00
 - c. Picnic areas (per person & park capacity).....\$30.00
 - d. Camps, resorts, day & night with limited plumbing (per campsite).....\$95.00
 - e. Luxury camps with flush toilets (per camp site)..\$185.00
 - f. Swimming pools (per swimmer-design capacity).\$30.00

10. Any proposed use not covered above or in cases where a higher factor, hardship or community waiver is recommended by Staff, the Town Council shall make the final decision based upon written application with supporting data.

ACCOUNT CHARGE - \$10.00

The purpose of this charge is to defray the cost incurred in establishing the new customer account.

DEPOSITS

The Town of Appomattox is authorized to require the following deposits from persons opening new water and/or sewer accounts:

	<u>In-Town</u>	<u>Out-of-Town</u>
a. Residential Customers	\$100.00	\$100.00
b. Business, commercial and institutional customers		
(1) with 3/4" meter connections	\$ 100.00	\$100.00
(2) with 1" meter connections	\$ 100.00	\$150.00
c. Commercial customers	\$ 200.00	\$300.00

The Town may also in its discretion, require additional deposit if the size of the service warrants. Deposit is to offset one two months average charge which may become delinquent. At such time as water and/or sewer service is discontinued, the deposit shall be returned to the person making the deposit. Any deposit not claimed after one (1) year after the depositor ceased to use Town water and/or sewer service shall be deemed abandoned by the depositor and shall not be subject to reclamation. When the person opening a new account owns the property to be supplied with water or sewer, the Town may not require a deposit.

BILLING POLICY

All bills are due and payable upon receipt. If not paid within thirty (30) days, a penalty in the amount of 10% of the bill will be added. If the bill and penalty are not paid within ten (10) days of the penalty date, service will be discontinued. If service is requested during the next ten (10) days period, a reconnection charge of \$30.00 and the past due bill and penalty must be paid prior to service being restored. If service is not restored within ten (10) days after discontinuation of service, a service charge of \$3.00 per month or any portion of a month will be assessed. When restoration of service is then requested, the past due bill, penalty and reconnection charge (availability charge) will be due before service is restored. Seasonal disconnection's will also be subject to an accrued service charge of \$3.00 per month or fraction thereof and a \$30.00 reconnection fee.

UNAUTHORIZED CONNECTIONS/CROSS-CONNECTIONS

The connection for any other water supply to the Town's system is strictly prohibited. See Cross-Connection Control Policy.

Cross-Connections of a private or an auxiliary water system to the Town's public water system is restricted according to the WATERWORKS REGULATIONS FOR PUBLIC DRINKING WATER SUPPLY as adopted by the Commonwealth of Virginia Department of Public Health.

USE OF SERVICE

The new service applicant is expected to begin use of water within thirty (30) days from the date of which such service is made available. Therefore, billing will commence at the end of this thirty-day period in accordance with prescribed rates, terms and conditions.

OUT-OF-TOWN CUSTOMERS

For all out-of-town customers, the above rates and charges shall be multiplied by a factor of 1.5.

The Town of Appomattox reserves the right to review each request or service and evaluate both the requested service requirements and available system well and storage capacity. Appropriate management of available system resources will be exercised by the Town Council with respect to new connections.

The Town of Appomattox reserves the right to institute any and all measures deemed necessary in the event of a natural disaster, emergency, drought or other conditions which impacts on the water system. All measures considered will be as reasonable as possible. Generally residential customer service, although it may be curtailed, will be given highest service priority.

Availability fees to be determined on the basis of equivalent residential connections and the equivalent residential availability charge.

Adopted this 13th day of June, 2005.

On a motion by Councilmember Lawson, seconded by Councilmember Bennett, Council voted to participate in the Web Based Salary Survey and to send one representative for training. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adjourn at 8:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle
Mayor

REGULAR MEETING – MARCH 14,2005

A Regular Meeting of the Appomattox Town Council was held on Monday March 14, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce Bennett, N.H “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John Wilson and Steve Lawson.

Others present: Larry Mobley, Frank Brina, Frank A. Wright, Jr., Town Attorney, Todd Craft And O. Wilson Staples, Appomattox County Sheriff’s office, Steve Smith and Bobby O’Brien, Lynchburg Ready Mix, Frank Wooldridge, Dot Wooten, Marvin Hamlett, Times-Virginian Newspaper, Christie Chapman, News and Advance and Roxanne W. Mundy, Town Clerk.

Mayor Spiggle opened the meeting and gave an invocation.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to approve the consent agenda of March 14, 2005 as presented. All members present voting aye. Motion carried.

Public Comments:

1. Dot Wooten- preferred to wait until after the presentation.

Presentation/Appearance:

1. Lynchburg Ready Mix- Steve Smith and Bobby O’Brien presented to council their proposal for the lot owned by C. Lewis McDearmon, Jr., Appomattox Oil Company near the entrance of Park Lane at the Ball Park and Community Center.

Standing Committee Reports:

1. Street and Property Committee- Council member Lawson reported a request for crosswalks and ramps from Main Street to the Appomattox Gallery on Church Street.
2. Fire and Safety-none
3. Utility Committee- On a recommendation by Council member McDearmon, Chairman, the Council voted to deny a request from Jays Downs on Church Street for a water adjustment. All members present voting aye. Motion carried.
4. Ordinance-none
5. Finance-preferred to wait until later in the agenda.
6. Personnel-none

Page 2
March 14, 2005

On a motion by Council member Lawson, seconded by Council member Mayberry. Council voted to approve the date of Monday, March 28, 2005 at 6:30 p.m. at the Appomattox Community Center to meet with the Appomattox Board of Supervisors to hear an update from Region 2000 Regional Commission of the Water Study Project. All members present voting aye. Motion carried.

On a motion by Council member Mayberry, seconded by Council member McDearmon, Council voted to cancel the Council Workshop on Tuesday, March 22, 2005 at 7:00 p.m. All members present, voting aye. Motion carried.

On a motion by Council member Bennett, seconded by Council member Mitchell, Council voted to authorize the purchase of the necessary supplies and equipment for corrosion control in the existing wells. All members present voting aye. Motion carried.

On a motion by Council member Lawson, seconded by Council member McDearmon, Council voted to approve a request for supplies by the Historical Appomattox Foundation for the April 2005 Re-enactment. All members present voting aye. Motion carried.

On a motion by Council member Bennett, seconded by Council member McDearmon, Council voted to convene in Closed Session pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia (1950), as amended for the purpose of discussion of salary and assignment of the specific public employees specifically being discussion and consideration of employees A, B, and C.

*The record notes a request from Marvin Hamlett with the Times Virginian for a more specific reason- Request denied by Legal Counsel.

VOTE: Bennett-aye, Mayberry-aye, Mitchell-aye, McDearmon-aye, Wilson-no, Lawson-aye. 5-aye, 1-no, motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discuss, or considered by the council.

VOTE: Bennett-aye, Mayberry-aye, Mitchell-aye, McDearmon-aye, Wilson-aye, Lawson-aye. Motion Carried.

Page 3
March 14, 2005

On a motion by Council member Mayberry, seconded by Council member Mitchell, council voted to adjourn at 8:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Mundy, CMC

Ronald C. Spiggle, Mayor

REGULAR MEETING – November 14, 2005

The Appomattox Town Council met in Regular Session on Monday, November 14, 2005 at 7:30 p.m. at the Municipal Building on Linden Street with Mayor Spiggle presiding.

Members present: Norman H. Mayberry, Marvin Mitchell, Joyce Bennett, John L. Wilson and Steven E. Lawson. Absent: C. Lewis McDearmon, Jr.

Others present: David T. Garrett, Jr., Town Manager, Frank A. Wright, Jr., Town Attorney, Chad Millner, Times Virginian, Jeff Elder, Utility Director, Carlton Duck, Derek Norfield, Zack Smith, News & Advance, Jon Montgomery, Penny Taylor and Roxanne W. Paulette, Clerk.

Mayor Spiggle called the meeting to order.

Mayor Spiggle gave an invocation.

On a motion by Councilmember Mayberry, seconded by Councilmember Wilson, Council approved the consent agenda of November 14, 2005. All members present voting aye. Motion carried.

There were no public comments.

There were no appearances.

Standing Committee Reports:

Street & Property: Mr. Lawson reported that the committee met with Blair Smith in regards to the town office building renovations. Mr. Smith will be back in touch with the committee in December 2005.

Old Business - None

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to change the expiration dates of the Town Representatives to the Appomattox Planning Commission to reflect December 31 of their year of expiration. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to dispense with the request to approve additional holiday time. If it is so designated by the Governor and addressed in the employee handbook, it should be so honored. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to reschedule the November 22, 2005 Council Workshop meeting to Tuesday, November 29, 2005. All members present voting aye. Motion carried.

Page 2 of 2
November 14, 2005

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the following resolution:

RESOLUTION TO AGGRESSIVELY PURSUE TOURISM

Whereas, the Council of the Town of Appomattox desires to aggressively pursue Tourism as a means to enhance the economic stability of our community; and

Whereas, the Town of Appomattox agrees to actively seek a Tourism Director funded by the Town or jointly with the County; and

Whereas, the Town Manager is directed to seek the assistance of Appomattox County in this endeavor; and

Whereas, the Town Manager is directed to at least communicate twice monthly with Town Council and the County Administrator as to the direction of these efforts; and

Now, Therefore, Be It Resolved, the Town Manager is hereby approved and authorized to advertise the position of Tourism Director effective January 15, 2006.

Adopted on November 14, 2005. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Mayberry, Council voted to declare the 1993 International Garbage Truck, 1987 Ford Garbage Truck and numerous old garbage dumpsters surplus and dispose of at auction or advertise as sealed bid. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to approve the request to close Main Street at the corner of Lee Street and Church Street for downtown Christmas activities on December 4, 2005 from 1:00 p.m. to 7:00 p.m. and request VDOT to close the affected streets for the Christmas Parade at 4:00 p.m. on December 4, 2005. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 8:28 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Ronald C. Spiggle
Mayor

REGULAR MEETING – October 11, 2005

The Appomattox Town Council met in Regular Session on Tuesday, October 11, 2005 at 7:30 p.m. at the Municipal Building on Linden Street with Mayor Spiggle presiding.

Members present: Marvin Mitchell, Joyce Bennett, C. Lewis McDearmon, John L. Wilson and Steven E. Lawson. Absent: Norman H. Mayberry

Others present: David T. Garrett, Jr., Town Manager, Frank A. Wright, Jr., Town Attorney, Chad Millner, Times Virginian, Jeff Elder, Utility Director, Carlton Duck, Roxanne W. Paulette, Clerk.

Mayor Spiggle called the meeting to order.

Mayor Spiggle gave an invocation.

On a motion by Councilmember Bennett, seconded by Councilmember Mitchell, Council approved the consent agenda of October 11, 2005. All members present voting aye. Motion carried.

There were no public comments.

There were no appearances.

Standing Committee Reports:

Mrs. Bennett reported on the Open House held at the new firehouse on October 2, 2005.

Mr. Garrett reported that the Finance Committee toured the area Visitor Centers on Monday, October 3, 2005 in order to gain information concerning their operations.

On a motion by Council member McDearmon, seconded by Council member Mitchell, Council voted to approve the Resolution for the Adoption of the National Incident Management System.

*RESOLUTION FOR THE ADOPTION OF THE
NATIONAL INCIDENT MANAGEMENT SYSTEMS*

WHEREAS, the Town of Appomattox, Virginia does hereby find as follows:

WHEREAS, the President of Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel communications, facilities and resources will improve the Town's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes,

WHEREAS, the Incident Command Systems components of NIMS are already an integral part of various city/county incident management activities, including current emergency management training programs; and

WHEREAS, the national Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command Systems;

NOW, THEREFORE, BE IT HEREBY PROCLAIMED, by the Town of Appomattox, Virginia, that the National Management System (NIMS) is established as the Town of Appomattox standard for incident management.

All members present voting aye on the above resolution. Motion carried.

Mr. Garrett reported on the Manger's Information Items, including the two technical laboratory reports from DEQ, also information concerning a DEQ and Health Department Well Head Protection program and the beginning of Fall Leaf Collection that will start November 1, 2005.

Mr. Wright reported on the motion of response from JMT. The judge ruled that JMT must send more information to support their claims prior to the deposition.

Mr. Garrett reported that the updated Town Zoning Maps are available at the Town Office.

The Mayor reported that the October 25, 2005 Council Workshop will be held at 6:00 p.m. at the Town Hall on Linden Street for the purpose of an appearance by Dr. Diane Zahm and students from Virginia Tech's Department of Urban Affairs and Planning.

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Ronald C. Spiggle
Mayor

COUNCIL MEETING – September 12, 2005

The Appomattox Town Council met in Regular Session on Monday, September 12, 2005 at 7:30 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: N. H. Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., Joyce B. Bennett and John L. Wilson. Member absent: Steven E. Lawson.

Others present:

Mayor Spiggle called the meeting to order and gave an invocation.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to approve the consent agenda of September 12, 2005 as presented with one change to the *“August 23, 2005 Council Workshop Meeting Minutes to reflect that Marvin Mitchell, Councilmember was present.”* All members present voting aye. Motion carried.

Appearances –

Danny Jobe, Nesbe Cable appeared before Council to advise you that Nesbe Cable has been sold to Jetbroadband Va, LLC. There are no changes needed to the Franchise Agreement.

Barry Elder, Director of Social Services appeared before Council to advise them of the Social Services office services and appreciates Council continued support.

Laura Guthrie appeared before Council to express her desire to lease the space at the Appomattox Municipal Building to operate the Appomattox DMV License Agency.

Dean Thompson appeared before Council to update and inform them of upcoming events for the 33rd Historic Appomattox Railroad Festival. A main concern is the labor costs involved with setup and removal of trash, picnic tables, fireworks, etc. As co-chair, Dean respectfully requested that the Town continue its usual support of the festival.

Standing Committee Reports – none

Unfinished Business – none

New Business –

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to re-appoint Bryan Baine to the Appomattox County Planning Commission as a Town representative, commencing September 12, 2005. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to increase the reimbursement for mileage in the Travel Policy from \$0.34 per mile to \$.405 per mile, effective until January 1, 2006, Councilmember Mayberry called for the question, meaning to limit debate, all in favor of the limited debate, all voting aye. Vote: Ayes – 4, No – 1. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Mayberry, Council voted to approve the Town Zoning Map as presented at a Joint Public Hearing with the Planning Commission Meeting on Monday, August 15, 2005. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember McDearmon, Council voted to elect Marvin H. Mitchell as the alternate voting delegate for the 100th Annual VML Conference in October 2005. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to continue with support as reasonable for the cleanup and associated tasks for the annual Historic Appomattox Railroad Festival in October 2005. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to convene in closed session, pursuant to §2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by the Council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being discussion of the legal significance of the terms of the proposed lease agreement for the Division of Motor Vehicles branches and §2.2-3711 (A) 3 of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, such matters specifically being discussion and consideration of disposition of a portion of the Town Hall by entering into a lease agreement with a private individual for the Division of Motor Vehicles branch office.

Vote: Bennett – aye, McDearmon – aye, Mayberry – aye, Wilson – aye, Mitchell – aye.
Lawson – absent.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

Vote: Bennett – aye, McDearmon – aye, Mayberry – aye, Wilson – aye, Mitchell – aye.
Lawson – absent.

Page 3 of 3
September 12, 2005

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to offer Mrs. Laura Guthrie a lease agreement for the use of office space currently being used by the DMV License Agency with the following amendments: 1) there will be no rent until July 1, 2006 and then council will discuss with Mrs. Guthrie at that time a rate agreeable between both parties, 2) the Security Deposit will be \$200.00 due upon execution and 3) \$50.00 per month for utilities (amendable at July 1, 2006).

All members voting aye to the amendments of the agreement. Motion carried.

All members voting aye to the main motion. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 9:12 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

TOWN OF APPOMATTOX

Tuesday, September 27, 2005

7:00 p.m.

Linden Street – Appomattox Town Hall

Meeting to be held in Council Chambers at the Municipal Building
on Linden Street.

WORKSHOP AGENDA

1. Discussion of Video System and Recording of Council Meetings/Workshops.
2. Update/Discussion from the meeting with Campbell County Utilities and Service Authority and Town of Appomattox/County of Appomattox for alternate Water Source.
3. Discussion of animals within the Town Limits.
4. Update on IMG Water Tank Maintenance Agreement
5. Update of Future Water and Sewer Projects.

Informational Items:

1. Sunday, October 2, 2005 – 3:00 p.m. – Appomattox Volunteer Fire Department – Open House – New Building – Rt. 460
2. 32nd Annual Historic Appomattox Railroad Festival – October 8 & 9, 2005
3. Offices closed Monday, October 10, 2005 – Columbus Day
4. Tuesday, October 11, 2005 – 7:30 p.m. – Regular Council Meeting
5. Thursday, October 20, 2005 – Regional Dinner Meeting – Appomattox County High School
6. October 23-25, 2005 – 100th Annual VML Conference – Richmond, VA
7. Tuesday, October 25, 2005 – 7:00 p.m. – Council Workshop

TOWN OF APPOMATTOX

TUESDAY, JUNE 28, 2005 AT 6:30 P.M.
(Please note the time change)

Linden Street – Appomattox Town Hall

Meeting to be held in Council Chambers at the Municipal Building
on Linden Street.

WORKSHOP AGENDA

1. Appearance by Karen Chappell – Virginia Department of Motor Vehicles.

Update on DMV License Agent Contract.

2. Consideration to close Main Street on July 23, 2005 from 12:00 noon until 9:00 p.m. for an official grand opening of "Happy Day's Café".

Ms. Greenwell, Owner requests to have the street closed for a Car Show and Dance in the street.

3. Closed Session

A closed session is required pursuant to §2.2-3711 A.7 of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel employed or retained by the council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues relating to negotiations for the recovery of damages due to the negligent design of the Wastewater Treatment Plant on Ethel Street.

Informational Items:

1. Update on South Church Street Sewer Easement.

Letter to Barbara A. Bowman from Frank A. Wright, Jr., Town Attorney

2. Options for Regulations Grass Cutting in the Town of Appomattox

Letter from Frank A. Wright, Jr., Town Attorney

Council Workshop – October 25, 2005

The Appomattox Town Council held a workshop meeting on Tuesday, October 25, 2005 at 6:00 p.m. at the Municipal Building on Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: N. H. “Jimmy” Mayberry, Joyce Bennett, John L. Wilson, Marvin H. Mitchell, Steven E. Lawson and C. Lewis McDearmon, Jr.

Others present: Earl Pickett, Bobby Swanberg, Thomas Terry, Dot Wooten, Jane Kelly, Cliff Harvey, Debbie Baine, Diane Zahm, Chad Millner, Richard Bartelt, W. H. Craft, Sheila Palamar, Bryan Baine, Jeff Elder, Utility Director, Frank Wright, Jr., Town Attorney, David T. Garrett, Jr., and Roxanne W. Paulette, Town Clerk.

Dr. Diane Zahm held a “Community Workshop” for the purpose of determining:

1. What you like most about your Town.
2. What you dislike most about your Town.
3. What is making us keep one and do away with the other.

The audience formed into four groups to determine what each thought of the above questions. Then groups of ideas were formed for the audience to understand what was liked, disliked and encouraging us to continue with what we liked and hindering progress or getting the things we most wanted for our town.

After much discussion of the findings, the students and Dr. Zahm continue working on ways to provide the Town with information on the following:

1. Historic Preservation
2. Sign Ordinances
3. Aritechutural Compatibility

Also, Dr. Zahm will continue working on a “Survey” to enhance community involvement.

On a motion by Councilmember Wilson, seconded by Councilmember McDearmon, Council voted pursuant to Section 15.2-1542(D) of the Code of Virginia to authorize Frank A. Wright, Jr. and A. David Hawkins, Town Attorneys, to prosecute criminal cases charging the violation of town ordinances, provided such prosecution is with the concurrence of the Appomattox County Commonwealth’s Attorney. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

Ronald C. Spiggle, Mayor