

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.

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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.

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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

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 – 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

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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.

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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

Joint Workshop Meeting – March 28, 2005

A Joint Workshop Meeting of the Appomattox Town Council and Appomattox County Board of Supervisors was held on Monday, March 28, 2005 at 6:30 p.m. at the Appomattox Community Center, Appomattox, Virginia.

Members present: Joyce Bennett, Jimmy Mayberry, Marvin Mitchell, Steve Lawson, John Wilson, Lewis McDearmon, Ronald C. Spiggle, Willie Craft, Shawn Armbrust, Tom Conrad, Samuel Carter, Russell Moore.

Others present: David T. Garrett, Jr., Town Manager, Roxanne W. Mundy, Town Clerk, Frank Wright, Jr., Town Attorney, Aileen Ferguson, County Administrator and Johnny Overstreet, County Attorney.

Samuel Carter welcomed everyone and gave an invocation.

Region 2000 Regional Commission offered the final presentation of the Water Study conducted by the Commission. (Presentation attached)

Bill Gillespie spoke concerning the formation of a Public Service Authority.

Question/Answer period was offered.

The final report will be available at a later date.

Samuel Carter thanked everyone for coming.

The Board of Supervisors adjourned.

(with Council in session)

On a motion by Councilmember McDearmon, seconded by Councilmember Mitchell, Council voted to approve the rezoning request from B-1 to R-1 for Tax Map #64A5(A)81 located at 100 Linden Street between Court Street and Burke Street on the South side of the N&S Railroad tracks owned by Richard and Mary Scheideler and Helen Haney. All members voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to adjourn at 8:20 p.m. All members voting aye. Motion carried.

Roxanne W. Mundy, CMC

Ronald C. Spiggle, 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.

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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

REGULAR MEETING – April 11, 2005

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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.

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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

Regular Meeting – May 9, 2005

A Regular Meeting of the Appomattox Town Council was held on Monday, May 9, 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. Absent: N. H. Mayberry and M. H. Mitchell.

Other present: Carlton Duck, Chad Denton, Times Virginian, Jackie Drinkard, President, Appomattox County Chamber of Commerce, 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 McDearmon, Council voted to approve the consent agenda of May 9, 2005. All members present voting aye. Motion carried

There were no public comments.

Appearances –

A-1 – Gary Christie, Executive Director – Region 2000 Regional Commission – came before Council requesting support of a Resolution to Support the Amendment of the Region 2000 Regional Commission Charter, having the effect of changing that organization's name to Virginia's Region 2000 Partnership-Regional Council.

A-2 – Jackie Drinkard – Appomattox County Chamber of Commerce – Requesting an increase in the agreement from \$1000/month to \$1280/month.

Committee Reports -

Ordinance Committee – A draft copy of the Town Code has been received by General Code Publishers and a DVD. David will reproduce it and give a copy to each member of the Ordinance Committee and give them 3 weeks to review the material and they will meet and begin a general review.

Property Committee – refer to New Business.

On a motion by Councilmember Wilson, seconded by Councilmember Bennett, Council voted to send the out of town water connection request to the Utility Committee. All members present voting aye. Motion carried.

On a recommendation by Councilmember Lawson, Chairman, Street & Property Committee, Council voted to have the electrical work done at the Abbitt Memorial Park for the stage after several more bids are received. All voting aye. Motion carried.

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May 9, 2005

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to expend the funds to replace the Needlefelt Filter Cloth Media for the two disk filters at the SBR Treatment Plant. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Bennett, Council voted to adopt the Resolution to Support the Amendment of the Region 2000 Regional Commission (Planning District Commission 11) Charter, Having the effect of changing that organization's name to Virginia's Region 2000 Partnership-Regional Council. All members voting aye. Motion carried. (See attached)

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to adjourn at 8:36 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.

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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

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 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.

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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

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

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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 – 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

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
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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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Page 2 of 2
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1. Give Council at least 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 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

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 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

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

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

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 with Mayor Spiggle presiding.

Members present: Norman H. Mayberry, Marvin Mitchell, Joyce Bennett, John L. Wilson and Steven E. Lawson, 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, and Roxanne W. Paulette, Clerk.

Mayor Spiggle called the meeting to order.

Mayor Spiggle gave an invocation.

Consent Agenda –

Public Comments:

Appearances:

Standing Committee Reports:

Old Business - None

Closed Session

On a motion by Councilmember _____, seconded by Councilmember _____, 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, such property being property for a welcome center.

VOTE: Bennett ___ Mitchell ___ Lawson ___
 McDearmon ___ Mayberry ___ Wilson ___

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 ___ Mitchell ___ Lawson ___
 McDearmon ___ Mayberry ___ Wilson ___

On a motion by Councilmember _____, seconded by Councilmember _____, 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 _____, seconded by Councilmember _____, Council voted to approve an agreement between the Town of Appomattox and the Commonwealth of Virginia, VDOT for water and sanitary sewer adjustments located on State Route 641, Church Street. All members present voting aye. Motion carried.

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On a motion by Councilmember _____, seconded by Councilmember _____,
Council voted to adjourn at _____ p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
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 – January 9, 2006

The Appomattox Town Council met in regular session on Monday, January 9, 2006 at 7:30 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., and John L. Wilson.

Absent: Steven E. Lawson.

Others present: A. David Hawkins, Town Attorney, David T. Garrett, Jr., Town Manager, Jeffrey H. Elder, Utility Director, Derek Norfield, Alive TV, Carlton Duck, Alive TV, Chad Millner, Times Virginian, Zack Smith, News & Advance, Bonnie Swanson, Donna Miller, Gary Gilliam, Bryan Baine, Debbie Baine, Jerry Palamar, Petr Liska, Jackie Drinkard, Kristin Freshwater and Roxanne W. Paulette, Town Clerk.

Mayor Spiggle called the regular meeting of January 9, 2006 to order.

Mayor Spiggle gave an invocation.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to approve the Council Agenda of January 9, 2006 with a change to *NB-2 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, such property being property for a welcome center, to delete this item and replace it with 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, such property being Lots 27 through 33 and Lots 61 through 67 of the Hunter Addition Subdivision currently owned by L. M. Jones and § 2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel and briefing 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 Johnson, Mirmiran & Thompson. All members present voting aye. Motion carried.*

Public Comments:

Bryan J. Baine – 9 Lee Grant Avenue, Appomattox, Virginia –
Distributed material to council members that he had collected and written regarding the renovations by Farmers Bank of Appomattox to the Darrowby House on Main Street. Mr. Baine explained to council members why he believes it is important to maintain the exterior structure of the Darrowby House building. The building is on the Historic Register and changing the exterior of the building would compromise this status. He requested Council to discuss with Bank officials other options of renovating the building and saving the storefront of the building.

Bonnie Swanson – Resident for 6 years – Appomattox County
Ms. Swanson asked Council to intervene in the destruction of the façade of the Darrowby House building now owned by Farmers Bank of Appomattox. Much of the essence of downtown would be lost if the façade of this building is destroyed.

Kristin Freshwater – Resident, Appomattox County and Intreputer at the National Historical Park
Ms. Freshwater also addressed council concerning the destruction of the façade of the building acquired by Farmers Bank of Appomattox. Tourists abroad are continually looking for the ambience created by the downtown area and changing the façade of the building would be a loss to the essence felt downtown.

At this time Ronald Spiggle, Mayor turned the chair over to Marvin Mitchell, Vice Mayor – Mayor Spiggle is also Chairman of the Board of Directors for Farmers Bank of Appomattox.

On a motion by Councilmember Wilson, seconded by Councilmember Mayberry, Council voted to send David Garrett, Town Manager also with two representatives of Town Council, namely John Wilson and Marvin Mitchell to discuss with the Farmers Bank President ways to save the façade of the “Darrowby House” building now owned by Farmers Bank. All members present voting aye. Motion carried.

At this time Marvin Mitchell, Vice-Mayor turned the chair back over to Ronald Spiggle, Mayor.

Standing Committee Reports:

Street & Property Committee: Mr. Garrett reported that he had met with County officials last week (January 3, 2006) concerning renovations downstairs. County officials want to know a price for the downstairs renovations. At that time, Mr. Garrett was unable to furnish a price. Since that time he has provided Mrs. Ferguson, County Administrator with an estimate per square foot.

Unfinished Business –

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to set a date and time to have refreshments in recognition of the volunteers at the Visitor's Center. All members present voting aye. Motion carried.

Mr. Garrett will coordinate a date and time for the event at the Appomattox Municipal Building.

New Business –

On a motion by Councilmember Mitchell, seconded by Councilmember McDearmon, Council voted to approve the Battlefield Protection Grant application as presented by Region 2000 Local Government Council. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to approve the 2006 Meeting Schedule for Regular Town Council meetings and Workshop meetings. 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.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, such property being Lots 27 through 33 and Lots 61 through 67 of the Hunter Addition Subdivision currently owned by L. M. Jones and pursuant to § 2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel and briefing 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 Johnson, Mirmiran & Thompson.

Vote: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – 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.

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January 9, 2005

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

Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to authorize Ronald C. Spiggle, Mayor to sign an affidavit as prepared by our town attorney as it relates to the Jones property on Lee Grant Avenue concerning Railroad Avenue. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Bennett, Council voted to adopt a resolution “Making Virginia Safer for Pedestrians” concerning pedestrian safety in crosswalk areas. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 9:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

COUNCIL WORKSHOP – January 24, 2006

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, January 24, 2006 at 7:00 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: N. H. “Jimmy” Mayberry, Joyce B. Bennett, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson and Steven E. Lawson.

Others present: Bob Wilkerson, Mayor, Town of Clarksville, Charles Jones, Councilmember, Town of Clarksville, Jackie Drinkard, Bryan Baine, Jon Montgomery, Chamber of Commerce, Chad Millner, Times Virginian Newspaper, Frank A. Wright, Jr., Town Attorney, Carlton Duck and Derek Norfield, Alive TV Media, David T. Garrett, Jr., Town Manager and Roxanne Paulette, Town Clerk.

Mayor Spiggle called the meeting to order.

On a motion by Councilmember McDearmon, seconded by Councilmember Mitchell, 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, 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 property being property for a welcome center.

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 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.

A discussion ensued between Town Council and representatives of the Chamber of Commerce regarding the Town’s intentions of the Tourism Director’s job duties and responsibilities and how this fits into the Visitor’s Center Coordinator’s responsibilities, the current location of the Chamber of Commerce office in the depot, utilization of the old elementary school and Carver Price Museum. Town Council intends to encourage the Chamber and its efforts to maintain and encourage business members.

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January 24, 2006

Recommended:

The Chamber of Commerce along with National Park Service, Town Council and Board of Supervisors to sit down and discuss the future of the old elementary school. Mr. Garrett will coordinate a meeting.

David Garrett, Town Manager and Frank Wright, Town Attorney gave brief synopsis of the FLSA Exempt and Non-exempt status definitions and criteria needed to meet each status. Council did not make a recommendation of the salary range at this time.

On a motion by Councilmember Bennett, seconded by Councilmember Wilson, Council voted to change the Council meeting of Monday, February 13, 2006 to either February 8, 15 or 16, 2006 depending on which date the Virginia Tourism Council can meet with Council and change the time of the meeting to 6:00 p.m. The Town Clerk will properly advertise and notify all parties. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to adjourn at 8:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

Ronald C. Spiggle, Mayor

REGULAR MEETING – February 13, 2006

A Regular Meeting of the Appomattox Town Council was held on Monday, February 13, 2006 at 7:30 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: John L. Wilson, C. Lewis McDearmon, Jr., Joyce B. Bennett, Steven E. Lawson. Absent: Marvin H. Mitchell and N. H. “Jimmy” Mayberry.

Others present: Chad Millner, Times-Virginian; Derek Norfield, Alive TV; Jeff Fox, Overbey, Hawkins, Selz, & Wright; Frank A. Wright, Jr., Town Attorney; David T. Garrett, Jr., Town Manager; Jeffrey H. Elder, Utility Director; Roxanne W. Paulette, Town Clerk.

Mayor Spiggle called the Regular Meeting of February 13, 2006 to order.

Mayor Spiggle gave an invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Bennett, Council voted to approve the consent agenda of February 13, 2006. All members present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember Lawson, Council voted to change the time of the Council Workshop Meeting on February 28, 2006 to 6:00 p.m. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember McDearmon, Council voted to authorize the Town Manager to advertise a public hearing for an application by Dr. and Mrs. Kenneth A. Powell to abandon a street within the Town of Appomattox known as Poplar Street and appoint a three viewers to view the property described and to report in writing whether in their opinion, any, and if any, what, inconvenience would result if the street described were discontinued and vacated. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to approve the use and waive the fee for the J. Robert Jamerson Memorial Library – Summer Reading Program for the use of Abbitt Park on June 24, 2006. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to approve the use and waive the fee for the Chamber of Commerce and Friday Cheers Committee for use of Abbitt Park on April 21, May 19, July 21, August 18, September 15 and October 13, 2006. All members present voting aye. Motion carried.

Page 2 of 2
February 13, 2006

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted to adjourn at 7:52 p.m. with no further business to come before Council. All members present voting aye. Motion carried.

Roxanne W. Paulette,
Town Clerk

Ronald C. Spiggle,
Mayor

JOINT PUBLIC HEARING – February 21, 2006

A Joint Public Hearing of the Appomattox Town Council and Appomattox County Planning Commission was held on Tuesday, February 21, 2006 at 7:00 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia.

Mr. Johnnie Roark, County Planner opened the public hearing.

Town Council Members present: Marvin Mitchell, C. Lewis McDearmon, Joyce Bennett, John Wilson, Jimmy Mayberry.

Other Town Officials present: Ronald C. Spiggle, Mayor, David T. Garrett, Jr., Town Manager, and Roxanne Paulette, Town Clerk.

Planning Commission Members present: Kevin O'Brien, Steve Conner, Al Sears, Robert Johnson, Shannon Dews, Calvin Tanner, George Almond, Barry Morris, Bryan Baine.

The purpose of the this public hearing was to receive public comments concerning adoption by the Town Council the "Code of the Town of Appomattox", containing ordinances of a general and permanent nature as revised, compiled, consolidated and consisting of Chapters 1 through 195, together with an Appendix, hereafter termed the "Code". The proposed code includes alterations, deletions, additions, etc. to the zoning and subdivision of land ordinances and the levying and imposition of certain taxes. The amendments to the zoning and subdivision sections of the Code are primarily intended to modernize and simplify those sections and bring them into line with current law, rather than creating major substantive changes.

No one from the public audience spoke for or against the above stated purpose.

The public hearing was closed at 7:25 p.m.

Roxanne W. Paulette, Town Clerk

Ronald C. Spiggle, Mayor

WORKSHOP MEETING – FEBRUARY 28, 2006

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, February 28, 2006 at 6:00 p.m. at 210 Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson. Absent: Joyce B. Bennett.

Others present: Bryan Baine, Bobby Swanberg, Chad Millner (Times-Virginian), Aileen Ferguson (Appomattox County Administrator), John Spencer (Assistant Co. Administrator), Jackie Drinkard (Chamber of Commerce), Susan Smead, Ann Miller Andrus, Jennifer Murdock (Dept. of Historic Resources), Carlton Duck and Derek Norfield (Alive TV), Samuel E. Carter, Reed Johnson (National Park Service), David Garrett, Town Manager, Frank Wright, Jr. and Jeff Fox (Overbey, Hawkins, Selz and Wright) and Roxanne Paulette, Town Clerk.

Mayor Spiggle called the meeting of February 28, 2006 to order.

Mayor Spiggle introduced Susan Smead, Ann Miller Andrus and Jennifer Murdock with the Virginia Department of Historic Resources. They appeared before Town Council to present information regarding the Architectural Survey that was conducted approximately 5 years ago, explained the difference between contributing and non-contributing buildings within the survey and how those contributing buildings can apply for tax credits at the state and federal levels for renovations to the buildings.

The Mayor and Town Council thanked them for their presentation.

David Garrett, Town Manager introduced Reed Johnson, Superintendent of the National Park Service. Mr. Johnson appeared before the Town Council to discuss the use of the old elementary school as it pertains to the two rooms in the front right wing proposed to be used as a Visitor’s Center and Chamber of Commerce office. Mr. Johnson explained how he proposed the use of the school in the General Management Plan going to the Department of Interior within the next week. Mr. Johnson described how the Battle of Appomattox Station was discovered and how he intended to link the National Park Service, Historical Park to the site of the Battle of Appomattox Station and how the school could provide for a visitor’s center (site) linking the visitor’s between “Town” and the Historical Park.

The Mayor and Town Council thanked Mr. Johnson for his information.

On a motion by Councilmember Wilson, seconded by Councilmember Lawson, Town Council voted to adopted the following:

CERTIFICATION

TOWN OF APPOMATTOX

OFFICE OF THE TOWN CLERK

I, Roxanne W. Paulette, Clerk of the Town of Appomattox, Virginia, hereby certify that the chapters contained in this volume are based upon the original legislation of a general and permanent nature of the Town Council of the Town of Appomattox, and that said legislation, as revised and codified, renumbered as to sections and rearranged into chapters, constitute the Code of the Town of Appomattox, County of Appomattox, Commonwealth of Virginia, as adopted by ordinance of the Town Council on February 28, 2006.

Given under my hand and the Seal of the Town of Appomattox, County of Appomattox, Commonwealth of Virginia, this 28th day of February, 2006 at the municipal offices of the Town of Appomattox.

Clerk

SEAL

Councilmember Wilson presented the following:

February 28, 2006

Subject: Ordinance Committee Work Plan

Ladies and Gentlemen:

When I joined the Council we agreed that the Town Code, containing all the ordinances, was in need of thorough review and updating which had not been done since the original adoption of the Code in 1968. In February of 2005 we decided that we needed:

- 1. To develop a Vision of what the citizens wanted the Town to become...we needed Goals!*
- 2. Based on this Vision we would then overhaul the Zoning Map for the Town...*
- 3. And following that we would address the Body of Ordinances, modifying, deleting or adding ordinances that would allow Appomattox to be "all it wanted to be!"*

We entered upon a visioning process in cooperation with Virginia Tech. Concurrently we began an update of the Town Code to bring it into compliance with the State Code. This was a logical and necessary first step.

Tonight we are considering the adoption of the updated code that is compliant with State Code.

The Visioning process remains to be completed before we can move forward with updating the Zoning Map.

While the visioning process continues we can address some ordinances that relate to quality of life in Appomattox no matter what Vision of our Town develops.

As chairman of the ordinance committee I propose to develop a list of ordinance subjects to begin the discussion with committee members and interested citizens. Hopefully we can develop a list and a set of priorities that most will agree to and begin to work on them "one ordinance at a time."

By the time we have a visioning process completed we expect to have made significant process with ordinances which will enable us to achieve that Vision.

I would expect the development of a Zoning Map and consideration of ordinances to be a parallel effort that will thereafter be in constant evolution.

Are there any questions or suggestions?

*John L. Wilson
Councilman*

There were no comments, questions or suggestions.
All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to change the meeting time of the Regular Council Meeting on Monday, March 13, 2006 from 7:30 p.m. to 6:30 p.m. All members present voting aye. Motion carried.

On a motion present by Councilmember Mayberry, the Finance Committee recommended setting the starting salary range for the Tourism Director to \$45,000 - \$54,000. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to table item #6 of the agenda – Consideration to enact 70-100 of the Code of the Town of Appomattox. When service connection required until March 13, 2006 regular council meeting. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:30 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

REGULAR MEETING – March 13, 2006

A Regular Meeting of the Appomattox Town Council was held on Monday, March 13, 2006 at 6:30 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Vice-Mayor Mitchell, presiding.

Members present: John L. Wilson, C. Lewis McDearmon, Jr., Joyce B. Bennett, Steven E. Lawson, N. H. “Jimmy” Mayberry. Absent: Mayor Spiggle.

Others present: Geri Granato, J. Patrick Richardson, Steve Galyean, Bobbie Walker, Will Simmons, Virginia Tourism Corporation; Chad Milner, Times Virginian Newspaper; George Watson, Carlton Duck and Derek Norfield, Alive TV; John Montgomery, Don Leslie, Jackie Drinkard, Bill Burke, Lewis Moore, Bryan Baine, Jeff Elder, Jennifer Jamerson-Scruggs, David A. Hawkins, Town Attorney, David Garrett, Jr., Town Manager, and Roxanne Paulette, Clerk.

Vice-Mayor Mitchell called the Regular Meeting of March 13, 2006 to order.

Vice-Mayor Mitchell gave an invocation.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to approve the consent agenda of March 13, 2006 with addition of A-2 Jackie Drinkard, President Appomattox County Chamber of Commerce as requested by Roxanne Paulette, Clerk and the removal of NB-3 Closed Session as requested by David Garrett, Town Manager. All members present voting aye. Motion carried.

Jackie Drinkard, President, Appomattox County Chamber of Commerce appeared before Council to give a quarterly update of the Visitor’s Information Center and outlined the job duties and responsibilities of the Visitor’s Information Center Volunteer Coordinator. Mrs. Drinkard asked that Council strongly consider what it currently takes 1 full time and 1 part time person to do 5 to 7 days a week. The Chamber of Commerce is concerned that tourists (visitor’s) would have too many choices of visitor’s/welcome centers with various information.

At the request of the Appomattox Town Council, Ms. Bobbie Walker, Customer Service and Industry Relations Director; Mr. Will Simmons, Research Director and Mr. Steve Galyean, Senior Tourism Development Specialist, appeared before Council to discuss the committed tourism efforts that the Town of Appomattox is about to embark upon. The above individuals discussed their program and how they are more than willing to help the Town of Appomattox ensure a successful tourism program.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to redirect the Town Attorney to work on the draft ordinance 70-100. When service connection required, as presented and return it for further review on March 28, 2006 at the Council Workshop Meeting. Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Lawson – aye, Wilson – no. Motion carried 4 to 1.

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to approve the abandonment of Poplar Street, as it exists on a drawing upon a plat of survey found recorded in the office of the Clerk of the Circuit Court of Appomattox County, Virginia in Deed Book 65, Page 46 and Deed Book 143, Page 648. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to cover the additional expenses of \$2500.00 to the Town of Appomattox by Draper Aden for the Concord/Appomattox Water System Improvement project. Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Lawson – aye, Wilson – no. Motion carried 4 to 1.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to send the Town Code Section 96-7 and 117-5 of the Code of the Town of Appomattox to the Ordinance Committee for review. All members present voting aye. Motion carried.

Mr. Garrett advised Council that he had met with Fred Jones concerning the wells and septic tanks proposed for the new subdivision on Rt. 642 in Appomattox County. Mr. Jones is willing to meet with the Utility Committee regarding the project. Mr. Garrett will coordinate a meeting of the Utility Committee and Mr. Fred Jones.

Mr. Garrett advised Council of a letter of support needed for the County of Appomattox CDBG application for the development of a Workforce Development Center at Carver-Price School. Mr. Garrett asked Council to consider this item and he would place the item on the next agenda.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to adjourn at 8:05 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Marvin H. Mitchell,
Vice-Mayor

WORKSHOP MEETING – MARCH 28, 2006

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, March 28, 2006 at 7:00 p.m. at 210 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: Chad Millner (Times-Virginian), Aileen Ferguson (Appomattox County Administrator), Samuel E. Carter (Chairman, BOS), Jackie Drinkard (Chamber of Commerce), Representative (Alive TV), Jeff Elder (Utility Director), David Garrett, Town Manager, David Hawkins (Overbey, Hawkins, Selz and Wright) and Roxanne Paulette, Town Clerk.

Mayor Spiggle called the meeting of March 28, 2006 to order.

Mayor Spiggle expressed appreciation on behalf of the Town and Town Council for the Visitor Center Volunteers for all that they do to enhance the visit of tourists/guests to Appomattox.

Discussion was held concerning a boundary line adjustment to include the proposed subdivision owned by Fred Jones off State Route 642, near the Town of Appomattox. The Town Attorney advised that under §15.2-3106-3109, this section authorizes a boundary line adjustment. A period is unknown. The Town Attorney advised that Council determine what area would be included in the boundary line adjustment. In addition, consideration needs to be given to what is it going to cost, what services are going to be provided.

It was the consensus of Council to gather more information regarding the boundary line adjustment.

On a motion by Councilmember Wilson, seconded by Councilmember Lawson, Council voted to amend the Code of the Town of Appomattox, Chapter 96-1, thereof, entitled Definition, to add a definition for Licensed Design Professional. All those present voting aye. Motion carried.

On a motion by Councilmember Wilson, seconded by Councilmember McDearmon, Council voted to amend the Code of the Town of Appomattox, Chapter 96-7, thereof, entitled Erosion and Sediment Control, to change Submission of plans and specifications; required information. All those present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Mitchell, Council voted to amend the Code of the Town of Appomattox, Chapter 190, thereof, entitled Water and Sewer, to add a new section providing for when service connection required. Vote – Bennett-aye, Mayberry-aye, Mitchell-aye, McDearmon-aye, Lawson-aye, Wilson-no. Motion carried.

There was a consensus of Council to have the Town Manager provide a listing of all applications processed in this office on a day to day basis (i.e., water, sewer, zoning) for their information.

Councilmember Lawson gave a brief update on Abbitt Park. It is the intent of the Street & Property Committee to meet within the next two weeks to discuss some ideas for the park.

Mr. Garrett reported that he continues to work with the 2005 Chairperson of the Historic Appomattox Railroad Festival to determine what efforts are being made for the 2006 Historic Appomattox Railroad Festival.

Mr. Garrett reported that DEQ has requested that test wells be drilled at the SBR facility for Nitrate monitoring.

Mr. Garrett advised that he had worked with VDOT and Verizon to bury the overhead lines during the improvements to Church Street. Town crews will only open the trench for the cables.

Mr. Garrett advised that the ad for the Director of Tourism is ready for distribution to area newspaper and websites.

On a motion by Councilmember Bennett, seconded by Councilmember Mitchell, Council voted to appoint Councilmember Mayberry to attend a meeting on March 30, 2006 at the School Board Office relative to gang activity. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adjourn at 8:20 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

REGULAR MEETING – April 10, 2006

A Regular Meeting of the Appomattox Town Council was held on Monday, April 10, 2006 at 7:30 p.m. at the Municipal Building on 210 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: Chad Miller, Times-Virginian; Zack Smith, News & Advance; Dave Hamel, Blue Ridge Selects; Carlton Duck & Derek Norfield, Alive Media TV; Frank A Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Spiggle called the meeting of April 10, 2006 to order.

Mayor Spiggle gave an invocation.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the consent agenda of April 10, 2006. All members present voting aye. Motion carried.

Appomattox Town Council received a presentation from David Hamel, Blue Ridge Selects who provides display racks in Lynchburg & Roanoke and would like to include “Appomattox” for a one year contract of \$150 a month.

Committee Report

- 1) Street & Property Committee – Mr. Lawson reported that he has the plans he wanted for Abbitt Park but does not have all the prices.

Unfinished Business – none

New Business

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to approve a \$5000.00 payment for brochures in accordance with an agreement between the Chamber of Commerce and the Town of Appomattox.

Councilmember Wilson made a motion to table the consideration of taking Clover Lane into the Town’s Roadway System. The motion died for a lack of a second.

On a motion by Councilmember Lawson, seconded by Councilmember Mitchell, Council voted to take Clover Lane into the Town’s Roadway System and approve a resolution for VDOT to include Clover Lane, beginning at an existing VDOT right-of-way to State

Road No. 24, running south, southeasterly direction, 1,320 ft. in distance, and 50' Right-of-Way, into the state roadway system.

Councilmember Mayberry called for the question, meaning to limit debate. On a motion by Councilmember Bennett, seconded by Councilmember Mitchell, Council voted to limit debate. Vote: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Lawson – aye, Wilson – no. Motion carried 5-1.

Vote on original motion: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Lawson – aye, Wilson – no. Motion carried 5-1 to include Clover Lane into the Town Roadway System and present a Resolution to VDOT for inclusion into the state system.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve a Joint Meeting with the County Board of Supervisors for Tuesday, May 30, 2006 at 6:00 p.m. at the Community Center. All members present voting aye.

Town Manager Reports

Encouraged councilmembers to take handout information available from Virginia Rural Water Association. Nancy Carr, Groundwater Specialist for VRWA will be at the April 25, 2006 Council Workshop for a presentation on the Wellhead Protection Program.

Mr. Garrett would like to coordinate a four (4) hour class for council members on Rate Setting & Cost Recovery by Jean Hollaway, Training Manager, Environmental Finance Center. Council gave a general consensus to set up a meeting.

Mr. Garrett gave an update on the Lee-Grant Avenue Sidewalk project.

Mr. Garrett presented information from the Town Attorney on the Boundary Line adjustment.

The county is interested in knowing the outline of the Boundary Line Adjustment.

Mr. Garrett reported that he and Jeff Elder, U. D. had met with Dean Thompson and that a RRF meeting would be held on Wednesday, April 12, 2006 at 6:00 p.m. to elect officers for the 2006 festival.

On a motion by Councilmember McDearmon, seconded by Councilmember Bennett, Council voted to allow a Fire Sprinkler System water connection by Fred Jones at a warehouse on Rt. 24. All members present voting aye. Motion carried.

Mr. Garrett also informed council of the continuing problem of the pump station #2 at the Shoppes of Appomattox. Mayor Spiggle asked Mr. Garrett to use his best judgement in correcting the problem.

Zoning Administrator Reports

Mr. Garrett reminded council of the public hearing on Monday, April 17 at 7:00 p.m. at the Appomattox Community Center for a Conditional Use Permit for Lawson Family LLC for an apartment development between Rose Lane and Plant Drive.

Mr. Garrett expressed a problem in Zoning Ordinance pertaining to unclear definitions of Modular and Manufactured homes and where they were allowed.

The Town Attorney reported the court dates of June 9 & 12, 2006 as additional dates set by Judge Blanton for the Town vs. JMT.

The Town Clerk reported she will be present at the Annual Virginia Municipal Clerk's Conference in Charlottesville, April 19-21, 2006.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 8:37 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

REGULAR MEETING – April 10, 2006

A Regular Meeting of the Appomattox Town Council was held on Monday, April 10, 2006 at 7:30 p.m. at the Municipal Building on 210 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: Chad Miller, Times-Virginian; Zack Smith, News & Advance; Dave Hamel, Blue Ridge Selects; Carlton Duck & Derek Norfield, Alive Media TV; Frank A Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Spiggle called the meeting of April 10, 2006 to order.

Mayor Spiggle gave an invocation.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the consent agenda of April 10, 2006. All members present voting aye. Motion carried.

Appomattox Town Council received a presentation from David Hamel, Blue Ridge Selects who provides display racks in Lynchburg & Roanoke and would like to include “Appomattox” for a one year contract of \$150 a month.

Committee Report

- 1) Street & Property Committee – Mr. Lawson reported that he has the plans he wanted for Abbitt Park but does not have all the prices.

Unfinished Business – none

New Business

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to approve a \$5000.00 payment for brochures in accordance with an agreement between the Chamber of Commerce and the Town of Appomattox.

Councilmember Wilson made a motion to table the consideration of taking Clover Lane into the Town’s Roadway System. The motion died for a lack of a second.

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Road No. 24, running south, southeasterly direction, 1,320 ft. in distance, and 50' Right-of-Way, into the state roadway system.

Councilmember Mayberry called for the question, meaning to limit debate. On a motion by Councilmember Bennett, seconded by Councilmember Mitchell, Council voted to limit debate. Vote: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Lawson – aye, Wilson – no. Motion carried 5-1.

Vote on original motion: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Lawson – aye, Wilson – no. Motion carried 5-1 to include Clover Lane into the Town Roadway System and present a Resolution to VDOT for inclusion into the state system.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve a Joint Meeting with the County Board of Supervisors for Tuesday, May 30, 2006 at 6:00 p.m. at the Community Center. All members present voting aye.

Town Manager Reports

Encouraged councilmembers to take handout information available from Virginia Rural Water Association. Nancy Carr, Groundwater Specialist for VRWA will be at the April 25, 2006 Council Workshop for a presentation on the Wellhead Protection Program.

Mr. Garrett would like to coordinate a four (4) hour class for council members on Rate Setting & Cost Recovery by Jean Hollaway, Training Manager, Environmental Finance Center. Council gave a general consensus to set up a meeting.

Mr. Garrett gave an update on the Lee-Grant Avenue Sidewalk project.

Mr. Garrett presented information from the Town Attorney on the Boundary Line adjustment.

The county is interested in knowing the outline of the Boundary Line Adjustment.

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Mr. Garrett also informed council of the continuing problem of the pump station #2 at the Shoppes of Appomattox. Mayor Spiggle asked Mr. Garrett to use his best judgement in correcting the problem.

Zoning Administrator Reports

Mr. Garrett reminded council of the public hearing on Monday, April 17 at 7:00 p.m. at the Appomattox Community Center for a Conditional Use Permit for Lawson Family LLC for an apartment development between Rose Lane and Plant Drive.

Mr. Garrett expressed a problem in Zoning Ordinance pertaining to unclear definitions of Modular and Manufactured homes and where they were allowed.

The Town Attorney reported the court dates of June 9 & 12, 2006 as additional dates set by Judge Blanton for the Town vs. JMT.

The Town Clerk reported she will be present at the Annual Virginia Municipal Clerk's Conference in Charlottesville, April 19-21, 2006.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 8:37 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

WORKSHOP MEETING – APRIL 25, 2006

The Appomattox Town Council held a Workshop Meeting on Tuesday, April 25, 2006 at 7:00 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: N. H. “Jimmy” Mayberry, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson, Joyce B. Bennett – arrived at 7:40 p.m.

Others present: Nancy Carr, Virginia Rural Water Association; Chad Millner, Times-Virginian; Frank Wright, Jr., Town Attorney, Derek Norfield, Alive Media; Jeff Elder, Utility Director, David Garrett, Town Manager and Roxanne Paulette, Clerk.

Mayor Spiggle called the Workshop Meeting of April 25, 2006 open the meeting with a prayer.

Items added to the agenda:

#8 – Consideration to close a portion of Court Street from Main Street to Morton Lane on Sunday, May 28, 2006 from 1:00 p.m. – 4:00 p.m. for a Memorial Day Ceremony.

#9 – Town Manager to give an update on the Tourism Director position.

#10 – To add under #7 – Closed Motion session to include Tax Map #64A5(A)9.

Mr. Garrett introduced Ms. Nancy Carr, Groundwater Specialist for Virginia Rural Water Association.

On a motion by Councilmember Mitchell, seconded by Councilmember McDearmon, Council voted to approve the 2006 Slate of Officers for the Historic Appomattox Railroad Festival as presented. All members present voting aye. Motion carried. (see attached)

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to approve the application, including the certificate of insurance, for the use of Abbitt Park on May 17, 2006 by the Appomattox Lions Club for the Food Festival. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to table the item of consideration to approve the Lawson Family, LLC, zoning application for conditional use permit and move the item to the Ordinance Committee for review and make a recommendation at the May 8, 2006 Regular Council Meeting. All members present voting aye. Motion carried.

Page 2 of 3
April 25, 2006

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to approve \$4000.00 for Blair Smith to design the pavilion and cover over the stage at Abbitt Park. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Wilson, Council voted to table the definition of Modular and Manufactured Homes and where to allow them in the zoning ordinance and move to the Ordinance Committee for a recommendation at the May 8, 2006 Regular Council Meeting. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Wilson, Council voted to approve the closure of Main Street from Main Street to Morton Lane on Sunday, May 28, 2006 from 1:00 p.m. – 4:00 p.m. for a Memorial Day Celebration. 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) 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, where discussion in the public body, specifically being discussion and consideration of acquisition of an easement across property located in the Town of Appomattox identified as Tax Map #64A5(A)3 and #64A5(A)9.

Vote: Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye, Wilson – aye, Lawson – 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 one 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 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 Wilson, Council voted to appoint a Review Panel for the Director of Tourism to consist of one member from the Virginia Tourism Corporation, the Town Manager and two members of Town Council. All members present voting aye. Motion carried.

Page 3 of 3
April 25, 2006

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to appoint Steve Lawson and Marvin Mitchell as the two Town Council Members to serve on the Review Panel for the Director of Tourism. All members present voting aye. Motion carried.

Mayor Spiggle informed Town Council of the VML Town Section to be held in Appomattox on June 2, 2006 from 11:00 a.m. – 2:00 p.m. Mayor Spiggle asked Council members to advise David or Roxanne by May 26, 2006 if they would like to attend.

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.

Roxanne W. Paulette, CMC

Ronald C. Spiggle, Mayor

REGULAR MEETING – May 8, 2006

A Regular Meeting of the Appomattox Town Council was held on Monday, May 8, 2006 at 7:30 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Joyce B. Bennett, Marvin H. Mitchell, C. Lewis McDearmon, Jr., John L. Wilson, Steven E. Lawson. Absent: N. H. “Jimmy” Mayberry.

Others present: Chad Miller, Times-Virginian; John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, John Brinker, General Manager, Jetbroadband; Rev. Robert Regan, President; Dr. Robert Hinkle, Secretary, Virginia United Methodist Housing Development Corporation; Bryan Baine, Carlton Duck & Derek Norfield, Alive Media TV; A. David Hawkins, Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Spiggle called the meeting of May 8, 2006 to order.

Mayor Spiggle gave an invocation.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to approve the consent agenda of May 8, 2006. All members present voting aye. Motion carried.

Mr. John Brinker, General Manager, Jetbroadband, appeared before council to introduce himself and addressed the acquisition of Nesbe Cable on December 2, 2005.

Rev. Robert Regan appeared before Council to address the conditional use permit submitted by the Lawson Family, LLC for Walter Gum Manor.

Bryan Baine appeared before Council to thank them for their efforts to save the façade of the Darrowby House.

Committee Report

- 1) Street & Property Committee – On a recommendation by Councilmember Lawson, Council voted to expend \$4,650.00 for field measuring \$1650.00 and conceptual drawing \$3000.00 to Hurt & Proffitt, Inc. subcontracted to Dominion 7 by Blair Smith for the Town Office Renovations. All members present voting aye. Motion carried.
- 2) Utility Committee – Gave an update of a Committee Meeting held on May 5, 2006.

3) Street & Property Committee –

On a recommendation by Councilmember Wilson, Council voted to ask a proffer to be include on the site plan for the conditional use permit for the Lawson Family LLC application for Walter Gum Manor to include:

- 1) Screening around dumpster site area
- 2) 24 – 11ft. wide parking spaces with additional 24 spaces on the other side for overflow parking (grass over gravel)
- 3) Landscaping
- 4) Parking lot lighting – directed toward the ground
- 5) Sidewalks to both Rose Lane and Plant Drive

All members present voting aye. Motion carried.

On a recommendation by Councilmember Wilson, Council voted to prepare an ordinance and advertise for a public hearing on the definition of modular homes and where to allow modular homes. All members present voting aye. Motion carried.

Unfinished Business –

On a motion by Councilmember Wilson, seconded by Councilmember Mitchell, Council voted to table UB-1 Consideration to approve an application by the Lawson Family, LLC for a Conditional Use Permit for Walter Gum Manor located between Plant Drive and Rose Lane. All members present voting aye. Motion carried.

New Business –

On a motion by Councilmember Lawson, seconded by Councilmember Mitchell, Council voted to accept the proposal submitted by Hurt & Proffitt, Inc. to install monitoring wells and groundwater testing at the Appomattox Water Reclamation Facility, provided the agreement meets the approval of the Town Attorney. All members present voting aye. Motion carried.

Town Manager Reports –

The Town Manager encouraged Council members to familiarize themselves with the state regulations as set forth by the State Water Control Board for an alternate water source.

The Town Manager also advised Council that he is working with the Town Attorney to draft a facility use agreement to be used specifically between the American Legion and the Town of Appomattox for the street closure already approved by the Town Council and VDOT for a Memorial Day Celebration.

Town Attorney Reports – None

Town Clerk Reports – None

May 8, 2006
Page 3 of 3

Town Mayor Reports – Reminder of the VML Town Section meeting on June 2, 2006 at the Appomattox Town Office. Please advise the Town Manager or Clerk if you plan to attend.

Mayor Spiggle offered congratulations to those newly elected to office and those re-elected along with his best wishes for their term of office.

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted to adjourn at 8:33 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

REGULAR MEETING – June 12, 2006

A Regular Meeting of the Appomattox Town Council was held on Monday, June 12, 2006 at 7:30 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Council Members: Joyce B. Bennett - present, Marvin H. Mitchell - present, C. Lewis McDearmon, Jr. - present, John L. Wilson - present, Steven E. Lawson – present, N. H. “Jimmy” Mayberry - present.

Others present:

Mayor Spiggle called the meeting of June 12, 2006 to order.

Mayor Spiggle gave an invocation.

Mayor Spiggle welcomed Barbara R. Williams, Clerk of the Circuit Court. She administered the oaths of office to the Mayor and Council Members for their terms commencing on July 1, 2006.

On a motion by Councilmember, seconded by Councilmember, Council voted to approve the consent agenda of June 12, 2006. All members present voting aye. Motion carried.

Standing Committee Reports:

- Property & Streets –
- Fire & Safety
- Utility –
- Ordinance –
- Finance –
- Personnel –

Unfinished Business –

On a motion by Councilmember _____, seconded by Councilmember _____, Council voted to approve a Conditional Use Permit according to the site plan for the Lawson Family, LLC for Walter Gum Manor located between Rose Lane and Plant Drive. All members present voting aye. Motion carried.

New Business –

On a motion by Councilmember _____, seconded by Councilmember _____, Council voted to allow an out of town connection for John H. Giuliano on 3816 Pumping Station Road due to emergency conditions regarding the well on the property. All members present voting aye. Motion carried.

On a motion by Councilmember _____, seconded by Councilmember _____, Council voted to reduce the salary of the Mayor to

REGULAR MEETING – JUNE 12, 2006

The Appomattox Town Council held a Regular Council Meeting on Monday, June 12, 2006 at 7:30 p.m. at the Municipal Building located on 210 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. Absent – Steven E. Lawson.

Others present: David T. Garrett, Jr.- Town Manager, Frank A. Wright, Jr. - Town Attorney, Derek Norfield – Alive Media TV, Carlton Duck – Alive Media TV, Lester & Susan Wagner, Jennifer Jamerson-Scruggs, Patsy G. Wilson, Barbara R. Williams and Roxanne Paulette, Clerk.

Mayor Spiggle called the meeting of June 12, 2006 to order.

Mayor Spiggle gave an invocation.

Mayor Spiggle welcomed Barbara R. Williams, Clerk of the Circuit Court, Appomattox County to the meeting. Mrs. Williams administered the oath of office to John L. Wilson, Mayor-elect, N. H. Mayberry, Joyce B. Bennett, Jennifer Jamerson-Scruggs, C. Lewis McDearmon, Jr. – Council members-elect for a two year term of office commencing July 1, 2006. Council members-elect Steven E. Lawson was administered the oath of office on June 9, 2006 and John T. “Plicky” Williams will need to be administered the oath before June 30, 2006. Mayor Spiggle thanked Mrs. Williams for her diligent service.

On a motion by Councilmember Mayberry, seconded by Councilmember Mitchell, Council voted to approve the consent agenda of June 12, 2006 as presented. All members present voting aye. Motion carried.

There were no public comments.

There were no appearances.

The minutes of standing committee reports were accepted.

Unfinished Business –

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to approve the application for a Conditional Use Permit by the Lawson Family, LLC for Walter Gum Manor located between Plant Drive and Rose Lane as submitted. All members present voting aye. Motion carried.

New Business –

On a motion by Councilmember McDearmon, seconded by Councilmember Wilson, Council voted to approve an out of town water connection for John H. Giuliano on 3816 Pumping Station Road. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to table the discussion and consideration regarding the salary/compensation for the Mayor's position to the June 27, 2006 Workshop Meeting. Vote – Bennett – aye, Mayberry – aye, Mitchell – aye, McDearmon – aye. Wilson – abstained.

Mayor Spiggle presented a letter from Delegate Watkins M. Abbitt, Jr., concerning the pavilion at Abbitt Park. The Walter Payne Foundation, which the Watkins M. Abbitt Memorial Park received a \$5,000 grant in September 2005, would like an update. The Town Manager will follow up with a letter to Mr. Crawley, administrator of the Foundation.

Mr. Garrett advised Council of Mr. Lawson's efforts regarding the pavilion at Abbitt Park and discussed several scenarios of designs and prices. He also advised Council of material and labor costs associated with other various projects at the park, such as, a concrete slab at the porta-johns, a sidewalk to the porta-johns from the existing sidewalk, the cover over the stage, larger dance pad, sidewalk replacement including brick edging on Main Street. Mayor Spiggle and Councilmember Wilson both expressed concerns of design since the park is located in the downtown area.

Mr. Garrett gave an update on the DMV Lease Agreement and Town Office Floor Plans. These items along with the letter received from William A. Burke will be discussed at the June 27, 2006 Workshop Meeting.

Mr. Garrett advised Council that the Friday Cheers event on June 16, 2006 has been moved from Courtland Field to Abbitt Park due to staging conflicts for the band.

Mr. Garrett informed Council that he is working with Aileen Ferguson, County Administrator to set up a joint meeting between the Board of Supervisors and Town Council to discuss the Draper-Aden Water Report and Services Areas for Water and/or Sewer.

Mr. Garrett was asked to give an update on the Director of Tourism. Mr. Garrett informed Council that interviews are scheduled for June 19, 2006 with 5 applicants and he intends to have a recommendation by the June 27, 2006 Workshop Meeting.

Frank A. Wright, Jr., Town Attorney gave an update on the JMT case.

On a motion by Councilmember Mayberry, seconded by councilmember Wilson, Council voted to adjourn at 8:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Ronald C. Spiggle, Mayor

Council Workshop – June 27, 2006

The Appomattox Town Council held a workshop meeting on Tuesday, June 27, 2006 at 7:00 p.m. at the Municipal Building located on 210 Linden Street, Appomattox, Virginia with Mayor Spiggle, presiding.

Members present: Steven E. Lawson, John L. Wilson, Norman H. Mayberry, Joyce B. Bennett. Absent: C. Lewis McDearmon, Jr. and Marvin H. Mitchell.

Others present: Samuel Carter, Laura Guthrie, Tom Conrad, Willie Craft, Jeff Elder, John & Mary Williams, Jennifer Jamerson-Scruggs, Chad Millner, Times Virginian, Buddy Conner, Bill Slagle, Walter Hancock, Wayne Lewis, Derek Norfield, Charles Garrett, David Garrett, Town Manager, Frank Wright, Town Attorney, Roxanne Paulette, Town Clerk.

Mayor Spiggle opened the workshop meeting and welcomed everyone.

Mayor Spiggle took a few moments to thank the citizens of the Town of Appomattox.

Mayor Spiggle added to the agenda:

Members of the Economic Development Authority (EDA) to appear before the Council.

Bill Slagle, Wayne Lewis, Walter Hancock and Buddy Conner shared with Town Council why the EDA believes the waterline from Concord provides the best alternative to a reliable water source and why a Public Service Authority should be formed.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to adopt the following resolution:

**AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN
COUNCIL ADOPTING THE FISCAL YEAR 2006-2007 BUDGET FOR THE
TOWN OF APPOMATTOX, VA.**

SECTION I:

WHEREAS, Section 5-72, 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 2006-2007 Budget was published on May 31, 2006 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 Monday, June 12, 2006;

SECTION III:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Regular Council Meeting on June 27, 2006, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2006-2007;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	40,950.
Administrative Department	364,200.
Professional	67,500.
Commissioner of Revenue	9,250.
Police Department	49,248.
Tourism Department	139,800.
Fire Department	46,000.
Street Department	278,600.
Sanitation Department	73,500.
Property Maintenance & Construction	84,800.
Town Shop	15,500.
Donation/Contributions	10,000.
Zoning	6,450.
Town Office	59,000.
TOTAL GENERAL FUND EXPENSES	1,244,798.

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,

BE IT FURTHER RESOLVED, in accordance with the requirements set forth in Section 58.1-3524(C)(2) and Section 58.1-3912(E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503.E (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle situated within the Town commencing January 1, 2006, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;
- Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 49% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 49% tax relief on the first \$20,000 of value; and
- All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.
- In accordance with Item 503.D.1., the entitlement to personal property tax relief for qualifying vehicles for tax year 2005 and all prior tax years shall expire on September 1, 2006. Supplemental assessments for tax years 2005 and prior that

are made on or after September 1, 2006 shall be deemed “non-qualifying” for the purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the tax assessable.

SECTION V:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2006-2007;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	155,000.
Current Taxes – Personal Property	120,000.
Bank Stock Tax	80,000.
Meals Tax	300,000.
Lodging Tax	30,000.
Franchise Tax	6,500.
Consumption Tax	9,000.
Town Tags	30,000.
Business License	50,000.
Zoning	1,200.
Insurance Dividends	100.
Interest	20,000.
Rental of Misc. Property	45,000.
Alcohol Profits	3,500.
Motor Vehicle Tax	3,000.
Sales Tax	32,000.
Aid to Police Department (HB599)	49,248.
Fire Programs	6,000.
Certificates of Deposit	123,000.
Miscellaneous	100.
Use of Beginning Balance	181,150.
TOTAL GENERAL FUND REVENUES	1,244,798.

SECTION VI:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2006-2007;

WATER AND SEWER FUND; EXPENDITURES BY CATEGORY:

Water Department	498,850.
TOTAL WATER EXPENDITURES	498,850.

SECTION VII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Revenue estimates for Fiscal Year 2006-2007;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	340,000.
Connection Fees	3,500.
Penalty Fees	4,800.
Availability Fees	3,500.
Interest	2,500.
Reconnect Fees	2,000.
Insurance Dividends	100.
Appropriated Revenue from the General Fund	25,000.
Beginning Balance of Certificate of Deposit	19,000.
Use of Beginning Balance	98,450.
TOTAL WATER REVENUES	498,850.

SECTION VIII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2006-2007;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	1,129,831.
TOTAL SEWER EXPENDITURES	1,129,831.

SECTION IV:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2006-2007;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	481,300.
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	48,000.
Appropriated Revenue from the General Fund	100,000.
Beginning Balance of Certificate of Deposit	202,000.
Use of Beginning Balance	199,858.
TOTAL SEWER REVENUES	1,129,831.

SECTION X:

BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2006-2007 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 2006-2007 is hereby adopted, effective July 1, 2006 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 27th of June, 2006.

All members present voting aye. Motion carried.

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

A RESOLUTION ESTABLISHING A WATER AND SEWER POLICY FOR FISCAL YEAR 2006-2007

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 2006-2007 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 2006-2007, the fee listed in the lawfully adopted regulation, resolution or ordinance of the Town of Appomattox for the Fiscal Year 2006-2007 shall apply:

USER RATES

Water

In Town - \$6.35/month with 2000 gallon allowable metered sales

In Town - \$5.54/1000 gallons for all consumption above 2000 gallons

Out of Town - \$12.70/month with 2000 gallons allowable metered sales

Out of Town - \$11.10/1000 gallons for all consumption above 2000 gallons

Sewer

In Town - \$9.10/month per Equivalent Residential Connection (ERC)

In Town - \$7.25/1000 gallons for all metered water consumption

Out of Town - \$18.20/month per Equivalent Residential Connection

Out of Town - \$14.50/1000 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 **2.0**.

WATER FACILITIES - AVAILABILITY FEES

The purpose of the availability fees is to defray the continuing cost of providing water treatment, transmission mains, pumping stations, storage facilities, sewage treatment, sewer collection, and other capital items.

The charge for availability fee for water and sewer service shall be made for each new service in accord with the following schedule.

	WATER	SEWER
1. Single Family Dwelling	\$1200.00	\$1900.00
2. Multi-Family, per family unit (Duplexes, condominiums, town-houses, apartments & mobile homes) *Per family unit is considered separately	\$1200.00	\$1900.00
3. Motel (per unit or room) (excluding on-site laundry)	\$300.00	\$500.00
4. Restaurants (per seat)	\$100.00	\$200.00

5. Laundromats (per machine)	\$900.00	\$1200.00
6. Nursing Homes (per bed)	\$400.00	\$500.00
7. Homes for the age (per bed)	\$300.00	\$400.00
8. Hospitals (per bed)	\$600.00	\$900.00
9. Doctor's Office (per patient bed)	\$400.00	\$500.00
10. Theaters, drive in type (per car)	\$40.00	\$50.00
11. Theaters, auditorium type (per seat)	\$40.00	\$50.00
12. Picnic areas (per person & park capacity)	\$40.00	\$50.00
13. Camps, resorts, overnight (per site)	\$40.00	\$50.00
14. Luxury camps with flush toilets (per camp site)	\$200.00	\$300.00
15. 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.		

Availability charges for any water or sewage use not classified above shall be based on an equivalent residential use (ERU) determination by the Town Manager. Each ERU determined shall be assessed a charge of \$1200.00 per ERU for water and/or \$1900.00 respectively. The ERU determination shall be based on the building or premise water use for existing users, and on projected use or discharges for new users. Projected use or discharges shall be estimated utilizing design analysis and/or records of similar uses. All projected ERU determinations discharge to determine the accuracy of the ERU determination. If the ERU determination was high, the Town will refund the availability fee overpayment. Should any building use change placing a greater demand on the water or sewer system, additional availability fees may be assessed by the Manager based on the additional demand, with full credit given for availability fess already paid.

D. Account Charge - \$10.00

The purpose of this charge is to defray the cost incurred in establishing the new customer account.

E. 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.

F. 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 \$50.00 and the past due bill and penalty must be paid prior to service being restored. When restoration of service is then requested, the past due bill, penalty and reconnection charge (availability charge) will be due before service is restored.

G. 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.

H. 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.

I. Out-of-Town Customers - For all out-of-town customers, the above rates and charges shall be multiplied by a factor of 2.0.

- J. 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.
- K. 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 2006-2007 is hereby adopted, effective July 1, 2006 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 27th day of June 2006.

All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to refer a request by the Appomattox County Public School to include the new Appomattox Elementary School in the "in-town" rates on water and sewer rather than the current "out-of-town" rates for water and sewer to the Utility Committee. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to table the item of Discussion/Consideration of the Mayor's Salary/Compensation to the July 10, 2006 Council Meeting. All members present voting aye. Motion carried.

Councilmember Lawson presented on behalf of the Street & Property Committee details of the Street & Property Committee of June 20, 2006.

On a recommendation by Councilmember Lawson, Chairman of the Street & Property Committee, Council voted to accept the following recommendations:

1. The plan of Abbitt Park as presented and proceed with the work at a cost not to exceed \$54,000.00,
2. The Town Welcome Sign design and proceed with the project at a cost per sign of 7,000 installed.
3. The lease agreement for the DMV space beginning July 1, 2006 as presented.

4. Option #5 of the Town Office Renovations, authorize Blair Smith to design the roof according to Option #5 including changes to the front/side entrance.
5. To expend the necessary funds to repair the roof over the last two bays (over the Town Manager's Office, storage room and DMV).

All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to along with the County of Appomattox, secure more information on the Concord waterline including more information on the PSA. Aye – Bennett, Mayberry, Lawson, No – Wilson. Motion carried – 3 to 1.

David Garrett gave an update on the North Avenue sewer line project.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, 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 consideration of a prospective candidate for employment with the Town of Appomattox, specifically being Applicant A.

Vote: Bennett – aye, Mayberry – 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, Wilson – aye, Lawson – aye.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adjourn at 9:16 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Ronald C. Spiggle,
Mayor

REGULAR MEETING – July 10, 2006

The Appomattox Town Council met in regular session on Monday, July 10, 2006 at 7:30 p.m. at the Municipal Building located at 210 Linden Street, Appomattox, Virginia with Mayor John Wilson, presiding.

Members present: Steve Lawson, Jennifer Jamerson-Scruggs, John T. Williams, C. Lewis McDearmon, Jr., Norman H. Mayberry, Joyce B. Bennett.

Others present: Carlton Duck, Derek Norfield, Alive Media; Chad Millner, Times Virginian; David Garrett, Jr., Town Manager; Dr. Revell Hicks, Galilee Baptist Church; Barbara Hicks, Jackie Davis, Stephen Gafford, Leon Lawing, Frank Wright, Town Attorney; and Roxanne Paulette, Town Clerk.

Mayor Wilson called the meeting to order.

Dr. Revell Hicks, Galilee Baptist Church gave an invocation.

Mayor Wilson welcomed everyone to the meeting.

Consent Agenda –

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the consent agenda of July 10, 2006 as presented. All members present voting aye. Motion carried.

Mayor Wilson gave a brief introduction of comments regarding his roles and duties as Mayor.

Public Comments – none

Appearance – none

Standing Committee Reports –

Mayor Wilson advised Council members that the Standing Committee assignments will be available from the Town Clerk on Tuesday morning, July 11, 2006.

Mayor Wilson asked Council members of their desire for the Town to continue to exist.

Lawson – Believes in the continuation of the Town's existence and wants a retreat of council.

Scruggs – Believes in the continuation of the Town and believes it is important.

Williams – Believes the Town should exist.

McDearmon – Believes the Town should continue to exist.

Bennett – Indicated she had given the mayor a list and wants the Town to continue to prosper and believes a retreat is a good idea to explore vision and set priorities.

Mayberry – Believes in the Town and in order to prosper and grow we will need revenue. He is also in agreement of a retreat.

Mayor Wilson – Believes in the Town and believes the retreat is a good idea and asked the Town Attorney for legal advise of a retreat.

Frank Wright responded that Town Council does have to comply with public notification and the Freedom of Information Act will apply.

On a motion by Councilmember Lawson, seconded by Councilmember Bennett, Council voted to investigate the practicality and details of having a retreat to discuss town visions and purposes. All members present voting aye. Motion carried.

Unfinished Business –

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to refer the item of the Mayor's salary/compensation to the Finance Committee to come back with recommendations of other small towns for the roles and responsibilities of the Mayor. All members present voting aye. Motion carried.

New Business –

Councilmember Scruggs made a motion by nominating C. Lewis McDearmon, Jr. for Vice-Mayor, seconded by Councilmember Williams, nominating Steven E. Lawson for Vice-Mayor, Council voted for only candidate by voice vote, McDearmon – 4 ayes, Lawson – 2 ayes. Motion carried, Councilmember McDearmon is the Vice-Mayor for the term expiring June 30, 2006.

On a motion by Councilmember Lawson, seconded by Councilmember Williams, Council directed staff to advertise for the position available of Town Representative to serve on the Planning Commission, as no council member wishes to serve at this time. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to ask the Chairpersons of the Finance Committee and the Utility Committee to gather any additional information the Town Manager may have received since the workshop meeting of June 27, 2006 regarding the Concord Water Line and formation of the PSA and if deemed necessary by the Chairpersons of those committee call a committee meeting of their respective committees before the July 25, 2006 Council workshop meeting to study the information. All members present voting aye. Motion carried.

Town Manager Reports –

1. Beckie Nix has been hired as the Tourism Director and will begin on July 17, 2006.
2. The sidewalk project on Lee Grant Avenue is approximately 80% complete.

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July 10, 2006

3. Mayor Wilson has agreed to serve on the Region 2000 Local Government Council board.

Town Council gave a consensus to removing the banister (railing) in Council Chambers.

Town Attorney – none

Town Clerk – The Financial Audit Report – ending June 30, 2005 is available.

Lastly, the Mayor reported that a State of the Town report would come later.

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

Roxanne W. Paulette, CMC

John L. Wilson, Mayor

WORKSHOP MEETING – July 25, 2006

The Appomattox Town Council held a Workshop Meeting on Tuesday, July 25, 2006 at 7:00 p.m. at the Municipal Building located on 210 Linden Street, Appomattox, Virginia with Mayor John Wilson, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr.

Members absent: John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson.

Others present: Chad Millner, Times Virginian; Jeff Elder, Utility Director; David Garrett, Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Wilson called the meeting of July 25, 2006 to order.

The Clerk noted that only three (3) of the six (6) members were present. The Mayor cited Code Section 5-10 of the Code of the Town of Appomattox, leaving the meeting open for 30 minutes.

The Mayor closed the meeting at 7:30 p.m. due to the lack of a quorum.

The next regularly scheduled meeting of the Appomattox Town Council is Monday, August 14, 2006 at 7:30 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia.

Roxanne W. Paulette, CMC

John L. Wilson, Mayor

REGULAR MEETING – August 14, 2006

The Appomattox Town Council met in regular session on Monday, August 14, 2006 at 7:30 p.m. at the Municipal Building located at 210 Linden Street, Appomattox, Virginia with Mayor John Wilson, presiding.

Members present: Steve Lawson, Jennifer Jamerson-Scruggs, John T. Williams, C. Lewis McDearmon, Jr., Norman H. Mayberry. Absent: Joyce B. Bennett.

Also present: Rev. Bruce Johnson, Memorial United Methodist Church, Carlton Duck, Alive Media; Chad Millner and Marvin Hamlett, Times Virginian; David Garrett, Jr., Town Manager; Frank Wright, Town Attorney; Beckie Nix, Director of Toursim, Roxanne Paulette, Town Clerk. (See attached sign in sheet)

Mayor Wilson called the meeting to order.

Rev. Bruce Johnson, Memorial United Methodist Church gave an invocation.

Mayor Wilson welcomed everyone to the meeting.

Consent Agenda –

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to approve the consent agenda of August 14, 2006 as presented. All members present voting aye. Motion carried.

Mayor Wilson stated the rules of the public comments section of the meeting. Individuals wishing to speak should approach the podium, state their name and address and would be allowed three (3) minutes.

Mr. Tom Conrad – 682 Acorn Drive – Walton Place Subdivision – spoke regarding the recent increase in water rates. He is opposed to the rates and would appreciate consideration given to adjusting them.

Mr. Cecil May – 754 Acorn Drive – Walton Place Subdivision – stated his bill had taken a 228% increase. He suggests appointing or allowing someone from the subdivision to *meet with* the town's utility committee to discuss the issue.

Mr. Robert Pankey – 166 Walnut Circle – Walton Place Subdivision – gave a history of the water system in Walton Place Subdivision – he feels they have *no* one to negotiate the out of town rates – he stated that the rates have increased 200% in the last 2 years, while his retirement increased has only been 3 or 4%.

Mr. Howard Gregory – 585 Walton Drive – Walton Place Subdivision – asked Council to use the “Golden Rule” approach and take a look at this very closely.

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August 14, 2006

Ms. Wendy Oliveri – 433 Walton Drive – Walton Place Subdivision – stated that the increase in water rates has created a great hardship – the water bill is now as much as her electricity or cable bill.

Mayor Wilson also acknowledged that he had received e-mails from Mr. and Mrs. Archer and Mr. Pankey.

Mayor Wilson also stated that *he* thinks the water rates should be looked at again.

Appearance – Mrs. Beckie Nix, Director of Tourism, appeared before Council to present the Proposal for the Department of Tourism – August 2006.

Standing Committee Reports –

Finance Committee – Chairman Scruggs informed the Council that the Finance Committee had met regarding the Appomattox County Public School system’s request regarding the out of town water rates.

No action was taken, since the Committee will revisit the water rates.

Street & Property Committee – Chairman Lawson reported on office renovations, Abbitt Park and the sidewalk project on Lee Grant Avenue.

Utility Committee – no meeting
Fire & Safety Committee – no meeting
Ordinance Committee – no meeting
Personnel Committee – no meeting

Unfinished Business –

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to leave the issue of the Mayor’s Salary/Compensation in the Finance Committee until the committee has a recommendation. All members present voting aye. Motion carried.

New Business –

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council moved to appoint members to a joint committee created by the County Board of Supervisors to explore the details of the waterline from Concord to Appomattox.
Vote: McDearmon – aye, Mayberry – aye, Williams – no, Scruggs – no, Lawson – no.
Motion failed 3-2.

Page 3 of 3
August 14, 2006

David Garrett, Town Manager informed Council that the VML/Robinson, Farmer, Cox Associates water/sewer rate study proposal is estimated to cost \$10,000.

Councilmember Lawson expressed a desire to have a Street & Property Committee meeting regarding the DMV Lease Agreement.

David Garrett, Town Manager will work with Mr. Bob Gay, Virginia Rural Water Association to arrange for a Council Long Range Planning Session on Saturday, September 9, 2006.

On a motion by Councilmember Mayberry, seconded by Councilmember Scruggs, Council voted to send the request of the Director of Tourism for the Town of Appomattox for additional funding to the Finance Committee with a report by August 29, 2006. All members present voting aye. Motion carried.

Mayor Wilson reported that the Hazardous Mitigation Plan council adopted on May 23, 2006 *was accepted and the Town* is now eligible for funding for the next 5 years.

Town Attorney – none

Town Clerk – none

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 9:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

John L. Wilson, Mayor

REGULAR MEETING – August 14, 2006

The Appomattox Town Council met in regular session on Monday, August 14, 2006 at 7:30 p.m. at the Municipal Building located at 210 Linden Street, Appomattox, Virginia with Mayor John Wilson, presiding.

Members present: Steve Lawson, Jennifer Jamerson-Scruggs, John T. Williams, C. Lewis McDearmon, Jr., Norman H. Mayberry. Absent: Joyce B. Bennett.

Also present: Rev. Bruce Johnson, Memorial United Methodist Church, Carlton Duck, Alive Media; Chad Millner and Marvin Hamlett, Times Virginian; David Garrett, Jr., Town Manager; Frank Wright, Town Attorney; Beckie Nix, Director of Toursim, Roxanne Paulette, Town Clerk. (See attached sign in sheet)

Mayor Wilson called the meeting to order.

Rev. Bruce Johnson, Memorial United Methodist Church gave an invocation.

Mayor Wilson welcomed everyone to the meeting.

Consent Agenda –

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to approve the consent agenda of August 14, 2006 as presented. All members present voting aye. Motion carried.

Mayor Wilson stated the rules of the public comments section of the meeting. Individuals wishing to speak should approach the podium, state their name and address and would be allowed three (3) minutes.

Mr. Tom Conrad – 682 Acorn Drive – Walton Place Subdivision – spoke regarding the recent increase in water rates. He is opposed to the rates and would appreciate consideration given to adjusting them.

Mr. Cecil May – 754 Acorn Drive – Walton Place Subdivision – stated his bill had taken a 228% increase. He suggests appointing or allowing someone from the subdivision to *meet with* the town's utility committee to discuss the issue.

Mr. Robert Pankey – 166 Walnut Circle – Walton Place Subdivision – gave a history of the water system in Walton Place Subdivision – he feels they have *no* one to negotiate the out of town rates – he stated that the rates have increased 200% in the last 2 years, while his retirement increased has only been 3 or 4%.

Mr. Howard Gregory – 585 Walton Drive – Walton Place Subdivision – asked Council to use the “Golden Rule” approach and take a look at this very closely.

Page 2 of 3
August 14, 2006

Ms. Wendy Oliveri – 433 Walton Drive – Walton Place Subdivision – stated that the increase in water rates has created a great hardship – the water bill is now as much as her electricity or cable bill.

Mayor Wilson also acknowledged that he had received e-mails from Mr. and Mrs. Archer and Mr. Pankey.

Mayor Wilson also stated that *he* thinks the water rates should be looked at again.

Appearance – Mrs. Beckie Nix, Director of Tourism, appeared before Council to present the Proposal for the Department of Tourism – August 2006.

Standing Committee Reports –

Finance Committee – Chairman Scruggs informed the Council that the Finance Committee had met regarding the Appomattox County Public School system’s request regarding the out of town water rates.

No action was taken, since the Committee will revisit the water rates.

Street & Property Committee – Chairman Lawson reported on office renovations, Abbitt Park and the sidewalk project on Lee Grant Avenue.

Utility Committee – no meeting
Fire & Safety Committee – no meeting
Ordinance Committee – no meeting
Personnel Committee – no meeting

Unfinished Business –

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to leave the issue of the Mayor’s Salary/Compensation in the Finance Committee until the committee has a recommendation. All members present voting aye. Motion carried.

New Business –

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council moved to appoint members to a joint committee created by the County Board of Supervisors to explore the details of the waterline from Concord to Appomattox.
Vote: McDearmon – aye, Mayberry – aye, Williams – no, Scruggs – no, Lawson – no.
Motion failed 3-2.

Page 3 of 3
August 14, 2006

David Garrett, Town Manager informed Council that the VML/Robinson, Farmer, Cox Associates water/sewer rate study proposal is estimated to cost \$10,000.

Councilmember Lawson expressed a desire to have a Street & Property Committee meeting regarding the DMV Lease Agreement.

David Garrett, Town Manager will work with Mr. Bob Gay, Virginia Rural Water Association to arrange for a Council Long Range Planning Session on Saturday, September 9, 2006.

On a motion by Councilmember Mayberry, seconded by Councilmember Scruggs, Council voted to send the request of the Director of Tourism for the Town of Appomattox for additional funding to the Finance Committee with a report by August 29, 2006. All members present voting aye. Motion carried.

Mayor Wilson reported that the Hazardous Mitigation Plan council adopted on May 23, 2006 *was accepted and the Town* is now eligible for funding for the next 5 years.

Town Attorney – none

Town Clerk – none

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 9:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

John L. Wilson, Mayor

WORKSHOP MEETING – August 29, 2006

The Appomattox Town Council met in workshop session on Tuesday, August 29, 2006 at 7:00 p.m. at the Municipal Building located at 210 Linden Street, Appomattox, Virginia with Mayor John Wilson, presiding.

Members present: Steve Lawson, Jennifer Jamerson-Scruggs, John Williams, Norman Mayberry. Absent: C. Lewis McDearmon, Jr. and Joyce B. Bennett.

Others present: David T. Garrett, Jr., Frank Wright, Town Attorney, Derek Norfield, Carlton Duck, Alive Media TV, Joe Allen, Times Virginian Newspaper, Beckie Nix, Director of Tourism, Members of the Appomattox Anglican Church, Dorothy van Opstal, Roger Slagle, Rick and Ramona Whitehurst, and Roxanne W. Paulette, Town Clerk.

Mayor Wilson called the meeting to order.

On a motion by Councilmember Scruggs, seconded by Councilmember Williams, Council voted to accept the interim changes in line items of the Tourism Department of the General Fund Budget and authorized staff to advertise a public hearing for the amendment of \$95,650.00 in the FY2007 budget. All members present voting aye. Motion carried.

On a motion by Councilmember Williams, seconded by Councilmember Scruggs, Council voted to charge John Paul Porter no more than his highest usage during the last eight (8) months and forgive the balance of his water bill due to a leak at his residence and refer to the Utility Committee a general policy addressing adjustments if it is desired or needed. Vote: Williams – aye, Scruggs – aye, Lawson – no, Mayberry – no. Mayor Wilson voted – aye. Motion carried 3 – 2.

David Garrett, Town Manager advised Council of out of town sewer request by the Appomattox Anglican Church. The request will be forwarded to the Utility Committee for their recommendation.

David Garrett and Steve Lawson, Chairman of the Street & Property Committee advised Council of the Street & Property Committee meeting held on Monday, August 28, 2006 and the items discussed being the DMV Lease Agreement and renovations downstairs, Mayor's Office and Director of Tourism office space renovations (upstairs), and the letter received by the Watkins M. Abbitt Memorial Park Committee regarding some of the renovations to the park. The committee agreed not to move forward with the mound for seating and moving the sign at the entrance.

David Garrett is requesting the Utility Committee meet regarding the request from Gary Warner to connect the Town water system.

Mayor Wilson requested the Fire & Safety Committee meet regarding the Avian Bird Flu Epidemic.

Page 2 of 2
August 29, 2006

Mayor Wilson has requested and Mr. Mayberry has agreed to call an Ordinance Committee Meeting regarding the Town Code Zoning Ordinances, review the Comprehensive Plan and set a visioning plan of the Town of Appomattox.

David Garrett advised Town Council of the need for a low water alarm on the million-gallon tank. The alarm is expected to cost between \$2800-3000.

The design of the pump station at the Shoppes of Appomattox is nearing completion. David is requesting the Utility Committee meet and make a recommendation to council.

David Garrett advised Council that Campbell County Utility Service Authority has informed him that the wholesale water rate is \$1.88 per thousand gallons. The additional information needs to be discussed by the Finance and Utility Committees.

David Garrett reminded Council of the applications received for the vacancy on the Planning Commission. This item will be on the September 11, 2006 agenda for consideration.

David Garrett discussed the Long Range Planning meeting set for Saturday, September 9, 2006. Several council members have conflicts. David will talk with Bob Gay to reschedule.

David gave updates on the North Avenue sewer project, Church Street blacktop and sidewalk project on Ferguson Street.

David will proceed with purchasing the laptop computers for council members.

David also informed Council that Well #9 is not in use – the water table is extremely low.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, Council voted to adjourn at 8:35 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

John L. Wilson
Mayor

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Others present: David T. Garrett, Jr., Frank Wright, Town Attorney, Derek Norfield, Carlton Duck, Alive Media TV, Joe Allen, Times Virginian Newspaper, Beckie Nix, Director of Tourism, Members of the Appomattox Anglican Church, Dorothy van Opstal, Roger Slagle, Rick and Ramona Whitehurst, and Roxanne W. Paulette, Town Clerk.

Mayor Wilson called the meeting to order.

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August 29, 2006

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David also informed Council that Well #9 is not in use – the water table is extremely low.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, Council voted to adjourn at 8:35 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

John L. Wilson
Mayor

REGULAR MEETING – September 11, 2006

The Appomattox Town Council met in regular session on Monday, September 11, 2006 at 7:30 p.m. at the Municipal Building located at 210 Linden Street, Appomattox, Virginia with Mayor John Wilson, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson.

Others present: Chad Millner, Mary Williams, Biff Gilliam, Laura Guthrie, Beckie Nix, Rev. Dr. Calvin Gray, Carlton Duck, Derek Norfield, Timothy Matlack, Pamela Klein, Bill Klein, Marvin Hamlett, Times Virginian; Frank Wright, Town Attorney; David Garrett, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Wilson called the meeting to order.

Rev. Dr. Calvin Gray, New Jerusalem Baptist Church began with a moment of silence in remembrance of September 11, 2001 and then gave an invocation.

Mayor Wilson welcomed everyone to the meeting.

On a motion by Councilmember Williams, seconded by Councilmember Scruggs, Council voted to adopt the consent agenda with grammatical changes noted by Mayor Wilson to the August 14, 2006 minutes (changes in italics) for September 11, 2006. All members present voting aye. Motion carried.

Standing Committee Reports –

Utility Committee – Chairman McDearmon reported that the Utility Committee has not met.

Personnel Committee – Chairman Williams reported that the Personnel Committee met on September 5, 2006 to discuss several issues including an “On-call” policy and compensation package for employees after regular hours, two (2) vacant positions for Utility I positions, part-time positions for the Department of Tourism, and for his benefit as a new council member.

Ordinance Committee – Chairman Mayberry reported that the Ordinance Committee has not met.

Finance Committee – Chairman Jamerson-Scruggs reported that the Finance Committee is continuing to work on the water rates and will meet again on September 21st and October 5th.

Fire & Safety Committee – Chairman Bennett reported that the Fire & Safety Committee has not met but she is aware of the Mayor’s request to meet concerning the Avian Bird Flu, update of the Disaster Plan, Rescue Squad. Chairman Bennett informed the Mayor and Council that she was currently working on a committee to address the needs of the Rescue Squad. Councilmember Lawson brought to the attention of Council that Campbell County has begun citizens charging for rescue services.

Street & Property Committee – Chairman Lawson had a Street & Property Committee meeting on Monday, August 21, 2006 and discussed the DMV Lease Agreement. The DMV responded to David Garrett concerning the DMV Lease Agreement. The first proposal submitted by the committee was rejected by the DMV Select office and was counter offered with \$250.00 per month rent plus utilities for the downstairs portion of space as presented until June 2008.

Mayor Wilson gave an explanation of why it is necessary for the Town to use the upstairs portion of space, having all administrative staff on one floor and why it would be beneficial to the Town to have the DMV office located downstairs. Mayor Wilson reiterated that the DMV has not requested “more space” it is just that the space downstairs “happens to fit”.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to accept the proposal as presented by Laura W. Guthrie, Appomattox DMV Select to lease the downstairs portion of space for \$250.00 per month plus utilities until June 30, 2008. Vote: Bennett, Mayberry, McDearmon, Williams, Jamerson-Scruggs – aye. Lawson – no. Motion carried 5 to 1.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Lawson, Council voted to approve the following resolution:

**AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN
COUNCIL ADOPTING AN AMENDMENT TO THE FISCAL YEAR 2006-2007
BUDGET FOR THE TOWN OF APPOMATTOX, VA.**

SECTION I:

WHEREAS, that the Appomattox Town Council may amend the Fiscal Year 2006-2007 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION II:

WHEREAS, the proposed amendment for the Fiscal Year 2006-2007 Budget was published on August 30, 2006 in the *Times-Virginian*, Appomattox, Virginia, pursuant to Section 15.2-2507, Code of Virginia, and public hearing was subsequently held on the proposed budget on Monday, September 11, 2006;

SECTION III:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Regular Council Meeting on September 11, 2006, does hereby approve the following Amendment to the General Fund Expenditures by Category for Fiscal Year 2006-2007;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Tourism Department	95,650.
TOTAL GENERAL FUND EXPENSES	95,650.

SECTION IV:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Amendment to the General Fund Revenue estimates for Fiscal Year 2006-2007;

GENERAL FUND; REVENUES BY CATEGORY:

Certificates of Deposit	95,650.
TOTAL GENERAL FUND REVENUES	95,650.

SECTION V:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Amendments to the Fiscal Year Budget for 2006-2007 is hereby adopted, effective September 11, 2006 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 11th day of September, 2006.

Vote: Mayberry, McDearmon, Williams, Jamerson-Scruggs, Lawson – aye. Bennett – no. Motion carried 5-1.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to elect Marvin Mitchell as the Town Representative to the Appomattox County Planning Commission with a term expiring June 30, 2008. All members present voting aye. Motion carried.

David Garrett advised the Town Council that he continues to work with the Finance Committee Chairman and Utility Committee Chairman on the information concerning the Concord Waterline.

Mayor Wilson advised the Town Council that the Finance Committee Chairman will make a presentation at the September 26, 2006 Workshop Meeting regarding the Water Rate Amendment. The timeline for amending the water rates effective for the October billing would include a period of advertisement between the September 26th Workshop and October 10, 2006. At which time a public hearing could be held and a decision could be made either on October 10th, before the October billing cycle.

David Garrett advised Council that he has begun a Weekly Council Brief from the Town Manager as a way of keeping Council members informed of weekly events. Mayor Wilson asked that Committee Chairman comments be included in the report. David also advised Council that the Clerk has a three (3) day turn around between minutes and draft copies of the minutes from those meetings. A draft copy will be distributed to all Council members within three (3) days of the date of the meeting.

David Garrett, Zoning Administrator advised Council of two (2) approved zoning applications, one for J. E. Jamerson for the hardware store on Confederate Boulevard and the other for Natour's Grocery for the installation of gas pumps.

David also advised Council that on October 10, 2006 a citizen would be presenting a request for sidewalk renovations on Church Street.

The Town Attorney had no reports.

The Town Clerk had no reports.

The Mayor reminded Council that we all have a lot of work to do. Mayor Wilson also advised Council that at the October 10, 2006 Regular Meeting he would be asking Council to approve and accept Robert's Rules of Order, Simplified & Applied, Second Edition as the rules for Council to follow.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to adjourn at 8:20 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Council Workshop – September 26, 2006

The Appomattox Town Council held a Workshop Meeting on Tuesday, September 26, 2006 at 7:00 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson.

Others present: Derek Norfield, Carlton Duck, Alive Media TV; Marvin Hamlett, Times Virginian; Charles Garrett, Wastewater Plant Operator; Beckie Nix, Director of Tourism; David Garrett, Town Manager; Frank Wright, Town Attorney; Roxanne Paulette, Town Clerk.

Mayor Wilson called the Workshop Meeting to order.

On a motion by Councilmember Lawson, seconded by Councilmember Jennifer Jamerson-Scruggs, Council voted to approve the following resolution:

WHEREAS, the road described below provides access for school bus traffic from State Route T-691 to Appomattox Elementary School, a public school,

WHEREAS, construction of the road is complete and meets standards, deemed by the Department of Transportation, appropriate for the traffic anticipated,

WHEREAS, construction was financed by sources other than those administered by the Virginia Department of Transportation.

WHEREAS, the School Board of Appomattox County and this Council hereby guarantee a right of way of 50 feet and additional drainage and slope easement as necessary for maintenance of the road,

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Appomattox, pursuant to Section 33.1-68, Code of Virginia, request the following road be added to the Secondary System of State Highways,

Name of Road: Kids Place Lane **Length:** 0.04 miles

From: Route T-691 (Lee Grant Avenue)

To: 0.04 mile south of Route T-691

Plat Recorded: **Date:** 01/28/2000 **Plat Cabinet:** #1 **Slide:** 36G

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator of the Virginia Department of Transportation.

All members present voting aye. Motion carried.

Beckie Nix, Director of Tourism gave a brief update of the department's progress during the last several weeks.

- *She stated that the tourism program is moving along at great speed.
- *A couple of groups have requested tourism presentations. One presentation has already been made to the Appomattox Coalition.
- *She met with the Town Manager to discuss options for a website. A website is an absolute must.
- *Finished interviewing and hired five (5) part-time employees for the Visitor's Center.
- *Began training for those employees on Monday, September 25, 2006.
- *Began ordering merchandise and receiving deliveries.
- *Has secured complimentary service for cable and internet access at the depot.
- *Reminded Council of the October 3, 2006 Tourism and Hospitality Seminar and encouraged their attendance.

The Finance Committee Chairperson, Jennifer Jamerson-Scruggs presented a power point presentation to Town Council regarding the water rates, in/out of town. She then asked for input from other members of council. At this time, Council members requested more time to study the power point presentation material.

David Garrett, Town Manager presented a power point presentation to Town Council regarding the impact of the Concord Water Line if the Town of Appomattox considers the venture without the participation of the Appomattox County Board of Supervisors. Town Council thanked Mr. Garrett for the information, however no formal action was taken as a result.

The Utility Committee Chairman, Lewis McDearmon, gave an update of the Utility Committee meeting held on Tuesday, September 19, 2006.

On a motion by Lewis McDearmon, Chairman of the Utility Committee, Council voted to approve the out of town sewer connection for the Appomattox Anglican Church on Route 635. All members present voting aye. Motion carried.

On a motion by Councilmember Williams, seconded by Councilmember Lawson, Council voted to adjourn at 8:35 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

John L. Wilson
Mayor

REGULAR MEETING – October 10, 2006

The Appomattox Town Council met in regular session on Tuesday, October 10, 2006 at 7:30 p.m. at the Municipal Building located at 210 Linden Street, Appomattox, Virginia with Mayor John Wilson, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson.

Others present: Tammy Brown, Wendy Oliveri, Robin Oliveri, Barbara Hudson, Cecil May, Linda Archer, Linda Gregory, Howard Gregory, Bruce Boone, Appomattox Anglican Church, Sarah Watson, News & Advance; Guy Hargrave, Mary Williams, Darrel Puckett, Rev. Rusty Small, Liberty Baptist Church; Carlton Duck, Derek Norfield, Marvin Hamlett, Stephanie James, Times Virginian; Frank Wright, Town Attorney; David Garrett, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Wilson called the meeting to order.

Mayor Wilson welcomed everyone to the meeting.

Rev. Rusty Small, Minister of Youth and Education, Liberty Baptist Church gave an invocation.

On a motion by Councilmember Lawson, seconded by Councilmember Bennett, Council voted to adopt the consent agenda of October 10, 2006 with the addition of NB-2 Consideration to change the council workshop meeting of October 24, 2006 to Thursday, October 26, 2006 and NB-3 Closed Session. All members present voting aye. Motion carried.

Public Comments – none

Appearances – none

Standing Committee Reports –
Utility Committee – none.

Personnel Committee – none.

Ordinance Committee – Chairman Mayberry reported that the Ordinance Committee will meet on Wednesday, October 18, 2006 at 6:00 p.m.

Finance Committee – Chairman Jamerson-Scruggs reported that the Finance Committee met on October 5, 2006 and continued to work on the water and sewer rates.

On a motion by Councilmember Lawson, seconded by Councilmember Williams, Council voted to leave the in town water and sewer rate structure as they were adopted on July 1, 2006 and change the factor of the out of town customers from 2.0 to 1.5, thus reducing the water rates from \$12.70 for the 1st 2000 gallons to \$9.52 for the 1st 2000 gallons and \$11.10 for each 1000 gallons thereafter to \$8.31 for each 1000 gallons thereafter, conditional upon a public hearing. All members present voting aye. Motion carried.

On a recommendation by Chairman Jamerson-Scruggs, the Finance Committee recommended to transfer \$75,000 from line item 10-4700-5511 (GMC Dump Truck) to 31-7000-7090 (Capital Maintenance) to fund the upgrade to the Pump Station at Shoppes of Appomattox. All voting aye. Motion carried.

On a recommendation by Chairman Jamerson-Scruggs, the Finance Committee recommended the Mayor's Salary/Compensation be changed from \$700.00 per month to \$400.00 per month. Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Lawson – aye, Williams – no, Jamerson-Scruggs – no. Motion carried 4-2.

Fire & Safety Committee – none

Street & Property Committee – Mr. Garrett reported on the progress renovations downstairs for the DMV. The renovations should be completed in the downstairs area within the next three weeks.

On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs, Council voted to adopt Webster's New World, Robert's Rules of Order, Simplified and Applied, Second Edition. All members present voting aye. Motion carried.

Town Council asked the Town Manager to meet with the County Administrator to discuss the County's plans in regards to the Concord Water Line.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to award the North Avenue/Patricia Anne Lane Sewer Project to Dunnivant Excavating and Grading, Inc in the amount of \$228,941.00. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs, Council voted to change the October Council Workshop from Tuesday, October 24, 2006 to Thursday, October 26, 2006. All members present voting aye. Motion carried.

On a motion by Councilmember Williams, 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 and briefing 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 Johnson, Mirmiran & Thompson.

VOTE: Bennett –aye, McDearmon – aye, Mayberry – aye, Williams – aye, Jamerson-Scruggs – 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, Williams – aye, Jamerson-Scruggs – aye, Lawson – aye.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson , Council voted to adjourn at 9:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

October 26, 2006 – Council Workshop

A Workshop Meeting of the Appomattox Town Council was held on Thursday, October 26, 2006 at 7:00 p.m. at the Municipal Building located on 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson.

Others present: Bob Gay, Virginia Rural Water Association, Bryan Baine, Barry Morris, Carlton Duck, Derek Norfield, Frank Wright, Town Attorney, David Garrett, Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Wilson called the meeting to order.

The Ordinance Committee presented the Overlay map for the Scenic Corridor District and proposed ordinances. The action plan consists of sending the proposed ordinances and overlay map to the Planning Commission for advertisement of a joint public hearing in the local newspaper and written notification to the affected property owners. The joint public hearing will be held on Monday, November 13, 2006 at the Municipal Building.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to recommend approval of the proposed ordinances and map as shown (during the meeting) to the Planning Commission. All members present voting aye. Motion carried.

Bob Gay, Virginia Rural Water Association presented to Council a planning session. Mr. Gay discussed with Council the importance of a well-managed water system. He also discussed their responsibility to make that a reality. Mr. Gay suggested completing the planning outline distributed in the handouts and get back together somewhere else to exchange ideas. He reminded council that they must decide their future collectively.

Council thanked Mr. Gay for the presentation.

Mr. Garrett reminded Council of the presentation at the Appomattox Community Center on Monday, October 30, 2006 at 7:00 p.m. by Special Agent Mark Campbell of the Virginia State Police.

Also, attached to the agenda material are the proposed changes to the Water/Sewer Policy including the change of the out of town factor as previously discussed at the October 10, 2006 Regular Meeting. The public hearing is being scheduled for Monday, November 13, 2006.

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

Roxanne W. Paulette, CMC

John L. Wilson, Mayor

Regular Meeting – November 13, 2006

A Regular Meeting of the Appomattox Town Council was held on Monday, November 13, 2006 at 7:30 p.m. at 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson.

Others present: Charles Garrett, Hill Jones, Bob Hopkins and Roxanne W. Paulette, Clerk. (For the record – David Garrett and Frank Wright were meeting with the members of the Planning Commission)

Mayor Wilson called the meeting to order and welcomed the visitors.

Councilmember Williams gave the invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to approve the consent agenda of November 13, 2006 as presented. All members present voting aye. Motion carried.

Mayor Wilson reserved the Mayor’s Comments for a later time.

Public Comments – none

Standing Committee Reports –

Fire & Safety – none

Personnel – will meet on November 16, 2006 at 4:30 p.m. at the Town Office

Ordinance – none

Finance – met on November 9, 2006 and will meet again on November 29 and December 13 at 3:00 p.m.

Street & Property – none

Utility – none

On a motion by Councilmember Lawson, seconded by Councilmember Jamerson-Scruggs, Council voted to adopt the amendments to the Water and Sewer Policy as presented during the public hearing effective with the November 2006 billing. All members present voting aye. Motion carried.

Page 2 of 3
November 13, 2006
Regular Meeting

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to move the November 28, 2006 Council Workshop Meeting to Monday, November 27, 2006 at 7:15 p.m. at the Appomattox Community Center and recess and reconvene IF necessary to the Town Office after the joint presentation from the Region 2000 Local Government Council regarding the local and regional water supply plan. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to table NB-2 Consideration to set a planning session at the home of Dr. Matthews at the National Historical Park for discussion in January 2007. All members presented voting aye. Motion carried.

Mayor Wilson gave an update on the Town Office Renovations as being complete by December 8, 2006.

Hill Jones, Hurt & Proffitt gave an update on the Lee Grant Avenue sewer project. George E. Jones & Sons began work today (11/13/06).

The North Avenue and Patricia Anne Lane sewer line replacement project is slated to begin on Monday, November 20, 2006 by Dunnivant & Co. Councilmember Jamerson-Scruggs asked if Dunnivant was a subcontractor for Hurt & Proffitt. Mr. Jones responded by saying no, the project was put out for bid and awarded to Dunnivant by Town Council as they were the lowest bidder.

The Shoppes of Appomattox pump station project has been sent to DEQ for review. DEQ will have had the design of the project for three weeks on Thursday, November 16, 2006. Hurt & Proffitt will contact DEQ after Thursday.

Councilmember Williams inquired if the Town uses the same meter readers each month and what is the cycle for reading the water meters. Roxanne Paulette, Clerk responded by saying no. It varies by employees depending upon workload, vacation, etc. Also, the meters are read approximately every 28 days, however some months have 5 weeks and there are times when there are 34 days in a reading cycle.

Councilmember Williams also inquired about the agenda package. Councilmember Lawson said he had asked a few months before why wasn't the agenda being distributed on Thursday or Friday before a Monday or Tuesday meeting, like it use to be. Roxanne Paulette, Clerk explained to Council the procedure she had been directed to fulfill, by having the agenda package ready for distribution at least one full work week in advance of a meeting.

Page 3 of 3
November 13, 2006
Regular Meeting

Mr. Williams, Mr. Lawson, Ms. Bennett and Mr. Mayberry all stated they thought it was being done a little to early.

[Mr. Garrett and Mr. Wright returned to Council Chambers from the meeting with the Planning Commission].

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, 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 ramifications of accidental discharges of waste which could occur due to the negligent design of the sequence batch reactor basins at the Town's wastewater treatment plant and for the purpose of consultation with legal counsel and briefing 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 Johnson, Mirmiran & Thompson.

VOTE: Bennett – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – 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, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye, Lawson – aye.

It was the general consensus of council not the meet with the Board of Supervisor's on December 11, 2006 unless the Board felt it necessary.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adjourn at 9:20 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Workshop Meeting – November 27, 2006

The Appomattox Town Council held a workshop meeting on Monday, November 27, 2006 at 7:15 p.m. at the Appomattox Community Center with Mayor Wilson, presiding.

Members present: N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. Williams, Steven E. Lawson. Members absent: Jennifer Jamerson-Scruggs, Joyce B. Bennett.

Others present: David Garrett, Jr., Town Manger, A. David Hawkins, Town Attorney and Roxanne W. Paulette, Clerk.

Mayor Wilson opened the workshop meeting.

The purpose of the meeting was to hear a joint presentation from the Region 2000 Local Government Council regarding the local and regional water supply plan.

Mr. Bob White, Region 2000 Local Government Council and representatives from Draper Aden Associates presented the plan.

There were no questions from any council members.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to adjourn at 7:30 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Regular Meeting – December 11, 2006

The Appomattox Town Council met on Monday, December 11, 2006 at 7:30 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, Norman H. Mayberry, John T. Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson. Absent: C. Lewis McDearmon, Jr.

Others present: Beckie Nix (Director of Tourism), Stephanie James (Times Virginian), Sarah Watson (News & Advance), Wes Williams (Grace Hills Baptist Church), Barbara Shelton, Carlton Duck, David Garrett (Town Manager), Frank Wright (Town Attorney), Roxanne Paulette (Town Clerk).

Mayor Wilson called the regular meeting to order.

Wes Williams, Pastor, Grace Hills Baptist Church gave the invocation.

On a motion by Councilmember Williams, seconded by Councilmember Jamerson-Scruggs, Council voted to approve the consent agenda of December 11, 2006 as presented. All members present voting aye. Motion carried.

Mayor Wilson commented the following:

“Ladies and Gentlemen:

We are approaching the end of the calendar year and the conclusion of the first six months of this Council’s service to the Town.

It seems a fitting time to review what we have accomplished, where we are and where we might go if it is the Council’s collective wish.

No one here appreciates more than I the fact that Town policies are decided by you, through your careful consideration and collective vote.

*The past six months has been mostly a time of adjustment to a changed Council....with new members and a new Mayor. Working relationships have been altered by the different personalities, operating styles and ideas about goals and methods.
Some committees have new members and new Chairmen.*

Some of the physical changes deserve mention also. I will remind you of just a few.

- 1. The Sewer line improvements on S. Church St. are complete.*
- 2. Sidewalk and street improvements on Lee Grant have been completed*
- 3. The DMV office is nearing completion and very soon we should begin the construction of Office space for the Mayor and Director of Tourism on this floor.*
- 4. An attractive fence has been placed around the portable toilets in Abbitt Park.*
- 5. We have nearly completed a low water alarm in the million-gallon tank.*

6. *We are in the process of upgrading the sewage pumping station at the Shoppes of Appomattox.*
7. *We have authorized and will soon be working on sewer line upgrades on North Ave.*
8. *Our Council Members have been supplied with laptop computers in keeping with the information age.*

You have wrestled with fundamental policy questions such as the desirability of a Public Service Authority and dependence upon another political jurisdiction for our water supply, In-Town vs Out of Town Rates.

You have boldly acted to create an aggressive Tourism effort and committed to giving it adequate financial support so that we can finally take advantage of our unique history.

You have also acted responsibly by recognizing that we need to develop a vision of what we want the Town of Appomattox to be in the future. You have taken the first steps toward planning for the future of the Town rather than just drifting along and allowing chance to determine the future character of our community.

You have already engaged in the emotionally charged discussions of Overlay Districts, Historic Guidelines, Sign and Landscaping ordinances. Your decisions on these issues will involve political risk and require personal courage.

It is obvious to me that you recognize the Town's potential as a retail hub and major Tourist attraction.

Looming large in our future is the question of how to pay for needed improvements in our water and sewer systems while keeping the rates affordable.

The decisions that face you in the coming year will not be easy. I don't think you should count on many unanimous decisions so the dialogue may become strained or even contentious at times.

If we are to make the kind of progress we need and achieve our potential as a Town, each of you must take a leadership role in developing goals, solutions and recommendations in your committees that you can bring back to the full Council for consideration.

It is imperative that we learn how to quickly resolve conflicts on the basis of fact and reason when possible. When our conflict is a matter of subjective judgment we must see that the issue is fully debated and adequately considered. Following that, however, we must see that the matter is brought to a vote.

When and if a vote is decided by split decision then the losing sides must learn to accept the will of the majority and help make the majority decision work. We must not procrastinate, hoping that the problem will go away.

During the holidays I would like to ask each Committee Chairman to consider three policy matters that in their opinion are most important to the progress and prosperity of the Town. At our January meeting I will ask you for your comments and your suggestions as to how your respective committees can address these issues.

I will pledge to you my full support of carefully studied and logically supported recommendations.

I would like to say that I am proud to have the opportunity to work with you for the betterment of Appomattox and I wish you a Merry Christmas and a Prosperous New Year."

Public Comments – none

Standing Committee Reports

Utility Committee - none

Personnel Committee – Mr. Williams reported that a joint meeting of the Personnel and Fire & Safety Committee would be held on Monday, December 18, 2006 at 6:00 p.m. at the Town Office.

Ordinance Committee –Mr. Garrett will arrange for outside advice on the Overlay District.

Finance Committee – Ms. Jennifer Jamerson-Scruggs reported the following:

On a recommendation by Finance Committee Chairperson Jennifer Jamerson-Scruggs, Council voted to deny the request of the Appomattox County Public Schools to include the new Elementary School on Lee Grant Avenue into the town's in-town utility rate structure rather than the current out of town rate structure. All members present voting aye. Motion carried.

Ms. Roxanne Paulette, Clerk/Treasurer gave a brief update on the Town's current financial condition by outlining the current percentage of revenue collected and expenditures of the FY 2007.

Mr. David Garrett, Town Manager advised Council that he has been working on a six (6) year capital improvement plan. He estimates the Town will need approximately \$3.2 million dollars over the next six years to complete the various projects in water and sewer.

Ms. Jennifer Jamerson-Scruggs reported that the Finance Committee will meet again on December 13, 2006 at 3:00 p.m.

On a motion by Councilmember Scruggs, the Finance Committee recommended to implement a policy to break even in two years in the water and sewer funds with an adjustment of the Consumer Price Index every year thereafter. After much discussion, Ms. Jamerson-Scruggs withdrew the motion to be returned to the Finance Committee, seconded by Ms. Bennett.

On a motion by Councilmember Scruggs, the Finance Committee recommended the amending the Procurement Policy effective December 11, 2006 (see below)

AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Chapter 33, Section 3 (C) 1, 2, 3, 4 thereof, entitled Procurement Policy, Additional methods of procurement, to change the limitations on spending authority and supporting provisions.

Be it ordained by the Council of the Town of Appomattox, as follows:

Section 1. Section 3(C)1, 2, 3, 4 of Chapter 33 of the Code of the Town of Appomattox, entitled, "Additional methods of procurement," shall be amended as follows:

§33-3. Additional methods of procurement.

C. Limitations on spending authority and supporting provisions

- (1) Less than ~~\$2,000~~ *\$5,000*. The Purchasing Agent is authorized to purchase needed items and services with a price of less than ~~\$2,000~~ *\$5,000* without prior approval after taking reasonable steps to ensure competitive pricing given the nature of the item.
- (2) Between ~~\$2,000 and \$5,000~~ *\$5,000 and \$10,000*. The Purchasing Agent, with the prior written approval of the Mayor, Vice Mayor or Chairman of the Finance Committee, and one other Town Council member is authorized to purchase needed items and services with a price between ~~\$2,000 and \$5,000~~ *\$5,000 and \$10,000*, after taking reasonable steps to ensure competitive pricing given the nature of the item, which shall include obtaining a minimum of two informal verbal bids. Any such purchase shall be reported to the Town Council at its next regular meeting.
- (3) ~~Five thousand dollars~~ *Ten thousand dollars* or more. The Purchasing Agent shall obtain prior approval of the Town Council before purchasing needed items and services with a price of ~~\$5,000~~ *\$10,000* or more. The Purchasing Agent shall also take reasonable steps to ensure competitive pricing given the nature of the item, which shall include obtaining a minimum of two informal written bids.
- (4) Exemptions. In the case of any purchase, Council may authorize an exception to the procurement requirements of Subsection C where doing so is deemed appropriate, in the sole discretion of Council.

All members present voting aye. Motion carried.

Jennifer Jamerson-Scruggs and David Garrett, Town Manager advised council of the need to purchase a dump truck to replace the 1989 GMC Dump Truck. The purchase has been made for \$7900.00 for a 1990 GMC Dump Truck. The truck is essential to the curbside leaf collection service provided to town residents.

Fire & Safety Committee – Ms. Joyce Bennett reported that she and David Garrett had attended a seminar in Harrisonburg on December 1, 2006 regarding the Avian Bird Flu. She also would like for the Fire & Safety Committee to study ways to help the number of people who are burdened by the water/sewer rates.

Street & Property Committee – none

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council voted to cancel the workshop meeting for December 2006. All members present voting aye. Motion carried.

Beckie Nix, Director of Tourism reported:

1. Photo/Video production is nearly complete
2. A Full color brochure will soon be available – A Turn of the century walking tour will replace the Historic homes walking tour brochure
3. Pre-package tours (i.e., Southern tour and Civil War tour) will become an option for tourists.
4. She attended with Mr. Wilson and Mr. Mayberry a meeting on “Attracting lodging in your community” to address the lodging needs in Appomattox.
5. She has secured three (3) bids on the Appomattox website – tourappomattox.com

David Garrett, Town Manager reported:

1. Downtown renovations are progressing.
2. North Avenue and Patricia Anne Lane project is underway.
3. S. Church Street/Ferguson Street sidewalk projects with curbing and gutters will begin soon. The Ferguson Street project will require the town to relocate two (2) fire hydrants and manholes. An additional entrance/exit will be installed at the Primary School.
4. The pump station at the Shoppes of Appomattox awaits approval of the Virginia Department of Health or Department of Environmental Quality.
5. The Water Department continues to work on the low water alarm at the million-gallon water storage tank.
6. Approved a burn permit on Plant Drive.
7. Asked Council to consider the method of agenda packages – Computer vs. Paper

David Garrett, Zoning Administrator reported that Walter Gum Manor on Plant Drive/Rose Lane is moving forward with the application process.

Frank Wright, Town Attorney reported that the Court sent out a final letter on December 4, 2006 regarding the JMT case. The order has been drafted and circulated between attorneys.

Roxanne Paulette, Clerk/Treasurer inquired from Council Members their desire to meet jointly with the Appomattox County Board of Supervisor’s during the 2007 regular meeting schedule. Hearing none, the Clerk will inform the County Administrator’s office.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, 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 assignment consideration of a specific public employee of the Town of Appomattox, specifically being Employee A, B, C.

Vote: Bennett – aye, Mayberry – aye, McDearmon – absent, Williams – aye, Jamerson-Scruggs – 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, McDearmon – absent, Williams – aye, Jamerson-Scruggs – aye, Lawson – aye.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adjourn at 9:20 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

John L. Wilson, Mayor

REGULAR MEETING – January 8, 2007

A regular meeting of the Appomattox Town Council was held on Monday, January 8, 2007 at 7:30 p.m. at the Appomattox Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Jennifer Jamerson-Scruggs. Absent: Steven E. Lawson.

Others present: Derek Norfield (Alive TV), Pastor Willie Green (Open Door Christian Church), Stephanie James (Times-Virginian), Frank Wright (Town Attorney), David Garrett (Town Manager), Beckie Nix (Director of Tourism), Roxanne Paulette (Clerk).

Mayor Wilson called the meeting to order.

Pastor Willie Green, Open Door Christian Church gave an invocation.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the consent agenda of January 8, 2007 as presented. All voting aye. Motion carried.

Mayor Wilson gave the “State of the Town Report” dated 1-8-2007

“Ladies and Gentlemen:

Shortly after I took office in July, 2006 I acknowledged that the Code requires that the Mayor communicate to the Town Council annually, or oftener, a general statement of the condition of the Town in relation to its government, finances and improvements, with such suggestions and recommendations as deemed proper.

I felt I needed a little time to become better acquainted with the affairs of the town before communicating my thoughts on the “State of the Town”. While I hope to develop a more comprehensive statement of condition that can be revised annually, for now its probably best to take a less ambitious and more general approach.

My comments are not meant as criticisms, merely my opinions or observations.

Times change! We must change with the times!

The code identifies three areas to be covered by the Mayor’s Reports; they are Government, Finances and Improvements.

GOVERNMENT

First, the state of our Government is generally quite good!

We are fortunate to have Council Members and a Town Staff that loves Appomattox.

While the general condition of our government is good, there is room for improvement.

Villages that do not plan and invest in their future generally do not survive, grow and prosper. We need to improve our planning and investment in our Town.

The Council, and that includes me, also needs to improve it's ability to resolve differences of opinion, to compromise, make decisions and then follow through in a timely manner... we need to cooperate to make split decisions work for the benefit of the Town, even when we voted in the negative.

Hopefully you will quickly move forward with the arrangement of one or more planning sessions, team-building exercises or retreats.

FINANCES

Next, there is the matter of the Town's Financial Condition.

The finances of the Town are in excellent shape for the moment.

The Town has assets of roughly (\$12,000,000) twelve million dollars. We have debts of approximately two million six hundred thousand dollars (\$2,600,000). This is a very favorable... Conservative and prudent. Nearly all of our current liabilities are associated with the Wastewater Treatment Plant.

There are some concerns about the future financial health if we do not make some timely and appropriate changes. *This is not the first time these concerns have been mentioned.*

The Town currently has un-appropriated general, Reserve Funds equal to approximately Five (5) months of Operating Expenses. The amount of Reserve Funds for a Town in a stable economic environment is a matter of "individual comfort level."

Too much money in Reserve is a temptation to politicians who want to keep taxes or user rates artificially low. Too little invites greater disaster if our income should drop dramatically due to the loss of one or more sources of revenue. The plight of nearby Brookneal comes to mind...

In addition, the Water and Sewer funds have appropriated amounts that, lumped together approximately equal next years planned Capital Improvement Projects (2007/2008). In other words, the appropriated savings will be depleted in one year. After that other sources of revenue will have to be found to finances Capital Improvement Projects.

Mr. Garrett has stated that we will need an additional \$2,500,000 over the next six years to replace portions of our aging water and sewer infrastructure. The six-year timeframe is his judgment, supported by the advice of Hurt & Proffitt but subject to review.

I would strongly urge the Utility Committee to critically assess its Capital Improvements Needs based upon a vision of the level and extent of services we plan to provide and the need to replace existing utility features.

Following this I recommend that the Finance committee develop a plan for financing the Capital Improvements with low interest loans. Financing them out of savings is not possible and I think it would be unwise to deplete our general Reserve funds. Although some grants may be available they are not likely to be large and should not affect your decisions.

Future financial planning for the Town should include adjusting tax rates, fees and service charges as necessary to recover operating expenses, including loans and depreciation.

The last item mentioned by the Code is “improvements” which was not defined.

The Council has been routinely advised concerning the physical improvements made.

One of the most significant physical improvements is renovation of the Town office to provide office space for the Director of Tourism and Mayor. As mentioned earlier, replacement of aging water and sewer facilities is a necessity.

Financial improvements are expected from the JMT award. Any proceeds should be dedicated to repair of the problem the lawsuit addressed.

A major improvement is the development of a Tourism Effort. Funding and support for this should continue to enjoy your support.

The Town’s largest single source of revenue is food and lodging taxes. Our current budget expects that revenue to exceed \$300,000 and should grow substantially.

Another improvement is an active effort to attract business. The Town has a unique opportunity to establish Appomattox as a competitive retail hub within a radius of 25 miles of the Town Center.

Establishing the Town as a retail hub I believe will work synergistically with Tourism Development and attract more visitors, shoppers, restaurants and lodging.

Appomattox has a combination of advantages that make us very competitive with political jurisdictions to the West of us. We have History, Rural Setting, Easy Access and less expensive land.

The need to protect and ensure that these advantages continue is so important that I think it would be a mistake not to develop zoning and ordinances to protect them.

An Overlay District is needed to protect the entrance corridors from unrestricted development and “grand-fathering” while zoning and ordinances are developed.

The cumulative time, effort and political will to establish needed protections would take many years, if considered individually. By the time individual ordinances were established the advantages we now enjoy would have disappeared, destroyed by a lack of vision and the absence of a vision for the Town. An overlay district will provide some immediate and temporary protection.

CONCLUSION

I would like to conclude by reminding you that in December I asked you to be prepared to state the “three most important issues” that need your Committee’s attention.

Unlike you, I don’t get to decide policy very often but I am willing to give you my list of most important issues.

First, we must protect the Financial Integrity of the Town.

Second, we need a realistic, achievable vision of “Future Appomattox”, an Overlay District and facilitating ordinances or Zoning.

Third, we need to intensify and broaden our efforts to make Appomattox a shopping hub and a tourism destination.

Thank you for listening... now I would like the Council to hear your list of issues.

*John L. Wilson, Mayor
Town of Appomattox”*

Lewis McDearmon, Chairman of the Utility Committee –

1. Continuously seeking water for the Town of Appomattox
2. Upgrade sewer systems
3. Seek to repair the SBR system before it becomes too expensive

Plicky Williams, Chairman of the Personnel Committee –

1. Strive to have the right people in the right places (Job Placement)
2. Implement supervisory skills for employees (Training)
3. Retain the best people, train them and offer benefit packages (Retention)

Jimmy Mayberry, Chairman of the Ordinance Committee –

1. Contact outside help to establish zoning ordinances for Scenic Overlay District
2. Work on eyesores (Appearances)
3. Adjust services – Do what is best for the Town of Appomattox, its citizens and their needs.

Jennifer Jamerson-Scruggs, Chairman of the Finance Committee –

1. Develop recommended strategy for water and sewer rates (Enterprises Funds) by keeping rates affordable for the user
2. Develop alternate budget or accounting process making it easier to communicate information.
3. Research and approach grants and low interest loans for infrastructure on the six year plan.

Joyce Bennett, Chairman of the Fire & Safety Committee –

1. Crisis Management Study
2. Develop a policy to help the elderly and lower income citizens afford water and sewer rates.
3. Continue relationship with the Fire Department.

Council took 15 minutes to watch the Pandemic Flu video from the Virginia Health Department as recommended by Joyce Bennett.

Ms. Bennett and Mr. Garrett will continue working to show the video in the community.

Committee Reports –

Ordinance – Mr. Garrett is working to set up a meeting with Gary Christie, Executive Director for Region 2000 Local Government Council and Bob Martin, Planner for the City of Lynchburg regarding additional information on the Scenic Overlay District. Once a date is selected the Ordinance Committee encourages all council members and the town representatives of the planning commission to attend.

Personnel – Mr. Williams reported that the committee has met and discussed updating the Employee Handbook. The committee is also working on changes to the on-call policy for hours worked outside of normal work hours.

Finance – Ms. Jamerson-Scruggs reported that the committee has met and discussed pursuing grants and revolving loans for infrastructure maintenance. She and David Garrett will be attending a workshop in February hosted by the Virginia Health Department.

Unfinished Business –

After much discussion, Council agreed by consensus to invite Mr. Bob Gay, Virginia Rural Water Association to the February 2007 Workshop to be held between the hours of 6:30 p.m. – 7:30 p.m. and lasting for approximately 1 to 1.5 hours. At a later time, Council may wish to invite Tyler St. Clair to a meeting to discuss team building, leadership skills and council's official capacity. The Finance Committee may wish to seek some assistance from Jean Holloway from the University of Maryland to discuss operating & capital budget financing.

New Business –

Mr. Garrett asked Council to consider approving, by letter the proposed 2007 Labor Rates for Engineering Services from Hurt & Proffitt, Inc. Council will consider this request at the January Workshop meeting.

Reports –

Director of Tourism –

Beckie Nix reported to Council activities from the month of December 2006 at the Visitor Information Center as well as the Department of Tourism.

Town Manager –

David Garrett updated council on the DMV construction downstairs with a projected relocation date of February 20, 2007. Once the downstairs is complete, Mr. Lawson would like for the Street and Property Committee to revisit the layout of the upstairs portion of the building.

Mr. Garrett updated council on the Pump Station Upgrade at the Shoppes of Appomattox. A pre-bid conference was held on Monday, January 8, 2007 and the bids are due by January 23, 2007.

Zoning Administrator –

The State will be hosting several meetings held in the near future regarding the Erosion and Sediment Control. Mr. Garrett expects to be working with the Ordinances Committee to review and update the Town's Erosion and Sediment Control Plan to make it more uniform across the state.

Town Attorney –

Frank Wright reported that he had talked with David Garrett concerning the on-call arrangements for town employees. With regards to the JMT litigation, the order is being circulated between attorneys.

Town Clerk/Treasurer –

Roxanne W. Paulette, Town Clerk presented the 2007 Meeting Schedule for Town Council meetings and workshops.

Mr. Mayberry asked about the letter from the Chamber of Commerce regarding an appointment to the Chamber's Board of Directors. Mayor Wilson expressed concern regarding a Council Member serving on their Board of Directors. Mayor Wilson advised that Beckie, David and himself would be meeting with the Chamber soon.

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

John L. Wilson, Mayor

Council Workshop- January 23, 2007

A Workshop Meeting of the Appomattox Town Council was held on Monday, January 23, 2007 at 7:00 p.m. at the Municipal Building on 210 Linden Street Appomattox, Virginia with Mayor Wilson, presiding.

Members Present: Joyce Bennett, C. Lewis McDearmon, John T. (Plicky) Williams, Jennifer Jamerson-Scruggs. Absent: Steve Lawson and N. H. (Jimmy) Mayberry.

Others Present: Carlton Duck (Alive Media), Derek Norfield (Alive Media), Stephanie James (Times Virginian), Frank Wright (Town Attorney), David Garrett (Town Manager) and Roxanne Paulette (Clerk).

Mr. Wilson called the meeting to order and welcomed everyone.

Items discussed:

1. Hurt and Proffitt (Engineering Services)

- Hurt and Proffitt services are based on a letter of agreement and not a contract.
- Hurt and Proffitt has assisted the Town in legal and professional services.
- The Town has used the services of Hurt and Proffitt since 1996 and the work has been very satisfying.
- As of 01/01/2007 the Town will be charged under new rates with Hurt and Proffitt.

Council asked several questions:

Jamerson-Scruggs - During the years with Hurt and Proffitt have checks and balances had ever been done to compare fees with others and to check for any errors. David answered and said that in his opinion the rates are very compatible and the Town has a good working relationship with them.

Jamerson-Scruggs - What type of working relationship does that Town have with Hurt and Proffitt and would a rate sheet be available from other engineers to compare prices. David answered and said that the Town is not being charged top rate and he would check with other firms concerning their rate sheets.

David Garrett - If a new Engineering Consultant was requested it may take 2 to 5 years to get to know them and all the information from Hurt and Proffitt may not be transferred. It may be more expensive and time consuming with another company.

Mayor Wilson - Suggested having two available firms and getting their opinions. He stated that if it had been available that the Town may have not had the problem with the SBR Plant and water tank problem.

Plicky Williams - How much money is spent in a year with Hurt and Proffitt? David estimated between \$30,000 – \$40,000, but it all depended on the projects.

Mayor Wilson asked Council of their desire to dispense with the item on the agenda. Joyce Bennett said she thought there would be no voting at a workshop. Council concurred to table the item to the February 12, 2007 Regular Council Meeting.

2. Committee Reports -
(Utility)

Mr. McDearmon reported that the committee had met to discuss the billing of a water customer due to high usage and subsequent charges. He stated that the committee would continue to work on goals.

(Personnel)

Mr. Williams reported that a Personnel Committee meeting would meet in February to discuss a better working atmosphere.

David Garrett reported that the Town is operating under a staff of 15 employees. There is one position that has yet to be accepted by an applicant.

(Fire & Safety)

Ms. Bennett reported that due to the bad weather her meeting had been postponed and that next week she was planning a civic group presentation, where the video will be presented on the Avian Bird Flu Pandemic.

(Finance)

Ms. Jamerson- Scruggs reported that the Finance Committee would be working on the budget and making some adjustments.

(Streets and Property)

David filled in for Lawson to discuss the Town and DMV Office Renovations.

- The DMV Office will be complete and open for business on February 20, 2007.
- The next goal for the DMV is a sidewalk from the Town parking lot to the DMV entrance.
- Phase 1 in the layout that was presented will be the future layout of the Town Office building with new windows and removing the bay doors downstairs and a new roof, which was shown in Option H.
- David stated that the main goal is the look of the Town Office and for it to be more customer friendly.
- The sidewalks on Court Street would be replaced with new ones and David stated that the colored maps were printed to show the sidewalks and black top area.

- David stated that the plan is to have a sidewalk on Court Street that is tied into a sidewalk with the Town Office parking lot that will have curbs and gutters for water drainage. Realizing that some residents and customers will take shortcuts between the sidewalk and doorways, stepping stones will be added.
- The goal is to renovate the DMV and move the Water Department to that location and relocate the Town Manager, Mayor, Conference Room and the Director of Tourism in the Water Department.
- The front steps at the Town Office entrance will need to be fixed because it is a trip hazard and that the top step is 2 inches higher than the others.
- David asked for council's opinion on the move and Ms. Bennett asked what would this cost?
- David told council that he wanted the Town to be a more pedestrian friendly community and that there were T21 grants available, which are Pedestrian Safety Grants.
- David stated that in the future that the pavilion and the hedges at Abbitt Park would be relocated and the stage would have a roof put on it.

Mayor Wilson stated that he was very impressed with the attitude and the desire to make the Town Office Building a more professional building. Mayor Wilson asked David to develop a long-range sidewalk plan.

Mayor Wilson stated that the goal is to create hiking and biking paths and a walk able community for residents and tourists.

David updated Council on various projects:

- The Sewer Sanitary Project on Patricia Anne Lane. The weather has created a muddy environment in that area but the contractors has worked to remove as much as possible.
- The contractors are behind the school bus shop to Oakleigh Avenue, which had been a slow process.

Ms. Jamerson-Scruggs and Ms. Bennett reported that state money is available for sewage treatment and the funds would be available by July 1, 2007.

Ms. Bennett asked David to find out what information would be needed and go ahead and get the application ready. The Town would need to have any applications/grants, etc. ready by July 1, 2007.

David Garrett reported that the Town, entire Council and the Planning Commission will be having an Overlay District meeting on March 5, 2007 and will be discussing the Cons and Pros of having an Overlay District.

Mayor Wilson asked David to give Council an update and the story on the Sludge situation.

- The Town of Appomattox is the only location in the state of Virginia with Reed Beds.
- Reed beds harbor the sludge and after 8 to 10 years it is turned into composted material.
- The material in the Reed Beds are classified as Class A compost, which is similar to potting soil or black dirt that could be purchased from a garden store.
- Lab Analysis was done and the material may be disposed of anywhere since it is Class A compost.
- The Trickling Filter Plant has a dewatering bed and the Sludge is dried and then taken to the landfill.
- The goal is to build a compost bin for leaves and clean out the reed beds and within 12 months remove and distribute the compost.
- The bin would be concrete and have underground water drainage that would go straight to the SBR plant.
- To remove 2 beds and have them hauled to the landfill will cost around ½ million dollars.

Mayor Wilson commented on the article in the paper about Bio Solids and he discussed the difference in the Class A and the Class B Sludge.

- The Class A is a dry soil that can be sold in garden stores and it can be applied to gardens.
- Class B is a semi liquid and it has an odor.

Mayor Wilson stated that the Town needed to keep local control of the Sludge and how it would be applied.

David Garrett reported on the RFP for the Battle of Appomattox Station and that there have been 5 proposals on the battle project and that Region 2000 will assist the Town in reviewing the proposals.

David Garrett advised council what Charles Garrett and the Waste Water Staff have been doing in the last 30 days:

- The mixers were pulled and repaired.
- Fixed electrical and motor problems.
- Inspected the back flow devices.
- The maintenance was completed on the pump stations.
- Rebuilt a feed line.
- Completed a gravity sewer on Lee Grant Avenue for new construction.
- Completed water and sewer tap on Sunnydale Avenue for new construction.
- Quarterly report of Copper and Zinc was checked.

- Grease Trap inspection done at the business's in town and 2 failed the inspection.

David Garrett told the council that the Town had to purchase a Sewer Jetter and they would be starting a Sewer Maintenance Program, which involved the town sewer lines being cleaned once a year.

Mayor Wilson recognized Carlton Duck and Derrick Norfield with Alive Media for video taping the meetings, which totaled to 192 hours per year. John gave his thanks to both of them.

On a motion by Councilmember Bennett, seconded by Councilmember Jamerson-Scruggs, Council voted to adjourn at 8:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Regular Meeting – February 12, 2007

The Appomattox Town Council met in Regular Session on Monday, February 12, 2007 at 7:30 p.m. at the Municipal Building located on 210 Linden Street with Mayor Wilson, presiding.

Members present - Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Steven E. Lawson. Absent – Jennifer Jamerson-Scruggs.

Others present: Beckie Nix (Director of Tourism), Laura Guthrie, Stephanie James (Times Virginian), David Garrett (Town Manager), David Hawkins (Town Attorney), Carlton Duck (Alive Media), Derek Norfield (Alive Media) and Roxanne Paulette (Town Clerk).

Mayor Wilson called the meeting to order.

Carlton Duck gave the invocation.

On a motion by Councilmember Williams, seconded by Councilmember McDearmon, Council to voted to adopt the consent agenda with the removal of item #2 and item #3 and the addition of item #5 – Closed Session, pursuant to §2.2 –3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of the appointment, promotion and salary consideration of a specific appointed employee of the Town of Appomattox, specifically being Appointee A. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, the Appomattox Town 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 the appointment, promotion and salary consideration of a specific appointed employee of the Town of Appomattox, specifically being Appointee A.

Vote:

Bennett – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Lawson – aye, Jamerson-Scruggs – absent.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public businss 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, Williams – aye, Lawson – aye, Jamerson-Scruggs – absent.

Committee Reports –

Utility Committee – Vice Mayor McDearmon reported that the committee met on January 29, 2007 and discussed goals for the water and sewer projects and the likelihood of projects for 2007/2008. Mr. McDearmon also reported that a local contractor has contacted the Town regarding water/sewer for a new subdivision. He also reported that the Utility Committee will have another meeting very soon.

Personnel Committee – Councilmember Williams reported that the Personnel Committee met on January 26, 2007 in Closed Session. He also announced the resignation of the Clerk/Treasurer/Office Manager, Roxanne W. Paulette. Mr. Williams reported that Ms. Paulette submitted a letter of resignation on January 26, 2007 and he thanked her for her years of service. She has accepted a position elsewhere. The Mayor echoed Mr. Williams' sentiments. Mayor Wilson wished Ms. Paulette well in her career change.

Ordinance Committee – Councilmember Mayberry reported that the Ordinance Committee will meet on Thursday, February 15, 2007 at 5:00 p.m. at the Town Office to discuss the Town Charter and preliminary drafts of the Overlay District.

Finance Committee – Councilmember Jamerson-Scruggs – absent.

Fire & Safety Committee – Councilmember Bennett reported that the Fire & Safety Committee met on Monday, February 5, 2007 to discuss crisis management and water/sewer relief for the elderly. Ms. Bennett also reported that she and David Garrett would be attending a meeting at the school board office with various members of the community to discuss the preparedness of the pandemic bird flu.

Street & Property Committee – Mayor Wilson asked Mr. Lawson to state his three primary goals for his committee (Mr. Lawson was absent from the January 2007 meeting to state these goals). Mr. Lawson identified his goals as sidewalks throughout the Town and seeking grants for further work, renovations for the DMV office and Town Office Building and renovations to Abbitt Park.

Mr. Garrett reported that the door and sidewalk for the DMV office have forced the opening date to March 16 and/or 17, 2007.

Mr. Garrett also reported that he had met with Kelly Hitchcock from Region 2000 Local Government Council to discuss a grant for a sidewalk study. Ms. Hitchcock will be at the workshop meeting on Monday, February 26, 2007 to discuss this grant further. The grant must be in by the first of March 2007.

Unfinished Business –

After much discussion, Council agreed to ask Hurt & Proffitt, Inc. attend the March 12, 2007 Regular Council to discuss the 2007 Hourly Rates for general engineering services.

New Business –

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to change the February workshop to Monday, February 26, 2007 at 6:00 p.m. at the Municipal Building on 210 Linden Street, Appomattox, Virginia. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Bennett, Council voted to authorize Overbey, Hawkins, Selz & Wright to begin an investigation into the request by Walter Gum Manor for tax exemption by requesting certain information as allowed in §58.1-3651 of the Code of Virginia. All members present voting aye. Motion carried.

Reports –

Beckie Nix, Director of Tourism gave a brief update on the developments during the month of January.

David Garrett, Town Manager gave an update on various ongoing projects.

Town Attorney - none

Carlton Duck advised Council that advertisement of the Council Meetings and Workshops has been added to the cable lineup.

Mayor Wilson thanked Council and Staff for their efforts since his taking office in July. He is proud of the town's efforts and especially thanked Roxanne.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to adjourn at 9:30 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

The regular meeting of the Appomattox Town Council was held on Monday, April 9, 2007 at 7:30 PM with Mayor John Wilson presiding.

Those members present: Steve Lawson, Jennifer Jamerson-Scruggs, John T. (Plicky) Williams, C. Lewis McDearmon, Norman H. (Jimmy) Mayberry, and Joyce Bennett.

Others present were: Charles Garrett, Bif Johnson, Earl Dickerson, Carlton Duck, Derek Norfield, Alive Media, Buddy Conner, Stephanie James, Times-Virginian, Reverend Geoffrey Hubler, Anglican Church, Joan Rockwell, Hugh Radcliffe, Gary Christie, Region 2000, Frank Wright, Town Attorney, Leslie Austin, David T. Garrett, Jr., Town Manager, and Bobbie H. Mullins, Acting Clerk.

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

Mr. Buddy Conner, appeared before Council to discuss the Appomattox Historical Society's request to hold an Antique Show and Sale on June 9th. They would like to have Main Street closed from 7:00 AM until 4:00 PM during this time.

Town Attorney Frank Wright addressed the request from Walter Gum Manor for a "real estate tax exemption." He felt the Town Council has three options on this request. They are: 1. No action, which ends the matter, 2. Motion to schedule the Public Hearing, and 3. Request additional information.

Council took no action, which in effect closes the request.

Mayor Wilson spoke on Unfinished Business, Item B. He asked if the Committees had met regarding this matter. Mrs. Bennett, Chairman, of Fire & Safety stated that she did not feel that it was needed at this time.

Mr. Garrett presented the time line for the presentation of the Proposed 2007/2008 Budget. It will be as follows: Proposed 2007/2008 Budget presented to Town Council on April 9th, the next two weeks will be for revisions, if needed, then reviewed again at the April 24th Workshop Meeting. Then it will be advertised for two weeks in the local newspaper, hold a Public Hearing on May 14th, 2007 at 7:00 PM and adopted at the regular June 11, 2007 meeting.

On a motion by Mr. Mayberry, seconded by Mrs. Bennett, Council voted to have Mr. Garrett, Town Manager, contact the County Administrator Aileen Ferguson, to set up a joint meeting to discuss future water needs for the Town of Appomattox. The motion passed on a four in favor and two against vote.

Mr. Gary Christie, Region 2000, spoke to Council regarding water needs for the Town. He is requesting the Town pass a resolution of support for the regional grant application for Water Supply Planning Funds.

On a motion by John T. Williams, seconded by Jennifer Jamerson-Scruggs, 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 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 Appomattox County Circuit Court on behalf of the Town against Hurt & Proffitt, Inc. and Johnson, Mirmiran & Thompson, and for the purpose of consultation with legal counsel employed or retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being the approach to negotiations with the Department of Environmental Quality pertaining to the consent order regarding copper limits at the trickling filter plant, and pursuant to § 2.2-3711(A)6 for the discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, specifically being discussion of investment of public funds in obtaining engineering services, and pursuant to §2.2-3711(A)1 for the discussion and consideration of prospective candidates for employment and the discussion of appointment and salaries of specific public officers or appointees of the Town, specifically being the town clerk and town treasurer.

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: Ms. Bennett-aye Mr. Mayberry-aye Mr. McDearmon-aye, Mr. Williams-aye
Ms. Jamerson-Scruggs-aye Mr. Lawson-aye.

On a motion by Mr. Lawson, seconded by Mr. Mayberry, Council voted to accept the 2007 hourly rates from Hurt & Proffitt, Inc. and have Mr. Frank Wright, Town Attorney draw up a contract, and all those present voting aye. Motion carried.

On a motion by Mr. Williams, Council voted to offer Leslie Austin the position of Town Treasurer effective April 16th, 2007 and all those present voting aye. Motion carried.

On a motion by Mrs. Bennett, seconded by Mrs. Jamerson-Scruggs, Council adjourned at 9:35 PM.

Respectfully submitted,

Bobbie H. Mullins

Regular Meeting – May 14, 2007

A Regular Meeting of the Appomattox Town Council was held on Monday, May 14, 2007 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce Bennett, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson. Absent: N. H. “Jimmy” Mayberry.

Others present: Beckie Nix, Director of Tourism; Stephanie James, Times Virginian; Sarah Watson, News & Advance; Barbara Shelton, Tom Pittman, Pastor & Mrs. Paul Michael Raymond; Carlton Duck, Richard Wilson, David Garrett, Jr., Town Manager; Frank A. Wright, Town Attorney and Roxanne W. Paulette, Town Clerk.

Mayor Wilson called the meeting to order.

Pastor Paul Michael Raymond gave an invocation.

On a motion by Councilmember Williams, seconded by Councilmember McDearmon, the Appomattox Town 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 and consideration of the appointment and salary of a specific public officer or appointee of the Town, specifically being the Town Clerk.

Vote: Bennett – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye, Lawson – aye, 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 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, Williams – aye, Jamerson-Scruggs – aye, Lawson – aye, Mayberry – absent.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Lawson, Council voted to approve the consent agenda of May 14, 2007 with the addition of NB – 1 Workshop Meeting – May 22, 2007. All members present voting aye. Motion carried.

Public Comments:

Tom Pittman – Winston Place, Appomattox, Virginia – Mr. Pittman addressed council because he is concerned about the speed of vehicles in the town limits. Speeding has become widespread and appears to be ignored.

Council will send the issue of speeding to the Street & Property Committee for review.

Unfinished Business –

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to withdraw a previous request to meet with the Appomattox County Board of Supervisors regarding the 460 waterline. Vote: Bennett – no, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye, Lawson – aye. Motion carried 4-1.

Finance Committee –

Ms. Jamerson-Scruggs reported that she and the Town Manager would be going to the VML Town Section meeting on May 24 in Altavista.

Street & Property Committee –

Mr. Lawson reported that the committee continues to work on Town Office renovations, Town Welcome signs and removing houses on Patricia Anne Lane, 460 Confederate Blvd, Patterson Street and Morris Avenue.

VDOT will be paving S. Church Street and resurfacing Patricia Anne Lane and North Avenue in the spring.

The Jamerson Supply Building store on 460 will feature sidewalks with brick edging and street lights, mirroring downtown.

Fire & Safety Committee – none

Ordinance Committee –

On a motion by Councilmember Lawson, seconded by Councilmember Williams, Council voted to amend the Code of the Town of Appomattox, Chapter 62, to add the following provision which shall become Section 62-3 thereof, entitled “Copper pipes prohibited,” to restrict the use of copper pipes in new buildings constructed in the Town.

Be it ordained by the Council of the Town of Appomattox, as follows:

Section 1. A new section, numbered as Section 62-3, entitled “Copper pipes prohibited,” shall be added to Chapter 62 of the Code of the Town of Appomattox, and shall appear as follows:

§62-3. Copper pipes prohibited.

No new building constructed within the Town limits shall incorporate copper pipes for the purpose of transporting water into, out of or within the building. This ordinance shall not prohibit the incorporation of small incidental sections of copper pipe in new buildings provided such sections are integral components of appliances or fixtures connected to the plumbing system, and do not exceed in the aggregate five linear feet of

copper pipe for the entire building, nor shall this ordinance prohibit the use of copper fittings for the purpose of joining sections of pipe where the pipe changes direction, branches or connects to other sections of pipe, appliances or fixtures. For good cause shown and in extraordinary circumstances, Town Council may grant, in its sole discretion, exceptions to the requirements of this section. Any decision made by Town Council regarding a request for an exception shall be final and not subject to appeal.

Section 2. Effective Date.

This ordinance shall become effective on May 14, 2007.

All members present voting aye. Motion carried.

Personnel Committee –

Mr. Williams reported that the Town Manager hired Roxanne W. Paulette, as Clerk/Administrative Assistant who began on Monday, May 14, 2007.

Town Manager Reports – David Garrett reported that his reports were in the agenda for review.

Director of Tourism Reports – Beckie Nix gave an update on the Tourism efforts of the past month.

Zoning Administrator's Report – David Garrett reported that a Zoning Application had been received from Thomasville Furniture.

Mayor Wilson read an announcement for the CVCC/Appomattox Complex ribbon cutting on June 8, 2007 at 10:00 a.m.

Town Attorney Report – Frank Wright reported on the JMT settlement. The funds have been received by their office and placed in a fiduciary money market account with 4.75% interest. The release has not been signed.

Mayor Wilson thanks the video crew.

New Business –

On a motion by Councilmember Lawson, seconded by Councilmember Jamerson-Scruggs, Council voted to hold a workshop meeting on Tuesday, May 22, 2007 at 6:00 p.m. at the Municipal Building for a public meeting on the Battlefield site and to recess and reconvene at the Visitor's Information Center at 7:30 p.m. for the remainder of the meeting. All members present voting aye. Motion carried.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to adjourn at 8:55 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

John L. Wilson, Mayor

Council Workshop – May 22, 2007

The Appomattox Town Council held a Workshop Meeting on Tuesday, May 22, 2007 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce Bennett, N. H. “Jimmy” Mayberry, Steven E. Lawson, C. Lewis McDearmon, Jr., John T. Williams, Jennifer Jamerson-Scruggs.

Others present: David T. Garrett, Jr., Town Manager; Beckie Nix, Director of Tourism; Scott Smith, Region 2000 Local Government Council; Phil Thomason, Thomason & Associates; Tom Martin, Carlton Duck, Derek Norfield and Roxanne W. Paulette, Town Clerk.

Mayor Wilson called the meeting to order and welcomed everyone.

Phil Thomason of Thomason & Associates made a presentation on the Appomattox Station 1865 Battlefield site and their findings thus far in the study of the area. Another public meeting will be held in approximately 4 to 6 weeks. Notification will be given.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to recess to the Visitor’s Information Center on Main Street at 7:30 p.m. All members present voting aye. Motion carried.

Tom Martin made a presentation to Council regarding Sign and Landscaping Ordinance and the importance of an up to date comprehensive plan and zoning ordinances. Mr. Martin commented that in his opinion a landscaping ordinance appears to be more pressing than the sign ordinance.

Council agreed to set an Ordinance Committee meeting as soon as possible to discuss all of the components and possible citizen involvement. Mr. Martin recommended no more than 12 people total to be appointed to the committee consisting of 1 or 2 realtors, an engineer and a landscape architect. Meetings should be held every two weeks, for an hour to an hour and a half for at least 12 weeks.

Beckie Nix, Director of Tourism gave Council a tour of the Visitor’s Information Center, including the new theater and gift shop.

Town Manager’s Report –

David Garrett reported that he is working with a business to collect meals tax that is in arrears.

The Town has received the T-21 Grant for \$19,000 for a sidewalk/crosswalk feasibility study in town. The town is responsible for \$2400.00, for a total of 21,400.00.

Mr. Lawson will be setting up a meeting of the street & property committee to meet with the Sheriff's Office regarding the speeding in town.

Mr. Garrett reported he will be attending the Manager's Conference June 20 – 22, 2007 in Virginia Beach.

Mayor Wilson read a "Thank You" card for Jennifer Jamerson-Scruggs.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 8:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

John L. Wilson, Mayor

Workshop Meeting – May 22, 2007

6:00 p.m. – Appomattox Municipal Building – 210 Linden Street, Appomattox, Virginia

7:30 p.m. – Visitor’s Information Center – 214 Main Street, Appomattox, Virginia

Call to order

- I. Presentation on the Battlefield Site (Town Office, 210 Linden Street)
- II. Recess/Reconvene at the Visitor’s Center (214 Main Street)
- III. Tour of Visitor’s Information Center (Beckie Nix) – 30 minutes
- IV. Discussion on the importance of having an updated Comprehensive Plan and Zoning Ordinance and steps needed to create a Sign and Landscape Ordinance.
- V. Update from Town Manager
 - a. Meals Tax Collection
 - b. Town has been awarded the T-21 Pedestrian Sidewalk Study
 - c. Update on traffic study (speeding in town)

Adjourn

COUNCIL AGENDA

TOWN OF APPOMATTOX – P. O. BOX 705 – Appomattox, Va 24522 - (434) 352-8268
INCORPORATED 1925

- Regular session meets at 7:30 p.m. on the 2nd Monday of each month.
- Presentations and agenda items scheduled by 2nd Monday preceding.
- There will be an opportunity for Public Comments at regular sessions only.
- Council Workshop meets at 7:00 p.m. on the 4th Tuesday of each month.

MAYOR – John L. Wilson

TOWN COUNCIL – Joyce B. Bennett, Steven E. Lawson, Norman H. (Jimmy) Mayberry, C. Lewis McDearmon, Jr., Jennifer Jamerson-Scruggs, John T. (Plicky) Williams

OTHERS – David T. Garrett, Town Manager; Frank A. Wright, Jr., Town Attorney and Roxanne W. Paulette, Town Clerk

Welcome!

Welcome to this meeting of the Appomattox Town Council! This is your Council, doing your business in a facility owned by the citizens of Appomattox. Good representative government requires citizen participation and your presence indicates to us that you are making a special effort to help make the Town of Appomattox a better place to live, work or visit.

Many people only come to the meetings when they have a passionate interest in a particular subject. Do not be discouraged if you do not see a crowded room. Your comments on any particular subject may represent the unspoken opinions of many others who could not appear.

Your understanding of your hometown will grow as you attend more meetings.

Guidelines for Citizen Participation

You may speak concerning an item not placed on the Agenda during the public comment period. A spokesperson may be named to present your position, with others in agreement being recognized by standing. Council will try to hear everyone who wishes to speak on a subject, but occasionally discussion is limited because of time. Speakers are generally requested to limit remarks to three (3) minutes, although Council can allow exceptions at its discretion.

When you are called upon to speak, you are requested to:

1. Come to the speaker's podium.
2. State your name and address for the record.
3. State your position.
4. If you have a written statement or a petition, please file it with the Clerk of Council. If supportive material is to be distributed among Council Members and Staff, please provide 12 copies.

Useful Information

Meeting Agenda Packets

Meeting agendas and supporting details, identical to the packet supplied the Council, are available in the J. Robert Jamerson Library at least one full workweek prior to meetings. Meeting agenda packets serve three purposes - First, they provide advance public notice and some background information on specific subjects for all interested citizens on a routine basis. Second, they provide advance information so that council members can adequately respond and plan for meeting participation. Third, they provide a plan for the orderly and efficient conduct of council meetings.

Television Coverage of Meetings

All Council Meetings are videotaped. The tapes are edited to exclude periods of inactivity so that they fit a two-hour time period provided by Alive TV, a ministry of Gethsemane Baptist Church, Lynchburg, Virginia. The meetings are aired on Cable Channel 7 and UHF Channel 33.

Times: Friday following meetings – 10:30 a.m. and 7:00 p.m.

Saturday following meetings – 8:30 a.m. and 2:00 p.m.

Committee Meetings

Most of the real work of Council is done by individual members working independently. Their independent efforts are discussed, analyzed and refined at Committee Meetings before presentation to the full Council.

Committee Meetings are scheduled, advertised and open to public and press. They must be advertised for 3 working days prior to a meeting. Individuals seeking notification of Committee Meetings may submit a written request, valid for one year.

Committees

Finance

Jennifer J. Scruggs, Ch.
(352-7550)
Lewis McDearmon
Joyce Bennett

Fire & Safety

Joyce Bennett, Ch.
(352-8609)
Norman Mayberry
John “Plicky” Williams

Ordinance Committee

Norman H. Mayberry, Ch.
(352-7086)
Steven E. Lawson
John “Plicky” Williams

Personnel

John “Plicky” Williams, Ch.
(352-4278)
Jimmy Mayberry
Joyce Bennett

Property & Streets

Steven E. Lawson, Ch.
(352-8235)
C. L. McDearmon, Jr.
Jennifer J. Scruggs

Utility Committee

C. L. McDearmon, Jr.
(352-5488)
Steve Lawson
Jennifer J. Scruggs

Office Hours: Monday – Friday, 8:30 a.m. – 4:30 p.m.
Office location: 210 Linden Street, Appomattox, Virginia

Other Useful Contact Numbers

Mayor: John L. Wilson, 352-2539, e-mail: jwilson@jetbroadband.com
Town Manager: David T. Garrett, Jr., 352-8268, e-mail: dgarrett@appomattoxva.gov
Billing Questions: 352-8268
Water Problems-Emergency: Day – 352-8268 or Evening – 352-8241

TOWN OF APPOMATTOX - 2007 MEETING SCHEDULE
Location: Appomattox Municipal Building, 210 Linden Street, Appomattox, VA

January 2007

Monday, January 8, 2007 at 7:30 p.m. – Regular
Tuesday, January 23, 2007 at 7:00 p.m. – Workshop

February 2007

Monday, February 12, 2007 at 7:30 p.m. – Regular
Tuesday, February 27, 2007 at 7:00 p.m. – Workshop

March 2007

Monday, March 12, 2007 at 7:30 p.m. – Regular
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April 2007

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Tuesday, April 24, 2007 at 7:00 p.m. – Workshop

May 2007

Monday, May 14, 2007 at 7:30 p.m. – Regular
Tuesday, May 22, 2007 at 7:00 p.m. – Workshop

June 2007

Monday, June 11, 2007 at 7:30 p.m. – Regular
Tuesday, June 26, 2007 at 7:00 p.m. – Workshop

July 2007

Monday, July 9, 2007 at 7:30 p.m. – Regular
Tuesday, July 24, 2007 at 7:00 p.m. – Workshop

August 2007

Monday, August 13, 2007 at 7:30 p.m. – Regular
Tuesday, August 28, 2007 at 7:00 p.m. – Workshop

September 2007

Monday, September 10, 2007 at 7:30 p.m. – Regular
Tuesday, September 25, 2007 at 7:00 p.m. – Workshop

October 2007

*Tuesday, October 9, 2007 at 7:30 p.m. – Regular (*Monday, October 8, 2007 – Columbus Day Holiday)
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*Code of the Town of Appomattox.

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If the second Monday of the month is a holiday, the meeting shall be held on the following day.

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A motion duly seconded and voted upon by council could change or remove any of the above dates or times.

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(Effective November 1, 2006)

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In Town

\$6.35/month with 2000 gallon allowable metered sales
\$5.54/1000 gallons for all consumption above 2000 gallons

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\$9.35/month with 2000 gallons allowable metered sales
\$8.31/1000 gallons for all consumption 2000 gallons

Sewer

In Town

\$9.10/month per Equivalent Residential Connection (ERC)
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\$13.65/month per Equivalent Residential Connection (ERC)
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Due January 31, 2007

Applications are available at the Town Office

Rate - \$0.15/\$100 of gross receipts

Town Decals

On Sale March 1, 2007 and must be displayed by March 31, 2007

\$25.00 for Cars/Trucks

\$24.00 for Motorcycles

\$2.00 for Transfers

(Prior years Personal Property taxes must be paid before purchase)

Meals Tax

Rate - 5%

Reported monthly

Lodging Tax

Rate - 5%

Reported monthly

Opening Burning

Allowed the first week of December, February, March, April, the last week of November.

Curbside Leaf Collection

Loose Leaves – November 1 – December 31

Bagged Leaves – November 1 – January 31

Regular Meeting – June 11, 2007

A regular meeting of the Appomattox Town Council was held on Monday, June 11, 2007 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: N. H. Mayberry, John T. Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson. Absent: Joyce B. Bennett, C. Lewis McDearmon, Jr.

Others present: David T. Garrett, Jr., Town Manager; Frank A. Wright, Town Attorney; Marvin Hamlett, Times Virginian; Beckie Nix, Director of Tourism; Derek Norfield, Carlton Duck, Alive Media TV; Rev. Jeff Worley, Glory Baptist Church and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order and welcomed all visitors.

Rev. Jeff Worley, Glory Baptist Church gave the invocation.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to approve the consent agenda of June 11, 2007 as presented. All members present voting aye. Motion carried.

Mayor's comments – none

Citizen's comments – none

Standing Committee Reports –

Personnel – Mr. Williams reported that the Personnel and Finance Committee had met jointly on June 7, 2007 and discussed the Standard Operating Procedures for the collection of Meals Tax, Lodging Tax and Business Licenses. The committee also agreed to re-advertise the position of Secretary II. Mr. Williams reported that the Utility I position has been filled. The individual starts Monday, June 18, 2007.

Finance – Ms. Jennifer Jamerson-Scruggs reported at the Finance and Utility Committee met jointly on May 29, 2007 and discussed what the town needs to do to apply for the Stag Grant money. The town manager will obtain information from a consultant on drilling more wells within the town limits and obtain dollar amounts of a small package treatment plant for the 85-105 gpm well with mostly surface water. Ms. Jamerson-Scruggs reported that it appeared to be the direction of the town until 1998 to add a new well on the system each year.

David Garrett, Town Manager reported he had met with a consultant who uses the latest technology to locate wells. The scope of work would be broken into five (5) phases. The first phase is approximately \$15,000 to identify potential areas. The cost of Phase II is \$25,000 - \$30,000 and is dependent upon what is found in phase I.

If a reliable well is found and determined to be a source of production, an estimate of \$500,000.00 was provided to council members.

Mr. Garrett said he would be meeting again with the Utility and Finance Committees to discuss the information.

Ordinance – Mr. Mayberry reported that his committee would be meeting on Wednesday, June 13, 2007 at 6:30 p.m. at the Appomattox Town Office.

Street & Property Committee – Mr. Lawson reported that the committee had met prior to the regular meeting on June 11, 2007 to discuss the speeding issue in the Town of Appomattox. The committee will continue to take the issue under advisement.

On a recommendation by Steven E. Lawson, Chairman of the Street & Property Committee, Council voted to allow William E. Jamerson, J. E. Jamerson & Sons to purchase six (6) streetlights, provide the Town with an easement and donate the lights to the Town for the Town to power on Confederate Boulevard. All members present voting aye. Motion carried.

On a recommendation by Steven E. Lawson, Chairman of the Street & Property Committee, Council voted to give David T. Garrett, Town Manager and staff permission to remove the interior walls and begin furring up the walls for the upstairs renovation. All members present voting aye. Motion carried.

Unfinished business – none

On a motion by Councilmember Williams, seconded by Councilmember Jamerson-Scruggs, Council voted to approve the following resolution:

**AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN
COUNCIL ADOPTING THE FISCAL YEAR 2007-2008 BUDGET FOR THE
TOWN OF APPOMATTOX, VA.**

SECTION I:

WHEREAS, Section 5-72, 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 2007-2008 Budget was published on May 2, 2007 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 Monday, May 14, 2007;

SECTION III:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Regular Council Meeting on June 11, 2007, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2007-2008;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	41,195.
Administrative Department	276,095.
Professional	70,000.
Commissioner of Revenue	9,250.
Police Department	49,248.
Tourism Department	187,010.
Fire Department	18,000.
Street Department	199,425.
Sanitation Department	72,890.
Property Maintenance & Construction	67,650.
Town Shop	9,000.
Donation/Contributions	3,000.
Zoning	2,000.
Town Office	34,135.
TOTAL GENERAL FUND EXPENSES	1,038,898.

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,

BE IT FURTHER RESOLVED, in accordance with the requirements set forth in Section 58.1-3524(C)(2) and Section 58.1-3912(E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503.E (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle situated within the Town commencing January 1, 2006, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;
- Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 49% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 49% tax relief on the first \$20,000 of value; and
- All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.
- In accordance with Item 503.D.1., the entitlement to personal property tax relief for qualifying vehicles for tax year 2005 and all prior tax years shall expire on September 1, 2006. Supplemental assessments for tax years 2005 and prior that

are made on or after September 1, 2006 shall be deemed “non-qualifying” for the purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the tax assessable.

SECTION V:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2007-2008;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	155,000.
Current Taxes – Personal Property	130,000.
Bank Stock Tax	80,000.
Meals Tax	350,000.
Lodging Tax	30,000.
Franchise Tax	5,500.
Consumption Tax	8,600.
Town Tags	28,000.
Business License	48,000.
Zoning	2,000.
Interest	2,000.
Rental of Misc. Property	50,000.
Alcohol Profits	2,200.
Motor Vehicle Tax	3,100.
Sales Tax	30,000.
Aid to Police Department (HB599)	49,248.
Fire Programs	8,000.
Transfer Funds from Reserve	57,250.
TOTAL GENERAL FUND REVENUES	1,038,898.

SECTION VI:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2007-2008;

WATER AND SEWER FUND; EXPENDITURES BY CATEGORY:

Water Department	409,500.
TOTAL WATER EXPENDITURES	409,500.

SECTION VII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Revenue estimates for Fiscal Year 2007-2008;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	380,000.
Connection Fees	10,000.
Penalty Fees	5,000.
Availability Fees	10,000.

Interest	2,500.
Reconnect Fees	2,000.
TOTAL WATER REVENUES	409,500.

SECTION VIII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2007-2008;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	668,573.00
TOTAL SEWER EXPENDITURES	668,573.00

SECTION IV:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2007-2008;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	550,000.00
Connection Fees	19,000.00
Miscellaneous	4,000.00
Availability Fees	19,000.00
WW Facility Improvement Fund (County)	76,573.00
TOTAL SEWER REVENUES	668,573.00

SECTION X:

BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2007-2008 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 2007-2008 is hereby adopted, effective July 1, 2007 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 11th day of June, 2007.

All members present voting aye. Motion carried.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Lawson, Council voted to convene in Closed Session, pursuant to §2.2-3711 (A) 6 of the Code of Virginia (1950) as amended, for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the governmental unit would be adversely

affected, specifically being the investment of public funds as incentives for the prospective location of Business A to Appomattox.

Mayberry – aye, Williams – aye, Scruggs – aye, Lawson – aye, Bennett – absent, McDearmon – 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.

Mayberry – aye, Williams – aye, Scruggs – aye, Lawson – aye, Bennett – absent, McDearmon – absent.

Beckie Nix, Director Tourism gave a quick update on the Tourism Department.

David T. Garrett, Jr., Town Manager gave an update on the VML Town Section meeting that he and the Mayor attended on May 24, 2007 in Altavista, Virginia. He also notified the Mayor of vandalism that had occurred at the Kiddie Park on Hunter Street. A “No Trespassing” notification was served on a minor child. The vandalism has consumed a lot of hours during the past 2 weeks for clean up and the repainting of equipment. Town staff continues to work with the local sheriff’s office.

David continues to work with the town engineer’s on an application for the water meter replacement program through the Virginia Department of Health. He also continues to work with consultants of future groundwater sites.

Roxanne W. Paulette, Town Clerk informed council that she would be attending the Freedom of Information Act Roadshow seminar in Danville, Virginia on Tuesday, June 12, 2007. Staff continues to send letter of tall grass and abandoned vehicles. Staff has also developed Standard Operating Procedures for Meals Tax, Lodging Tax and Business Licenses for the Personnel Committee to review. Also, at the request of the Personnel Committee, Leslie, Beckie, David and Roxanne will be sending notifications to council members of daily scheduled meetings/absences from the office.

David Garrett, Zoning Administrator gave an update on the Thomasville rezoning application. The Wal-Mart erosion and sediment control measures have their application on hold. David will give Walter Gum Manor a courtesy call regarding their application. David informed council that the property owner is removing the green burned house on Patricia Anne Lane.

Frank Wright, Town Attorney presented the Town Manager with a check from JMT for the \$1.164 million dollar settlement in the SBR case.

Town Treasurer – absent

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council voted to adjourn at 9:20 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

John L. Wilson
Mayor

Council Workshop – June 26, 2007

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, June 26, 2007 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N. H. Mayberry, C. Lewis McDearmon, Jr., John T. Williams and Steven E. Lawson.

Absent: Jennifer Jamerson-Scruggs

Others present: Carlton Duck, Derek Norfield, Stephanie James, Frank Wright, David Garrett and Roxanne Paulette.

Mayor Wilson called the meeting to order.

Council agreed to place the request of Thomasville, Inc. to rezone a 10 acre parcel on Richmond Highway until July 9, 2007.

David Garrett, Jr., Town Manager reported to council the findings of a surface area study for groundwater well testing. After much discussion regarding the firm Emory & Garrett and the types of phases involved, Council desires David Garrett to put together information for their review.

David Garrett, Jr., informed council that Well #15 was struck by lightning. The cost to replace the pump and motor was approximately \$5400.00. The claim has been submitted to the insurance company, VML for review.

David Garrett, Jr. discussed with Council changing the July 24, 2007 workshop to July 31, 2007. No decision was made at this time.

On a motion of recommendation by N. H. Mayberry, Chairman of the Ordinance Committee, Council voted to pass the following resolution:

Whereas, the Ordinance Committee of the Town Council of the Town of Appomattox desires to pursue a Landscaping and Sign Ordinance as a means to enhance the visual appearance of our community; and

Whereas, the Town of Appomattox agrees to actively organize a committee to seek citizen input from both the Town and County; and

Whereas, the Town Manager is directed to seek the assistance of Tom Martin in this endeavor; and

Whereas, the Town Manager is directed to communicate at least once monthly with Town Council as to the direction of these efforts; and

Now, Therefore, Be It Resolved, the Town Council hereby approves and authorizes the Ordinance Committee to proceed with draft Landscaping and Sign Ordinances to be presented to the Appomattox Town Council.

Adopted this _____ day of _____, 2007.

All members present voting aye. Motion carried.

Mayor Wilson discussed Committee appointments with Council Members. Mayor Wilson is considering the committee appointments for the coming fiscal year and would like input from council members on their current committee assignments.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to adjourn at 7:50 p.m.

Roxanne W. Paulette, CMC

John L. Wilson, Mayor

Town of Appomattox – Agenda – Council Workshop Meeting
Tuesday, June 26, 2007 - 7:00 p.m.
Appomattox Municipal Building – 210 Linden Street, Appomattox, Virginia

Call to order

1. Consideration to approve the rezoning request of Thomasville Furniture, Inc. – Tax Map #64A1 (A) 3
(Attached is the planning commission recommendation)
2. Discussion of the surface area for groundwater well testing
3. Discussion of the Town Office Renovations

Adjourn

COUNCIL AGENDA

TOWN OF APPOMATTOX – P. O. BOX 705 – Appomattox, Va 24522 - (434) 352-8268
INCORPORATED 1925

- Regular session meets at 7:30 p.m. on the 2nd Monday of each month.
- Presentations and agenda items scheduled by 2nd Monday preceding.
- There will be an opportunity for Public Comments at regular sessions only.
- Council Workshop meets at 7:00 p.m. on the 4th Tuesday of each month.

MAYOR – John L. Wilson

TOWN COUNCIL – Joyce B. Bennett, Steven E. Lawson, Norman H. (Jimmy) Mayberry, C. Lewis McDearmon, Jr., Jennifer Jamerson-Scruggs, John T. (Plicky) Williams

OTHERS – David T. Garrett, Town Manager; Frank A. Wright, Jr., Town Attorney and Roxanne W. Paulette, Town Clerk

Welcome!

Welcome to this meeting of the Appomattox Town Council! This is your Council, doing your business in a facility owned by the citizens of Appomattox. Good representative government requires citizen participation and your presence indicates to us that you are making a special effort to help make the Town of Appomattox a better place to live, work or visit.

Many people only come to the meetings when they have a passionate interest in a particular subject. Do not be discouraged if you do not see a crowded room. Your comments on any particular subject may represent the unspoken opinions of many others who could not appear.

Your understanding of your hometown will grow as you attend more meetings.

Guidelines for Citizen Participation

You may speak concerning an item not placed on the Agenda during the public comment period. A spokesperson may be named to present your position, with others in agreement being recognized by standing. Council will try to hear everyone who wishes to speak on a subject, but occasionally discussion is limited because of time. Speakers are generally requested to limit remarks to three (3) minutes, although Council can allow exceptions at its discretion.

When you are called upon to speak, you are requested to:

1. Come to the speaker's podium.
2. State your name and address for the record.
3. State your position.
4. If you have a written statement or a petition, please file it with the Clerk of Council. If supportive material is to be distributed among Council Members and Staff, please provide 12 copies.

Useful Information

Meeting Agenda Packets

Meeting agendas and supporting details, identical to the packet supplied the Council, are available in the J. Robert Jamerson Library at least one full workweek prior to meetings. Meeting agenda packets serve three purposes - First, they provide advance public notice and some background information on specific subjects for all interested citizens on a routine basis. Second, they provide advance information so that council members can adequately respond and plan for meeting participation. Third, they provide a plan for the orderly and efficient conduct of council meetings.

Television Coverage of Meetings

All Council Meetings are videotaped. The tapes are edited to exclude periods of inactivity so that they fit a two-hour time period provided by Alive TV, a ministry of Gethsemane Baptist Church, Lynchburg, Virginia. The meetings are aired on Cable Channel 7 and UHF Channel 33.

Times: Friday following meetings – 10:30 a.m. and 7:00 p.m.

Saturday following meetings – 8:30 a.m. and 2:00 p.m.

Committee Meetings

Most of the real work of Council is done by individual members working independently. Their independent efforts are discussed, analyzed and refined at Committee Meetings before presentation to the full Council.

Committee Meetings are scheduled, advertised and open to public and press. They must be advertised for 3 working days prior to a meeting. Individuals seeking notification of Committee Meetings may submit a written request, valid for one year.

Committees

Finance

Jennifer J. Scruggs, Ch.
(352-7550)
Lewis McDearmon
Joyce Bennett

Fire & Safety

Joyce Bennett, Ch.
(352-8609)
Norman Mayberry
John “Plicky” Williams

Ordinance Committee

Norman H. Mayberry, Ch.
(352-7086)
Steven E. Lawson
John “Plicky” Williams

Personnel

John “Plicky” Williams, Ch.
(352-4278)
Jimmy Mayberry
Joyce Bennett

Property & Streets

Steven E. Lawson, Ch.
(352-8235)
C. L. McDearmon, Jr.
Jennifer J. Scruggs

Utility Committee

C. L. McDearmon, Jr.
(352-5488)
Steve Lawson
Jennifer J. Scruggs

Office Hours: Monday – Friday, 8:30 a.m. – 4:30 p.m.
Office location: 210 Linden Street, Appomattox, Virginia

Other Useful Contact Numbers

Mayor: John L. Wilson, 352-2539, e-mail: jwilson@jetbroadband.com
Town Manager: David T. Garrett, Jr., 352-8268, e-mail: dgarrett@appomattoxva.gov
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Water Problems-Emergency: Day – 352-8268 or Evening – 352-8241

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Tuesday, February 27, 2007 at 7:00 p.m. – Workshop

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August 2007

Monday, August 13, 2007 at 7:30 p.m. – Regular
Tuesday, August 28, 2007 at 7:00 p.m. – Workshop

September 2007

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A motion duly seconded and voted upon by council could change or remove any of the above dates or times.

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(Effective November 1, 2006)

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\$6.35/month with 2000 gallon allowable metered sales
\$5.54/1000 gallons for all consumption above 2000 gallons

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\$9.35/month with 2000 gallons allowable metered sales
\$8.31/1000 gallons for all consumption 2000 gallons

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In Town

\$9.10/month per Equivalent Residential Connection (ERC)
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\$13.65/month per Equivalent Residential Connection (ERC)
\$10.88/1000 gallons for all metered water consumption

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Due January 31, 2007

Applications are available at the Town Office

Rate - \$0.15/\$100 of gross receipts

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\$25.00 for Cars/Trucks

\$24.00 for Motorcycles

\$2.00 for Transfers

(Prior years Personal Property taxes must be paid before purchase)

Meals Tax

Rate - 5%

Reported monthly

Lodging Tax

Rate - 5%

Reported monthly

Opening Burning

Allowed the first week of December, February, March, April, the last week of November.

Curbside Leaf Collection

Loose Leaves – November 1 – December 31

Bagged Leaves – November 1 – January 31

Regular Council Meeting – July 9, 2007

The Appomattox Town Council met in regular session on Monday, July 9, 2007 at 7:30 p.m at the Municipal Building on 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: N. H. Mayberry, C. Lewis McDearmon, Joyce B. Bennett, Steven E. Lawson, John T. Williams. Absent: Jennifer Jamerson-Scruggs.

Others present: Carlton Duck, Derek Norfield, Rev. Kenneth Lawhorne, Phil Chang, Kathy Stadola, Ron Shebuski, Cynthia Wilson Shebuski, Ronald Shebuski, Sr., Stephanie James, Times Virginian; David Garrett, Jr., Town Manager; Frank Wright, Town Attorney and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order and welcomed the visitors.

Rev. Kenneth Lawhorne, Pastor of the Tree of Life East Pentecostal Church gave the invocation.

Mayor Wilson welcomed his daughter Cynthia and her family to the meeting. They were in town visiting with Mayor Wilson and his wife.

Consent Agenda –

On a motion by Mr. Mayberry, seconded by Mr. Williams, Council voted to approve the consent agenda of July 9, 2007. All members present voting aye. Motion carried.

Mayor's Comments –

Mayor Wilson will deliver a state of the town address in August.

Standing Committee Reports –

Utility Committee – Chairman McDearmon reported that the Utility Committee is planning a meeting for next week.

Personnel –

On a motion by Mr. Williams, Chairman of the Personnel Committee, Council voted to adopt the following resolution:

Whereas, the Personnel Committee of the Town Council of the Town of Appomattox desires to implement a Standard Operating Procedure as a means to ensure the proper procedures are followed for the collection by the Office Staff for Meals Tax, Lodging Tax and the Business License Tax; and

Whereas, the Town Council requires to be notified by the Town Treasurer after a second notice is sent to the owner of the business concerning the arrears; and

Whereas, the Town Treasurer is directed to communicate as often as needed with Town Council as to any tax arrears; and

Now, Therefore, Be It Resolved, the Town Council hereby approves and authorizes the implementation of the Standard Operating Procedures dated July 9, 2007 for Meals Tax, Lodging Tax and the Business License Tax as presented by the Personnel Committee.

Adopted this _____ day of _____, 2007.

All members present voting aye. Motion carried.

Ordinance Committee –

Chairman Mayberry reported that the committee is planning to meet Wednesday, July 11, 2007 to discuss the landscaping and sign ordinances and planning commission function.

Fire & Safety Committee –

No report

Finance Committee –

No report

Street & Property Committee –

Chairman Lawson reported that he would be planning a meeting.

Old Business –

On a motion by Mr. Lawson, seconded by Mr. McDearmon, Council voted to table the rezoning request of Thomasville Furniture, Inc. – Tax Map # 64A1 (A) 3 from M-1 to B-1 until the next regular Council meeting (August 13, 2007). All members present voting aye. Motion carried.

New Business –

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to change the July 24, 2007 workshop to July 31, 2007. All members present voting aye. Motion carried.

Monthly reports were received from the Director of Tourism, Town Manager, Town Clerk and Town Attorney.

Mayor Wilson read an invitation to Council received from the Evergreen Baptist Church for Sunday, July 22, 2007 at 3:00 p.m.

On a motion by Mr. Mayberry, seconded by Mr. Bennett, Council voted to adjourn at 8:35 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Workshop Meeting – July 31, 2007

The Appomattox Town Council held a workshop meeting on Tuesday, July 31, 2007 at 7:00 p.m. at the Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: N. H. Mayberry, C. Lewis McDearmon, Joyce B. Bennett, John T. Williams, and Jennifer Jamerson-Scruggs. Absent: Steven E. Lawson.

Others present: Carlton Duck, Derek Norfield, Stephanie James, Times Virginian; David Garrett, Jr., Town Manager; Frank Wright, Town Attorney and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to convene in closed session, pursuant to § 2.2-3711 (A) 6 of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the governmental unit would be adversely affected specifically being the investment of public funds as incentives for prospective location of Business A to Appomattox.

VOTE: Bennett – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – 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, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye, Lawson – absent.

*The record notes that Ms. Bennett and Ms. Jamerson-Scruggs left the room for approximately 10 minutes to meet with Frank Wright, Beckie Nix and a landowner. After the 10 minutes the landowner left the meeting and Ms. Bennett, Ms. Jamerson-Scruggs, Beckie Nix and Frank Wright rejoined the closed session.

Standing Committee Reports –

Utility Committee – Chairman McDearmon reported that the Utility Committee met on July 19, 2007 and updated council on metal treatment at the Trickling Filter Plant and SBR Facility.

Personnel –

Mr. Williams, Chairman of the Personnel Committee reported that a new employee was hired for the office and now all departments are fully staffed.

A training schedule is in the developmental stages for supervisors.

Ordinance Committee –

Chairman Mayberry reported that the committee is planning to meet Wednesday, August 8, 2007 at 7:00 p.m. Mr. Garrett advised Council that Mayor Wilson would like for the Town Attorney to only work on those ordinances that are currently being discussed by the Ordinance Committee. Mayor Wilson asked if the committee was only working on Landscaping, Proffer and Sign ordinances at this time that the Town Attorney would need to assist with. The committee and the manager agreed with these three ordinances.

Fire & Safety Committee –

No report

Finance Committee –

Chairman Jamerson-Scruggs reported that the Finance Committee met on July 19, 2007 with Ken Kowalski. They further discussed the Stag Grant but are currently waiting on staff and the Utility Committee. Anderson & Associates presented a quote of \$2000.00 to write the grant for the Virginia Health Department Water Study Planning Grant Application. The committee will present this for consideration at the August 13, 2007 Council Meeting.

David Garrett reported:

- He and the Mayor met with Fred Jones regarding five (5) potential well sites. They will be meeting with the Health Department on Thursday, August 2, 2007 to review the sites.
- Main Street complaints and the situation with the building owner are under advisement. Mr. Garrett will have a report at the next meeting.
- Potential business in an M-1 zone. The business has not obtained the necessary paperwork for zoning nor a business license.
- Continually working on notices of tall grass and abandoned vehicles.
- Properly identifying unsafe and abandoned buildings.
- Residents not putting trash cans back on the walking tour.
- Working with Allied Waste regarding complaints of the trash truck starting to early for collection.

Reports from:

Town Clerk – None

Town Attorney – None

Councilmember Williams wanted to mention the speeding in town continues to be a problem and the security at the Kiddie Park appears to be non-existent. Mayor Wilson agrees that speeding, littering, skateboarding and bicycling on sidewalks continues to be a problem.

On a motion by Mr. Mayberry, seconded by Ms. McDearmon, Council voted to adjourn at 8:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Town of Appomattox – Agenda – Council Workshop Meeting
Tuesday, July 31, 2007 - 7:00 p.m.
Appomattox Municipal Building – 210 Linden Street, Appomattox, Virginia

Call to order

1. Closed Session –
Pursuant to §2.2-3711 (A) 6 of the Code of Virginia (1950) as amended, for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the governmental unit would be adversely affected, specifically being the investment of public funds as incentives for the prospective location of Business A to Appomattox.
2. Committee Chairman project updates
3. Updates from Staff

Adjourn

COUNCIL AGENDA

TOWN OF APPOMATTOX – P. O. BOX 705 – Appomattox, Va 24522 - (434) 352-8268
INCORPORATED 1925

- Regular session meets at 7:30 p.m. on the 2nd Monday of each month.
- Presentations and agenda items scheduled by 2nd Monday preceding.
- There will be an opportunity for Public Comments at regular sessions only.
- Council Workshop meets at 7:00 p.m. on the 4th Tuesday of each month.

MAYOR – John L. Wilson

TOWN COUNCIL – Joyce B. Bennett, Steven E. Lawson, Norman H. (Jimmy) Mayberry, C. Lewis McDearmon, Jr., Jennifer Jamerson-Scruggs, John T. (Plicky) Williams

OTHERS – David T. Garrett, Town Manager; Frank A. Wright, Jr., Town Attorney and Roxanne W. Paulette, Town Clerk

Welcome!

Welcome to this meeting of the Appomattox Town Council! This is your Council, doing your business in a facility owned by the citizens of Appomattox. Good representative government requires citizen participation and your presence indicates to us that you are making a special effort to help make the Town of Appomattox a better place to live, work or visit.

Many people only come to the meetings when they have a passionate interest in a particular subject. Do not be discouraged if you do not see a crowded room. Your comments on any particular subject may represent the unspoken opinions of many others who could not appear.

Your understanding of your hometown will grow as you attend more meetings.

Guidelines for Citizen Participation

You may speak concerning an item not placed on the Agenda during the public comment period. A spokesperson may be named to present your position, with others in agreement being recognized by standing. Council will try to hear everyone who wishes to speak on a subject, but occasionally discussion is limited because of time. Speakers are generally requested to limit remarks to three (3) minutes, although Council can allow exceptions at its discretion.

When you are called upon to speak, you are requested to:

1. Come to the speaker's podium.
2. State your name and address for the record.
3. State your position.
4. If you have a written statement or a petition, please file it with the Clerk of Council. If supportive material is to be distributed among Council Members and Staff, please provide 12 copies.

Useful Information

Meeting Agenda Packets

Meeting agendas and supporting details, identical to the packet supplied the Council, are available in the J. Robert Jamerson Library at least one full workweek prior to meetings. Meeting agenda packets serve three purposes - First, they provide advance public notice and some background information on specific subjects for all interested citizens on a routine basis. Second, they provide advance information so that council members can adequately respond and plan for meeting participation. Third, they provide a plan for the orderly and efficient conduct of council meetings.

Television Coverage of Meetings

All Council Meetings are videotaped. The tapes are edited to exclude periods of inactivity so that they fit a two-hour time period provided by Alive TV, a ministry of Gethsemane Baptist Church, Lynchburg, Virginia. The meetings are aired on Cable Channel 7 and UHF Channel 33.

Times: Friday following meetings – 10:30 a.m. and 7:00 p.m.

Saturday following meetings – 8:30 a.m. and 2:00 p.m.

Committee Meetings

Most of the real work of Council is done by individual members working independently. Their independent efforts are discussed, analyzed and refined at Committee Meetings before presentation to the full Council.

Committee Meetings are scheduled, advertised and open to public and press. They must be advertised for 3 working days prior to a meeting. Individuals seeking notification of Committee Meetings may submit a written request, valid for one year.

Committees

Finance

Jennifer J. Scruggs, Ch.
(352-7550)
Lewis McDearmon
Joyce Bennett

Fire & Safety

Joyce Bennett, Ch.
(352-8609)
Norman Mayberry
John “Plicky” Williams

Ordinance Committee

Norman H. Mayberry, Ch.
(352-7086)
Steven E. Lawson
John “Plicky” Williams

Personnel

John “Plicky” Williams, Ch.
(352-4278)
Jimmy Mayberry
Joyce Bennett

Property & Streets

Steven E. Lawson, Ch.
(352-8235)
C. L. McDearmon, Jr.
Jennifer J. Scruggs

Utility Committee

C. L. McDearmon, Jr.
(352-5488)
Steve Lawson
Jennifer J. Scruggs

Office Hours: Monday – Friday, 8:30 a.m. – 4:30 p.m.
Office location: 210 Linden Street, Appomattox, Virginia

Other Useful Contact Numbers

Mayor: John L. Wilson, 352-2539, e-mail: jwilson@jetbroadband.com
Town Manager: David T. Garrett, Jr., 352-8268, e-mail: dgarrett@appomattoxva.gov
Billing Questions: 352-8268
Water Problems-Emergency: Day – 352-8268 or Evening – 352-8241

TOWN OF APPOMATTOX - 2007 MEETING SCHEDULE
Location: Appomattox Municipal Building, 210 Linden Street, Appomattox, VA

January 2007

Monday, January 8, 2007 at 7:30 p.m. – Regular
Tuesday, January 23, 2007 at 7:00 p.m. – Workshop

February 2007

Monday, February 12, 2007 at 7:30 p.m. – Regular
Tuesday, February 27, 2007 at 7:00 p.m. – Workshop

March 2007

Monday, March 12, 2007 at 7:30 p.m. – Regular
Tuesday, March 27, 2007 at 7:00 p.m. – Workshop

April 2007

Monday, April 9, 2007 at 7:30 p.m. – Regular
Tuesday, April 24, 2007 at 7:00 p.m. – Workshop

May 2007

Monday, May 14, 2007 at 7:30 p.m. – Regular
Tuesday, May 22, 2007 at 7:00 p.m. – Workshop

June 2007

Monday, June 11, 2007 at 7:30 p.m. – Regular
Tuesday, June 26, 2007 at 7:00 p.m. – Workshop

July 2007

Monday, July 9, 2007 at 7:30 p.m. – Regular
Tuesday, July 24, 2007 at 7:00 p.m. – Workshop

August 2007

Monday, August 13, 2007 at 7:30 p.m. – Regular
Tuesday, August 28, 2007 at 7:00 p.m. – Workshop

September 2007

Monday, September 10, 2007 at 7:30 p.m. – Regular
Tuesday, September 25, 2007 at 7:00 p.m. – Workshop

October 2007

*Tuesday, October 9, 2007 at 7:30 p.m. – Regular (*Monday, October 8, 2007 – Columbus Day Holiday)
Tuesday, October 23, 2007 at 7:00 p.m. – Workshop

November 2007

*Tuesday, November 13, 2007 at 7:30 p.m. – Regular (*Monday, November 12, 2007 – Veteran's Day Holiday)
Tuesday, November 27, 2007 at 7:00 p.m. – Workshop

December 2007

Monday, December 10, 2007 at 7:30 p.m. – Regular
Wednesday, December 26, 2007 at 7:00 p.m. – Workshop

*Code of the Town of Appomattox.

§5-8. Time and Place.

If the second Monday of the month is a holiday, the meeting shall be held on the following day.

If a Council Meeting (Regular or Workshop) is cancelled due to inclement weather, the council will meet the following night.

A motion duly seconded and voted upon by council could change or remove any of the above dates or times.

Utility Rates

(Effective November 1, 2006)

Water

In Town

\$6.35/month with 2000 gallon allowable metered sales
\$5.54/1000 gallons for all consumption above 2000 gallons

Out of Town

\$9.35/month with 2000 gallons allowable metered sales
\$8.31/1000 gallons for all consumption 2000 gallons

Sewer

In Town

\$9.10/month per Equivalent Residential Connection (ERC)
\$7.25/1000 gallons for all metered water consumption

Out of Town

\$13.65/month per Equivalent Residential Connection (ERC)
\$10.88/1000 gallons for all metered water consumption

Business Licenses

Due January 31, 2007

Applications are available at the Town Office

Rate - \$0.15/\$100 of gross receipts

Town Decals

On Sale March 1, 2007 and must be displayed by March 31, 2007

\$25.00 for Cars/Trucks

\$24.00 for Motorcycles

\$2.00 for Transfers

(Prior years Personal Property taxes must be paid before purchase)

Meals Tax

Rate - 5%

Reported monthly

Lodging Tax

Rate - 5%

Reported monthly

Opening Burning

Allowed the first week of December, February, March, April, the last week of November.

Curbside Leaf Collection

Loose Leaves – November 1 – December 31

Bagged Leaves – November 1 – January 31

Regular Meeting – August 13, 2007

The Appomattox Town Council met in Regular Session on Monday, August 13, 2007 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N. H. Mayberry, C. Lewis McDearmon, John T. Williams, Jennifer Jamerson-Scruggs and Steve E. Lawson.

Others present: Deborah Doherty, L.D. Fleshman, Jeff Reid, Beckie Nix, Stephanie James, David Garrett, Frank Wright, Carlton Duck and Roxanne W. Paulette, Clerk.

Mayor Wilson called the regular meeting to order.

Pastor Carlton Duck gave an invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to adopt the Consent Agenda of August 13, 2007. All members present voting aye. Motion carried.

Jeff Reid, General Manager, Digital Bridge Communications Corporation gave a presentation to Council regarding the wireless broadband internet service they will be providing in the area.

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council voted to table the consideration to approve the rezoning request of Thomasville Furniture, Inc. – Tax Map #64A1 (A) 3 until the September 2007 Workshop Meeting. All members present voting aye. Motion carried.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Lawson, Council voted to proceed with Anderson & Associates for \$2000.00 to complete the VDH Water Planning Study Grant Application. All members present voting aye. Motion carried.

On a recommendation by Steve Lawson, Chairman of the Street & Property Committee, Council voted to begin the interior renovations of the Town Office with the money available in the budget. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Jamerson-Scruggs, Council voted to transfer the issue of Speeding in Town to the Fire & Safety Committee as the Street & Property Committee did not accept the Sheriff's Office recommendation of an additional \$15,000 of funding to monitor speeding in town. All members present voting aye. Motion carried.

On a recommendation by Steve Lawson, Chairman of the Street & Property Committee, Council voted to appoint Pam Robinson and Nancy Dawson to the Advisory Board of the Street & Property Committee for the purpose of the Sidewalk Planning Grant. All members present voting aye. Motion carried.

August 13, 2007

On a motion by N. H. Mayberry, Chairman of the Ordinance Committee, Council voted to appoint Barbara Caldwell, Brod Pack, Sheila Palamar, S. L. Ferguson, III and Phillip Jamerson to the Advisory Board of the Ordinance Committee for the purpose of developing Landscaping & Sign Ordinances. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to present Section 195-23.1 Conditional Zoning to the Appomattox County Planning Commission for a public hearing and consideration. All members present voting aye. Motion carried.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember McDearmon, Council voted to convene in closed session, pursuant to § 2.2-3711 (A) 6 of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the governmental unit would be adversely affected specifically being the investment of public funds as incentives for prospective location of Business A to Appomattox.

VOTE: Bennett – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – 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, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye, Lawson – aye.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Mayberry, Council voted to adjourn at 9:20 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Town of Appomattox – Agenda – Council Workshop Meeting
Tuesday, August 28, 2007 - 7:00 p.m.
Appomattox Municipal Building – 210 Linden Street, Appomattox, Virginia

Call to order

1. Committee Chairman project updates
 - a. Ordinance Committee
 - b. Finance Committee
 - c. Street & Property Committee
 - d. Fire & Safety Committee
 - e. Personnel Committee
 - f. Utility Committee

2. Updates from Staff
 - a. Director of Tourism
 - b. Treasurer
 - c. Clerk
 - d. Town Manager
 - i. Attachments for Wastewater, Water & Utility
 - e. Town Attorney

Adjourn

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(Effective November 1, 2006)

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In Town

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Reported monthly

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Allowed the first week of December, February, March, April, the last week of November.

Curbside Leaf Collection

Loose Leaves – November 1 – December 31

Bagged Leaves – November 1 – January 31

Council Workshop – August 28, 2007

The Appomattox Town Council held a Workshop Meeting on Tuesday, August 28, 2007 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce Bennett, N. H. Mayberry, C. Lewis McDearmon, Jr., John T. Williams. Absent: Jennifer Jamerson-Scruggs, Steven E. Lawson.

Others present: April Dye, Beckie Nix, Leslie Austin, Stephanie James, Sarah Watson, Frank Wright, David Garrett, Carlton Duck, Derek Norfield and Roxanne W. Paulette.

Mayor Wilson called the meeting to order.

Committee Reports –

Ordinance – Mr. Mayberry reported that the Ordinance Committee will meet on September 12, 2007 at 7:00 p.m. with the appointed citizen advisors to begin discussing sign and landscaping ordinances.

Finance – David Garrett gave the report for Chairman Scruggs. The Chairman of the Finance Committee will ask Council to approve two (2) citizens to the Finance Committee as citizen advisors at the next regular meeting. Karl Carter has agreed to serve as a citizen advisor. The Finance Committee met with Shawn Crumlish, Virginia Resource Authority on Tuesday, August 28, 2007.

Street & Property – Staff has been busy with construction at the town office. The completion date is still set for October 31, 2007.

Fire & Safety – The committee has received complaints from citizens in town regarding speeding. David has spoken with the Sheriff's Office and State Police. Councilmember Williams would like to personally thank the Sheriff's office for their quick and timely response.

Personnel – Mr. Williams reported that the committee is in the early stages of creating a training schedule for town employees. By using CVCC, EAP, Fire & Rescue, Appomattox County High School we could educate and train our employees. There should be more to report next month.

Utility – Mr. McDearmon reported that the Utility Committee has not held a meeting. RMC is taking chemical samples at the Trickling Filter Plant. There will be more to report on the samples at a later date.

Staff Reports -

Beckie Nix, Director of Tourism reported that the Visitor's Center and downtown merchants had seen an increase in visitor's and sales over the past year. Some merchants reported have double and triple sales increases during the past year.

Beckie Nix is also working to organize a Hospitality Training session in October. The training session will include restaurants, lodging, gas stations, convenience stores, town/county employees, etc. More information will follow.

Beckie introduced April Dye, a Senior Government major at Liberty University who is an “inter departmental assistant” working on her internship of 120 hours between now and December 2007. April will be working with Beckie creating a database for tourism stakeholders and with Roxanne creating a Resolutions/Ordinance book for Town Council.

David Garrett, Jr., Town Manager gave the Treasurer’s Report for Leslie Austin. Mayor Wilson will continue to work with David and Leslie to make the reporting better with more information.

Roxanne Paulette, Clerk reported that the office staff has been working to mail the 2007 Real Estate and Personal Property taxes by Friday, August 31, 2007 as well as the water bills for the month of August 2007.

David Garrett, Jr., Town Manager reported to Council that the \$25,000 planning grant was submitted to the Virginia Health Department by Anderson & Associates. Mr. Garrett also reported that Hurt & Proffitt, Inc. submitted a \$241,250 planning grant to the Virginia Department of Health to replace 600 + water meters that are in excess of 15 years old. Mr. Garrett reported that while Walter Gum Manor has obtained a building permit from the County, no construction date has been set. Mr. Garrett did not have additional information regarding Wal-Mart or the erection of the street lights at J. E. Jamerson & Sons. The harvested Reed Beds at the SBR Treatment Facility have been burned. By this method, the Town of Appomattox has saved several hundred thousand dollars in landfill fees.

The Town Attorney had nothing to report.

On a motion by Councilmember Williams, seconded by Councilmember McDearmon, Council voted to adjourn at 7:46 p.m. All members present voting aye. Motion carried.

John L. Wilson, Mayor

Roxanne W. Paulette, Clerk

REGULAR MEETING – September 10, 2007

The Appomattox Town Council met in regular session on Monday, September 10, 2007 at the Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N.H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Steven E. Lawson. Absent: Jennifer Jamerson-Scruggs.

Others: Stephanie James, Times Virginian; April Dye, Dr. Barry Moore, Liberty University; Beckie Nix, Director of Tourism; Carlton Duck, David Garrett, Town Manager, Frank Wright, Town Attorney and Roxanne W. Paulette, Clerk.

Dr. Moore gave the invocation.

On a motion by Councilmember Bennett, seconded Councilmember McDearmon, Council voted to adopt the consent agenda of September 10, 2007. All members present voting aye. Motion carried.

Public Comments & Appearances

Dr. Barry N. Moore, Ph.D. – Brings greeting from Liberty University and Jerry Falwell, Jr. Offered congratulations to Beckie Nix and elected officials on the recent announce of the Museum of the Confederacy. This will have a positive financial impact on the entire region.

Unfinished Business

Councilmember Williams commented that he had been outspoken on the speeding in town. He thanked the Sheriff and his department for their efforts in curbing this problem and it begins to be corrected.

New Business

The Town Manager gave a brief update on the current water level and well conditions. He along with Staff will continue to gather data. The comparisons over the last twelve months indicate that five (5) wells are up and three (3) have dropped. There has been no drastic drop in this past spring and summer in the wells. We continue to produce 240,000 – 250,000 gallons per day.

David explained how each of the eight (8) wells has increased or decreased over the last year (August 06-August 07). The rainfall deficit is 2.5” this year. The increase in well water levels is due to changes in the pumping cycles and the decrease is due to drought conditions.

A well was drilled last Thursday to 300 feet producing 25 gpm. The geologist feels the Town should go an additional 100 feet. As far as a sense of security, he wants to make sure he is clear that this condition could change. I fully expect this situation to get worse, as the drought conditions. He plans to have more information by the end of the month. The water levels/wells are being closely monitored. This is a serious time. We need to be planning for the future whether it is additional wells or a pipeline of some source.

Beckie Nix gave an update regarding:

- The Museum of the Confederacy, 8000 sq. ft. facility, formalize a multi-locations by 2008, groundbreaking 2009, complete with 2011. The Battlefield of Appomattox Station site will be following the same timeline as the museum .

- The i-pod tour will be coming soon.
- Beckie brief Council on the “Give ‘em the pickle” hospitality training will be presented by Bobby Walker on October 18, 2007 at 9:00 a.m. and 2:00 p.m. at the Appomattox Community Center.
- The Civil War Preservation & Trust continues to be in touch with how they can help with site acquisition of the battlefield site.
- Beckie met with “e-brain” who will conduct a web site search optimization program for the website.
- Beckie met with a videographer who will taping video testimonials for use on our website.

Joyce Bennett thanked Beckie for her hard work.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to adjourn at 8:05 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Town of Appomattox – Agenda – Council Workshop Meeting
Tuesday, September 25, 2007 - 7:00 p.m.
Appomattox Municipal Building – 210 Linden Street, Appomattox, Virginia

Call to order – Mayor Wilson

Unfinished Business -

1. Consideration to approve the rezoning request of Thomasville Furniture, Inc. – Tax Map # 64A1 (A) 3.
(This is unfinished business from the August 13, 2007 Regular Council Meeting)
2. Consideration to adopt AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Chapter 195 thereof, entitled Zoning, to add a new section providing for Conditional Zoning

§ 195-23.1. Conditional Zoning

The purpose of conditional zoning is to provide a method for permitting the reasonable and orderly development and use of land in which peculiar circumstances indicate that the existing zoning ordinance district regulations are not adequate. In such instances the owner of the subject property may offer reasonable voluntary proffers that when considered with the existing zoning ordinance district regulations should make the requested rezoning compatible with existing zoning and uses in the area and the comprehensive plan.

Presentations

3. Presentation by Kelly Hitchcock for Appomattox Heritage Recreational and Trail Plan Meeting

Reports

4. Committee Chairman project updates
 - a. Ordinance Committee
 - b. Finance Committee –
 - i. Appointment of Citizen Advisor
 - c. Street & Property Committee
 - d. Fire & Safety Committee
 - e. Personnel Committee
 - f. Utility Committee
5. Updates from Staff
 - g. Director of Tourism
 - h. Treasurer
 - i. Clerk
 - j. Town Manager
 - k. Town Attorney

Adjourn

COUNCIL AGENDA

TOWN OF APPOMATTOX – P. O. BOX 705 – Appomattox, Va 24522 - (434) 352-8268
INCORPORATED 1925

- Regular session meets at 7:30 p.m. on the 2nd Monday of each month.
- Presentations and agenda items scheduled by 2nd Monday preceding.
- There will be an opportunity for Public Comments at regular sessions only.
- Council Workshop meets at 7:00 p.m. on the 4th Tuesday of each month.

MAYOR – John L. Wilson

TOWN COUNCIL – Joyce B. Bennett, Steven E. Lawson, Norman H. (Jimmy) Mayberry, C. Lewis McDearmon, Jr., Jennifer Jamerson-Scruggs, John T. (Plicky) Williams

OTHERS – David T. Garrett, Town Manager; Frank A. Wright, Jr., Town Attorney and Roxanne W. Paulette, Town Clerk

Welcome!

Welcome to this meeting of the Appomattox Town Council! This is your Council, doing your business in a facility owned by the citizens of Appomattox. Good representative government requires citizen participation and your presence indicates to us that you are making a special effort to help make the Town of Appomattox a better place to live, work or visit.

Many people only come to the meetings when they have a passionate interest in a particular subject. Do not be discouraged if you do not see a crowded room. Your comments on any particular subject may represent the unspoken opinions of many others who could not appear.

Your understanding of your hometown will grow as you attend more meetings.

Guidelines for Citizen Participation

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Committees

Finance

Jennifer J. Scruggs, Ch.
(352-7550)
Lewis McDearmon
Joyce Bennett

Fire & Safety

Joyce Bennett, Ch.
(352-8609)
Norman Mayberry
John “Plicky” Williams

Ordinance Committee

Norman H. Mayberry, Ch.
(352-7086)
Steven E. Lawson
John “Plicky” Williams

Personnel

John “Plicky” Williams, Ch.
(352-4278)
Jimmy Mayberry
Joyce Bennett

Property & Streets

Steven E. Lawson, Ch.
(352-8235)
C. L. McDearmon, Jr.
Jennifer J. Scruggs

Utility Committee

C. L. McDearmon, Jr.
(352-5488)
Steve Lawson
Jennifer J. Scruggs

Office Hours: Monday – Friday, 8:30 a.m. – 4:30 p.m.
Office location: 210 Linden Street, Appomattox, Virginia

Other Useful Contact Numbers

Mayor: John L. Wilson, 352-2539, e-mail: jwilson@jetbroadband.com
Town Manager: David T. Garrett, Jr., 352-8268, e-mail: dgarrett@appomattoxva.gov
Billing Questions: 352-8268
Water Problems-Emergency: Day – 352-8268 or Evening – 352-8241

TOWN OF APPOMATTOX - 2007 MEETING SCHEDULE
Location: Appomattox Municipal Building, 210 Linden Street, Appomattox, VA

January 2007

Monday, January 8, 2007 at 7:30 p.m. – Regular
Tuesday, January 23, 2007 at 7:00 p.m. – Workshop

February 2007

Monday, February 12, 2007 at 7:30 p.m. – Regular
Tuesday, February 27, 2007 at 7:00 p.m. – Workshop

March 2007

Monday, March 12, 2007 at 7:30 p.m. – Regular
Tuesday, March 27, 2007 at 7:00 p.m. – Workshop

April 2007

Monday, April 9, 2007 at 7:30 p.m. – Regular
Tuesday, April 24, 2007 at 7:00 p.m. – Workshop

May 2007

Monday, May 14, 2007 at 7:30 p.m. – Regular
Tuesday, May 22, 2007 at 7:00 p.m. – Workshop

June 2007

Monday, June 11, 2007 at 7:30 p.m. – Regular
Tuesday, June 26, 2007 at 7:00 p.m. – Workshop

July 2007

Monday, July 9, 2007 at 7:30 p.m. – Regular
Tuesday, July 24, 2007 at 7:00 p.m. – Workshop

August 2007

Monday, August 13, 2007 at 7:30 p.m. – Regular
Tuesday, August 28, 2007 at 7:00 p.m. – Workshop

September 2007

Monday, September 10, 2007 at 7:30 p.m. – Regular
Tuesday, September 25, 2007 at 7:00 p.m. – Workshop

October 2007

*Tuesday, October 9, 2007 at 7:30 p.m. – Regular (*Monday, October 8, 2007 – Columbus Day Holiday)
Tuesday, October 23, 2007 at 7:00 p.m. – Workshop

November 2007

*Tuesday, November 13, 2007 at 7:30 p.m. – Regular (*Monday, November 12, 2007 – Veteran's Day Holiday)
Tuesday, November 27, 2007 at 7:00 p.m. – Workshop

December 2007

Monday, December 10, 2007 at 7:30 p.m. – Regular
Wednesday, December 26, 2007 at 7:00 p.m. – Workshop

*Code of the Town of Appomattox.

§5-8. Time and Place.

If the second Monday of the month is a holiday, the meeting shall be held on the following day.

If a Council Meeting (Regular or Workshop) is cancelled due to inclement weather, the council will meet the following night.

A motion duly seconded and voted upon by council could change or remove any of the above dates or times.

Utility Rates

(Effective November 1, 2006)

Water

In Town

\$6.35/month with 2000 gallon allowable metered sales
\$5.54/1000 gallons for all consumption above 2000 gallons

Out of Town

\$9.35/month with 2000 gallons allowable metered sales
\$8.31/1000 gallons for all consumption 2000 gallons

Sewer

In Town

\$9.10/month per Equivalent Residential Connection (ERC)
\$7.25/1000 gallons for all metered water consumption

Out of Town

\$13.65/month per Equivalent Residential Connection (ERC)
\$10.88/1000 gallons for all metered water consumption

Business Licenses

Due January 31, 2007

Applications are available at the Town Office

Rate - \$0.15/\$100 of gross receipts

Town Decals

On Sale March 1, 2007 and must be displayed by March 31, 2007

\$25.00 for Cars/Trucks

\$24.00 for Motorcycles

\$2.00 for Transfers

(Prior years Personal Property taxes must be paid before purchase)

Meals Tax

Rate - 5%

Reported monthly

Lodging Tax

Rate - 5%

Reported monthly

Opening Burning

Allowed the first week of December, February, March, April, the last week of November.

Curbside Leaf Collection

Loose Leaves – November 1 – December 31

Bagged Leaves – November 1 – January 31

WORKSHOP MEETING – September 25, 2007

The Appomattox Town Council met in a workshop session on Tuesday, September 25, 2007 at 7:00 p.m. at the Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Jennifer Jamerson –Scruggs, Steven E. Lawson. Absent: Joyce B. Bennett

Others present: Adam Schmid & Phil Chang (Kimley-Horn), Rob Barget (Rebeck Corp.), Derek Norfield, Frank Wright (Town Attorney), David Garrett, Jr. (Town Manager), Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

On a recommendation by Steve Lawson, Chairman of the Ordinance Committee, Council voted to approve an ordinance to amend the Code of the Town of Appomattox, Chapter 195 thereof, entitled Zoning, to add a new section providing for Conditional Zoning as amended. All members present voting aye. Motion carried. (See attachment w/ amendments)

On a motion by Councilmember Lawson, seconded by Councilmember Jamerson-Scruggs, Council voted to approve the rezoning request of Thomasville Furniture, Tax Map # 64A1 (A) 3 from M-1 to B-1 as requested, with the accompanying proffers:

1. Sidewalks/pedestrian access ways. A pedestrian access system shall be provided connecting the major project areas of the development.
2. Elevations. Development of the retail property, out parcels, and CVS shall be coordinated and use a historic red brick for building construction unless otherwise requested or specifically approved by the Town of Appomattox. Split face block may only be used for the rear façade of the retail buildings as this only faces the railroad tracks.
3. Development of out parcels. Preliminary layouts for a bank, restaurant, and gas station on the out parcels have been prepared. These currently proposed uses and layouts are subject to change to any other permitted use. The out parcels may be subject to additional landscaping requirements as required by the Town of Appomattox.
4. Prohibited uses. The following uses shall be prohibited:
 - a. auto and home appliance service
 - b. newspaper printing establishments
 - c. repair shops
 - d. business schools
 - e. pet grooming
 - f. linen and diaper service
 - g. churches
 - h. nursing homes
 - i. hospitals
 - j. funeral homes

- k. auto sales
 - l. stand alone car washes
 - m. service stations (not to include gas stations or convenience stores + gas sales)
 - n. farmers market
 - o. lumber and building supply
 - p. plumbing and electrical supply
 - q. wholesale and processing
 - r. recycling collection centers
 - s. childcare centers
 - t. miniature golf courses
 - u. greenhouses and garden centers
 - v. machinery sales and service
 - w. feed and seed storage
 - x. mini warehouses
 - y. self-service storage facilities
 - z. billboards
5. Signage. Signage throughout the development shall be coordinated with the exception of the CVS sign package. Any detached signs shall be ground mounted monumental type signs and shall not exceed fifteen feet in height above grade. Only two freestanding monument signs will be permitted – one for the CVS and one for the rest of the development. The wall signage shall be limited to 40 square feet plus 1.5 square foot per linear foot of wall. Signs should only be on walls fronting a public street or parking area. Total square footage per wall should not exceed 200 square feet.
 6. Trash receptacles/recycling activities. Dumpsters, trash receptacles, not including convenience cans, and recycling receptacles shall be screened from public view with masonry enclosures compatible with the architectural design of the development. Convenience cans shall be within or part of a decorative container.
 7. Refuse containers. The gates and doors on the masonry refuse screens shall be of a substantial and durable material. Support posts, gate frames, hinges, and latches shall be of sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore. The number of refuse containers shall be adequate for the development.
 8. Landscaping. Street trees shall be planted a minimum of 40' on center along the frontage of U.S. 460 and all entrance drives. Interior parking lot landscaping shall be planted at a rate of one shade type tree for every ten spaces. Trees shall be planted within landscaped islands within the parking area. All rows of parking shall be capped with a shade type tree. Landscaping plan shall include one shrub for each parking space. A "rolling" landscaped berm of approximately three feet in height shall be provided along U.S. 460.
 9. Lighting. Lighting should be designed so that no direct illumination occurs beyond the property lines. Lighting along entrance drives shall be of an architectural style consistent with what is located in the downtown of Appomattox.
 10. Access Easement. The development shall provide an access easement with the adjacent property to the west for future connectivity.

All members present voting aye. Motion carried.

Kelly Hitchcock of the Region 2000 Local Government Council was not present to give the presentation of the Appomattox Heritage Recreational & Trail Plan.

Committee Reports –

Ordinance Committee – Chairman Mayberry informed Council that the next Ordinance Committee Meeting with the Citizen Advisors will be September 27, 2007 at 7:30 p.m.

Finance Committee – Chairperson Jamerson-Scruggs reported that the committee is waiting for Shawn Crumlish, VRA to return to a meeting to discuss options for the six (6) year Capital Improvement Plan.

On a recommendation by Councilmember Jamerson-Scruggs, Chair of the Finance Committee, Council voted to appoint Karl Carter to the Finance Committee with an expiration of June 30, 2008, the end of this Council term. All members present voting aye. Motion carried.

Personnel Committee – Chairman Williams reported that the Personnel Committee will meet on Monday, October 1, 2007 at 4:00 p.m. with Dr. Krug of Central Virginia Community College.

David Garrett, Town Manager gave several updates to council regarding the clean metal data samples at the treatment facilities, Draper Aden water reports, Pump Station #2 at the Shoppes of Appomattox.

Leslie Austin, Treasurer provided information to Council members regarding Meals Tax, Lodging Tax, Real Estate and Personal Property tax collections.

Staff is recommending the purchase of a new pump for D. S. Nash's pump station.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to authorize the purchase of a new sewer pump for D. S. Nash's pump station. Mayor Wilson asked for a change of words as the Town Manager already has the "authority" to purchase. Mayor Wilson requested the word be changed to "support". All members present voting aye. Motion carried.

The Director of Tourism, Beckie Nix was attending the Governor's Conference in Hampton, Virginia and unable to attend.

No reports from the Town Attorney.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, the Appomattox Town 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 the salary consideration of a specific employee of the Town of Appomattox, specifically being Employee A.

Vote:

Bennett - absent, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – 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 - absent, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye, Lawson – absent.

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.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Regular Meeting – October 9, 2007

The Appomattox Town Council met in Regular session on Tuesday, October 9, 2007 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson. Absent: C. Lewis McDearmon, Jr.

Others present: Andrew Dearing, Tiffany Dearing, Cynthia Duck, Carlton Duck, Bill Burke, April Dye, Stephanie James (Times Virginian), Sarah Watson (News & Advance), Frank Wright (Town Attorney), David Garrett, Jr. (Town Manager), and Roxanne Paulette (Town Clerk).

Mayor Wilson called the meeting to order and gave the invocation.

On a motion by Councilmember Williams, seconded by Councilmember Jamerson-Scruggs, Council voted to adopt the consent agenda of October 9, 2007 as presented. All members present voting aye. Motion carried.

Mayor’s Comments – none

Public Comments & Appearances – none

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to deny the request of Elizabeth Mayberry regarding her water deposit, citing the deposit is a requirement of the policy. All members present voting aye. Motion carried.

On a motion by Councilmember Williams, seconded by Councilmember Jamerson-Scruggs, Council voted to accept the staff recommendation of implementing Condition 2 of the Water Conservation Plan by imposing Voluntary Water Restrictions. All members present voting aye. Motion carried.

Council Workshop – October 23, 2007

The Appomattox Town Council held a Workshop meeting on Tuesday, October 23, 2007 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams. Absent: Jennifer Jamerson-Scruggs and Steven E. Lawson.

Others present: Carlton Duck (Alive Media TV), Derek Norfield (Alive Media TV), Kelly Hitchcock (Region 2000 Local Government Council), Jeff Elder (Utility Director), Beckie Nix (Director of Tourism), April Dye, Sarah Watson (News & Advance), Stephanie James (Times Virginian), Frank Wright (Town Attorney), David Garrett, Jr. (Town Manager), Roxanne Paulette (Town Clerk).

Mayor Wilson called the meeting to order.

Kelly Hitchcock, Region 2000 Local Government Council presented a resolution for the Appomattox County Application to the Virginia Department of Transportation.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to adopt the following resolution:

<insert resolution>

All members present voting aye. Motion carried.

David Garrett, Jr. and Frank Wright explained the need to update the Floodplain Ordinance for the Town of Appomattox. The attorney’s comments have been submitted to FEMA for review. Frank Wright explained to Council that is an overlay ordinance to the current zoning ordinance and the Town is required to adopt it. Without the ordinance, we would not be eligible for FEMA funds.

Committee Reports –

Ordinance Committee – Mr. Mayberry reported that the Ordinance Committee will meet on Tuesday, October 30, 2007 at 6:00 p.m. with Tom Martin to discuss Conditional Use Permits. The Citizen Advisory committee will meet on October 30, 2007 at 7:00 p.m.

Finance Committee – Ms. Jamerson-Scruggs was absent.

Street & Property Committee – Mr. Lawson was absent.

Fire & Safety Committee – Ms. Bennett and David Garrett will be attending a roundtable discussion at Rustburg High School on October 27, 2007 to discuss the Pandemic Flu. Ms. Bennett also reported on several sessions she attended at the VML Conference in Williamsburg during the annual conference concerning blighted property.

Personnel Committee – Mr. Williams reported that Dr. Lemons and Dr. Krug had developed a preliminary course – the committee will meet before the next regularly scheduled meeting to approve or change the curriculum.

Utility Committee – Mr. McDearmon reported that the committee met on October 11, 2007. Eighteen (18) people were in attendance, the local health department, state health department, Earl Dickerson (H&P) to discuss the water situation and what could be done. The committee agreed to continue drilling some wells and there was some discussion of a PER (Preliminary Engineering Report) for the Health Department and Rural Development. The PER just completed (May 2007) by Draper Aden could possibly be used – with some minor adjustments. The main priority is for staff to locate additional well sites in addition to those selected on the Jones property. The price of each test wells is \$1500 – 2000.

Councilmember Bennett made a motion to develop a “task force” to gather information, specifically the cost of financing the Concord waterline. Councilmember Mayberry seconded the motion. After each councilmember had an opportunity to speak for/against the motion, Mr. Mayberry called for the question. Mayor Wilson would not allow the question, to limit debate. Mr. Mayberry who cited the Mayor was not following Robert’s Rules of Order (previously adopted by Council) left the meeting, followed by Ms. Bennett.

The meeting then had no quorum and was considered adjourned by Mayor Wilson until the next regularly scheduled meeting of November 13, 2007 at 7:30 p.m.

Roxanne W. Paulette,
Clerk

John L. Wilson,
Mayor

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OTHERS – David T. Garrett, Town Manager; Frank A. Wright, Jr., Town Attorney and
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Fire & Safety

Joyce Bennett, Ch.

(352-8609)

Norman Mayberry

John “Plicky” Williams

Property & Streets

Steven E. Lawson, Ch.

(352-8235)

C. L. McDearmon, Jr.

Jennifer J. Scruggs

*Pamela Robinson

* Nancy Dawson

Ordinance Committee

Norman H. Mayberry, Ch.

(352-7086)

Steven E. Lawson

John “Plicky” Williams

*Sheila Palamar *Phillip

Jamerson *S. L. Ferguson

*Brod Pack *Barbara Caldwell

Utility Committee

C. L. McDearmon, Jr.

(352-5488)

Steve Lawson

Jennifer J. Scruggs

*Denotes Citizen Advisors
appointed to the committee

Office Hours: Monday – Friday, 8:30 a.m. – 4:30 p.m.
Office location: 210 Linden Street, Appomattox, Virginia

Other Useful Contact Numbers

Mayor:

John L. Wilson, 352-2539, e-mail: jwilson@jetbroadband.com

Town Manager:

David T. Garrett, Jr., 352-8268, e-mail: dgarrett@appomattoxva.gov

Billing Questions: 352-8268

Water Problems-Emergency: Day – 352-8268 or Evening – 352-8241

**Town of Appomattox – Agenda – Council Workshop Meeting
Tuesday, October 23, 2007 - 7:00 p.m.
Appomattox Municipal Building – 210 Linden Street, Appomattox, Virginia**

Call to order – Mayor Wilson

Unfinished Business -

None

New Business –

1. Consideration to adopt the Appomattox County Application to the Virginia Department of Transportation – Transportation Enhancement Program Resolution (Attached)
2. Update Council on the Floodplain Ordinance
(The Town will need to update the Floodplain Ordinance and the draft is attached. The final ordinance will need to be submitted to the Appomattox County Planning Commission for a joint public hearing, review and consideration to approve by the Town Council.)

Reports

4. Committee Chairman project updates
 - a. Ordinance Committee
 - b. Finance Committee –
 - c. Street & Property Committee
 - d. Fire & Safety Committee
 - e. Personnel Committee
 - f. Utility Committee
5. Updates from Staff
 - g. Director of Tourism
 - h. Treasurer
 - i. Clerk
 - j. Town Manager
 - i. Update on current well conditions
(The Town Manager will give an update on the current water levels and well conditions)
 - k. Town Attorney

Adjourn

Upcoming Meetings/Events

All meetings will take place at the Appomattox Municipal Building, 210 Linden Street,
Appomattox, Virginia

Tuesday, October 30, 2007 – 6:00 p.m. – Ordinance Committee Meeting
Tuesday, October 30, 2007 – 7:00 p.m. – Citizen Advisory of the Ordinance Committee Meeting
Tuesday, November 13, 2007 – 7:30 p.m. – Regular Council Meeting

Utility Rates
(Effective November 1, 2006)

Water

In Town

\$6.35/month with 2000 gallon allowable metered sales
\$5.54/1000 gallons for all consumption above 2000 gallons

Out of Town

\$9.35/month with 2000 gallons allowable metered sales
\$8.31/1000 gallons for all consumption 2000 gallons

Sewer

In Town

\$9.10/month per Equivalent Residential Connection (ERC)
\$7.25/1000 gallons for all metered water consumption

Out of Town

\$13.65/month per Equivalent Residential Connection (ERC)
\$10.88/1000 gallons for all metered water consumption

Business Licenses

Due January 31, 2007

Applications are available at the Town Office

Rate - \$0.05/\$100 of gross receipts

Town Decals

On Sale March 1, 2007 and must be displayed by March 31, 2007

\$25.00 for Cars/Trucks

\$24.00 for Motorcycles

\$2.00 for Transfers

(Prior years Personal Property taxes must be paid before purchase)

Meals Tax

Rate - 5%

Reported monthly

Lodging Tax

Rate - 5%

Reported monthly

Open Burning

Allowed the first week of December, February, March, April, the last week of November.

Curbside Leaf Collection

Loose Leaves – November 1 – December 31

Bagged Leaves – November 1 – January 31

Regular Meeting – November 13, 2007

The Appomattox Town Council met in regular session on Tuesday, November 13, 2007 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N. H. Mayberry, C. Lewis McDearmon, John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, and Steven E. Lawson.

Others present: Bill Slagle, Tom Conrad, Sam Carter, Chad Millner, Stephanie James, Sarah Watson, Carlton Duck, Bill Burke, Bill Jamerson, Billy Perrow, Greg Wheeler, Beckie Nix, April Dye, Jeff Elder, David Garrett, Jr., Frank Wright and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

Rev. Carlton Duck gave the invocation.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Mayberry, Council voted to adopt the consent agenda dated November 13, 2007 as presented. All members present voting aye. Motion carried.

Public comments –

Bill Burke – Appomattox County resident and Town Business

Mr. Burke said he may have missed this in the newspaper articles, but his question was “if we connect to the waterline – what happens to our wells (the ones we are currently using)”?

Mr. Garrett answered Mr. Burke’s question – Mr. Garrett said two (2) options have surfaced from the discussions he has been involved with Option 1 – The Town could use their system (wells) as an emergency backup, Option 2 – To use the Town system (wells) in conjunction with the Concord waterline.

Mr. Burke stated that he has a business in the town and pays town taxes, whatever the issues you have (between the town/county) work them out. We are the laughing stock, the funny papers of other localities. Stop being critical of others, either join together or have one government.

Unfinished Business –

Mayor Wilson cited rules for the meeting as: 1) The person making the motion gets to state their reason for making the motion, 2) Alternate back and forth (for and against), 3) Limit the debate the two (2) minutes, 4) Alternate again, 5) All comments will be directed to the chair and in third person.

(From the 10/23/07 minutes- this motion is still on the floor)

Councilmember Bennett made a motion to develop a "task force" to gather information, specifically the cost of financing the Concord waterline. Councilmember Mayberry seconded the motion.

Ms. Bennett said the wells are a band-aid. The letter from the Health Department requires us to do more than wells. All I asked is that together with the County of Appomattox, EDA, Campbell Co and Health Department that we work together to determine the cost of the waterline from Concord to Appomattox.

No other members spoke for the motion.

No members spoke against the motion.

VOTE: Bennett – aye, Mayberry – aye, McDearmon – aye, Williams – no, Jamerson-Scruggs – no, Lawson – no. Mayor Wilson voted no. The motion failed 4 to 3.

Staff Reports –

Director of Tourism – April Dye presented the activity reports for August and September. The Director of Tourism attended "Demo Days" in Bracey, Virginia presenting a program entitled "Take a Hike through History". The rave reviews are complete on the tourism website. In September 2007, the Department of Tourism held a regional reception for the Museum of the Confederacy. In October 2007, the Forestry Department promoted Geo-caching of trails in Appomattox. Hospitality Training was held on October 18, 2007.

Town Manager – David Garrett updated Town Council:

1. Copper Pilot program at the Sewage Treatment Plant
2. Compliant received from Town citizens regarding deer and squirrel problems.
3. Regional Water Supply Study
4. Technical Lab inspection at the SBR plant on Ethel Street
5. Water inspection by the Virginia Department of Health concerning the pump houses, building and grounds.
6. Reported that the Railroad Festival had a very successful year.
7. The Utility crews completed water and sewer taps on Sunnydale Avenue.
8. Condition of the Wells –
 - a. The wells remain stable at this time. There is no significant increase or decrease in the water tables.
 - b. In order to determine the safe yield of each well, the best solution would be to conduct a 48 hour pump test.
 - c. The Town Manager, Water Operator and Geologist will be reviewing the information being gathered on all of the wells and factual and correct information will be provided to Council.
9. Mr. Garrett will be contacting Mr. McDearmon, Chairman of the Utility Committee regarding the consent order on the sewer system.

Town Attorney – Mr. Wright reported that he has provided answers to the questions presented at the August 20, 2007 Ordinance Committee meeting regarding the Town Charter.

The Floodplain Ordinance will be presented at a public hearing on Monday, November 26, 2007 at 6:00 p.m. at the Appomattox Community Center.

New Business –

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to send the request to the Utility Committee for further study. All members present voting aye. Motion carried.

Fire & Safety – has not met.

Ordinance – has not met.

Utility – A meeting is scheduled for November 15, 2007 at 9:00 a.m.

Personnel – Met today at 4:00 p.m. Chairman Williams reported that they are close to making a recommendation regarding training for staff.

Finance – has not met. Shawn Crumlish has been contacted and met with Jennifer.

Councilmember Lawson made a motion, seconded by Councilmember Williams, to hire an unbiased firm, not Hurt & Proffitt or Wiley & Wilson, to determine our real water costs by looking at our books and budgets for the last three (3) years and provide information regarding the volume of water in the 12” line, limits of turning the water tanks, how much water we would have to use, scenarios of shutting down all but two (2) of our wells.

After much discussion, Councilmember Lawson withdrew his motion and Councilmember Williams withdrew his second.

On a motion by Councilmember Mayberry, seconded by Councilmember Scruggs, Council voted to send Mr. Lawson’s request to the Utility Committee for further discussion. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to rescind a motion to appoint Karl Carter as a citizen advisor to the Finance Committee with a term to expire on June 30, 2008. All members present voting aye. Motion carried.

On a motion by Councilmember Scruggs, seconded by Councilmember Williams, Council voted to appoint Karl Carter as a citizen advisor to the Finance Committee with a term to expire on June 30, 2008.

Vote: Bennett – no, Mayberry – no, McDearmon – no, Lawson – no, Williams – yes, Scruggs – yes. Motion denied 4-2.

On a motion by Councilmember Williams, seconded by Councilmember Scruggs, Council voted to adjourn at 9:12 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

COUNCIL AGENDA

TOWN OF APPOMATTOX – P. O. BOX 705 – Appomattox, Va 24522 - (434) 352-8268
INCORPORATED 1925

- Regular session meets at 7:30 p.m. on the 2nd Monday of each month.
- Presentations and agenda items scheduled by 2nd Monday preceding.
- There will be an opportunity for Public Comments at regular sessions only.
- Council Workshop meets at 7:00 p.m. on the 4th Tuesday of each month.

MAYOR – John L. Wilson

TOWN COUNCIL - Joyce B. Bennett, Steven E. Lawson, Norman H. (Jimmy) Mayberry,
C. Lewis McDearmon, Jr., Jennifer Jamerson-Scruggs, John T. (Plicky) Williams

OTHERS – David T. Garrett, Town Manager; Frank A. Wright, Jr., Town Attorney and
Roxanne W. Paulette, Town Clerk

Welcome!

Welcome to this meeting of the Appomattox Town Council! This is your Council, doing your business in a facility owned by the citizens of Appomattox. Good representative government requires citizen participation and your presence indicates to us that you are making a special effort to help make the Town of Appomattox a better place to live, work or visit.

Many people only come to the meetings when they have a passionate interest in a particular subject. Do not be discouraged if you do not see a crowded room. Your comments on any particular subject may represent the unspoken opinions of many others who could not appear.

Your understanding of your hometown will grow as you attend more meetings.

Guidelines for Citizen Participation

You may speak concerning an item not placed on the Agenda during the public comment period. A spokesperson may be named to present your position, with others in agreement being recognized by standing. Council will try to hear everyone who wishes to speak on a subject, but occasionally discussion is limited because of time. Speakers are generally requested to limit remarks to three (3) minutes, although Council can allow exceptions at its discretion.

When you are called upon to speak, you are requested to:

1. Come to the speaker's podium.
2. State your name and address for the record.
3. State your position.
4. If you have a written statement or a petition, please file it with the Clerk of Council. If supportive material is to be distributed among Council Members and Staff, please provide 12 copies.

Useful Information

Meeting Agenda Packets

Meeting agendas and supporting details, identical to the packet supplied the Council, are available in the J. Robert Jamerson Library at least one full workweek prior to meetings. Meeting agenda packets serve three purposes - First, they provide advance public notice and some background information on specific subjects for all interested citizens on a routine basis. Second, they provide advance information so that council members can adequately respond and plan for meeting participation. Third, they provide a plan for the orderly and efficient conduct of council meetings.

Television Coverage of Meetings

All Council Meetings are videotaped. The tapes are edited to exclude periods of inactivity so that they fit a two-hour time period provided by Alive TV, a ministry of Gethsemane Baptist Church, Lynchburg, Virginia. The meetings are aired on Cable Channel 7 and UHF Channel 33.

Times: Friday following meetings – 10:30 a.m. and 7:00 p.m.

Saturday following meetings – 8:30 a.m. and 2:00 p.m.

Committee Meetings

Most of the real work of Council is done by individual members working independently. Their independent efforts are discussed, analyzed and refined at Committee Meetings before presentation to the full Council.

Committee Meetings are scheduled, advertised and open to public and press. They must be advertised for 3 working days prior to a meeting. Individuals seeking notification of Committee Meetings may submit a written request, valid for one year.

Committees

Finance

Jennifer J. Scruggs, Ch.
(352-7550)
Lewis McDearmon
Joyce Bennett

Personnel

John “Plicky” Williams, Ch.
(352-4278)
Jimmy Mayberry
Joyce Bennett

Fire & Safety

Joyce Bennett, Ch.
(352-8609)
Norman Mayberry
John “Plicky” Williams

Property & Streets

Steven E. Lawson, Ch.
(352-8235)
C. L. McDearmon, Jr.
Jennifer J. Scruggs
*Pamela Robinson
* Nancy Dawson

Ordinance Committee

Norman H. Mayberry, Ch.
(352-7086)
Steven E. Lawson
John “Plicky” Williams
*Sheila Palamar *Phillip
Jamerson *S. L. Ferguson
*Brod Pack *Barbara Caldwell

Utility Committee

C. L. McDearmon, Jr.
(352-5488)
Steve Lawson
Jennifer J. Scruggs

*Denotes Citizen Advisors
appointed to the committee

Office Hours: Monday – Friday, 8:30 a.m. – 4:30 p.m.
Office location: 210 Linden Street, Appomattox, Virginia

Other Useful Contact Numbers

Mayor: John L. Wilson, 352-2539, e-mail: jwilson@jetbroadband.com
Town Manager: David T. Garrett, Jr., 352-8268, e-mail: dgarrett@appomattoxva.gov
Billing Questions: 352-8268
Water Problems-Emergency: Day – 352-8268 or Evening – 352-8241

**Town of Appomattox – Agenda – Council Workshop Meeting
Monday, November 26, 2007 - 7:00 p.m.
Appomattox Municipal Building – 210 Linden Street, Appomattox, Virginia**

Call to order – Mayor Wilson

Unfinished Business

None

New Business

None

Reports

Committee Chairman project updates

- a. Ordinance Committee
- b. Finance Committee –
- c. Street & Property Committee
- d. Fire & Safety Committee
- e. Personnel Committee
- f. Utility Committee

Updates from Staff

- g. Director of Tourism
- h. Treasurer
- i. Clerk
- j. Town Manager
- k. Town Attorney

Adjourn

Upcoming Meetings/Events

All meetings will take place at the Appomattox Municipal Building, 210 Linden Street,
Appomattox, Virginia

November 29, 2007 – 5:30 p.m. – Utility Committee Meeting

December 10, 2007 – 7:30 p.m. – Regular Council Meeting

December 11, 2007 – 6:30 p.m. – Street & Property Committee Meeting

December 27, 2007 – 7:00 p.m. – Council Workshop Meeting

Utility Rates
(Effective November 1, 2006)

Water

In Town

\$6.35/month with 2000 gallon allowable metered sales
\$5.54/1000 gallons for all consumption above 2000 gallons

Out of Town

\$9.35/month with 2000 gallons allowable metered sales
\$8.31/1000 gallons for all consumption 2000 gallons

Sewer

In Town

\$9.10/month per Equivalent Residential Connection (ERC)
\$7.25/1000 gallons for all metered water consumption

Out of Town

\$13.65/month per Equivalent Residential Connection (ERC)
\$10.88/1000 gallons for all metered water consumption

Business Licenses

Due January 31, 2007

Applications are available at the Town Office

Rate - \$0.05/\$100 of gross receipts

Town Decals

On Sale March 1, 2007 and must be displayed by March 31, 2007

\$25.00 for Cars/Trucks

\$24.00 for Motorcycles

\$2.00 for Transfers

(Prior years Personal Property taxes must be paid before purchase)

Meals Tax

Rate - 5%

Reported monthly

Lodging Tax

Rate - 5%

Reported monthly

Open Burning

Allowed the first week of December, February, March, April, the last week of November.

Curbside Leaf Collection

Loose Leaves – November 1 – December 31

Bagged Leaves – November 1 – January 31

Council Workshop – November 26, 2007

The Appomattox Town Council met on Monday, November 26, 2007 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: N. H. Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson. Absent: Joyce B. Bennett.

Others present: Stephanie James, Sarah Watson, Derek Norfield, Carlton Duck, David Garrett, Jr., David Hawkins, Bill Burke and Roxanne W. Paulette, Clerk.

Mayor Wilson called the Workshop meeting to order.

Unfinished Business – none

New Business – none

Committee Reports –

Ordinance Committee – Mr. Mayberry reported that the committee met on November 20, 2007 and completed the proposed amendments to the Town Charter. Mr. Mayberry presented those amendments to all council members.

Finance Committee – none

Street & Property Committee – Mr. Lawson reported that the slate is ready to be installed on the floor in the backroom. Council agreed by general consensus to be white light on the big tree outside of the town office for Christmas this year.

Fire & Safety Committee – none

Personnel Committee – none

Utility Committee – There is a meeting scheduled for Thursday, November 29, 2007 at 5:30 p.m.

David Garrett, Town Manager reported on a letter received by the County planner regarding Bryan Baine and Barry Morris whose terms on the Appomattox County Planning Commission on December 31, 2007. The Town Manger will check with the two individuals to determine their willingness to continue to serve. The item will be placed on the December 10, 2007 Council Agenda for consideration.

Mr. Garrett reported that he will asked the Utility Committee to discuss the following items at their meeting on November 29, 2007 – The water system, Water Rates, Metal treatment at the Sewage Treatment Plants, engaging with a consulting firm for remedial design at the SBR plant.

Mr. Garrett reported that the Department of Conservation and Recreation will meet with him and Mayor Wilson on Tuesday, November 27, 2007 to discuss the Erosion and Sediment Control Plan.

Mr. Garrett also reported that Well #9 continues to be out of service. There is old piping that Fred Jones Well Company is trying to remove in order to allow the well be videoed. Well #9 appears to be experiencing mineral incrustation. The geologist will continue to test the well. There is some possibility of damaging or losing the well while trying to rehabilitate or reconstruct the well to minimize the mineral incrustation.

Town Attorney – none

Town Clerk – none

Town Treasurer – none

Director of Tourism – none

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to recess and reconvene on Monday, December 3, 2007 at 7:00 p.m. All members present voting aye. Motion carried.

The meeting adjourned at 7:23 p.m.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Recess and Reconvene – December 3, 2007

The Appomattox Town Council met on Monday, December 3, 2007 at 7:00 p.m. for a recess and reconvene meeting at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Vice-Mayor C. Lewis McDearmon, Jr., presiding.

Members present: Joyce B. Bennett, N. H. Mayberry, C. Lewis McDearmon, John T. “Plicky” Williams, Steven E. Lawson. Absent: Jennifer Jamerson-Scruggs and Mayor John L. Wilson.

Vice-Mayor McDearmon called the recess and reconvene meeting to order.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to advertise to hold a public hearing on Monday, December 17, 2007 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia to hear citizen comments regarding the proposed amendments to the Town Charter.

VOTE: Bennett – aye, Mayberry – aye, Lawson – aye, Williams – no.
Motion carried 3 to 1.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 7:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

C. Lewis McDearmon, Jr., Vice-Mayor

Regular Meeting – December 10, 2007

The Appomattox Town Council met in regular session on Monday, December 10, 2007 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members Present: Joyce Bennett, N. H. “Jimmy” Mayberry, John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steve Lawson. Absent: C. Lewis McDearmon, Jr.

Others present: Chad Millner, Bill Burke, Stephanie James (Times Virginian), Sarah Watson (News & Advance), April Dye, Beckie Nix, Derek Norfield, Carlton Duck, Frank Wright, David Garrett & Roxanne Paulette.

Mayor Wilson called the meeting to order.

Councilmember Williams gave the invocation.

On a motion by Councilmember Williams, seconded by Councilmember Bennett, Council voted to approve the consent agenda dated December 10, 2007 as presented. All members present voting aye. Motion carried.

Public Comments & Appearances –

Bill Burke – Mr. Burke asked if any decision had been made regarding the County’s letter of a 75/25 split on the cost of the waterline. He stated he had attended the last three meetings and had not heard any discussion and wanted to know what was going on.

Mayor Wilson assured Mr. Burke that the letter is being considered by the Utility and Finance Committee and the request is under consideration.

Mayor’s Comments –

Mayor Wilson welcomed everyone and apologized for not being at the last council meeting. Mayor Wilson stated he had several comments he wanted to address and , they are not debatable. Mayor Wilson stated he is opposed to the changes being requested to the Town’s charter. The Town has operated under the same charter for the past 82 years. He stated that all charters have archaic language. With the proposed changes the Council will become the Chief Executive Officer and many of the council members do not have the time necessary to provide appropriate oversight and that oversight will be likely overlooked. The Mayor will not have a vested leadership role. The town may become dependent upon cliques and the politics of the Town Manager. Mayor Wilson also stated he will seek another term as Mayor.

Unfinished Business –

On a motion by Councilmember Lawson, seconded by Councilmember Mayberry, Council voted to adopt the Floodplain Ordinance, Chapter 195, Article XI as presented and recommended by the Appomattox County Planning Commission. All members present voting aye. Motion carried.

New Business –

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to reappoint Bryan Baine and Barry Morris to another term on the Appomattox County Planning Commission with terms expiring June 30, 2011. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to move the December workshop to December 17, 2007 after the public hearing scheduled for 7:00 p.m. All members present voting aye. Motion carried.

Committee Reports –

Fire & Safety Committee – none

Ordinance Committee – none

Utility Committee –

Steve Lawson, member of the Utility Committee recommended on behalf of the Utility Committee to approve the request of the Appomattox County Public Schools for the Town Council to consider providing a separately metered water supply for the athletic fields at the Appomattox County High School. All members present voting aye. Motion carried.

Steve Lawson, member of the Utility Committee recommended on behalf of the Utility Committee to authorize David T. Garrett, Jr., Town Manager to engage the services of Ned Cleland with Blue Ridge Design for remedial design of the SBR facility. All members present voting aye. Motion carried.

Steve Lawson, member of the Utility Committee recommended on behalf of the Utility Committee to engage in an outside firm (Norm Walton, Perkins & Orrison) to review the information collected thus far on the Concord/460 Waterline. All members present voting aye. Motion carried.

Personnel Committee – no report – The next meeting is scheduled for December 11, 2007 – 4:30 p.m.

Finance Committee – no report – The next meeting is scheduled for December 13, 2007 – 1:00 p.m.

Street & Property Committee – David Garrett gave an update on the backroom.

After Mr. Bill Burke questioned Council (from the floor) regarding a second opinion, Mayor Wilson called for the adjournment at 7:55 p.m. Council agreed.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

Workshop Meeting – December 17, 2007

The Appomattox Town Council held a workshop meeting on Monday, December 17, 2007 at 7:25 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

Members present: Joyce B. Bennett, N. H. “Jimmy” Mayberry, C. Lewis McDearmon, Jr., John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson.

Others present: Paul Harvey, Cliff Harvey, Bobbie Mullins, Leslie Austin, Beckie Nix, Carlton Duck, Derek Norfield, David T. Garrett, Jr., Frank Wright, Jr., and Roxanne Paulette, Clerk.

Mayor Wilson called the meeting to order.

Unfinished Business – none

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adopt the following:

RESOLUTION

Whereas, the Appomattox Town Council met on the 17th day of December, 2007 and hereby requests by resolution of the General Assembly of the Commonwealth of Virginia to amend the Town’s Charter as follows:

1. **Unless otherwise specifically changed herein, all provisions of the Town Charter remain in force and effect.**
2. **Section 5 - Chief executive officer; presiding officer of Council; Mayor’s right to vote is amended to read:**
Section 5 - Mayor’s authority, duties and right to vote.
The Mayor shall preside over the meetings of the Town Council and shall have the same right to speak therein as the Councilmen. However, he shall not have the right to vote except in the case of a tie, in which event he shall be entitled to cast one vote. He shall be recognized as the head of the Town for all ceremonial purposes, the purposes of military law and the service of civil process.
3. **Section 7 - Duties of Mayor generally is amended to read:**
Section 7 - Appointment of Town Manager; Powers and duties of Town Manager.
There shall be a Town Manager who shall be the chief operating officer of the Town and shall be responsible to the Town Council for the proper administration of the Town government. He shall be chosen by the Town Council without regard to his political beliefs and solely on the basis of his executive and administrative qualifications. He shall be appointed by the Town Council for an indefinite period and shall hold office during the pleasure of the Town Council.

The Town Manager shall also have the following duties and powers, subject to the approval of Council:

- (a) To see that all laws and ordinances are enforced.
- (b) To exercise supervision and control over all administrative departments and divisions.
- (c) To attend all regular meetings of the Town Council, with the right to take part in the discussion, but having no vote.
- (d) To recommend to the Town Council for adoption such measures as he may deem necessary or desirable.
- (e) To keep the Town Council advised as to the present and future needs of the Town Council and as to all operations of its government.
- (f) To perform all such duties as may be prescribed by the Charter, or be required of him by the Town Council.

4. Section 8 - Mayor's power to remove officers and employees is omitted.

5. Section 11 - Oath of office; bonds is amended to read:

Every person elected a Councilman of said Town shall take an oath faithfully to execute the duties of his office, to the best of his judgment; the person elected Mayor shall take the oath prescribed by law for state officers, and the person appointed Treasurer shall likewise take the same form of oath as the Mayor, and shall give bond, with corporate surety, in a penalty to be fixed by the Town Council, payable to the Town by its corporate name, and with condition for the faithful discharge of his duties, and it shall be his especial duty to collect all taxes and levies of the Town, receive all fines, for the violation of the Town ordinances, receive all license fees and tax imposed by the Town Council, issue all licenses and keep accurate account of the same, and publish a statement of all collections and disbursements of said Town, and not in conflict with the general law of the State of Virginia.

Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Lawson – aye, Williams – no, Jamerson-Scruggs – no. Motion carried 4 to 2.

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, Council voted to advertise for a joint public hearing with the Appomattox Planning Commission for an amendment to the Town Code of the Town of Appomattox, Chapter 195, Section 54, entitled “Height Regulations”. All members present voting aye. Motion carried.

Committee Reports

Ordinance – none

Finance – Chairman Jamerson-Scruggs and David Garrett met with Mike Damron from CCUSA to discuss the methodology and study conducted by Black and Vetech. On December 13, 2007 the committee met and discussed how staff calculated the \$15.09 distribution rate per 5000 gallons used in the report presented by Hurt & Proffitt, Inc. On December 17, 2007, the

committee met with Shawn Crumlish, VRA to discuss funding options for the 6 year Capital Improvement Plan.

Street and Property Committee – Mr. Lawson reported that construction of the back offices are progressing.

Fire & Safety Committee – Ms. Bennett reported that she will be planning a meeting for January 2008.

Personnel –

Chairman Williams made a recommendation and Council voted to accept the changes as presented to Chapter 10 of the Employee Handbook:

Chapter 10: Training and Education Assistance

Training

It is the policy of the Town of Appomattox to provide a positive and meaningful employee and organizational training and development program to meet Town needs, help employees reach their potential, and better meet public service needs.

Subject to the availability of funds, employee training may be ~~authorized~~ required to help employees perform their jobs more effectively. Training may be provided by a variety of sources. The majority of the training provided will be on-the-job training.

When required training classes take place off site or after normal work hours, the town will pay the additional wages in the form of overtime or compensatory leave or pay, all instructors and instructional material.

The Appomattox Town Council has approved a Continuing Educational Program. All first time, full-time employees will be required to complete a First Aid and CPR course, attend any and all refreshers during the certification period and maintain certification throughout their employment with the Town of Appomattox. One additional continuing education class, approved by the Town Council must be completed by all department heads within a fiscal year.

An approved listing of course titles for the continuing education program will be reviewed from time to time by the Personnel Committee of the Appomattox Town Council and any changes will be approved by the entire council.

Upon completion of any formal or required training program, employees should complete a training record form and ~~send it to the Town Office~~ return it to the Clerk/Administrative Assistant, so that an up-to-date record of training may be kept for each employee.

The Appomattox Town Council encourages each employee of the Town of Appomattox to participate in the Continuing Educational Program and will evaluate its effectiveness during annual evaluations.

Educational Assistance

The Town has an educational aid program which encourages employees to take courses related to their work. Financial assistance for such courses may be available based on the Town's needs and its ability to finance such education courses. Employees interested in taking courses or in completing or furthering their education should contact their supervisor and/or Town Office for more details.

The Town also provides leave with and without pay for employees to further their education when courses or study are related to their work or that of the Town. Leave may be with full, partial or no pay, and must be authorized by the Mayor.

All members present voting aye. Motion carried.

Chairman Williams made a recommendation and Council voted to approve the course Laws and Ethics in the Workplace to be completed by department heads before June 30, 2008. All members present voting aye. Motion carried.

Chairman Williams made a recommendation and Council voted to approve the CPR and First Aid course be completed by all full-time before June 30, 2008. All members present voting aye. Motion carried.

Utility – Mr. McDearmon reported that the Finance and Utility Committee are planning to meet the first week of January 2008.

Staff Reports

Director of Tourism – none

Treasurer – none

Clerk – none

Town Manager – David Garrett, Jr. reported that a pump test was in progress on Well #9. He also reported that he had been working with the Finance, Personnel and Utility committee over the last 30 days. He continues to work on metal treatment at the Trickling Filter Plant.

Town Attorney – none

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

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

COUNCIL AGENDA

TOWN OF APPOMATTOX – P. O. BOX 705 – Appomattox, Va 24522 - (434) 352-8268
INCORPORATED 1925

- Regular session meets at 7:30 p.m. on the 2nd Monday of each month.
- Presentations and agenda items scheduled by 2nd Monday preceding.
- There will be an opportunity for Public Comments at regular sessions only.
- Council Workshop meets at 7:00 p.m. on the 4th Tuesday of each month.

MAYOR – John L. Wilson

TOWN COUNCIL - Joyce B. Bennett, Steven E. Lawson, Norman H. (Jimmy) Mayberry,
C. Lewis McDearmon, Jr., Jennifer Jamerson-Scruggs, John T. (Plicky) Williams

OTHERS – David T. Garrett, Town Manager; Frank A. Wright, Jr., Town Attorney and
Roxanne W. Paulette, Town Clerk

Welcome!

Welcome to this meeting of the Appomattox Town Council! This is your Council, doing your business in a facility owned by the citizens of Appomattox. Good representative government requires citizen participation and your presence indicates to us that you are making a special effort to help make the Town of Appomattox a better place to live, work or visit.

Many people only come to the meetings when they have a passionate interest in a particular subject. Do not be discouraged if you do not see a crowded room. Your comments on any particular subject may represent the unspoken opinions of many others who could not appear.

Your understanding of your hometown will grow as you attend more meetings.

Guidelines for Citizen Participation

You may speak concerning an item not placed on the Agenda during the public comment period. A spokesperson may be named to present your position, with others in agreement being recognized by standing. Council will try to hear everyone who wishes to speak on a subject, but occasionally discussion is limited because of time. Speakers are generally requested to limit remarks to three (3) minutes, although Council can allow exceptions at its discretion.

When you are called upon to speak, you are requested to:

1. Come to the speaker's podium.
2. State your name and address for the record.
3. State your position.
4. If you have a written statement or a petition, please file it with the Clerk of Council. If supportive material is to be distributed among Council Members and Staff, please provide 12 copies.

Useful Information

Meeting Agenda Packets

Meeting agendas and supporting details, identical to the packet supplied the Council, are available in the J. Robert Jamerson Library at least one full workweek prior to meetings. Meeting agenda packets serve three purposes - First, they provide advance public notice and some background information on specific subjects for all interested citizens on a routine basis. Second, they provide advance information so that council members can adequately respond and plan for meeting participation. Third, they provide a plan for the orderly and efficient conduct of council meetings.

Television Coverage of Meetings

All Council Meetings are videotaped. The tapes are edited to exclude periods of inactivity so that they fit a two-hour time period provided by Alive TV, a ministry of Gethsemane Baptist Church, Lynchburg, Virginia. The meetings are aired on Cable Channel 7 and UHF Channel 33.

Times: Friday following meetings – 10:30 a.m. and 7:00 p.m.

Saturday following meetings – 8:30 a.m. and 2:00 p.m.

Committee Meetings

Most of the real work of Council is done by individual members working independently. Their independent efforts are discussed, analyzed and refined at Committee Meetings before presentation to the full Council.

Committee Meetings are scheduled, advertised and open to public and press. They must be advertised for 3 working days prior to a meeting. Individuals seeking notification of Committee Meetings may submit a written request, valid for one year.

Committees

Finance

Jennifer J. Scruggs, Ch.
(352-7550)
Lewis McDearmon
Joyce Bennett

Personnel

John “Plicky” Williams, Ch.
(352-4278)
Jimmy Mayberry
Joyce Bennett

Fire & Safety

Joyce Bennett, Ch.
(352-8609)
Norman Mayberry
John “Plicky” Williams

Property & Streets

Steven E. Lawson, Ch.
(352-8235)
C. L. McDearmon, Jr.
Jennifer J. Scruggs
*Pamela Robinson
* Nancy Dawson

Ordinance Committee

Norman H. Mayberry, Ch.
(352-7086)
Steven E. Lawson
John “Plicky” Williams
*Sheila Palamar *Phillip
Jamerson *S. L. Ferguson
*Brod Pack *Barbara Caldwell

Utility Committee

C. L. McDearmon, Jr.
(352-5488)
Steve Lawson
Jennifer J. Scruggs

*Denotes Citizen Advisors
appointed to the committee

Office Hours: Monday – Friday, 8:30 a.m. – 4:30 p.m.
Office location: 210 Linden Street, Appomattox, Virginia

Other Useful Contact Numbers

Mayor: John L. Wilson, 352-2539, e-mail: jwilson@jetbroadband.com
Town Manager: David T. Garrett, Jr., 352-8268, e-mail: dgarrett@appomattoxva.gov
Billing Questions: 352-8268
Water Problems-Emergency: Day – 352-8268 or Evening – 352-8241

**Town of Appomattox – Agenda – Council Workshop Meeting
Monday, December 17, 2007–Immediately following a 7:00 pm Public Hearing
Appomattox Municipal Building – 210 Linden Street, Appomattox, Virginia**

Call to order – Mayor Wilson

Unfinished Business

None

New Business

1. Consideration of Council to adopt a Resolution asking the General Assembly of the Commonwealth of Virginia to amend the Town’s Charter. (Proposed Resolution attached)
2. Consideration to advertise a joint public hearing with the Appomattox County Planning Commission for an amendment to the Town Code of the Town of Appomattox, Chapter 195, Section 54, entitled “Height Regulations”.

Reports

Committee Chairman project updates

- a. Ordinance Committee
- b. Finance Committee
- c. Street & Property Committee
- d. Fire & Safety Committee
- e. Personnel Committee
 - i. Consideration to amend the Town of Appomattox Employee Handbook, Chapter 10: Training and Education Assistance (see attached amendment)
 - ii. Consideration to require department heads to attend “Laws and Ethics in the Workplace” before June 30, 2008.
 - iii. Consideration to require all full-time employees to complete a First Aid & CPR program and offer (not require) the same course to part-time employees. The course must be completed before June 30, 2008.
- f. Utility Committee

Updates from Staff

- g. Director of Tourism
- h. Treasurer
- i. Clerk
- j. Town Manager
- k. Town Attorney

Adjourn

Upcoming Meetings/Events

All meetings will take place at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia

Monday, December 17, 2007 – 3:00 p.m. – Finance Committee Meeting

Utility Rates

(Effective November 1, 2006)

Water

In Town

\$6.35/month with 2000 gallon allowable metered sales
\$5.54/1000 gallons for all consumption above 2000 gallons

Out of Town

\$9.35/month with 2000 gallons allowable metered sales
\$8.31/1000 gallons for all consumption 2000 gallons

Sewer

In Town

\$9.10/month per Equivalent Residential Connection (ERC)
\$7.25/1000 gallons for all metered water consumption

Out of Town

\$13.65/month per Equivalent Residential Connection (ERC)
\$10.88/1000 gallons for all metered water consumption

Business Licenses

Due January 31, 2007

Applications are available at the Town Office

Rate - \$0.05/\$100 of gross receipts

Town Decals

On Sale March 1, 2007 and must be displayed by March 31, 2007

\$25.00 for Cars/Trucks

\$24.00 for Motorcycles

\$2.00 for Transfers

(Prior years Personal Property taxes must be paid before purchase)

Meals Tax

Rate - 5%

Reported monthly

Lodging Tax

Rate - 5%

Reported monthly

Open Burning

Allowed the first week of December, February, March, April, the last week of November.

Curbside Leaf Collection

Loose Leaves – November 1 – December 31

Bagged Leaves – November 1 – January 31

TOWN OF APPOMATTOX - 2007 MEETING SCHEDULE
Location: Appomattox Municipal Building, 210 Linden Street, Appomattox, VA

January 2007

Monday, January 8, 2007 at 7:30 p.m. – Regular
Tuesday, January 23, 2007 at 7:00 p.m. – Workshop

February 2007

Monday, February 12, 2007 at 7:30 p.m. – Regular
Tuesday, February 27, 2007 at 7:00 p.m. – Workshop

March 2007

Monday, March 12, 2007 at 7:30 p.m. – Regular
Tuesday, March 27, 2007 at 7:00 p.m. – Workshop

April 2007

Monday, April 9, 2007 at 7:30 p.m. – Regular
Tuesday, April 24, 2007 at 7:00 p.m. – Workshop

May 2007

Monday, May 14, 2007 at 7:30 p.m. – Regular
Tuesday, May 22, 2007 at 7:00 p.m. – Workshop

June 2007

Monday, June 11, 2007 at 7:30 p.m. – Regular
Tuesday, June 26, 2007 at 7:00 p.m. – Workshop

July 2007

Monday, July 9, 2007 at 7:30 p.m. – Regular
Tuesday, July 24, 2007 at 7:00 p.m. – Workshop

August 2007

Monday, August 13, 2007 at 7:30 p.m. – Regular
Tuesday, August 28, 2007 at 7:00 p.m. – Workshop

September 2007

Monday, September 10, 2007 at 7:30 p.m. – Regular
Tuesday, September 25, 2007 at 7:00 p.m. – Workshop

October 2007

*Tuesday, October 9, 2007 at 7:30 p.m. – Regular (*Monday, October 8, 2007 – Columbus Day Holiday)
Tuesday, October 23, 2007 at 7:00 p.m. – Workshop

November 2007

*Tuesday, November 13, 2007 at 7:30 p.m. – Regular (*Monday, November 12, 2007 – Veteran's Day Holiday)
Tuesday, November 27, 2007 at 7:00 p.m. – Workshop

December 2007

Monday, December 10, 2007 at 7:30 p.m. – Regular
Wednesday, December 26, 2007 at 7:00 p.m. – Workshop

*Code of the Town of Appomattox.
§5-8. Time and Place.

If the second Monday of the month is a holiday, the meeting shall be held on the following day.

If a Council Meeting (Regular or Workshop) is cancelled due to inclement weather, the council will meet the following night.

A motion duly seconded and voted upon by council could change or remove any of the above dates or times.