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

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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

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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

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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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(352-7550)
Lewis McDearmon
Joyce Bennett

Fire & Safety
Joyce Bennett, Ch.
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Norman Mayberry
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Monday, January 8, 2007 at 7:30 p.m. – Regular
Tuesday, January 23, 2007 at 7:00 p.m. – Workshop

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Rate - 5%
Reported monthly

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Curbside Leaf Collection

Loose Leaves – November 1 – December 31
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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

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INCORPORATED 1925

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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

<u>Upcoming Meetings/Events</u>

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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

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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
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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
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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

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 you 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

<u>Upcoming Meetings/Events</u>

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

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*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.

Regular Meeting – January 14, 2008

The Appomattox Town Council met on Monday, January 14, 2008 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, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson.

Others present: Dr. Mark Landry (Liberty Baptist Church), Carlton Duck (Alive Media), Derek Norfield (Alive Media), Sarah Watson (News & Advance), Stephanie James (Times Virginian), Frank Wright, David Garrett and Roxanne Paulette, Clerk.

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

Dr. Mark Landry, Liberty Baptist Church gave the invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs, Council voted to adopt the consent agenda of January 14, 2008 as presented. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Williams, Council voted to accept the 2008 Town Council Meeting Schedule as presented meeting on the 5th Tuesday of January, April and July for the workshop meetings. All members present voting aye. Motion carried. (see attachment)

On a motion by Councilmember Lawson, seconded by Councilmember Williams, Council voted to accept the $25,000 Virginia Department of Health Planning Grant and assigned the planning task to Anderson & Associates. All members present voting aye. Motion carried.

On a motion by Councilmember Lawson, seconded by Councilmember Williams, Council voted to table the appointment of Sara R. Henderson, Commissioner of the Revenue to the January 29, 2008 Council Workshop Meeting. All members present voting aye. Motion carried.

Report from the Town Manager –
David Garrett reported that a meeting of the Utility Committee needs to occur before the January 29, 2008 Workshop Meeting to discuss draft amendments to the consent order regarding Copper and Zinc metal treatment at the Trickling Filter Plant.

Committee Reports –
Joyce Bennett, Chairman of the Fire & Safety Committee reported the committee met on Monday, January 14, 2008 and discussed the Pandemic Flu preparedness plan and blighted property in the Town.

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

Council Workshop – January 29, 2008

The Appomattox Town Council held a workshop meeting on Tuesday, January 29, 2008 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, Jennifer Jamerson-Scruggs and Steven E. Lawson.

Others present: Derek Norfield, Leslie Austin, Beckie Nix, Chad Millner, Sarah Watson, Stephanie James, Frank Wright, David Garrett, Jr., and Roxanne W. Paulette.

Mayor Wilson called the meeting to order.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to table Item #1 – Appointment of the Commissioner of the Revenue until the February 11, 2008 Regular Council Meeting pending more information. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to amend the Town Policies and Guidelines for Travel by increasing the reimbursement rate for use of a personal vehicle from .405/mile to .505/mile. All members present voting aye. Motion carried.

Committee Reports
Finance Committee –

1. Norman Walton has begun reviewing the three (3) years of financial records and basic information from staff. Mr. Walton will take the material to his office for review and will provide the town with a report.
2. Ned Cleland, Blue Ridge Design will be providing the town with costs associated with engineering design for the SBR remediation.

Fire & Safety Committee –
Ms. Bennett reported that the Clerk is obtaining a quote on a VPN (Virtual Private Network) from our computer hardware maintenance company. The Town Attorney has also drafted several letters for the blight properties discussed at the last Fire & Safety committee meeting. The committee will schedule another meeting.

Ordinance Committee –
Mr. Mayberry reported that he will be calling for an Ordinance Committee meeting soon.

Personnel Committee –
Mr. Williams reported that he has called for a meeting on Thursday, January 31, 2008 at 4:30 p.m. at the Appomattox Municipal Building.

Street & Property Committee –
Mr. Lawson gave an update on the Town Office renovations. Mr. Williams asked if there were plans to renovate the Council Chambers. Mr. Lawson advised him there are.

Utility Committee –
Mr. McDearmon reported that the committee met on January 28, 2008 and discussed Blue Ridge Design and the out of town water request from Richard Hamilton.

Staff Report –
Director of Tourism – Mrs. Nix distributed material to the Mayor and Council Members regarding her monthly (Dec. 2007) and yearly (2007) reports.

Treasurer – Mrs. Austin reported one the monthly financial information. Three (3) certificates of deposits were renewed at the bank during the month of December.

Clerk – Mrs. Paulette reported that an amendment to the budget was being prepared for the $25,000 Virginia Tourism Council Leverage Grant and the $25,000 Virginia Department of Health grant received by the Town during the FY 2008 budget cycle.

Town Manager – Mr. Garrett reported:

- He had met with Norman Walton and Ned Cleland.
- The First Aid & CPR training required by all full time and voluntary part time employees will be conducted on February 13th and 20th at the Appomattox Town Hall.
- There were two (2) water main breaks in the Town during the month of January 2008.
- Met with Stuart Henderson from VML Insurance Programs who was reviewing our safety program. Mr. Henderson congratulated the Town on their safety reports. VML will be assisting in continuing education of safety programs.
- The VDH grant application for the groundwater planning grant has been signed and returned.
- Mapping of the town water and sewer system is underway. There are 408 manholes in the Town of Appomattox.
- Surfaced Town Decals with Council. Council would like more information regarding abandoning the Town Decals and issuing a vehicle tax on the personal property tax tickets.
- Kelly Hitchcock and David are arranging a meeting with Dr. Boone, Superintendent Appomattox County Public School regarding an appointment to the Pedestrian Safety Committee.
- Region 2000 Local Government Council is putting together a GIS map of all the sidewalks in the Town and pedestrian crosswalks. There is money available under the safe route to school programs.
- Wal-Mart – David Garrett met with the engineers and Robert E. Lee Soil Conservation on January 22, 2008. David reported he is in the process of setting up a meeting with Wal-Mart officials to discuss recent concerns and issues.

Town Attorney – none

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, 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 retained by the Town of Appomattox regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being liability issues pertaining to ad hoc waivers of the moratorium or out of town water connections.

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 certificates 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 Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 9:05 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, Clerk John L. Wilson, Mayor

Council Workshop – January 29, 2008

The Appomattox Town Council held a workshop meeting on Tuesday, January 29, 2008 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, Jennifer Jamerson-Scruggs and Steven E. Lawson.

Others present: Derek Norfield, Leslie Austin, Beckie Nix, Chad Millner, Sarah Watson, Stephanie James, Frank Wright, David Garrett, Jr., and Roxanne W. Paulette.

Mayor Wilson called the meeting to order.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to table Item #1 – Appointment of the Commissioner of the Revenue until the February 11, 2008 Regular Council Meeting pending more information. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to amend the Town Policies and Guidelines for Travel by increasing the reimbursement rate for use of a personal vehicle from .405/mile to .505/mile. All members present voting aye. Motion carried.

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1. Norman Walton has begun reviewing the three (3) years of financial records and basic information from staff. Mr. Walton will take the material to his office for review and will provide the town with a report.
2. Ned Cleland, Blue Ridge Design will be providing the town with costs associated with engineering design for the SBR remediation.

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Ms. Bennett reported that the Clerk is obtaining a quote on a VPN (Virtual Private Network) from our computer hardware maintenance company. The Town Attorney has also drafted several letters for the blight properties discussed at the last Fire & Safety committee meeting. The committee will schedule another meeting.

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Mr. Mayberry reported that he will be calling for an Ordinance Committee meeting soon.

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Mr. Williams reported that he has called for a meeting on Thursday, January 31, 2008 at 4:30 p.m. at the Appomattox Municipal Building.

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Mr. Lawson gave an update on the Town Office renovations. Mr. Williams asked if there were plans to renovate the Council Chambers. Mr. Lawson advised him there are.

Utility Committee –
Mr. McDearmon reported that the committee met on January 28, 2008 and discussed Blue Ridge Design and the out of town water request from Richard Hamilton.

Staff Report –
Director of Tourism – Mrs. Nix distributed material to the Mayor and Council Members regarding her monthly (Dec. 2007) and yearly (2007) reports.

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Town Manager – Mr. Garrett reported:

- He had met with Norman Walton and Ned Cleland.
- The First Aid & CPR training required by all full time and voluntary part time employees will be conducted on February 13th and 20th at the Appomattox Town Hall.
- There were two (2) water main breaks in the Town during the month of January 2008.
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Town Attorney – none

On a motion by Councilmember Mayberry, seconded by Councilmember Lawson, 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 retained by the Town of Appomattox regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being liability issues pertaining to ad hoc waivers of the moratorium or out of town water connections.

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 certificates 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 Mayberry, seconded by Councilmember Lawson, Council voted to adjourn at 9:05 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, Clerk John L. Wilson, Mayor

The Appomattox Town Council met on Monday, February 11, 2008 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, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Jennifer Jamerson-Scruggs. Absent: Steven E. Lawson.

Others present: David T. Garrett, Jr., Frank A. Wright, Jr., Madga Liska, Dianne Miller, Chad Millner, Stephanie James, Sarah Watson, Rev. Rusty Small, Norman Walton, Earl Dickerson, Bif Johnson and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to adopt the consent agenda with the addition of Appearance #2 – Wind Damage (Mrs. Bennett) and Appearance #3 – Consent Order Distribution (Mr. Garrett) and New Business #2 – Consideration to lift the out of town water moratorium and discuss the out of town water policy and delete New Business #1 – Closed Session – Pursuant to §2.2-3711 (A) 5 of the Code of Virginia, 1950, as amended, for the purpose of discussion concerning a prospective business or industry or the expansion of an existing business or industry's interest in locating or expanding its facilities in the community, specifically being Business A. All members present voting aye. Motion carried.

No public comments

Appearances –

Magda Liska – 731 Cove Mountain, Gladstone, Virginia (Appomattox County)
Ms. Liska appeared before the council to educate them on the Animal Welfare Action Group (AWAG).

Ms. Dianne Miller – (AWAG)
Ms. Miller provided council members with statistical regarding spay/neuter clinics, licensing fees and euthanizing in the County.

Council thanked Ms. Liska and Ms. Miller for their appearance and information.

Ms. Bennett – Briefed council on the wind damage that occurred on Sunday, February 10, 2008. Mr. Garrett informed council of the 6 to 12 different fire in the county on Sunday, February 10, 2008. Mr. Garrett thanked the Appomattox County Volunteer Fire Department, VDOT, Appomattox County Landfill Personnel, and the Town Employees. Ms. Bennett and Mr. Garrett showed council a slideshow of pictures.

Mr. Garrett distributed the DEQ Consent Order to all council members. The Utility Committee has met once to discuss the consent order.

Unfinished Business
Norman Walton appeared before Council to present and discuss the independent review of water budgets and reports prepared by Hurt & Proffitt, Inc. regarding information collected on the Concord/460 waterline.

Mr. Walton reported that he had met with staff members and acquired information through face to face discussion. Mr. Walton met with David Garrett, Roxanne Paulette, Leslie Austin and Earl Dickerson on Wednesday, January 30, 2008 and again on Friday, February 8, 2008.

There were no questions from Council. Council thanked Mr. Walton for his work.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, 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 authority of the council to require production of assessment information from the Commissioner of Revenue.

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

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best 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. Absent – Lawson.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to set up a meeting of the Town Council governing body with the Appomattox County Board of Supervisors to discuss the 460 Concord Waterline with a proposal or the intent of accepting the Board of Supervisor's offer of 75/25, provided it has been duly studied by the Finance and Utility Committees. All members present voting aye. Motion carried.

A lengthy discussion ensued regarding the independent study conducted by Mr. Walton.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to lift the out of town water moratorium and amend the out of town water policy. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council voted to adjourn at 9:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

A workshop meeting of the Appomattox Town Council was held on Tuesday, February 26, 2008 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, Jennifer Jamerson-Scruggs, Steven E. Lawson.

Other present: Leslie Austin (Town Treasurer), Jeff Elder (Utility Director), Sarah Watson (News & Advance), Stephanie James (Times Virginian), Emmett Toms, Gayle Cole and John Thomas (Dominion Virginia Power), Frank Wright (Town Attorney), David Garrett (Town Manager), Carlton Duck (Alive Media TV) and Roxanne W. Paulette (Clerk).

Mayor Wilson called the meeting to order.

The Appomattox Town Council received a presentation from Emmett Toms, Gayle Cole and John Thomas with Dominion Virginia Power. Mr. Cole explained significant changes over the last 10 years. They explained the Electric Reliability Excellence (Service Restoration) process through assessment, scheduling and communication. They explained information contained on their website www.dom.com. The information from the website being, the ability to pay your bill, look at the bill and auto debit. On the website, updates from the storm center give a quick snapshot of customer outages. Mr. Thomas gave an electrical transmission education regarding the bulk/transmission lines and road maps of the transmission system. The main feed from Appomattox comes from Pamplin, the other is from Concord. If the feed from Pamplin is lost, feed will come from Concord in about 1.5 minutes. Mr. Thomas gave council a live demo of the storm center on the internet. The phone center is available 24 hours a day, seven (7) days a week with an automated system. The benefit of the mass majority works well for everyone. Dominion encourages everyone to try and work with the system. It is important that your account number and phone number match their system.

Council thanked Dominion Virginia Power for their presentation.

On a motion by Councilmember McDearmon, seconded by Councilmember Lawson, Council voted (with discretion in consultation with the Town Attorney which of changes need to be made) authorizing David T. Garrett, Jr., Town Manager to enter into the State Water control Board Enforcement Action Amendment to A Special Order by Consent issued to the Town of Appomattox Permit Number VA0020249 provided the Town Attorney has an opportunity to address concerns in the order prior to signing. All members present voting aye. Motion carried.

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

Resolution: Motion to Rescind

Mr. Mayor:

Whereas, Mr. Steven Lawson, council members, was absent from the February 11, 2008 regular Council meeting due to illness and,

Whereas, Mr. Lawson is an important member of the Utility Committee and,

Whereas, there was no prior notice given and the agenda did not include a consideration to life the moratorium on Out of Town water service and,

Whereas, the rights of absent members must be protected and,

Whereas, the matter of lifting the moratorium was under study by the Utility Committee and,

Whereas, a Motion to rescind is legal and appropriate under Robert's Rules of Order, Simplified and Applied, Second Edition (motion to rescind; pg 11, pg 137-139, pg 81, pg 385, pg 252, pg 278, pg 359, pg 387, and previous notice; pg 55, pg 82, pg 138-139, pg 159) and Town of Appomattox Code (Chapter 5, para 5-19) and,

Whereas, the amount of previous notice or method of notification is not specified by code or rules of procedure and,

Whereas, previous written notice was presented to the clerk and to all members of Council prior to the meeting and,

Whereas, this is more "previous notice" than was given than by those who presented the motion to lift the moratorium at the previous meeting, now therefore be it

Resolved, that the motion to lift the moratorium on providing water to out of town customers be rescinded that the matter be returned to the Utility Committee for proper study and recommendation to the Council.

VOTE: Bennett – no, Mayberry – no, McDearmon – no, Williams – aye, Jennifer Jamerson-Scruggs – aye, Lawson – aye. With a tie vote, Mayor Wilson voted – aye. Motion carried 4 to 3.

On a motion by Councilmember Williams, seconded by Councilmember Jamerson-Scruggs, Council voted to table until consideration by the Utility Committee items 4, 5, and 6 of the Council Workshop Meeting – February 26, 2008 – Agenda.
VOTE - Bennett – no, Mayberry – no, McDearmon – no, Williams – aye, Jennifer Jamerson-Scruggs – aye, Lawson – aye. With a tie vote, Mayor Wilson voted – aye. Motion carried 4 to 3.

Standing Committee Reports

Finance Committee – Ms. Jamerson-Scruggs reported that the Finance Committee has a joint meeting with the Utility Committee on Wednesday, March 5, 2008 at 6:00 p.m. There will be a Finance Committee on April 3, 2008 at 1:00 p.m. to begin working on the budget.

Fire & Safety Committee – no report

Ordinance Committee – Mr. Mayberry reported that the Ordinance Committee will meet on March 4, 2008 at 6:30 p.m.

Personnel Committee – Mr. Williams reported that the committee had met last week to discuss a couple of vacancies and Mr. Garrett has been directed to fill at least one position. The committee discussed the Erosion and Sediment Control state mandated program. The committee did not have an official recommendation at the time of the Personnel Committee Meeting on Thursday, February 21, 2008 since Mr. Garrett and Mayor Wilson would be meeting the Department of Recreation and Conservation on Friday, February 29, 2008.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, Council voted to arm the Town Manager with a letter requesting including with the County of Appomattox for Erosion and Sediment Control. All members present voting aye. Motion carried.

Utility Committee – Mr. McDearmon reported that the committee has a joint meeting with the Finance Committee on March 5, 2008 at 6:00 p.m.

Staff Reports

Beckie Nix, Director of Tourism – absent

Leslie Austin, Treasurer gave an overview of the financial report for January 2008.

Roxanne Paulette, Clerk gave an update on Town Decals. The decal will be available for sale on March 1, 2008. The vehicle license certificates normally mailed to registered owners may be a little later than normal. The deadline to purchase is March 31, 2008.

David Garrett, Town Manger

- February 11, 2008 met with Kelly Hitchcock and Dr. Al Boone, Superintendent, Appomattox County Public Schools regarding the Pedestrian Sidewalk Steering Committee.
- February 14, 2008 met with Regional Transportation Board.
- Asked for clarification on the Anderson & Associates Request for Proposal (RFP) to provide Professional Engineering Services with regards to the Virginia Department of Health grant for $25,000. Council confirmed by consensus that the RFP was only to include the assistance with location and development of a new reliable groundwater source to replace an existing groundwater source that is under the influence of surface water.

- Reported that the Town of Appomattox Kiddie Park, Abbitt Park and downtown areas were vandalized on Friday, February 21, 2008. Charges have been filed in the case.

Mr. Williams thanked the Sheriff's Office for a job well done with regards to the speeding in town. Speeding has greatly been reduced since the fall of 2008.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, 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 a public body regarding specific legal matters requiring the provision of legal advice by such counsel, such specific legal matters being issues pertaining to the enforceability of the landscape ordinance.

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

On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs, Council voted to adjourn at 9:50 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, Clerk John L. Wilson, Mayor

The Appomattox Town Council met in Regular Session on Monday, March 10, 2008 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Wilson, presiding.

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

Others: Jack Caldwell, Stephanie James (Times Virginian), Chad Millner, Jeff Elder (Utility Director), Earl Dickerson (Hurt & Proffitt), Derek Norfield (Alive Media), Carlton Duck (Alive Media), David Garrett, Jr. (Town Manager), Frank A. Wright, Jr. (Town Attorney), David T. Garrett, Jr., Roxanne W. Paulette (Clerk).

Mayor Wilson called the meeting to order.

Mr. Jack Caldwell, a Town citizen gave the invocation.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to accept the consent agenda with the following revisions to the February 11, 2008 Regular Council Meeting minutes reflecting that Mr. Lawson was absent from the meeting, specifically the closed session:

> *On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, 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 authority of the council to require production of assessment information from the Commissioner of Revenue.*
>
> *VOTE: Bennett – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Absent – Lawson.*
>
> *Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best 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. Absent – Lawson.*

and add to the Consent Agenda of March 10, 2008 - Unfinished Business #4 – To pursue, review, enact, research updating the water policy, specifically Chapter 190 – Water and Sewer of the Appomattox Town Code. All members present voting aye. Motion carried.

Upon a recommendation of the Utility and Finance Committees, the Council voted to lift the out of town water moratorium. All members present voting aye. Motion carried.

Upon a recommendation of the Utility and Finance Committees, the Council voted to pursue, review and enact research on updating the water and sewer policy, Chapter 190 of the Appomattox Town Code. All members present voting aye. Motion carried.

Upon a recommendation of the Utility and Finance Committees, the Council voted to amend and reenact the following:

AN ORDINANCE TO AMEND AND REENACT the Code of the Town of Appomattox, Chapter 190, Article III, Water Service, Section 20, entitled Application for Town water outside corporate limit by adding A, B, C, D; Section 21, entitled Submission of plans and specifications for water service supplied to premises inside or outside corporate limits; Section 22, entitled Installation and ownership of water meters serving premises outside corporate limits and enact Section 22.1 entitled Payment of costs by owner of premises.

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

Section 1. Section 20, A, B, C, D; Section 21, Section 22 and Section 22.2 of Chapter 190 of the Code of the Town of Appomattox, entitled, "Water Service" shall be amended as follows:

§ 190-20. Application for Town water outside corporate limits.

A. The Town Council may permit, in its sole discretion, connections of premises located outside the corporate limits of the Town with the Town water system. The owner of any such premises wishing to make a connection shall make written application to the Town Manager or his designee, giving the location and classification of his property, the proposed water uses, a statement of the maximum and minimum intended use proposed and such other information as may be required. The Town Manager or his designee shall review the application and make a non-binding recommendation to Town Council. The Town Council shall determine whether to grant the request. No such request shall be granted without an affirmative vote of two-thirds of all the members elected to Town Council. The decision of Town Council shall not be subject to appeal and shall be subject to approval of plans and specifications by Council as required by Section 21 of this Chapter. An applicant whose request for permission to connect has been denied shall not be permitted to make application for the same premises within twelve (12) months from the date of the decision by the Town Council.

B. In determining whether to permit a connection of premises located outside the corporate limits of the Town to Town waterlines, Town Council may consider the following factors:

1. Economic advantages and disadvantages of the connection to the Town and its citizens.
2. Distance of the property from the Town limits.
3. Anticipated increase in usage resulting from the connection, and whether such increase may affect or jeopardize availability of water and related services to existing customers and Town citizens.
4. Topographic, geologic, hydrologic or other similar conditions which may relate to the connection.
5. Extenuating or unusual circumstances of the landowner, including availability of water from other sources and any reasons for the landowner's need to connect.

6. Circumstances resulting from federal, state, county, Town or other governmental laws, ordinances, regulations or rules which relate to the connection.
7. Any other matters deemed relevant by Town Council.

C. The Town Manager may prepare a report for review by Town Council summarizing these factors as they relate to a particular application.

D. At any time after granting a permit pursuant to this section, the Town Council shall have the right to impose, modify and revoke conditions of usage of Town water, as such conditions are deemed appropriate in the sole discretion of the Council, for users outside the town limits. The grant of a permit to connect to the Town water system benefiting a user outside the corporate limits of the Town shall not create any contract, promise or guarantee that the Town will renew or continue such permit for any specific period of time.

§ 190-21. Submission of plans and specifications for water service supplied to premises outside corporate limits.

Any person wising to avail himself of Town water service for business, commercial, industrial, institutional, residential or other purposes in favor of premises located outside the corporate limits shall, in advance of any construction, submit to Town Council for approval detailed plans and specifications, showing clearly the proposed location, size and type of lines and construction. The proposed plans shall be in conformity with good engineering practices. No construction shall begin until approval is granted by the Council.

§ 190-22. Installation and ownership of waterlines, facilities and water meters serving premises outside corporate limits.

No waterline installed for the benefit of premises located outside the Town limits may be connected to the Town's water system unless the applicant causes to be conveyed to the Town such temporary and permanent easements and deeds of conveyance for such waterlines and related facilities as the Town may deem necessary. All water meters serving premises located outside the corporate limits shall be installed and owned by the Town.

§ 190-22.1. Payment of costs by owner of premises.

All costs of establishing water lines and facilities to benefit properties located outside the Town limits shall be borne entirely by the persons or entities that will derive benefit therefrom. The Town shall calculate such cost and include such terms as it deems necessary in any permit issued to ensure timely receipt of payment in full, including a requirement that the applicant shall deposit with the Town treasurer, in cash, a minimum of 110% of the estimated total cost, as determined by the Town, prior to the commencement of construction of such waterlines, which funds may be applied by Town Council toward the cost of establishing the water lines and facilities.

Section 2. Effective Date.

This ordinance shall become effective on March 10, 2008.

All members present voting aye. Motion carried.

Upon a recommendation of the Utility and Finance Committees, Council voted to approve the out of town water connection request by Richard Hamilton for Woodchase Subdivision on Pumping Station Road (Rt. 691). All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Williams, Council voted to table consideration to procure civil engineering services for the remedial design/construction of the SBR facility on Ethel Street until the Council Workshop Meeting on March 25, 2008. VOTE: Bennett – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – no, Lawson – no. Motion carried 4 to 2.

Mr. Garrett informed Council that he and Mayor Wilson would be going to Richmond on March 20th at 9:30 a.m. to meet with the Department of Conservation & Recreation (DCR) regarding the plan of action on the Erosion and Sediment program. Appomattox County will be sending a letter of approval taking over the Town E&S. DCR strongly recommended bring the individual who would be overseeing the E&S program to discuss the plan and how it is going to be addressed.

On a motion by Councilmember Bennett, 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

The Appomattox Town Council held a Special Call of Council on Wednesday, March 19, 2008 at 6:30 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, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs and Steven E. Lawson.

Others present: David Hawkins (Town Attorney), Stephanie James (Times Virginian), Sarah Watson (News & Advance), Mary Lou Spiggle, Paul Harvey, Chad Millner, Bif Johnson (Hurt & Proffitt), Mike Damron (CCUSA), Bill Moore (CCUSA), John Spencer (Appomattox County), Johnnie Roark (Appomattox County).

Mayor Wilson called the meeting to order.

Jennifer Jamerson-Scruggs introduced Mike Damron, Administrator, Campbell County Utility Service Authority.

Mike Damron explained to Town Council the history of the joint agreement between Bedford, Campbell, Amherst and the City of Lynchburg. The firm of Black and Veatch was contacted to perform a rate study that everyone could live with. The M-1 formula for the Provisional Rate Methodology is applied from the American Water Works Association manual (used nationwide).

CCUSA currently has a contract with the Town of Altavista. Mike Damron explained line by line how the Provisional Rate Methodology is being applied to the Town of Appomattox. Mike explained this is a good ball park, overall view, but it is not set in stone. Mr. Bill Moore suggested the Appomattox Town Council and Mike Damron massage the numbers in the provisional rate to be as accurate as possible in the near future so that everyone would have a good idea of what the bottom line would look like.

Mike Damron encouraged the Town Council to make sure it understands all the facts and figures before making a commitment. Mike applauded the Town Council for doing that.

The Appomattox Town Council thanked Mike Damron and Bill Moore for coming to the meeting and explaining the methodology as well as answering their questions.

On a motion by Councilmember Jennifer Jamerson-Scruggs, seconded by McDearmon, the Appomattox Town Council voted to convene in closed session, Pursuant to §2.2-3711 (A) 6 of the Code of Virginia, 1950, as amended, for discussion and consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the Town of Appomattox would be adversely affected, with the specific purpose of such closed session being to discuss and consider the investment of public funds for the waterline from Concord to Appomattox as they relate to bargaining with Appomattox County regarding the proposal submitted by the County for cost sharing, and the subject matter of such closed session being discussion and consideration of the investment of public funds for the waterline from Concord to Appomattox.

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

Now, therefore, be it resolved, that the Utility and Finance Committees 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 McDearmon, seconded by Councilmember Mayberry, Council voted to adjourn at 8:50 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, Clerk John L. Wilson, Mayor

At the workshop meeting of the Appomattox Town Council held on March 25, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Steven E. Lawson. Jennifer Jamerson-Scruggs was absent. Also in attendance were Paul Harvey, Chad Millner, Mary Lou Spiggle, Sarah Watson, Stephanie James, Earl Dickerson, Carlton Duck, Derek Norfield and Wayne Schmitt, Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

Mayor Wilson thanked the visitor's and candidates for attending.

On a motion by Mr. Mayberry, seconded by Mr. Lawson and with all members present voting "aye", Council approved Spring Cleanup Weeks as April 14 – 18, 2008 and April 21 – 25, 2008 and April 19, 2008, 9:00 am to 1:00 pm as a Town Wide Spring Cleanup Day with a rain date of April 26, 2008.

Standing Committee Reports

Finance – Ms. Jamerson-Scruggs - absent.

Fire & Safety – Ms. Bennett reported that the quote on the VPN (Virtual Private Network) is not yet available. She is waiting for this information before calling another Fire & Safety Committee meeting. A blighted area of the Town was successfully cleaned up with the help of the Town Manager.

Ordinance – Mr. Mayberry reported on the Landscaping & Site Plan Review Ordinances. The ordinances have been submitted to the Planning Commission for a joint public hearing on Monday, April 21, 2008 at the Appomattox Community Center.

Personnel – Mr. Williams reported that the Personnel Committee met on March 20, 2008 and discussed the vacancies with the personnel. Offers have been extended to two (2) prior employees. We will be advertising for a Wastewater Plant Trainee and a Utility position.

On a recommendation of the Personnel Committee and with all Council members present voting "aye", Council approved to pay the Town members appointees of the Planning Commission $50.00 per (town) meeting, when asked to attend, beginning July 1, 2008.

Street and Property – Mr. Garrett reported for Mr. Lawson that Kelly Hitchcock with Region 2000 Local Government Council continues to obtain GIS information before setting another meeting date. Mr. Garrett also reported that the tile (slate) flooring will be installed tomorrow in the hallway and bathrooms. One coat of paint has been applied to the walls in these areas. The drop ceiling and door knobs will be installed and the area should be ready in a week or two.

Utility – Mr. McDearmon has no report.

Staff Reports
Director of Tourism – Mrs. Nix was absent. There will be a report for January and February 2008 at the April workshop meeting.

Treasurer's Report – Mrs. Austin was absent. Mr. Garrett reported for the Treasurer that all businesses have reported meals tax and lodging tax for the month of February 2008.

Clerk – Ms. Paulette requested Council members to bring their Code Book to the Town Office for updating. Robinson, Farmer, Cox Associates has begun the 2006/2007 Financial Audit.

Town Manager – Mr. Garrett reported that the following information is not 100% complete but ordinances (water and sewer policies) have been obtained from other localities and an Excel spreadsheet regarding a capacity assessment program. The program will give evaluations on a water and/or sewer system. Mr. Garrett advised that he will summarize other ordinances and provide council with excel worksheets. Typically you would go through a similar process as the landscaping ordinances. Mr. Garrett suggested using current staff along with committee members and reviewing other localities policies and procedures. Mr. Garrett indicated that he had talked with two other outside individuals who would be willing to assist in the process of updating our water and sewer ordinance. Mr. Lawson suggested contacting Tom Fore, Amherst County for assistance. Mayor Wilson suggested meeting with the Utility and Finance Committee to determine where we are going (Mission Statement) before getting too involved with this process.

Mr. Garrett supplied information regarding questions raised by Ms. Bennett at the last Council meeting regarding the remedial design/construction of the SBR facility. Mr. Garrett talked with three (3) engineering firms regarding this information. Mr. Garrett noted that this communication was only verbal via telephone, none of the engineering firms have been on-site to look at the facility or related material. There is no written correspondence between the Town and the three (3) other engineering firms.

- How much more time and money is it going to cost the taxpayers to change firms?
  David Garrett: In order to change firms it would be necessary to put together a Request for Proposals (RFP). It is estimated to take 15 to 24 weeks to go through that process. The cost estimate is $3000 - $4000 for the process. Keep in mind that is without the design phase. Staff would have to draft a new contract that would be used with the new firm, reviewed by the Town Attorney (before sending out the RFP). Second, prepare a new Preliminary Engineering Report (PER). It is estimated to take 1 to 2 weeks with a turnaround time to advertise for 30 days, 2 to 3 weeks to create a short list of candidates to interview and 3 weeks to select a firm. Final review, selection and approval would take approximately 3 to 4 weeks. This is a minimum of 18 weeks without design.

- When can we actually get started if we change firms? If we don't change firms?
  David Garrett: Should council decide to change firms, it is estimated to take 15 to 18 weeks for the RFP process without design. Should council decide to use our current engineering firm (Hurt & Proffitt) it has been estimated the project could go out for advertisement in 6 to 8 weeks.

- How much have we already spent with Ned Cleland?
  David Garrett: The Town spent $25,574.52 with Blue Ridge Design. That includes the JMT case, special witness, completed analysis on each basin, came up with a remediation fix at that time.

- How long would it take to educate another firm and find somebody as knowledgeable as Hill Jones?
  David Garrett: Please keep in mind it took us 12 months to building the plant. It is my estimation (information not obtained from another firm) that it would take an additional 6 to 10 months for someone to become as knowledgeable as Hill Jones. The firm would have to meet with current operators to understand how the facility works, how the water is coming in and going out.

There was much discussion regarding the answers to these questions.

On a motion by Mr. Williams, seconded by Mr. Lawson, Council voted to place this item, consideration to decide the SBR plant direction, the firm we are going to use on the April 14, 2008 Regular Council Agenda for disposal.
Vote: Williams – aye, Lawson – aye, Bennett – no, Mayberry – no, McDearmon – no. The motion failed 3 to 2.

On a motion by Mr. Mayberry, seconded by Ms. Bennett, Council voted to use the same engineering firm as it used the first time, Hurt & Proffitt, Inc. for civil engineering on the SBR remedial work at the plant located on Ethel Street.
Vote: Bennett – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Lawson – no. Motion carried 4 to 1.

David Garrett continued with the Town Manager reports:

- Mayor Wilson and David Garrett attended a meeting in Richmond with the Department of Conservation and Recreation (DCR) to discuss the Erosion and Sediment Control plan. DCR voted to accept the program.

- The Finance Committee is scheduled to meet on Thursday, April 3, 2008 at 1:00 p.m. to discuss projected revenues and expenditures. Staff has been working with the budget for several weeks. There will need to be a meeting of the Personnel Committee to discuss salaries for the FY 2009 Budget.

- David reported that he and Charles Garrett had attended the Virginia Rural Water Association Conference and received quite a bit of information on groundwater wells.

- The Town received six (6) RFP's on the groundwater project. The deadline for the submission of the RFP's was Friday, March 21, 2008.

Town Attorney - none

On a motion by Mr. Mayberry, seconded by Mr. Williams, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

At the Regular Council Meeting of the Appomattox Town Council held on April 14, 2008 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson. Also in attendance were Paul Harvey, Chad Millner, Mary Lou Spiggle, Barbara Shelton, Beckie Nix, Stephanie James, Earl Dickerson, Bif Johnson, Hill Jones, Charles Garrett, Bryan Baine, Darrel Puckett, Bill Burke, Carlton Duck, Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

Darrel W. Puckett, Town Resident and Appomattox County Commonwealth Attorney gave the invocation.

On a motion by Mr. Williams, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council approved the consent agenda dated April 14, 2008 as presented. Motion carried.

Public Comments – none

Mayor's Comments – none

Appearances

Earl Dickerson, President, Hurt & Proffitt, Inc. gave an update regarding the status of the SBR Remediation Design. The design phase is approximately 21% complete with $16,370.31 billed to date.

David Garrett, Town Manager reported that he also received a facsimile from Ned Cleland with Blue Ridge Design today (4/14/08) regarding the current progress on the Wastewater Treatment Plant Tank Repairs at the SBR facility along with the amount accrued of $3,040.00 on the project to date. There have been twenty three (23) hours of firm principal time and four (4) hours of staff engineering time spent to date. Mr. Cleland also provided in the facsimile an agreement between the Town of Appomattox and Blue Ridge Design, Inc. The originals would need to be returned with signatures. Mr. Cleland also included the base sheet drawings prepared to contain the remedial design layout and instructions.

Unfinished Business – none

David Garrett, Town Manager reported that he had spoken with Kelly Hobbs; Public Affairs representative with Wal-Mart who assured him that Wal-Mart was still coming to Appomattox and are excited about the project.

David Garrett, Town Manager also reported that the 48 hour pump test on Well #15 was scheduled to begin on Tuesday, April 15, 2008 at 8:00 a.m.

New Business

On a motion by Mr. Lawson, seconded by Ms. Jamerson-Scruggs and all council members present voting "aye", the Appomattox Town Council voted to enter into 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 retained by the Town regarding specific legal advice by such counsel, the subject matter of such meeting being the legal requirements of compliance with the Public Procurement Act, and the purpose of such meeting being provision of advice concerning such requirements in the context of the Groundwater Study procurement and pursuant to §2.2-3711 (A) 6 of the Code of Virginia, 1950, as amended, for discussion and consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the Town of Appomattox would be adversely affected, with the specific purpose of such closed session being to discuss and consider the investment of public funds for the waterline from Concord to Appomattox as they relate to bargaining with Appomattox County regarding the proposal submitted by the County for cost sharing, and the subject matter of such closed session being discussion and consideration of the investment of public funds for the waterline from Concord to Appomattox.

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

On a motion by Mr. Lawson, seconded by Mr. McDearmon and with all members present voting "aye", Council voted to send the counter-offer letter as drafted to the Appomattox County Board of Supervisors regarding the county's proposal on the waterline from Concord to Appomattox. All members present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Williams and with all members present voting "aye", Council voted to send the task of obtaining an hourly rate fee schedule and examination of the Request for Proposals (RFP's) on the Groundwater Study project to the Utility Committee for a recommendation. All members present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Ms. Bennett and with all members present voting "aye", Council voted to adjourn at 8:35 p.m. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

At the Workshop Meeting of the Appomattox Town Council held on Tuesday, April 29, 2008 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia there present were Mayor Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Jennifer Jamerson-Scruggs and Steven E. Lawson. Also in attendance were Bob Hopkins (Hurt & Proffitt, Inc.), Chad Millner, Paul D. Harvey, Mary Lou Spiggle, Leslie Austin, Beckie Nix, Jeff Elder, Stephanie James (Times Virginian), Sarah Watson (News & Advance), Carlton Duck (Alive Media), Frank Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

The Appomattox Town Council discussed the letter of recommendation from the Appomattox County Planning Commission regarding the proposed adoption of the Landscaping Ordinance and Site Plan Review ordinances.

On a motion by Mr. Lawson, seconded by Mr. Williams, Council voted to adopt Chapter 195, by adding a new section entitled Article XII thereof, entitled "Landscaping" and Chapter 195, Section 12, Site Plan Review by amending subsections A, B and C and enacting subsections D, E, F, G and H. All members present voting aye. (See attached ordinances)

Committee Reports

Finance Committee

Jennifer Jamerson Scruggs asked the Clerk to update council on the budget process. The Clerk reviewed the timeline for the Tax Rate Advertisement Requirements and Public Hearing dates, FY 2009 Budget Advertisement Requirements and Public Hearing dates and the process necessary for amending the Water and Sewer User Policy regarding rates.

Ms. Jamerson-Scruggs, Chairman recommended on behalf of the Finance Committee to authorize staff to advertise a Notice of Proposed Real Estate Tax Increase with a Lowered Rate of $0.119 per $100 of the assessed value and an Effective Rate Increase of $0.15 per $100 of the assessed value for a Public Hearing to be held on Monday, June 9, 2008 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia. All members present voting aye. Motion carried.

Ms. Jamerson-Scruggs, Chairman recommended on behalf of the Finance Committee to authorize staff to advertise a public hearing notice to amend the Water and Sewer User Fee Policy, specifically Water and Sewer User Rates as presented in the FY 2009 Budget. All members present voting aye. Motion carried.

Ms. Jamerson-Scruggs, Chairman recommended on behalf of the Finance Committee to authorize staff to advertise the FY 2009 Budget for the Town of Appomattox as presented for a public hearing on Monday, June 16, 2008 at 7:00 p.m. All members present voting aye. Motion carried.

The Finance Committee will meet with full council on Thursday, May 8, 2008 at 5:30 p.m. to discuss the proposed FY 2009 Budget for the Town of Appomattox.

Fire & Safety

Ms. Bennett reported:

- The Clerk is awaiting information regarding prices for equipment necessary to allow employees to work from home via a Virtual Private Network in the event of an emergency like the Pandemic Flu.
- Ms. Bennett and David Garrett looked at the area requesting streets light at the curve on Patterson Street, intersection of Patterson and Stevens Street and on the left side of Stevens Street. The request is being looked into by Dominion Virginia Power for feasibility and cost. The information will be provided to Mr. Garrett by Dominion Virginia Power.
- Also the street light on Lee Grant Avenue near the Caldwell residence across from the Babcock residence for feasibility and cost. According to the Town Manager, Dominion Virginia Power said this location could be easily accommodated since it had been served by a street light in the past.
- The Town Manager continues to work with property owners concerning blighted property. The owners were sent letters concerning their property and have begun cleaning them.

The street light request was by letter from Paul D. Harvey to the Town Manager and also copied to Joyce Bennett, Fire & Safety and Steve Lawson, Street & Property.

VDOT has responded to the drainage ditches in the Meadowlark area.

Ordinance Committee

Mr. Mayberry reported that the committee has not met. The Citizen Advisory Committee will begin working on the Sign Ordinance soon. Mr. Mayberry thanked the members of the Citizen Advisory Committee and is very appreciative of their volunteer time.

Personnel Committee

On a recommendation of John T. "Plicky" Williams, the Personnel Committee recommends the following resolution:

WHEREAS, the Personnel Committee met on Tuesday, April 22, 2008 and discussed a motion passed on December 13, 2004 by a previous Town Council Personnel Committee which reads:

On a recommendation by Councilmember Mitchell, the Personnel Committee recommends compensating on call employees a minimum of 2 (two) hours, when called out for an emergency, effective immediately. All members present voting aye. Motion carried.

THEREFORE, BE IT RESOLVED, the Personnel Committee of the present Appomattox Town Council reaffirms the motion passed on December 13, 2004 and the Personnel Committee further recommends adding additional language to include compensating on call employees a minimum of 2 (two) hours at their hourly overtime rate, when called out for an emergency, effective immediately.

All members present voting aye. Motion carried.

The Personnel Committee is also investigating the possibility of an "on-call" compensation policy for weekdays and weekends. The Clerk and Town Manager will gather salary information for budgetary purposes.

Street & Property Committee
Mr. Lawson is waiting for Mr. Garrett to advise him on the Street Light requests.

Utility Committee
Mr. McDearmon reported that the Utility Committee is still working on the RFP's for the Groundwater Study.

Staff Reports

Director of Tourism
Beckie Nix reported on the March Visitor's Center Report. She gave an update on the ipod/mp3 player tours. She also advised Council that she had attended the Virginia Tourism Summit conference and attended a meeting of the Sesquicentennial Anniversary Regional Committee.

Beckie also provide the Council members with a website report of the Tourism's website. The website is very successfully. She continues to receive accolades from other localities about the tourappomattox.com website.

The spring advertising schedule includes an ad in the Civil War Traveler, Blue Ridge Parkway Travel Guide, Spring Vacation Planner (insert), Ladies Home Journal and Budget Travel. Internet advertisement has proven to be a huge success.

The Kiosk downtown has been sent back to the manufacturer because it is beginning to rust and it was guaranteed not to rust.

Treasurer's Report
Leslie Austin provided Council with the Treasurer's Report for the month of March 2008.

Clerk's Report

Roxanne Paulette reminded the Council members of the VML Town Section meeting being held in Farmville, Virginia on May 8th. The deadline to RSVP is April 29, 2008.

Roxanne also informed Council that she attend the 31st Annual Virginia Municipal Clerks Association Conference in Staunton, Virginia, April 23 – 25, 2008. She will begin using the Education Credits along with Professional Credits to obtain the Master Municipal Clerk certification. Roxanne advised Council that she was recertified as a Certified Municipal Clerk beginning January 1, 2008 through December 31, 2011.

Town Manager's Report

David Garrett reported that he continues to work on the transparent Conditional Zoning for proffered properties on the Zoning Maps along with the updating of the Utility Maps with water and sewer lines. The as-built drawings are being overlaid where the mains and valve are located on the system.

On April 10, 2008 David and Kyle Lerner attended the Region 2000 Water Planning meeting. There will be stakeholder meetings on May 8, May 14 and June 15th.

On April 15th, Town Staff assisted Brad White with a 48 hour pump test on Well #15. Mr. White will be providing data from the 48 hours pump test and any video that may be available within a week.

On April 19th, Town Citizens and Town Employees cleaned up the entire town. There was a lot of trash collected.

David reported that he has sent three (3) official notes to abate the nuisances. There have been some verbal notices and about six (6) more properties need attention. Six (6) buildings have been identified as needing to be removed. David suggested the Council may need to consider creating a board as allowed by the Town Code regarding this matter.

David Carson from Dominion Virginia Power came to Appomattox on Friday, April 25, 2008 and met with David Garrett concerning the Street Lights discussed earlier in the meeting. The cost estimates and drawings will be taken to the Street & Property Committee for discussion. Mr. Carson explained to David Garrett that there would be no charge for the street light on Lee Grant Avenue.

There continues to be work on the plan of action regarding the Copper and Zinc issues by the Engineers and Plant Operators.

The water tap has been completed at Walter Gum Manor and on Route 691 – Woodchase Subdivision.

There continues to be work with the School Board and Engineers regarding the extension of the water line from the meter down Red House Road to the Baseball Fields. No decision has been made by the School Board regarding the Football Field.

The renovation at the Town Office Building continues with drywall in the council chambers and interior offices directly adjacent to the council chambers.

Town Attorney
None to report

With no further business to come before Council, Ms. Bennett made a motion to adjourn at 8:25 p.m., seconded by Ms. Jamerson-Scruggs. All members present voting aye. Motion carried.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Chapter 195, to add a new section entitled Article XII thereof, entitled "Landscaping".

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

Section 1. A new section, entitled Article XII, "Landscaping," shall be added to Chapter 195 of the Code of the Town of Appomattox, and shall appear as follows:

ARTICLE XII
Landscaping

§ 195-119. Intent

It is the intent of the landscaping ordinance to promote the public necessity, convenience, general welfare and good zoning practice by incorporating landscaping, screening and tree preservation into the development review process. The goals are to provide landscaping requirements that will preserve natural vegetation, protect property values, provide buffers between incompatible uses, reduce soil erosion, air pollution, noise pollution, the amount of impervious surface areas, reduce the heat island effect and promote the Town of Appomattox as a destination and a great place to live and work.

§ 195-120. Severability clause

If any provision of the zoning ordinance regulating landscaping is declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of the zoning ordinance regulating landscaping and all such provisions shall remain in full force and effect.

§ 195-121. Applicability

(a) The provisions of this ordinance shall apply to the development or redevelopment of any property located in an R-1, R-2, MHP-1, B-1 or M-1 District.

(b) When an existing use is expanded, enlarged or redeveloped, only those portions of the property subject to the expansion, enlargement, or redevelopment are subject to the provisions of the landscaping ordinance.

(c) It is not the intent of this landscaping ordinance to regulate landscaping on any individual lot upon which is located no more than one (1) single-family dwelling or one (1) two-family dwelling.

(d) The standards established by the landscaping ordinance are intended to be minimum requirements and citizens are encouraged to exceed them, subject to the approval of the Zoning Administrator.

§ 195-122. Definitions

Buffer: An area of land, including natural vegetation, evergreen landscaping, fencing or a combination of fencing, earthen berms and landscaping.

Caliper: Trunk diameter measured six (6) inches from the ground. If the caliper is greater than four (4) inches, the measurement shall be taken twelve (12) inches from the ground.

Capped: The placement of a landscape island so that each end of a parking bay or parking row has a landscape island at each end.

Cinderblock, Unadorned: A concrete masonry block lacking decorative embellishments on the face side.

Cinderblock, Unadorned

Decorative Fencing: Fencing such as wrought iron, split rail, wood board, aluminum or masonry or the equivalent as determined by the Zoning Administrator. Chain link fence or unadorned cinderblock shall not be considered decorative fencing.

Evergreen tree: A tree that grows to a mature height of at least twenty (20) feet and has foliage that persists and stays green throughout the year.

Ground cover: Any evergreen or broadleaf plant that does not generally attain a mature height of more than one (1) foot, characterized by a growth habit in which the plant spreads across the ground to connect with other similar plants forming a continuous vegetative cover on the ground. Sod and seeding shall be considered an appropriate ground cover.

Landscape Island: An area containing required landscaping and being not less than one hundred sixty-two (162) square feet for a parking row and three hundred twenty-four (324) square feet for a parking bay.

Mulch: A protective covering, usually of organic matter placed around plants to prevent evaporation, root freezing and weed growth.

Ornamental tree: Deciduous tree that grows to a mature height of less than thirty (30) feet with flowering or other distinguishing characteristics.

Parking bay: Two (2) parking rows abutting one another.

Parking row: One (1) single line of parking spaces.

Redevelop: To materially alter the existing use or condition of a property. Routine repairs and maintenance shall not be considered redevelopment.

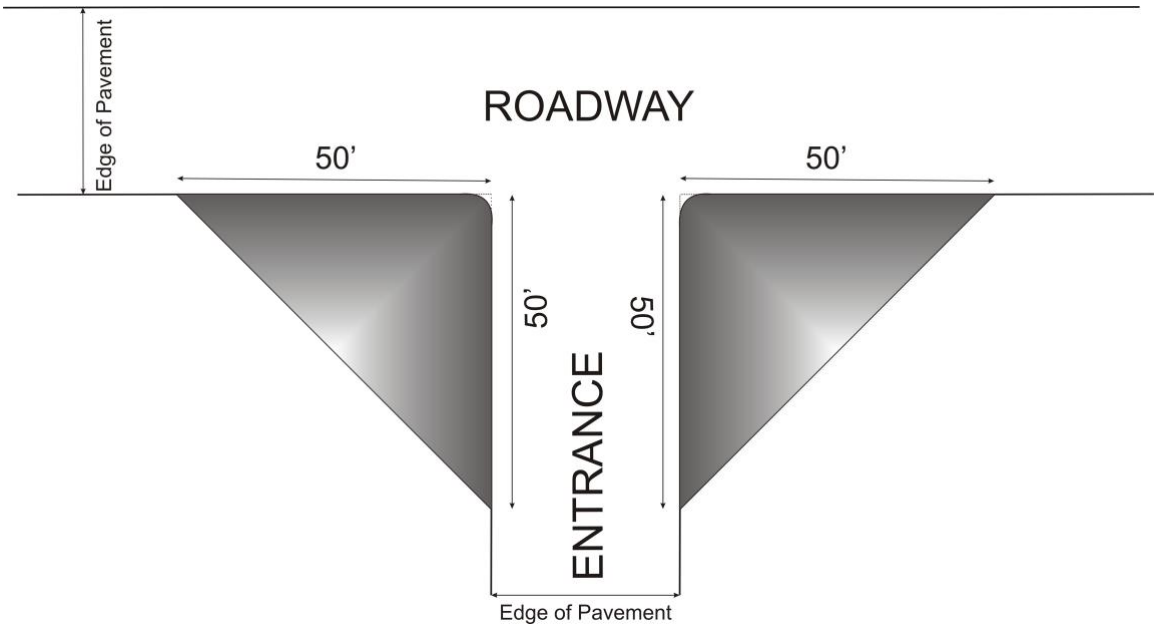
Rip Rap: A permanent, large, loose angular stone generally used for erosion and sediment control in concentrated high velocity flow areas.

Road frontage: Number of linear feet of a property which front on a public street, private street or internal access road.

Screening: A method of visually shielding or obscuring items such as a structure, receptacle, parking area, equipment or stormwater management pond with densely planted landscaping, or a combination of landscaping, berms solid fences and/or walls.

Shade tree: Deciduous tree that grows to be more than thirty (30) feet at maturity and that is planted chiefly to provide shade from sunlight.

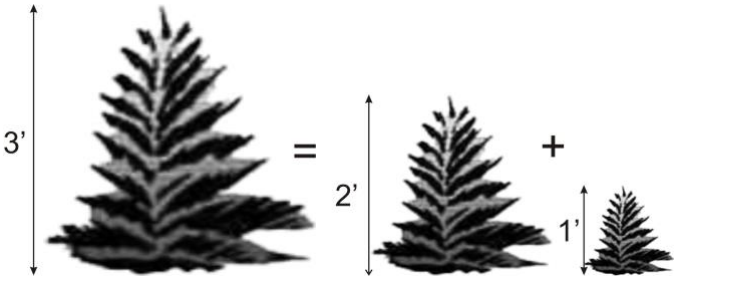
Sight distance triangle: A triangular shaped area located on both sides of the intersection of a driveway with a public roadway, designed and maintained to allow for a clear line of sight, and being a straight line with unobstructed view measured fifty (50) feet along the edge of pavement lines from their points of junction and being three (3) feet above the pavement edge.



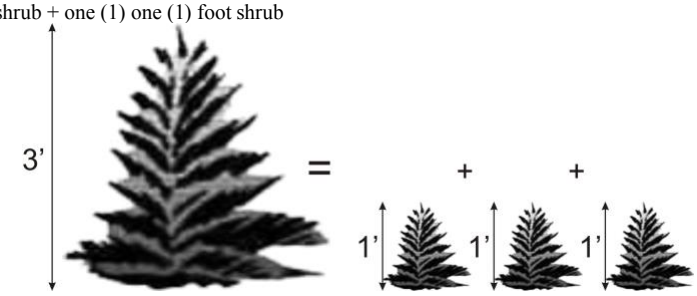
Site Distance Triangle

Shrub: A woody plant deciduous or evergreen that generally exhibits several erect, spreading stems with a bushy appearance and that grows to a height of no more than fifteen (15) feet.

Shrub Equivalent: The substitution of lesser height shrubs in greater numbers for one (1) taller shrub. Shrub equivalents shall be permitted only where specifically provided within this ordinance and the total combined height of the lesser height shrubs shall be equal to than the height of the one (1) taller shrub for which they are substituted.



One (1) three (3) foot shrub = One (1) two (2) foot shrub + one (1) one (1) foot shrub



One (1) three (3) foot shrub = Three (3) one (1) foot shrubs

Slope: Any area of land where the surface deviates from the horizontal.

Topping: An inappropriate practice of making heading cuts through a stem more than two (2) years old that drastically reduces tree height, destroys tree architecture and results in discoloration, decay of the cut stem, or death of the tree.

§ 195-123. General Regulations

(a) When a determination of the required number of trees or shrubs results in a fraction, any fraction shall be rounded up to count as one (1) tree or shrub.

(b) All ornamental or shade trees used to satisfy the requirements of this ordinance shall be a minimum of one and one half (1.5) inches in caliper at time of planting. Evergreen trees used to satisfy the requirements of this ordinance shall be a minimum of six (6) feet in height at time of planting unless otherwise provided within this ordinance.

(c) Removal of healthy trees within the development area greater than three (3) inches in caliper is discouraged. Trees greater than three (3) inches in caliper within the development area that are preserved may be credited toward landscaping required by this ordinance in the discretion of the Zoning Administrator.

(d) Landscaping with a sight distance triangle shall not include any evergreen trees, and shall not include shrubs exceeding three (3) feet in height above the ground at maturity. Tree limbs within the site distance triangle shall be raised to ensure visibility for motor vehicle safety, but in no case shall tree limbs be raise more than twelve (12) feet above the ground.

(e) All areas shall be covered with an appropriate ground cover. The use of riprap for ground cover on any slopes visible from a public or private street, residential area or parking area is prohibited. In the event riprap must be used as determined by the Zoning Administrator, areas of riprap shall be buffered as provided in § 195-128, Buffers.

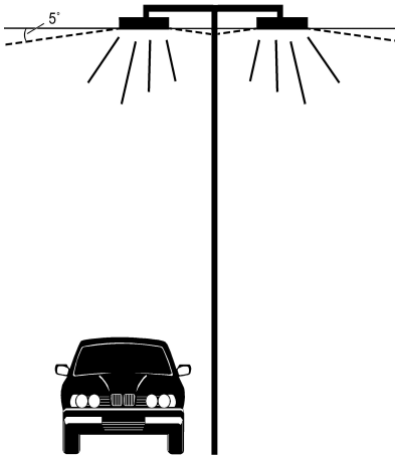
(f) Areas containing required landscaping shall be covered with mulch or an appropriate ground cover.

(g) All retaining walls visible from a public or private street, parking area or residential district shall be constructed of segmental block, brick, treated wood, stone or stamped and colored concrete that gives the appearance of brick or stone. Retaining walls of other materials are permitted provided they are supplemented with landscape materials as follows:

1. One (1) ornamental tree per forty (40) linear feet of wall, and
2. One (1) three (3) foot shrub per ten (10) linear feet of wall, or one (1) two (2) foot shrub and one (1) one (1) foot shrub per ten (10) linear feet of wall.

(h) No tree, shrub and/or ground cover contained on the invasive alien plant species of Virginia list as maintained by the Department of Conservation of Virginia (DCR) and the Virginia Native Plant Society may be planted or used to satisfy any portion of the landscaping ordinance.

(i) All lighting within a development shall be placed in a manner that will not interfere with the installation of required landscaping. In no instance shall light poles exceed thirty-five (35) feet in height. All lighting shall be glare shielded and non directional so no illumination occurs beyond the property line. No exterior lighting shall radiate above a level that is five degrees (5°) below horizontal.



Light shall not radiate above 5° below horizontal.

§ 195-124. Landscape Plan Required

(a) A required landscape plan shall indicate the following information:
1. The location, size, height at planting and botanical name of all required landscaping.

2. The location size, height and botanical name of any existing landscaping proposed to be used or required to satisfy and portion of the landscaping ordinance.

3. The dimensions of all required landscape areas.

4. A planting detail for all trees, shrubs, and ground cover used to satisfy the requirements of the landscaping ordinance.

5. A planting, fertilization, and watering schedule for all trees, shrubs and or ground cover used to satisfy the requirements of the landscaping ordinance. The schedule shall cover a period of one (1) year after installation of required landscaping.

6. A description of soil amendments necessary to support the growth of all required trees and shrubs.

7. A tree protection detail as specified in "STD & SPEC 3.38, Tree Preservation and Protection, "in the 1992 edition of the Virginia Erosion and Sediment Control Handbook for all landscaping proposed or required to be preserved to satisfy any requirement of the landscaping ordinance.

8. In approving the landscaping plan, the Zoning Administrator may require the substitution of a different species of tree or shrub, provided that the intent of the landscaping ordinance is met.

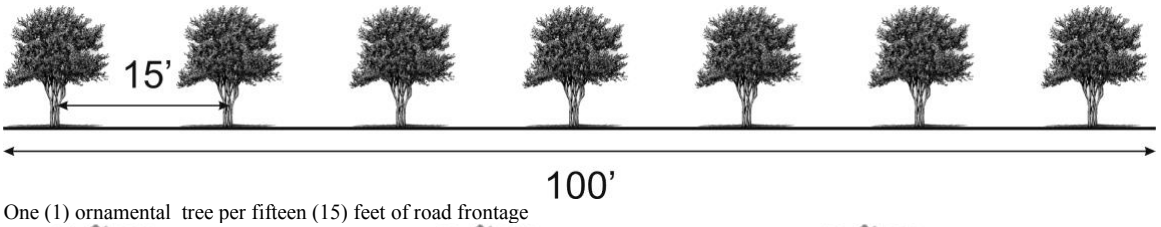
§ 195-125. Street Trees

(a) Street trees shall be planted as follows:

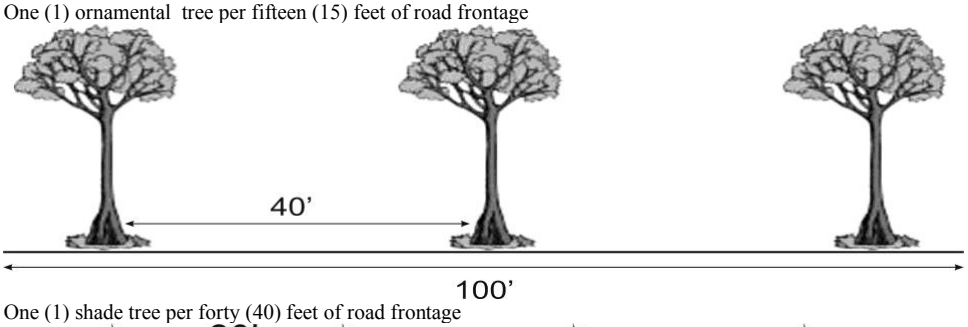
1. One (1) ornamental tree per fifteen (15) feet of road frontage, or

2. One (1) shade tree per forty (40) feet of road frontage, or

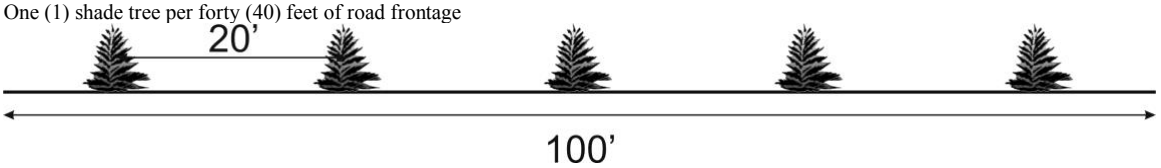
3. One (1) evergreen tree per twenty (20) feet of road frontage.



One (1) ornamental tree per fifteen (15) feet of road frontage



One (1) shade tree per forty (40) feet of road frontage



One (1) evergreen tree per twenty (20) feet of road frontage

(b) In the event that a landscaping plan is submitted that indicates tree types or placement that would interfere with overhead utility lines, the public necessity, convenience, general welfare or good zoning practice the Zoning Administrator may require an alternative tree type or placement of the required street trees.

(c) Street trees shall be planted along the property line that fronts the street and shall not be planted within the public right-of-way or within any utility easements except as provided in subparagraph "d" below.

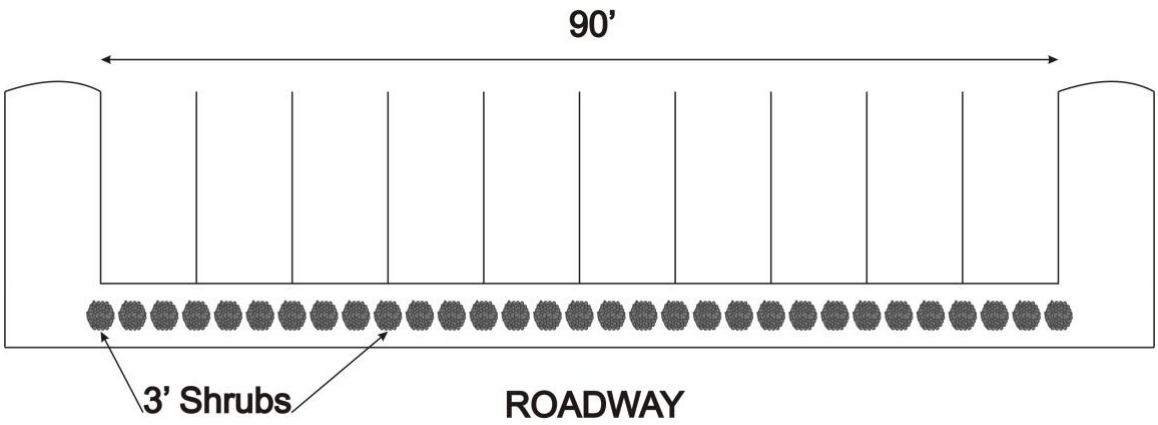
(d) For residential subdivisions where new public right of ways or private streets are created or extended the required street trees shall be planted within the right of way as approved by the Virginia Department of Transportation (VDOT) or within the common area of a private street. When required street trees are planted within the common area of a private street, maintenance of the required street trees shall be provided for within the appropriate home owner covenants or property owner association documents.

(e) Minimum planting area widths for required street trees shall be six (6) feet.

§ 195-126. Parking Area Landscaping

(a) Parking Area Screening. Parking areas adjacent to all public or private streets shall be screened. Screening shall be provided between the parking area and the public or private street and provided as follows:

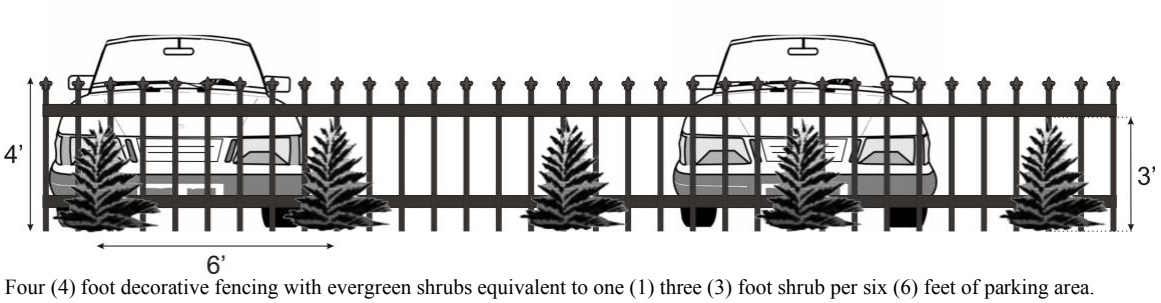
1. One (1) three (3) foot evergreen shrub per three (3) feet of parking area frontage, or



One (1) three (3) foot evergreen shrub per three (3) feet of parking area frontage

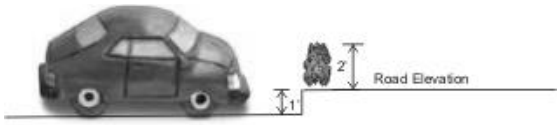
2. Earthen berm with average height of three (3) feet landscaped with evergreen shrubs equivalent to one (1) three (3) foot shrub per three (3) feet of parking area frontage, or

3. Decorative fencing a minimum of four (4) feet in height with evergreen shrubs equivalent to one (1) three foot shrub per six (6) feet of parking area frontage.

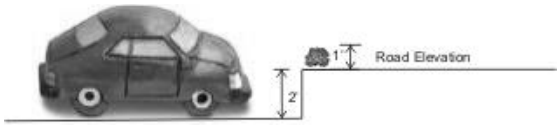


Four (4) foot decorative fencing with evergreen shrubs equivalent to one (1) three (3) foot shrub per six (6) feet of parking area.

(b) In the event that a parking area is below the grade of the adjacent public or private street, the difference in elevation of up to two (2) feet shall be credited toward the parking lot screening requirement.



Parking lot one (1) foot below grade of public or private street



Parking lot two (2) feet below grade of public or private street

(c) Portions of a parking area that are used solely for the display of merchandise for sale shall only be required to provide one (1), one (1) foot shrub per three (3) feet of parking area frontage.

(d) Parking Area Interior Landscaping. Parking areas are subject to the following landscaping requirements:

1. All parking rows and parking bays shall be capped with a landscape island.

2. Parking areas with less than two hundred (200) parking spaces shall contain the following:

   i. One (1) shade type tree for every ten (10) parking spaces, planted within landscape islands, dispersed within the parking area so that no more than ten (10) parking spaces exist between landscape islands.

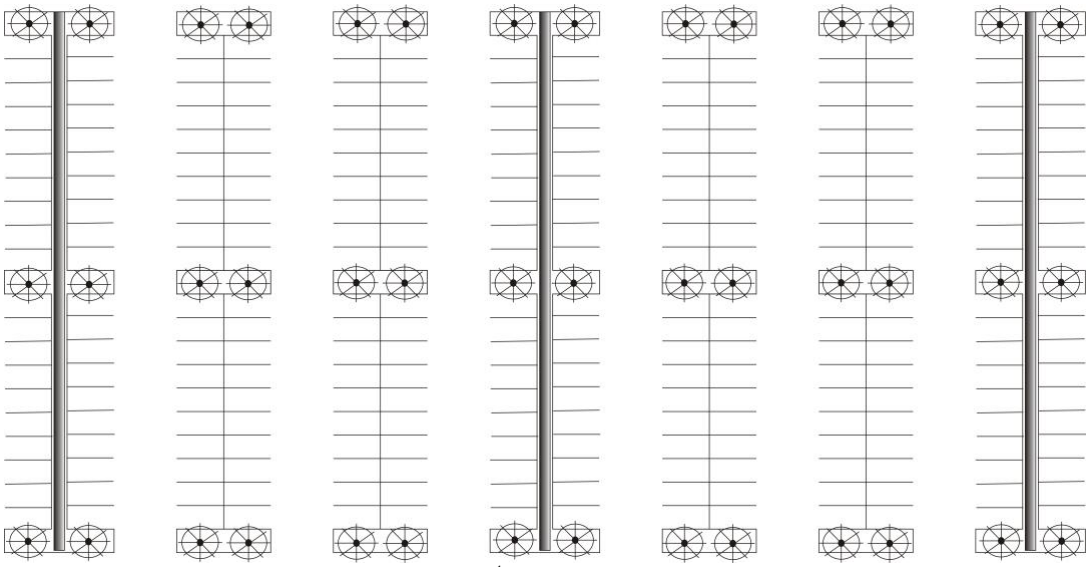
   ii. One (1) two (2) foot shrub for every one (1) parking space planted within landscape islands containing required trees.

3. Parking areas with two hundred (200) or more parking spaces shall contain the following:

i. One (1) shade type tree for every ten (10) parking spaces, planted within landscape islands, dispersed within the parking area so that no more than ten (10) parking spaces exist between landscape islands; and

ii. One (1) two (2) foot shrub for every one (1) parking space planted within landscape islands containing required trees; and

iii. One (1) landscape median, minimum of six (6) feet in width for every three (3) parking bays. The landscape median shall extend the full length of the parking bay and shall include a four (4) foot concrete of paved sidewalk.



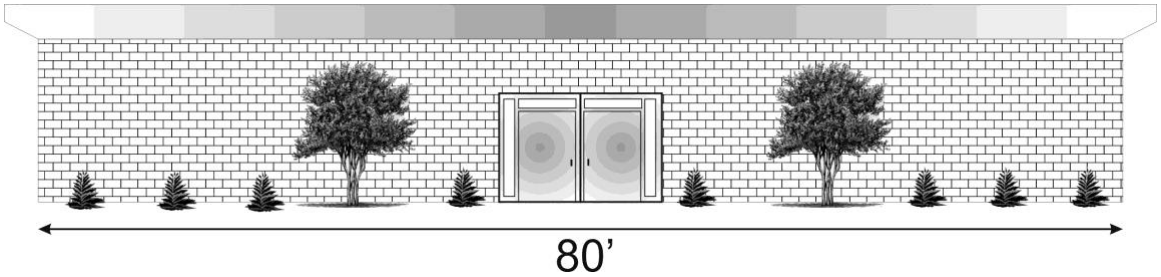
Landscape Median with four (4) foot walk every third (3rd) parking bay

4. Wheel stops, curbing, or other barriers shall be provided to prevent damage to required landscaping by vehicular traffic. Protection shall be installed to prevent soil erosion from the landscape area.

§ 195-127. Foundation Plantings

(a) All sides of multi-family, commercial, or industrial buildings which are visible from a public or private street or residential district shall be landscaped with foundation plantings as follows:

1. One (1) ornamental tree per forty (40) linear feet of building, and
2. One (1) three (3) foot shrub per ten (10) linear feet of building, or shrub equivalent.



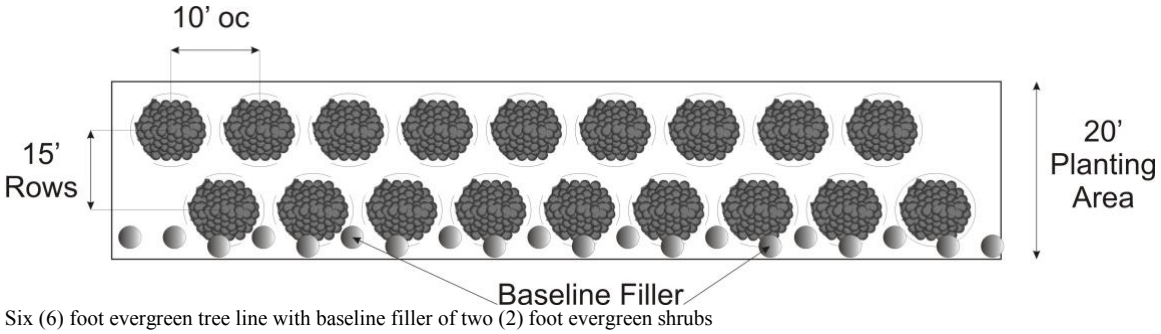
One (1) ornamental tree per forty (40) linear feet of building and one (1) three (3) foot shrub per ten (10) linear feet of building

(b) Foundation plantings may be placed in collective groupings along the perimeter of the building for which required.

§ 195-128. Buffers

(a) In all instances where an industrial use is adjacent to a commercial or residential use, where a commercial use is adjacent to a residential use or where a multi-family use or mobile home park use is adjacent to a single-family use, a buffer shall be required. The required buffer shall be accomplished by the following:

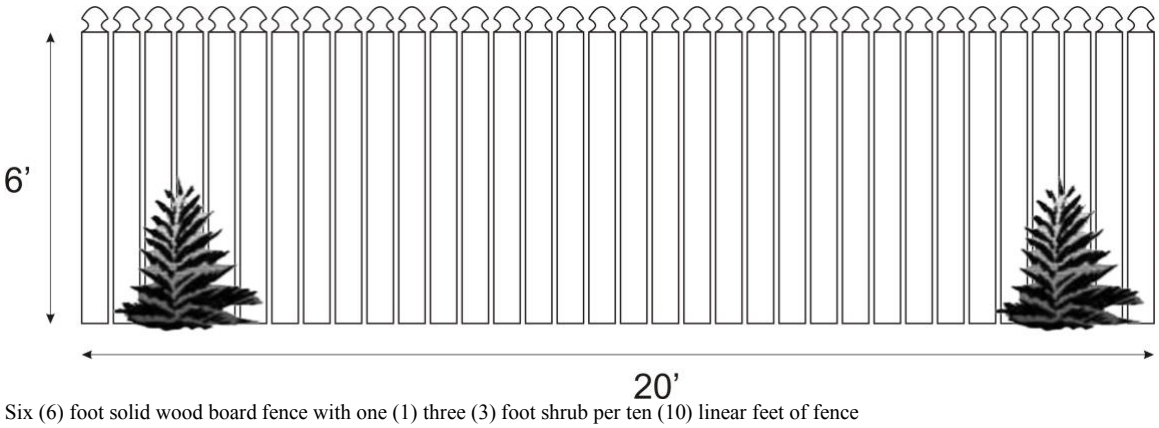
1. Staggered evergreen tree line with a baseline filler of two (2) foot evergreen shrubs. The evergreen tree material shall be a minimum of six (6) feet in height at time of planting. The evergreen tree line shall be planted in rows at least fifteen (15) feet apart and staggered ten (10) feet on center. Minimum planting area width shall be twenty (20) feet. In lieu of the baseline filler shrubs a three (3) foot earthen berm may be used.



Six (6) foot evergreen tree line with baseline filler of two (2) foot evergreen shrubs

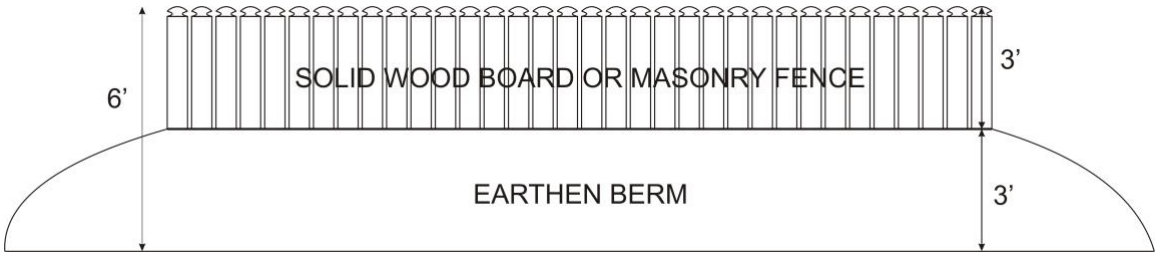
(b) In instances where Crime Prevention Through Environmental Design (CPTED) or other circumstances as determined by the Zoning Administrator would make the planting of the required buffer impractical, the Zoning Administrator may approve one of the following alternative buffer techniques:

1. Solid wood board or masonry fence minimum of six (6) feet in height with one (1) three (3) foot shrub per ten (10) linear feet of fence; or



Six (6) foot solid wood board fence with one (1) three (3) foot shrub per ten (10) linear feet of fence

2. Three (3) foot earthen berm with a three (3) foot solid wood board or masonry fence placed at the highest point on the berm. Unadorned cinderblocks shall not be considered an appropriate masonry material.



Three (3) foot earthen berm with three (3) foot solid wood board or masonry fence

(c) Where required the buffer shall extend along the entire length of the development area and shall generally be located along the property line unless topographic or other considerations as determined by the Zoning Administrator would make the required buffer more effective when located back from the property line.

(d) When determined appropriate by the Zoning Administrator, existing natural vegetation may be used to satisfy buffering requirements. Existing vegetation may be required to be supplemented with additional evergreen material. The need for additional evergreen material shall be determined during the site plan review process or when necessary after approved grading of the development site has occurred.

§ 195-129. Utility / Stormwater Management Screening

(a) Dumpster areas shall be hardscaped with a solid wood board or masonry enclosure. The required enclosure shall be a minimum of one (1) foot taller than the dumpster. Dumpster areas shall be enclosed on four (4) sides. Chain link fence may be used to enclose a dumpster area on three (3) sides provided that the chain link fence is screened from view with evergreen material that is equal at planting to the height of the dumpster. Gates shall not be chain link fencing material.

(b) Loading areas, storage yards, stormwater management ponds, Heating, Ventilation and Cooling (HVAC) equipment and other similar areas shall be screened from view from any public or private street, parking area or residential use.

(c) Stormwater management facilities intended for display as a water feature or naturalized planting area shall be exempt from screening requirements.

(d) Screening may be accomplished by a combination of existing evergreen vegetation, walls, fences, earthen berm or new evergreen vegetation appropriate to screen the equipment or activity. The height of screening at installation shall be sufficient to screen the equipment or activity as determined by the Zoning Administrator.

§ 195-130. Installation and Maintenance

(a) The planting of trees and shrubs shall be done in accordance with either the standardized landscape specifications adopted by the Virginia Nurserymen's Association and the Virginia Society of Landscape Designers, or the Virginia Chapter of the American Society of Landscape Architects.

(b) All landscaping used to satisfy the requirements of the landscaping ordinance shall meet the specifications and standards of the American Association of Nurserymen.

(c) Required landscaping shall be installed in accordance with an approved site development plan. Required landscaping shall be completed prior to occupancy or the property owner or developer shall provide a guarantee in a form acceptable to the Zoning Administrator that ensures installation.

1. A guarantee for required landscaping shall be in an amount equal to one hundred percent (100%) of the costs of all plants, related materials and installation. The amount is subject to approval by the Zoning Administrator.

2. All required landscaping shall be installed, inspected, and approved within six (6) months of acceptance of the guarantee.

3. During any water emergency declared by the Town of Appomattox in which the use of water is restricted, the Zoning Administrator shall require the delayed installation of required trees, plants or screening materials. When required, the property owner or developer shall be required to obtain and or maintain a guarantee. After the declaration of water emergency ends, the property owner or developer shall be required to install all trees, plants, screening and related materials within six (6) months.

(d) After the Zoning Administrator has determines that all landscaping required by this ordinance has been installed and in healthy condition, the property owner and subsequent property owners shall be responsible for the ongoing protection and maintenance of all required landscaping in a manner consistent with the approved landscaping plan.

(e) In the event required landscaping as shown on the approved site development dies or is damaged, it shall be replaced by the property owner after notification by the Zoning Administrator. The Zoning Administrator may require and accept a guarantee in the amount of one hundred percent (100%) of the cost of all damaged or dead or damaged trees or plants, related materials and installation. Failure to replace dead or damaged landscaping after notification by the Zoning Administrator shall be a violation of the Zoning Ordinance.

(f) All required trees and shrubs as shown on the approved landscaping plan shall be allowed to grow to maturity and shall not be removed unless a suitable replacement is provided and shown on an approved addendum to the approved landscaping plan. Pruning techniques shall be done in accordance with the standards adopted by the American National Standards Institute (ANSI), A300, Part 1, Standard 1 and the International Society of Arboriculture (ISA). Topping of trees required by this landscaping ordinance is prohibited.

§ 195-131. Tree canopy requirements

(a) Tree canopy shall include all areas of coverage by existing plant material exceeding five (5) feet in height, and the extent of planted tree canopy at maturity shall be based on the published reference text, Manual of Woody Landscape Plants, fifth edition, 1998 by Michael A. Dirr.

(b) The planting of trees on a development site shall be required to the extent that, at a twenty (20) year maturity, minimum tree canopies shall be provided as follows:

	Minimum Tree Canopy Required
B-1, General Business	Ten percent (10%) of entire development site
M-1, Limited Industrial	Ten percent (10%) of entire development site
R-2, General Residential	Ten percent (10%) of entire development site
MHP-1, Mobile Home Park	Ten percent (10%) of entire development site
R-1, Limited Residential	Twenty percent (20%) of entire development site.

(c) Existing trees that are to be preserved may be included to meet all or part of the tree canopy requirements.

(d) Existing trees infested with disease or structurally damaged to the extent that they pose a hazard to person or property, or to the health of other trees on site, shall not be included to meet the tree canopy requirements.

(e) Tree canopy requirements do not replace, or negate full compliance with the requirements of any other section of the landscaping ordinance. However if planting of landscaping required by this ordinance meets or exceeds the tree canopy requirement, no further planting of trees or replacement trees shall be required by this section.

(f) The following shall be exempt from the tree canopy requirements:

a. Dedicated K-12 school sites
b. Playing fields and other non wooded recreation areas
c. Designated wetlands
d. Other facilities determined by Town Council in its sole discretion.

§ 195-132. Alternative landscape plan

The Town Council may approve an alternative layout to landscaping required by this ordinance as a conditional use after notification and public hearings requirements are given as provided by §15.2-2204 of the Code of Virginia. In approving a conditional use for an alternative landscape plan, the Town Council shall consider the spirit and intent of the landscape ordinance and shall ensure that the goals of § 195-119 are met.

Section 2. Effective Date.

ENACTED AND ORDAINED THE 29th day of April 2008. This ordinance shall become effective upon passage.

Roxanne W. Paulette, CMC

Roxanne W. Paulette, Clerk

AN ORDINANCE TO AMEND AND REENACT the Code of the Town of Appomattox, Chapter 195, Section 12, entitled Site Plan Review/Zoning Permits, amending subsections A, B and C; and enacting subsections D, E, F, G and H.

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

Section 1. Chapter 195, Section 12 shall be amended as follows:

§ 195-12. Zoning Permits

A. Intent. Zoning permits / site plan review are intended to ensure compliance with the Zoning Ordinance and proper design in types of development which can have deleterious effects on their surroundings. These effects are subject to modification or reduction through the physical design of such development. Review of the design, therefore, is aimed at the greatest possible benefit to the community as a result of building and site design.

B. Buildings or structures shall be started, reconstructed, enlarged or altered only after a zoning permit has been obtained from the Zoning Administrator. A zoning permit issued by the Zoning Administrator shall indicate only that the requested use is permitted by right by the Zoning Ordinance. The issuance of a zoning permit shall not negate full compliance with site plan review requirements.

C. Developments subject to site plan review. The following types of development shall be subject to the site plan review provisions of this ordinance, including petitions for a rezoning request or for a conditional use permit request:

1. All commercial and industrial facilities, including off-street parking;

2. All institutional facilities, such as schools, hospitals and clubs;

3. All residential developments, involving more than two (2) dwelling units in one (1) building or on one (1) lot;

4. Conditional use permits (as specified in this ordinance).

D. Site plan procedures and review:

1. Definitions:

a. Preliminary site plan. Plan to accompany rezoning or conditional use permit requests; however, final rezoning or conditional use permit approval shall be contingent upon approval of a final site plan.
b. Final site plan. Plan required for issuance of a building and/or land disturbance permit.

E. Plan requirements: The Zoning Administrator shall require an appropriate number of clearly legible copies for preliminary site plans and final site plans. The preliminary site plan shall include the following:

1. Name and address of petitioner and owner;

2. Name and location of development;

3. Property lines by metes and bounds;

4. Existing and proposed zoning;

5. Type of proposed zoning;

6. Owner, present use and existing zoning of all abutting property;

7. Existing and proposed streets, easements, rights-of-way and other reservations;

8. Ingress and egress points;

9. Proposed parking areas, materials for same and number of spaces;

10. Existing and proposed buildings;

11. Date, scale of not less than one (1) inch equals one hundred (100) feet, and north point;

12. Limits of established one hundred (100) year floodplain;

13. Major natural features;

14. Required setbacks and areas for landscaping and buffering;

15. Location of existing water, storm and sanitary sewer lines.

16. Existing and proposed topography;

17. Location of proposed water mains, fire hydrants, pipe sizes, grades and direction of flow;

18. Generalized erosion control measures;

19. Location of proposed utility lines, indicating where they already exist and whether they will be underground;

20. Location of proposed storm and sanitary sewer systems, both surface and subsurface, showing pipe sizes, grade flow and design loads;

21. Vicinity map at a scale no smaller than one (1) inch equals six hundred (600) feet, showing all streets and property within one thousand (1,000) feet of the subject property;

22. Existing and proposed curb lines and sidewalks;

23. Location of proposed signs;

24. Proposed location and materials for disposal of refuse and other solid waste;

25. Recreation and/or open spaces;

26. Name and address of person(s) preparing the site plan;

27. Proposed buildings and structures, to include:

a. Distance between buildings;

b. Number of stories;

c. Area in square feet of each floor;

d. Number of dwelling units or guestrooms;

e. Structures above height regulations.

28. Proposed location of outdoor lighting.

29. Landscaping plan as more particularly described in Article XII, § 195-124. Landscape Plan Required.

F. The preliminary site plan shall be accompanied by a check payable to the Town of Appomattox in the amount set forth in § 195-9. Administrative fees.

G. The final site plan shall include, in addition to the items specified for a preliminary site plan, the following:

1. Name and address of owners of record of all adjacent properties;

2. Current zoning boundaries, including surrounding areas to a distance of three hundred (300) feet;

3. Final erosion and sediment control plans and stormwater management plans;

4. Location of watercourses, marshes, rock outcroppings, wooded areas and single trees with a diameter of ten (10) inches measured three (3) feet from the base of the trunk;

5. Location of buildings existing on the tract to be developed and on adjacent tracts within a distance of one hundred (100) feet, indicating whether existing buildings on the tract are to be retained, modified or removed;

6. Proposed streets and other ingress and egress facilities (indicating curb lines, sidewalk lines, public right-of-way lines and profiles and cross-sections of streets);

7. Layout of off-street parking;

8. Proposed location, direction of, power and time of use of outdoor lighting (not required of industrial development);

9. Location, size and design of proposed signs;

10. Elevations of buildings to be built or altered on site.

H. Administrative responsibility.

1. The Zoning Administrator shall be responsible for checking the site plans for general completeness and compliance with this ordinance. The Zoning Administrator shall see that all examination and review of the site plans are completed by other appropriate approving authorities.

2. The Zoning Administrator shall approve or disapprove the site plans in accordance with this ordinance and other appropriate approving authority recommendations. The Zoning Administrator shall then return two (2) copies of the site plan, together with modifications, noting thereon any changes that will be required, to the applicant not later than forty-five (45) days from the date of submission, except under abnormal circumstances.

3. Adjustment in approved site plan. After a site plan has been approved by the Zoning Administrator, minor adjustments of the site plan, which comply with the spirit of this article and other provisions of this chapter with the intent of other appropriate approving authorities in their approval of site plans and with the general purpose of the comprehensive plan for development of the area, may be approved by the Zoning Administrator with concurrence of the other appropriate approving authorities. Minor adjustment from an approved site plan without the Zoning Administrator's approval, or any major deviations, shall require the applicant to resubmit a new site plan for consideration.

4. Waiver. Any requirement of this section may be waived by the Town Council and/or its designee in a specific case where such requirement is found to be unreasonable or unnecessary for review of the proposal and where such waiver will not be adverse to the purpose of this section.

5. Building and occupancy permits. No building permit shall be issued for a building in an area in which site plan review is required unless the construction proposed by such building permit is in conformance with the approved site plan. No occupancy permit shall be issued in such an area for a use which is not in conformance with the approved site plan or zoning permit.

6. Appeal. An appeal of any decision made by the Zoning Administrator concerning site plan review procedure may be made to the Town Council.

Section 2. Effective Date.

ENACTED AND ORDAINED THE 29th day of April 2008. This ordinance shall become effective upon passage.

Roxanne W. Paulette, CMC

Roxanne W. Paulette, Clerk

At the Regular Council Meeting of the Appomattox Town Council held on May 12, 2008 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, Steven E. Lawson. Absent were C. Lewis McDearmon, Jr., and Jennifer Jamerson-Scruggs. Also in attendance were Mary Williams, Karl Carter, Paul Harvey, Chad Millner, Bryan Baine, Stephanie James, Bob Hopkins, John R. Caldwell, Carlton Duck, Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

John R. Caldwell, Executive Vice President and Cashier and Chief Operations Officer for the Farmers Bank of Appomattox gave the invocation.

On a motion by Mr. Mayberry, seconded by Ms. Bennett and with all members present voting "aye", Council approved the consent agenda dated May 12, 2008 as presented. Motion carried.

Public Comments – none
Mayor's Comments – none
Appearances - none
Unfinished Business – none

New Business
The Town Council gave general consensus to sending the request of Thomas R. Terry to rezone Tax Map Number - 64A5(A)177 from R-2 to B-1 to the Appomattox County Planning Commission for a Joint Public Hearing on June 16, 2008 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Town Manager Updates –

- David T. Garrett, Jr., Town Manager advised that a Street & Property Committee meeting is needed to discuss the street light requests.
- There was no council input regarding an applicants request for reasonable conditions that may be imposed on property located on Lee Grant Avenue for a proposed duplex (multi-family) dwelling.
- David T. Garrett, Jr., Town Manager advised Council of his plans to present the video footage of Well #15 from Brad White, DEQ. Staff will be working to gather information on the remedial casing pipe that is leaking water into Well #15 before the Workshop Meeting on Tuesday, May 27, 2008. The Virginia Department of Health is requesting the well be fixed before placing the well back in service.

On a motion by Mr. Mayberry, seconded by Mr. Lawson and with all members present voting "aye", Council voted to adjourn at 7:50 p.m. Motion carried.

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Roxanne W. Paulette, Clerk John L. Wilson, Mayor

Workshop Meeting
May 27, 2008

At the Workshop Meeting of the Appomattox Town Council held on May 27, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, Steven E. Lawson, Jennifer Jamerson-Scruggs. Absent was C. Lewis McDearmon, Jr. Also in attendance were Stephanie James, Charles Garrett, Hill Jones, John Feagans, Earl Dickerson, Chad Millner, Karl Carter, Bob Hopkins, Paul Harvey, Bryan Baine, Buddy Conner, Carlton Duck, Derek Norfield, Bill Slagle, Barbara Shelton, David Hawkins, Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

Mr. Garrett reported that Beckie Nix was absent from the meeting due to a death in the family and Leslie Austin was unable to attend.

Committee Reports –
Finance Committee – Chairman Jamerson-Scruggs reported on Virginia Resources Authority Community Workshop meeting attended by Leslie Austin, Roxanne Paulette and herself on May 6, 2008 in Harrisonburg, Virginia. The information obtained at the meeting is being used as a funding option for equipment in the 2008/2009 proposed budget for the Town of Appomattox.

Fire & Safety Committee – none

Ordinance Committee – none

Personnel Committee – none

Street & Property Committee – Chairman Lawson is planning a meeting for next week.

Utility Committee – Chairman McDearmon was absent and David Garrett reported that a recommendation on the groundwater study should be available at the next Council meeting.

Treasurer's Report – Leslie Austin provided the April 2008 Treasurer's Report to each council member.

Clerk's Report – none

Town Manager's Report –

Mr. Garrett along with the consultants from Hurt & Proffitt, Inc. reported on the progress of the water system by giving an update on Well #15. The video has been created to give a visual of the wells. All of this is being done to document the safe yield of all our wells. Going back to look at all the well logs, 48 hour pump tests, the cone of depression to determine the state of the well at this time.

A video of Well #15 was shown to the Council Members and public to show where the casing is leaking. The engineers were present to explain how to fix the problem and how much it would cost. The leak is estimated at one (1) gallon per minute. It is undetermined whether the water leaking into the well is surface water.

It has taken two (2) weeks to fill the well to its original state, prior to the 48 hour pump test. At the end of the 48 hour pump test the well production rate was 90 gallons per minute. The sensor equipment indicates that the wells at 800 feet and 1200 feet from Well #15 are all in the cone of depression and are interconnected, those being Wells #9, 15, and 53.

Bob Hopkins, Hurt & Proffitt, Inc. explained by demonstration to council how the well could be repaired. He has spoken with Bedford Well Drilling and Falwell Well Drilling who gave him prices of $3850.00 and $3401.00, respectively. The pump would also need to be replaced in the well as not to over pump the well. In total the well could cost between $8000 and $10,000 to fix. Council was advised that the corrective action would need to be approved by the Virginia Department of Health.

Mr. Garrett advised the Council that he did contact Mr. Fred Jones of Fred Jones Well Company and his suggestion was to move over and drill a new hole.

Bob Hopkins, Hurt & Proffitt, Inc. also presented to council treatment options concerning the Copper. A report was presented to the council members that explained the types of treatment options available at this time. Mr. Hopkins explained that once the State Water Control Board approves the amended Consent Order for the Trickling Filter Plant, the Town will have 60 days to develop a Plan of Action.

David Garrett advised council that a developer had been in contact with him regarding a Conditional Use Permit for a parcel on Lee Grant Avenue for a multi-family dwelling. The multi-family dwelling is a permitted use, with a conditional use permit. Council gave no direction other than recommended that the developer comply with the zoning ordinance and council could/would set the conditions after the application was completed.

Councilmember Williams made a motion, seconded by Councilmember Jamerson-Scruggs with all council members voting “aye” to adjourn at 8:30 p.m. Motion carried.

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Roxanne W. Paulette, Town Clerk John L. Wilson, Mayor

At the Special Call Council Meeting of the Appomattox Town Council held on June 2, 2008 at 5:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, Steven E. Lawson, C. Lewis McDearmon, Jr., and Jennifer Jamerson-Scruggs. Also in attendance were, Karl Carter, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

On a motion by Mr. Williams, seconded by Mr. Lawson and with all members present voting "aye", Council approved to reschedule the Regular Meeting of the Appomattox Town Council scheduled for Monday, June 9, 2008 at 7:30 p.m. to Monday, June 16, 2008 at 7:30 p.m. Motion carried.

On a motion by Mr. McDearmon, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to adjourn at 5:50 p.m. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

John L. Wilson,
Mayor

At the Public Hearing of the Appomattox Town Council held on June 9, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams C. Lewis McDearmon, Jr., and Jennifer Jamerson-Scruggs. Absent: Steven E. Lawson. Also in attendance were Paul D. Harvey, Bryan J. Baine, Carlton Duck, Derek Norfield, Leslie C. Austin, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the public hearing to order.

Mayor Wilson stated the purpose of the hearing being held by the Appomattox Town Council pursuant to §58.1-3321 of the Code of Virginia, 1950, as amended, the on Monday, June 9, 2008 at 7:00 pm in the Appomattox Municipal Building on 210 Linden Street, Appomattox, Virginia to hear citizen comments regarding the proposed Real Property Tax Increase.

Notice of the hearing was published on Wednesday, May 7, 2008 in the Times Virginian newspaper and detailed information has been available at the Appomattox Town Office, Monday through Friday, 8:30 a.m. to 4:30 p.m. or by calling 434-352-8268 for review.

There were no public comments.

Councilmember McDearmon made a motion, seconded by Councilmember Mayberry with all council members present voting "aye" to adjourn at 7:15 p.m.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

At the Public Hearing of the Appomattox Town Council held on June 16, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams C. Lewis McDearmon, Jr., Jennifer Jamerson-Scruggs and Steven E. Lawson. Also in attendance were Paul D. Harvey, Karl Carter, Stephanie James, Susan and Joseph Schmick, Carlton Duck, Derek Norfield, Leslie C. Austin, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the public hearing to order.

Mayor Wilson stated the purpose of the hearing being held by the Appomattox Town Council was to receive public comments on the following:

Proposed FY 2009 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2009:

GENERAL FUND EXPENDITURES	1,291,525.00
TOURISM FUND EXPENDITURES	217,125.00
WATER FUND EXPENDITURES	422,569.00
SEWER FUND EXPENDITURES	983,926.00
TOTAL EXPENDITURES	**2,915,145.00**
GENERAL FUND REVENUE	1,291,525.00
TOURISM FUND REVENUE	217,125.00
WATER FUND REVENUE	422,569.00
SEWER FUND REVENUE	983,926.00
TOTAL REVENUE	**2,915,145.00**

Documentation has been available at the Town Office on 210 Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday.

Proposed changes to the Water and Sewer Policy User Charges (including Water and Sewer Rates), Connection and Availability Fees Administrative Policy

a) Specifically being to increase the water rates for <u>in town customers</u> from $6.35 per month for the 1st 2000 gallons allowable metered sales and $5.54 for each 1000 gallons thereafter to **$5.80 per 1000 gallons for all consumption and a $4.00 per month per user fee for Capital Replacement.**

   The water rates for <u>out of town customers</u> from $9.53 per month for the 1st 2000 gallons allowable metered sales and $8.31 for each 1000 gallons thereafter to **$8.70 per 1000 gallons for all consumption and a $6.00 per month per user fee for Capital Replacement.**

b) Specifically being to increase the sewer rates for <u>in town customers</u> from $7.25 per 1000 gallons of all metered water consumption to **$8.25 per 1000 gallons of all metered water consumption.**

The sewer rates for <u>out of town customers</u> from $10.88 per 1000 gallons of all metered water consumption to **$12.38 per 1000 gallons of all metered water consumption.**

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq., with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950 as amended. Documentation, including the complete ordinance and other information concerning the documentation for the proposed fee, have been made available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday.

There were no public comments.

Mayor Wilson closed the public hearing at 7:15 p.m.

Roxanne W. Paulette, Clerk

John L. Wilson, Mayor

At the Regular Council Meeting of the Appomattox Town Council held on June 16, 2008 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, Steven E. Lawson, C. Lewis McDearmon, Jr., and Jennifer Jamerson-Scruggs. Also in attendance were Mary Williams, Karl Carter, Paul Harvey, Stephanie James, Bob Hopkins, Carlton Duck, Derek Norfield, Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

John T. "Plicky" Williams gave the invocation.

On a motion by Mr. McDearmon, seconded by Mr. Williams and with all members present voting "aye", Council approved the consent agenda dated June 16, 2008 as presented. Motion carried.

Public Comments – none
Mayor's Comments – none
Appearances - none
Unfinished Business – none

New Business

The Appomattox Town Council gave consensus to the Town Manager to send the request of Mark Marston to build a duplex on Lee Grant Avenue in an R-2 district to the Appomattox Planning Commission.

Street & Property Committee Report
On a recommendation by Mr. Lawson, Chairman of the Street & Property Committee, Council voted to approve the street light for Lee Grant Avenue near J. C. Caldwell's, the street light on Patterson Street near Well #9, the two street lights on Stevens Street at the total installation cost of $988.32. All members present voting "aye". Motion carried.

Mr. McDearmon questioned the water going to the ball fields at the High School on Red House Road. Mr. Garrett informed Council that he had discussed two options with Mr. Perrow of the School System. Option 1 would include extending the existing main water line an additional 200 feet between the football field and the baseball field. This option could cost an additional $20,000. Option 2 would be to move down 10 feet on an 8" or 10" main for a wet tap that could be made to the adjacent water meter. It will take staff time to excavate the size of the pipe.

Town Manager Updates –
Mr. Garrett reported that he had received word from the Wal-Mart engineers that they are waiting on one hurdle. That being the Virginia Department of Health fire flows from the site. If there is a fire, it needs to be determined we have a four hour fire protection. Basically, the

Health Department is encouraging us to put in a model program of our development to make sure that our system can handle this growth.

Mr. Garrett also reported that the million gallon water storage tank will only hold 825,000 gallons of water. It has been discovered that the altitude valve at the tank on Patricia Anne Lane is installed improperly. The Town is in the process of taking the valves apart and installing them properly.

Mayor Wilson asked Mr. Garrett when was it discovered that the altitude valves were installed improperly? Mr. Garrett reported three weeks to a month ago. Mayor Wilson rephrased his question. How long have you known about the valves? Mr. Garrett said since 1984. Mr. Harold Nash explained how the altitude valves worked. Mr. Garrett further explained that the demand on the system has prompted him to check into the capacity of the tanks.

Mr. Garrett informed Town Council members of the Dinner planned to honor Mayor Wilson, Steve Lawson and Joyce Bennett and to congratulate the incoming Mayor and Council members. The dinner would also be used as a training program and to familiarize ourselves with the mayor and council members.

Mr. Garrett also advised Council members that he would be attending the Manager's Conference in Virginia Beach on June 17 – 20, 2008.

On a motion by Mr. Mayberry, seconded by Mr. Lawson and with all members present voting "aye", Council voted to adjourn at 8:00 p.m. Motion carried.

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Roxanne W. Paulette, Clerk John L. Wilson, Mayor

At the Workshop Meeting of the Appomattox Town Council held on June 24, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr. Absent were Council members John T. "Plicky" Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson. Also in attendance were Barbara R. Williams, Clerk of the Circuit Court, Benny Harvey, Lucy Harvey, Chad Millner, Nina Beasley, Carlton Duck, Beckie Nix, Stephanie James, Tammy David, Paul Harvey & family, Mr. and Mrs. Karl Carter, Bryan Baine, Sam Carter, Bob Hopkins, John Redding, Leslie Austin, Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

Mayor Wilson cited that a quorum was not present. Mayor Wilson explained §5-10 of the Code of the Town of Appomattox, which would allow for the meeting to remain open for 30 minutes while waiting for a quorum.

Mayor Wilson congratulated the new members of the council. Mrs. Barbara R. Williams, Clerk of the Circuit Court was present and administered the oath of office to the newly elected Mayor and Council members present.

At 7:30 p.m., Mayor Wilson cited the next regular council meeting would be held on Monday, July 14, 2008 at 7:30 p.m. and a Special Call of Council would be signed by him in the morning for a meeting on Monday, June 30, 2008 at 7:00 p.m.

Mayor Wilson closed the meeting for a lack of a quorum.

_____ _____

Roxanne W. Paulette, Clerk John L. Wilson, Mayor

At the Special Call Meeting of the Appomattox Town Council held on June 30, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor John L. Wilson, presiding and Council members Joyce B. Bennett, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Jennifer Jamerson-Scruggs, Steven E. Lawson. Also in attendance were Paul Harvey, Stephanie James, Chad Millner, Karl Carter, Leslie Austin, Stacy Garrett, Timmy Garrett, Beckie Nix, Jeff Elder, Earl Dickerson, Carlton Duck, Derek Norfield, Marvin Booth, Bryan Baine, Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Wilson called the meeting to order.

On a recommendation of Ms. Jamerson-Scruggs, Chairman of the Finance Committee and with all members present voting "aye", Council adopted the following resolution:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2008-2009 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 2008-2009 Budget was published on May 14, 2008 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 16, 2008;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Workshop Meeting on June 24, 2008, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2008-2009;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	34,195.
Administrative Department	434,045.
Professional	65,000.
Police Department	49,231.
Fire Department	38,000.
Street Department	345,523.
Sanitation Department	80,379.
Property Maintenance & Construction	8,000.
Town Shop	10,000.

Donation/Contributions	5,000.
Zoning	21,000.
Town Office	23,000.
TOTAL GENERAL FUND EXPENSES	**1,113,373.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.13 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 $.13 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 sitused 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 2008-2009;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	171,325.
Current Taxes – Personal Property	130,000.
Bank Stock Tax	80,000.
Meals Tax	400,000.
Lodging Tax	30,000.

Franchise Tax	7,000.
Consumption Tax	8,600.
Town Tags	25,000.
Business License	55,000.
Zoning	2,000.
Checking Interest	1,500.
Rental of Misc. Property	50,000.
Alcohol Profits	2,100.
Motor Vehicle Tax	2,600.
Sales Tax	36,000.
Aid to Police Department (HB599)	49,231.
Fire Programs	8,000.
Use of Beginning Balance	3,042.
Transfer Funds (Welcome Signs)	29,800.
Reserve Interest	22,175.
TOTAL GENERAL FUND REVENUES	**1,113,373.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Fund Expenditures for Fiscal Year 2008-2009;

TOURISM FUND; EXPENDITURES BY CATEGORY:

Tourism Department	217,125.
TOTAL TOURISM EXPENDITURES	**217,125.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Revenue estimates for Fiscal Year 2008-2009;

TOURISM FUND; REVENUES BY CATEGORY:

VIC Gift Shop	20,000.
Transfer from General Fund	197,125.
TOTAL TOURISM FUND REVENUES	**217,125.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2008-2009;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	420,522.
TOTAL WATER EXPENDITURES	**420,522.**

SECTION IX:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2008-2009;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	365,898.
Capital Fees	54,624.
TOTAL WATER REVENUES	**420,522.**

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2008-2009;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	983,926.
TOTAL SEWER EXPENDITURES	**983,926.**

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2008-2009;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	672,853.
County Reimbursement SBR & IDA PS	79,073.
Park Service Maintenance	4,000.
Beginning Balance of Certificate of Deposit	211,000.
Use of Beginning Balance	17,000.
TOTAL SEWER REVENUES	**983,926.**

SECTION XII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2008-2009 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2008-2009 is hereby adopted, effective July 1, 2008 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 30th day of June, 2008. Motion carried.

On a recommendation by Ms. Jamerson-Scruggs, Chairman of the Finance Committee and with all members present voting "aye", Council voted to adopt the following changes to the Water and

Sewer Policy including User Charges, Connection and Availability Fee Administrative Policy, specifically being to increase the water rates for in town customers from $6.35 per month for the 1st 2000 gallons allowable metered sales and $5.54 for each 1000 gallons thereafter to **$5.80 per 1000 gallons for all consumption and a $4.00 per month per user fee for Capital Replacement.** The water rates for out of town customers from $9.53 per month for the 1st 2000 gallons allowable metered sales and $8.31 for each 1000 gallons thereafter to **$8.70 per 1000 gallons for all consumption and a $6.00 per month per user fee for Capital Replacement** and specifically being to increase the sewer rates for in town customers from $7.25 per 1000 gallons of all metered water consumption to **$8.25 per 1000 gallons of all metered water consumption.** The sewer rates for out of town customers from $10.88 per 1000 gallons of all metered water consumption to **$12.38 per 1000 gallons of all metered water consumption.**

Motion carried.

On a recommendation by Mr. Williams, Chairman of the Personnel Committee and with all members present voting "aye", Council voted to amend Chapter 7: Work Hours of the Employee Handbook by adding "Stand-by Pay", specifically being:
Stand-by is time that a designated non-exempt employee must remain available to report to work during off-duty hours, in accordance with his or her department's operating procedures, but is normally not unduly restricted in his or her freedom to conduct personal business. An employee on stand-by is not required to remain at work or home and is free to engage in personal pursuits, with the understanding that he or she must be available by phone or pager to respond and report to work if necessary.

A non-exempt employee assigned to stand-by shall be compensated as follows for the stand-by time:

A. One (1) hour regular pay for each 24-hour day, Monday through Friday, or regular work day of the employee's assigned regular work schedule.

B. One (1) hour regular pay for each twelve (12) hour period on Saturday, Sunday, observed holiday or other regularly scheduled day off.

C. Stand-by pay may be awarded as the equivalent amount of time off in lieu of payment; however all unused stand-by hours must be paid out at the employee's regular rate of pay at the end of each calendar year.

Motion carried.

On a motion by Mr. Lawson, seconded by Mr. Williams and with all members present voting "aye", Council voted to adopt the following Ordinance:
AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Article II, Chapter 185, thereof, entitled Vehicle License Fee, by deleting and repealing § 185-10, 185-11, 185-12, 185-13, 185-14, 185-15, 185-16, 185-17 and adding § 185-10, 185-11, 185-12, 185-13, 185-14, 185-15, 185-16, as set forth more particularly herein.

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

Section 1. The Code of the Town of Appomattox is hereby amended by adding thereto new sections, to be Chapter 185, Vehicle License Fee, to read as follows:

§185-10. Vehicles required to be licensed – Situs; student owners; grace period.
§185-11. Assessment of license fee
§185-12. Amount of fee – Passenger motor vehicles; trucks; motorcycles; transitional provisions for 2008 license year only.
§185-13. Exemptions and Reductions.
§185-14. Payment of personal property taxes and license fee prerequisite.
§185-15. License Year
§185-16. Failure to pay license fee, personal property tax, etc: penalty.

§185-10. Vehicles required to be licensed – Situs; student owners; grace period.

(A) Every person who shall own or lease a motor vehicle normally garaged, stored or parked in the Town shall pay an annual Town License fee for such vehicle, as required herein.

(B) Persons who establish residence in the Town during the license year shall comply with the provisions of this article within thirty (30) days subsequent to establishing such residence.

(C) The situs for the imposition of licensing fees under this article shall in all cases, except as hereinafter provided, be the locality in which the motor vehicle is normally garaged, stored, or parked. If it cannot be determined where the personal property is normally garaged, stored, or parked, the situs shall be the domicile of its owner. In the event the owner of the motor vehicle is a full-time student attending an institution of higher education, the situs shall be the domicile of such student, provided the student has presented sufficient evidence that he has paid a personal property tax on the motor vehicle in his domicile.

§185-11. Assessment of license fee

(A) There is hereby assessed to any person owning a motor vehicle normally garaged, stored or parked in the Town of Appomattox on January 1st of each year an Appomattox Town motor vehicle license fee.

(B) The Chief of each volunteer fire department and volunteer emergency rescue squad will prepare and certify a list of active members of his department or squad who regularly respond to calls or perform other duties for the department or squad and who reside within the corporate limits. The certified list will include the complete name of each individual, his residence address, and the identification number, and description of the cars owned or leased by such active member and to be certified for the exemption. Each individual so certified will complete the required application form, submit it to his chief who will attach all individual applications to the certified listing and submit to the Treasurer of the Town. After reviewing and comparing the certified listings and applications with the personal property tax rolls, the Treasurer will exempt to each certified member two license fees without charge. No member of a volunteer rescue squad or volunteer fire department shall be issued an exception for more than two vehicles free of charge.

§185-12. Amount of fee – Passenger motor vehicles; truck; motorcycles; transitional provisions for 2007 license year only.

(A) On each and every passenger vehicle and truck there shall be an annual license fee of twenty-five dollars; and on each and every motorcycle, with or without a sidecar, a license fee of twenty-four dollars.

(B) The amount of the license fee imposed by the Town of Appomattox under this article shall not be greater than the amount of the license fee imposed by the Commonwealth on said vehicle.

(C) **Transitional provisions effective for 2008 license year only.** Notwithstanding the preceding subsections, in order to adjust the amount of the vehicle license fee for the 2008 license year in recognition of the transition from the former March 31, 2008 due date for decals to the new September 30, 2008 due date for vehicle license fees, the vehicle fee for the 2008 license year only is hereby reduced such that the fee shall be eighteen dollars ($18.00) on each and every passenger vehicle and truck, and is hereby reduced such that the fee on each and every motorcycle shall be seventeen ($17.00). This subsection shall automatically expire on or before September 30, 2008 and all annual Town license fees for the 2009 license year shall be payable on or before September 30th of each year, beginning September 30, 2009. All other license fees for vehicles not set out herein shall be adjusted in the same manner for license year 2008.

§185-13. Same-Exemptions and reductions.

The provisions of this article shall not be construed as to impose a license fee upon any motor vehicle when:

(A) The motor vehicle is operated by a common carrier of persons or property operating between cities and towns in this Commonwealth and not in intracity transportation or between cities and towns on the one hand and points and places without cities and towns on the other not intracity transportation;

(B) Antique motor vehicles and antique trailers, as defined in **VA CODE ANN** 46.2-100, registered and licensed by the State in accordance with **VA CODE ANN** 46.2-730a shall be exempt from the payment of the license fee levied under this article, provided that other conditions prescribed herein are met.

In order to qualify for exemption hereunder, an antique motor vehicle and antique trailer registered and licensed under **VA CODE ANN** 46.2-730 shall not be used for general transportation purposes, including, but not limited to, daily travel to and from owner's place of employment, but shall only be used:

(i) For participation in club activities, exhibits, tours, parade, and similar events; and

(ii) On the highway of the Commonwealth for the purpose of testing their operation, obtaining repairs or maintenance, transportation to and from events as described in subdivision (i) of this subsection, and for occasional pleasure driving not exceeding 250 miles from the residence of the owner.

(C) All fees collected pursuant to this article shall be deposited by the Treasurer in the general fund of the Town.

§185-14. Payment of personal property taxes and license fee prerequisite.

(A) No motor vehicle shall be licensed by the Department of Motor Vehicles until such applicant for such license has paid all personal property taxes and the licensed fee assessed hereunder upon the motor vehicle, to be licensed and until the Department of Motor Vehicles has been provided satisfactory evidence by the Treasurer of the Town of Appomattox that any delinquent motor vehicle, personal property taxes or license fees which have properly assessed or are assessable against the applicant by the Town have been paid.

(B) No motor vehicle license shall be issued by the Virginia Department of Motor Vehicles unless the tangible personal property taxes properly assessed or assessable by the Town on any tangible personal property used or usable as a dwelling, and owned by the taxpayer have been paid.

(C) No motor vehicle license shall be issued by the Virginia Department of Motor Vehicles to an owner of a motor vehicle as to which a fee is required to be paid pursuant to this article qualified under the provisions hereof to a waiver of the fee until the applicant for such license or registration from the Department of Motor Vehicles has produced before the Appomattox Town Treasurer, or his agent, satisfactory evidence that all personal property taxes upon the motor vehicle have been paid and satisfactory evidence of any delinquent personal property taxes due with respect to the vehicle which have been properly assessed or are assessable against the owner have been paid.

§185-15. License Year.

The license year with respect to which the fee required to be paid under this article is assessed shall be January 1 through December 31 of each year. The fee assessed under this article shall be assessed to the owner of each motor vehicle as provided in this article for motor vehicles owned January 1 of each year. The fee shall be payable on or before September 30 of each year and with respect to any fees not paid at that time, a twenty dollar fee to reimburse the Town of Appomattox for costs associated with administration of the Vehicle Registration Withholding Program with the Commonwealth of Virginia Department of Motor Vehicles. The fee herein assessed will be based upon ownership of vehicles on fee day, that is, January 1 of each year, and the period for which the license is effective shall be January through December 31 of the next ensuing year.

§185-16. Failure to pay license fee, per personal property tax, etc; penalty.

(A) In the event that the license fee required by this Article is not paid, or if any personal property taxes, properly assessed against such vehicle, are not paid on or before September 30 of each year, with respect to each owner or co-owner of any motor vehicle as to which the license fee has not been paid, or any personal property taxes have not been paid, the Treasurer shall mail to the owner/co-owner by First Class Mail notice of intent to request the Commonwealth of Virginia Department of Motor Vehicles under the Vehicle Registration Withholding Program to deny his or her registration renewal with respect to the vehicle which is subject to the license fee or personal property tax herein. In the event of payment of that vehicle license fee and/or delinquent personal property taxes, the Treasurer shall provide the vehicle owner/co-owner an approved numbered receipt that clearly indicate that the vehicle fees and delinquent taxes to the locality, together with the penalty, interests and administrative fee herein above set forth.

(B) It shall be unlawful for any owner of a motor vehicle to fail to pay the local license fee or personal property taxes assessed with respect to each motor vehicle after September 30 of each year.

(C) A violation of this section shall constitute a Class 4 misdemeanor and shall be punished by a fine of one hundred dollars ($100.00).

(D) A violation of this section by the registered owner of the vehicle shall not be discharged by prepayment of a fine or by payment of a fine imposed by the court except upon presentation of satisfactory evidence that the required license has been obtained.

Section 2. Effective Date.

ENACTED AND ORDAINED THE 30th day of June 2008. This ordinance shall become effective upon passage.

Motion carried.

On a motion by Mr. Williams, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to authorize the Town Manager to execute the Extension of Contract for Curbside Solid Waste Collection in the Town of Appomattox. Motion carried.

On a motion by Mr. Williams, seconded by Ms. Jamerson-Scruggs, 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 of a specific public officer or appointee of the Town, specifically being Employee A.

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 Mr. Mayberry, seconded by Mr. McDearmon and with all members present voting "aye", Council voted to adjourn at 7:35 p.m. Motion carried.

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Roxanne W. Paulette, Clerk John L. Wilson, Mayor

At the Regular Council Meeting of the Appomattox Town Council held on July 14, 2008 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, C. Lewis McDearmon, Jr., Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Chad Millner, Earl Dickerson, Cameron Smith, Benny Harvey, Lucy Harvey, Ben Harvey, Cliff Harvey, Nina Beasley, Maurice & Marlene Page, Pastor Paul & Jane Raymond, Peter Zdgiebloski, Bob Hopkins, Mary Williams, Deborah Dupont, Thomas R. Terry, John Wilson, Laura Guthrie, Barbara Shelton, Debbie Baine, Stephanie James, David A. Hawkins, Town Attorney, David Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Cameron Smith, Appomattox Court House Presbyterian Church gave the invocation.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Williams and with all members present voting "aye", Council approved the consent agenda dated July 14, 2008 as presented. Motion carried.

Public Comments – none

Mayor's Comments – Mayor Harvey welcomed the citizens present for the first regular council meeting of the newly elected Town Council body and he welcomed new council members, returning council members and town staff. The Mayor expressed hope that with increased cooperation and communication that we will be able to deal with public business matters during the regular and workshop meetings and lessen the committee meeting time. This council has an opportunity to make historic decisions for decades to come. The copper limits, SBR remedial design, supplemental water sources, tourism and economic growth and the Museum of the Confederacy. Mayor Harvey is hopeful with all the work before the council that the work can be done quickly and efficiently.

Appearances - none

Unfinished Business – none

New Business

Councilmember Carter nominated Mr. John Williams as Vice-Mayor and Councilmember Mayberry nominated Mr. Lewis McDearmon as Vice-Mayor.

On a motion by Mr. Williams, seconded by Mr. Mayberry, Council voted for close the nominations for vice-mayor. Council members were asked to vote for only one candidate by voice vote. VOTE: Baine – Mr. Williams, Mayberry – Mr. McDearmon, Williams – Mr. Williams, McDearmon – Mr. McDearmon, Carter – Mr. Williams, Jamerson-Scruggs – Mr. Williams. Williams – 4 ayes, McDearmon – 2 ayes. Motion carried. Councilmember Williams is the Vice-Mayor for the term expiring June 30, 2010.

On a motion by Mr. Carter, seconded by Mr. Mayberry, Council discussed the following resolution passed by the Appomattox Town Council in April 2002, with an effective date of July 1, 2002:

a) Council members shall receive a salary of $50.00 per month to be paid whether such member is present at the monthly meeting, provided, however, that if a member is absent for three consecutive meetings, such member shall not be paid for any subsequent meetings until the member attends a regular meeting.

b) Council members shall receive $50.00 per meeting for each workshop session, special council meeting, or committee meetings more than thirty minutes long.

c) Council members shall receive no compensation for recessed meetings or when two or more meetings are held at consecutive times on the same date, (that is, one following the other.)

After some discussion, Mr. Carter withdrew his motion and Mr. Mayberry withdrew his second.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Carter and with all members of council voting "aye", Council approved the following amendments to the above mentioned resolution:

(a) Council members shall receive $50.00 per month to be paid when the member is present at each monthly council meeting.

(c) Council members shall receive no compensation for recessed meetings. Council members shall be compensated for a second meeting when meeting fall on the same date or at a consecutive time, but no more than two meetings.

Vote: All – aye. Motion carried.

On a motion by Mr. Williams, seconded by Ms. Jamerson-Scruggs, Council discussed assigning Items #3 (Code of Ethics and Standards of Conduct) and #4 (Bylaws and Rules of Procedures for the Appomattox Town Council) to the Personnel Committee for review. After much discussion, Mr. Williams withdrew the motion. Ms. Jamerson-Scruggs withdrew the second.

On a motion by Mr. Baine, seconded by Mr. Williams and all members of council voting "aye", Council approved to table Items #3 (Code of Ethics and Standards of Conduct) and #4 (Bylaws and Rules of Procedures for the Appomattox Town Council) to the Workshop Meeting on July 29, 2008 for discussion. Motion carried.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Williams and with all council members present voting "aye", Council voted to include under separate cover from the regular council agenda a separate financial package for each council member to include a copy of:

1. Edit Voucher which will include the checks written, amount a brief memo description
2. Copy of itemized statements from the vendors – Hurt & Proffitt, Inc. & Overbey, Hawkins, Wright
3. Copy of the monthly credit card statement, for credit card holders (town employees)

Motion carried.

The Appomattox Town Council discussed the Town Welcome Signs layout as presented by the Town Manager for the four locations as outlined in a diagram provided to the Town Council members. Mr. Karl Carter expressed concern with the Town Welcome Sign layout. Mr. Carter would like to see the Welcome to Historic Appomattox, Incorporated in 1925, Where our Nation Reunited. Mr. Carter expressed his desire for a circular pattern for the sign, reducing the letters, erecting the signs on Rt. 24, Rt. 26 and the entrances into the town limits on Rt. 460. David Garrett included a layout at the Council desk that includes in the dimension of the sign. Mr. Garrett will ask the vendor to make edits to the current sign layout. Once the edits have been made, a copy will be distributed to the Council Members for consideration. David Garrett, Town Manager advised the Town Council that a signed contract has been executed with Bruce Signs, Inc. to manufacture one sign however; the manufacture has been placed on hold pending discussion and/or decision by the Town Council. Mr. Williams asked if the easements have been secured for the sign locations. VDOT has given verbal approval on the Rt. 24, Rt. 26, and West 460, however due to other development such as Wal-Mart, the exact sign location has not been determined. The 460 East location is across the street from the new fire department was intended to be the first sign erected. Mr. Garrett explained that electrical service and/or solar panels needed for the battery for the illuminating of the sign would need to be considered.

On a motion by Mr. Mayberry, seconded by Mr. Williams and with all members present voting "aye", Council voted to accept the recommendation of the Appomattox County Planning Commission and approve the rezoning request of Thomas R. Terry on Church Street from R-2 to B-1, Tax Map #64A5 (A) 177and waive the fees paid to the Town minus the advertisement costs. Motion carried.

Council gave consensus to table item #10 – Discussion of the proposal concerning the funding of the waterline from Concord to Appomattox received from the Appomattox County Board of Supervisors to the workshop meeting on July 29, 2008.

Mr. Baine informed the Town Council that he would rather not serve as the governing body representative for the Appomattox Town Council on the Appomattox County Planning Commission for a term expiring June 30, 2010. No other Council Member expressed an interest in serving.

On a motion by Mr. Mayberry, seconded by Mr. Williams and with all members present voting "aye", Council voted to advertise the vacancy created by the governing body representative for the Appomattox County Planning Commission. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Williams and with all members present voting "aye", 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 Appomattox Town Council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being a consultation with legal counsel for the purpose of receiving legal advice pertaining to the requirements for compliance with the Consent Order under which the Town of Appomattox is operating the Trickling Filter Plant located within the Town of Appomattox.

VOTE: Baine – aye, Mayberry – aye, Williams – aye, McDearmon – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, Williams – aye, McDearmon – aye, Carter – aye, Jamerson-Scruggs – aye.

On a motion by Mr. Williams, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to ….

On a motion by Mr. McDearmon, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to adjourn at 10:00 p.m. Motion carried.

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Roxanne W. Paulette, Clerk Paul D. Harvey, Mayor

At the Workshop Meeting of the Appomattox Town Council held on July 29, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Beckie Nix, Waite Rawls, Charles Garrett, Bob Hopkins, Benny Harvey, Cliff Harvey, Pudding Childress, Nina Beasley, Debbie Baine, David Baine, Joyce Bennett, Chad Millner, Leslie Austin, Bill Slagle, Mary Williams, Mary Lou Spiggle, Barbara Shelton, Pastor Raymond & Mrs. Raymond, Stephanie James, Carlton Duck, Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Mayor Harvey welcomed all the citizens and staff to the meeting.

On a motion by Mr. McDearmon, seconded by Mr. Williams, with all members present voting "aye" to adopt the Code of Ethics and Standards of Conduct Policy for the Appomattox Town Council. Motion carried.

The Appomattox Town Council discussed the Bylaws and Rules of Procedure for the Appomattox Town Council. There were several changes suggested. The Appomattox Town Council will consider the Bylaws and Rules of Procedures of the Appomattox Town Council at the Regular Council Meeting on August 11, 2008.

Update on the Town Welcome Signs –
Mr. Garrett provided the Council Members with an update from Bruce Signs, Inc. regarding their suggested changes to the Town Welcome Sign. Bruce Signs completed the layout on July 28, 2008. Mr. Garrett suggested that Council Members advise him of layout changes.

Mayor Harvey has had at least seven citizens approach him since the placement of this item in the Times Virginian upset with the Town using "Where our nation reunited" and both local historians Cecil Harvey and Tommy Terry have expressed it is historically inaccurate use of "Where our nation reunited", creating bad feelings with the County, since it is already on the County signs. It would be a misrepresentation on the town's behalf since the nation did not reunite within the town limits. Mayor Harvey recommended that the Council consider the feelings/requests of these citizens. Mr. McDearmon also received a phone call from Ms. Harvey who was adamant about her feelings.

Mr. Baine questioned if "Where the Nation Reunited" is on the county signs. Mr. Baine said he agrees with Ms. Harvey about the Where the Nation Reunited.

Mayor Harvey did convey that he has spoken with Mrs. Nix concerning this item before the meeting. Mrs. Nix expressed concern that it is an important part of our tourism approach for tourism and our town. Mayor Harvey thinks Council should consider this item based on the feedback.

David Garrett also contacted VDOT regarding the easements at the sign locations to discussed what the town and VDOT had discussed 1 ½ years ago. The sites are approved. The approval is in place - VDOT is going to take the information from the site locations, the layout of the sign (dimensions) and put it into an application format. The town may have to pay a fee for the application. The outcome would enable the town to have an appropriate application. VDOT strongly recommended not installing the sign at the Wal-mart entrance because of the long turning lane for Wal-mart. VDOT recommended the town wait on the application for Rt. 26 and Rt. 460 (WEST) because of the development with turning lanes, etc.

Mr. Garrett advised that he has been working with the Town Attorney concerning an easement with Glory Baptist Church. Since the property is owned by a Baptist church in Virginia, there are steps involved with obtaining an easement. Mr. Wright advised Council of those steps. The Town Attorney is estimating that the town would be finalizing the easement with the church within 30 days.

Mr. Carter asked if the price of the sign, still the same? Mr. Garrett reported that it is with the exception of the labor costs associated with manufacturing the signs individually rather than all four signs at once. Mr. Williams asked for clarification regarding who and what companies will be responsible for what. Mr. Garrett responded that Bruce Signs will only manufacturing the sign, engraving the lettering. The Town Staff will dig the foundation for the sign. The town would employ a rock layer, Bruce signs would install the sign, town staff would landscape. David would like to install a solar panel for the lighting of the sign.

Mr. Garrett reported that at the sign location on Rt. 24, VDOT has given approval for a 30 ft. drainage pipe that will need to be placed where the location of the sign is to be placed.

Mr. Carter received a phone call from someone who wanted slate rather than rock. Mr. McDearmon feels like the sign, Welcome Historic Appomattox, incorporated 1925 should read Welcome to Historic Appomattox, Incorporated 1925. Mr. Carter asked if the "Welcome to" could be placed in a circular pattern. Mr. Garrett said he would ask Bruce Signs to prepare a layout for consideration. Mr. Carter and Mr. Williams concur with the suggestion of Mr. McDearmon "Welcome to Historic Appomattox, Incorporated 1925".

Item #4 will be placed on the Regular Council Meeting agenda for August 11, 2008.

Mrs. Paulette reported that the Lease Agreement for the DMV was received from the Town Attorney with the revisions as suggested at the July 14, 2008 Council Meeting. The tenant and Town Manager have executed the DMV contract.

Discussion of the town owned property – standardized contract. Council asked staff to prepare sample lease agreements which Mr. Wright specifically worked on. Mr. Wright explained various components of the lease agreements. This item will be placed on the Regular Council Meeting agenda for August 11, 2008.

On a motion by Mr. Williams, seconded by Ms. Jamerson-Scruggs with all members present voting "aye", Council voted to amend the Travel Policy with regards to mileage reimbursement reading - Personal vehicles may be used for transportation only when a town vehicle is not available. Travel required by the Town will be reimbursed at the established rate of $0.585 per mile, based on odometer readings for the use of a personal vehicle. Motion carried.

Mr. Baine, Chairman of the Street & Property Committee reported that there is only one street light located on the First Street. Mr. Garrett explained to Council that he would like for Council to be abreast of the request before taking any action on the request. Staff can contact Dominion Virginia Power for a quote to install the requested light. Mr. Baine will report on those findings at a future meeting.

Mr. Paulette explained the VRS Resolution of Affirmation of Authorization to Pick-up the Employee's Contribution to the VRS for the Town of Appomattox, 55358, Under §414 (h) of the Internal Revenue Code. The resolution will be placed on the Regular Council Meeting agenda for August 11, 2008 for adoption by the Appomattox Town Council.

Mr. Garrett explained the VDH Financial and Construction Assistance Programs Drinking Water State Revolving Fund (DWSRF) Program Planning Grant Agreement Procurement process to the Appomattox Town Council regarding the Requests for Proposals submitted to the Town. The Town needs to comply either with the scoring sheet in accordance with the state's procurement policy or interview process of selected firms. Ms. Jamerson-Scruggs explained that Anderson & Associates had helped the Town secure the grant from the Virginia Department of Health. The scoring sheets will be taken to the Utility Committee members for ranking and that needs to be completed before the August 11, 2008 Regular Meeting. Mr. Mayberry asked if it was completed by the prior committee and it was not. The Town Attorney advised that if one rating sheet has been completed by one committee member, if another agrees with the other it would be sufficient to meet the procurement.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. McDearmon and with all members present voting "aye", 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 and specifically bring the discussion of the proposal submitted by Appomattox County regarding the waterline from Concord to Appomattox.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

Council gave consensus to allow staff reports being tabled to the next regular or workshop meeting.

Beckie Nix, Director of Tourism gave a presentation for the months of May and June 2007. Beckie Nix urged Council to consider using the name "Where our nation reunited". From a tourism standpoint it is name recognition for our locality. It is our localities "branding". It would be a very sad day if it were not used.

Beckie gave an update on the regional passport program called "Give Me Five". It involves five localities that will promote the regional program. The program will be applying for a $10,000 grant to assist in the funding of the program.

The Pamplin Pipe Factory is being purchased by the Archeology Conservancy. The High Bridge State Park will end right across the street from the Pamplin Pipe Factory.

The 150th anniversary committee has hosted the local committee here in Appomattox. Appomattox is the key element in the program. All the culminating events are being planned in Appomattox. The General Assembly is providing the key steps to be followed.

The newspaper did an article on the Museum of the Confederacy in recent weeks.

Appomattox will be hosting a state wide Agri-Tourism Conference. Developing agri-tourism in other communities in September.

The visitor center report was prepared the first week of June. The first page gives statistics about the VIC. Inquiries are up 61% in comparison from this May to May 2007. Website hits are up 189% from where they were last year at this time. The increase is credited to advertising. This is all great news…it's the product of a great tourism program. The increases tell us that the marketing plan is working.

Mrs. Nix reported that she been working on the 2008-2009 advertising schedule. An interesting thing has happened because of gas, using the term "staycation"… in a statewide realm, a destination only one tank of gas… geared to something in this area. A lot of the research shows that visitation is coming from the DC area, North Carolina and Tennessee those located within one tank of gas.

Mrs. Nix explained several of the new ads that are coming out… we really need to start working on our online internet web presence in addition to printed ads. There will always be several print ads that will never go away. There is a new type of advertising coming called personal mobile trends coming out in a very competitive industry. Mrs. Nix is very proud of what the program has accomplished and thanked Council for their commitment to the program.

On a motion by Mr. Williams, seconded by Mr. McDearmon with all members present voting "aye", Council voted to adjourn at 10:10 p.m. Motion carried.

Roxanne W. Paulette, Clerk

Paul D. Harvey, Mayor

At the Special Call Meeting of the Appomattox Town Council held on August 7, 2008 at 5:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were David T. Garrett, Jr., Town Manager, Beckie Nix, Director of Tourism, and Leslie Austin, Treasurer.

Mayor Harvey called the meeting to order.

On a motion by Mr. Mayberry, seconded by Mr. Williams, the Appomattox Town 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Williams and with all members present voting "aye", Council voted to adjourn at 6:25 p.m. Motion carried.

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Leslie C. Austin Paul D. Harvey, Mayor

At the Regular Council Meeting of the Appomattox Town Council held on August 11, 2008 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, C. Lewis McDearmon, Jr., Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Chad Millner, Cliff Harvey, Nina Beasley, Benny Harvey, Lucy Harvey, Ben Harvey, Peter Zdgiebloski, Bob Hopkins, Mary Williams, John Wilson, Beckie Nix, Charles Garrett, Mary Lou Spiggle, Dr. Chris King, Dorothy van Opstal, Eric A. van Opstal, David Baine, Barbara Shelton, Sarah Watson, Stephanie James, Frank A. Wright, Jr., Town Attorney, David Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Dr. Chris King, Evergreen Baptist Church gave the invocation.

On a motion by Mr. McDearmon, seconded by Mr. Carter and with all members present voting "aye", Council approved the consent agenda dated July 14, 2008 with the addition of a Closed Session under #4 – Pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the resignation of a specific public officer or appointee of the town, specifically being Employee A and New Business #5 – Staff proposal of a pilot study program for metal reduction at the Trickling Filter Plant. Motion carried.

Public Comments – Beckie Nix, Director of Tourism addressed Council regarding the slogan "Where our Nation Reunited" on the Town Welcome Sign.

Appearances - none

Unfinished Business

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Carter and with all members present voting "aye", Council voted to adopt the Bylaws and Rules of Procedure for the Appomattox Town Council as presented. Motion carried. (See attachment)

On a motion by Mr. McDearmon, seconded by Mr. Mayberry and with all members present voting "aye", Council voted to adopt the sign layout "Welcome Historic Appomattox Where our Nation Reunited" for the welcome signs to be erected at the town boundaries. Motion carried.

On a motion by Mr. Williams, seconded by Mr. Carter and with all members present voting "aye", Council voted to execute the rental/lease agreements for all rented or leased space owned by the Town of Appomattox with the current tenants at their current terms. Motion carried.

Mr. Garrett reported that he has discussed the street light request from Second Street with Dominion Virginia Power and Bryan Baine, Chairman of the Street & Property Committee. Dominion Virginia Power will be making a site visit to review the request.

Mr. Garrett reported that the street lights have been installed in the Meadowlark Subdivision. There was no report on the light to be erected on Lee Grant Avenue.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Baine and with all members present voting "aye", Council voted to pass the following resolution:

RESOLUTION

Affirmation of Authorization to Pick-up the Employee's Contribution to VRS for TOWN OF APPOMATTOX, 55358
Under § 414 (h) of the Internal Revenue Code

WHEREAS, the TOWN OF APPOMATTOX provides its employees with tax deferral pursuant to § 414 (h) of the Internal Revenue Code with respect to their member contributions to the Virginia Retirement System (referred to as VRS) by picking up member contributions to VRS; and

WHEREAS, VRS keeps track of such picked up member contributions, and treats such contributions as employee contributions for all purposes of VRS;

WHEREAS, the Internal Revenue Service in Notice 2006-43 has provided transition relief for existing pick up arrangements provided that an authorized person takes formal action to evidence the establishment of the pick-up arrangement no later than January 1, 2009.

WHEREAS, in order to avail itself of the protection given under Notice 2006-43, the TOWN OF APPOMATTOX desires to affirm its intention to establish and maintain a pick-up arrangement through formal action by its governing body.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the existing member contribution pick-up arrangement is hereby affirmed as it relates to salary reduction elections in effect prior to the date of this Resolution, and it is further

RESOLVED that effective the first pay day on or after August 1, 2008, the Town of Appomattox shall pick up member contributions of its employees to VRS, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States; and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by the TOWN OF APPOMATTOX in lieu of member contributions; and it is further

RESOLVED that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and it is further

RESOLVED that member contributions made by the TOWN OF APPOMATTOX under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the TOWN OF APPOMATTOX directly instead of having them paid to VRS; and it further

RESOLVED that notwithstanding any contractual or other provisions, the contributions of each member of VRS who is an employee of the TOWN OF APPOMATTOX shall be picked up either through a reduction in the current salary of such employee or as an offset against future salary increases of such employee or as a combination of both at the option of the employer by the TOWN OF APPOMATTOX on behalf of such employee pursuant to the foregoing resolutions.

Adopted in APPOMATTOX, Virginia the 11th day of August, 2008.

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Name & Title Printed

_____

Authorized Signature Title

The Appomattox Town Council received two applications to an advertised vacancy on the Appomattox County Planning Commission. The vacancy will fill the unexpired term of a town governing body representative, June 30, 2010. Mayor Harvey asked the Council Members to vote for one applicant and then the other. Applicant Mary Lou Spiggle received no votes, while applicant Peter Zdgiebloski received the unanimous vote of the Appomattox Town Council for appointment to the Appomattox County Planning Commission.

On a motion by Mr. Williams, seconded by Mr. Carter and with all members present voting "aye", Council voted to select the firm of Anderson & Associates, Inc. based on a completed scoring sheet (attached) for the Virginia Department of Health Financial and Construction Assistance Programs Drinking Water State Revolving Fund Program Planning Grant. Motion carried.

New Business

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Carter and with all members present voting "aye", Council voted to accept the recommendation of the Appomattox County Planning Commission by approving the Conditional Use Permit with no conditions as requested by Mark Marston for Tax Map # 64A5(15) BKC28 on Lee Grant Avenue.

On a motion by Mr. Mayberry, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to approve the 2008 Slate of Officers for the Historic Appomattox Railroad Festival committee. Motion carried.

Mr. Garrett advised the Town Council that he would like for council to consider placement of two (2) 42" plasma televisions in the council chambers for the members and public to view during the meetings for presentations. There was no action taken at this time.

On a motion by Mr. Baine, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to allow staff to use the Mag-Hydroxide Pilot Program at the Trickling Filter Plant in hopes of reducing the copper limit over a 30 day period at a cost not to exceed $6,000.00. Motion carried.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Williams and with all members present voting "aye", 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 Appomattox Town Council regarding specific legal matters requiring the provision of legal advice by such counsel, the subject matter of such meeting being the legal requirements of compliance with the Public Procurement Act, and the purpose of such requirements in the context of qualifying engineering firms and §2.2-3711(A)19 of the Code of Virginia, 1950, as amended, for the purpose of discussion regarding a report or plans related to the security of any governmental facility, building or structure, specifically being computerized equipment at all Town facilities and §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the resignation of a specific pubic officer or appointee of the Town, specifically being Employee A.

VOTE: Baine – aye, Mayberry – aye, Williams – aye, McDearmon – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, Williams – aye, McDearmon – aye, Carter – aye, Jamerson-Scruggs – aye.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Williams and with all members present voting "aye", Council voted to adjourn at 9:55 p.m. Motion carried.

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Roxanne W. Paulette, Clerk Paul D. Harvey, Mayor

At the Workshop Meeting of the Appomattox Town Council held on August 26, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, C. Lewis McDearmon, Jr., Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Chad Millner, Nina Beasley, Benny Harvey, Ben Harvey, Lucy Harvey, Stephanie James, Hazel Thomas, Betty Gallier, June Chenault, Joyce Bennett, Mary Lou Spiggle, Rex Hammond, Beckie Nix, Charles Garrett, Cliff Harvey, Sarah Robertson, Kenneth Jones, Bob Hopkins, Ned Cleland, Barbara McClaughlin, Sarah Watson, Mary Williams, Wanda Jobe, David Garrett, Jr., Town Manager, James Stringfield, Town Attorney and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Mayor Harvey introduced Beckie Nix, Director of the Lynchburg Regional Convention & Visitor's Bureau. Mrs. Nix appeared before the Appomattox Town Council to introduce a managerial contract proposal at the cost of $20,000 per year to provide the following by the Director:

- Handle facilitation of all aspects of the current program
- Manager the department budget
- Schedule weekly office hours
- Continue locality specific appointments as needed
- Oversee management of Visitor Information Center
- Remain in communication with the VIC staff
- Remain in communication with Town Manager
- Bring regular updates to the Appomattox Town Council
- Schedule individual, as well as joint marketing opportunities

Mrs. Nix explained that the proposal would result in a financial savings to Appomattox in the range of $75,000 - $100,000 per year over the departments' current fiscal budget.

Mrs. Nix and Mr. Hammond were available for questions. Mayor Harvey asked if the proposal could be entered into on a quarterly or semi-annual basis. Mr. Hammond stated that the Lynchburg Chamber of Commerce was eager to work with the Town of Appomattox at whatever arrangement could be reached. Mr. Baine asked Mrs. Nix if she would be available for questions in the coming days. She responded that she would. There were no further questions or comments. Mayor Harvey thanked Mrs. Nix and Mr. Hammond for their presentation.

Mayor Harvey introduced Mr. Bob Hopkins with Hurt & Proffitt, Inc. and Mr. Ned Cleland with Blue Ridge Design. Mr. Hopkins and Mr. Cleland each gave an update on the design phase of the remediation project at the SBR Wastewater Facility on Ethel Street. Bob Hopkins, Hurt & Proffitt, Inc. is planning to submit the remedial plans to DEQ by early September. The approval process is estimated to last 45 days with approval coming from DEQ in mid October 2008. Hurt & Proffitt, Inc. is expecting to advertise after January 2009. There will be a 30 day advertisement process. The construction phase should begin in March or April 2009. Mayor Harvey thanked Mr. Hopkins and Mr. Cleland for their presentation.

Mr. Baine reported on the street light request on Second Street. He and Mr. Garrett have met with Dominion Virginia Power. The Town continues to wait for an official quote from Dominion for two (2) additional street lights, for a total of three (3) lights on the street. Currently, there is only one street light for the entire street. The request was for one light. The quote will be for installing two (2) streets on Second Street.

The Town Council discussed creating a credit card policy at the request of Robinson, Farmer, Cox Associates (Auditors). The Clerk will provide all council members of sample policies from other localities before the next workshop meeting and place the item on the workshop meeting agenda for discussion.

At the request of Ms. Jamerson-Scruggs, the Town Council discussed the six year Capital Improvement Plan and Stag Grant. Mr. Garrett, Town Manager will provide a copy of both the Capital Improvement Plan for water and sewer and information on the Stag Grant before the next workshop meeting and place the item on the workshop meeting agenda for discussion.

At the request of Ms. Jamerson-Scruggs, the Town Council discussed the current "Organizational Flow Chart" for the Town of Appomattox. The flow chart was created two years ago. With the Charter changes in the Town Code it appears there should be changes to the organizational flow chart. The Personnel Committee met on July 28, 2008 and discussed the job description of the Town Manager. There was no decision or recommendations made as a result of that meeting. Other localities that have Manager/Council forms of government most likely already have in-house procedures or policies regarding the dissemination of material to six (6) council members. The Town Manager has requested the Town Clerk research the procedures/policies of other localities and provide the material to the Town Council. The item of the Organizational Flow Chart, Mayor's Responsibilities and Mayor's Pay will be added to the September Workshop Meeting agenda.

At the request of Ms. Jamerson-Scruggs, the Town Council discussed identifying a Public Relations representative for the Town. Questions and Suggestions were raised concerning the Mayor, Town Manager or the Chairman of the Standing Committees as the Public Relations representative. Ultimately, all council members want better communication between the town and its citizens. Mr. Baine pointed out that better communication could be through the newspaper, website, television, quarterly newsletters. Mr. Baine also stated he had spoken with the Director of Public Relations from VML who was of great help and who he hoped to see at the annual VML conference in October. The Director said he would enjoy coming to Appomattox to train and give general guidelines before Council makes a decision regarding this item.

Mr. Garrett, Town Manager gave an update on Well #15. The well has been out of service for 2-3 months due to a leak in the casing. Mr. Garrett expressed concern of the proposed corrective action stating that the product suggested to seal the crack could possibly leach into the ground water. Since there is has been no Bac T violations and there is 50 foot of grout for the well, it is a possibility that the well could be put back into service and therefore, he has asked the Virginia Department of Health to reconsider. Staff would feel comfortable running the Bac T samples monthly.

Mr. Garrett, Town Manager also reported that Brad White, Geologist with DEQ is convinced that Wells 9, 15 and 53 are regionally connected. This conclusion was reached using the sensor devices installed at the wells.

Mr. Garrett also reported on the current well conditions. Yes, it is dry, but the citizens of the Town of Appomattox have responded to the voluntary conservation measures. The water tables have dropped. Regardless, he would not have expected them to be high at this time of the year. Mr. Garrett also mentioned that he has been working with the altitude valves at the million gallon water tank. In doing so, this has created higher pressure than normal throughout town. This may result in the need to install pressure reducing valves in some areas.

Mr. Garrett, Town Manager gave a brief update on the metal treatment at the Trickling Filter Plant on Church Street. The treatment began on August 11, 2008 and the operator's have been benchmarking during the past week. On Sunday, August 24, 2008, the operator's introduced the Hydro-Magnesium and by today, August 26, 2008 the results are good so far. The sheets will be provided to the Council.

Standing Committee Reports
Finance Committee – no report

Fire & Safety Committee – no report

Ordinance Committee – Mr. Carter reported that the Ordinance Committee met on August 14, 2008 and will meet again on August 28, 2008. The committee is working on the development of a Sign Ordinance.

Personnel Committee – Mr. Williams reported that the committee met on July 28, 2008 and will meet again soon.

Street & Property Committee – Council gave consensus to creating the Community of Candles Committee. The committee will consist of June Chenault, Bryan Baine, Carolyn Davis, Frances Guill, Karen Richardson and Shirley Wheeler.

Utility Committee – no report

Town Staff Reports
The Town Manager reported that he had been working with residents/homeowners on tall grass and brush collection.

He has been working on the easement for the welcome sign near Glory Baptist Church (east 460). The church expressed concern to Mr. Garrett of the 30x30 area needed for the sign. The Town Manager and Town Attorney have revised the plat and easement and returned it to the church for their consideration.

The Pump Station Easement and Plat have been sent to the property owner in Richmond for review.

Mr. Garrett reported that he has met with Verizon to install new control lines at Wells #1 and 39 so they can be operated automatically instead of on timers.

He has also been working the representative from Clay Valves who is assisting with the altitude valve at the million gallon tank.

Also, the State Water Control Board did approve the amendment to the Consent Order. The next step is to finalize the Plan of Action within 60 days.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. McDearmon and with all members present voting "aye", 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 discussion of the proposal submitted by Appomattox County regarding the waterline from Concord to Appomattox and §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, with the subject matter of such closed meeting being liability issues pertaining to a Freedom of Information Act Request recently received from John Falcone and §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 Appomattox Town Council regarding specific legal matters requiring the provision of legal advice by such counsel, the subject matter of such meeting being the legal requirements of compliance with the Public Procurement Act, and the purpose of such requirements in the context of qualifying engineering firms.

VOTE: Baine – aye, Mayberry – aye, Williams – aye, McDearmon – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, Williams – aye, McDearmon – aye, Carter – aye, Jamerson-Scruggs – aye.

On a motion by Mr. McDearmon, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to adjourn at 10:00 p.m. Motion carried.

Roxanne W. Paulette, Clerk

Paul D. Harvey, Mayor

At the Regular Council Meeting of the Appomattox Town Council held on September 8, 2008 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, C. Lewis McDearmon, Jr., Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Chad Millner, Nina Beasley, Mary Lou Spiggle, Wanda Jobe, Sarah Robertson, Cliff Harvey, Gene Beverly, June and Bill Goodrich, Ken and Debbie Powell, Debbie Baine, Carl and Diane Miller, Barbara Shelton, C. L. Gray, Lucy Harvey, Betty Gallier, Frances Lewis, Carolyn Davis, Mary Williams, Brandon Carpenter, Bob Hopkins, Joyce Bennett, Ben Harvey, Benny Harvey, Paul Michael Raymond, Stephanie James, Derek Norfield, Carlton Duck, James Stringfield, Frank Wright, David Garrett, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order.

Dr. Calvin Gray, New Jerusalem Baptist Church gave the invocation.

On a motion by Mr. Williams, seconded by Mr. McDearmon and with all members present voting "aye", Council approved the consent agenda dated September 8, 2008 with the addition of NB #6 - 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. Motion carried.

Public Comments:
Debbie Powell – 101 Maple Street, Appomattox, Virginia
Mrs. Powell addressed council in support of the proposed managerial contract from the Lynchburg Regional Chamber of Commerce.

Appearances:
None

Unfinished Business:
None

New Business:
On a motion by Mr. McDearmon, seconded by Mr. Baine and with all members present voting "aye", Council adopted the following resolution:

A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF APPOMATTOX, VIRGINIA
AUTHORIZING THE EQUIPMENT LEASE FINANCING
OF CERTAIN EQUIPMENT

WHEREAS, the Town Council of the Town of Appomattox, Virginia (the "Town"), has determined that it is advisable to finance all or a portion of the cost of acquiring a backhoe, street sweeper, trucks, water meter replacement and other equipment, as well as certain building renovations (the "Equipment") through a financing lease or other financing agreement providing financing in the maximum principal amount of $313,600.00.

WHEREAS, the Town has applied to the Virginia Resources Authority ("VRA") for an equipment lease financing in an amount not to exceed $313,600.00 to pay the costs of acquiring the Equipment, and VRA has indicated its willingness to provide such financing through a program with SunTrust Equipment Finance & Leasing Corp. (the "Lessor"); and

WHEREAS, the Town, VRA and the Lessor desire to enter into a Master Lease Agreement (the "Master Lease Agreement"), the form of which is on file with the Town Manager, whereby the Lessor through VRA will provide lease financing to the Town in a principal amount not to exceed $313,600.00 to finance the Equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF APPOMATTOX, VIRGINIA:

1. Authorization, Execution and Delivery of the Master Lease Agreement. The Master Lease Agreement is approved in substantially the form on file with the Town Manager and the performance by the Town of its obligations under the Master Lease Agreement is hereby authorized. The Town Manager and the Mayor of the Town, either of whom may act (the "Town Representative"), are authorized to execute and deliver the Master Lease Agreement on behalf of the Town in substantially the form presented to this meeting, with such changes, insertions or omissions as may be approved by the Town Representative in consultation with Edmunds & Williams, P.C., Bond Counsel. Such approval shall be evidenced conclusively by the Town Representative's execution and delivery of the Master Lease Agreement on behalf of the Town.

2. Authorization, Execution and Delivery of the Schedule. The Town Representative is authorized to execute and deliver on behalf of the Town Schedule No. 1 to the Master Lease Agreement (the "Schedule") in an amount not to exceed $313,600.00 at an annual interest rate not to exceed five percent (5%) and for a term not to exceed eight (8) years from its date in connection with the purchase of the Equipment identified in the Schedule, in substantially the form on file with the Town Manager, with such changes, insertions or omissions as may be approved by the Town Representative in consultation with Bond Counsel. Such approval shall be evidenced conclusively by the Town Representative's execution of the Schedule on behalf of the Town.

3. Nature of Obligations. The obligation of the Town to make payments under the Master Lease Agreement will be subject to appropriation each year by the Town Council. Nothing in this Resolution or the Master Lease Agreement shall constitute a debt or a pledge of the faith and credit of the Town.

4. Further Actions. The Town Representative is further authorized to execute and deliver on behalf of the Town such other instruments, documents or certificates, and to do and

perform such things and acts as he shall deem necessary or appropriate to carry out the transactions authorized by this Resolution or contemplated by the Master Lease Agreement. Any of the foregoing previously done or performed by the Town Representative is in all respects approved, ratified and confirmed.

5. Reimbursement. The Town may advance money to pay all or a portion of the costs of acquiring the Equipment and it reasonably expects to reimburse itself from funds available through the lease financing. The maximum amount of financing to be issued to pay the costs of acquiring the Equipment is $313,600.00.

6. Tax Compliance and Arbitrage Covenants. The Town covenants that it shall not take or omit to take any action the taking or omission of which will cause the interest attributable to the rental payments under the Master Lease Agreement to be "arbitrage bonds," within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, or otherwise cause payments due under the Master Lease Agreement to be includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. The Town Representative is authorized and directed to execute such tax compliance certificates as may be necessary to demonstrate compliance with this paragraph.

7. Effective Date. This Resolution shall take effect immediately.

Adopted by the Town Council at a meeting duly called and held on September 8, 2008.

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Clerk, Town Council
Town of Appomattox, Virginia

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye. Motion carried.

On a motion of recommendation made by Mr. Williams, Chairman of the Personnel Committee and with all members present voting “aye”, Council voted to ask Anne Dixon, Parks, Recreation and Tourism Director for Appomattox County to assist with ongoing projects on behalf of the Town’s Department of Tourism during the vacancy of a Director of Tourism. Motion carried.

On a motion of recommendation made by Mr. Williams, Chairman of the Personnel Committee and with all members present voting “aye”, Council voted to pursue a working agreement/contract with the Lynchburg Regional Chamber of Commerce for a minimum six month term for the purpose of managing the Town’s Department of Tourism with the Lynchburg Regional Chamber of Commerce preparing the contract for consideration. Motion carried.

Ms. Jamerson-Scruggs made a motion to begin advertising immediately to fill the position of Director of Tourism. After much discussion, Ms. Jamerson-Scruggs withdrew her motion. The Personnel Committee will be meeting the week of September 22, 2008 and will discuss the job description and pay scale with a recommendation to follow at the workshop meeting.

It was the consensus of the Town Council to table NB #3 – Consideration of the advertising requests for the Tourism Department until Mrs. Anne Dixon can review.

On a motion by Mr. Carter, seconded by Mr. Mayberry and with all members present voting "aye", Council voted to change the September Workshop Meeting to September 30, 2008 at 7:00 p.m. Motion carried.

Town Council agreed by consensus to allow the Street & Property Committee research the request of a street light of the Lucy Street Townhouse Association. Mr. Williams suggested that adjacent property owners be consulted regarding a street light request. Mr. Baine agreed. Letters will be sent from the Town Office to gather information from property owners before a recommendation is rendered.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Williams and with all members present voting "aye", Council voted pursuant to §2.2-3711(A)7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town regarding specific legal advice by such counsel, the subject matter of such meeting being the legal requirements of compliance with the Public Procurement Act, and the purpose of such meeting being provision of advice concerning such requirements in the context of qualifying engineering firms and §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 if made public initially, the financial interest of the governmental unit would be adversely affected specifically being in the investment of public funds as incentives for prospective location of Business A to Appomattox.

VOTE: Baine – aye, Mayberry – aye, Williams – aye, McDearmon – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, Williams – aye, McDearmon – aye, Carter – aye, Jamerson-Scruggs – aye.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Carter and with all members present voting "aye", Council voted to pre-qualify multiple engineering firms. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Carter and with all members present voting "aye", Council voted to adjourn at 9:30 p.m. Motion carried.

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Roxanne W. Paulette, Clerk Paul D. Harvey, Mayor

At the Workshop Meeting of the Appomattox Town Council held on September 30, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, C. Lewis McDearmon, Jr., Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Pete Zdgiebloski, Mary Williams, Stephanie James, Debbie Baine, Bob White, Mike Lawless, Kelly Hitchcock, Bob Hopkins, Mary Lou Spiggle, Nina Beasley, Chad Millner, Hazel Thomas, Gene Beverly, Lucy & Ben Harvey, Sarah Watson, Marshall Goin, Cliff Harvey, Charles Garrett, Joseph Day, Barbara Shelton, Barbara McLaughlin, Sarah Robertson, Beckie Nix, Carlton Duck, Frank Wright, Town Attorney, David Garrett, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order.

On a motion by Mr. McDearmon, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to amend the September 30, 2008 Workshop Agenda by adding Item #11 – Consideration to grant the request of Thalhimer, developer for Wal-Mart to waive the water and sewer availability fees for the Wal-Mart project, total cost is $89,145.00 and to add a Public Comment Period. Motion carried.

PUBLIC COMMENTS:

Peter Zdgiebloski – Church Street, Appomattox, Virginia

Mr. Zdgiebloski addressed council to voice his concerns of waiving the water and sewer availability fees for Wal-Mart. He said he did not think it was a great idea to waive the fees and that Wal-Mart should be required to pay a hook up fee.

Marshall Goin – Appomattox, Virginia

Mr. Goin addressed council encouraging them not to give concessions to Wal-Mart. Mr. Goin asked the council members if they knew any one with certain first names who receive less than $600 a month in social security and pay $140 for health insurance, they are from zip code 24522, Appomattox, VA. He then asked if they knew other first names who received much more than that, they are from zip code 72712, Bentonville Arkansas.

Joseph Day – Meadowlark Subdivision, Appomattox, Virginia

Mr. Day addressed council stating "you can't give Wal-Mart a break". As a citizen, my question is what makes Wal-Mart so special that you have to treat them differently. Wal-Mart can pay your fees, take your community bone dry and we the citizens will still be here.

Kelly Hitchcock, Virginia's Region 2000 Local Partnership – Local Government Council appeared before Council to give an update on the Safe Routes to Schools program and the Greenway Master Plan.

Bob White, Virginia's Region 2000 Local Partnership – Local Government Council and Mike Lawless, Draper Aden appeared before Council to give a preliminary update on the Water Supply Plan.

Mayor Harvey thanked Mrs. Hitchcock, Mr. White and Mr. Lawless for their presentations.

On a motion by Mr. Williams, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to hold a public hearing on Tuesday, October 28, 2008 at 6:30 p.m. to hear citizen comments regarding the purchase of land located in Appomattox County for the Museum of the Confederacy. Motion carried.

The Personnel Committee gave its standing committee report by inviting Mrs. Beckie Nix to appear before Council and provide answers to questions that the committee may have missed or to clarify any statements made at the Personnel Committee Meeting on Monday, September 29, 2008.

Mayor Harvey thanked Mrs. Nix for being available to answers questions and concerns from council.

Additionally, Mr. Williams informed the council that the Personnel Committee had been working on the job description and made minor changes. The committee has no committee recommendation at this time regarding the draft proposal as submitted by the Lynchburg Regional Convention and Visitor's Bureau or the posting of the Director of Tourism.

On a motion by Mr. Carter, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to move forward with a vote by placing this item on the Regular Meeting Agenda of October 14, 2008. Motion carried.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. McDearmon and with all members present voting "aye", Council voted to send the creation of the Credit Card Policy to the Finance Committee with a recommendation at the October Workshop Meeting. Motion carried.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Mayberry and with all members present voting "aye", Council voted to send the item of the Stag Grant and Six Year Capital Improvement Plan to the Finance and Utility Committees for a joint committee meeting. Motion carried.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Mayberry and with all members present voting "aye", Council voted to send the item of the Town's Organizational Flow Chart, Mayor's Responsibilities and Salary to the Personnel and Ordinance Committees for a joint committee meeting. Motion carried.

Mr. Baine requested Council discuss creating a website for the Town of Appomattox. There is $10,000 budgeted in the 2008/2009 Budget. The council gave consensus for the Town Manager to solicit volunteers from staff who would like to be involved and report back to Mr. Baine.

David Garrett, Town Manager and Charles Garrett, Chief Wastewater Plant Operator gave an update on the chemical addition at the Trickling Filter Plant for metal treatment. According to reports, the treatment appears to working well. Council thanked the staff for their hard work.

David Garrett reported that the Wal-Mart project is in jeopardy of coming to Appomattox. The immediate reason is due to cost. In a statement from the developer, David Garrett reported that if this project has to incur any additional expenses it may likely not come to Appomattox. The root of the problem appears to be a drainage pipe that needs to be enlarged. Since the Town of Appomattox does not own an apparent easement to the pipe, the adjacent property owner has concerns of their own, primarily the access road between the two parcels. The owner of the shopping center desires shifting the existing access road 50 to 75 ft. toward the shopping center. To accommodate this request, it would be necessary to relocate an existing 10" water main and 6" sewer line. Both would need to be relocated. Wal-Mart's budget for this project has already been exceeded twice. Mr. Garrett reported to Council that previously through a Memorandum of Understanding with Appomattox County, the Town of Appomattox has granted this type of request for businesses located within the Industrial Park. While those availability fees were not waived on a case by case basis rather through a Memorandum of Understanding, Mr. Garrett stated the request for Wal-Mart is reasonable. Mr. Garrett expressed that Wal-Mart is important to the community, providing retail development and over the long haul the Town of Appomattox will get its money back through Meals Tax, Lodging Tax and other sources.

On a motion by Mr. Mayberry, seconded by Mr. Carter, Council voted to grant the request of Thalhimer, developer for Wal-Mart to waive the water and sewer availability fees for the Wal-Mart project at a total cost of $89,145.00, due to the fact that we (town) has done it before (waived fees), it (Wal-Mart) is an asset to this community and to offset expenses we (town) would otherwise incur as a result of the project. Vote: Jamerson-Scruggs – aye, Carter – aye, Williams – aye, McDearmon – aye, Mayberry – aye, Baine – no. Motion carried 5 to 1.

COMMITTEE REPORTS

Ordinance Committee – Mr. Carter advised that the Ordinance Committee continues to develop a draft sign ordinance. Two of the five citizens of the appointed committee are unable to serve. The five member citizen advisory committee was created to work along side the Ordinance Committee for the purposes of creating a Landscaping and Sign Ordinance for the Town of Appomattox.

On a motion by Mr. Carter, seconded by Mr. Mayberry and with all members voting "aye", Council voted to appoint Barbara Shelton to fill one of the vacancies on the citizen advisory committee of the Ordinance Committee. Motion carried.

Street & Property Committee -

On a recommendation by Chairman Baine, Street and Property Committee and with all members voting "aye", Council voted to install the requested street light on Second Street and the requested street light on Lucy Street. Motion carried.

The record will note that the request by Liberty Baptist Church to close Main Street on Saturday, October 25, 2008 has been withdrawn at the request of the church.

STAFF REPORTS

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

Mayor Harvey reminded the Council Members and citizens of the upcoming Historic Appomattox Railroad Festival, October 11 & 12, 2008.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Baine and with all members present voting "aye", Council voted to adjourn at 10:00 p.m. Motion carried.

Roxanne W. Paulette, Clerk

Paul D. Harvey, Mayor

At the Regular Council Meeting of the Appomattox Town Council held on October 14, 2008 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, C. Lewis McDearmon, Jr., Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Sheila Palamar, Beckie Nix, Rev. Bruce Johnson, Joseph Day, Stephanie James, Bill Burke, Debbie Baine, Sarah Watson, Paul Michael Raymond, Barbara McLaughlin, Wanda Jobe, Tom Utz, Lucy Harvey, Sarah Robertson, Ben Harvey, Cliff Harvey, Chad Millner, Nina Beasley, Hazel Thomas, Joyce Bennett, Bob Hopkins, Mary Lou Spiggle, Laura Coflin and Barbara Shelton, Derek Norfield, Carlton Duck, David Garrett, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order.

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

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. McDearmon and with all members present voting "aye", Council approved the consent agenda dated October 14, 2008. Motion carried.

Public Comments:
Bill Burke – Appomattox resident
Mr. Burke spoke in favor of item #1 on the council agenda, the managerial contract proposed by the Lynchburg Regional Convention and Visitor's Bureau.

On April 10, 1865 – that's when we should have started the tourism efforts in Appomattox. The town has done a good job thus far, do not stop that effort. I've been told it will save $80,000 - $100,000 a year – that's $10,000/month. If we can get the efforts of meals tax and lodging tax going up we won't have to raise taxes. Don't stop the ball from turning.

Joseph Day – Town resident
Good evening to all. Mr. Day addressed council concerning problems. When did tradition begin superseding the law? Why does this have to be this way? Jesus was a carpenter – to build a way for others and everyone. There should be fairness and opportunity to all – personal problem – was told one thing and then another was done. We should share and care for all of us or none of us are going to get anywhere.

Mayor Harvey thanked everyone who worked with the Railroad Festival this year. Mayor Harvey put out a plea for help from the community. "We need to help the committee get stronger particularly with numbers". Please contact the Town Office, Council members or the Mayor, we really need more helpers. The Town Staff really pitched in, the guys did a good job with clean up and the Fire Department and Rescue Squad also did a great job.

Mayor Harvey also publically apologized for the political signs that should not have been allowed in the parade but a local business left with the political sign on the float but was not aware of the policy.

Appearances:
None

Unfinished Business:
None

New Business:
On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to accept the managerial contract as presented by the Lynchburg Regional Convention and Visitor's Bureau for six (6) months. VOTE: Mayberry – aye, McDearmon – aye, Baine – no, Williams – no, Carter – no, Jamerson-Scruggs – no. Motion failed 4 to 2.

On a motion by Mr. Baine, seconded by Mr. Williams, Council voted to counter offer the managerial contract proposal by striking the paragraph that read:

> *Services would also include the establishment of a 7-member board to act as the Appomattox Tourism Advisory Council (ATAC). This council will meet bi-monthly to hear reports from the Director, discuss the direction and progress of the program, advise on current issues facing Appomattox and its tourism program, and act as an advocacy group for the Town of Appomattox Department of Tourism. This council will be made up of members representing a cross section of the local tourism stakeholders, and will be appointed by the council with input from the Tourism Director: Examples of such representation should include: the National Park Service, local lodging, local retail, local attractions, industry events, (i.e.: Sesquicentennial Committee) local business, and a regional interest partner.*

and by adding a paragraph that outlines the intent of the Town Council to immediately seek a full-time Director of Tourism to start at the end of the six (6) month term.
VOTE: Baine – aye, Williams – aye, Mayberry – no, McDearmon – no, Carter – no, Jamerson-Scruggs – no. Motion failed 4 to 2.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Carter, Council voted to direct staff to advertise for a full-time Director of Tourism. VOTE: Jamerson-Scruggs – aye, Carter – aye, Baine – aye, Williams – aye, McDearmon – no, Mayberry – no. Motion carried 4 to 2.

On a motion by Mr. McDearmon, seconded by Mr. Baine and with all members present voting "aye", Council adopted the following resolution:

Appomattox County Application to the
Virginia Department of Transportation – Transportation Enhancement Program

WHEREAS, the Town of Appomattox is committed to increasing pedestrian access to resources with the Town and County and is committed to increasing opportunities for passive recreation and increased quality of life for its residents; and

WHEREAS, the Town of Appomattox, in partnership with Appomattox County and the Appomattox Court House National Historical Park, formed the Appomattox Heritage and

Recreational Trail Planning Team, AHRTPT, to investigate opportunities for creating pedestrian connections within the community; and

WHEREAS, the Town of Appomattox has adopted The Appomattox Heritage and Recreational Trail Plan – A Vision of Connectivity as a guiding document to develop pedestrian travel within the community; and

WHEREAS, the Town is developing the Town of Appomattox Pedestrian Access plan through awarded the Virginia Multimodal Planning Grant Program to expand safe pedestrian routes in the Town;

THEREFORE, BE IT RESOLVED that the Town of Appomattox does hereby support the application by Appomattox County to the Virginia Department of Transportation Enhancement Program to develop the multiuse trail that will allow for pedestrian movement from the Town to the Appomattox County Community Park.

Motion carried.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Carter and with all members present voting "aye", Council voted to adopt the following resolution:

The Appomattox Greenway Masterplan- A Vision for your Future

WHERAS, 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 is committed to increasing pedestrian access to resources within the Town and to resources within the adjoining county and is committed to increasing the opportunities for recreation and leisure activities; and

WHEREAS, the Town of Appomattox, in partnership with Appomattox County and the Appomattox Court House National Historical Park, formed the Appomattox Heritage and Recreational Trail Planning Team, AHRTPT, to investigate opportunities for creating pedestrian connections within the community; and

WHEREAS, the Town and County received technical assistance through the National Park Service Rivers, Trails, and Conservation Assistance Program to assist in developing a connection vision for the Appomattox Community; and

WHEREAS, the National Park Service and the American Society of Landscape Architects formed a partnership to promote assistance to local governments to promote greenway planning projects; and

WHEREAS, the Richmond landscape architecture firm of design forum Incorporated, through public input and planning expertise, developed The Appomattox Greenways Master Plan – A Vision for your Future, a comprehensive master plan that highlights both on-road and off-road pedestrian connections that will enhance the community resources and provide healthy lifestyle and quality of life benefits to the community;

NOW, THEREFORE, BE IT RESOLVED BY THE APPOMATTOX TOWN COUNCIL that the Town of Appomattox adopts The Appomattox Greenway Masterplan – A Vision for your Future.

Motion carried.

On a motion by Mr. Williams, seconded by Ms. Jamerson-Scruggs and with all members present, Council voted to adopt the Action Plan for the amended Consent Order for the Department of Environmental Quality at the Trickling Filter Plant as presented by town staff and authorized the draft be amended if the drain field option is allowed. Motion carried.

Council Concerns

Mr. Mayberry voiced concern that a date has not been set to meet with two board members of the County of Appomattox (Board of Supervisors) concerning the negotiations of the waterline.

Mr. Garrett informed the Council that the County Attorney has advised the board members that any meeting should be advertised and open to the public.

On a motion by Mr. Baine, seconded by Mr. Williams, Council voted to conduct an open forum meeting the Board of Supervisors concerning the offers to each governing body regarding the negotiations of the Rt. 460 Waterline from Concord to Appomattox. Motion carried.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Carter and with all members present voting "aye", Council voted to adjourn at 9:10 p.m. Motion carried.

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Roxanne W. Paulette, Clerk Paul D. Harvey, Mayor

At the Public Hearing of the Appomattox Town Council held on October 28, 2008 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, C. Lewis McDearmon, Jr., Jennifer Jamerson-Scruggs and Karl E. Carter. Also in attendance were Charles Pearson, Mary Williams, Mr. and Mrs. Van Opstal, Chad Millner, Cliff Harvey, Lucy Harvey, Ben Harvey, Anne Dixon, Audrey Wright, Patrick Shroder, Bill Burke, Tommy O'Brien, Fred Jones, Sarah Watson, Stephanie James, Paul Michael Raymond, Benny Harvey, Derek Norfield, Carlton Duck, Frank Wright, Town Attorney, David Garrett, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the public hearing to order.

Mayor Harvey stated the purpose of the public hearing. The Appomattox Town Council held a public hearing pursuant to §§15.2-1800 and/or 15.2-1802 of the Code of Virginia, 1950, as amended, on Tuesday, October 28, 2008 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia to hear citizen comments regarding the purchase of land in Appomattox County for the purpose of providing a location for construction of the Museum of the Confederacy. The land is located in the County of Appomattox, and is described as follows:

> 4.00 acres, being a corner lot to be established, fronting on State Route No. 1011 (Burge Road) and State Route No. 656 (Horseshoe Road), such lot being a portion of property more particularly identified as Tax Map #64(A)95 on the Tax Records of the County of Appomattox, Virginia, with its specific boundaries being shown upon a plat made by William W. Dickerson, Jr., L.S., entitled "4.00 Acres Surveyed for: Fred H. Jones," dated August 15, 2008.

The Town of Appomattox has executed a contingent contract for the purchase of the aforesaid property. The contingent contract and a detailed plat were made available for review at the Appomattox Town Office, Monday through Friday, 8:30 a.m. to 4:30 p.m. or by calling 434-352-8268.

Mr. Waite Rawls, Museum of the Confederacy gave a brief history and update of the process to bring the Museum of the Confederacy to Appomattox. Mr. Rawls briefly explained the land and possible site layout of the property.

There were no public comments.

Mayor Harvey closed the public hearing at 7:00 p.m.

Roxanne W. Paulette, Clerk

Paul D. Harvey, Mayor

At the Workshop Meeting of the Appomattox Town Council held on October 28, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, John T. "Plicky" Williams, C. Lewis McDearmon, Jr., Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Charles Pearson, Mary Williams, Mr. And Mrs. Van Opstal, Chad Millner, Cliff Harvey, Lucy Harvey, Ben Harvey, Anne Dixon, Audrey Wright, Patrick Shroder, Bill Burke, Tommy O'Brien, Fred Jones, Sarah Watson, Stephanie James, Paul Michael Raymond, Benny Harvey, Derek Norfield, Carlton Duck, Frank Wright, Town Attorney, David Garrett, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order at 7:10 p.m.

Mayor Harvey addressed the audience with the recent occurrence of vandalism to campaign signs in Appomattox County and reminded citizens of Halloween safety on Friday, October 31, 2008.

On a motion by Mr. Mayberry, seconded Mr. McDearmon and with all members present voting "aye", Council adopted the following resolution:

RESOLUTION AUTHORIZING THE PURCHASE OF LAND

Whereas, the Appomattox Council held a public hearing on Tuesday, October 27, 2008 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia to hear citizen comments regarding the purchase of land in Appomattox County for the purpose of providing a location for construction of the Museum of the Confederacy; and

Whereas, the land is located in the County of Appomattox, and is described as follows:

4.00 acres, being a corner lot to be established, fronting on State Route No. 1011 (Burge Road) and State Route No. 656 (Horseshoe Road), such lot being a portion of property more particularly identified as Tax Map #64(A)95 on the Tax Records of the County of Appomattox, Virginia, with its specific boundaries being shown upon a plat made by William W. Dickerson, Jr., L.S., entitled "4.00 Acres Surveyed for: Fred H. Jones," dated August 15, 2008, and;

Whereas, the Town of Appomattox has executed a contingent contract for the purchase of the aforesaid property; and

Whereas, the contingent contract and a detailed plat are available for review at the Appomattox Town Office, Monday through Friday, 8:30 am to 4:30 pm, and;

Now, therefore, be it resolved, that the Appomattox Town Council does hereby adopt this resolution on October 28, 2008 at a duly called Workshop Meeting and the purchase of the abovementioned property by the Town of Appomattox through the execution of the Contract for Sale of Real Estate shall take effect immediately.

Clerk of Council

VOTE: Bryan J. Baine – aye, N. H. "Jimmy" Mayberry – aye, C. Lewis McDearmon, Jr. - aye, John T. "Plicky" Williams - aye, Karl E. Carter - aye, Jennifer Jamerson-Scruggs - aye. Motion carried.

Council gave consensus to table item #2 – Update on the creation of a Credit Card Policy to the November 10, 2008 regular meeting agenda for consideration.

Council also gave consensus to table item #3 – Discussion of Procedures for Distribution of Multiple Projects under Basic Ordering Agreement to the November 10, 2008 regular meeting agenda for consideration.

COMMITTEE REPORTS:
Finance Committee – Mr. McDearmon reported that a committee meeting has been called for November 5, 2008 at 5:00 p.m. to discuss the investment of town funds.

Fire & Safety Committee – Ms. Jamerson-Scruggs reported that the County of Appomattox is updating the Emergency Plan. The committee will discuss the updates when they become available and will inform council at a later date.

Ordinance Committee – Mr. Carter reported that the committee continues to draft a Sign Ordinance.

Personnel Committee – Mr. Williams reported that the committee met on Monday, October 27, 2008 and discussed the Town Manager position. The job descriptions have been revised for the current position of Town Manager/Zoning Administrator/Director of Public Works and for the positions of Town Manager/Zoning Administrator (excluding Director of Public Works) and Director of Public Works (excluding Town Manager/Zoning Administrator). The committee is requesting all council members review and discuss the job descriptions. There is some urgency to hire for one or two positions so there is no lapse in service or duties.

Street and Property Committee – Mr. Baine reported that progress continues by the Community of Candles committee. The event is scheduled for Sunday, December 7, 2008. The sidewalk and retaining wall on Oakleigh Avenue is in disrepair. Crews have formed the sidewalk and retaining wall. The wattage of the street light on Second Street has been corrected. Progress continues on the break room downstairs at the town office.

Utility Committee – none

STAFF REPORTS:
Treasurer's Report – attached

Clerk's Report – attached

Town Manager's Report:

- After ten (10) years of planning, we have installed two of the four welcome signs. We are planning to install lighting and landscaping.

- Leaf Collection will begin November 1, 2008.

- Staff continues to monitor the copper limits at the Trickling Filter Plant. Staff will be meeting with DEQ within the next two weeks.

- The well pump has been installed in Well #15 and we are hoping the well will be back on line within the next 30 days.

- Staff has been working to install the altitude valve at the 100,000 gallon tank.

- Staff has been working with the consultants to validate the water and sewer lines, street lights, manholes, zoning maps, etc.

- Staff has been inundated with dog complaints.

- Installed the speakers in the council chambers.

- Update on the remodeling downstairs. Staff is removing the bay door for a brick wall and window.

- Staff has filled the vacant position of Wastewater Treatment Plant Operator. The employee has met with the Personnel Committee.

- Capital Improvement Plan – The manager is working with the Utility Committee. There are no significant changes to the sewer system, but there are some changes to the priority of lines within the water system. Maps are being created that will easily identify each project.

Town Attorney – no matters to report

Council Concerns – none

On a motion by Mr. McDearmon, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to adjourn at 8:10 p.m. Motion carried.

Roxanne W. Paulette, Clerk

Paul D. Harvey, Mayor

Regular Council Meeting
Monday, November 10, 2008

At the Regular Council Meeting of the Appomattox Town Council held on November 10, 2008 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Barbara Shelton, Stephanie James, Chad Millner, Cliff Harvey, Ben Harvey, Lucy Harvey, Benny Harvey, Sarah Watson, Rev. Gene Beverly, Bob Hopkins, Carlton Duck, Derek Norfield, Frank A. Wright, Jr., Town Attorney, David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order and welcomed the visitor's.

Rev. Gene Beverly gave the invocation.

On a motion by Councilmember Baine, seconded by Councilmember Carter and with all members present voting "aye", Council voted to adopt the consent agenda as presented. Motion carried.

Public Comments – none

Mayor's Comments:

1. Mayor Harvey provided an update regarding the pipeline explosion in September 2008 and the restoration of full pressure to line A. The restoration work will continue on line B and will likely be ready by January 2009. Line C should be ready by Spring 2009.

   Mayor Harvey said he had spoken with Mr. Hutchinson and the Williams Company has been able to contact everyone who had contacted them regarding damage.

2. Mayor Harvey reminded council members and citizens of the joint meeting on Monday, November 17, 2008 at 5:30 p.m. at the County Administrator's Office Conference Room regarding the waterline.

3. Mayor Harvey reminded council members that Tuesday, November 11, 2008 is Veteran's Day. Mayor Harvey thanked those who have served our County and thanked those who are currently serving.

Appearances – None

Unfinished Business – None

New Business –
On a recommendation by Councilmember McDearmon, Chairman of the Finance Committee, Council voted to adopt the Town of Appomattox, Purchasing Card Procedure (Credit Card Policy) effective November 10, 2008. All members present voting aye. Motion carried.

Item #2 – Consideration to advertise the Request for Proposals for Engineering and Related Services Basic Ordering Agreement was tabled to the December 8, 2008 Regular Meeting with discussion of the three questions tabled to the November 25, 2008 Workshop Meeting.

On a motion by Councilmember Baine, seconded by Councilmember Williams and with all members present voting "aye", Council voted to meet with the Appomattox County Board of Supervisors twice a year beginning soon after the first of January 2009. Motion carried.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry and with all members present voting "aye", Council voted to change the November Workshop Meeting from Tuesday, November 25, 2008 to Monday, November 24, 2008 and the December Workshop Meeting from Tuesday, December 23, 2008 to Monday, December 22, 2008. Motion carried.

David T. Garrett, Jr., Town Manager gave council an update on the dog complaints received. Since the town does not have a lease law – a referendum would need to be placed on the ballot for citizens to vote on before council could enact an ordinance.

Mr. Williams, Chairman of the Personnel Committee requested direction from Council regarding the position of Town Manager which currently encompasses the responsibilities of Zoning Administrator and Director of Public Works or splitting the position into two positions, those being the Town Manager/Zoning Administrator and Director of Public Works.

After much discussion, the council agreed to allow the Personnel and Finance Committee meet regarding funding for the position or positions.

Council Concerns –
Mr. Mayberry questioned council members on the need for four member committees rather than the current three member committees. Mr. Mayberry mentioned he had discussed this matter with some of the council members who had received information regarding this at their attendance at the Newly Elected Officials Conference and the Annual Virginia Municipal League Conference. Mr. Mayberry suggested the Ordinance Committee look into the matter.

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs and with all members present voting "aye", Council voted to adjourn at 8:15 p.m. Motion carried.

Roxanne W. Paulette, CMC Clerk	Paul D. Harvey, Mayor

At the Special Call Meeting of the Appomattox Town Council held on November 20, 2008 at 5:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams and Karl E. Carter. Also in attendance were David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams and with all members present voting aye, Council voted to change the November Workshop from Monday, November 24, 2008 at 7:00 p.m. to Tuesday, November 25, 2008 at 7:00 p.m. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon and with all members present voting "aye", Council voted to adjourn at 5:02 p.m. Motion carried.

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Roxanne W. Paulette, Clerk Paul D. Harvey, Mayor

At the Workshop Meeting of the Appomattox Town Council held on November 25, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Chad Millner, Cliff Harvey, Bob Hopkins, Frank Wright, Town Attorney, Carlton Duck, David Garrett, Town Manager and Roxanne W. Paulette, Clerk.

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

Item #2 – Discussion of proposed changes to Chapter 5 and 33 of the Appomattox Town Code.
The Appomattox Town Council discussed the proposed changes to Chapter 5 and 33 of the Appomattox Town Code. Mayor Harvey suggested leaving the language Mayor and Council in Chapter 5-45, Chapter 5-51, Chapter 5-61 and Chapter 5-62. The Appomattox Town Council agreed and gave consensus to add this item to the December 8, 2008 Regular Council Agenda.

Item #3 – Discussion of VPDES Permit No. VA0020257 and VPDES Permit No. VA0020249
Mr. Garrett, Town Manager updated council regarding the two quotes received by Hurt & Proffitt, Inc. and Anderson and Associates. The Appomattox Town Council gave consensus to add this item to the December 8, 2008 Regular Council Agenda.

Item #4 – Update/Discussion of the Request for Proposals for Engineering and Related Services Basic Ordering Agreement.
The Appomattox Town Council answered the following staff questions:

1. Date to start advertising – Within the next 30 days
2. Submission deadline date – Suggested 60 days
3. Identify members of the review team to look at the proposals and conduct interviews – Entire Council

Mr. Wright, Town Attorney advised Council that interviews of prospective candidates (firms) can be conducted in Closed Session.
With in the questions answered, this item will be placed on the December 8, 2008 Regular Council Agenda.

Item #5 – Update/Discussion of the 2009 semi-annual meetings between the Appomattox County Board of Supervisors and Appomattox Town Council.
The Appomattox Town Council gave consensus to meet with the Board of Supervisors twice yearly in January and July 2009 at 6:00 p.m. on the workshop meeting nights.

The Appomattox Town Council gave reports and updates from Standing Committees:
Finance and Personnel – There was a discussion of funding for the positions of Director of Public Works and Town Manager/Zoning Administrator. The Finance and Personnel Committees will be meeting jointly on December 3, 2008 at 3:30 p.m. to discuss this topic and to review the applications for the Director of Tourism.

Fire & Safety – No report

Ordinance – Will be meeting on December 16, 2008 at 6:00 p.m. to discuss a sign ordinance.

Street & Property – The sidewalk project on Oakleigh Avenue is nearly complete. The building renovation for the breakroom downstairs is ongoing. Mr. Baine reminded the community of the Community of Candles event on Sunday, December 7, 2008.

Utility Committee – No report

The staff reports from the Treasurer, Clerk and Utility Director were presented for Town Council to review.

The Town Manager's report included:

1. Updating Council on the $5200 trench box purchased in accordance with the Procurement Policy. The signatures were secured prior to the prior and the amount of the purchase has been split between water and sewer. The Town received an OSHA Violation approximately a month ago.
2. Today (11.25.08) an application for out of town water service was received for a resident on Rt. 26. The well has failed and is unusable.

On a motion by Councilmember Mayberry, seconded by Councilmember Carter with all members present voting "aye", Council voted to approve the out of town water connection for Martha Guill on Rt. 26 (Oakville Road). Motion carried.

3. An update on the Copper efforts at the Trickling Filter Plant. The Town will be seeking to make changes to the permit limits by contacting the Department of Environmental Quality.
4. Capital Improvement Plan – Jennifer Jamerson-Scruggs has been working with the Town Treasurer regarding this item.
5. An update on the Groundwater Study being conducted by Anderson and Associates. Maps have been created based on the Longitude and Latitude and four (4) sites have been selected. The Town Manager held a meeting with Dennis Amos (Anderson & Associates), Brad White (DEQ) and Mr. Mayberry to review the data. It will take several weeks to contact the property owners.
6. Well #15 should be back up and running by next week.
7. The leaf machine is back in service.

<u>Council Concerns</u>
None

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs and with all members present voting "aye", Council voted to adjourn at 7:50 p.m. Motion carried.

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Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Regular Council Meeting of the Appomattox Town Council held on December 8, 2008 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter. Absent was Jennifer Jamerson-Scruggs. Also in attendance were Chad Millner, Nina Beasley, Ben Harvey, Benny Harvey, Joyce Bennett, Bob Hopkins, Cliff Harvey, Stephanie James, Carlton Duck, David Garrett, Jr. and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Carter, seconded by Councilmember Mayberry and with the members present voting "aye", 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 subject matter including the salary and/or compensation of a specific public appointee of the Town, specifically being Appointee A.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – 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 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – absent.

The regular meeting began at 7:30 p.m.

Mayor Harvey welcomed everyone.

Rev. John Muth gave the invocation.

On a motion by Councilmember Williams, seconded by Councilmember Carter and with the members present voting "aye", Council voted to adopt the consent agenda as presented. Motion carried.

Public Comments – none

Mayor's Comments:

1. Mayor Harvey thanked the Community of Candles committee, New Beginnings Ministry, Rev. Childress, Appomattox County High School Jazz Group, Bible Baptist Church for the Live Nativity and the Appomattox Assembly for the candles used at the Annual Community of Candles.

Appearances – None

Unfinished Business –
On a motion by Councilmember Baine, seconded by Councilmember McDearmon and with the council members present voting "aye", Council voted to amend and reenact Chapter 5, entitled Administration of the Appomattox Town Council. Motion carried.

On a motion by Councilmember Carter, seconded by Councilmember Williams and with the council members present voting "aye", Council voted to amend and reenact Chapter 33, entitled Procurement Policy of the Appomattox Town Council. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to hire the firm of Hurt & Proffitt to complete the VPDES Permit for No. VA0020257 and No. VA0020249. Vote: Baine – no, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – no. Motion carried 3 to 2.

On a motion by Councilmember Baine, seconded by Councilmember Carter and with the members present voting "aye", Council voted to advertise the Request for Proposals for Engineering and Related Services Basic Ordering Agreement as presented. Motion carried.

New Business –
On a motion by Councilmember Carter, seconded by Councilmember Mayberry and with the council members present voting "aye", Council voted to adopt the following resolution: Endorsement Resolution by the Town of Appomattox for the Appomattox Elementary School Travel Plan and the Appomattox Middle School Travel Plan. Motion carried.

ENDORSEMENT RESOLUTION BY THE TOWN OF APPOMATTOX
FOR THE
APPOMATTOX ELEMENTARY SCHOOL TRAVEL PLAN
AND THE
APPOMATTOX MIDDLE SCHOOL TRAVEL PLAN

WHEREAS, the Town of Appomattox is committed to increasing pedestrian access to resources within the Town and to resources within the adjoining county and;

WHEREAS, the Town of Appomattox, in partnership with the Appomattox County School Division, and the Appomattox Pedestrian Access Committee has undergone a public process to investigate opportunities for creating safe walking and biking opportunities to access the County public schools located within the Town of Appomattox; and

WHEREAS, the Town of Appomattox is committed to creating an environment where walking and biking to schools located within the Town is a safe, viable, and well-utilized transportation option for area children and families to access schools; and

WHEREAS, the Appomattox Elementary School Travel Plan and the Appomattox Middle School Travel Plan provide an organized and comprehensive strategy to achieve the goal of advancing alternative transportation access and to increase healthy lifestyle opportunities for area children;

NOW, THEREFORE, BE IT RESOLVED BY THE APPOMATTOX TOWN COUNCIL that the Town of Appomattox endorses both the Appomattox Elementary School Travel Plan and the Appomattox Middle School Travel Plan.

On a motion by Councilmember McDearmon, seconded by Councilmember Carter and with the council members present voting "aye", Council voted to adopt the following resolution: Resolution of Support for Application Submittal to the Virginia Department of Transportation Virginia Safe Routes to School Program. Motion carried.

RESOLUTION OF SUPPORT
for Application Submittal to the
Virginia Department of Transportation
VIRGINIA SAFE ROUTES TO SCHOOL PROGRAM

WHEREAS, the Town of Appomattox is committed to increasing pedestrian access to resources within the Town and to resources within the adjoining county and;

WHEREAS, the Town of Appomattox, in partnership with the Appomattox County School Division, and the Appomattox Pedestrian Access Committee has undergone a public process to investigate opportunities for creating safe walking and biking opportunities to access the County public schools located within the Town of Appomattox; and

WHEREAS, the Town of Appomattox is committed to creating an environment where walking and biking to schools located within the Town is a safe, viable, and well-utilized transportation option for area children and families to access schools; and

WHEREAS, the Town of Appomattox recognizes that providing healthy lifestyle opportunities and safe access to physical activity is vital in the long-term health and wellbeing of children and the community; and

WHEREAS, the Appomattox Elementary School Travel Plan and the Appomattox Middle School Travel Plan provide an organized and comprehensive strategy to achieve the goal of advancing alternative transportation access and to increase healthy lifestyle opportunities for area children; and

WHEREAS, the Appomattox Elementary School Travel Plan and the Appomattox Middle School Travel Plan have been endorsed by the Appomattox community and;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council requests assistance from the Virginia Department of Transportation through the Virginia Safe Routes to School Program to establish a project to improve safety and welfare to school-age pedestrian traffic through improvement of the current substandard pedestrian infrastructure and development of a comprehensive pedestrian education and enhancement program within the Appomattox.

On a motion by Councilmember Carter, seconded by Councilmember Baine, Council voted to advertise the position of Town Manager (including the responsibilities of Zoning Administrator and Director of Public Works) as presented on December 8, 2008. Vote: Baine – aye, Mayberry – no, McDearmon – no, Williams – aye, Carter – aye. Motion carried 3 to 2.

Council Concerns –

1. The meeting (water committee) between the Town Council and Board of Supervisors is scheduled for Wednesday, December 17, 2008 at 5:00 p.m. at the Appomattox County Administrator's Office, 153 A Morton Lane, Appomattox, Virginia.
2. David Garrett, Town Manager will be coordinating a meeting with DEQ, Mr. Mayberry and Mr. Charles Garrett regarding the permit modification at the TFP.
3. The process of narrowing applicants for the position of Tourism Director has taken place and staff will be contacting the applicants for interviews.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams and with the members present voting "aye", Council voted to adjourn at 8:05 p.m. Motion carried.

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Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Workshop Meeting of the Appomattox Town Council held on December 22, 2008 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Earl Dickerson, Bob Hopkins, Charles Garrett, Stephanie James, Cliff Harvey, Chad Millner, Derek Norfield, Carlton Duck, David Garrett, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order and welcomed the visitors, citizens and consultants.

Item #2 – Discussion of the transition between the current and new Town Manager.
Council Member Baine acknowledged that all council members want a smooth transition and Mr. Garrett has already been preparing for this. Mr. Garrett added that he has been preparing himself and the other departments for his retirement. His last physical day will be February 27, 2009 and he will be on annual leave the month of March 2009. Some of the on-going projects include installing pressure switches on all of the wells, working on the altitude valves, technical things and getting files in place, getting set up and organized as to the people to call. Mr. Garrett also has plans to collect the files from his office and downstairs and will be sharing them with office staff. He is working to share the water maps with Jeff Elder, Utility Director. Mr. Garrett requested that new items be handled by the Administrative Assistant (Roxanne Paulette) with the assistance of the Town Manager if necessary in order to allow his remaining time be spent with the water and sewer departments.

Item #3 – Discussion of appointing an official Water Operator
Council Member Mayberry has met with Mr. Garrett regarding this and suggested referring this item to the Personnel Committee. Mr. Garrett added that all water operators need to know and understand with the state budget cuts that the Virginia Department of Health may not have the manpower to monitor and check behind our operators to make sure that all testing is being conducted throughout the year. It will be the sole responsibility of our operators to comply with testing requirements. The town currently has two other employees who hold water licenses from the Commonwealth of Virginia. The Personnel Committee will meet to ensure a smooth transition.

Item #4 – Discussion of appointing an interim Zoning Administrator.
Mr. Garrett discussed the possibility of Council appointing someone to assist during this transitional period to handle zoning items. Currently, the consultant (Crystal Parker, WW Associates) is familiar with the mapping program used by Mr. Garrett. It would be helpful if the person were able to read and interpret the Town Zoning Code and ideally complete the Virginia Tech Planning Course. There are occasions when the Town Attorney is consulted. Mr. Baine asked about the volume of applications. Mr. Garrett responded that Conditional Use Permits are usually requested more during summer months than winter months. Mr. Mayberry said either way we need someone else prepared. Mr. Garrett advised Council that he has had a discussion with the County and the door is open and willing to work with the town. The Personnel Committee will meet to discuss this matter either with the County for assistance or with an existing Town employee no later than February 1, 2009.

Item #5 – Discussion of the proposed 2009 Appomattox Town Council meeting schedule.
No changes were submitted by the Town Council. The 2009 Appomattox Town Council meeting schedule will be presented at the January 12, 2009 Regular Council meeting for consideration.

Item #6 - Discussion of a proposed Resolution – "Watch for Children"

On a motion by Councilmember Mayberry, seconded by Councilmember Williams and with all members present voting "aye", Council voted to adopt the following resolution:

RESOLUTION

WHEREAS, the 1997 session of the General Assembly amended the Code of Virginia, with the addition of Section 33.1-210.2 which allows the installation of "Watch for Children" signs; and

WHEREAS, a resident of Lee Grant Avenue (T1001) in the Town of Appomattox, Virginia, has expressed concern regarding speeding on this street and potential juvenile pedestrian activity; and

WHEREAS, a review of this area indicates that it meets the criteria set forth by the Virginia Department of Transportation, for the installation of "Watch for Children" signs.

NOW, THEREFORE, BE IT RESOLVED, the Appomattox Town Council does hereby request the Commissioner of the Virginia Department of Transportation to use funds from the Secondary Construction Budget to install "Watch for Children" signs at the appropriate location on Lee Grant Avenue (T1001) in the Town of Appomattox, Virginia.

Motion carried.

Item #7 – Update on Copper Limits at the Trickling Filter Plant
Mr. David Garrett and Mr. Charles Garrett gave the Council an update on a meeting held with DEQ officials last week to discuss the findings of the chemical additions at the Trickling Filter Plant. The meeting will result in the Town submitting a letter to DEQ requesting permit modifications at the VPDES Permit at the Trickling Filter Plant. Hopefully, the Magnesium Hydroxide will eliminate the copper limits at the Trickling Filter Plant. Town Staff is comfortable with the Magnesium Hydroxide treatment at the Trickling Filter Plant. Mr. David Garrett commended the staff at the Wastewater Treatment Plants, Mitch Stone, Kent Hodges and others that have assisted with the treatment plant. The results have saved the taxpayers a lot of money.

On behalf of the entire Town Council, Mayor Harvey thanked Mr. David Garrett and Mr. Charles Garrett for sticking with the pilot study.

Item #8 – Update on the Designation of the Mayor and Utility Chairman to sign DMR's on behalf of the Town.
Mr. David Garrett advised Council that he has submitted a letter to DEQ changing the signatures of the monthly DMR reports to DEQ to Paul Harvey, Mayor and Jimmy Mayberry, Utility Chairman.

The Appomattox Town Council gave reports and updates from Standing Committees:

Finance – None

Fire & Safety– Ms. Jamerson-Scruggs reported that on December 8, 2008 the committee met with Mr. Freddy Godsey and Mr. Bobby Winfield regarding the County of Appomattox Emergency Plan. The County Board of Supervisors is scheduled to adopt the plan in January 2009. Ms. Jamerson-Scruggs will be inviting Mr. Godsey and Mr. Wingfield to a workshop meeting to discuss the adopted plan and how it applies to the Town. Ms. Jamerson-Scruggs has requested the Town Clerk call VML regarding prototypes of other Emergency Plans.

Ordinance – Mr. Carter reported that the committee met on December 16, 2008 to finalize the sign ordinance for the Town. The next meeting is scheduled for January 15, 2009.

Personnel – Mr. Williams reported that the committee has narrowed the candidates down to a selection of people making sure that they were still interested and could avail themselves to an interview in early January 2009. The Town Manager's position is ready for advertisement in the media and trade magazines. The advertisement may appear to be a little wordy but we need it to be as informative as possible.

Mr. Williams advised Council that the Town Travel Policy will need to be amended to reflect the reduction in mileage reimbursement for personal vehicle use from $0.585 to $0.55 for each mile. This item will be placed on the January 12, 2009 regular meeting agenda.

Mr. Williams also advised Council of the amended Holiday Schedule – The Town Office will be closed the entire day on Christmas Eve and ½ day on New Year's Eve.

On a motion by Councilmember Williams, seconded by Councilmember Carter and with all members present voting "aye", Council voted to give a $300.00 donation to Pamela Nantz and her family while on leave without pay under the Family Medical Leave Act. Motion carried.

Street & Property - Mr. Baine reported that the brick work on Oakleigh Avenue and the exterior downstairs bay door requires warmer temperatures before it can be completed. The work on the breakroom downstairs at the Town Office is on-going. The application for the Safe Routes to Schools is nearly completed. The application has been completed by Region 2000 Local Government Council's Kelly Hitchcock. The next committee will be scheduled for early January 2009.

Utility Committee – Mr. Garrett has received a water and sewer application for the AJ Skateworld and Evergreen Basement Building. A sewer line of 264 feet would need to be installed. The in town connection does not require Council approval, but staff needs the Town Engineer to draw a scale drawing of the invert in and out for the two manholes. Mr. Garrett has received a not to exceed price of $2000 to draw the necessary documents for Hansen Concrete. The VDH will allow the Skateworld to open since the application has been made and fees paid. Town Crews will layout the project and estimate the work will take approximately a week to complete and will not interrupt other services. Council gave consensus to allow Hurt & Proffitt, Inc. to design the manholes, provide topo maps and plat for the project at a cost not the exceed $2000.00.

The Town Manager's report included:

1. Update on Stimulus Package presented by Earl Dickerson. There will be a 100 day window of opportunity to present "shovel" ready projects. There will also be a $10 billion dollar program from the Obama administration. The Martha Street waterline replacement project is "shovel" ready. It is not known at this time if the money available will be grants or low interest loans. Mr. Garrett stated he is willing to meet with the Utility Committee to develop the "wish list" for consideration.
2. Mr. Baine and Mr. Garrett have reviewed the T-Mobile Lease Agreement. T-Mobile would like this item to the placed on the January 12, 2009 Council Agenda for consideration. The Town Attorney has been working with the T-Mobile attorney. The life of the agreement is approximately $18,000/year, $500,000/30 years.
3. Mr. Charles Garrett and Mr. David Garrett have created Standard Operating Procedures for Grease Trap Inspections. The SOP will be provided to each council member.
4. Update on the Region 2000 Regional Water Supply Plan. It is close to being ready for your review. Recently, changes were made to the safe yields of the current wells. The number of wells has increased since the creation of the report.
5. Update on the Groundwater Study (Anderson & Associates). The 50+ letters were mailed to the property owners. Less than 10 property owners have responded. Town Staff will be personally trying to get in touch with each property owner. Hopefully each property owner will be contacted by the middle to end of January.

<u>Council Concerns</u>

Mr. Baine thinks we should start looking for ways to be proactive in looking for money coming from the next presidential administration.

Mr. Baine wanted to emphasize how greatly we reduced the copper at the plant. Through the perseverance of David Garrett, Charles Garrett and other employees at the plants we have greatly reduced the copper.

Mr. Baine commented on the purchase of property by the Civil Warn Preservation and Trust. It goes hand in hand with the Museum of the Confederacy and National Park Service. We are creating an impressive tourism portfolio.

Mayor Harvey has again requested our written policy on political side of the Railroad Festival. After speaking with Ms. Paulette, we have asked Mr. Wright, Town Attorney to review how other localities handle this and advise the Town what policy we need with regards to liability/free speech violations and what type of policy we need to implement.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon and with all members present voting "aye", Council voted to adjourn at 8:25 p.m. Motion carried.

Roxanne W. Paulette, CMC Clerk	Paul D. Harvey, Mayor

Regular Council Meeting
Monday, January 12, 2009

At the Regular Council Meeting of the Appomattox Town Council held on January 12, 2009 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter, Jennifer Jamerson-Scruggs. Also in attendance were Mary Lou Spiggle, Joyce Bennett, Barbara Shelton, Chad Millner, Nina Beasley, Ben Harvey, Benny Harvey, Lucy Harvey, Cliff Harvey, Paul Michael Raymond, Mary Williams, Stephanie James, Carlton Duck, Derek Norfield, Frank Wright, David Garrett, Jr. and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order at 6:30 pm.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Mayberry and with all members present voting "aye", 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 retained by the Town regarding specific legal advice by such counsel, the subject matter of such meeting being legal advice pertaining to the potential purchase of 4.0 acres of land by the Town of Appomattox to be used for the Museum of the Confederacy and §2.2-3711 (A)1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the performance and salaries of a specific public employee of the Town of Appomattox, specifically being Employee A and §2.2-3711 (A) 19 of the Code of Virginia, 1950, as amended, for the purpose of discussion regarding a report or plans related to the security of any governmental facility, building or structure, specifically being computerized equipment at all Town facilities.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

The regular meeting began at 7:50 p.m.

Mayor Harvey welcomed everyone.

Rev. Paul Michael Raymond gave the invocation.

On a motion by Councilmember Williams, seconded by Councilmember McDearmon and with the members present voting "aye", Council voted to adopt the consent agenda as presented. Motion carried.

Public Comments – none

Mayor's Comments – None

Appearances – None

Unfinished Business – None

New Business –
On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs and with all council members present voting "aye", Council voted to adopt the 2009 Appomattox Town Council Meeting Schedule as presented omitting the joint meeting with the Appomattox County Board of Supervisors on Tuesday, January 27, 2009 at 6:00 pm. Motion carried.

On a motion by Councilmember Carter, seconded by Councilmember Williams and with all council members present voting "aye", Council voted to amend the Travel Policy of the Town of Appomattox reducing the mileage reimbursement from $0.585 to $0.55 retroactive to January 1, 2009.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams and with all council members present voting "aye", Council voted to enter into the T-Mobile Lease Agreement as presented. Motion carried.

On a motion by Councilmember Williams, seconded by Councilmember McDearmon and with all council members present voting "aye", Council voted to rescind the motion on December 22, 2008 giving a donation to Employee A. Motion carried.

Council Concerns –
On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon and with all council members present voting "aye", Council voted to send the list of Water and Sewer Capital Improvement Projects to Congressional members for consideration in the Economic Stimulus Package, including the Concord to Appomattox Waterline. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs and with the members present voting "aye", Council voted to adjourn at 8:25 p.m. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Workshop Meeting of the Appomattox Town Council held on January 27, 2009 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams and Karl E. Carter. Absent was Jennifer Jamerson-Scruggs. Also in attendance were Bob Hopkins, Stephanie James, Sarah Watson, Peter Zdgiebloski, Paul Michael Raymond, Chad Millner, Carlton Duck, David Garrett, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Mayberry, seconded by Councilmember Baine and with all Council Members present voting "aye", Council voted to amend the agenda by adding a Closed Session, pursuant to §2.2-3711(A)1 of the Code of Virginia, 1950, as amended, for the purpose of discussing a prospective candidate for the position of Director of Tourism with the Town of Appomattox, specifically being prospective candidate A. Motion carried.

Rick Butler, Virginia Department of Forestry appeared before Council to discuss the Tree City Program. In order to the start the program in the Town of Appomattox a board will need to be created and a Tree City Ordinance adopted by Town Council. The program requires an annual budget of $2.00 per capita and the Town's annual leave collection meets this requirement. There would also need to be an Arbor Day observance and proclamation each year.

Bob Hopkins, Hurt & Proffitt, Inc. appeared before Council to advise of mileage expenses erroneously charged by Hurt and Proffitt and the total amount of $5334.57 will be credited to the Town through ongoing or current projects such as the VPDES applications for the waste treatment plants. Also, Bob Hopkins advised Council that the SBR modifications are ready to be advertised. Hurt & Proffitt, Inc. will be advertising and setting the bid date. In order for construction to start in early April, bids would need to be opened at the end of March and advertisements in early February.

The Appomattox Town Council gave reports and updates from Standing Committees:

Finance – None

Fire & Safety – None, the Chairman was absent.

Ordinance – Mr. Carter reported that the committee met on January 15, 2009 to finalize the proposed sign ordinance for the Town. The next meeting is pending for review of the draft ordinance by the Town Attorney.

Personnel – Mr. Williams reported that the committee met three times during the month of January 2009 and held Closed Sessions for the interviews of the candidates for the position of Director of Tourism. Also, the Committee met to discuss the transitional plan, which an organizational chart was distributed for each council member to review. Each chairperson of the Towns standing committee would be responsible for a department head. Each chairperson

should consider appointing an alternate. The committee does not want anything to fall through the cracks during this transitional phase.

Street & Property - Mr. Baine reported that the committee met and entertained Rick Butler concerning the Tree City Program. The committee has received a request for street lights on Old Courthouse Road. Mr. Garrett and Mr. Baine are considering options for this request.

Utility Committee – Mr. Mayberry referred to Mr. Garrett. Mr. Garrett advised Council that the check valve for the 100,000 gallon water tank needs to be replaced. The tank will need to be drained to replace the check valve and two other valves. It is the goal of the Utility Department to fill the 1,000,000 gallon and 100,000 gallon tank to capacity. Mr. Garrett also advised Council that he and Roxanne Paulette, Clerk of Council attended a meeting hosted by Draper Aden to discuss the Water Supply Plan. The plan will be submitted to DEQ on Monday, February 9, 2009 for review and comments. The plan will then be submitted to localities. Bob White, Region 2000 will be attending a Town Council meeting in the spring (April 2009) to discuss the plan. There also needs to be an amendment to our current code that addresses the water conservation plan. The Utility Department repaired a water leak on Martha Street on Saturday, January 24, 2009. Mr. Garrett provided Council with the Groundwater Rule Implementation provided by the EPA. The Utility Department experienced a sewer problem on Sunday, January 25, 2009. There was a blockage that affected two homes on Dogwood Street. The problem was resolved temporarily on Sunday and permanently on Monday.

The Town Manager's report included:

1. Advertisements continue to be received for the Tourism Department.
2. Office Renovations are ongoing.
3. The Stimulus Package letter is ready. Hurt and Proffitt is willing to assist with the number of days each project will take to be "shovel ready" at no cost to the town. Hurt and Proffitt will have the information ready by Friday, January 30, 2009.

Mr. Baine requested that the waterline from Concord to Appomattox be moved to the top of the list since it would be the project that puts the largest number of people to work.

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 discussing a prospective candidate for the position of Director of Tourism with the Town of Appomattox, specifically being prospective Candidate A.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – 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 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – absent.

On a motion by Councilmember McDearmon, seconded by Councilmember Carter and with all members present voting "aye", Council voted to adjourn at 8:20 p.m. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Regular Council Meeting of the Appomattox Town Council held on February 9, 2009 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter, Jennifer Jamerson-Scruggs. Also in attendance were Barbara Shelton, Chad Millner, Cliff Harvey, Benny Harvey, Sarah Watson, Bob Hopkins, Mary Williams, Mitch Lutke, Paul Michael Raymond, Barbara McLaughlin, Wanda Jobe, Sarah Robertson, Stephanie James,Carlton Duck, Derek Norfield, David Garrett, Jr. and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order at 7:30 pm.

Mayor Harvey welcomed everyone.

Rev. Mitch Lutke gave the invocation.

On a motion by Councilmember Williams, seconded by Councilmember Carter and with the members present voting "aye", Council voted to adopt the consent agenda as presented. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Carter and with the members present voting "aye", Council voted to add an additional item to the agenda – NB #3 Consideration to accept a recommendation of the Personnel Committee to request the assistance of Appomattox County for Zoning Administrator during the interim of the Town not having qualified staff to administer the program. Motion carried.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams and with the members present voting "aye", Council voted to remove NB#2 Consideration to allow the Utility Committee to investigate a Water/Sewer (Utility) Rate Relief program. Motion carried.

Public Comments – none

Mayor's Comments – In efforts to increase communication between town staff and town council members, Mayor Harvey suggested calling the Town Office once a day to check for daily updates, for council members to check their box each day for material added by the town staff and for committee chairs to communicate with other council members.

Mr. Williams recognized the newly hired Director of Tourism, Will Simmons to the meeting. Mr. Simmons thanked the council and stated he was eager and anxious to begin working with the Town and Department of Tourism. He also thanked the town staff for their assistance.

Appearances – None

Unfinished Business – None

New Business –

On a motion by Councilmember Baine, seconded by Councilmember Carter and with all members present voting "aye", Council voted to allow the Street & Property Committee to proceed with creating a Tree City Program and ordinance for the Town of Appomattox. Motion carried.

On a recommendation by Councilmember Williams, Chairman of the Personnel Committee, Council voted to accept the recommendation of the committee to request the assistance of Appomattox County (by letter) for Zoning Administrator duties during the interim of the Town not having qualified staff to administer the program. Motion carried.

Council Concerns – None

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Mayberry and with the members present voting "aye", Council voted to adjourn at 7:45 p.m. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Special Call Meeting of the Appomattox Town Council held on February 10, 2009 at 5:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter, Jennifer Jamerson-Scruggs. Also in attendance were David T. Garrett, Jr., Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order at 5:00 pm.

Mayor Harvey stated the purpose of the meeting as follows:
Closed Session – Pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the performance of specific public employee of the Town, specifically being Employee A.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry and with all members present voting "aye", 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 the performance of specific public employee of the Town, specifically being Employee A.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Mayberry and with the members present voting "aye", Council voted to adjourn at 5:30 p.m. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

Workshop Meeting
Tuesday, February 24, 2009

At the Workshop Meeting of the Appomattox Town Council held on February 24, 2009 at 6:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Absent was N.H. "Jimmy" Mayberry. Also in attendance were Chad Millner, Nina Beasley, Mary Lou Spiggle, Bobbie Mullins, Cliff Harvey, Stephanie James, Sarah Watson, Freddy Godsey, Bobby Wingfield, Bob Hopkins, Jeff Elder, Carlton Duck, David Garrett, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order at 6:00 p.m.

On a motion by Councilmember Carter, seconded by Councilmember Jamerson-Scruggs and with all Council Members present voting "aye", 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 a public body regarding specific legal matters requiring the provision of legal advice by such counsel, such specific legal matters being issues pertaining to the creation of a Utility Relief Rate program.

Vote: Baine – absent, Mayberry – absent, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye. Motion carried.
*Note: Councilmember Baine entered the closed session approximately 6:15 pm.

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: Baine – aye, Mayberry – absent, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

Mayor Harvey welcomed everyone to the workshop meeting at 7:00 pm.

Mayor Harvey invited everyone to attend a tour of the Appomattox County E911 Communication Building at the request of Councilmember Jamerson-Scruggs. The Council left the meeting at approximately 7:10 pm and returned at 8:00 pm.

Freddy Godsey, Emergency Services Coordinator gave a brief presentation to council by explaining the Emergency Management Plan adopted by the Appomattox County Board of Supervisors in January 2009. The Emergency Operation Plan will be presented to the council members and one will be placed on file at the Town Office.

The Mayor and Council Members thanked Mr. Godsey and Mr. Wingfield for the tour and presentation.

Councilmember Jamerson-Scruggs requested that the annual Town auditing services be placed on competitive professional services for the FY 10 audit. Discussion ensued and hearing no objection, staff will move forward with the creating a Request for Proposal (RFP) for the service.

The Appomattox Town Council gave reports and updates from Standing Committees:

Finance – Mr. McDearmon reported that the committee will be working on the FY 10 budget in the coming weeks.

Fire & Safety – Ms. Jamerson-Scruggs reported on a proposal received by the Appomattox Volunteer Fire Department to refurbish Engine 1 – 1990 Fire Truck. A recommendation will be presented at the regular meeting on March 9, 2009. Ms. Jamerson-Scruggs also reported on an informative structure to increase the working knowledge of the emergency plan presented by Freddy Godsey, Emergency Services Coordinator. The committee has also begun discussing the Pandemic Flu by gathering information and a brochure that has been process and remains on-going. The committee has also discussed a quarterly newsletter for town residents.

Ordinance – Mr. Carter reported that the Sign Ordinance remains in a rough draft format.

Personnel – Mr. Williams reported that the committee met to screen applications for the position of Town Manager and has the applications to a manageable number, interview dates have been set. The transitional plan during the absence of a town manager will consist of a department heads reporting to the chairperson of a committee on an as needed basis.

Street & Property - Mr. Baine reported that the breakroom downstairs is nearly complete. There has been some sidewalk repair on Church Street. Kelly Hitchcock, Region 2000 will be working on the long range pedestrian plan in March 2009 with the committee and citizen advisors of the committee.

Utility Committee – Mayor Harvey reported for Mr. Mayberry that the SBR facility on Ethel Street has received a Notice of Violation for Zinc. The Department of Environmental Quality would like the Town to enter into a non-binding Consent Order Agreement regarding the Zinc. Charles Garrett will create a pilot program or Plan of Action to combat the zinc problem at the plant. The County of Appomattox will be sending a letter to the Town asking to use the entire Stag Grant for the waterline from Concord to Appomattox.

Treasurer's Report – None

Director of Tourism Report – Mr. Simmons reported he has been building relationships for the past six days. He met with Ms. Beckie Nix, National Park Service, Anne Dixon, and The Design Group. There has been something new and exciting each of the past six days.

Clerk's Report – Attached. Ms. Paulette requested direction from Council regarding the Request for Proposals received for the Engineering Services – Basic Ordering Agreement. The RFPs were due and received on February 17th. Council instructed the Clerk to provide each council member with a copy and place the item on the March 9th agenda for discussion in Closed Session.

The Town Manager's report included:

1. The check valve arrangement at the 100,000 gallon storage tank has proved to be anything but usual. The Utility Department continues to work on replacing the check valves at the tank.
2. Utility maps continue to be updated by the Utility Director and Crystal Parker.
3. Brad White, DEQ completed the real time data of the well at the Kiddie Park.
4. The pre-bid meeting will be held on Thursday, February 26, 2009 at the Town Office for the SBR construction.
5. Anderson & Associates continue to work on the groundwater study.
6. Discussion of the sewer line to serve the Museum of the Confederacy property is ongoing.
7. The concrete manhole for the sewer line construction to serve A J Skateworld has been ordered. The owners are planning to connect in June or July 2009.

Town Attorney Report – none

Council Concerns – none

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams and with all members present voting "aye", Council voted to adjourn at 8:40 p.m. Motion carried.

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Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Regular Council Meeting of the Appomattox Town Council held on March 9, 2009 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Rev. Ernie Lucas, Jeff Elder, Carlton Duck, Derek Norfield, Stephanie James and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember McDearmon and with the members present voting "aye", 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 subject matter including the evaluation of prospective candidates as a specific public appointee, specifically being appointees A, B, C, D, E, F, G and H.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

The regular meeting began at 7:30 p.m.

Mayor Harvey welcomed everyone.

Rev. Ernie Lucas gave the invocation.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams and with all members present voting "aye", Council voted to adopt the consent agenda of March 9, 2009 as presented. Motion carried.

Mayor Harvey welcomed the Boy Scouts to the meeting. They are working on their citizenship badge.

Public Comments – none

Appearances – None

Unfinished Business –
On a recommendation motion by Councilmember Jamerson-Scruggs and with the council members present voting "aye", Council voted to accept the recommendation of the Fire & Safety Committee to include the request of the Appomattox Volunteer Fire Department for refurbishment of Engine 1 in the FY 10 budget for the Town of Appomattox. The Town percentage would be 25% of the total refurbishment amount of $115,000.00. Motion carried.

New Business –
On a motion by Councilmember Carter, seconded by Councilmember Jamerson-Scruggs and with the council members present voting "aye", Council voted to adopt the following resolution:

RESOLUTION

WHEREAS, the Appomattox Town Council desires to implement a Freedom of Information Charge for Responding to a Request Policy; and

WHEREAS, the Town of Appomattox may charge the requestor for searching and copying records; and

WHEREAS, the cost must be reasonable, and may not include overhead items such as utilities, debt payments and the like (See Va. Code §2.2-3704). The hourly salary rate of any town employee who spends time researching and assembling records for the request may be charged, as may actual copying costs; and

WHEREAS, if the Town custodian determines that the cost of responding will be more than $200, he may demand the requestor to agree to pay a deposit in the amount of the projected costs. Until the deposit is received, the time limits are tolled. (See Va. Code §2.2-3704). An estimate will be sent in writing in order to avoid a claim by the individual that no deposit was requested, and therefore the time was not tolled; and

WHEREAS, any citizen who desires to review a public record at the Appomattox Town Office is encouraged to do so. No charge will be made for perusing records in this office.

NOW, THEREFORE, BE IT RESOLVED, the Appomattox Town Council does hereby adopt the following charges: Copy per page $0.25, Copy of DVD of any Regular or Workshop Council Meetings $1.00 each and Labor – Hourly Salary Rate.

Aye: Baine, Mayberry, McDearmon, Williams, Carter, Jamerson-Scruggs.
No: None
Motion carried.

Council Concerns –

1. Carter:
   Councilmember Carter has received several complaints of dogs running at large. He requests council look into a lease law for the Town of Appomattox.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to refer the matter of a lease law to the Ordinance Committee for discussion and creation. All members present voting aye. Motion carried.

2. Mayberry:
   Councilmember Mayberry advised Council of the water connection at the Middle School for the Soccer fields. The arrangement will mirror the procedure followed for the baseball fields at the High School.

3. Williams:
   Councilmember Williams thanked the town staff for the outstanding job during the snow removal of March 1 and 2, 2009.

4. Mayor Harvey:
   Mayor Harvey acknowledged the office staff and water and sewer departments during the short staffing – Thanks for keeping the council going during this time.

On a motion by Councilmember Carter, seconded by Councilmember Jamerson-Scruggs and with all members present voting "aye", Council voted to adjourn at 7:45 p.m. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Workshop Meeting of the Appomattox Town Council held on March 24, 2009 at 6:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs (arrived at 6:30 pm). Also in attendance was Roxanne W. Paulette, Clerk. The following arrived after the closed sessions: Charles Garrett, Sarah Watson, Stephanie James and Nina Beasley.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon and with the members present voting "aye", 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 interviewing prospective candidates as a specific public appointee of the Town of Appomattox, specifically being Appointee A.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – 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 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – absent.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams and with the members present voting "aye", 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 interviewing prospective candidates as a specific public appointee of the Town of Appomattox, specifically being Appointee B.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs and with the members present voting "aye", 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 interviewing prospective candidates as a specific public appointee of the Town of Appomattox, specifically being Appointee C.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon and with the members present voting "aye", 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 interviewing prospective candidates as a specific public appointee of the Town of Appomattox, specifically being Appointee D.

VOTE: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

The regular meeting began at 8:40 p.m.

Mayor Harvey welcomed the visitors.

The Council received a letter from the Appomattox County Board of Supervisors regarding the intentions of the Town for its portion of the Stag Grant. The Town Council was presented a "draft" letter to the County indicating that the Town would be using its portion of the Stag Grant.

Mr. Baine presented information on a Citizens Academy that he would like council to consider. The program would give citizens insight into how their town government operates. It would provide them a learning opportunity. There was much discussion regarding the issue. All of the programs looked at were fall programs, so there is no hurry at this time to develop this program.

Council agreed by consensus to have a special call meeting on Monday, March 30, 2009 at 4:30 p.m. at the Appomattox Municipal Building to discuss and consider awarding the Appomattox Water Reclamation Facility Structure Modification project.

Reports and/or Updates

Will Simmons, Director of Tourism reported on the following projects:

1. Working to update the tourism guide.
2. Reviewing the signage in and around town.
3. Attending the Visitors Center Seminar FAM Tour
4. Attending Virginia Retreat Quarterly meeting
5. Attended the Appomattox Chamber of Commerce breakfast
6. There is new merchandise at the Visitors Center Gift Shop
7. Working on the FY 2010 budget
8. Advertising Schedule for FY 2010
9. VTC Matching Grants
10. Continues to look for ways to save money at the VTC through energy saving measures.

Committee Reports and/or Updates

Finance/Utility – Mr. McDearmon reported that the committees met jointly on Monday, March 4, 2009 to prioritize projects. On March 18, 2009, the Finance Committee began the budget process and they will meet again on April 1, 2009.

Fire & Safety – Ms. Jamerson-Scruggs reported the Appomattox County has extensive Emergency Plan that includes the Town of Appomattox. She suggested adopting a resolution supporting the County plan at the next regular meeting. She also requested Jeff Elder create a point of contact list for contractors, equipment and information. The point of contact list will be kept at the Town Office and the Town Shop. Ms. Jamerson-Scruggs also presented information on the newsletter. The committee discussed printing the newsletter three (3) times a year.

Ordinance – Mr. Carter reported the committee met on March 19, 2009 to finalize the sign ordinance. The committee has invited Mr. Tom Martin to attend and present the sign ordinance to the entire council at the April workshop meeting.

Personnel – Mr. Williams reported that the committee will address budget issues in the next few weeks. The staff shortage at the Town Office has been aided with part-time assistance.

Street & Property – Mr. Baine reported that the committee met with Kelly Hitchcock and there may changes to the master sidewalk plan. Minor sidewalk projects have been cataloged by Mr. Elder. The property owners have been notified of the Old Courthouse Road street lights. The next meeting will be April 3, 2009 at 10:00 am.

Utility – Mr. Mayberry reported that the committee met jointly with the Utility Committee on March 4, 2009. John Walsh met with staff and Mr. Mayberry to discuss the Aqua Mag – Poly Ortho phosphate mixture. The changes should be evident within the next six (6) weeks.

On a motion by Mr. Williams, seconded by Mr. McDearmon and with all members present voting "aye", Council voted to pursue the product recommended by Charles Garrett, Chief Wastewater Plant Operator for use in the water system. Motion carried.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. McDearmon and with all members present voting "aye", Council voted to reallocate the following funds for the purchase of necessary computer upgrades at the Town Office, Visitor Information Center, Town Shop and Wastewater Treatment Plants:
10-4700-7095 – 9500.00, 30-6000-7095 – 4750.00, 31-7000-7095 – 4750.00 for a total of $19,000.00. Motion carried.

On a motion by Mr. Williams, seconded by Mr. McDearmon and with all members present voting "aye", Council voted to appoint Johnnie Roark, County Planner as the temporary Subdivision Agent for the Town of Appomattox. Motion carried.

On a motion by Mr. Carter, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to adjourn at 9:25 pm. Motion carried.

Paul D. Harvey, Mayor Roxanne W. Paulette, Clerk

Special Call Council Meeting
Monday, March 30, 2009

The Appomattox Town Council held a Special Call Council meeting on Monday, March 30, 2009 at 4:30 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs.

Others present: Charles Garrett, Chief Wastewater Operator; Jeff Elder, Utility Director and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon and with all members present voting "aye", Council voted to add the following items to the agenda:

1. Martha Street waterline replacement
2. Fire Flow test on Highway 460 near the Shoppes of Appomattox
3. Water & Sewer (Utilities) at the Thomasville property on Highway 460.

Motion carried.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, Council voted to award the construction bid for the SBR Modifications to Fielder's Choice.
Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye, Carter – no. Motion carried 5 to 1.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, Council voted to allow Hurt & Proffitt to conduct a fire flow test within close proximity to the property owned by Thomasville – Tax Map No. 64A1 (A) 3. All members present voting aye. Motion carried.

Jennifer Jamerson-Scruggs excused herself from the meeting at 6:20 pm.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to convene in Closed Session pursuant to Section 2.2-3711(A)29 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the award of a public contract involving the expenditure of public funds and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, specifically being discussion of four proposals for engineering services under the Town's basic ordering agreement.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – 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 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – absent.

On a motion by Councilmember Williams, seconded by Councilmember Carter, Council voted to select the firms of Anderson & Associates, Draper Aden, Mattern & Craig and WW Associates for Engineering Services under the Basic Ordering Agreement.

Vote: Baine – aye, McDearmon – aye, Williams – aye, Carter – aye, Mayberry – no. Jamerson-Scruggs – absent. Motion carried 4 to 1.

On a motion by Councilmember Baine, seconded by Councilmember Carter, Council voted to authorize Mayor Harvey to execute the Basic Ordering Agreement for Engineering Services for the Town of Appomattox.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye. Jamerson-Scruggs – absent. Motion carried.

On a motion by Councilmember Carter, seconded by Councilmember Williams, Council voted to terminate the 1996 Letter of Agreement between the Town of Appomattox and Hurt & Proffitt, Inc. by providing Hurt & Proffitt, Inc. a thirty day written notice effective March 31, 2009.

Vote: Baine – aye, Williams – aye, Carter – aye, Mayberry – no, McDearmon – no. Jamerson-Scruggs – absent. Motion carried 3 to 2.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, 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 the performance of a specific public employee of the Town, specifically being Employee A.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – 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 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – absent.

On a motion by Councilmember Williams, second by Councilmember Carter, Council voted to adjourn at 7:15 pm. All members present voting aye. Motion carried.

Roxanne W. Paulette,
Clerk

Paul D. Harvey,
Mayor

Special Call Council Meeting
Tuesday, April 7, 2009

The Appomattox Town Council held a Special Call Council meeting on Tuesday, April 7, 2009 at 5:30 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs.

Others present: Bob Hopkins, Hurt & Proffitt, Inc., Frank Wright, Jr., Town Attorney and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Mayberry, seconded by Councilmember Carter, 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 retained by the Town regarding specific legal advice for such counsel, the subject matter of such meeting being the town's legal obligation under the Engineering Services Contract with Hurt & Proffitt, Inc. dated April 1, 1996.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to allow Hurt & Proffitt, Inc. to prepare the Request for Proposal (RFP) as needed for the Stag Grant Application. Please note that this authorization is specifically limited to the STAG Grant Use RFP Preparation scope of work outlined in a letter dated April 6, 2009 from Robert A. Hopkins. The notice given on April 1, 2009 terminating the Engineering Services Contract dated April 1, 1996 remains in effect. All members present voting aye. Motion carried.

On a motion by Councilmember Jamerson-Scruggs, second by Councilmember Williams, Council voted to adjourn at 6:10 pm. All members present voting aye. Motion carried.

Roxanne W. Paulette,
Clerk

Paul D. Harvey,
Mayor

At the Regular Council Meeting of the Appomattox Town Council held on April 13, 2009 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Rev. Gene Beverly, Mary Lou Spiggle, Stephanie James, Bob Hopkins, Carlton Duck, Derek Norfield, Stephanie James and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Rev. Gene Beverly gave the invocation.

On a motion by Councilmember Carter, seconded by Councilmember Mayberry and with the members present voting "aye", Council voted to adopt the consent agenda of April 13, 2009 with the addition of NB #3 and NB #4 as presented. Motion carried.

Public Comments – none

Appearances – None

Mayor's Comments – Publicly thanked staff for an outstanding job over the past two months.

New Business –
On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs, Council voted to adopt the following resolution:

RESOLUTION

ADOPTION OF THE APPOMATTOX COUNTY
EMERGENCY OPERATIONS PLAN

WHEREAS, the Town Council of the Town of Appomattox, Virginia recognizes the need to prepare for, respond to, and recover from natural and man-made disasters, and

WHEREAS, the Town Council has a responsibility to provide for the safety and well being of its citizens and visitors, and

WHEREAS, the Town of Appomattox recognizes that the County of Appomattox has established and appointed a Director and Coordinator of Emergency Services.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED, by the Town Council of the Town of Appomattox, Virginia that this Emergency Operations Plan as adopted in January 2009 is officially adopted, and

IT IS FURTHER PROCAIMED AND ORDERED that the Director of Emergency Services, or his designees, are tasked and authorized to maintain and revise as necessary this document over the next five-year period or until such time it be ordered to come before the Appomattox Town Council and/or Appomattox County Board of Supervisors.

Resolution Adopted: April 13, 2009
Aye: Baine, Mayberry, McDearmon, Williams, Carter, Jamerson-Scruggs.
No: None

Motion carried.

Council gave consensus to the following proclamation:

ARBOR DAY PROCLAMATION

WHEREAS, Arbor Day has been observed throughout Virginia and the Nation for more than 120 years, and

WHEREAS, trees provide many benefits to the community, including clean air, windbreaks, noise reduction shade, and energy savings, and

WHEREAS, planting and maintaining trees provides opportunities for community interaction, volunteerism, economic development, and environmental conservation, and

WHEREAS, the Town of Appomattox has been designated a bird sanctuary and trees provide habitat for birds, and

WHEREAS, trees increase property values, enhance the economic vitality of business areas, and beautify communities, and

WHEREAS, trees, wherever planted, are a source of comfort, joy and inspiration, and

WHEREAS, the fourth Friday in April of each year is designated by the Virginia General Assembly as Arbor Day in the Commonwealth of Virginia.

NOW, THEREFORE, I, Paul Harvey, Mayor of the Town of Appomattox, do hereby proclaim the 24th day of April, 2009 as our First Annual Arbor Day.

On a motion by Councilmember Jamerson-Scruggs, 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 discussing a prospective candidate for the position of Town Manager with the Town of Appomattox, specifically being prospective Candidate A.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

On a recommendation of the Personnel Committee, Mr. Williams, Chairman made a motion and all members present voting "aye", Council voted to extend an offer to candidate A as discussed for the position of Town Manager. Motion carried.

Council Concerns –

1. Mayberry:
   Liberty Baptist Church experienced a large water bill for the house across the street being used for meetings, Sunday schools classes, etc. for the month of March 2009. Council has never provided relief on treated sewer. It was agreed by consensus to explain the procedure to Liberty Baptist Church and offer them a payment plan for the large water bill.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams and with all members present voting "aye", Council voted to adjourn at 8:00 p.m. Motion carried.

Roxanne W. Paulette, CMC Clerk	Paul D. Harvey, Mayor

At the Workshop Meeting of the Appomattox Town Council held on April 28, 2009 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance was Chad Millner, Nina Beasley, Stephanie James, Tom Martin, Sam Carter, Barbara Shelton, Derek Norfield, Cliff Harvey, Mary Lou Spiggle, Bart S. Van Nieuwenhuise, Town Manager, Will Simmons, Director of Tourism, Frank Wright, Town Attorney and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams and with the members present voting aye, Council voted to amend the workshop agenda by adding *items #4 - Pursuant to §2.2-3711(A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel, the subject matter of such meeting being (a) the legal implications of changes requested to the Basic Ordering Agreement by Draper Aden and (b) legal considerations pertaining to having a referendum for a lease law and 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 discussion of the proposal submitted by Appomattox County regarding the waterline from Concord to Appomattox and pursuant to §2.2-3711(A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussing a prospective candidate for the position of Town Treasurer with the Town of Appomattox, specifically being prospective Candidate A and item #5 – Open Session discussion and/or action arising from closed session matters.*

Tom Martin, KGRL Planning made a presentation to the Town Council regarding the "draft" sign ordinance.

Councilmember Baine acknowledged the great job by Mr. Martin and the committee. The process had a lot of integrity and the business community was included.

<u>Reports/Updates</u>
<u>Staff Reports</u>
Will Simmons, Director of Tourism

- Several nice articles have appeared recently regarding the Town's tourism efforts
- Appomattox was listed as one of the 5 top destinations
- Has conducted two recent interviews with WFLO and the Appomattox News
- Advertising efforts include Google Ad words, Preservation magazine, Civil War Traveler, Direct mailing to Churches, Civic Organizations
- The National Park Service website now has a link to the Town Tourism website.
- Facebook has an Appomattox fan club with 380 fans.
- Compact fluorescent lights have been installed at the Visitor's Center.

Bart S. Van Nieuwenhuise, Town Manager

Mr. Van Nieuwenhuise was introduced by Mr. Williams as the recently hired Town Manager. Mr. Van Nieuwenhuise thanked the Council for the opportunity to serve.

No other staff reports.

Committee Reports

Finance Committee – Mr. McDearmon reported that the FY 2010 Budget for the Town of Appomattox will be ready by the first budget meeting in May 2009.

Fire & Safety Committee – Ms. Jamerson-Scruggs has not met since the last workshop meeting. The committee will be presenting to the entire council approval of a Town Newsletter to be published three (3) times per year.

Ordinance Committee – None, other than the presentation by Tom Martin, KGRL Planning for the Sign Ordinance.

Personnel Committee – Mr. Williams reported that the Personnel Committee has met several times to discuss salaries for the upcoming budget process.

Street & Property Committee – Mr. Baine reported that the Second Annual Town Spring Clean Up was held on May 2, 2009 at Abbitt Park. Lunch was added this year at 11:30 a.m. An Arbor Day Observance was held on April 24, 2009 with the planting of two dogwood trees. The Appomattox Pedestrian Steering Committee held a meeting on May 4, 2009. Sidewalks have been patched on Highland Avenue. The next meeting is scheduled for May 6, 2009 at 10:00 am.

Utility Committee – None.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, 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 retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel, the subject matter of such meeting being (a) the legal implications of changes requested to the Basic Ordering Agreement by Draper Aden and (b) legal considerations pertaining to having a referendum for a leash law and 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 discussion of the proposal submitted by Appomattox County regarding the waterline from Concord to Appomattox and pursuant to §2.2-3711(A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussing a prospective candidate for the position of Town Treasurer with the Town of Appomattox, specifically being prospective Candidate A.

VOTE:
Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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:
Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

On a recommendation motion by Councilmember Williams, Council voted to extend an offer to Candidate A for the position of Town Treasurer starting May 4, 2009. All voting aye. Motion carried.

Council directed the Town Manager to send a letter to the County acknowledging receipt of their letter April 20, 2009 concerning the Concord Waterline.

On a motion by Mr. McDearmon, seconded by Ms. Jamerson-Scruggs and with all members present voting "aye", Council voted to adjourn at 9:15 pm. Motion carried.

_____ _____

Paul D. Harvey, Mayor Roxanne W. Paulette, Clerk

At the Regular Council Meeting of the Appomattox Town Council held on May 11, 2009 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Bob Hopkins, Carlton Duck, Derek Norfield, Stephanie James, Frank Wright, Town Attorney and Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to convene in Closed Session pursuant to 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 discussion of the proposal submitted by Appomattox County regarding the waterline from Concord to Appomattox and 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 discussion of the oral proposal submitted by the Museum of the Confederacy relating to the Town's anticipated contribution of the 4.0 acres intended for the Museum of the Confederacy.

VOTE:
Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – 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:
Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

Mayor Harvey called the meeting to order.

Rev. Ronnie Rogers, New Hope Baptist Church gave the invocation.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams and with the members present voting "aye", Council voted to adopt the consent agenda of May 11, 2009 with the addition of NB #5 – Consideration to approve a request for a July 4th Fireworks Celebration sponsored by the Town of Appomattox as presented. Motion carried.

Public Comments –
Bob Hopkins, Hurt & Proffitt, Inc. addressed the Mayor and Council Members regarding their expired contract for engineering services. Mr. Hopkins stated that while Hurt & Proffitt, Inc. is very disappointed that they were not selected they are very gratified for the work they had received during the town's thirteen (13) year relationship.

Mayor's Comments – Thanked staff for their continued diligences while being short staffed.

Appearances – Kelly Hitchcock, Region 2000 Local Government Council presented the Master Sidewalk Plan. Bryan Baine thanked Kelly and the Region 2000 Local Government Council for the plan.

New Business –
On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Carter, Council voted to adopt the publication of a Town Newsletter three (3) times per year as recommended by the Fire & Safety Committee. All members present voting aye. Motion carried.

On a motion by Councilmember Carter, seconded by Councilmember Williams, Council voted to refer the Sign Ordinance to the Appomattox County Planning Commission for a joint public hearing with the Planning Commission and Appomattox Town Council. All members present voting aye. Motion carried.

On a motion by Councilmember Baine, seconded by Councilmember McDearmon, Council voted to adopt the Master Sidewalk Plan as presented by Region 2000 Local Government Council. All members present voting aye. Motion carried.

On a motion by Councilmember Baine, seconded by Councilmember Jamerson-Scruggs, Council voted to approve a request for a July 4th Fireworks Celebration sponsored by the Town of Appomattox at the cost of $8,000.00. Vote: Baine – aye, McDearmon – aye, Williams – aye, Carter - aye, Jamerson-Scruggs – aye, Mayberry – no. Motion carried 5 to 1.

Consideration of Closed Session items:
The Town Manager will draft a proposal response to Appomattox County regarding the April 20, 2009 offer on the Concord Waterline.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams and with all members present voting "aye", Council voted to adjourn at 8:30 p.m. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

A Workshop Meeting of the Appomattox Town Council was held on Tuesday, May 26, 2009 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs.

Others present: Stephanie James, Carlton Duck, Derek Norfield, Frank Wright, Town Attorney; Bart S. Van Nieuwenhuise, Town Manager; Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, 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 discussion of the proposal submitted by Appomattox County regarding the waterline from Concord to Appomattox.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye.

Mayor Harvey reported that the Town is ready to craft a response letter to the Appomattox County Board of Supervisors regarding the Concord/Appomattox Waterline. Mr. Van Nieuwenhuise, Town Manager will make a presentation on June 8, 2009 providing an analysis of the information in the letter. Mayor Harvey publicly invited everyone to attend the meeting for a new format of information.

For the record, Karl Carter noted descent of the letter being sent to the county.

Council Member Williams again invited the public to the meeting on June 8, 2009.

On a recommendation of the Utility Committee Councilmember Mayberry, Council voted to approve Amendment II to the Memorandum of Understanding to the EDA/Recreational Park agreement between the Town of Appomattox, Appomattox County Board of Supervisors and the Economic Development Authority. All members present voting aye. Motion carried.

Committee Reports –
Finance Committee – Mr. McDearmon reported that there will be a Public Hearing on the FY 2010 Budget on Monday, June 8, 2009 at 7:00 p.m.

Fire & Safety Committee – Ms. Jamerson-Scruggs reported that the committee has been working on the town newsletter that will be mailed in July 2009.

Ordinance – none

Personnel – Mr. Williams reported that the committee met on May 20, 2009 and interviews for the Town Treasurer will be held on June 1, 2009.

Street & Property – Mr. Baine reported that five (5) new street lights have been installed on Old Courthouse Road. The committee continues to hammer out language for the Tree Board Ordinance. The sidewalk repairs on Church Street from Confederate Blvd to the Railroad Tracks are nearly complete.

Utility – Mr. Mayberry reported that the SBR facility is currently being repaired.

Staff Reports –
Mr. Van Nieuwenhuise, Town Manager gave highlights into department head staff reports as well as his own.

Council Concerns –
Mr. Baine publicly thanked the Courthouse Theatre for the production "Steel Magnolias". The theatre has been a great addition to the community.

Mayor Harvey reminded the audience that Will Simmons and Roxanne Paulette will be co-chairs of the 37th Annual Railroad Festival and we need as many volunteers in order to improve the festival.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to adjourn at 8:45 pm. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a public hearing on Monday, June 8, 2009 at 7:00 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Karl E. Carter, Jennifer Jamerson-Scruggs.

Others: Carlton Duck, Derek Norfield, Barbara Shelton, William Goodrich, June Goodrich, Mary Lou Spiggle, Timmy Garrett, Jonathan Garrett, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the public hearing to order.

Mayor Harvey stated the purpose of this hearing being to receive public comments concerning the following:

Proposed FY 2010 Budget for the Town of Appomattox – In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2010:

GENERAL FUND EXPENDITURES	1,268,903.00
TOURISM FUND EXPENDITURES	212,100.00
WATER FUND EXPENDITURES	634,490.00
SEWER FUND EXPENDITURES	1,806,161.00
TOTAL EXPENDITURES	3,921,654.00

GENERAL FUND REVENUE	1,268,903.00
TOURISM FUND EXPENDITURES	212,100.00
WATER FUND EXPENDITURES	634,490.00
SEWER FUND EXPENDITURES	1,806,161.00
TOTAL REVENUE	3,921,654.00

Documentation has been available at the Town Office on 210 Linden Street, Appomattox, Virginia from 8:30 am until 4:30 pm, Monday through Friday.

Citizen Comments:
Barbara Shelton – There is an awful lot in the tourism budget.
Mr. Van Nieuwenhuise – It is about the same as last year.
Barbara Shelton – Still too much
Mr. Van Nieuwenhuise – So noted.
Barbara Shelton – Was the $8000 for fireworks in the budget?
Mr. Van Nieuwenhuise – It will be taken from the FY 09 tourism budget

Mr. Goodrich – If the town connects to the waterline what effect will it have on the water rates?
Mr. Van Nieuwenhuise – If the town were to connect to the water line it would not be within the next budget year therefore having no effect on the rates for the FY 2010.

The public hearing was closed at 8:20 pm.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, June 8, 2009 at 6:30 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Karl E. Carter, Jennifer Jamerson-Scruggs.

Others: Carlton Duck, Derek Norfield, Barbara Shelton, William Goodrich, June Goodrich, Mary Lou Spiggle, Timmy Garrett, Jonathan Garrett, Bob Hopkins, Samuel Carter, Chad Millner, Cliff Harvey, John Wilson, Sarah Watson, Marvin Mitchell, Rob Longmiere, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order.

Rev. Rob Longmiere gave the invocation.

On a motion by Councilmember Williams, seconded by Councilmember Carter, Council voted to adopt the consent agenda of June 8, 2009. All members present voting aye.

Mayor's Comments – Thanked the staff for their continued assistance with the Railroad Festival. Mayor Harvey also publicly thanked Dean Thompson for his service – the Town wants to continue to building on the success of the Railroad Festival.

On a motion by Councilmember Carter, seconded by Councilmember Jamerson-Scruggs, Council adopted the following resolution:

RESOLUTION

WHEREAS, *the Code of Virginia, 1950, as amended, permits public bodies to enter into Closed Session for reasons cited in the Code of Virginia §2.2-3711 (A)…such as the negotiations of the waterline between the Appomattox Town Council and Appomattox County Board of Supervisors; and*

WHEREAS, *the citizens in the Town of Appomattox for several years have been subjected to a council which refuses to discuss the waterline in public sessions; and*

WHEREAS, *the taxpayers elected our council members to be servants for our community and we as council members have failed to communicate our position with the citizens, taxpayers and media; and*

WHEREAS, *the Appomattox Town Council has met in Closed Session six times in the past fifteen months and to my knowledge has disseminated very limited if any information relative to the waterline to the citizens, taxpayers and media; and*

WHEREAS, *it is long over due to begin communicating to our citizens, taxpayers and media the position we as council members have on the waterline*

NOW, THEREFORE, LET IT BE RESOLVED, *the Appomattox Town Council must cease hiding behind closed doors to discuss the negotiations of the waterline and discontinue immediately all communication and discussion in closed session.*

All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Carter, Council voted to advertise the amendment and reenactment of Chapter 126 – Licensing of the Code of the Town of Appomattox. All members present voting aye. Motion carried.

Bart S. Van Nieuwenhuise, Town Manager provided a power point presentation of information and analysis of the Concord/Appomattox Waterline.

Council Concerns – None

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Carter, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette Clerk	Paul D. Harvey Mayor

The Appomattox Town Council held a workshop council meeting on Tuesday, June 23, 2009 at 7:00 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, John T. "Plicky" Williams, Karl E. Carter, Jennifer Jamerson-Scruggs. Absent: C. Lewis McDearmon, Jr.

Others: Carlton Duck, Derek Norfield, Barbara Shelton, Mary Lou Spiggle, Nina Beasley, Chad Millner, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order.

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

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2009-2010 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 2009-2010 Budget was published on May 20, 2009 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 8, 2009;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Workshop Meeting on June 23, 2009, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2009-2010;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	34,395.
Administrative Department	490,370.
Professional	65,000.
Police Department	45,785.
Fire Department	66,750.
Street Department	329,793.
Sanitation Department	84,000.
Property Maintenance & Construction	95,500.
Town Shop	26,500.
Donation/Contributions	6,500.
Zoning	2,000.

Town Office	22,310.
TOTAL GENERAL FUND EXPENSES	**1,268,903.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.13 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 $.13 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 sitused 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 60% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 60% 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 2009-2010;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	160,000.
Current Taxes – Personal Property	130,000.
Bank Stock Tax	80,000.
Meals Tax	350,000.
Lodging Tax	30,000.
Franchise Tax	5,000.
Consumption Tax	8,000.
Vehicle License Tax	20,000.
Business License	130,000.
Zoning	1,000.
Checking Interest	1,000.
Rental of Misc. Property	65,000.

Motor Vehicle Tax	3,300.
Sales Tax	33,000.
Aid to Police Department (HB599)	45,785.
Fire Programs	8,000.
Use of Reserve (CD)	28,750.
Use of Beginning Balance	170,068.
TOTAL GENERAL FUND REVENUES	**1,268,903.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Fund Expenditures for Fiscal Year 2009-2010;

TOURISM FUND; EXPENDITURES BY CATEGORY:

Tourism Department	212,100.
TOTAL TOURISM EXPENDITURES	**212,100.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Revenue estimates for Fiscal Year 2009-2010;

TOURISM FUND; REVENUES BY CATEGORY:

VIC Gift Shop	5,000.
Transfer from General Fund	207,100.
TOTAL TOURISM FUND REVENUES	**212,100.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2009-2010;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	634,490.
TOTAL WATER EXPENDITURES	**634,490.**

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2009-2010;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	370,000.
Beginning Balance of CD	200,000.
Use of Beginning Balance	9,866.
Capital Fees	54,624.
TOTAL WATER REVENUES	**634,490.**

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2009-2010;

SEWER FUND; EXPENDITURES BY CATEGORY:	
Sewer Department	1,806,161.
TOTAL SEWER EXPENDITURES	**1,806,161.**

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2009-2010;

SEWER FUND; REVENUES BY CATEGORY:	
Sewer Sales	641,353.
County Reimbursement SBR & IDA PS	90,000.
Park Service Maintenance	4,000.
Beginning Balance of Certificate of Deposit	1,000,000.
Use of Beginning Balance	70,808.
TOTAL SEWER REVENUES	**1,806,161.**

SECTION XII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2009-2010 Town Budget from time to time pursuant to Section
15.2-2507, Code of Virginia; and,

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2009-2010 is hereby adopted, effective July 1, 2009 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.

All members present voting aye. Motion carried.

The discussion of the "draft" Lease Law will be referred to the Ordinance Committee for review.

The discussion of the "draft" Urban Forestry Ordinance will be advertised for a public hearing to be held on July 13, 2009.

Standing Committee reports –
Finance Committee – none

Fire & Safety Committee – Met to discuss and review the content for the July 2009 Newsletter.

Ordinance Committee – none

Personnel – The committee met on June 22, 2009 and the Treasurer's position will be filed July 1, 2009 pending the Background and Criminal checks. The Secretary II position will be filed by July 1, 2009 and the deadline for applications for the Utility II position is June 30, 2009.

Street & Property Committee – Mr. Baine reported that the committee has met and discussed the Tree Board Ordinance, the Pavilion at Abbitt Park. The committee will meet to discuss the action plan of the Sidewalk Master Plan.

Utility Committee – none

Staff Reports –
Mr. Van Nieuwenhuise, Town Manager gave various department head reports.

Council Concerns –
Mr. Carter and Mr. Williams – Commended the Utility Department for repairing the water leak on S. Church Street. The blacktop is very smooth.

Mr. Baine – Is very pleased with the number of people coming forward to help with the 37th Annual Railroad Festival.

On a motion by Councilmember Carter, seconded by Councilmember Jamerson-Scruggs, Council voted to adjourn at 7:32 pm. All members present voting aye. Motion carried.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

At the Public Hearing of the Appomattox Town Council held on July 13, 2009 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Steve Conner, Jonathan Garrett, Chad Millner, Nina Beasley, Hazel Thomas, Rick Butler, Stephanie James, Sarah Watson, Mr. and Mrs. Goodrich, G. H. Jamerson, Cliff Harvey, Sam Carter, Barbara Shelton, Mary Lou Spiggle, Joyce Bennett, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the public hearing to order.

Mayor Harvey asked for citizen comments regarding Chapter 177 – Article I – Urban Forestry of the Code of the Town of Appomattox.

Steve Conner – All I see coming from the town is regulations and control. A while back you (Council) passed a landscaping ordinance and all you tell people is this going to affect you. It's another hurdle for people to jump to utilize their property. We already pay enough in taxes in these hard economic times. What are the requirements? I have one or two dead trees at my office and I want to know if I have plant something back if I take it down? We need to try to be more business friendly rather than driving them away. I don't think it's necessary. I am against it – and a lot of people are – too many regulations and hoops for the property owners, business owners and taxpayers.

Mary Lou Spiggle – 129 Pine Street, Appomattox, Virginia – Mr. Mayor and members of Council, thank you for the opportunity to speak to you tonight in this public forum. The purpose for me speaking to you tonight is to address several points in the Tree Board Ordinance I have in front of me tonight. It states that the purpose…to promote and protect the public health, safety and general welfare by providing for the regulation of the planting, maintenance, preservation and removal of trees and shrubs, on public property with the Town of Appomattox.
So, what does this mean exactly? Lets keep reading…Further down the town tree board will among other things…The tree board shall investigate, develop, update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan shall be presented annually to the town council and upon their acceptance and approval shall constitute the official comprehensive tree plan for the Town of Appomattox. Here's where it gets good…Every property owner here has trees bordering street. This is very troubling to me. When this issue came up I was told this would have nothing to do with private property. Read again – not just public sector. Since an ordinance is a law or regulation it must be obeyed. How's going to enforce? Has anyone asked the Sheriff if he is going to enforce – How much will it cost to comply with the ordinance – the people are struggling & so is the town. The City of Lynchburg and Town of Farmville both have the Tree City USA program. We are NOT the City of Lynchburg or Farmville for that matter. What about down the road – A little research provided me a typical ordinance reads as follows: On the Arbor Day Foundation – one benefit is to attract more business to the town –I believe having an adequate reliable water source that doesn't go into water restrictions every time there is a drought is more attractive to businesses than a Tree City USA. And, remember trees need water too.

Before you adopt this ordinance as it is written you should take a hard look at your own yards before dictating to others what they should do with their own. Thank you for giving me the opportunity to speak to you regarding this issue.

Deborah Lester – Swan Road, Pamplin, Virginia – I own a business in Appomattox – The Appomattox Gallery – The reason I am here in Appomattox is because it doesn't over regulate. At the same time, there are trade offs in everything you have to do. I believe what Mr. Baine was trying to do was not to create a wedge to over regulate our lives but I am not opposed to thinking that the ordinance may need to be looked at again to make sure that we are not infringing on peoples person lives. If you think that appearance has nothing to do with economic development you should rethink that. We have been concerned about your children having to leaving this county to follow their ambitions. As a business owner, I think it is my responsibility to plant and maintain trees on my property. If the trees are endangering property or anyone, property owners should maintain those. Thank you.

Rick Butler – Appomattox County Forester – I do not want you to blame council for this – blame me – I approached Bryan Baine about the town becoming a Tree City USA. The reason for this is giving the benefits of the Town, providing income for the Town. There are a number of grants available for the town to become a Tree City USA. Our department is reasonable for managing most of the urban tree money for the state. I have been told that if I can get Appomattox to become a Tree City we will see that they get money. The state wants smaller town like Appomattox to benefit from the Tree City USA program. I have been approached a number of times regarding trees in the town. If the tree is dead it is a liability, if it is alive I can't tell people what to do with their trees. I commend the people for having interest in this ordinance.

There were no other comments regarding Chapter 177 – Urban Forestry.

Mayor Harvey asked for public comments regarding Chapter 126 – Licensing.

Mayor Harvey read a letter received by the Town from Mr. Bill Burke, President, Cardinal Chevrolet.

July 13, 2009

To: Mayor Paul Harvey, and Members of the Town Council

From: Bill Burke, President of Cardinal Chevrolet, Inc.

Subject: 100% Increase in License Tax on Gross Receipts

Ladies and Gentlemen,

In economic times like we have been operating in for the past 2 years, how in the world can you propose a 100% increase in our business license based on our gross receipts??

This is ridiculous. At a time when most businesses have suffered a 50% drop in revenue the past 2 years, this is just pouring salt on the wound.

For some of our smaller retailers, this may not be a problem, but in our case with the price of vehicles today, and parts and service, this is a major expense for our business.

Please reconsider this increase at this time. I can understand a 1 or 2 cents increase per 100, but not a 100% increase.

With kindest regards,

Bill Burke,
President

G. H. Jamerson – Jamerson Brothers Trucking Co. – 249 Jamerson Lane, Appomattox
I can't agree with Mr. Burke more, the times we are in today everything is going up. We are currently operating on 1999 transportation freight prices. Jamerson Brother Trucking paid $225.00 for a contractor's license in 2008. I would like to know how we will be classified under this new ordinance. Will it be by gross receipts for the contracting we do here in the Town of Appomattox? We haul a little fertilizer for Coleman and Sons and contract for Armstrong Furniture or will it be on a contract basis through other states? I would just like an answer to that. Thank you for your time.

Deborah Lester – Appomattox Gallery – Church Street, Appomattox – The Gallery had the worst month in June 2009 since it opened and July isn't looking much better either. I am asking for a smaller increase. I know you need some type of an increase. I would just ask that you consider a smaller one. Thank you

Mayor Harvey thanked everyone for attending and speaking at the public hearing.

Mayor Harvey closed the public hearing at 7:30 pm.

_____ _____

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Regular Meeting of the Appomattox Town Council held on July 13, 2009 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Steve Conner, Jonathan Garrett, Chad Millner, Nina Beasley, Hazel Thomas, Rick Butler, Stephanie James, Sarah Watson, Mr. and Mrs. Goodrich, G. H. Jamerson, Cliff Harvey, Sam Carter, Barbara Shelton, Mary Lou Spiggle, Joyce Bennett, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Carlton Duck gave the invocation.

On a motion by Mr. Williams, seconded by Mr. Mayberry, Council voted to adopt the consent agenda of July 13, 2009 as presented. All members present voting aye. Motion carried.

On a committee recommendation by Bryan Baine, Chairman of the Street & Property Committee, Council voted to enact Chapter 177 of the Town Code of the Town of Appomattox:

Section 1. Chapter 177, Sections 1 – 4 shall be enacted as follows:

§ 177-1. Purpose and intent of this chapter.

A. It is the purpose of this chapter to promote and protect the public health, safety and general welfare by providing for the regulation of the planting, maintenance, preservation and removal of trees and shrubs, on public property within the Town of Appomattox.

B. The purpose of this chapter is to further promote the following:

1. The planting, maintenance, restoration, and survival of desirable trees and shrubs within the town.

2. The protection of community residents and visitors from personal injury and property damage, and the protection of the town from property damage, caused or threatened by the improper planting, maintenance, or removal of trees and shrubs, located on public property.

3. The reduction of erosion and sedimentation.

4. The reduction of storm water run-off and its associated costs.

5. The protection and enhancement of property values and aesthetic qualities in the town.

6. The protection and enhancement of the overall environment of the town.

7. The protection of bird habitat as the Town of Appomattox is a bird sanctuary.

8. The enhancement of the quality of life of the town and its citizens.

9. To facilitate the long-range planning of tree care in the town.

§ 177-2. Establishment of Town Tree Board

A. There is hereby created and established the Town of Appomattox Tree Board, which shall be made up of seven members; five of which are to be citizens and residents of the Town of Appomattox, Virginia, and who are to be appointed by the town council. The town may appoint a member recommended by the Appomattox Garden Club, and non-residence in the town shall not impair the membership status of this individual. The Virginia State Forester shall serve as a standing member of the board.

B. Members of the tree board shall have skills and an expressed interest in at least one of the following areas:

(1) Urban forestry.

(2) Landscaping.

(3) Arboriculture.

C. Terms of office.

(1) Each member shall be appointed for a term of two years, or until their successors are appointed, except that the initial appointment of two members shall be for a one-year term, the remaining members for a two-year term.

(2) Members may be re-appointed to serve consecutive terms as determined appropriate by the town council.

(3) The board shall elect a chair, vice chair and secretary/treasurer who shall serve annual terms and may succeed themselves.

D. Minutes and rules.

(1) The board shall adopt such operating guidelines, rules and regulations as it may consider necessary. The board shall have no executive authority, its powers being strictly advisory.

(2) The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact. It

shall keep records of its examinations and other such official actions, all of which shall be immediately filed in the town office and shall be a public record.

(3) All meetings of the board shall be open to the public.

(4) A majority of its members shall constitute a quorum for the transaction of business. In the event one or more seats on the board are vacant, a majority of the non-vacant seats shall constitute a quorum for the transaction of business.

(5) The Board will meet monthly, or at least ten (10) times per year.

E. Compensation.

(1) Members of the board will serve without compensation.

§177-3. Duties.

The Appomattox Tree Board shall have the following duties:

(1) The tree board shall recommend tree preservation and enhancement ordinances.

(2) The tree board shall investigate, develop, update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan shall be presented annually to the town council and upon their acceptance and approval shall constitute the official comprehensive tree plan for the Town of Appomattox.

(3) The tree board shall promote programs that educate citizens about trees and their benefits and assist in choosing appropriate trees and sites for planting.

(4) The tree board shall develop a capital tree management program for the public sector and with voluntary participation for the private sector. This plan shall be updated every five years.

(5) The tree board shall present an annual report each year to the town council, to include:

a. A description of the activities conducted.

b. A report of activities ongoing and forecast for future projects.

(6) The tree board shall plan and coordinate an annual Arbor Day observance.

(7) The tree board shall assist in such other duties as assigned.

§177-4. Authority to receive funding and advisory services.

A. All persons interested in urban forestry in the town are invited to make gifts, devises and bequests to the town to be used for that purpose. All donations of money shall be made through the town treasurer, who is hereby authorized and directed to receive such donations. All such monies shall be used only for the purpose of planting, maintenance, and promotion of the urban forest in the town. Expenditures from these donations shall be made by the town manager as authorized, from time to time, by the town council.

B. The tree board may, with the consent of the town council, apply for federal, state, or private grants or funding, and/or assistance, and to aid in the performance of their duties.

C. Upon request of the tree board with approval by the town manager, the departments, boards, commissions, offices and agencies of the town government shall furnish to the Council such available information and render such service as may be needed in the performance of their duties.

All members present voting aye. Motion carried.

On a committee recommendation by Lewis McDearmon, Chairman of the Finance Committee, Council voted to amend and reenact Chapter 126-10 Licensing of the Town Code, with an effective date of January 1, 2010.

Section 1. Chapter 126-10: Licensee fee and tax rates shall be amended as follows:

126-10 Licensee fee and tax rates

A. Except as may be otherwise provided in Code of Virginia, 58.1-3712, 58.1-3712.1 and 58.1-313, every person or business subject to licensure under this section with annual gross receipts of more than $100 shall be assessed and required to pay annually a license tax on all the gross receipts of such persons includable as provided in this section at a rate set forth below for the class of enterprise listed.

(1) For contractors and persons constructing for their own account for sale, $0.10 per $100 of gross receipts ($0.16 per $100 maximum).

(2) For retailers, $0.10 per $100 of gross receipts ($0.20 per $100 maximum).

(3) For financial, real estate and professional services, $0.10 per $100 of gross receipts ($0.58 per $100 maximum).

(4) For repair, personal and business services and all others businesses and occupations not specifically listed or exempted in this section listed or otherwise by law, $0.10 per $100 of gross receipts ($0.36 per $100 maximum).

(5) For wholesalers, $0.05 per $100 of purchase (see Code of Virginia, 58.1-3716 for limitation).

(6) For carnivals, circuses and speedways, $500 for each performance held in this jurisdiction (see Code of Virginia, 58.1-3728 for limitations).

(7) For fortune tellers, clairvoyants and practitioners of palmistry, $1,000 per year.

(8) For massage parlors, $1,000 per year.

(9) For itinerant merchants or peddlers, $500 per year (see limitation in Code of Virginia, 58.1-3717).

(10) For photographers with no regularly established place of business in Town or the state, $10 per year (see limitation in Code of Virginia, 58.1-3727).

(11) For permanent coliseums, arenas or auditoriums having a maximum capacity In excess of 10,000 person, open to the public, $1,000 per year (see limitation In Code of Virginia, 58.1-3729).

(12) For savings and loan associations and credit unions, $50 per year.

(13) For direct sellers as defined in Code of Virginia, 58.1-3719.1, with total annual sales in excess of $4,000, $0.02 per $100 of total annual retail sales or $0.05 per $100 of total annual wholesale sales, whichever is applicable.

(14) For one or more amusement machines, pinball machines, as defined by Code of Virginia, 58.1-3720, license fee shall be $50 in addition to any other license fee imposed.

All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council voted to award the website design to Prototype Advertising for a contract price of $14,915.83 plus $220.00/month for maintenance. All members present voting aye. Motion carried.

Council Concerns – none

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council voted to adjourn at 7:55 pm. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Joint Public Hearing of the Appomattox Town Council and Appomattox County Planning Commission held on July 28, 2009 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams. Absent were Karl E. Carter and Jennifer Jamerson-Scruggs. The Appomattox County Planning Commission members present were George Almond, Marvin Mitchell, Barry Morris, Peter Zdgiegloski, Calvin Tanner, Kevin O'Brien, Steve Conner, Susan Hudson and Michael Wirth. Absent: Earl Dickerson.

Also in attendance were Chad Millner, Nina Beasley, Stephanie James, Cliff Harvey, Barbara Shelton, Mary Lou Spiggle, Joyce Bennett, Carlton Duck, Carla Moore, Town Treasurer; Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the public hearing to order on behalf of the Town Council and read the purpose of the hearing:

> *An Ordinance to Amend the Code of the Town of Appomattox, Chapter 195, to add a new section entitled Article XIII thereof, entitled "Sign Ordinance"*
>
> *Intent:*
> *It is the intent of the sign ordinance to promote the public necessity, convenience, general welfare and good zoning practice by regulating the placement, height and size of signs. The goals of the sign ordinance are to provide sign requirements that will prevent visual blight, clutter, and impairment to sight lines of vehicular traffic and the obscuring of other permitted signs that result from the unregulated placement of signs while ensuring public safety and promoting the Town of Appomattox as a great place to live and work.*
>
> *It is not the intent of the sign ordinance or the Town of Appomattox to suppress any free speech activities protected under the First Amendment to the United States Constitution.*

Mr. Almond called the public hearing to order on behalf of the Appomattox County Planning Commission.

There were no comments at the public hearing.

The public hearing was closed at 6:45 pm by Mayor Harvey and Mr. Almond.

Roxanne W. Paulette, CMC Clerk	Paul D. Harvey, Mayor

At the Workshop Meeting of the Appomattox Town Council held on July 28, 2009 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams. Absent were Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Chad Millner, Nina Beasley, Barbara Shelton, Mary Lou Spiggle, Cliff Harvey, Joyce Bennett, Stephanie James, Carlton Duck, Carla Moore, Town Treasurer; Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, Council voted to award the STAG grant engineering to WW Associates, Inc. for $52,500.00. All members present voting aye. Motion carried.

Council was presented with and discussed the Consent Order for the SBR facility received by the Town on July 8, 2009. The item will be placed on the August 8, 2009 Council Agenda for consideration to authorize the Mayor to sign on the Town's behalf.

The Town Manager presented information regarding the Visioning process. It will be a community based program. Council gave consent to move forward with the program.

Standing Committee Reports
Finance Committee – none

Fire & Safety Committee – none

Ordinance Committee – none

Personnel Committee – Mr. Williams introduced Carla Moore, Town Treasurer. He reported that the Town held a nice cookout for the employees and it was well attended. The Town has also filled two other vacant positions at the Public Works Department. The committee will be setting a date for the next meeting.

Street & Property Committee – Mr. Baine reported that he will be calling a meeting in the next week or two.

Utility Committee – On a recommendation by Mr. Mayberry, Chairman of the Utility Committee, Council voted to approve the expenditure of $69,800.00 to Aqua-Aerobics, the original equipment provider, for stainless steel in SBR #1 Components and Digester #1 and approve the authorization to move forward with SBR #2 Components and Digester #2 if more than 50% of the galvanized steel is corroded.
Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye. Absent: Carter and Jamerson-Scruggs. Motion carried 4-0.

Mr. Fred Kruschwitz, Liberty Baptist Church appeared before Council to discuss a possible transfer of land. The parcels in consideration are a 9 acre tract adjacent to the Town Community Park (Kiddie Park) and the Town Public Works Shop on Linden Street. Council gave consent to allow the Street & Property Committee to meet with members of Liberty Baptist Church to discuss details.

Bart S. Van Nieuwenhuise, Town Manager gave the staff member reports (attached).

Council Concerns – Mr. Mayberry asked if the IDA pump station issues have been resolved. Mr. Van Nieuwenhuise reported that quotes have been received and they are being reviewed for Procurement guidelines.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to adjourn at 7:45 pm. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC Clerk	Paul D. Harvey, Mayor

At the Regular Meeting of the Appomattox Town Council held on August 10, 2009 at 7:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Bart S. Van Nieuwenhuise, Town Manager.

Mayor Harvey called the meeting to order.

Rev. Rusty Small, Liberty Baptist Church gave the invocation.

On a motion by Mr. Williams, seconded by Ms Jamerson-Scruggs, Council voted to adopt the consent agenda of August 10, 2009 as presented. All members present voting aye. Motion carried.

Public Comments –
None

Mayor's Comments –
Mayor Harvey thanked staff for the continued efforts during the period of time that the town was understaffed.

Appearances –
Ms. Denise Scruggs, Director of the Beard Center on Aging, Lynchburg College appeared before council to invite the council members and public to an event on November 2009 entitled the Age Wave Legislative Summit. It will be a day long program at Lynchburg College.
(Additional information attached)

Mayor Harvey thanked Ms. Scruggs for the information and invitation.

Unfinished Business –
Mr. Baine reminded council that when he suggested a joint meeting with the Board of Supervisors he envisioned that each body would put forth three (3) agenda items for an informal meeting, twice yearly.

Mayor Harvey said he thought it was time to have a sit down meeting with the County Board of Supervisors regarding the waterline.

The Town Manager was asked to meet with the County Administrator to come up with three (3) items from each body for possible discussion at the September Town Council Workshop meeting.

New Business –
On a motion by Councilmember Baine, seconded by Councilmember Carter, Council voted to direct staff to hold the first (1st) Citizen Academy in February 2010. All members present voting aye. Motion carried.

On a motion by Councilmember Baine, seconded by Councilmember Williams, Council voted to engage with the Weldon Cooper Center and Art Meade for the Town Visioning Process. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs, Council voted to authorize Mayor Harvey to sign the consent order for the VPDES Permit No. VA0020257 - Appomattox Water Reclamation Facility. All members present voting aye. Motion carried.

On a motion by Councilwoman Jamerson-Scruggs, seconded by Councilman Mayberry, Council voted to direct staff to forward the following resolution to the Appomattox County Board of Supervisors:

RESOLUTION FOR ADDRESSING THE COUNTY OF APPOMATTOX PROPOSAL ON THE CONCORD/460 WATERLINE AND THE TOWNS MANAGEMENT OF ITS WATER AND SEWER INFRASTRUCTURE

WHEREAS, for many years, the Town of Appomattox (the "Town") has provided water and sewer utility services to Town citizens, and in some instances to County (County of Appomattox) citizens; and

WHERAS, the Town and County have been discussing the Rte. 460 waterline for numerous years; and

WHEREAS, the Town of Appomattox is not projected to utilize its present capacity to supply water for its customers for many years; and

WHEREAS, the Town desires to control its resources, growth, governance and destiny to the extent allowed by the Commonwealth of Virginia; and

WHEREAS, the Town desires to cooperate with the County to the extent that it is mutually beneficial,

NOW, THEREFORE BE IT RESOLVED, the Town Council agrees to the following actions to resolve the waterline issues as follows;

1. The Town Council agrees to provide contract services to the County for maintenance of the County's 460 waterline. The services shall be provided through a duly executed long-term agreement.

2. The Town Council agrees to provide contract services to the County for billing services for the County's customers. The services shall be provided through a duly executed long-term agreement.

3. The Town Council shall review its established policy for charging different rates to in-town and out-of-town customers. Any revision of this policy shall be provided through Council action on its current Utility Rate Schedule.

4. The Town Council is open to future consideration of purchasing a portion of its water supply from the County through wholesale purchase agreement while maintaining the Town's full capacity to utilize its wells (water supply resources).

5. The Town Council's willingness to execute item number four above is predicated on the County allowing the Town to mutually benefit from the waterline with a friendly agreement on boundary adjustments along the 460 corridor (east and west). The adjustments could be phased in over a time line coordinated with a percentage of sue of the water available from the waterline. The Town is willing to consider the extension of sewer to areas along the 460 Corridor that would be included in any boundary adjustment.

6. The Town Council requires an agreement between the Town and County for any discussions involved with CCUSA on water rates. An executed contractual agreement reviewed and approved by both parties would be necessary.

FURTHERMORE, LET IT BE RESOLVED, that the Council instruct staff to immediately take steps to faithfully pursue actions (some already in progress) to improve, expand, enhance, preserve and protect water resources of the Town so as to promote reasonable Town growth and competitiveness;

AND FURTHERMORE, the Council instructs the staff to immediately take steps to insure compliance with existing discharge limits at its wastewater facilities in accord with the Consent Order issued by the Commonwealth of Virginia on zinc levels.

All members present voting aye. Motion carried.

On a motion by Councilman Williams, seconded by Councilwoman Jamerson-Scruggs, Council voted to meet with the Appomattox County Board of Supervisors to discuss the bullet points of the above resolution (both the Town's and County's position) between August 10, 2009 and September 15, 2009. All members present voting aye. Motion carried.

Council Concerns –
None

On a motion by Councilwoman Jamerson-Scruggs, seconded by Councilman Williams, Council voted to adjourn at approximately 9:00 pm. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

Verbatim minutes from the Workshop Meeting on Tuesday, August 25, 2009 – 7:00 pm

Bart Van Nieuwenhuise:
"Attended a meeting with Anderson & Associates on the current groundwater study. We are in the process and have sent out numerous letters for permission from property owners to look at for four potential sites that have been identified. The existing data and aerial analysis of fractures and fault lines. The meeting was very productive. Their geologist subcontractor was very optimistic about finding water at these four sites in the depth of 600-800 feet. We will proceed on those four sites as far as getting permission from the property owners. We had a list of 85 property owners we have reduced it to working with 8 for those four sites."

Prepared by:

_____

Roxanne W. Paulette
Clerk of Council

At the Workshop Meeting of the Appomattox Town Council held on August 25, 2009 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Jennifer Jamerson-Scruggs. Absent was Karl E. Carter. Also in attendance were Chad Millner, Nina Beasley, Mary Lou Spiggle, Cliff Harvey, Joyce Bennett, Stephanie James, Benny Harvey, Mary Williams, Carlton Duck, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Mayor Harvey asked Council for permission to allow Mr. Cliff Harvey to address council.

Mr. Cliff Harvey, 168 First Street, Appomattox, Virginia:
Mr. Harvey thanked council for the opportunity to speak regarding a petition that will be circulating soon.

Mayor Harvey citing fairness to others gave an opportunity for anyone else to speak before council.

There were no other public comments.

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

RESOLUTION OF APPOINTMENT OF INDIVIDUALS AS AUTHORIZED REPRESENTATIVES FOR USEPA STAG FUNDING APPLICATION/IMPLEMENTATION PROCESS

WHEREAS, the Town of Appomattox desires to enter into a grant agreement with the United States Environmental Protection Agency for the purpose of upgrading its water and sewer infrastructure, and

WHEREAS, the United States Environmental Protection Agency requires that the Town Council of the Town of Appomattox provide a list of approved representatives which will be authorized to execute official documents elated to the application for and securing of federal funds from the United States Environmental Protection Agency to construct said improvements to the town's infrastructure, and

WHEREAS, it is the intent of the Town of Appomattox to proceed with these capital improvements recognizing that without the financial assistance of the aforementioned grant funds these improvements would not be possible.

NOW, THEREFORE BE IT RESOLVED, that the Town of Appomattox does hereby appoint Paul D. Harvey, Mayor for the Town of Appomattox, and Bart S. Van Nieuwenhuise, Town Manager for the Town of Appomattox as its authorized representatives to execute any of the required

documents relating to the USEPA STAG funding application/implementation process mentioned previously in the body of this resolution.

All members present voting aye. Motion carried.

On a motion by Mr. Williams, seconded by Mr. Mayberry, Council voted to suggest changing the date of the joint meeting with the Appomattox County Board of Supervisors to September 10, 2009 at 6:00 p.m., subject to the meeting being televised and with the details and format of the meeting to be arranged by town and county staff. All members present voting aye. Motion carried.

Reports & Updates

Finance – none
Fire & Safety – none
Ordinance – none
Personnel – Mr. Williams reported that a meeting will be set up for next week.
Street & Property – Mr. Baine reported that the committee met and discussed several topics.
Utility – Mr. Mayberry reported that it is possible there will be a joint Utility and Personnel Committee next week. Mr. Mayberry also reported on the SBR progress.

Staff Reports
Town Attorney – none
Town Manager – submitted

Council Concerns
Mr. Mayberry submitted a proposal to the Town Council members for discussion regarding a letter received by the Spout Spring Ruritan Club soliciting donations for a concession stand at the Appomattox Community Park (Police Tower Road).

On a motion by Mr. Mayberry, seconded by Mr. Williams, Council voted to adjourn at 7:40 pm. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

At the Regular Meeting of the Appomattox Town Council held on September 14, 2009 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams and Jennifer Jamerson-Scruggs. Absent: Karl E. Carter. Also in attendance were Barbara Shelton, Bill Jamerson, Bill Goodrich, June Goodrich, Lucy Harvey, Ben Harvey, Frances Lewis, Chad Miller, Nina Beasley, Bob Goode, Hazel Thomas, Mary Williams, Joyce Bennett, Clifford Harvey, Bryan David, Mary Lou Spiggle, Ron Lankford, Sam Carter, Billie Carter, Paul Coviello, John Therkelson, Danny Hylton, Deborah Lester, Harold Lester, Carlton Duck, Frank A. Wright, Jr., Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

On a motion by Mr. McDearmon, seconded by Ms. 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 retained by the Town regarding specific legal advice by such counsel, the subject matter of such meeting being legal advice pertaining to the potential purchase of 4.0 acres of land by the Town of Appomattox to be used for the Museum of the Confederacy.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Absent – Carter.

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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Absent – Carter.

Mayor Harvey welcomed everyone to the meeting.

Rev. Carlton Duck gave the invocation.

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. Williams, Council voted to adopt the consent agenda of September 14, 2009 as presented. All members present voting aye. Motion carried.

**An archive copy of the DVD from the meeting is on file and available to provide complete details of the public comments.*

Public Comments –

Mary Lou Spiggle – 129 Pine Street, Appomattox, Virginia
Thanked everyone for the opportunity to speak. Spoke in favor of the waterline from Concord to Appomattox.

Joyce B. Bennett – 465 Morton Lane, Appomattox, Virginia
I have always defended the town because we get more services. Spoke in favor of the waterline from Concord to Appomattox.

Cliff Harvey – 168 First Street, Appomattox, Virginia
Cited the Appomattox Pictorial (book) and asked questions regarding the boundary line adjustment. Spoke in favor of the waterline from Concord to Appomattox.

Nina Beasley – Pumping Station Road, Appomattox, Virginia
Thanked council and the mayor for the opportunity to speak. Asked that everyone set their personal feelings aside and do what is right for the people. If you don't work with the county I will hook on to the Concord waterline if given the opportunity.

Chad Millner – Promise Land Road, Appomattox, Virginia
Mr. Mayor and Council members thank you. Spoke regarding the inaccuracies of the report in the agenda package. It is my hope that the information will be revised as to provide correct information to the public.

Bill Jamerson- Jamerson Building Supply and J.E. Jamerson & Sons – Appomattox, Virginia
I have been a quiet pro of the waterline. I have been a supporter since day one. I was for the waterline when I was on the supervisors 18 years ago. I am for the waterline but I am very much against a water authority. I am afraid that if the town and county cannot settle their differences that is where we are headed. The authority would be another level of bureaucracy with administrators, staff, vehicles, etc. The Town has the ability to manage this water system. Mr. Jamerson recommended two council members, two board members and one facilitator meet and give them the freedom to negotiate and come back to each body.

Deborah Lester – Appomattox Gallery – Appomattox, Virginia
I think we will get a waterline probably sooner rather than later. I don't like bullying and threats going around and that is what sparked my interest. She encouraged others to stick to the facts and asked for everyone to drop the phony rhetoric. I live in Pamplin and will be paying taxes for the other end of the county to profit from.

Paul Coviello – Wreck Island District – Appomattox, Virginia
I share Mr. Jamerson's view of the public service authority. The financial well being and liberty of the citizens should be first and foremost in your minds. Please move to protect the financial well being of the citizens by working together to ensure that we do not have a service authority.

***The complete presentation is available from the archive copy of the DVD on file at the Appomattox Municipal Building.*

Mayor's Comments –
Mayor Harvey had a panel of guests present to provide information and he gave a power point presentation to the public regarding the Concord to Appomattox waterline.

Appearances – None

Unfinished Business – None

New Business –
On a recommendation by the Ordinance Committee, Council voted to amend the Code of the Town of Appomattox, Chapter 195, to add a new section entitled Article XIII thereof, entitled "Sign Ordinance". All members present voting aye. Motion carried. (Ordinance attached)

Council had a brief discussion of the funds for the concession stand at the Community Park. By consensus the item was referred to the Finance Committee.

Appointments to Boards, Commission and Committees
Appointment, Board of Zoning Appeals – The Town Clerk will contact Mr. Johnnie Roark, County Planner regarding the term expiration for Mr. Cliff Harvey and information regarding advertising of the vacancy for the Board of Zoning Appeals.

Pending Matters
Mr. Van Nieuwenhuise provided information regarding past discussion of the Concord waterline. We have been indeed doing extensive testing in the water and sewer system regarding copper and zinc levels. Predominately the high zinc and copper levels are coming from our large water users. Contrary to some public perception we do not throw chemicals at the water. All water systems use chemicals to remove chemicals from the water. We are currently only operating 4 of our 8 wells. It is to allow for the systemic recharge of the wells allowing them to rest. The information is in the agenda packet.

Council Concerns
None

On a motion by Councilwoman Jamerson-Scruggs, seconded by Councilman Williams, Council voted to adjourn at 9:00 pm. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

Workshop Meeting
Tuesday, September 29, 2009

At the Workshop Meeting of the Appomattox Town Council held on September 29, 2009 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Karl E. Carter and Jennifer Jamerson-Scruggs. Also in attendance were Ronnie Lankford, Duffy Taylor, Cliff Harvey, Barbara Shelton, Chad Millner, Nina Beasley, Mary Lou Spiggle, Stephanie James, Carlton Duck, Derek Norfield, Frank A. Wright, Jr., Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

On a motion by Mr. Williams, seconded by Mr. Carter, 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 understanding of the Town Charter, specifically the authority and/or responsibility of the Mayor, Manager and Town Council.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted 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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Carter – aye, Jamerson-Scruggs – aye. Motion carried.

Mayor Harvey welcomed everyone to the meeting.

Consideration of any action items from the closed session – None

There was a discussion of terms limits for the Mayor and members of the Town Council. Frank Wright, Town Attorney advised that the Charter would have to be changed in order to place term limits on members of Council or the Mayor. A public hearing or referendum would be required before submitting Charter changes to the General Assembly. Mr. Baine would like to see a referendum in place of a public hearing. Ms. Jamerson-Scruggs would like to see creative ways of limiting terms. There was no further discussion.

Updates from Standing Committees

Finance Committee – The Finance Committee met on Monday, September 28, 2009 and discussed the fundraising request of the Spout Spring Ruritan Club. The Ruritan Club is the lead organization for fundraising and handling oversight for the project that will consist of construction a concession stand, press box and restrooms at the multi-purpose community park located on Route 613.

On a motion by Mr. McDearmon, the Finance Committee is recommending to donate $10,000 for Fiscal Year 2010 to the Appomattox County Sports Complex Fund designated for the concession and restroom facility. All members present voting aye. Motion carried.

Fire & Safety Committee – The Fire & Safety Committee met on September 16, 2009 and discussed the next town newsletter. The newsletter is scheduled to be printed and mailed in November 2009. The newsletter will also include an emergency reference brochure for citizens.

Ordinance Committee – The Ordinance Committee is scheduled to meet on Wednesday, October 7, 2009 at 10:00 am regarding the Leash Law.

Personnel Committee – The Personnel Committee reports that the Town is fully staffed. The Town will be putting its best forward in a couple of weeks for the annual Railroad Festival.

Street & Property Committee - The sidewalk on Confederate Blvd will be installed soon. The fence is complete at the Town Office. At the next meeting of the Street and Property Committee, the members will discuss with Region 2000 sidewalk projects and plans for parks and green space.

Utility Committee – An update on the SBR plant will be given by the Town Manager.

Staff Reports –

Mr. Van Nieuwenhuise reported on the following:

- Website development continues to move forward. Mr. Van Nieuwenhuise has requested input on the logo design.
- The study of the wastewater is complete and monitoring has been scaled back.
- Tobacco Free Policy is in full effect.
- The stainless steel has been installed at the SBR facility.
- The wall/barrier at the SBR will be poured next week.
- Visioning process – layout of information has been created and the Town Manager and Clerk have discussed potential dates. Coordination with the facilitator and location are ongoing.
- Railroad Festival activities:
    - 59 Arts and Crafts vendors
    - 23 non-profit vendors
    - 20 concession vendors
    - 13 sponsors
    - 4 musical stages with 31 different acts

- Parade – 10:30 on Saturday, October 10, 2009
- Street Dance – 8:00 pm – 11:00 pm on Saturday, October 10, 2009
- Fireworks – 9:00 pm – Saturday, October 10, 2009
- Fireman's Competition – 1:00 pm – Courtland Field – Sunday, October 11, 2009
- Teddy Bear Parade – 2:00 pm - Methodist Church – Sunday, October 11, 2009
- A website has been created for the event – appomattoxrailroadfestival.com

Council Concerns –
Mr. Carter apologized for not being present at the last two meetings of the Town Council. He voiced concern over the September 14, 2009 meeting. He obtained a DVD copy of the meeting and was embarrassed at the behavior of the speakers and audience. Mr. Carter referenced the Code of Ethics and Bylaw and Rules of the Town Council that were adopted in July 2008. Conduct of the public should be of the highest decorum and council can prohibit such behavior as has occurred within the last several meetings. When citizens address council they should be treated with courtesy and respect. Mr. Carter suggested getting a time clock and reminding speakers when they approach 2:45 so they can stop at 3:00 minutes.

Mayor Harvey apologized for not handling the meetings as outlined in the Code of Ethics or Bylaws and Rules for Standards of Conduct.

Mr. Carter asked Mr. Van Nieuwenhuise if a signed copy of the contract had been obtained from Appomattox County between the County Board of Supervisors and Campbell County Utility Service Authority. Mr. Van Nieuwenhuise said he had a draft but not a signed copy.

On a motion by Mr. Mayberry, seconded by Ms. Jamerson-Scruggs, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC Clerk	Paul D. Harvey, Mayor

The Appomattox Town Council held a regular council meeting on Monday, December 14, 2009, at 6:30 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs. Absent Karl E. Carter.

Others: Frank A. Wright, Jr., Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Town Clerk.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to convene in Closed Session pursuant to
Mayor Harvey called the meeting to order and welcomed the guests.

Rev. Carlton Duck gave the invocation.

Public Comments – none

Mayor's Comments – Mayor Harvey thanked the Community of Candles committee for a successful event on Sunday, December 6, 2009. The parade was wonderful. Thank you to June Chenault, Shirley Wheeler and the Appomattox Assembly. He also thanked the Town Staff for the decorations at the Town Office that took second place in the Municipal Building decoration contest. Mayor Harvey recognized the Appomattox Raider Football team on their success this year. Best Wishes and a continued recovery for Mr. Karl Carter after his recent surgery. From the Appomattox Town Council, Staff and Mayor wished everyone a Season's Greetings and bountiful New Year.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to adopt the consent agenda of December 14, 2009 with the removal of Appearance #1 – G. Mike Damron. All members present voting aye. Motion carried.

Gary Christie, Executive Director, Local Government Council gave council an update on the continued work of Region 2000 Local Government Council. He provided a brochure that explains all six (6) departments within their offices at the Bank of the James building. Mr. Christie explained how localities pay dues to the Local Government Council and the opportunities provided to localities. One project of note is a federally funding Economic Development Administration. It will take about 12 months to develop. Once approved Region 2000 will be eligible for federal grants that we are not eligible for today.

Bryan David, Executive Director, Economic Development Council thanked council for opportunity to speak to you tonight. Mr. David is excited to be working with the best leadership in the Region. Mr. David worked out a scope with Fletcher Mangum to create "The Contribution That Virginia's Region 2000 Partnership Makes to Region 2000's Economy". The region is going through some changes by creating high value and high paying jobs. One of the things that become very difficult is that we can create good high value wages it benefits the economy of these localities. Despite the economic downturn there are some growth trends. A lot of the job

growth is created by small business. Those folks are here now. We need to help create entrepreneurship. We will be working with our Technology Council who is working with Middle Schoolers to create the STEM initiative and as time goes on it will be successful. The telecommunications infrastructure is crucial and we have the ability to provide broadband service at the end of the day.

Bryan Baine worked with Kelly Hitchcock on the Safe Routes to School Program and Long Range Bicycling Plan. Mr. Baine thanked Region 2000 for the assistance and looks forward to a continued partnership.

Jennifer Jamerson-Scruggs asked when the Economic Strategy would be complete. Mr. David responded within 12 to 14 months maybe even 18 months.

Unfinished Business – none

New Business –
Councilmember Jamerson-Scruggs presented a concept of "Student of the Month" program. Council could allow the school administration to choose a student that displays leadership skills and their level of responsibility. A plaque would be presented by the Town Council to student chosen. Councilmember Jamerson-Scruggs said she thought it was a good program. Mr. Mayberry wanted to know which school would be targeted and if more information would be forthcoming. Ms. Jamerson-Scruggs suggested middle school age and gave guidelines of cost of roughly $270 a year. Mr. Baine thinks it is a great idea and there is nothing negative about the program. Mr. Mayberry suggested that maybe a business should sponsor the program. The Town could possibly be hit with future requests. Mr. Williams raised concern that the school system is county run and that the school board runs the school system and that the town has any say and we can have a support sense and I would feel better if the school board rubber stamped it or if we went in together with them. Mr. Mayberry said that maybe the school board isn't even aware that a program even exists like this. Ms. Jamerson-Scruggs stated it is irrelevant would recognizes the students as long as someone does.

The item will be tabled until the regular meeting in January 2010 pending more research.

Councilmember Baine suggested meeting twice a year with the Appomattox County Board of Supervisors. The item was suggested but meetings did not materialize. We should offer the two meetings again. Mr. Van Nieuwenhuise will talk with Mrs. Ferguson regarding 2010 dates for the meeting.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted recommend William Coupe to the Circuit Court Judge as the Town's representative on the joint Board of Zoning Appeals with a term expiring December 31, 2013. All members present voting aye. Motion carried.

Pending Matters –
Council gave consensus that the December 29, 2009 Council Workshop meeting could be decided by staff predicated on agenda material.

Council Concerns –
Councilmember Jamerson-Scruggs:
I want to make a few comments and references to Mike Damron's letter that was submitted to Mayor Harvey and is a part of our agenda package. I am sorry that he couldn't be here tonight I was certainly looking forward to some healthy debate back and forth and questions answered. However, back in 2006 most of you know when I was newly elected on Town Council I didn't know a lot about the water situation or the waterline controversy nor did I campaign on it either way. What I said is that I would certainly research both sides and form my decision and part of that I did by setting an appointment with Mr. Damon with CCUSA and Mr. Garrett, Town Manager at that time went with me and we went over some things. We went over the B & V study and methodology and at that time there were a few areas of rate methodology that concerned me. Now, back in October I presented some things to this council and I don't know if I was in a position of authority if I would have addressed a news article because third party information sometimes can be misstated and misunderstood. However I would like to address parts of that letter.

Paul,

This e-mail is in regard to the statements I read in the Appomattox Times-Virginian dated October 21, 2009. The statements were credited to Jennifer Jamerson-Scruggs. I am not sure how accurate the article is and maybe some things were taken out of context but what I wanted to clarify is the rate history with the Town of Altavista and the rate structure process.

I have attached a spreadsheet with 7 years of data that outlines the rate history with the Town of Altavista. In the above referenced newspaper article, the following statements were made that I disagree with:

"Based on the rate methodology from Black and Veatch water study, the rates went up from 88 cents per 1000 gallons in 2004 to $1.02 per 1000 gallons in 2006." What I want to clarify is that during this 3 year period, the water rates did increase substantially due to the reduction of water usage system wide. The more water that is used system wide, the cheaper the unit cost i.e. the cost per gallon decreases.

Now I understand that in theory and if you flip back and look at his seven year articulated information from Altavista and you look at that 3 year period in 2004 he is using 100 c.ft. typically what we look is per 1000 gallons. I looked at the invoices we had from the Town of Altavista and I looked at the per 1000 gallons rates and the 100 cu. ft. in that 2004 the cu. Ft.

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

_____ _____

Roxanne W. Paulette Paul D. Harvey

Clerk Mayor

Appomattox Town Council
Special Call Meeting
October 21, 2009

At the Special Call Meeting of the Appomattox Town Council held on October 21, 2009 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams and Jennifer Jamerson-Scruggs. Absent: Karl E. Carter. Also in attendance were Nina Beasley, Chad Millner, Mary Lou Spiggle, Cliff Harvey, Joyce Bennett, Stephanie James, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mayor Harvey cited the purpose of the meeting and discussion and possible consideration of a friendly boundary line adjustment as it pertains to the negotiations of the waterline from Concord to Appomattox.

Maps were distributed to each council member for review and discussion.

Council members Baine and Jamerson-Scruggs suggested that each council member review the maps and meet individually with the Town Manager to discuss their ideas.

Council members McDearmon and Mayberry requested that boundaries be set in an open meeting.

Bart Van Nieuwenhuise, Town Manager provided rough preliminary figures for a friendly boundary line adjustment. The largest expenses would be the survey ($15,000-$20,000) and legal fees of ($5000). An unfriendly boundary line adjustment could cost $100,000 plus expenses.

Council discussed various footage depths from Highway 460 West. Council suggested having the areas on one layout (piece of paper) so that they could easily outline the areas of interest and then meet with the Town Manager individually.

Mayor Harvey thanked everyone for coming and asked that everyone give their suggestions to the Town Manager.

On a motion by Council member Williams, seconded by Council member Jamerson-Scruggs, council voted to adjourn at 7:30 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Paul D. Harvey
Mayor

Workshop Meeting
Tuesday, October 27, 2009

At the Workshop Meeting of the Appomattox Town Council held on October 27, 2009 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, C. Lewis McDearmon, Jr., John T. "Plicky" Williams and Jennifer Jamerson-Scruggs. Absent were Karl E. Carter and N. H. "Jimmy" Mayberry. Also in attendance were Stephanie James, Mary Lou Spiggle, Chad Millner, Will Simmons, Derek Norfield, Carlton Duck, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Mayor Harvey advised the council members of a Grand Opening and Ribbon Cutting Ceremony scheduled for Friday, November 13, 2009 for J.A.M. House Teen Center located in the former County Carpet & Tile building at 1953 Church Street, Appomattox.

Updates from Standing Committees

Finance Committee – No report

Fire & Safety Committee – has not met since the September workshop meeting. The second town newsletter is scheduled for distribution the first week of November.

Ordinance Committee – No report

Personnel Committee – No report

Street & Property Committee – The Street & Property Committee met on Wednesday, October 21, 2009 and discussed the four (4) applications received for the five (5) vacancies on the Tree Board.

On a recommendation of the Street & Property Committee, Council voted to appoint the four (4) applicants received, those being John Wilson, Catherine Zdgiebloski, Eric Ferguson and Jean Doherty to the Appomattox Tree Board. All members present voting aye. Motion carried.

Utility Committee – No report

Staff Reports –
Bart S. Van Nieuwenhuise, Town Manager gave a brief summary of the Managers and Staff Reports (a hard copy is on file).

Will Simmons, Director of Tourism gave a power point presentation of updated material provided by the Department of Tourism in recent months including a new Appomattox brochure, advertisements and the Appomattox Railroad Festival.

Council Concerns –
None

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. McDearmon, Council voted to adjourn at 7:18 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

Workshop Meeting
Tuesday, October 27, 2009

At the Workshop Meeting of the Appomattox Town Council held on October 27, 2009 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, C. Lewis McDearmon, Jr., John T. "Plicky" Williams and Jennifer Jamerson-Scruggs. Absent were Karl E. Carter and N. H. "Jimmy" Mayberry. Also in attendance were Stephanie James, Mary Lou Spiggle, Chad Millner, Will Simmons, Derek Norfield, Carlton Duck, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

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Utility Committee – No report

Staff Reports –
Bart S. Van Nieuwenhuise, Town Manager gave a brief summary of the Managers and Staff Reports.

Will Simmons, Director of Tourism

Council Concerns –
None

On a motion by Ms. Jamerson-Scruggs, seconded by Mr. McDearmon, Council voted to adjourn at 7:18 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Clerk

Paul D. Harvey,
Mayor

Regular Council Meeting
Monday, November 9, 2009

The Appomattox Town Council held a regular council meeting on Monday, November 9, 2009 at 7:30 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, John T. "Plicky" Williams, Karl E. Carter, and Jennifer Jamerson-Scruggs. Absent: C. Lewis McDearmon, Jr.

Others: Derek Norfield, Carlton Duck, Stephanie James, Duffie Taylor, Mary Lou Spiggle, Chad Millner, Benny Harvey, Ben Harvey, Lucy Harvey, Mary Frances Carter, Rev. Ernie Lucas, Samuel E. Carter, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Harvey called the meeting to order and welcomed the guests.

Rev. Ernie Lucas gave the invocation.

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council voted to adopt the consent agenda of November 9, 2009 as presented. All members present voting aye. Motion carried.

Public Comments –
Mary Lou Spiggle – 129 Pine Street, Appomattox, Virginia – Spoke to Council regarding the Town Visioning Process being scheduled on Wednesday nights. Wednesday is a normal church night and it is difficult to attend a visioning process meeting on the same night. She asked for consideration to change the night or even include a Saturday meeting in the process.

Sam Carter – 307 Morton Lane, Appomattox, Virginia – Congratulated Council on another successful Railroad Festival. It is economically beneficial to the Town as well as provides fellowship for the community. Without the Town's support it would not be as successful. He thanked Council and congratulated them again for a job well done.

Mayor's Comments –
Mayor Harvey responded to some of the questions presented to him regarding the Visioning Process. The Wednesday nights were chosen because of the location being available. Mayor Harvey would speak to staff regarding a daytime or Saturday meeting. The survey is available at the Appomattox Town Office, 210 Linden Street for any out of town residents who may to complete one. All surveys are due back to the Town Office by November 20, 2009.

Appearances – None

Unfinished Business – None

New Business –
On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council voted to approve the expenditure of $28,950.00 for the Industrial Park Pump Station. All members present voting aye. Motion carried.

Council discussed the possibility of cancelling the November Workshop meeting scheduled for Tuesday, November 24, 2009. If there is no agenda material for the meeting by Tuesday, November 17, 2009 Council gave consensus to cancel the meeting. Notice will be properly given if the meeting is cancelled.

Appointments to Board, Commissions and Committees –
The Clerk reported that one application had been received for the Board of Zoning Appeals. The application will be submitted in December 2009 for consideration.

Pending Matters – none

Council Concerns –
Mr. Mayberry asked for an updated on the SBR remedial progress. Mr. Van Nieuwenhuise responded that progress continues on the plant.

Mr. Williams asked for the projected opening date of Wal-Mart. Mr. Van Nieuwenhuise responded in the spring of 2010.

Mr. Williams also asked if there were any developments with the Museum of the Confederacy. Mr. Van Nieuwenhuise replied that the two attorneys (Town & MOC) are working on the language for the memorandum of understanding.

Mr. Van Nieuwenhuise, Town Manager reported that he had obtained the necessary signatures for the purchase of the hydraulic equipment for the 2010 Dump Truck at the cost of $8,800.00.

Mr. Van Nieuwenhuise also reported that he had received a request for a bon-fire event on November 19, 2009 at 6:00 pm to 6:00 pm at the Appomattox Triangle Shopping Center. The event meets all the requirements of the burning ordinance.

Mayor Harvey reminded Council of the Ribbon Cutting Ceremony on November 13, 2009 for the Teen Center on Church Street and November 20, 2009 for the Antiques and More of Appomattox on Atwood Street hosted by the Appomattox County Chamber of Commerce.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Mayberry, Council voted to adjourn at approximately 7:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

The Appomattox Town Council held a regular council meeting on Monday, December 14, 2009, at 6:30 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs. Absent: Karl E. Carter.

Others: Chad Millner, Nina Beasley, Mary Lou Spiggle, Bryan David, Gary Christie, June Goodrich, Bill Goodrich, Hazel Thomas, Sam Carter, Cliff Harvey, Frank A. Wright, Jr., Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Town Clerk.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, 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 retained by the Town regarding specific legal advice by such counsel, the subject matter of such meeting being the legal options available to the Town to address unapproved changes to the Wal-Mart building design.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – absent. Motion carried 5-0.

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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – absent.

Mayor Harvey called the meeting to order and welcomed the guests.

Rev. Carlton Duck gave the invocation.

Public Comments – none

Mayor's Comments – Mayor Harvey thanked the Community of Candles committee for a successful event on Sunday, December 6, 2009. The parade was wonderful. Thank you to June Chenault, Shirley Wheeler and the Appomattox Assembly. He also thanked the Town Staff for the decorations at the Town Office that took second place in the Municipal Building decoration contest. Mayor Harvey recognized the Appomattox Raider Football team on their success this year. Best Wishes and a continued recovery for Mr. Karl Carter after his recent surgery. Mayor Harvey wished everyone Season's Greetings and a bountiful New Year from the Appomattox Town Council and Staff.

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Gary Christie, Executive Director, Local Government Council gave council an update on the continued work of the Region 2000 Local Government Council. He provided a brochure that explained all six (6) departments within their offices at the Bank of the James building. Mr. Christie explained how localities pay dues to the Local Government Council and the opportunities provided to localities. One project of note is a federally funded Economic Development Administration. It will take about 12 months to develop. Once approved Region 2000 will be eligible for federal grants that we are not eligible for today.

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Bryan Baine worked with Kelly Hitchcock on the Safe Routes to School Program and Long Range Bicycling Plan. Mr. Baine thanked Region 2000 for the assistance and looks forward to a continued partnership.

Jennifer Jamerson-Scruggs asked when the Economic Strategy would be complete. Mr. David responded within 12 to 14 months maybe even 18 months.

Unfinished Business – none

New Business –
Councilmember Jamerson-Scruggs presented a concept of "Student of the Month" program. Council could allow the school administration to choose a student that displays leadership skills and their level of responsibility. A plaque would be presented by the Town Council to the student chosen. Councilmember Jamerson-Scruggs said she thought it was a good program. Mr. Mayberry wanted to know which school would be targeted and if more information would be forthcoming. Ms. Jamerson-Scruggs suggested middle school age and gave guidelines of cost of roughly $270 a year. Mr. Baine thinks it is a great idea and there is nothing negative about the program. Mr. Mayberry suggested that maybe a business should sponsor the program. The Town could possibly be hit with future requests. Mr. Williams raised concern that the school system is county run and that the school board runs the school system. The town does not have say but we can have a sense of support and I would feel better if the school board rubber stamped it or if we went in together with them. Mr. Mayberry said that maybe the school board isn't even aware that a program even exists like this. Ms. Jamerson-Scruggs stated it is irrelevant who

implements the program as long as the students are recognized. The item will be tabled until the regular meeting in January 2010 pending more research.

Councilmember Baine suggested meeting twice a year with the Appomattox County Board of Supervisors in 2010. The item was suggested in 2009 but meetings did not materialize. Mr. Baine suggested offering the two meetings again. Town Council members gave consensus to the suggestion. Mr. Van Nieuwenhuise was asked by Council to talk with Mrs. Ferguson regarding 2010 dates for the meeting.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to recommend William Coupe to the Circuit Court Judge as the Town's representative on the joint Board of Zoning Appeals with a term expiring December 31, 2013. All members present voting aye. Motion carried.

Pending Matters –
Council gave consensus that the December 29, 2009 Council Workshop meeting could be decided by staff predicated on agenda material.

Council Concerns –
Councilmember Jamerson-Scruggs:
I want to make a few comments and references to Mike Damron's letter that was submitted to Mayor Harvey and is a part of our agenda package. I am sorry that he couldn't be here tonight, I was certainly looking forward to some healthy debate back and forth and questions answered. However, back in 2006, most of you know, when I was newly elected on Town Council, I didn't know a lot about the water situation or the waterline controversy nor did I campaign on it either way. What I said is that I would certainly research both sides and then form my decision and part of that I did by setting an appointment with Mr. Damon with CCUSA and I asked Mr. Garrett, Town Manager (at that time) to go with me and we went over some things. We went over the Black & Veatch engineering study and rate methodology and at that time there were a few areas of the rate methodology that concerned me. Now, back in October 2009, I presented some things to this council and for whatever reason I don't know if I was in a position of authority if I would have addressed a news article because third party information sometimes can be misstated or misunderstood. However I would like to address the first part of that letter tonight.

(reading from the email in the agenda package)
Paul,

This e-mail is in regard to the statements I read in the Appomattox Times-Virginian dated October 21, 2009. The statements were credited to Jennifer Scruggs. I am not sure how accurate the article is and maybe some things were taken out of context but what I wanted to clarify is the rate history with the Town of Altavista and the rate structure process.

I have attached a spreadsheet with 7 years of data that outlines the rate history with the Town of Altavista. In the above referenced newspaper article, the following statements were made that I disagree with:

"Based on the rate methodology from Black and Veatch water study, the rates went up from 88 cents per 1000 gallons in 2004 to $1.02 per 1000 gallons in 2006." What I want to clarify is that during this 3 year period, the water rates did increase substantially due to the reduction of water usage system wide. The more water that is used system wide, the cheaper the unit cost i.e. the cost per gallon decreases.

Jamerson-Scruggs:
Now I understand that in theory but if you flip back and this what I want to point out to this council and you look at his seven year articulated information from Altavista and you look at that three year period in 2004 now he is using in his methodology based on 100 cubic feet. Typically, what we (Town of Appomattox) look at is per 1000 gallons. I also went back to the invoices we had from the Town of Altavista and I looked at the per 1000 gallon rates and the 100 cubic feet rates. In that, the 100 cubic feet was $0.73, the 1000 gallon is $0.96 and that is referenced from the Hurt & Proffitt package from January 28, 2006, those invoices. Now, if you go from 2004 to 2006 the per 1000 gallon rate is $1.12. In that three year period , their rate for that three year period went up 16.67%. This is the point I was trying to drive home in October 2009. Now lets go down to the actual usage Mr. Damron has on his chart in 2004 of 550,196,000 gallons and look at 2006 – 599,132,000 gallons in that three year period Altavista increased their usage by 48,936,000 gallons and their rates went up 16.67% and that is just in a three year time period.

So, when Mr. Damron in his letter references that the reduction of water usage system wide and my question would be where is the reduction in the system overall with the Town of Altavista being their largest water customer and they increased by almost 50,000,000 gallons in a three year period. And now that the Town of Altavista is not with buying their water from Campbell County Utility Service Authority, Campbell County Utility Service Authority is now engaged in a contract buying water from the Town of Altavista, how is that going to affect the overall usage of Campbell County Utility Service Authority's system – it reduces the usage, it reduces it. So, that's the first thing I would like to address and that's from Campbell County Utility Service Authority numbers given us.

The next paragraph and that will be the last thing I address tonight. I have asked the clerk to record the minutes verbatim so it would be a matter of record in the agenda.

(reading from the email in the agenda package)
"A year and half ago on the same gallon usage, Campbell County was able to lower its cost by 3.8 percent. However, an increase in a year and a half their water rate increased by 10 percent." As the attached chart shows, actual expenses have increased each year since 2002. I am not sure where a cost reduction 3.8 percent came from.

Jamerson-Scruggs:
Now he's (Mr. Damron) referencing the article from the paper dated October 21, 2009 of my comments in this council.

(reading from the email in the agenda package)
In FY07, the provisional rate and audited rate were the same but expenses did increase. I would like to point out too that the Town of Altavista's usage went up each and every year except for a reduction in FY04.

Jamerson-Scruggs:
Well the misconception there is that I was not talking about Altavista's rates, and I was very specific in that meeting, I actually dispersed handouts. I was talking about the rate methodology for Appomattox water users and I have copies here and in that from the 2006 – Dec 12, 2007 Campbell County Utility Service Authority decreased their expenses by 3.8% and they increased water rates by 10% and that's factual, that's here, on what they have dispersed. That's what I presented and what I would like to clarify that there in the letter.

Mayor Harvey:
I am not sure why you are needing to defend this position and I understand that. There seems to be something you are leaving out. Campbell County Utility Service Authority originally had an agreement with Altavista that their rate would be cost plus 10%. They (CCUSA) switched over to the Black & Veatch methodology and obviously that cost went up because that methodology is considerably more expensive. I can't defend this position from him. Campbell County Utility Service Authority wasn't meeting their cost with the cost plus 10%.

Jamerson-Scruggs:
I would concede that the methodology changed but lets not make reference that we are talking about the statement here that the water rates and how its been proven here is its not going to matter how much water we use our rates are going to be indicative here of their system wide usage and ability to maintain cost and I don't care what methodology you use and it shows it here. And this is in their information.

Mayor Harvey:
I am not sure why we are discussing this here. I think it's a little unfair for us to put this information out without him being able to respond to it.

Jamerson-Scruggs:
I think it's a little unfair for Mr. Damron to respond to the Mayor in an email that a Council member made statements in a newspaper that was reported inaccurately if that's what Mr. Damron gets from it and it be a matter of public record and then I don't have the ability to respond and I feel as though I am justified in bringing it up tonight.

There were no other concerns by council.

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

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Special Call Meeting
December 22, 2009

At the Special Call Meeting of the Appomattox Town Council held on December 22, 2009 at 5:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding and Council members Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams and Jennifer Jamerson-Scruggs. Absent: Karl E. Carter. Also in attendance were Chad Millner, Stephanie James, Reed Johnson, Cliff Harvey, June & Bill Goodrich, Mary Lou Spiggle, Mr. Van Opstal, Marshall Goin, Dewitt Goin, Patrick Schroder, Will Simmons, Barbara Shelton, Teresa Murphy, BRR, Keith Morris, Wal-Mart, Tom Kline, Troutman & Saunders, George Joyner, Wal-Mart, Frank A. Wright, Jr., Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mayor Harvey cited the purpose of the meeting as discussion with Wal-Mart representatives regarding the building design.

Mayor Harvey introduced Teresa Murphy, Architect with BRR; Keith Morris, Public Relations with Wal-Mart; Tom Kline, Attorney with Troutman & Saunders and George Joyner, Area Market Manager with Wal-Mart.

Mayor Harvey thanked everyone for coming to the meeting to discuss the exterior building design.

Councilwoman Jennifer Jamerson-Scruggs opened the discussion by explaining that she contacted the Town Manager when she learned that the original exterior plans that called for columns and a vestibule had been deleted or altered. Those original plans were created and drawn by Wal-Mart and presented to Council. Wal-Mart explained from the beginning that would be the store Appomattox would be getting. Ms. Jamerson-Scruggs also explained that she understood that additional plans had been submitted and they really haven't been.

Councilmember Mayberry referred to Kelly Hobbs who was also involved originally with the project in Appomattox.

Councilmember Williams noted that in the small/fine print on the original drawings: "REPRESENTATION ONLY NOT FOR CONSTRUCTION" "BUILDING IMAGES SHOWN ARE A REPRESENTATION OF THE DESIGN INTENT AND MAY NOT REFLECT ANY SUBTLE VARIATIONS IN COLOR. MATERIAL OR CONSTRUCTION THAT MAY OCCUR DUE TO LOCAL MARTERIAL DIFFERENCES AND FINAL DESIGN DETAILING"

Councilwoman Jamerson-Scruggs had hoped that Wal-Mart would act in good faith regarding the exterior building design. However, cites that she realizes our lack of architectural ordinances could present a problem for the Town.

Councilmember Baine stated that as with any project most are happy, some are not. The Civil War history and all kinds of small groups of people aren't real excited including him but had hoped that the building exterior being of brick and preserving the archeological site would be

some consolation to some. But now he feels like a small bill of goods have been sold to them and he really doesn't appreciate it.

Tom Kline, Attorney, Troutman & Saunders – Responded to the concerns and what has transpired ---While the building was being permitted, closed on and construction about to begin, Wal-Mart was going through a review of their architectural design. Wal-Mart recognizes there was a lapse in communication between themselves and the Town. Appomattox is unique in that the County does building inspection and the Town does Zoning and Site Plan review. A Wal-Mart team member contacted the County and not the Town. The team recognized the communication error or lapse. As soon as that happened Teresa Murphy met with Bart. We understand the perception. What Wal-Mart has done is changed the brick exterior to a split face block. There has only been a change in material.

Wal-Mart is offering a coloring rendition close to brick, columns ¾ of the building high (not to the top of the building) and using Atlas Brick on the columns.

Mr. Mayberry asked about have the sides bricked on the smooth block. Ms. Murphy responded that that would not be possible because it is cost prohibitive.

Ms. Jamerson-Scruggs asked why the columns couldn't be higher than the building. Ms. Murphy responded that there have been some water-tightness issues and the lower columns adhere more to the architectural look of the new buildings.

Mr. Baine asked how many of the new buildings have vestibules. Ms. Murphy responded not many.

Ms. Jamerson-Scruggs asked what types of material were used in historical site for a 99,000 sq. ft. Supercenter. Mr. Klein and Ms. Murphy responded that it is usually mixed material.

Mr. Klein asked what could Wal-Mart do to bring it closer to the original design?
Ms. Jamerson-Scruggs said the original design makes a statement and the ¾ high columns does not make a statement.

Mr. Baine indicated that the columns look like bricked up doorways.

Mr. Kline indicated there is no functionality of the columns. Wal-Mart is trying to bring down the features so they are not so massive.

Mr. Mayberry said it looks like you could give back more than you are giving.

Mr. Klein stated that they have heard council's concerns and we will take them back to corporate.

Mayor Harvey stated that the renditions look like an afterthought.

Mr. Williams stated that in the original design the entrance sign in the below the roof line and the columns are above the roof line and in the proposal the entrance is above the roof line and the columns are ¾ the height of the wall. The loading/receiving docks have a wall that blocks the view. Will that wall be there to block the view? Ms. Murphy indicated that the wall will be placed as shown in the original design.

Mr. Mayberry asked as to the timeframe of the next design. Mr. Morris responded as soon as possible. Having been able to hear the concerns first hand has been helpful.

Again, Mayor Harvey thanked everyone for coming.

Mr. Klein recognizing the urgency of the project will try to provide revisions if approved to council members as soon as possible.

Mr. Baine asked if the archeological site marker has been changed or moved? Mr. Klein responded that he would check with the civil engineer. If there has been a modified drawing – it would have been submitted to the town.

Mr. Kline reminded Council of the unique situation here in Appomattox with the County handling Building Inspections and the Town handling Zoning and Site Plan approval. From Wal-Mart's perspective it was an honest miscommunication.

Ms. Jamerson-Scruggs asked about the grave site markers and the preservation of the graves. Mr. Kline again said he would speak with the Civil Engineer tomorrow. Mr. Van Nieuwenhuise advised Ms. Jamerson-Scruggs that one grave was relocated and the other wasn't found.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to adjourn at 5:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, January 11, 2010 at 7:30 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs. Absent: Karl E. Carter.

Others: Paul Kvasnicka, Richard C. Wilson, Chad Millner, Bill Goodrich, June Goodrich, Mary Lou Spiggle, Stephanie James, Hazel Thomas, Barbara Shelton, Clifford Harvey, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Harvey called the meeting to order and welcomed the guests.

Pastor Paul Kvasnicka gave the invocation.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to adopt the consent agenda of January 11, 2010 as presented. All members present voting aye. Motion carried.

Public Comments –
Richard C. Wilson, 514 Gum Branch Road, Appomattox, Virginia –
It is very disturbing to read about Council's concern over the brick façade of the front of the store. I have been in Appomattox since the early 80's and has been fighting to get Wal-Mart here. There are many people who need jobs and food to eat and the color and style of the Wal-Mart should not matter. The Town should be trying to get businesses here to keep Appomattox growing and keep families here.

Mayor's Comments –
Mayor Harvey thanked Carla Moore for her service to the Town. Carla resigned effective January 1, 2010. Mayor Harvey also wished Mr. Karl Carter a continued speedy recovery.

Unfinished Business –
An update on the Student of the Month program was provided Ms. Jamerson-Scruggs. She contacted Mr. David Reed, Assistant Principal at Appomattox County High School and Mrs. Martha Eagle, Principal at Appomattox Middle School. Both are excited and would be grateful to work with the town on the project.

Mr. Mayberry asked if anyone had contacted the school board?

Ms. Jamerson-Scruggs responded that the school board is concerned with the budget and policy.

Mr. Mayberry said he thinks it is a good idea but thinks the school board should approve it.

Ms. Jamerson-Scruggs stated that she believes the principals are acting within their authority.

Mr. McDearmon asked Ms. Jamerson-Scruggs if she was proposing to implement the program at the High School, the Middle School or both?

Ms. Jamerson-Scruggs responded both or alternating between the two schools.

Mr. McDearmon said that if two students were chosen each month we'd need to two plaques.

Ms. Jamerson-Scruggs said that would be correct.

Mr. Mayberry said he thinks we are just opening the door for future requests.

Ms. Jamerson-Scruggs reminded Council that the people in authority have stated that they support the program.

Councilmember Jamerson-Scruggs made a motion to proceed with the Student of the Month program, rotating monthly between the Middle School and the High School. After much debate, the motion was seconded by Councilmember Baine. The motion was amended by Councilmember Jamerson-Scruggs and Councilmember Williams to implement the Student of the Month program, rotating between the High School and the Middle School, after sending a letter to the School Board informing them of the program and the approval by principals at each school and pending approval and/or a written response from the School Board. Vote – Baine – aye, Mayberry – aye, Williams – aye, Jamerson-Scruggs – aye, McDearmon – no. Motion carried 4 to 1.

New Business –
On a motion by Councilmember Baine, seconded by Councilmember Williams, Council voted to adopt the 2010 Appomattox Town Council meeting schedule as presented. All members present voting aye. Motion carried.

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

A RESOLUTION TO SUPPORT CONTINUED STATE AID TO LOCALITIES WITH POLICE DEPARTMENTS (599 PROGRAM FUNDS)

Whereas, *the Commonwealth of Virginia is considering reducing or deleting 599 program funds in the upcoming fiscal year to reflect the downward projection of revenues; and,*

Whereas, *Section 9.1-169 and 9.1-170 of the Virginia Code determines the formula for distribution of these funds; and,*

Whereas, *it is suggested that the General Assembly and Governor comply with this statue in this regard; and,*

Now, therefore, Be It Resolved *that any reductions or deletion to the 599 program greatly impacts the Town of Appomattox as allocations derived from this program are used to supplement the Town's contractual agreement with Appomattox County for police services; and,*

Be it, Further, Resolved, *that the Appomattox Town Council direct the Clerk of Council to mail a true copy of the approved Resolution to Delegate Watkins M. Abbitt, Jr. and Senator Frank M. Ruff, Jr.*

All members present voting aye. Motion carried.

Appointments to Board, Commissions and Committees -
None

Pending Matters -
None

Council Concerns -
None

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to adjourn at 7:52 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

The Appomattox Town Council held a workshop meeting on Tuesday, January 26, 2010 at 6:00 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs. Absent: Karl E. Carter.

Others: Chad Millner, Bill Goodrich, June Goodrich, Stephanie James, Clifford Harvey, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Town Clerk.

On a motion by Councilmember Williams, seconded by Councilmember Jamerson-Scruggs, 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 of a specific public employee, specifically being Employee A.

Vote: Baine – aye, Mayberry –aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – 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: Baine – aye, Mayberry –aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – absent.

Mayor Harvey called the meeting to workshop meeting to order.

Rev. Carlton Duck provided a special prayer for the Appomattox community in wake of the shooting tragedy of January 19, 2010.

There was no action as a result of the closed session.

Councilman Bryan J. Baine asked that council consider assisting Appomattox County in securing funds for the Appomattox Heritage and Recreational Trail. The grant received by the County is a 20% matching grant. The EDA easement is valued at $25,000 leaving a balance of $78,000 to be matched by the County. Councilman Baine requested that council consider make a donation of at least 15% of the $78,000 which would be approximately $11,700.00. Council agreed to discuss the request during the FY 2011 budget process.

<u>Standing Committee Reports –</u>
Finance Committee – Will be meeting February 10, 2010 at 4:00 p.m.

Fire & Safety – Is planning a meeting for next week.

Ordinance Committee – No report

Personnel Committee – Will be meeting February 3, 2010 at 4:00 p.m. to review applications for the position of Treasurer.

Street & Property Committee – Met on January 21, 2010 and discussed possible projects for next year.

Utility Committee – Will be meeting Thursday, January 28, 2010 at 4:00 p.m.

Updates from Staff Meeting –
Bart S. Van Nieuwenhuise, Town Manager highlighted items in the Manager's Report.

Council Concerns -
Councilman Williams noted the tourism report. Visitor Center traffic was up 23.4% year-to-date through December – Broke the 20,000 visitor mark this year with 20,767. Sales at the visitor center were up 33% over 2008 sales. "Kudos to the Tourism Department".

Mayor Harvey noted the Town Clerk's continuing education for the Master Municipal Clerks designation.

Councilman Baine thanked everyone who made donations to the Civil War Preservation Trust in order to secure the land for the Battle at Appomattox Station.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

Regular Council Meeting
Monday, February 8, 2010

The Appomattox Town Council held a regular council meeting on Monday, February 8, 2010 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs. Absent: Karl E. Carter.

Others: Chad Millner, Lary Lou Spiggle, Cliff Harvey, Bill and June Goodrich, Stephanie James, Carlton Duck, Frank Wright, James Stringfield, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Harvey opened the meeting for Closed Sessions.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, 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 the resignation of a specific public employee, specifically being Employee A and §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 a public body regarding specific legal matters requiring the provision of legal advice by such counsel, such specific legal matters being a potential claim from Fielder's Choice Enterprises, Inc. for repair work at the Appomattox Reclamation Facility for Structural Modifications.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – 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 matters as were identified in the motion convening the closed meeting were head, discussed, or considered by this council.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – absent.

Mayor Harvey called the regular meeting to order at 7:50 p.m. and welcomed the guests.

Rev. Carlton Duck gave the invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to adopt the consent agenda of February 8, 2010 as presented. All members present voting aye. Motion carried.

Public Comments - none

Mayor's Comments –
Mayor Harvey gave an update on the Museum of the Confederacy. Their goal remains to be complete in 2010.

There was no action as a result of the Closed Sessions.

Unfinished Business –
None

New Business –
None

Appointments to Board, Commissions and Committees -
None

Pending Matters -
None

Council Concerns -
Council thanked the Public Works Crews for their hard work and dedication during the recent snow storm.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember McDearmon, Council voted to adjourn at 7:55 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

Workshop Meeting
Tuesday, February 23, 2010

The Appomattox Town Council held a workshop meeting on Tuesday, February 23, 2010 at 7:00 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs. Absent: Karl E. Carter.

Others: Peter Zdgiebloski, Stephanie James, Frank Wright, James Stringfield, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Harvey called the workshop meeting to order.

Bart Van Nieuwenhuise, Town Manager explained the Vision Plan document and process. Mayor Harvey thanked the public for their input and interest in the creation of the plan.

On a motion by Councilmember Baine, seconded by Councilmember Williams, Council voted to adopt the Vision Plan as presented. All members present voting aye. Motion carried. (Document attached)

Updates from Standing Committees –

Finance Committee – Mr. McDearmon reported that the committee will meet on Wednesday, February 24, 2010 at 4:00 p.m.

Fire & Safety Committee – Ms. Jamerson-Scruggs reported that the third (3rd) town newsletter is scheduled to be mailed by the end of the week. Mayor Harvey advised that Timmy Garrett, Fire Chief would like to attend the next Fire & Safety Committee meeting.

Ordinance Committee – The Clerk reported that there is a meeting scheduled for Thursday, February 25, 2010 at 10:00 a.m.

Personnel Committee – Mr. Williams reported that the Personnel Committee met Tuesday, February 16, 2010 and Wednesday, February 17, 2010 and interviewed five candidates for the position of Town Treasurer.

On a recommendation by John T. "Plicky" Williams, Chairman of the Personnel Committee, Council voted to employ and appoint Stacey H. Wilkes as Town Treasurer effective March 1, 2010. All members present voting aye. Motion carried.

Mr. Williams noted that the position for Wastewater & Water Treatment Supervisor will remain open until March 5, 2010. The committee will discuss the process after that date.

Mr. Williams also expressed interest in the Personnel Committee meeting with the Finance Committee, jointly, in the coming weeks to discuss the FY 2011 budget.

Street & Property Committee – Mr. Baine reported that he is trying to schedule a meeting for next week.

Utility Committee – Mr. Mayberry reported that the committee is scheduled to meet on Thursday, February 25, 2010 at 4:00 p.m.

Updates from Staff Members –
Mr. Van Nieuwenhuise provided his report along with highlights from the Utility Director, Director of Tourism and Town Clerk. (Report attached)

On a motion by Councilmember Jamerson-Scruggs, 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 discussion of a specific public employee, specifically being Employee A and the discussion of five (5) specific public employees, specifically being employees B, C, D, E and F and § 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 a public body regarding specific legal matters requiring the provision of legal advice by such counsel, such specific legal matters pertaining to the contract with Fielder's Choice Enterprises, Inc. for repair work at the Appomattox Water Reclamation Facility for Structural Modifications.

Vote: Baine – aye, Mayberry –aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – 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: Baine – aye, Mayberry –aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – absent.

The only action to follow as a result of the Closed Session was to send the matter to the Personnel Committee.

Council Concerns -
None

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to adjourn at 9:05 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

Joint Meeting
Appomattox Town Council & Appomattox County Board of Supervisors
February 23, 2010

The Appomattox Town Council met jointly with the Appomattox County Board of Supervisors on Tuesday, February 23, 2010 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Town of Appomattox – Present: Paul D. Harvey, Mayor; Council Members: Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams, Jennifer Jamerson-Scruggs; Bart S. Van Nieuwenhuise, Town Manager; Roxanne W. Paulette, Clerk of Council.

County of Appomattox – Present: Board Members: Gary Tanner, Thomas Conrad, W. H. Craft, Samuel Carter, Jerry Small; Johnny G. Overstreet, County Attorney; Aileen T. Ferguson, County Administrator; Vicky Phelps, Administrative Assistant.

Others: Timmy Garrett, Cory Osborne, Freddy Godsey, J. B. Burks, Mary Lou Spiggle, Bill & June Goodrich, Cliff Harvey, Duffy Taylor, Barry Watkins, Paul Spiggle, Stephanie James, Lucy Harvey, Benny Harvey, Bobby Wingfield, Johnnie Roark, Peter Zdgiebloski, Ray Perkins, Wilson Staples, Carlton Duck.

Mayor Harvey called the Appomattox Town Council to order.

Chairman Tanner called the Appomattox County Board of Supervisors to order.

Mayor Harvey welcomed the Board of Supervisors and all guests to the meeting and thanked them for attending.

Items discussed:
Appomattox Heritage and Recreational Trail
Johnnie Roark, County Planner gave an overview of the project. There is currently $300,000 in hand and an engineering firm (LPDA) from Charlottesville has been chosen to conduct the design/planning/survey portion of the project. The design portion is under control and being taken care of through the $300,000 currently in hand. The construction portion of the project is another story. During April – June, the County will find out the status of the remaining grant. All money must be hand before construction can begin. Donations can include culvert pipes, footbridges, etc. The materials needed: Fine rock, base gravel – compacted stone. The path must be built to a VDOT standard. There will be signage along the trail that tells the story of Appomattox.

Mr. Roark stated that Wal-Mart has been great to work with. Mr. Roark also commented that the County will start contacting private landowners in a month or so.

The Town of Appomattox is hoping to include approximately $12,000 in the FY 2011 budget to help offset construction costs for the trail.

Appomattox Community Park
Spout Spring Ruritan Club, Appomattox County, civic groups and citizens have made donations to the Concession Stand at the Appomattox Community Park.

The Town of Appomattox made a $10,000 donation for the concession stand in the FY 2010 budget.

Aileen Ferguson, County Administrator gave an update on the construction of the concession stand. The completion goal of April 2010 is still close. To date - $107,572.09 has been raised. Private donations are approximately $47,000. The project has incurred costs of $91,224.46. There is still a lot of fund raising to be done.

Mayor Harvey stated that if revenue allows the town would like to make a yearly donation to the Appomattox Community Park.

Mr. Baine mentioned that there was an apparent plan to install sidewalks to the soccer fields. Town Staff will check into that.

Both bodies concurred that the entire project is a win/win for the community.

Public Safety

The County and Town have been cooperating on this item for years. It is everyone's desire to see this cooperation continue to be a success. The County and Town have a formal agreement on the cooperation for the Police side of public safety. The current agreement allows the use of State 599 funds from the Town to be used by the County to provide police service in the Town limits. This funding from the State has been decreasing over the last several years. The current amount funded in the Town's budget is $45,785.00 and the current reduced funding from the state is $44,097.00. The common held premise of this cooperation is that the Town's funding would help support one officers full personnel cost. The current State supplement does not cover the full cost.

Police Protection/Agreement:
From the town's perspective, it is their desire to see it continue.

Ms. Jamerson-Scruggs stated that the she thinks the joint effort is a positive movement in the right direction. The Town will be discussing the possibility of making up the difference between the 599 funding from the state and the original budgeted amount by the Town at its March 8, 2010 Regular Council Meeting.

Bart Van Nieuwenhuise, Town Manager explained the timeline of the police agreements between the Town and the County.

Mrs. Ferguson, County Administrator provided a timeline and the current FY 2010 cost of one officer, gas and automobile insurance. The cost for FY 2010 is $54,784.00.

Mr. Carter stated that the 599 funding has been dropping significantly. Mr. Carter asked what the town looking for in the framework of the agreement. The town stated one officer. There is currently a gap of approximately $10,687.00 for that one officer.

The budget for FY 2010 (County) is $54,784 less HB 599 Funding FY 2011 (Town) $38,561 leaving a difference of $16,223.

The Town stated a need for more police protection and/or presence in the Town. A possible modification to the agreement to cover this issue may be discussed in more detail in the future.

Councilman Williams reiterated the need for police presence. Cars and radars could possibly be utilized in a different manner. The Town of Appomattox on any given day has the most populated area of the county. There should be more police presence in Town than there has been.

Councilwoman Jamerson-Scruggs recommended that reporting from the Sheriff's Office be discussed during the Finance Committee's preparation of the FY 2011 budget.

Councilman Baine stated that in the agreement there speaks of one deputy being in the corporate limits or on real estate owned by the Town unless an emergency arises.

Councilwoman Jamerson-Scruggs asked Mrs. Ferguson about #6 of the agreement mentioning a specific amount due from the Town to the County. Mrs. Ferguson pointed Ms. Jamerson-Scruggs to the most current contract only requiring the Town to pay to the County the funds received from the State. Mr. Mayberry stated that we should be open minded realizing that everything is going up and costing more and if the Town is going to ask for more protection it should be willing to pay more.

Fire Department:

The agreement on the Volunteer Fire Department is an informal agreement predicated on documented call response of 25% within the town limits. The call response computation is one developed many years ago. The County and Town has cooperated on this premise for years. The current cooperation includes an annual amount from the town, funding reserves for major equipment purchases and participating in funding major retrofits of equipment. It is everyone's desire for the cooperative effort on Public Safety to continue and grow.

Discussion on the current status of the agreements and cooperative efforts can promote the continued success of this vital area.

Mayor Harvey asked Mr. Garrett, Fire Chief to provide figures of current calls regarding the 75-25% split. The agreement has been in place since approximately 1983.

Mr. Tanner stated that we should do what is in the best interest of the Fire Department.

Mayor Harvey reiterated that you cannot pay too much for police protection or fire service.

Chairman Tanner adjourned the County meeting.

On a motion by Councilman Mayberry, seconded by Councilwoman Jamerson-Scruggs, Council voted to adjourn the joint meeting between the Town and County at 6:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk of Council

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, March 8, 2010 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs, N. H. "Jimmy" Mayberry (arrived at 7:10 p.m.). Absent: Karl E. Carter.

Others: Doug Webb, James Stringfield, Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey opened the meeting for the Closed Session.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, 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 the performance of a specific public employee, specifically being Employee A.

Vote: Baine – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Mayberry – absent (arrived in the closed session at 7:10 p.m.) and Carter – 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 matters as were identified in the motion convening the closed meeting were head, discussed, or considered by this council.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – absent.

Mayor Harvey called the regular meeting to order at 7:45 p.m. and welcomed the guests.

Others present: Joyce Bennett, Barbara Shelton, William Smith, June Goodrich, Bill Goodrich, Mary Lou Spiggle, Hazel Thomas, Lucy Harvey, Stephanie James, Nina Beasley, Chad Millner, Bill Burke, Wayne Phelps and Robert E. Lee.

Rev. Robert E. Lee gave the invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs, Council voted to adopt the consent agenda of March 8, 2010 as presented. All members present voting aye. Motion carried.

<u>Consideration of Closed Session Items</u> –
Mayor Harvey stated that this has been referred to the Town Attorney for disciplinary action of Employee A.

Public Comments –
Doug Webb – 1935 Country Club Road, Appomattox, Virginia
Mr. Webb appeared before council to address the letter he received regarding the Sign Ordinance. The portable sign located on his property has been there for nearly 30 years. It has been an effective marketing tool. He stated that he had a customer in today that remembers the sign from 1984 that stated "If it's round, rubber and rolls – we sell it." With Wal-Mart coming into town he hopes the town council would not throw up road blocks to small businesses. Mr. Webb stated he fully concurs with prohibiting portable signs in residential and historic districts but not on Business 460. The business corridor is not a pristine place, it's not like Williamsburg. The Business License Tax doubled for businesses this year. Mr. Webb asked that Town Council reconsider certain portions of the ordinance. It has been an effective communication tool.

Presentations –
Clifford Harvey – 168 First Street, Appomattox, Virginia
Mr. Harvey presented a petition stating the following:

We, the undersigned business owners of the Town of Appomattox, Virginia, do hereby respectfully request that the Appomattox Town Council immediately enter into a water purchase agreement with the Appomattox County Board of Supervisors to purchase water from the U.S. 460 (Concord to Appomattox) waterline.

We, the undersigned water customers and/or citizens of the Town of Appomattox, Virginia, respectfully make this request because:

(1) We believe the U.S. 460 (Concord to Appomattox) waterline will provide Appomattox with an adequate, reliable water source for its citizens and business;

(2) We believe that purchasing water from the U.S. 460 (Concord to Appomattox) waterline will resolute in a lower water rate than is presently charged by the Town of Appomattox, which will, in turn, lower the water bill that we currently pay;

(3) We believe that purchasing water from the U.S. 460 (Concord to Appomattox) waterline will be a solution to the zinc and copper issues, as presented by the Virginia Department of Environmental Quality (DEQ), at the Town's wastewater treatment plants, and will result in a cost savings by not having to purchase chemicals to combat the zinc and copper issues; and

(4) We believe that the U.S. 460 (Concord to Appomattox) waterline will increase economic development activities in Appomattox, which will result in lower taxes for us all.

AND

We, the undersigned water customers and/or citizens of the Town of Appomattox, Virginia, do hereby respectfully request that the Appomattox Town Council immediately enter into a water purchase agreement with the Appomattox County Board of Supervisors to purchase water from the U.S. 460 (Concord to Appomattox) waterline.

We, the undersigned water customers and/or citizens of the Town of Appomattox, Virginia, respectfully make this request because:

(1) We believe the U.S. 460 (Concord to Appomattox) waterline will provide Appomattox with an adequate, reliable water source for its citizens and business;

(2) We believe that purchasing water from the U.S. 460 (Concord to Appomattox) waterline will resolute in a lower water rate than is presently charged by the Town of Appomattox, which will, in turn, lower the water bill that we currently pay;

(3) We believe that purchasing water from the U.S. 460 (Concord to Appomattox) waterline will be a solution to the zinc and copper issues, as presented by the Virginia Department of Environmental Quality (DEQ), at the Town's wastewater treatment plants, and will result in a cost savings by not having to purchase chemicals to combat the zinc and copper issues; and

(4) We believe that the U.S. 460 (Concord to Appomattox) waterline will increase economic development activities in Appomattox, which will result in lower taxes for us all.

Mr. Harvey stated that there are 477 signatures on the two petitions, 328 town residents, 62 town business owners and 87 out of town water customers. The petition represents approximately 50% of the town's water customers.

Of the citizens visited with the petition more than 90% supported the waterline, so they signed the petition. Some were not necessarily opposed to the waterline they just don't sign there names to such things as petitions.

Mr. Harvey read the purpose of the petition:

We, the undersigned water customers and/or citizens of the Town of Appomattox, Virginia, respectfully make this request because:

(1) We believe the U.S. 460 (Concord to Appomattox) waterline will provide Appomattox with an adequate, reliable water source for its citizens and business;

(2) We believe that purchasing water from the U.S. 460 (Concord to Appomattox) waterline will resolute in a lower water rate than is presently charged by the Town of Appomattox, which will, in turn, lower the water bill that we currently pay;

(3) We believe that purchasing water from the U.S. 460 (Concord to Appomattox) waterline will be a solution to the zinc and copper issues, as presented by the Virginia Department of Environmental Quality (DEQ), at the Town's wastewater treatment plants, and will result in a cost savings by not having to purchase chemicals to combat the zinc and copper issues; and

(4) We believe that the U.S. 460 (Concord to Appomattox) waterline will increase economic development activities in Appomattox, which will result in lower taxes for us all.

It is my hope that the Town Council will respect the wishes of the individuals who signed this petition by working with the County of Appomattox. I humbly ask that you don't disregard this petition. Thank you.

Mayor's Comments –
None

Unfinished Business –
None

New Business –

On a motion by Councilmember Baine, seconded by Councilmember Williams, Council voted to accept the elevation change as submitted. All members present voting aye. Motion carried. (Change attached)

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council authorized purchase of a water meter greater than $10,000 for the National Park Service. All members present voting aye. Motion carried.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Mayberry, Council voted to adopt Addendum #1 to the current contract between the Appomattox Town Council and the Appomattox County Board of Supervisors for police protection. All members present voting aye. Motion carried.

Appointments to Board, Commissions and Committees -
None

Pending Matters -
None

Council Concerns -
None

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Special Call Meeting
March 16, 2010

At the Special Call Meeting of the Appomattox Town Council held on March 16, 2010 at 4:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding.

Council members present: Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., John T. "Plicky" Williams and Jennifer Jamerson-Scruggs. Absent: Karl E. Carter.

Also in attendance were Duffy Taylor, Stephanie James and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mayor Harvey cited the purpose of the meeting.

On a motion by Council Member Williams, seconded by Council Member Mayberry, 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 the performance and discipline of a specific public employee, specifically being Employee A and 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 a public body regarding specific legal matters requiring the provision of legal advice by such counsel, such specific legal matters being a potential claim from Fielder's Choice Enterprises, Inc. for repair work at the Appomattox Reclamation Facility for Structural Modifications.

Vote: Baine – yes, Mayberry – yes, McDearmon – yes, Williams – yes, Jamerson-Scruggs – yes. Carter – 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: Baine – yes, Mayberry – yes, McDearmon – yes, Williams – yes, Jamerson-Scruggs – yes. Carter – absent

On a motion by Council member Williams, seconded by Council member Mayberry, Council voted to ratify and approve the 8 day administrative leave without pay for the Town Manager which he began on March 9, 2010.
Roll Call Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – absent.
Motion carried 5 – 0.

On a motion by Council member Mayberry, seconded by Council member McDearmon, Council voted to affirm and approve its prior denials of a request for change order for concrete wall repairs in Basin #1 on the Appomattox Water Reclamation Facility Structural Modification project by Fielder's Choice Enterprises in its letter dated November 20, 2009 and direct the Town Attorney to send a letter notifying them of this denial. All members present voting aye. Motion carried.

On a motion by Council member Jamerson-Scruggs, seconded by Council member Williams, council voted to adjourn at 5:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC
Town Clerk

Paul D. Harvey
Mayor

Workshop Meeting
Tuesday, March 23, 2010

The Appomattox Town Council held a workshop meeting on Tuesday, March 23, 2010 at 7:00 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, N.H. "Jimmy" Mayberry, C. Lewis McDearmon, John T. "Plicky" Williams, Jennifer Jamerson-Scruggs. Absent: Karl E. Carter.

Others: Chad Millner, Stephanie James, Hazel Thomas, June Goodrich, Bill Goodrich, Cliff Harvey, Ben Harvey, Benny Harvey, Ronnie Lankford, Mary Lou Spiggle, Carlton Duck, Stacey Wilkes, Town Treasurer, Bart S. Van Nieuwenhuise, Town Manager and Roxanne W. Paulette, Town Clerk.

Mayor Harvey called the workshop meeting to order.

Bart Van Nieuwenhuise, Town Manager introduced Stacey H. Wilkes, CPA as the Town Treasurer.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Mayberry, Council voted to approve the Engineering Fee Proposal for Plan of Action – Consent Order VA 0020257 submitted by WW Associates in the amount of $15,500.00. All members present voting aye. Motion carried.

On a motion by Councilmember Baine, seconded by Councilmember Williams, Council voted to appoint Barbara Short to the Appomattox Town Tree Board as the Appomattox Garden Club representative. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the mileage reimbursement reduction of $0.55 to $0.50 of the Travel Policy. All members present voting aye. Motion carried.

<u>Updates from Standing Committees –</u>

Finance Committee – Mr. McDearmon reported that the committee will meet on Wednesday, March 24, 2010 at 4:00 p.m.

Fire & Safety Committee – Ms. Jamerson-Scruggs reported that the third (3rd) town newsletter is scheduled to be mailed by the end of the week.

Ordinance Committee – No report.

Personnel Committee – Mr. Williams reported that the Personnel Committee will meet soon to discuss affects on the FY 2011.

Street & Property –It is included in Mr. Van Nieuwenhuise's staff report.

Utility Committee – No report.

Updates from Staff Members –
Mr. Van Nieuwenhuise provided his report along with highlights from the Utility Director, Director of Tourism and Town Clerk. (Report attached)

Council Concerns -
None

On a motion by Councilmember Williams, seconded by Councilmember Jamerson-Scruggs, Council voted to adjourn at 7:20 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, April 12, 2010 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, C. Lewis McDearmon, John T. "Plicky" Williams, N. H. "Jimmy" Mayberry. Absent: Karl E. Carter and Jennifer Jamerson-Scruggs.

Others: Mary Lou Spiggle, Barbara Shelton, Bill Smith, June Goodrich, Bill Goodrich, Cliff Harvey, Frank Carwile, Will Simmons, Vicky Yeats, Waite Rawls, Sam Craghead, Howard Gregory, Linda Gregory, Nina Beasley, Lucy Harvey, Ben Harvey, Joyce Bennett, Chad Millner, Hazel Thomas, Ronnie Lankford, Stephanie James, Dr. Calvin Gray, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Dr. Calvin Gray gave the invocation.

On a motion by Councilmember Williams, seconded by Councilmember McDearmon, Council voted to adopt the consent agenda of April 12, 2010 as presented. All members present voting aye. Motion carried.

Public Comments – none.

Mayor's Comments –
I attended the Clover Hill events of the weekend, April 10-11, 2010 and Buddy Conner asked me to publicly thank Will Simmons, Director of Tourism for his assistance. Also, thanks to Jeff Elder, Utility Director and his crew for their assistance.

Presentations –
Mr. Waite Rawls, Museum of the Confederacy – it is pleasure to be here. We haven't talked publicly in the past few months but we have been busy making a lot of progress. We've been raising money. It has taken us longer than we first expected. We've raised over $6 million dollars and the single largest contributor has been the Tobacco Commission. The Tobacco Commission challenged the MOC to bring in outside capital to the region with $2 million in matching funds. That amount has been met and exceeded. There are five (5) other large donors, three (3) of which are board members, John Now (Texas), Paul Bryant (Bear Bryant's father) (Alabama), Don Wilkinson (New York), Stan Johnson (Richmond, Va), Joe Luter (Smithfield, Va). Talks continue with other potential donors. We are in the quiet phase of the campaign and looking to close the gap of $1.5 million dollars to have everything funded. That gap must be closed before we can hire a contractor. Once that gap has been closed, we will go back to work with architects and contractors. Once we break ground it will be 15 months before opening day. The architects are beginning to work again on the site work regarding grade, sewer, etc. It is interesting and very important – the action of this town council really set into motion a lot of our funding raising efforts. It has made a huge difference to the donors and Tobacco Commission. This is going to be the single largest project for the sesquicentennial event around the world. It will get quite a bit of notice from around the world. About 10% of our visitor's come from

somewhere other than the United States. He stated that he is looking forward to the day of installing exhibits rather than designing them.

Council had no other questions and thanked Mr. Rawls for attending and providing an update.

Mrs. Nina Beasley – Thanked the Mayor and Council Members for allowing me the opportunity to speak on behalf of the out of town water customers. The purpose of my presentation is to present a petition on behalf of the out-of-town water customers by requesting that the Appomattox Town Council equalize the "Out-of-Town" water rate with the "In-Town" water rate. *[From the petition] If the Appomattox Town Council does not equalize the "Out-of-Town" water rate with the "In-Town" water rate, we the undersigned "Out-of-Town" water customers of the Town of Appomattox, Virginia, do hereby respectfully request that the Appomattox County Board of Supervisors use any and all means necessary, as prescribed by law under the Code of Virginia, to ensure that the "Out-of-Town" water customers will have the opportunity to utilize water from the U.S. 460 (Concord to Appomattox) waterline, once available, because: (1) We believe that the U.S. 460 (Concord to Appomattox) waterline will provide Appomattox with an adequate, reliable water source for its citizens and businesses; and*
(2) We believe that it will provide us, the "Out of Town" water customers with a lower water rate than is presently charged by the Town of Appomattox, which will, in turn, lower our monthly water bill.

The petition was signed by 85 individuals who all complained about the quality of the town's water and the price. I have 3 questions: 1.What is the justification for higher out of town water rates specifically 50 % more? 2. Is there any debt service on the infrastructure serving out of town water customers? 3. Is the Town transferring any tax dollars from the general fund into the water department to subsidize water rates?

It is my understanding that some people believe that the Walton Place Well was purchased by the Town. This is untrue. The Well was a gift to the town along with a $20,000 donation. I hope you will give this petition a favorable review. Thank you for your consideration.

Mayor Harvey stated that after talking with Mr. Mayberry, Chairman of the Utility Committee and Mr. Van Nieuwenhuise, Town Manager the Utility Committee will meet concerning the request with an honest review and discussion and reply within the next several months.

Unfinished Business –
None

New Business –

Councilmember Baine explained the creation of Chapter 90 – Town Economic Development Authority Ordinance.

Mayor Harvey read the following resolution:

RESOLUTION

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

WHEREAS, the Town of Appomattox adopted the Vision Plan on February 23, 2010 which identified a desire to create a Town Economic Development Authority or Advisory Board, and;

WHEREAS, the following is a policy statement for Chapter 90 – Economic Development Advisory Board of the Code of the Town of Appomattox,

a) The Town shall play an active role in economic development opportunities;
b) The focus will be on attracting lodging, dining, and tourist attractions to complement its Civil War History;
c) The creation of a Town Economic Development Advisory Board can make the significant presence of tourism related businesses a reality;
d) The Town will promote business and industrial development within and areas adjacent to the town limits, and;

NOW, THEREFORE BE IT RESOLVED, the Appomattox Town Council voted to enact Chapter 90 – Economic Development Advisory Board on Monday, April 12, 2010.

Vote:
Baine – aye
Mayberry – aye
McDearmon – aye
Williams – aye
Carter – absent
Jamerson-Scruggs – absent

Motion carried 4-0.

Mayor Harvey presented and Council gave consensus to the following proclamation:

TOWN OF APPOMATTOX
ARBOR DAY PROCLAMATION

WHEREAS, Arbor Day has been observed throughout Virginia and the Nation for more than 120 years, and

WHEREAS, trees provide many benefits to the community, including clean air, windbreaks, noise reduction shade, and energy savings, and

WHEREAS, planting and maintaining trees provides opportunities for community interaction, volunteerism, economic development, and environmental conservation, and

WHEREAS, the Town of Appomattox has been designated a bird sanctuary and trees provide habitat for birds, and

WHEREAS, trees increase property values, enhance the economic vitality of business areas, and beautify communities, and

WHEREAS, trees, wherever planted, are a source of comfort, joy and inspiration, and

WHEREAS, the last Friday in April of each year is designated by the Virginia General Assembly as Arbor Day in the Commonwealth of Virginia.

NOW, THEREFORE, I, Paul Harvey, Mayor of the Town of Appomattox, do hereby proclaim the 30th day of April, 2010 as our Second Annual Arbor Day.

Appointments to Board, Commissions and Committees -
None

Pending Matters -
None

Council Concerns -
Councilmember Mayberry asked why council members were not notified of the Citizens Academy that began on Thursday, April 8, 2010 before it started. Mr. Van Nieuwenhuise stated that he was waiting until he had received enough applications before starting the program. Finally, at the end of March 2010 the threshold of 5 applications had been received. Mr. Van Nieuwenhuise apologized for the lack of communication. Councilmember Williams asked if Mr. Van Nieuwenhuise could provide a summary of the first session and of those remaining. Mr. Van Nieuwenhuise advised that the first session included general government and tourism. The next sessions were scheduled for April 15, 22, and 29. The 15th would focus on the Utility system, the 22nd would contain Finances and Budget and the 29th would provide an overview, possible tours and certificates of participation. There were 11 participants, 3 of which were town residents and at least 2 students and their professor.

Councilmember Baine thanked everyone involved with the events at Clover Hill Village. The merchants had a great weekend.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.

_____ _____

Paul D. Harvey
Mayor

Roxanne W. Paulette
Clerk

Appomattox Town Council
Special Call Meeting
May 18, 2010

At the Special Call Meeting of the Appomattox Town Council held on May 18, 2010 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding.

Council members present: Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., and John T. "Plicky" Williams. Absent: Karl E. Carter and Jennifer Jamerson-Scruggs.

Also in attendance were Jeff Elder, Stacey Wilkes, Bill Smith, Cliff Harvey, Nina Beasley, Hazel Thomas, Bill and June Goodrich, Mary Lou Spiggle, Joyce Bennett, Timmy Garrett, Ronnie Lankford, Chad Millner, Bart S. Van Nieuwenhuise, Frank Wright and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcome those in attendance.

Mayor Harvey cited the purpose of the meeting:

1. Discussion and authorization to proceed with the Public Hearing for the FY 2011 Budget for the Town of Appomattox.

2. Discussion and authorization to proceed with the Public Hearing for the equalization of monthly water and sewer billing rates (in town and out of town) for FY 2011.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, Council voted to advertise a Public Hearing for the FY 2011 Budget for the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to advertise a Public Hearing for the equalization of monthly water and sewer billing rates and the availability and connection fees.

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to adjourn at 7:12 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
May 25, 2010

At the May Workshop Meeting of the Appomattox Town Council held on May 25, 2010 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding.

Council members present: Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., and John T. "Plicky" Williams. Absent: Karl E. Carter and Jennifer Jamerson-Scruggs.

Also in attendance were: Frank Wright, Jr., Town Attorney, Bart S. Van Nieuwenhuise, Town Manager; Roxanne W. Paulette, Clerk.

On a motion by Councilmember Mayberry, seconded 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 a public body regarding specific legal matters requiring the provision of legal advice by such counsel, such specific legal matters being a potential claim from Fielder's Choice Enterprises, Inc. for repair work at the Appomattox Reclamation Facility for Structural Modifications.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye. Absent: Carter and Jamerson-Scruggs.

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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye. Absent: Carter and Jamerson-Scruggs.

Mayor Harvey called the 7:00 p.m. Workshop Meeting to order.

Others present: Mary Lou Spiggle, Timmy Garrett, Steve Conner, Joyce Bennett, Stacey Wilkes, Hazel Thomas, Bill & June Goodrich, Bill Smith, Ronnie Lankford, Stephanie James, Carlton Duck, Nolan Connelly.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to add an item at the request the Town Attorney. All members present voting aye. Motion carried.

There was no action by the Appomattox Town Council as a result of the closed session

Frank Wright addressed with Council a letter and material he received from town residents regarding the eligibility of Jennifer Jamerson-Scruggs being able to continue serving in her capacity of Council Member until June 30, 2010. Mr. Wright contacted Ms. Jamerson-Scruggs and she stated that she does have a residence in North Carolina but also has one in the Town of

Appomattox. She stated that she considers herself a resident of the Town of Appomattox. Mr. Wright indicated that he does not feel it is his place to investigate without permission or guidance from council. Mr. Wright stated that honestly there are only two more meetings for the remainder of this term. A writ of quo warranto would need to be filed in order to pursue the matter. The Code of Virginia section 8.01-637 was cited for reference. Council directed Frank Wright, Town Attorney not to pursue the issue.

Council discussed the Conflict of Interest item requested by Councilmember Baine. The State Code limits the amount of gifts to $50.00. Mr. Baine stated that the State Code allows the Town to change the dollar amount and to put in a cumulative limit. Mr. Williams stated that it not be limited to monetary limits but also to include in-kind services. Mr. Mayberry indicated he didn't understand where all of this was coming from. Mr. Baine said it was sensible to have a periodic review and prefers a lower limit than $50.00.

Council also discussed the Virginia Conflict of Interests Act and the Statement of Economic Interests. Towns are allowed to opt-in to the program. Town with a population of 3,500 or more, Cities and Counties must participate while Towns with a population of less than 3,500 are exempt but can opt-in. Mr. Mayberry stated that he doesn't care where candidates get their money from. Mr. Baine stated that it's the people's business – I'm not saying we have that problem here but it's worthy of discussing. Mr. Mayberry said he thinks we (the Town) should turn the matter over to Frank Wright to look into and see what other localities do and then respond back to council.

Councilmember Baine reminded Council that it is time to review the Town's portion of the County Comprehensive Plan.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council authorize the Town Manager to sign the Member Agreement by and among the VML Insurance Programs as successor to the merger of the Virginia Municipal Group Self-Insurance Association d/b/a the Virginia Municipal Liability Pool (VMLP), the Virginia Municipal League (VML), a local association of city, town, and county governments, and the undersigned Virginia political subdivision, or agency thereof, which upon admission will become, a member of the Pool. (see attached). All members present voting aye. Motion carried.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, Council voted to adopt the Virginia Municipal League Insurance Programs Bylaws – Amended and Restated as of July 1, 2010. All members present voting aye. Motion carried.

<u>Standing Committee Reports</u>
Finance – Mr. McDearmon reported that the Public Hearing for the Budget is slated for Monday, June 14, 2010 at 7:00 p.m.

Fire & Safety – none

Ordinance – none

Personnel – Mr. Williams reported that the committee met last week but has nothing to report.

Street & Property – Mr. Baine reported that he and Mr. McDearmon met. No quorum was present. The sidewalk projects are on-going. Another informal meeting will be scheduled at a later date.

Utility – no report

Staff Reports

Mr. Van Nieuwenhuise reported that that the Treasurer's Report has been updated. Ms. Wilkes will be available quarterly at workshop meetings to answer any questions you may have. Mr. Van Nieuwenhuise stated that it could be more often if council desired.

Mr. Mayberry inquired about the 4th of July fireworks. When were they approved?
Mr. Baine asked if it was in the budget.
Mr. Mayberry asked what else was being done on July 4th.
Mr. Van Nieuwenhuise responded that something else is scheduled, but couldn't recall. He stated he would get an update from the Director of Tourism.
Mr. Mayberry stated that time is growing near.
Mr. Baine said he hoped we do more – let's add something to it.

Mr. Williams stated it was worth noting that tourism was up 7.2% over the same time last year. Since it is such a large portion of our budget that we must be making our visitors feel welcome.

Mayor Harvey asked about the status of the wells that are off-line. Mr. Van Nieuwenhuise reported that the town staff is working with the Virginia Department of Health and the town plans to cycle them back in during June.

Mr. Williams commented that the paving at the Town Office and Library parking lots looks great!

Council Concerns – none

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor

The Appomattox Town Council held a public hearing on Monday, June 14, 2010 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, C. Lewis McDearmon, John T. "Plicky" Williams, N. H. "Jimmy" Mayberry. Absent: Karl E. Carter and Jennifer Jamerson-Scruggs.

Others: Howard and Linda Gregory, Linda Archer, Larry and Barbara Hudson, Dan Cousins, Charlie Williamson, Donna Nash, Jackie Drinkard, Timothy Garrett, Nina Beasley, Jeff Elder, Joyce Bennett, Ronnie Lankford, Nolan Connelly, Hazel Thomas, Mary Lou Spiggle, Bill and June Goodrich, Bill Smith, Chad Millner, Robert Pankey, K. E. Coleman, Benny Harvey, Lucy Harvey, Stephanie James, Rodney, Longmire, Frank Wright, Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the public hearing to order.

The purpose of the public hearing is to hear citizen comments regarding:

1. The proposed FY 2011 Budget for the Town of Appomattox – In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2011:

GENERAL FUND EXPENDITURES	1,625,947.00
TOURISM FUND EXPENDITURES	231,720.00
WATER FUND EXPENDITURES	1,070,453.00
SEWER FUND EXPENDITURES	1,576,049.00
TOTAL EXPENDITURES	**4,504,169.00**

GENERAL FUND REVENUE	1,625,947.00
TOURISM FUND REVENUE	231,720.00
WATER FUND REVENUE	1,070,453.00
SEWER FUND REVENUE	1,576,049.00
TOTAL REVENUE	**4,504,169.00**

Documentation has been available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday.

2. Proposed changes to the Water and Sewer Policy User Charges (including Water and Sewer Rates), Connection and Availability Fees Administrative Policy

a) Specifically being to equalize the water and sewer monthly billing rates for in-town and out-of-town customers. The water rates will be **$5.80 per 1000 gallons for all consumption and a $4.00 per month per user fee for Capital Replacement** and sewer rates will be **$8.25 per 1000 gallons of metered water consumption and a $9.10 per month Equivalent Residential Connection fee.**

b) Specifically being to equalize the water and sewer availability and connection fees for out-of-town connections with that of in-town connections.

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq., with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950 as amended. Documentation, including the complete ordinance and other information concerning the documentation for the proposed fee, were available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday.

Public Comments:

Nina Beasley – 4509 Pumping Station Road, Appomattox, Virginia
Thank you for allowing me the opportunity to speak tonight regarding the proposal to equalize the water and sewer monthly billing rates for in-town and out-of-town customers.

I am 100 percent in favor of this proposal. As you may recall, I presented a petition at your April 12th meeting from 85 individuals requesting that the out-of-town water rate be equalized with the in-town water rate.

When I last spoke and presented the petition, I asked the following three questions:

1. What is the justification for out-of-town water customers to pay higher water rates, specifically 50 percent more?

2. Is there any debt service on the infrastructure serving out-of-town water customers?

3. Is the Town transferring any tax dollars from the general fund into the water department to subsidize water rates?

Subsequently, the Town Manager (in the April 21st edition of the Times Virginian) indicated that there was no debt service on any infrastructure serving out-of-town customers and that no tax dollars are currently being used to subsidize rates.

This being the case, I hope the Town Council will agree with the proposal to equalize rates. Thank you.

Mayor Harvey read the following:
Patrick Richardson
June 14, 2010

Re: Improvements to Abbitt Park

Dear Council Members,

I am the past President of the Appomattox Chamber of Commerce and a current member of the Appomattox Cheerz committee. I am writing you in support of the budgeted items for

improvements (pavilion and lights) to Abbitt Park. The park's current slate serves great purposes for the community. However, I feel that a lot of risk for negligence on behalf of the town and lessee's of the park are avoidable with lights in the park. This will also allow law enforcement drive by and see what is happening during late hours in the park.

The park was donated for community purposes. I feel like having a nice pavilion with a rustic look will enhance the park's uses. It will also encourage more people in the community to use the park. During Appomattox Cheerz and Railroad Festival the pavilion can be utilized for cooking, eating, and even relaxing in the shade.

Please note that the Appomattox Cheerz committee and the Appomattox Chamber of Commerce have donated a lot of funds toward improvements and renovations to the park. Once the first phase is complete, I know the Chamber will be working to put a cover on the stage as well.

The aforementioned comments are only from an event perspective. There are also a lot of reasons to improve the park based on the needs of our individual community members. I encourage each of you to recognize what impact Appomattox Cheerz events have on the town's tax base and what the community will be able to enjoy for many festivals and events to come.

Very truly yours,

J. Patrick Richardson

Jackie Drinkard – 201 Point Road, Pamplin, Virginia

Good afternoon Mayor Harvey and Council Members. I am co-chair of that Cheerz event and would like to please ask that you keep the money for Abbitt Park in the budget this year. Our main objective is to get lights in the park for safety. When we leave at 10:00 and 11:00 at night it is very dark. We actually have to rent lights for the park during these events. We have donated to that fund and have asked that lights and pavilion be added. We donated the stage and cover at Courtland Field. The lights are very, very important for safety reasons in the park. We will continue to work very hard to help fund some of the needs in the park. The events bring in a lot of people from within and outside the community for an afternoon event.

Charlie Williamson – 101 Chestnut Drive, Appomattox, Virginia

I am speaking on behalf of Walton Place. I offer one thing for consideration. As we go through this process, keep in mind I am a CPA and look at things financially when making decisions. When we had the exchange of the water system is take a quick review and say how much have the expenditures been since taking in the system versus the revenue we have taken in during that time. Basic, very simple. Thank you.

Howard Gregory – 585 Walton Drive, Appomattox, Virginia

Thank you for having us here tonight. I would like to ask those who are here and concerned about this matter, please stand. Thank you. Just wanted to bring that to everyone's attention. Thank you again for having us here tonight.

Mayor Harvey closed the public hearing.

Paul D. Harvey	Roxanne W. Paulette
Mayor	Clerk

The Appomattox Town Council held a regular council meeting on Monday, June 14, 2010 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, C. Lewis McDearmon, John T. "Plicky" Williams, N. H. "Jimmy" Mayberry. Absent: Karl E. Carter and Jennifer Jamerson-Scruggs.

Others: Howard and Linda Gregory, Linda Archer, Larry and Barbara Hudson, Dan Cousins, Charlie Williamson, Donna Nash, Jackie Drinkard, Timothy Garrett, Nina Beasley, Jeff Elder, Joyce Bennett, Ronnie Lankford, Nolan Connelly, Hazel Thomas, Mary Lou Spiggle, Bill and June Goodrich, Bill Smith, Chad Millner, Robert Pankey, K. E. Coleman, Benny Harvey, Lucy Harvey, Stephanie James, Rodney, Longmire, Frank Wright, Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Rodney Longmire delivered the invocation.

On a motion by Councilmember Williams, seconded by Councilmember Mayberry, Council voted to adopt the consent agenda of June 14, 2010 as presented. All members present voting aye. Motion carried.

Public Comments – none.

Mayor's Comments – none.

Unfinished Business –
Mr. Baine passed out a Request for Exemption from Reporting Requirements that was included in the package. The idea and what we've found out is that at other levels of government donations to political campaigns are a matter of public record so that anybody can see who donates to any campaigns and I believe that provides to good clean government or helps to do that anyway. In Virginia, towns under 25,000 in populations are exempt but the state specifically gives the town under that population limit the ability to draft an ordinance opting in to campaign disclosure. In the packet you will see a series of forms that would need to be completed. I would think more likely that you can fill out a one page form, requesting an exception if you spend less than $1000.00 during the campaign. I am obviously for opting in.

Mr. Williams asked if we have any knowledge of what the surrounding localities do.

Mr. Mayberry we haven't had any problems with this in the past and with no responses from other localities I can't see where it is necessary to do this.

On a motion by Councilmember Baine, seconded by Councilmember Williams, Council voted on the following resolution:
Whereas, at other levels of government contributing to a political campaign is a matter of public record, and

Whereas, Virginia specifically gives towns under 25,000 in population the right to voluntarily participate in the Virginia Campaign Disclosure Law, Council directs the Town Attorney to draft the appropriate ordinance.

Vote: Baine – aye, Williams – aye, Mayberry – no, McDearmon – no. Mayor Harvey voted no. Motion failed 2 – 3.

Mr. Williams stated the intention was to create a Conflict of Interest Ordinance for Council Members. Currently employees are not allowed to accept anything monetary and I would like for it to include, favors, rewards, gestures, gift cards or anything influential. In my opinion if the threshold were zero there would be no room for interpretation.

Mayor Harvey asked Mr. Wright if the Code of Conduct for Council Members could be amended to take care of this. Mr. Wright asked if Mr. Williams could clarify. There is a $50.00 limit for the state. Mr. Williams stated he thought it would be good to go on record for having an ordinance with a zero dollar amount. Mr. Wright cautioned council of setting it at zero. There could be some unattended consequences. Mr. Wright also suggested revisiting the handbook. Mr. Mayberry and Mr. Williams both concurred that the employee handbook and ordinance or code of conduct for council members should be the same.

Council gave consensus for Mr. Wright to draft a policy inclusive of Council Members and all Town Employees with regards to changes that will be applicable to all.

New Business –

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

RESOLUTION

Authorization to Pick-up the Employee's Contribution to VRS Under § 414(h) of the Internal Revenue Code For Plan 2 Employees

WHEREAS, the Virginia General Assembly, in its 2010 session passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as "Plan 2 Employees"). The legislation stipulates that Plan 2 Employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h) on a pre-tax basis; and

WHEREAS, the legislation allows certain employers, including the Town of Appomattox, to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary; and

WHEREAS, the election to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary shall, once made, remain in effect for the applicable fiscal year (July 1 - June 30) and shall continue in effect beyond the end of such fiscal year absent a subsequent resolution changing the way the 5 percent member contribution is paid; and

WHEREAS, employee contributions that are picked-up as an additional benefit not paid as salary are not considered wages for purposes of VA Code § 51.1-700 et seq. nor shall they be considered salary for purposes of VA Code § 51.1-100 et seq.; and

WHEREAS, the Town of Appomattox desires to pick-up and pay its Plan 2 Employees' member contributions to VRS as an additional benefit not paid as salary in an amount equal to 5% of creditable compensation; and

WHEREAS, VRS tracks such picked-up member contributions and is prepared to treat such contributions as employee contributions for all purposes of VRS.

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first day of July **[stated month must be after the date this Resolution is adopted]**, the Town of Appomattox shall pick-up member contributions of its Plan 2 Employees to VRS as an additional benefit not paid as salary in an amount equal to 5% of creditable compensation subject to the terms and conditions described above; and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by the Town of Appomattox in lieu of member contributions; and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the picked-up contributions made by the Town of Appomattox directly instead of having them paid to VRS.

Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Baine, Council voted to accept the staff recommendation of Brown, Edwards and Company, LLP to conduct the FY 2010 annual audit. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to convene in Closed Session to 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 discussion of the 2008 Contract between the Town of Appomattox and Fred H. Jones.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye. Absent: Carter and Jamerson-Scruggs.

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: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye. Absent: Carter and Jamerson-Scruggs.

On a motion by Councilmember Williams, seconded by Councilmember McDearmon, Council voted to authorize the termination of a Contract for Sale of Real Estate that was originally going to be purchased by the Town of Appomattox for the Museum of the Confederacy. Motion carried.

For the record, this does not mean that the Town is withdrawing its original commitment of $350,000.00 for the Museum of the Confederacy. The items for consideration will be discussed at a later date.

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

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Paul D. Harvey
Mayor

Roxanne W. Paulette
Clerk

Appomattox Town Council
Workshop Meeting
June 29, 2010

At the May Workshop Meeting of the Appomattox Town Council held on June 29, 2010 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding.

Council members present: Bryan J. Baine, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., and John T. "Plicky" Williams. Absent: Karl E. Carter and Jennifer Jamerson-Scruggs.

Also in attendance were: Janet Robertson, Stephanie James, Paul and Cynthia Spiggle, Wade, Olivia and Gus Spiggle, Mary Lou Spiggle, Hazel Thomas, Cliff Harvey, Greer Harris, A. J. and Ashley Lucado, Jennifer Spencer, Jonathan Garrett, Camden Joy, Alison and Timmy Garrett, Will Simmons, Nolan Connelly, Ronnie Lankford, Nina Beasley, Joyce Bennett, Lucy Harvey, Benny Harvey, David Garrett, Sonny and Nancy Conner, Sam Carter, Jeff Elder, Chad Millner, Ronnie Spiggle, Earl Dickerson, June & Bill Goodrich, Bill Smith, Steve Conner, Stacey Wilkes, Town Treasurer, David Hawkins, Town Attorney, Bart S. Van Nieuwenhuise, Town Manager; Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Mayor Harvey thanked and welcomed everyone.

Bart S. Van Nieuwenhuise, Town Manager presented plaques of service recognition to John T. "Plicky" Williams, Bryan J. Baine, Karl E. Carter and Jennifer Jamerson-Scruggs for the service to the Town of Appomattox.

Janet A. Robertson, Clerk of the Circuit Court, Appomattox County administered the Oath of Office to Mayor Paul D. Harvey, Timothy W. "Timmy" Garrett, Steven T. "Steve" Conner, Mary Lou Spiggle, Joyce B. Bennett, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr. for the term of July 1, 2010 – June 30, 2012.

On a motion by Councilmember McDearmon, seconded by Councilmember Williams, Council voted to adopt the following resolution:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2010-2011 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 2010-2011 Budget was published on May 26, 2010 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 14, 2010;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 29, 2010, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2010-2011;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	40,895.
Administrative Department	535,625.
Professional	50,000.
Police Department	55,500.
Fire Department	23,000.
Street Department	530,377.
Sanitation Department	80,000.
Property Maintenance & Construction	207,000.
Town Shop	15,200.
Donation/Contributions	37,100.
Zoning	28,400.
Town Office	22,850.
TOTAL GENERAL FUND EXPENSES	**1,625,947.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.13 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 $.13 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 situsedwithin 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 60% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 60% 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 2010-2011;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	175,000.
Current Taxes – Personal Property	135,000.
Delinquent Taxes	5,000.
Bank Stock Tax	90,000.
Meals Tax	425,000.
Lodging Tax	30,000.
Franchise Tax	5,500.
Consumption Tax	8,000.
Vehicle License Tax	25,000.
Business License	150,000.
Zoning	1,000.
Interest	3,000.
Rental of Misc. Property	10,000.
Motor Vehicle Tax	3,000.
Sales Tax	45,000.
Aid to Police Department (HB599)	42,911.
Fire Programs	8,000.
Use of Reserve (CD)	281,000.
Use of Beginning Balance	183,536.
TOTAL GENERAL FUND REVENUES	**1,625,947.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Fund Expenditures for Fiscal Year 2010-2011;

TOURISM FUND; EXPENDITURES BY CATEGORY:

Tourism Department	231,720.
TOTAL TOURISM EXPENDITURES	**231,720.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Revenue estimates for Fiscal Year 2010-2011;

TOURISM FUND; REVENUES BY CATEGORY:

VIC Gift Shop	20,000.
Transfer from General Fund	211,720.
TOTAL TOURISM FUND REVENUES	**231,720.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2010-2011;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	1,070,453.
TOTAL WATER EXPENDITURES	**1,070,453.**

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2010-2011;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	400,000.
Connection Fees	4,000.
Availability Fees	3,000.
Reconnect Fees	3,000.
Rental of Misc. Property	70,000.
Beginning Balance of CD	50,500.
Use of Beginning Balance	35,329.
Grants	250,000.
Bond Proceeds	200,000.
Capital Fees	54,624.
TOTAL WATER REVENUES	**1,070,453.**

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2010-2011;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	1,576,049.
TOTAL SEWER EXPENDITURES	**1,576,049.**

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2010-2011;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	650,000.
Connection Fees	5,000.
Availability Fees	8,000.
County Reimbursement SBR & IDA PS	79,000.
Beginning Balance of Certificate of Deposit	33,500.
Bond Proceeds	400,000.

Grants	250,000.
Use of Beginning Balance	150,549.
TOTAL SEWER REVENUES	**1,576,049.**

SECTION XII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2010-2011 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2010-2011 is hereby adopted, effective July 1, 2010 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 29th day of June, 2010.

Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adopt an amendment to the Water and Sewer Policy to include User Charges Connection and Availability Fee Administrative Policy revised to equalize in-town and out-of town water and sewer monthly billing rates, connection and availability fees, including the omission of the out of town rate factor of 1.5 with an effective date of July 1, 2010.
Vote: Mayberry – aye, McDearmon – aye, Williams – aye, Baine – no. Motion carried 3 to 1.

Standing Committee Reports
Finance – Mr. McDearmon reported that we just passed the budget.

Fire & Safety – none

Ordinance – none

Personnel – Mr. Williams reported that the committee yesterday, June 28, 2010 and has nothing to report.

Street & Property – none.

Utility – none

Staff Reports
Mr. Van Nieuwenhuise read the staff updates for June 2010 for the Town Manager, Clerk of Council, Utility Director, Director of Tourism and Water & Wastewater Treatment Supervisor.

Mr. Wilkes gave her report. The auditors will be in the office on July 19 & 20, 2010. There will likely be several budget adjustments that will be needed at the August Workshop meeting.

Council Concerns

Mr. Baine – It has been an honor and privilege to serve and especially wants to thank the town staff who works very, very hard and a high degree of professionalism. While it has its own rewards it is under appreciated.

Mr. Williams – Thanked the Town of Appomattox residents for your support over the years and the staff for your hard work. May God bless each of you. It too has been an honor and privilege for me to have served the past four (4) years. I hope that God will continue to bless the Town of Appomattox.

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

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor

The Appomattox Town Council held a joint public hearing with the Appomattox County Planning Commission on Monday, July 12, 2010 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Council Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett. Absent: C. Lewis McDearmon, Jr.

Planning Commission Members present: George "Spud" Almond, Chairman; Barry Morris, Kevin O'Brien, Calvin Tanner, Susan Hudson.

Others: Johnnie Roark, County Planner; Nolan Connelly, News & Advance; Jim Sefter, Mark & Sarah Marston, Barbara Shelton, Fay Franklin, Stacey H. Wilkes, Town Treasurer, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the public hearing to order.

Chairman Almond called the Planning Commission to order.

Mr. Almond stated the purpose of the public hearing:

CUP08004 – Mark A. Marston
Applicant desires to amend the existing conditional use permit to add an additional duplex on property identified as TM#64A5(15)BKC28 and further identified as 295/297 Lee Grant Avenue, Appomattox, Virginia. The property is zoned R-2, Residential Zoning District. The original conditional use permit was approved by the Appomattox Town Council on August 11, 2008 property on Lee Grant Avenue for a Multi-family duplex.

Mr. Marston spoke in favor of the application and was available to answer any questions.

Mr. Jim Sefter – 984 Pembroke Court, Myrtle Beach, SC
Spoke in regards to the application indicating that the building(s) were 42 feet from the property line. He spoke to dispute that claim. Mr. Sefter said the Town of Appomattox deeded the 30 feet of right of way (Lots 27 & 61) to him in exchange for a sewer easement on the lower side of his property near the creek.

There were no other public comments.

The joint public hearing was considered closed and the Planning Commission was to reconvene at the CVCC meeting room.

On a motion by Mr. Mayberry, seconded by Ms. Bennett, Council voted to close the public hearing at 6:35 p.m. All members present voting aye. Motion carried.

_____ _____

Paul D. Harvey
Mayor

Roxanne W. Paulette
Clerk

The Appomattox Town Council held a regular council meeting on Monday, July 12, 2010 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett. Absent: C. Lewis McDearmon, Jr.

Others: Benny Harvey, Lucy Harvey, Nina Beasley, Bill Smith, Bill Goodrich, Stephanie James, Barbara Shelton, Fay Franklin, Ronnie Spiggle, Cliff Harvey, Hazel Thomas, Chad Millner, Stacey H. Wilkes, Town Treasurer, Frank Wright, Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Pastor Rondel Rumburg, Sovereign Grace Baptist Church, Farmville, Virginia delivered the invocation.

Mayor Harvey led the Pledge of Allegiance.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to add an item for consideration – Discussion and Consideration to purchase a Street Sweeper from the Town of Farmville for a price not to exceed $20,000.00. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adopt the consent agenda of July 12, 2010 as presented. All members present voting aye. Motion carried.

Public Comments – none.

Mayor's Comments – Mayor Harvey welcomed the newly elected council to the first meeting. He is looking forward to the next two years and moving forward on a lot of items.

Mayor Harvey publicly announced the Standing Committee Assignments of the new Town Council:
Finance Committee – McDearmon, Chairman; Conner, Mayberry, Spiggle
Ordinance Committee – Conner, Chairman; Bennett, Garrett, Spiggle
Street & Property Committee – Spiggle, Chairman; Bennett, McDearmon, Conner
Utility Committee – Garrett, Chairman; Mayberry, McDearmon, Spiggle
Personnel Committee – Mayberry, Chairman; Bennett, Garrett, McDearmon
Fire & Safety Committee – Bennett, Chairman; Conner, Mayberry, Garrett

The Town Council met jointly with the Appomattox County Board of Supervisors on Friday, July 9, 2010. An outcome of that meeting was to create sub-committees for the purpose of Waterline, Museum of the Confederacy, Zoning, Tourism and Economic Development Director.

The committee assignments are as follows:
Waterline – Garrett, Mayberry, Carter, Tanner
MOC – McDearmon, Mayberry, Craft, Small
Zoning – Conner, Spiggle, Conrad, Craft
Tourism – Bennett, Spiggle, Conrad, Small
EDD - Conner, McDearmon, Tanner, Carter

Public Appearances – none.

Unfinished Business – none.

New Business –

Mary Lou Spiggle nominated N. H. "Jimmy" Mayberry as Vice – Mayor. She stated she felt like Mr. Mayberry had the most experience. There were no other nominations.

All members present voting aye. Motion carried.

Council received an application by Jamerson Real Estate, Inc. to close a portion of Autumn Lane (formerly known as Liberty Road).

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to appoint three (3) viewers to view the property and report to council on the request by Jamerson Real Estate, Inc. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to authorize advertising a public hearing to be held on Monday, August 9, 2010 at 7:00 p.m. to hear citizen comments regarding the request by Jamerson Real Estate, Inc. All members present voting aye. Motion carried.

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

Resolution of Commitment

Whereas, *the Town of Appomattox and the County of Appomattox have been discussing the future water needs of the community for numerous years; and*

Whereas, *the Town desires to cooperate with the County to the extent that it is mutually beneficial to the citizens of the Town and the County; and*

Whereas, *the County has decided to create a public water system beginning with the construction of the Route 460 Waterline; and*

Whereas, *the County has previously stated its intention to fund 100% of the construction of the Route 460 Waterline; and*

Whereas, *the County has previously stated its intention to own the Route 460 Waterline; and*

Whereas, *the County is currently pursuing funding through multiple sources and those efforts will be greatly enhanced by the participation of the Town, and*

Whereas, *the Town and County agree to jointly negotiate any outstanding items in contract discussions with Campbell County Utilities and Service Authority; and*

Whereas, *the Town and County agree to pursue a Memorandum of Understanding concerning the operations and maintenance, to include but not limited to billing, inspection, testing, maintenance, and overall system administration; and*

Whereas, *the Town agrees, upon completion of the Route 460 Waterline, to cease operation of its current well-system, except in cases of emergency;*

Now, therefore be it resolved, *the Town Council of Appomattox hereby agrees to become a customer of the County of Appomattox for purposes of public water consumption and distribution; and*

Be it further resolved, *the Town Council will utilize the Route 460 Waterline for 100% of its source water, so long as said source is provided by Campbell County Utilities and Service Authority or at some point in the future, the Town and County jointly agree to develop an alternative surface water source.*

All members present voting aye. Motion carried.

Mayor Harvey read the term sheet for the Confederate Memorial Literary Society ("MOC") – Town of Appomattox ("Town") – Fred H. Jones ("Jones") – Acquisition of 8.131 Acres (the "Property") Located in Appomattox County by MOC from Jones

- Jones conveys 6.131 acres to MOC for $425,000 when MOC is prepared to break ground for Appomattox Museum ("Ground Breaking") and donates adjacent 2.0 acres to MOC, claiming charitable contribution for fair market value of 2.0 acres.
- MOC purchases the 6.131 acres from Jones with portion of $5,325,000 loan (the "Loan") from Rural Development Bank ("RDB").
- Repayment of the Loan by MOC to RDB is secured by a first lien deed of trust (the "Deed of Trust") encumbering the Property (including any improvements).
- Prior to Closing, Town executes agreement in favor of MOC to provide water and sewer service to Appomattox Museum and the rest of the Property, including all hookup, service, usage and other fees ("Water and Sewer") until value of Water and Sewer provided by Town equals $325,000, after which time MOC will be charged the Town's usual and customary rates for such service.
- Town pays $25,000 (reduced by supporting costs such as legal fees paid directly by Town related to transaction) to MOC on or before August, 2011.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council approved the Town Attorney to move forward with discussing a specific agreement with the Museum of the Confederacy Attorney on all items except the last bullet item as it will be stricken from the term sheet. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to amend the General Fund budget for the Public Works Department to increase by $20,000.00 to be funded by un-appropriated fund balance to purchase a Street Sweeper from the Town of Farmville for a price not to exceed $20,000.00. All members present voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to convene in Closed Session to pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the performance of specific public employees of the Town, specifically being Employee A and B.

Vote: Garrett – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. 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 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: Garrett – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. McDearmon – absent.

Consideration of Closed Session matters:
Council voted to authorize the Chairman of the Personnel Committee to meet with Employees A & B to discuss the personnel matters regarding those same Employees A & B. All members present voted aye. Motion carried.

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

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Special Call Meeting
July 19, 2010

At the Special Call Meeting of the Appomattox Town Council held on July 19, 2010 at 5:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding.

Council members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, Joyce B. Bennett.

Also in attendance were Bill and June Goodrich, Ronnie Lankford, Stephanie James, Nolan Connelly, Bart Van Nieuwenhuise, Frank Wright, Town Attorney, Stacey Wilkes, Town Treasurer and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mayor Harvey cited the purpose of the meeting:

1. Consider and vote on approval of requested terms of resignation of Bart S. Van Nieuwenhuise pursuant to his letter dated July 13, 2010

2. Consider and vote upon authorizing the Town Clerk to advertise for a new Town Manager pending a review and potential alteration of the job description.

3. Consider and vote upon authorizing the Town Clerk to advertise for a new Water and Wastewater Treatment Supervisor pending a review and potential alteration of the job description.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to accept the resignation of Bart Van Nieuwenhuise which was tendered July 13, 2010, to compensate Mr. Van Nieuwenhuise by paying his current salary through August 15, 2010, paying him for all accrued leave in accordance with the Town of Appomattox Employee Handbook and providing his regular health insurance benefits through the Town for 90 days from the date of his resignation, and voted that Jimmy Mayberry be authorized and empowered to execute any and all documents pertaining to such resignation as may be necessary or recommended by the Town Attorney. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to authorize the Town Clerk to advertise for a new Town Manager, pending a review and potential alteration of the job description. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to authorize the Town Clerk to advertise for a new Water and Wastewater Treatment Supervisor pending a review and potential alteration of the job description. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 5:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
July 27, 2010

At the Workshop Meeting of the Appomattox Town Council held on July 27, 2010 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding.

Council members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lous Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, Joyce B. Bennett.

Also in attendance were: Ronnie Lankford, Nina Beasley, Bill Smith, Stephanie James, Chad Millner, Cliff Harvey, Bill & June Goodrich, Hazel Thomas, Cliff Harvey, Jeff Elder, Carlton Duck, Stacey Wilkes, Town Treasurer and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Mayor Harvey thanked and welcomed everyone.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to approve the amended petition for Mr. Mark Marston – Tax Map # 64A5-15-28A for an additional duplex to the conditional use permit approved in 2008. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, to refer the request of Mr. Gary Warner, Freedom Ridge, LLC to the Utility Committee for review, requesting a site plan from the requestor with his intentions and any other regulations imposed, inviting Mr. Warner to the committee meeting and we need what he's going to do in writing. The motion was withdrawn by Mr. Mayberry and Mr. Garrett.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to refer the request of Gary Warner, Freedom Ridge, LLC to the Utility Committee. The committee will invite Mr. Warner to the meeting to gain more information and a specific written site plan. The committee will report to the entire council. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember McDearmon, Council voted to request the assistance of Appomattox County (by letter), specifically Johnnie Roark to perform Zoning Administrator and Subdivision Agent duties for the Town of Appomattox, effective immediately. All members present voting aye. Motion carried.

<u>Standing Committee Reports</u>
Finance – none.

Fire & Safety – none.

Ordinance – Mr. Conner reported that the committee met on Wednesday, July 14, 2010 to discuss the current Sign and Landscaping Ordinances. The committee will work with Mr. Roark to make the more business friendly. The committee will meet again to discuss the matter further.

Personnel – Mr. Mayberry reported that the committee met on Monday, July 26, 2010 to discuss the job descriptions of the Town Manager and Water and Wastewater Treatment Supervisor.

Street & Property – none.

Utility – none

Staff Reports

Ms. Wilkes reported that the auditors will be on site August 9 and 10, 2010. She will be attending a Debt and Debt Management class on July 29 and 30, 2010. More information will be available at the August meeting.

Ms. Paulette presented her written report to Council. Two (2) items to note were the status of the STAG grant apparent low bidder notification letter from WW Associates and the written request by Jamerson Real Estate Inc. to withdrawn an application to vacate a portion of Autumn Lane.

Council Concerns

None

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 7:20 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor

Regular Council Meeting
Monday, August 9, 2010

The Appomattox Town Council held a regular council meeting on Monday, August 9, 2010 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Stacey H. Wilkes, Town Treasurer

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Pastor Carlton Duck delivered the invocation.

Mayor Harvey led the Pledge of Allegiance.

By consensus, Council added the following items to the agenda dated August 9, 2010:
1. Possible consideration to offer Appomattox County funds for additional salary and benefit package for an Economic Development Director.

2. Discussion of the fee proposal by WW Associates for the additional engineering work on Old Courthouse Road in and around the Museum of the Confederacy property.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adopt the consent agenda of August 9, 2010 as presented. All members present voting aye. Motion carried.

Public Comments – none.

Mayor's Comments – Mayor Harvey stated that a number of citizens have requested consideration for a Town Leash Law. The item will be reviewed by the Street & Property Committee and/or Ordinance Committee.

Mayor Harvey has also received numerous complaints about skateboarding on sidewalks, parking lots and streets in town. The Street & Property will review this issue.

Mayor Harvey also reported that the Personnel Committee continues to work on a job description for the Town Manager's position and the newly created Director of Public Works. The Director of Public Works will consume the previously titled Water and Wastewater Treatment Supervisor. Also, the position of Wastewater Operator has been advertised.

Public Appearances – none.

Unfinished Business – none.

New Business –

On a motion by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to adopt the following resolution:

RESOLUTION OF APPOINTMENT OF INDIVIDUALS AS AUTHORIZED REPRESENTATIVES FOR USEPA STAG FUNDING APPLICATION/IMPLEMENTATION PROCESS

WHEREAS, the Town of Appomattox desires to enter into a grant agreement with the United States Environmental Protection Agency for the purpose of upgrading its water and sewer infrastructure, and

WHEREAS, the United States Environmental Protection Agency requires that the Town Council of the Town of Appomattox provide a list of approved representatives which will be authorized to execute official documents related to the application for and securing of federal funds from the United States Environmental Protection Agency to construct said improvements to the town's infrastructure, and

WHEREAS, it is the intent of the Town of Appomattox to proceed with these capital improvements recognizing that without the financial assistance of the aforementioned grant funds these improvements would not be possible.

NOW, THEREFORE BE IT RESOLVED, that the Town of Appomattox does hereby appoint Paul D. Harvey, Mayor for the Town of Appomattox, and N. H. "Jimmy" Mayberry, Vice-Mayor for the Town of Appomattox as its authorized representatives to execute any of the required documents relating to the USEPA STAG funding application/implementation process mentioned previously in the body of this resolution.

Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. Motion carried.

Economic Development Director

Mayor Harvey explained Appomattox County's salary proposal of $46,000/yr plus benefits. The Town discussed adding a sum to the salary and benefits to increase the base salary to a more competitive salary. Part of the discussion included incentives or bonuses. More discussion will need to occur about quantifying those. Council agreed to table this item until after the joint meeting with the Board of Supervisors on August 24, 2010.

Engineering Fee Proposal for Old Courthouse Road

Council discussed the fee proposal received from WW Associates of $44,450.00. After much discussion of the bid being too high, Mayor Harvey will write a letter to the other firms under the BOA for quotes.

Council Concerns –
The Appomattox County Board of Supervisor is likely going to change the size of the Planning Commission board. The town will not need to act on that.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Workshop Meeting
August 24, 2010

At the Workshop Meeting of the Appomattox Town Council held on August 24, 2010 at 7:00 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding.

Council members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, Joyce B. Bennett.

Also in attendance were: Stacey Wilkes, Town Treasurer and Roxanne W. Paulette, Clerk.

Mayor Harvey called the meeting to order.

Mayor Harvey thanked and welcomed everyone.

Appearance/Presentation

Bob Gillespie, Jr., President, MRG Consulting, LLC and Herbert F. White, III, P. E., President, WW Associates appeared before Council to provide an update of the STAG Grant project and recently received bid for the project.

On a motion by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to award the Water Line and Sanitary Sewer Improvement project (WWA Project No. 209029.03) to Biggs Construction Co., Inc. for $739,775.00 contingent upon award of the State and Tribal Assistance Grant (STAG) from the EPA's FY 2004 Special Appropriation Project Grant of $482,200 to the Town of Appomattox. All members present voting aye. Motion carried.

No action was taken on a taxpayer's request to prorate the business license paid at the beginning of 2010. They have gone out of business and are asking for a refund of $1,423. This has not been the practice of the Town so the taxpayer was asking Town Council to grant an exception.

Council agreed by consensus to wait for the State Contract prices on the pickup trucks (General Fund 28,000.00) (Sewer Fund (21,000.00). The State prices are expected to be out September 1, 2010.

Standing Committee Reports

Finance – Discussion continue about property adjoining the Town Shop at 1771 S. Church Street.

Fire & Safety – The committee will be meeting to discuss blighted property.

Ordinance – The committee will be meeting soon to discuss the Sign and Landscaping Ordinances reviewed by Johnnie Roark, County Planner.

Personnel – Nothing to report.

Street & Property – Ms. Spiggle reported that she will be meeting with Will Simmons next week to discuss office space at the Visitor Information Center.

Utility – A Water Committee meeting is scheduled for Wednesday, August 25, 2010. A meeting with the Museum of the Confederacy has laid out the water and sewer connections for the property.

Staff Presentations

Will Simmons, Director of Tourism – Presented a Power Point to the Council about what the department has accomplished over the last year.

Stacey Wilkes, Treasurer – Presented June 2010 Financial Reports. There was no use of fund balance last year. FY 2010 audit continues. July 2010 is operating within budget.

Closed Session

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to convene in Closed Session pursuant to §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 an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being property for a recreational park facility and such property being located on 1771 South Church Street.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. Motion carried.

There was no action as a result of the Closed Session.

Council Concerns

None

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

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor

Joint Meeting
Appomattox Town Council & Appomattox County Board of Supervisors
August 24, 2010

The Appomattox Town Council met jointly with the Appomattox County Board of Supervisors on Tuesday, August 24, 2010 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Town of Appomattox – Present: Paul D. Harvey, Mayor; Council Members: Joyce Bennett, Steve Conner, N. H. "Jimmy" Mayberry, Mary Lou Spiggle, C. Lewis McDearmon, Jr. and Timmy Garrett. Others: Stacey Wilkes, Town Treasurer and Roxanne W. Paulette, Clerk of Council.

County of Appomattox – Present: Board Members: Gary Tanner, Thomas Conrad, W. H. Craft, Samuel Carter, Jerry Small; Johnny G. Overstreet, County Attorney; Aileen T. Ferguson, County Administrator; John Spencer, Assistant County Administrator; and Vicky Phelps, Administrative Assistant.

Mayor Harvey called the Appomattox Town Council to order.

Chairman Tanner called the Appomattox County Board of Supervisors to order.

Supervisor Small delivered the invocation.

Mayor Harvey welcomed the Board of Supervisors and all guests to the meeting and thanked them for attending.

Items discussed:
Economic Development Director
Mayor Harvey advised both governing bodies that he had spoken with the Economic Development Partnership in Richmond and Liz Povar is available to come and speak to both bodies on September 15, 2010.

Both bodies were in agreement with allowing Ms. Povar to speak to both bodies before committing any further on the efforts of hiring an Economic Development Director.

Public Address System Repairs and Changes
The Public Address system at the depot is in need of upgrading.
On a motion by Mr. Carter, seconded by Mr. Conrad, the Board of Supervisors voted on a 50/50 split for the cost of the upgrade.
Roll call vote – Craft – aye, Conrad – aye, Small – aye, Tanner – aye, Carter – aye. Motion carried.

Economic Development Director Interview Panel
Mr. Conrad suggested waiting until after the meeting with Liz Povar on September 15, 2010 to discuss this item further. The County will forward a copy of the Position Description to Ms. Povar for review.

Other concerns:

The Water Committee will meet on August 25, 2010. Aileen Ferguson will present the timeline for the project. Mayor Harvey will be unable to attend the meeting but is looking forward to good things.

Boundary Line Adjustment
Mr. Overstreet (County Attorney) advised that the County wanted to make sure that all the property owners affected were in agreement before proceeding. That appears to be the case. If this proceeds to be a voluntary agreement between each governing body then each body would enter into an agreement of general terms and each would be required to hold a public hearing.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 6:30 p.m. All members present voting aye. Motion carried.

On a motion by Supervisor Conrad, seconded by Supervisor Small, the Board voted to adjourn at 6:30 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk of Council

Paul D. Harvey
Mayor

The Appomattox Town Council held a joint public hearing with the Appomattox County Planning Commission on Monday, September 13, 2010 at 6:30 p.m. at the Carver Price Educational Complex, 132 Price Lane, Appomattox, Virginia.

Council Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett, C. Lewis McDearmon, Jr. and Mayor Paul D. Harvey.

Planning Commission Members present: Steve Conner, Earl Dickerson, Calvin Tanner, Marvin Mitchell, Susan Hudson, Barry Morris, Michael Wirth, and Chairman George Almond.

Others: Johnnie Roark, County Planner and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the public hearing to order.

Chairman Almond called the Planning Commission to order.

Mr. Almond stated the purpose of the public hearing:

CUP100006 – Delta Response Team, LLC
Delta Response Team, LLC, requests a conditional use permit to operate a private ambulatory service (safety services, private) on property located at 698 Jones Street, Appomattox, Virginia and is further identified as TM #64A2(4)1A. The property is zoned M-1, Industrial Zoning District and is approximately 9.59 acres in size. The petition will be a joint public hearing with the Town Council of Appomattox. If approved, this will amend the Town of Appomattox's zoning ordinance to include the use "safety services, private" in Section 195-56 and to added to Section 195-1, Definitions, the following definition for safety services, private: Uses for the conduct of safety and emergency services for the primary benefit of the public; privately owned and operated, including emergency medical and ambulance services.

Mrs. Susan Walton, President & CEO – Delta Response stated that the business will be providing mutual aid to the Appomattox County Volunteer Rescue Squad. It will benefit the community. She is further requesting the application be approved to comply with proper zoning.

Mr. Johnnie Roark explained to the Planning Commission and Town Council that this would become a permitted use in the M-1 District.

On a motion by Mr. Barry Morris, seconded by Mr. Calvin Tanner, the Planning Commission voted to recommend the request as written. Vote: All present voting aye. Motion carried.

The joint public hearing was considered closed.

_____ _____

Paul D. Harvey
Mayor

Roxanne W. Paulette
Clerk

Regular Council Meeting
Monday, September 13, 2010

The Appomattox Town Council held a regular council meeting on Monday, September 13, 2010 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner Joyce B. Bennett and C. Lewis McDearmon, Jr.

Others: Lauren Mitchell, Courthouse Presbyterian Church; Ronnie Lankford, Bobbie Mullins, Raymond Mullins, Bill Goodrich, June Goodrich, Hazel Thomas, Stephanie James, Barbara Shelton, Chad Millner and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Lauren Mitchell, Courthouse Presbyterian Church, Appomattox, Virginia gave the invocation.

Mayor Harvey led the Pledge of Allegiance.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adopt the consent agenda with the addition of NB #6 – Consideration to award Engineering Services for the Museum of the Confederacy to WW Associates. All members present voting aye. Motion carried.

Citizens Comments – None

Mayor's Comments – The sewer portion of the STAG grant has been awarded. The water portion should be awarded by the end of September 2010.

Public Appearances – None

Unfinished Business – None

New Business –
On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to ask the Joint Planning Commission to consider moving the monthly meetings to the second Tuesday or the Fourth Monday of each month. All members present voting aye. Motion carried.

On a recommendation of the Utility Committee, Council voted to authorize the Town Utility Department to purchase Orion water meters at a price not to exceed $39,000 for FY 2011 for meter replacement. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to authorize the Mayor to execute an easement for a 20' Force Main lying south on U.S. Route 460 between the Green Meadows II, LLC and CVS #3515, Virginia, LLC and the Town of Appomattox. All members present voting aye. Motion carried.

Region 2000 Local Government Council provided a draft Region 2000 Bicycle Plan for your review and comments. A public hearing is scheduled for Thursday, October 21, 2010 at 4:00 p.m. at the Virginia's Region 2000 Local Government Council Conference Room, 828 Main Street, 12th floor, Lynchburg, Virginia.

On a motion by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to select WW Associates to complete the sewer project on behalf of the Town of Appomattox for the Museum of the Confederacy project (Phase II – Stag Grant). All members present voting aye. Motion carried.

Council Concerns –
Mr. Mayberry is receiving complaints regarding the length of time yard sale signs are left up after the sale.

Ms. Bennett is concerned about yard sale material being left outside covered with tarps. She would like the Ordinance Committee to review the complaint.

Mayor Harvey received an email regarding the possibility of having bi-weekly or monthly flea markets.

Ms. Conner stated that he does not know if he is in favor of the Delta Response to operate as 911 in place of the rescue squad. He doesn't have a problem with the transport service.

Mr. McDearmon asked if the town approves the request does that mean it could go into any M-1 location. If so, we need to think about that.

The Planning Commission can only recommend but the Town Council could impose conditions for the Conditional Use Permit.

The Clerk will clarify the timelines of the Planning Commission recommendation and Town Council approval.

The waterline progress is unknown at this time due to funding and grant application.

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to adjourn at 7:55 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

Joint Meeting
Appomattox Town Council & Appomattox County Board of Supervisors
September 28, 2010

The Appomattox Town Council met jointly with the Appomattox County Board of Supervisors on Tuesday, September 28, 2010 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Town of Appomattox – Present: Paul D. Harvey, Mayor; Council Members: Joyce Bennett, Steve Conner, N. H. "Jimmy" Mayberry, Mary Lou Spiggle, C. Lewis McDearmon, Jr. and Timmy Garrett. Others: Stacey Wilkes, Town Treasurer and Roxanne W. Paulette, Clerk of Council.

County of Appomattox – Present: Board Members: Gary Tanner, Thomas Conrad, W. H. Craft, Samuel Carter, Jerry Small, Johnny G. Overstreet, County Attorney; Aileen T. Ferguson, County Administrator; Johnnie Roark, County Planner; and Vicky Phelps, Administrative Assistant.

Mayor Harvey called the Appomattox Town Council to order.

Chairman Tanner called the Appomattox County Board of Supervisors to order.

Supervisor Small delivered the invocation.

Mayor Harvey led the Pledge of Allegiance.

Mayor Harvey informed the Council that it has contracted with Aqua Law (Chris Pomeroy) to help craft an agreement between the Town and County.

The Council and Board heard from Mr. Earl Dickerson, Hurt & Proffitt, Inc. Hurt & Proffitt, Inc. has been working on the design of the Concord to Appomattox waterline and grant/loan submission.

Mr. Earl Dickerson:
In April 2009, Hurt & Proffitt, Inc. was given a contract to proceed with design of the 460 waterline. The drawings were submitted to VDH. Comments were received in June/July of 2010. H&P is expecting final plans with approval by the end of October 2010. The plans have been reviewed by VDOT. It will not be placed in the median but it will be off the shoulder of the road. The Preliminary Engineering Report was prepared initially and sent to Rural Development. The VDH was approved the PER. Rural Development looked at the PER in 2009 but nothing happened because the Town was not on board. Now that the Town is a customer Rural Development will be provided with an up to date copy to review.

Rural Development has been involved since 2009 and money was available at that time.

The stimulus money has all been spent. The Rural Development funding option would likely be a grant/loan combination.

Rural Development
The rates have dropped from 2.735% to 2.5% for 40 years. Back during the stimulus days we were being told 75% (Grant) and 25% (Loan). The federal government fiscal year begins October 1, 2010. USDA doesn't know what their program will be at this time.

The County has been offered 4.27 million by the Virginia Department of Health in low interest loan – 2.5% interest rate, 20 years. The Board of Supervisors recently voted to accept $2.5 million of the $4.27 million. In my opinion (Earl) there is a possibility of Tobacco Commission to receive a grant.

Early in the process, the County met with CCUSA to discuss the rate of $2.27 per 1000 gallons. Once it was known that the Town would be a customer, Johnnie Roark and Earl Dickerson met with Mike Damron to discuss the rate methodology to reduce the costs being passed on to Appomattox County. Mike agreed to that approach. The rate for 250,000 gallons per day. If between the Town and County the rate would be $1.86 -- 200,000 gallons per day would be $1.97. As the volume decreases, the rate increases and vice versa.

Even at the rates we are projecting here, by numbers given by the Town Manager approximately a year ago, the cost of water at the well head per 1000 gallons there would be a potential savings of $20,000 – 30,000 per year.

On July 27, 2010, the CCUSA board approved the cost of treated water to Appomattox.

The contract is final but waiting to be executed.

The upcoming schedule:

- Expect plans (construction drawings) by the end of October 2010.
- Railroad Crossing easement
- The negotiation of 23 permanent and 15 temporary easements. The negotiation will be complete by the second week of October 2010.
- If the County decides not to pursue Rural Development funding, bidding by mid-late November 2010. Likely receive bids after the 1st of 2011. The low bidder under contract by the end of January/February 2011.
- Under construction/complete by Spring 2012 or before.

Questions/Answers:

Q: Mr. Conner asked if we can proceed without Rural Development funding?
A: Mr. Roark stated that the County has the funds available but the board has not given the okay to proceed.

Q: Mr. Conner asked if Rural Development had unfunded mandates?
A: Mr. Dickerson stated that Rural Development requires the locality to charge $4000/month. These people pay the same for 4000 gallons as they did for 5000 gallons per month. The requirement with Rural Development is the Median Household Income

(MHI) x 1.5% / 12 months equals the rate the locality would need to charge for debt service.

Q: Mr. Conner asked if this would be for the life of the loan?
A: Mr. Dickerson – yes.

Q: Mayor Harvey asked if there was a reapplication process after 10/2010?
A: Mr. Roark and Mr. Dickerson responded – No. The Preliminary Engineering Report (PER) is the application Art Powers has had for a long time.

Q: Mr. Carter asked if anyone has looked into the Tobacco Commission funding?
A: Mr. Roark stated that the County receives their yearly appropriation but there is another pot of money possible matching money for the STAG grant.
A: Mrs. Ferguson spoke regarding the inquiries on the Tobacco Commission funding. We have not ignored that avenue, but have not been encouraged.

Q: Mr. Conner asked if the Virginia Department of Health dictates rates?
A: Mr. Dickerson responded that they want to see that you have the ability to make the loan payments.
A: Mr. Roark said that to the Virginia Department of Health the Town is one customer to the County and the Town has been given the pass through rate.

Q: Mr. Conner asked if there was anything preventing the bid from being awarded in February 2011?
A: Mr. Roark responded that the County will handle the payback of any loans/grants, etc. The rate with VDH is based on prevailing AA Market rate. The rate will be set at the closing.

Comment: Mr. Conner said we need to act quickly.

Q: Mr. Conner asked the board if they had approved for the County to proceed without Rural Development funding.
A: Mr. Roark – that is correct.

Comment: Mr. Conner stated that if you wait on Rural Development you'll lose the project or it may cost more money.

Aileen Ferguson, County Administrator – We have all the money we need. We are looking for all the grant money we can. If we continue looking at grant money, we will reduce the money needed from the taxpayers.

Mr. Carter stated that we know the Tobacco Commission has money.

Aileen Ferguson, County Administrator – We are pursing the grant money from the Tobacco commission but there are criteria you must meet.

Mayor Harvey asked if anyone has contacted our delegate.
Mr. Conner said the State Senator, too.

Aileen Ferguson said both of which are good options.

Mr. Dickerson - To qualify for Rural Development grant money = The formula is MHI x 1.5 / 12 = $32.00 – 33.00 per month per user.

Mr. Roark reiterated that the County has the money to proceed.

Mr. Conner – We promised the people cleaner and cheaper water – In these economic times we need to make this decision and move on. It isn't going to get any cheaper.

Mr. Carter – Can we make any alterations to the current plan? Such as a spur to Route 613, the Community Park or the IDA park?

Mr. Conrad – We've been talking about the 460 waterline for years – Not "fingers" of the line. Let's put the line down 460.

Mr. Craft – Why do you have to cross the Railroad tracks so many times?

Mr. Dickerson responded – for connections.

Mr. Dickerson stated that it's a 12" line down 460 with 3/4" residential connections.

Mr. Conner asked again if the board says go – you're ready?

Mr. Dickerson responded that we (H&P) have been proceeding to the bid process. We haven't been authorized to advertise the bids.

Mr. Dickerson also stated that provided we follow all of Rural Development's guidelines when the money is available we could possibly seek reimbursement.

Mr. Conner said I just wanted to make sure we weren't waiting on money that may or may not come.

Aileen Ferguson, County Administrator told the board that they could take action tonight but it's my understanding that the project is moving forward.

The Board of Supervisors decided to take action at their meeting on Monday, October 4, 2010.

Mayor Harvey thanked everyone for coming together to discuss the matter.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 6:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk of Council

Paul D. Harvey
Mayor

Workshop Meeting
Tuesday, September 28, 2010

The Appomattox Town Council held a workshop meeting on Tuesday, September 28, 2010 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Dennis Amos, Anderson & Associates; Bill and June Goodrich, Cliff Harvey, Hazel Thomas, Ronnie Lankford, Stephanie James, Nina Beasley, Chad Millner, Barbara Shelton and Carlton Duck, Stacey H. Wilkes, Town Treasurer, Frank Wright, Town Attorney, and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Mayor Harvey introduced Dennis Amos, PE with Anderson & Associates who provided an update on the Groundwater Study project that began in 2007. In August 2007, Anderson & Associates assisted the Town in submitting a planning grant application to the Virginia Department of Health to do a Preliminary Engineering Report. In December 2007, the Town was informed it was awarded the grant. In January 2008, the Town passed a resolution accepting the grant. In September 2008, the Town and Anderson and Associates entered into a contract to perform the services outlined in the planning grant. In October 2008, Anderson & Associates began their portion of the project by completing the fracture trace analysis and locating sites for additional resistivity testing. The town began trying to acquire permission from property owners. This process went on for quite a while. In August 2009, Anderson & Associates still had not received the permission it needed. Mr. Van Nieuwenhuise came to Blacksburg and met with Anderson & Associates to look for ways to reduce the number of property owners. In April 2010, Anderson and Associates did the image analysis on two (2) sites. The other property is owned by Keith Martin and he is unable to turn off the electric fencing to conduct the necessary testing. Anderson & Associates has collected enough data from the two properties.

The grant is for $25,000 and the Town has spent an additional $2,000 to date. The proposed test drilling well was located at the new Wal-Mart site. Anderson & Associates has enough data to wrap up the project or A&A could wait for the resistivity testing at the Martin site. The grant obligates the Town and Anderson & Associates to complete the Preliminary Engineering Report (PER) and recommend a well site. Anderson and Associates can meet those obligations.

Mr. Amos advised Council that there are no guarantees that the Wal-Mart site well if drilled would not interfere with the production of other wells.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council approved authorizing Anderson & Associates to complete the Preliminary Engineering Report in order to move the project forward. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember McDearmon, Council voted to authorize purchase of the Ford F250 ¾ Ton Extended Cab pickup truck for the Public Works department from Apple Ford for $22,977.00. All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Spiggle, Council voted to authorize purchase of the Chevrolet 1500 ½ Ton Regular Cab pickup truck for the Sewer Department from Cardinal Chevrolet for $21,550.00. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to replace all the town property signs and add the language "Under Authority of the Town of Appomattox, Virginia". All members present voting aye. Motion carried.

Mr. Conner inquired if everyone who could be included in the boundary line adjustment had been asked. The Mayor indicated that the County was taking care of that. Mr. Conner would let the property owner who inquired know to talk with the county.

Committee Updates:
Finance – Mr. McDearmon reported that the Finance Committee would meet on September 30, 2010.
Fire & Safety – Ms. Bennett reported that the Appomattox Volunteer Fire Department gave a presentation about a new truck for FY 2012. The committee also discussed blighted property. The committee is scheduled to meet again on October 7, 2010 at 4:30 p.m. after review of the current ordinance and discuss how to proceed regarding the blight property.
Ordinance – Mr. Conner reported that the Landscaping and Sign Ordinances were brought back to the Town today by the Zoning Administrator (Johnnie Roark). The proposals are to aid in a business friendly landscaping and sign ordinance.
Personnel – Mr. Mayberry reported that the committee met today, September 28, 2010. There was nothing to report.
Street & Property – Ms. Spiggle reported that the committee met on September 16, 2010 and will be moving forward with replacing the roll up doors downstairs at the Town Office building, the blacktop downstairs and at the Kiddie Park walking trail, the Handrail on Church Street, street lights on Ferguson Street, the sidewalk on Confederate Blvd. The committee will also be looking for prices on an awning for the door at the Town Office entrance. The committee has received a request for a street light at the corner of Price Lane and Patricia Anne Lane and on Pine Street.
Utility – Mr. Garrett reported that the Town has met with the County and the County will be moving forward on the waterline project.

The Mayor extended thoughts and prayers to the Director of Tourism, who is recovering from surgery.

There were no other reports from the Town Treasurer or Clerk of Council.

Council Concerns: None

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a joint public hearing with the Appomattox County Planning Commission on Tuesday, October 12, 2010 at 6:30 p.m. at the Carver Price Educational Complex, 132 Price Lane, Appomattox, Virginia.

Town Council Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett and Mayor Paul D. Harvey.

Planning Commission Members present: Steve Conner, Earl Dickerson, Calvin Tanner, Marvin Mitchell, Susan Hudson, Barry Morris, Michael Wirth and Chairman George Almond.

Others: Johnnie Roark, County Planner and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the public hearing to order.

Chairman Almond called the Planning Commission to order.

Mr. Almond stated the purpose of the public hearing.

Mr. Almond, Mr. Conner, and Mr. Dickerson excused themselves from the discussion and consideration of the petition. All stated a conflict of interest as their reason.

CUP10007 – Jamerson Real Estate, requests a conditional use permit to locate an apartment complex (multi-family dwelling) on property located at the intersection of Redfields Road and Confederate Blvd. in Appomattox, Virginia. The apartment complex will consist of up to 16 units and is further identified as TM #64A6(1) (A)1 and is approximately 1.663 acres in size. The property is zoned M-1, Industrial Zoning District. This petition will be a joint public hearing with the Town Council of Appomattox. If approved, this will amend the Town of Appomattox's zoning ordinance to include the use "multi-family dwelling" in Section 195-56 per the requirements of Section 195-15, Uses not provided for, Special Exception.

Mr. Bill Jamerson stated that he was planning to build up to 16 apartments on the 1.6 acres. The apartments would be less obtrusive than other uses of the M-1 Industrial zoning allowed. The project is beneficial for jobs and the economy. There is a need for the apartments and housing in this area.

Mr. John Spiggle, 221 Countryside Drive, Appomattox – He is 100% against the proposed use of the property. There would be lots of noise and lots of traffic. He doesn't want the additional traffic. He stated that his neighbors are also against the project. He asked that the Planning Commission oppose the change.

The public hearing was declared closed for public comments at 6:37 p.m.

The Planning Commission discussed the petition.

A motion was made by Mr. Barry Morris, seconded by Mr. Michael Wirth to recommend the request as submitted. Vote: Morris – aye, Wirth – aye, Mitchell – aye, Tanner – aye, Morris – aye, Hudson – no. The motion passed 4-1.

The joint public hearing was considered closed.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

Regular Council Meeting
Tuesday, October 12, 2010

The Appomattox Town Council held a regular council meeting on Tuesday, October 12, 2010 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Bill and June Goodrich, Stephanie James, Chad Millner, Reed Johnson, National Park Service; Tom Walton, Delta Response Team and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Mayor Harvey led the Pledge of Allegiance.

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to approve the consent agenda with the removal of NB #4 – *Consideration to accept the recommendation of the Finance Committee to authorize the Town Treasurer to pursue financing for expenses related to our share of the STAG grant projects with BB&T, not to exceed $650,000. It also requests that the Town Treasurer be authorized to secure bond counsel for the financing with BB&T.* All members present voting aye. Motion carried.

Public Comments – Mr. Reed Johnson, Superintendent, National Park Service appeared before Council at the direction of the Northeast Region to express a desire to be included in the proposed boundary line adjustment near the Museum of the Confederacy property on Route 24.

Mayor's Comments – Mayor Harvey thanked the Railroad Festival Committee and volunteers for another success event. Mr. Conner also commented on the great job cleaning up the town before and after this year.

Public Appearances – none.

Unfinished Business – none.

New Business –

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to table NB#1 – *Consideration to accept the recommendation of the Appomattox County Planning Commission to amend the Zoning Ordinance to include the following definition for safety services, private: Uses for the conduct of safety and emergency services for the primary benefit of the public; privately owned and operated, including medical and ambulance services* and NB #2 – *Consideration to approve a Conditional Use Permit for Delta Response Team, LLC to operate an ambulatory service in an M-1, Industrial District* until the October 26, 2010 Workshop Meeting, pending the submission of a letter of acceptance/permission by the property owner, Mr. Fred Jones. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to adopt the following resolution:

WHEREAS, the Department of Human Resource Management of the Commonwealth of Virginia (hereinafter referred to as the "Department"), has established the Health Benefits Program (hereinafter referred to as the "Program") effective July 1, 1990, and

WHEREAS, the Governor has approved such Program; and

WHEREAS, pursuant to 2.2-1204 of the Code of Virginia, local employers may, by making proper application and complying with the regulations governing the Program, participate in the Program; and

WHEREAS, the Town of Appomattox (hereinafter called the "Employer") is eligible to participate in the Program and become a party to any agreements established to carry out the funding of the Program, and wishes to adopt said Program for the benefit of its eligible employees, and to become a party to said agreements;

NOW, THEREFORE, by this instrument of writing, effective as of October 12, 2010, the Employer, acting herein by and through its duly authorized representatives, hereby adopt the Program for all of its eligible employees and subscribes to the provisions of the regulations and all agreements related thereto by and between the Department and any third party, effective November 1, 2010, all in accordance with the following:

(1) The Employer agrees to comply with the regulations governing the Program and the duties of Employers set forth therein. These duties include by are not limited to the following:

- ✓ *Complete an employer application and execute an adoption agreement;*
- ✓ *Remit employer and employee contributions to the Department or its designee as set forth in regulations;*
- ✓ *Provide employees with enrollment forms, process and certify the same;*
- ✓ *Serve as a channel of communication between the Department and employees;*
- ✓ *Otherwise assist in administration of the Program as requested by the Department.*

(2) The employer agrees to be bound by all the terms, provisions, conditions and limitations of the Program and any agreements which are pertinent to any entity defined as an "Employer" therein, with respect to its employees eligible for participation in the Program.

(3) The Employer agrees that the Department of Human Resource Management shall act as Plan Administrator for the Employer and its employee-participants under the Program in the same manner in which the Department acts for state employee-participants.

(4) The Employer agrees to provide 90 days notice to the Department in the event it wishes to cease participation in the Program. The Employer shall be obligated to pay any and all contributions otherwise required through the date of termination and interest related thereto as

well as any adverse experience adjustment which may apply with respect to the year the termination occurred.

(5) The Employer understands and agrees that non-payment of contributions shall be considered a breach of the adoption agreement and the employer may be obligated to pay damages. In the event that the Employer terminates participation, such termination can only be prospective and the employer shall be obligated to pay the greater of past contributions or actual claims incurred during such period and any interest and damages that may be associated with such non-payment. In no event will be Department return to the Employer contributions made for ineligible employees.

(6) The Employer agrees to furnish from time to time such information with reference to its employee participants as may be required by the Plan Administrator.

(7) The Employer agrees to reimburse the Department for expenses or settlement incurred by the Department as a result of any employee's bringing a cause of action based on the Employer's disregard of the regulations or violation of this adoption agreement.

(8) The Effective Date of the Program shall mean, in regard to the Employer and its employee-participants.

IN WITNESS WHEREOF, this agreement has been executed on behalf of the Employer, and its seal hereunto affixed by its duly authorized representatives on this ____ day of _____, 20 ___.

All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Mayberry, Council voted to table the request of the National Park Service for inclusion in the boundary line adjustment until the Town hires a Town Manager who can gather more information and present such information to the Council. All members present voting ay. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Spiggle, Council voted to empanel a Property Maintenance Investigation Board. The board shall consist of Marvin Mitchell (Planning Commission), Lonny Hamlett (County Fire Marshall/Building Inspector) and Todd Milton (Contractor). The board will serve in accordance with Section 71-3 of the Code of the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to proceed with a Utility Committee meeting to review the proposals submitted for consideration under the Engineering Services Basic Ordering Agreement. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to convene in Closed Session to 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 discussion of prospective consulting services to be provided as more fully described in the request for proposal advertised on October 4, 2010 and §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the performance of a specific public employee of the Town, specifically being Employee A.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to enter into an agreement with MRG Consulting, LLC as an administrative consultant for the Town and Mayor Harvey being authorized to sign the agreement. All members present voting aye. Motion carried.

Council gave consent to add an additional agenda item.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to authorize advertising a public hearing for the amended Landscaping Ordinance, pending legal review. All members present voting aye. Motion carried.

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

_____ _____

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

Workshop Meeting
Tuesday, October 26, 2010

The Appomattox Town Council held a workshop meeting on Tuesday, October 26, 2010 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Bill Gillespie, Interim Town Manager.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Conner, seconded by Councilmember Mayberry, Council voted to accept the recommendation of the Appomattox County Planning Commission to amend the Zoning Ordinance to include the following definition for Safety Services, private: Uses for the conduct of safety and emergency services for the primary benefit of the public; privately owned and operated, including emergency medical and ambulance services.
Vote: Garrett – aye, McDearmon – aye, Mayberry – aye, Conner – aye, Bennett – aye, Spiggle – no. Motion carried 5-1.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to approve the Conditional Use Permit for Delta Response Team, LLC to operate an ambulatory service in an M-1, Industrial District with no conditions.
Vote: Garrett – aye, McDearmon – aye, Mayberry – aye, Conner – aye, Bennett – aye, Spiggle – no. Motion carried 5-1.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to table Agenda Items #4 and #5 – *Consideration to accept the recommendation of the Appomattox County Planning Commission to amend the Zoning Ordinance to include the use "multi-family dwelling" in Section 195-56 per the requirements of Section 195-15, Uses not provided for, Special Exception* and *Consideration to approve a Conditional Use Permit for Jamerson Real Estate to allow up to 16 apartments (multi-family dwelling) in an M-1, Industrial District,* respectively until November 8, 2010 (Regular Meeting) to provide the Town Manager time to review the request and provide more information to Council. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – abstaining (Conflict of Interest), Bennett – no. Motion carried 4-1.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to table Agenda Item #6 – *Consideration to accept the recommendation of the Finance Committee to authorize the Town Treasurer to pursue financing for expenses related to our share of the STAG grant projects with BB&T, not to exceed $650,000. It also requests that the Town Treasurer be authorized to secure bond counsel for the financing with BB&T,* until the November 8, 2010 Regular Meeting. All members present voting aye. Motion carried.

Committee reports:
Finance – Mr. McDearmon reported that the committee met on September 30, 2010 and discussed Agenda Item #6 but has now decided to table the matter due to dated material

presented. Mr. Gillespie will re-evaluate and move forward with an acceptable procedure for funding options.
Ordinance – No report.
Ordinance – Mr. Conner reported that Mr. Wright, Town Attorney is working with Mr. Johnnie Roark on the Landscaping Ordinance.
Personnel – No report.
Street & Property – Ms. Spiggle reported that the items discussed at the September 28, 2010 are continuing to move forward.
Utility – No report.

Staff Reports – None other than what was attached to the agenda.

Council Concerns:
On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to send Mr. Gillespie, Interim Town Manager and Mr. Steven Conner, Council Member to the Tobacco Commission meeting on Wednesday, October 27, 2010 in South Hill, Virginia. All members present voting aye. Motion carried.

Mr. Conner also reported that he is concerned that mutual agencies need to be formally informed that the previous Town Manager is no longer employed or working on behalf of the Town of Appomattox. Mr. Gillespie will follow up on this matter.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 7:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a public hearing on Monday, November 8, 2010 at 7:15 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Town Council Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett and Mayor Paul D. Harvey.

Others: Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the public hearing to order.

Mayor Harvey stated the purpose of the public hearing.

The Appomattox Town Council will hold a public hearing pursuant to §§15.2-1800 and/or 15.2-1802 of the Code of Virginia, 1950, as amended, on Monday, November 8, 2010 at 7:15 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia to hear citizen comments regarding the conveyance of a Right of Way Agreement for land in the Town of Appomattox for the purpose of allowing Virginia Electric and Power Company, a Virginia public service corporation, doing business in Virginia as Dominion Virginia Power to upgrade the electric facilities. The Right of Way Agreement area is described as follows:

> Area within tax map # 645A (16) 5 on property owned by the Town of Appomattox on the corner of Court Street and Linden Street.

No comments were received during the public hearing.

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

Mr. Gillespie, Interim Town Manager cautioned Council to proceed slowly with the request. He advised that the request would inhabit the Town's ability of its only green space in front of the Municipal Building.

The public hearing was considered closed at 7:30 p.m.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

The Appomattox Town Council held a regular council meeting on Monday, November 8, 2010 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Bill Jamerson, Hazel Thomas, Rhonda Guill, Nolen Connelly, Jordan Miles, Susan Carson, Roger and Debbie Carson, Lucy Harvey, Benny Harvey, John Spiggle, Stephanie James, Bill and June Goodrich, Chad Millner, Nina Beasley, Earl Martin, Bob Hopkins, Cliff Harvey, Tony Clifton, Frank Wright, Jr., Town Attorney, Bill Gillespie, Interim Town Manager and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Mayor Harvey led the Pledge of Allegiance.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to approve the consent agenda with the addition of a Closed Session. All members present voting aye. Motion carried.

Closed Session –
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 counselor retain by the Appomattox Town Council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being a consultation with legal counsel for the purpose of receiving legal advice regarding the Conditional Use Permit before Council on November 8, 2010.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye.

Now, therefore, be it resolved, that the members of 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye.

Mr. Bill Jamerson – Jamerson Real Estate appeared before Council to withdraw the Conditional Use Permit request CUP 10007.

Mr. Jamerson also suggested looking into the iron railing along Church Street. He recommended replacing it sooner rather than later.

Mr. Gillespie, Interim Town Manager explained the difference between the options Mr. Jamerson had available to him for use of the property. One was a conditional use permit for M-1 and the other was to rezone the property. Mr. Jamerson has withdrawn his request for a Conditional Use Permit in M-1 since it would affect all M-1 property and that was not his intent. Mr. Jamerson will now look at the project and resubmit. Mr. Gillespie explained that there will be two (2) public hearings, one with the Planning Commission and the other with the Town Council once Mr. Jamerson files another application.

Public Comments –
Mr. Tony Clifton, 969 Confederate Blvd., Appomattox, Virginia – I'm a little confused. I understand what you're saying. Is he planning an apartment or what? Looking around here, I'm going to be the closest resident to this. I have a problem with people from Simpson Trailer Park coming across my yard dropping cigarette packs, etc. There will be an increase in foot traffic through my yard. They won't use the sidewalk. When I ask them not to walk through my property they look at me like who/what are you? My concern it looks like to me that he has bad entrances either way. It's a no win situation. He's got plenty of room over on 727 on his property over there. Why doesn't he put it over there? I will be back for other public hearings too.

Mayor's Comments – Mayor Harvey thanked the public for their patience during the Closed Session in regards to this matter.

Public Appearances – none.

Unfinished Business – none.

New Business –

On a motion by Councilmember McDearmon, seconded by Councilmember Conner, Council voted to table the request of Virginia Electric and Power Company (Dominion Virginia Power) for a Right of Way Easement until a representative from Dominion Virginia Power can appear before Council to address their request. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry voted to select the firms of Hurt & Proffitt, WW Associates, Wiley/Wilson, B&B Consultants and Reid Engineering for Engineering Services under the Basic Ordering Agreement.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to authorize Mayor Harvey to execute the Basic Ordering Agreement for Engineering Services for the Town of Appomattox.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. Motion carried.

Mr. Bill Gillespie, Interim Town Manager provided Council with an update on the construction of the water and sewer lines in the STAG grant area of Martha Street, Annie Street, etc. The update included a project and payment schedule. The information was provided to Council should citizens ask them questions. The project is off to a good start and hopefully the weather will hold off for us.

Council Concerns:
Councilmember Spiggle – With the recent announcement that Thomasville Furniture will be closing their business completely by March of next year, I feel that it very critical that the Town take the necessary steps to work with the County of Appomattox to hire an Economic Development Director. Our citizens are hurting and they need jobs - that's obvious. I recommend that the Town Council set up a meeting with the full Town Council, full Board of Supervisors, and full Economic Development Authority to move this process forward.

Mr. Conner agreed but would like to see the subcommittee meet and then have all the bodies meet together and address Ms. Spiggle's recommendation.

Mr. Conner asked for an update on the advertisement of the Landscaping Ordinance public hearing. Ms. Paulette reported that the comments have been incorporated in the ordinance and the public hearing has been scheduled for Monday, December 6, 2010 at 6:30 p.m. at the Town Municipal Building, 210 Linden Street, Appomattox, Virginia.

Mayor Harvey asked for an update on the Museum of the Confederacy Sewer project. The Preliminary Engineering Report has been sent to the Department of Environmental Quality (DEQ) and the Environmental Protection Agency (EPA) for their review.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a public hearing on Monday, November 8, 2010 at 7:15 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Town Council Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett and Mayor Paul D. Harvey.

Others: Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the public hearing to order.

Mr. Gillespie provided an overview of the process used to get to this point. The money being requested for financing will be used as the 45% match to the STAG grant funds of $482,200.00. The process includes a public hearing which will give citizens an opportunity to speak regarding whether the town should or should not proceed with this funding option.

Mayor Harvey stated the purpose of the public hearing.

The Appomattox Town Council will hold a public hearing pursuant to §§15.2-2606 and/or 15.2-2636 of the Code of Virginia, 1950, as amended, on Tuesday, November 23, 2010 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia to hear citizen comments regarding the intent by the Town of Appomattox to borrow by General Obligation Bond $650,000 to fund its portion of a $482,200 grant from the United States Environmental Protection Agency (EPA) for the construction of various water/sewer system improvements throughout the town.

No comments were received during the public hearing.

The public hearing was declared closed by Mayor Harvey.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

The Appomattox Town Council held a workshop meeting on Tuesday, November 23, 2010 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Bill & June Goodrich, Stephanie James, Jeff Elder, Bob Hopkins, Hurt & Proffitt; Carlton & Brian, Alive Media TV; Tracey Shaw, Edmund & Williams; Bill Gillespie, Interim Town Manager; and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Conner, seconded by Councilmember Garrett, Council voted to accept the proposal of SunTrust Bank to purchase a $650,000 Water/Sewer System Improvement General Obligation Bond for 15 years at 3.84% rate. All members present voting aye. Motion carried.

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

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A $650,000.00 WATER AND SEWER SYSTEM IMPROVEMENTS GENERAL OBLIGATION BOND, SERIES 2010 FOR THE CONSTRUCTION OF WATER AND SEWER SYSTEM IMPROVEMENTS IN THE TOWN OF APPOMATTOX, VIRGINIA AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Town of Appomattox, Virginia (the "Town"), is a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925; and

WHEREAS, the Town has determined to issue its $650,000.00 Water and Sewer System Improvements General Obligation Bond, Series 2010 ("the Bond") for the purpose of financing the construction of water distribution system improvements in the Town of Appomattox ("the Project"); and

WHEREAS, SunTrust Bank (the "Purchaser") has offered to purchase the Bond upon the terms set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE TOWN OF APPOMATTOX, VIRGINIA:

ARTICLE 1
AUTHORIZATION OF BOND

Section 1.1 Authorization of Bond. There is hereby authorized to be issued a general obligation Bond of the Town in the principal amount of $650,000.00 to provide funds for the Project. The Bond shall be designated the "Town of Appomattox Water and Sewer System Improvements General Obligation Bond, Series 2010."

Section 1.2 Bank Qualification. The Bond is hereby designated as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). Neither the Town nor any "subordinate entity" within the meaning of Section 265(b) of the Code has issued any tax-exempt obligations (not including private activity bonds for entities other than organizations described in Section 501(c)(3) of the Code) during calendar year 2010, and the reasonably anticipated amount of tax-exempt obligations (not including private activity bonds for entities other than organizations described in Section 501(c)(3) of the Code) which will be issued by the Town and all "subordinate entities" thereof or on its behalf during calendar year 2010 will not exceed $30,000,000.00. The Town will not designate more than $30,000,000.00 of qualified tax-exempt obligations pursuant to Section 265(b) during the calendar year 2010 on its behalf.

Section 1.3 Details of Bond. The Bond shall be issued as a single fully registered Bond without coupons, shall be numbered R-1, shall be dated the date on which the Bond is delivered to the Purchaser against payment of the purchase price therefor (the "Closing Date"), and shall bear interest at the rate of Three and Eighty Four Hundredths percent (3.84%) per year computed on a 30/360 day basis. Principal and interest shall be due and payable annually in arrears in 15 consecutive installments beginning on the first anniversary date of the Closing Date.

Payment shall be in lawful money of the United States of America. Payment shall be upon presentation and surrender of the Bond at the office of the Registrar.

Section 1.4 Execution of Bond. The Bond shall be signed by the Mayor of the Town and countersigned by its Clerk and its seal shall be affixed thereto.

Section 1.5 Delivery of Bond. The Mayor and the Clerk are hereby authorized and directed to take all proper steps to have the Bond prepared and executed in accordance with its terms and to deliver the Bond to the Purchaser upon payment therefor. The Mayor and the Clerk are further authorized and directed to agree to and comply with, on behalf of the Town, any and all further conditions and requirements of the Purchaser not inconsistent with this resolution in connection with its purchase of the Bond.

Section 1.6 Prepayment of Bond. The Bond may be prepaid in whole or in part at the option of the Town at any time upon 15 days written notice to the holder thereof, without penalty or premium.

Section 1.7 Form of the Bond. The Bond shall be substantially in the form attached hereto as Exhibit A, with such appropriate variations, omissions and insertions as permitted or required by this resolution.

ARTICLE 2
PARTICULAR COVENANTS

Section 2.1 Payment of Bond. The Town shall pay promptly, as provided herein, the principal of, prepayment charge, if any, and interest on the Bond.

Section 2.2 No Default under Obligations. The Town is not in default under any of the provisions of any of its other indebtedness, and the Town is not in default of any representation, warranty or covenant contained in any certificate, agreement or other instrument executed and delivered by it in connection any of its other indebtedness.

Section 2.3 Tax Covenant. The Town shall not take or approve any action, investment or use of the proceeds of the Bond which would cause loss of the exclusion of interest on the Bond from gross income for federal income tax purposes under Sections 103, and 141 through 150 of the Code.

Section 2.4 Maintenance and Existence. The Town shall maintain its existence as a political subdivision of the Commonwealth of Virginia and, without the consent of the Purchaser, shall not dissolve or otherwise dispose of all or substantially all of its assets or consolidate or merge with or into another entity. Notwithstanding the foregoing, the Town may consolidate or merge with or into, or sell or otherwise transfer to a political subdivision of the Commonwealth of Virginia, all or substantially all of its assets, and the Town may thereafter dissolve, if the surviving, resulting or transferring political subdivision, if other than the Town, assumes, in written form acceptable to the Purchaser, all of the obligations of the Town contained in the Bond and this Resolution, and there is furnished to the Purchaser, an opinion of counsel acceptable to the Purchaser to the effect that such assumption constitutes a legal, valid and binding obligation of the surviving, resulting or transferring political subdivision enforceable against it in accordance with its terms.

Section 2.5 Financial Records and Statements. The Town shall have an annual audit of the financial condition of the Town made by an independent certified public accountant and, within 120 days after the end of each of its fiscal years, shall furnish to the Purchaser copies of the report of such accountant, including statements in reasonable detail, certified by such accountant, reflecting the financial position of the Town at the end of such fiscal year and the results of its operations and change in the financial position of its funds for the fiscal year. The Purchaser shall also furnish to the Purchaser a certificate of such accountant, to the effect that during the course of such accountant's regular examination of the financial condition of the Town, nothing has come to the accountant's attention which would constitute a default under the Bond, this resolution or any instrument delivered in connection herewith.

Section 2.6 Certificate as to No Default. The Town shall deliver to the Purchaser, within 120 days after the close of each of the Town's fiscal years, a certificate signed by an authorized official of the Town stating that, during the year and as of the date of such certificate, no event or condition has happened or existed, or is happening or existing, which constitutes a default under the Bond, this Resolution or any instrument delivered in connection therewith, or if such event or condition has happened or existed, or is happening or existing, specifying the nature and period of the event or condition and what action the Town has taken, is taking or proposes to take with respect thereto.

Section 2.7 Disposition and Deposit of Funds. The Town shall account for the proceeds from the sale of the Bond through a fund kept separate and apart from all other funds of the Town. All monies collected for the payment of the Bond shall be deposited or invested in accordance with Section 15.2-2625 of the Code of Virginia, 1950, as amended.

Section 2.8 Further Assurances. The Town shall to the fullest extent permitted by law adopt, make and deliver such further resolutions, acts, instruments and assurances as may be necessary or desirable to carry out the purposes of this Resolution.

ARTICLE 3
DEFAULT AND REMEDIES

Section 3.1 Default and Remedies. Upon default by the Town (a) in the payment of principal of or interest on the Bond, (b) in the performance of any covenant or agreement contained in the Bond or in this Resolution or (c) upon the filing of a petition in bankruptcy by the Town, the holder of the Bond at its option may:

(a) declare the entire unpaid principal amount of the Bond then outstanding and accrued interest thereon to be immediately due and payable;

(b) incur and pay such reasonable expenses for the account of the Town as may be necessary to cure the cause of any default;

(c) proceed to protect and enforce its rights under the Bond and this Resolution by a suit, action or special proceeding at law or in equity, either for the specific performance of any covenant or agreement or execution of any power or for the enforcement of any proper legal or equitable remedy as may be deemed most effectual to protect and enforce such rights.

Section 3.2 Remedies Cumulative. No remedy conferred hereby is intended to be exclusive of any other remedy, and every remedy shall be cumulative and in addition to every other remedy herein or now or hereafter existing in equity, at law or by statute.

ARTICLE 4
MISCELLANEOUS

Section 4.1 Contract with Bondholders. The provisions of this resolution shall constitute a contract between the Town and the holder of the Bond for so long as the Bond and interest thereon are outstanding.

Section 4.2 Town Officers and Agents. The officers and agents of the Town shall do all acts and things required of them by this Resolution, the Bond and the Virginia Public Finance Act for the complete and punctual performance of all the terms, covenants and agreements contained therein, including the filing of a certified copy of this Resolution with the Circuit Court of the County of Appomattox pursuant to Sections 15.2-2607 and 15.2-2627 of the Code of Virginia, 1950, as amended.

Section 4.3 Limitation of Rights. Nothing expressed or mentioned in or to be implied from this resolution or the Bond is intended or shall be construed to give to any person or company other than the parties hereto and the holder of the Bond any legal or equitable right, remedy or claim under or in respect to this resolution or any covenants, conditions and agreements herein contained; this resolution and all of the covenants, conditions and agreements hereof being intended to be and being for the sole and exclusive benefit of the parties hereto and the holders of the Bond as herein provided.

Section 4.4 Limitation of Liability of Officials of Town. No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of a present or future member, officer, employee or agent of the Town in his individual capacity, and neither the members of the Town Council nor any officer thereof executing the Bond shall be liable personally on the Bond or be subject to any personal liability or accountability by reason of the issuance thereof. No member, officer, employee or agent of the Town shall incur any personal liability with respect to any other action taken by him pursuant to this resolution or the Act, provided he acts in good faith.

Section 4.5 Conditions Precedent. Upon the issuance of the Bond all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia or this resolution to have happened, exist and to have been performed precedent to or in the issuance of such Bond shall have happened, exist and have been performed.

Section 4.7 Repeal of Resolutions in Conflict. All other resolutions, or parts thereof, in conflict with this Resolution are hereby repealed.

Section 4.8 Successors and Assigns. All the covenants, stipulations, promises and agreements of the Town contained in this resolution shall bind and inure to the benefit of its successors and assigns, whether so expressed or not.

Section 4.9 Headings. Any headings in this resolution are solely for convenience of reference and shall not constitute a part of the resolution nor shall they affect its meaning, construction or effect.

Section 4.10 Severability. If any court of competent jurisdiction shall hold any provision of this resolution to be invalid and unenforceable, such holding shall not invalidate any other provision hereof.

Section 4.11 Effective Date. This resolution shall take effect immediately. The Clerk of the Town is hereby authorized and directed to file a certified copy of this resolution in the office of the Town.

This Resolution was passed by a vote of the Appomattox Town Council on the 23rd day of November, 2010.

EXHIBIT A TO COUNCIL OF TOWN OF APPOMATTOX RESOLUTION DATED NOVEMBER 23, 2010

No. R-1 *$650,000.00*

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
TOWN OF APPOMATTOX
WATER AND SEWER SYSTEM IMPROVEMENTS GENERAL OBLIGATION BOND, SERIES 2010

The Town of Appomattox (the Town), a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925 (the "Charter"), for value received, hereby promises to pay to SunTrust Bank, Richmond, Virginia, or registered assigns, (the "Holder") the principal sum of

SIX HUNDRED FIFTY THOUSAND DOLLARS ($650,000.00)

and to pay to the Holder interest until payment of the entire principal sum at the rate of three and eighty four hundredths percent (3.84%) per year (the "Tax Exempt Rate"). Interest shall be calculated on the basis of a 360-day year assuming twelve 30-day months. Installments of combined principal and interest of $_____ are payable beginning on _____, 2011 and continuing on the ____day of each _____ thereafter until the principal of this Bond is paid in full, each installment to be applied first to interest accrued to such payment date and then to principal. The final installment, if not sooner paid, shall be due and payable _____, 2025. Such installments shall be payable in lawful money of the United States of America by check or draft mailed to such Holder at its address as it appears on the registration books kept for that purpose at the office of the Treasurer of the Town who has been appointed Registrar, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

The Town has designated the Bond as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code")

The Tax-Exempt Rate shall be subject to adjustment as set forth in the following paragraphs:

(1) (a) In the event that at any time whether before or after payment of this Bond all or any part of any payment of interest on this Bond or any interest accrued by the Holder by reason of the Holder's owning this Bond or receiving interest on this Bond is determined by the Commissioner or any District Director of the Internal Revenue Service or any court of competent jurisdiction not be excluded from gross income (other than pursuant to the alternative minimum tax imposed on corporations under Section 56 of the Code as in effect on the date hereof) under Section 103 of the Code, then the Town shall pay to the Holder, as supplemental interest, in immediately available funds on the maturity date (or if such obligation arises after such date, on the date such obligation arises) an amount which, after giving effect to all taxes attributable to the inclusion of such amount in the gross income of the Holder under the laws of any Federal, state or local governmental or other taxing authority (such taxes to be calculated at the maximum statutory tax rate applicable to the Holder, after taking into account deductions attributable to imposition of state and local taxes), shall be equal to the amount of the tax preference or similar tax attributable to this Bond multiplied by the rate of the preference or similar tax.

(b) In the event that at any time whether before or after payment of this Bond, all or part of any interest paid or accrued by the Holder by reason of the Holder's owning this Bond or receiving interest on this Bond (such as, for example, interest on indebtedness incurred or continued to purchase or carry this Bond) or any other amount in respect of or related to owning or receiving interest on this Bond, as a whole or in part, is determined by the Commissioner or any District Director of the Internal Revenue Service or any court of competent jurisdiction not deductible by the Holder from its Federal gross income in the year paid or accrued by reason of Section 265 of the Code as in effect on the date hereof, then the Town shall pay to the Holder, as supplemental interest, in immediately available funds on the maturity date (or if such obligation arises after such date, on the date such obligation arises) an amount (together with interest on such amount from the date payment is due until payment in full at the Holder's prime rate) which, after giving effect to all taxes attributable to the inclusion of such amount in the gross income of the Holder under the laws of any Federal, state or local governmental or other taxing authority (such taxes to be calculated at the maximum statutory tax rate applicable to the Holder, after taking into account deductions attributable to imposition of state and local taxes), shall be equal to the amount of such nondeductible item multiplied by the maximum rate of Federal income tax applicable to the Holder.

(2) If the Town becomes obligated to make payments to the Holder pursuant to paragraph (1), the amount of the income or similar item or the nondeductible item with respect to any semiannual period ending within or after the first taxable year of the Holder during which such payments first become payable shall be calculated on the basis of the date in the most recent semi-annual period of the Holder prepared prior to the date interest on this Bond was or is due and payable, as if (i) the income or similar tax were imposed, or the semi-annual amount of the nondeductible item were computed, on a semi-annual basis, and (ii) the semi-annual period ended on the date interest on this Bond was or is due and payable.

The amount of the income or similar item or of the nondeductible item in respect of any other period shall be computed on the basis of the Federal income tax return of the Holder. The computation of any amount payable under this paragraph (2) shall be made in good faith by the Holder, but absent manifest error shall be conclusive as to the amount thereof. Every reference to the Holder shall include the entity filing tax returns in which the Holder as holder of this Bond reports its income.

(3) The intent of the foregoing provisions is to fix for the Holder a yield on this Bond equal at all times to the yield receivable under tax law, regulations and interpretations existing as of the date of original issue of this Bond, which yield has been used in determining the interest rate on this Bond, and to impose on the Town the obligation to pay supplemental interest in an amount necessary to compensate the Holder if the interest on this Bond is not excluded from gross income or is not exempt from the alternative minimum tax or the 80% deduction for "cost of carry" is not available under Section 265 of the Code. The foregoing provisions should be construed accordingly.

This Bond has been authorized by a resolution adopted by the Town Council on November 23, 2010 (the Bond Resolution), and is issued pursuant to the Charter and the Virginia Public Finance Act to provide funds, together with other available funds, to finance improvements to the Town's water and sewer system. Copies of the Bond Resolution are on file at the Town Hall, Appomattox, Virginia. Reference is hereby made to the Bond Resolution and any amendments thereto for the provisions, among others, describing the pledge and covenants securing the Bond, the nature and extent of the security, the terms and conditions upon which the Bond is issued, the rights and obligations of the Town and the rights of the Bondholder.

Both principal of and interest on this Bond constitute an indebtedness of and a pledge of the full faith and credit of the Town of Appomattox, Virginia.

This Bond may be prepaid at the option of the Town as a whole or in part on any installment payment date upon 15 days written notice to the Holder, without penalty or premium.

This Bond is fully registered as to both principal and interest. Transfer of this Bond may be registered upon books maintained for that purpose by the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed.

IN WITNESS WHEREOF, the Town has caused this Bond to be signed by its Mayor, to be countersigned by its Clerk, its seal to be affixed hereto and this Bond to be dated _____, 2010.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to authorize Paul D. Harvey, Mayor to execute the necessary documents associated with the financing and General Obligation Bond. All members present voting aye. Motion carried.

Mr. Gillespie met with Dominion Virginia Power to discuss their requested easement. Mr. Gillespie asked Dominion not to place the pole in the requested area. Dominion will go back and review replacing the existing pole. Dominion also reviewed the poles in the right of way on Church Street. Mr. Gillespie asked Dominion to consider replacing all the poles at one time.

Mayor Harvey thanked Mr. Gillespie for working with Dominion Virginia Power on those projects.

Mr. Mayberry requested the Council discuss repealing Chapter 15 – Economic Development Advisory Board since there is a working relationship between the Town and County. Council agreed to place the item on the December 13, 2010 Regular meeting agenda for consideration.

Mr. Mayberry suggested the Manager, Clerk of Council and Mayor review the Bylaws and Rules of Procedure governing Town Council for any updates or revisions. The Bylaws and Rules of Procedure will be presented to the Town Council at the December 13, 2010 if possible.

Mayor Harvey asked for an additional discussion item. It was in regards to the hiring of the Economic Development Director position for Appomattox County. Mayor Harvey and Mary Lou Spiggle met with some of the Economic Development Authority board members after the Economic Development Authority meeting. In that meeting, the EDA is proposing a salary of $60,000 plus benefits yearly. The town was asked by the EDA to contribute $45,000 or 30% of the entire department's budget. By providing the $45,000 making the department $150,000 a year. The Town needs to move forward and try to get this thing moving to get someone hired. Mr. Conner stated that we need to get the infrastructure to market and is their any revenue sharing in this process. Mayor Harvey stated that revenue sharing has not been discussed. Mr. Conner wanted to know if this person is going to be an employee of the town or the county and who is going to hire him/her? Ms. Spiggle reported that this has been discussed before and that the person who be an employee of the county. Mr. Conner wanted to know if the person was only going to market the Industrial Park. Mayor Harvey said no, this person would market everything. Ms. Spiggle stated that we need to look forward. The idea is to provide the money we discussed. The $105,000 according to Mr. Carter, will be the amount continually given to the IDA in the coming years. We need to have this person on board, hopefully by March 2011. We need to do this and stop talking about it. Mr. Conner and Mr. McDearmon are meeting with the Economic Development Committee (Town & County subcommittee) and hopefully this information will provide a starting point. Mayor Harvey asked that Council Members talk with

Mr. Conner and Mr. McDearmon before the meeting. I agree we need to do something but we are losing revenue with the closing of Thomasville and Wilbun's. We need to look at cutting other areas of the budget instead of raising taxes. The EDA board is asking the Town to consider this. Ms. Bennett said sometimes you need to step out and hopefully it will bring something to the table. Mr. Conner asked about hiring a contractor to perform these services and pay them a percentage. Mayor Harvey stated that he was bringing that to the table for consideration. Mr. Mayberry asked when a decision would need to be made regarding this request. Mayor Harvey said he would like to have something by the December 13, 2010 regular council meeting. Mr. Harvey suggested that the committee meet on December 1, 2010 and then bring something to council on December 13, 2010. Ms. Bennett asked if the Town would have any input in the hiring process. Mayor Harvey said yes and he would be willing to sit on the panel. Mayor Harvey reiterated that the County will hire the individual.

Committee reports:
Finance – No report.
Fire & Safety – The committee met on November 23, 2010. Mr. Gillespie will provide a report in the Manager's report.
Ordinance – Mr. Conner reported that there will be a Joint Public Hearing on December 6, 2010 for the revised Landscaping Ordinance.
Personnel – No report.
Street & Property – Ms. Spiggle reported that the Town is waiting for prices for the handrails on Church Street and the pavilion for Abbitt Park. The Town is continuing to work towards installation of the street lights on Ferguson Street. The outside renovations at the Town Office are also complete. The blacktopping of the walking trailing at the Kiddie Park is complete. The sidewalks between Annie and Pine Street are also complete.
Utility – No report.

Staff Reports – None other than what was attached to the agenda.

Mr. Gillespie reported on the citizen complaints on Confederate Boulevard. The Property Maintenance Investigation Board will be reviewing the properties and reporting back to the Town Manager. The town will begin the process which is very specific in the ordinance.

Mr. Conner and Mr. Gillespie went to the Tobacco Commission meeting. It was well worth the time. Mr. Conner spoke highly of Mr. Gillespie and his work at the meeting. Mr. Conner stated that the meeting was very productive.

Mr. Gillespie also presented Council with a presentation entitled Looking into the Future. Mr. Gillespie has been in local government for 41 years. It is his hope that the Council will consider looking into the next 5 years. Mr. Gillespie provided Council with a power point presentation outlining their course for the next 5 years.

What does it take to chart your future today?
1. Vision Statement – What do you want Appomattox to look like in the future?
2. Mission Statement – How will you insure that Appomattox will achieve this vision?

3. Core Values – What are the things that we place high value on as a Council as we transact business day to day.
4. Operating Principles – How will we deal with our citizens, businesses, counties, communities, employees, and the Commonwealth.
5. Leadership Philosophy – We as (the Council) collective lead the Town of Appomattox into the future what will be our collective expectation of each other as we move toward the future?

Breaking down all of the above, there are six areas that you could break the Town down into things you would like to see:
Managed Growth – Zoning, Comprehensive Plan, Green Space, Balanced Growth
Relationships – County & Town, Neighboring jurisdictions, Council & Citizens, Council & Staff, Members of Council, Communication, Customer Service (staff & citizens).
Economic Development – Quality jobs/wages, Infrastructure, incentives, Technology, Tourism
Financial Planning – Expenditures, Ability to Pay, External Opportunities, Maintaining Financial Stability While Promoting Growth, Resource Allocation.
Quality of Life – Recreation, Senior Citizen Issues, Quality Wages, Road Structure, Parks, Public Safety/Low Crime, Green Space, Broadband, Housing
Education – Job Skills, Workforce Education in Changing Economy, Quality Wages, Opportunities to Enhance Education

Given this framework – What's next?
Identify the issues and what success looks like when the issue has been identified. Utilize the vision themes to categorize all of the issues (Council Responsibility). Develop a strategy with specific objectives and resources needed for each issue (Council/Staff Responsibility). Develop attainable time lines that allow for success (Council & Staff).

Suggested timeline for strategic plan implementation:
Short Term – Next 12 months
Mid Term – Next 1 to 2 years
Long Term – Next 3 to 5 years

Potential Beginnings of a Strategic Plan:
Infrastructure (Maintenance/Expansion)
Staffing Structure
Providing Clear Direction/Expectations for Staff
Zoning Ordinance
Comprehensive Plan
Establishment of Financial Parameters for Resource Allocation
Plan and Direction for Economic Development
Establishment of Clear Communication Lines between Staff and Council
Establishment of an appropriate communication link between Council, Citizens, and Staff
Town Manager/Director of Public Works
Community Enhancements

Appomattox is fortunate to have you as a council at this particular point in its history to chart and implement the destiny of this community. Destiny is not a matter of chance, it is a matter of choice; it is not a thing to be waited for, it is a thing to be achieved!! *William Jennings Bryan*

Council Concerns:

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 7:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Special Call Meeting
December 6, 2010

At the Special Call Meeting of the Appomattox Town Council held on Monday, December 6, 2010 at 6:30 pm in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present were Mayor Paul D. Harvey, presiding.

Council members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Joyce B. Bennett. Mr. Conner served as a member of the Planning Commission during the public hearing.

Planning Commission members present: Susan Hudson, Barry Morris, Steve Conner, Marvin Mitchell, Calvin Tanner and George Almond. Absent were: Earl Dickerson and Michael Wirth.

Also in attendance were: Stephanie James, Bill Gillespie, Johnnie Roark, Jeff Elder and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mr. Almond called the Planning Commission to order.

Mayor Harvey cited the purpose of the meeting:

1. To conduct a joint public hearing with the Appomattox County Planning Commission to consider the following amendments to the Town Code:

   Chapter 195-Zoning Ordinance

   - Amend §195-1 Definitions to include various definitions concerning landscaping regulations.

   - Amend §195-119 Landscaping Regulations, which is summarized as follows:

     It is the intent of this article to promote the public necessity, convenience, general welfare, and good zoning practice by incorporating landscaping, screening, and buffering requirements into the site development plan process. The goals are to provide landscaping requirements that will ensure development consistent with the goals of community development plan, reduce soil erosion, increase infiltration in permeable land areas to improve storm water management, mitigate air, dust, noise, and chemical pollution, protect property values, and provide buffers between incompatible uses. It is further the intent of this article to preserve the existing natural vegetation as an integral part of the Town and to ensure that the Town continues to be an attractive place to live, work, and visit.

Public Comments: None

Mr. Almond closed the public hearing for the Planning Commission.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adjourn at 5:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor

The Appomattox Town Council held a regular council meeting on Monday, December 13, 2010 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Mayor Harvey led the Pledge of Allegiance.

The Appomattox Town Council recognized Appomattox Volunteer Fire Department members Daniel Rago and Benny Harvey. The Appomattox Town Council gave Mr. Rago and Mr. Harvey a proclamation and plaque recognizing their heroic actions in saving the life of Jim Mitchell on October 16, 2010.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to approve the consent agenda of December 13, 2010 as presented. All members present voting aye. Motion carried.

Public Comments – Mr. Jimmy Lakes of the Thomasville Company appeared before Council to request their assistance in supporting the efforts of the community in attracting Ashley Furniture to Appomattox.

Mayor's Comments – Mayor Harvey thanked Mr. Lakes for his comments and assured the public that a letter of support was being sent to Ashley Furniture. Mayor Harvey also thanked the people who put on the Community of Candles event this year. On behalf of Town Council, he wished everyone a wonderful holiday season.

Public Appearances –
Rick Butler, Virginia State Forester appeared before Council to provide an update on the 2010 year of the Appomattox Town Tree Board. The major goal of the board is to obtain a Tree City USA designation. A complete copy of his report is on file with the Town Clerk.

Gary Christie, Executive Director, Region 2000 Local Government Council appeared before Council to provide an overview of the services Region 2000 Local Government Council provides to Towns such as Appomattox. In addition, Mr. Christie encouraged Council to appoint a private sector business person to work on the CEDS committee. There are about 50 individuals (from the Region) who attend the meetings. A seat has been saved at the table for the Town of Appomattox. Region 2000 is willing to contact the business person from the private sector on the Town's behalf. Region 2000 LGC works with the Regional Radio Board, Regional Service Authority (Landfill). In 2011, the Campbell County landfill will be opened. The Region 2000

Local Government Council also assists with the Hazardous Mitigation Plan, Metropolitan Planning Organization, completed a long range transportation plan, planning and grant writing abilities including the Safe Routes to School grant. The Region 2000 Local Government Council works with the Workplace Investment Board, increased Regional services such as Libraries, Purchasing Agents and Human Resource Directors to better use resources throughout the region.

Bryan David, Executive Director, Region 2000 Economic Development Council gave a brief overview of the partnership. He provided material for council to peruse. Mr. David represents the Economic Development Council with 30 individuals from businesses, local government and higher education. The technology council represents a group that focus' on their business and an opportunity to impress engineering on Middle School age children. The Workforce Investment Board is also working very hard to keep businesses in the region. The Region 2000 Economic Development Council has been recognized for their collaboration.

Council thanked Mr. Christie and Mr. David for their presentation.

Unfinished Business –
On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to repeal Chapter 15 of the Appomattox Town Code, entitled Economic Development Authority Board. All members present voting aye. Motion carried.

The Council discussed the Bylaws and Rules of Procedures originally adopted in July 2008. The Workshop Meeting should be returned a less formal meeting with discussion only. The agenda should also be prepared and distributed closer to the meeting night. There was much discussion regarding the citizen comment period section changes.

At the request of Councilmember Mayberry, Council agreed to table the changes to the Bylaws and Rules of Procedures of the Appomattox Town Council until the January 10, 2011 Regular meeting to allow Mr. Gillespie an opportunity to explain the changes to the Citizen Comment Period section of the Bylaws and Rules of Procedure.

New Business –

AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Zoning Ordinance by revising certain provisions of the Zoning Ordinance text, as described in the following paragraphs.

BE IT ORDAINED by the Council of the Town of Appomattox as follows:

Section 1. Section 1 of Chapter 195, Definitions, of the Code of the Town of Appomattox, is hereby amended to add the following definitions, to read as follows:

Add in Section 195-1-Definitions:

Buffer: An area of land, including natural vegetation, evergreen landscaping, fencing or a combination of fencing, earthen berms and landscaping.

Caliper: Trunk diameter measured six (6) inches from the ground. If the caliper is greater than four (4) inches, the measurement shall be taken twelve (12) inches from the ground.

Capped: The placement of a landscape island so that each end of a parking bay or parking row has a landscape island at each end.

Cinderblock, Unadorned: A concrete masonry block lacking decorative embellishments on the face side.

Cinderblock, Unadorned

Decorative Fencing: Fencing such as wrought iron, split rail, wood board, aluminum or masonry or the equivalent as determined by the Zoning Administrator. Chain link fence or unadorned cinderblock shall not be considered decorative fencing.

Evergreen Tree: A tree that grows to a mature height of at least twenty (20) feet and has foliage that persists and stays green throughout the year.

Ground Cover: Any evergreen or broadleaf plant that does not generally attain a mature height of more than one (1) foot, characterized by a growth habit in which the plant spreads across the ground to connect with other similar plants forming a continuous vegetative cover on the ground. Sod and seeding shall be considered an appropriate ground cover.

Landscape Island: An area containing required landscaping and being not less than one hundred sixty-two (162) square feet for a parking row and three hundred twenty-four (324) square feet for a parking bay.

Mulch: A protective covering, usually of organic matter placed around plants to prevent evaporation, root freezing and weed growth.

Ornamental Tree: Deciduous tree that grows to a mature height of less than thirty (30) feet with flowering or other distinguishing characteristics.

Parking Bay: Two (2) parking rows abutting one another.

Parking Row: One (1) single line of parking spaces.

Redevelop: To materially alter the existing use or condition of a property. Routine repairs and maintenance shall not be considered redevelopment.

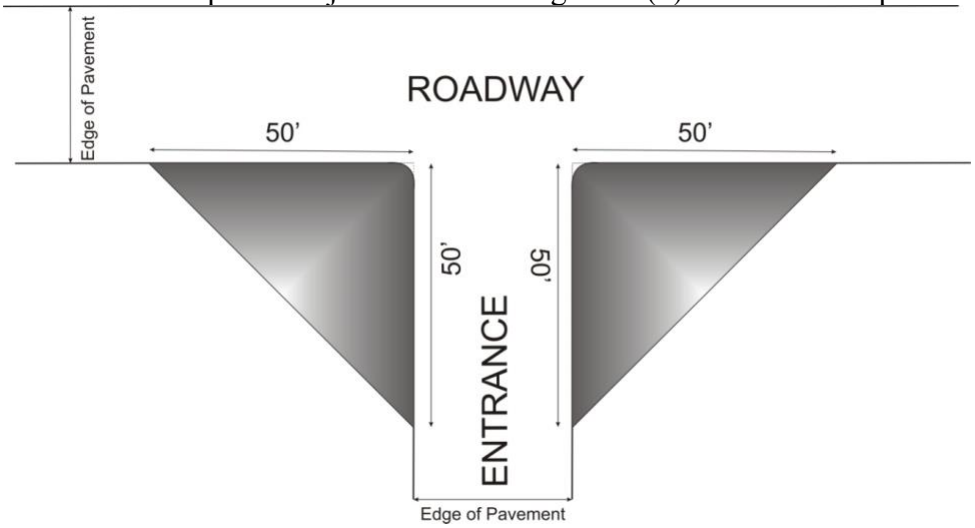
Rip Rap: A permanent, large, loose angular stone generally used for erosion and sediment control in concentrated high velocity flow areas.

Road Frontage: Number of linear feet of a property which front on a public street, private street or internal access road.

Screening: A method of visually shielding or obscuring items such as a structure, receptacle, parking area, equipment or stormwater management pond with densely planted landscaping, or a combination of landscaping, berms solid fences and/or walls.

Shade Tree: Deciduous tree that grows to be more than thirty (30) feet at maturity and that is planted chiefly to provide shade from sunlight.

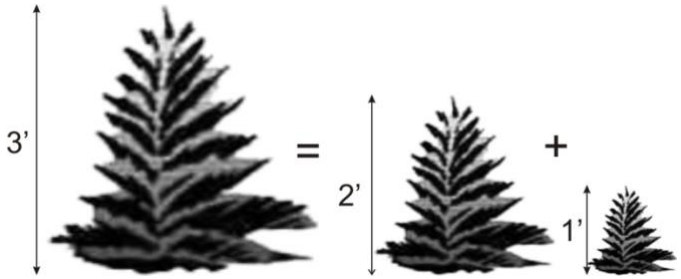
Sight Distance Triangle: A triangular shaped area located on both sides of the intersection of a driveway with a public roadway, designed and maintained to allow for a clear line of sight, and being a straight line with unobstructed view measured fifty (50) feet along the edge of pavement lines from their points of junction and being three (3) feet above the pavement edge.



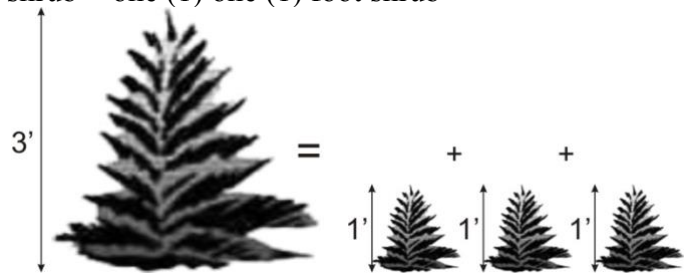
Site Distance Triangle

Shrub: A woody plant deciduous or evergreen that generally exhibits several erect, spreading stems with a bushy appearance and that grows to a height of no more than fifteen (15) feet.

Shrub Equivalent: The substitution of lesser height shrubs in greater numbers for one (1) taller shrub. Shrub equivalents shall be permitted only where specifically provided within this ordinance and the total combined height of the lesser height shrubs shall be equal to than the height of the one (1) taller shrub for which they are substituted.



One (1) three (3) foot shrub = One (1) two (2) foot shrub + one (1) one (1) foot shrub



One (1) three (3) foot shrub = Three (3) one (1) foot shrubs

Slope: Any area of land where the surface deviates from the horizontal.

Topping: An inappropriate practice of making heading cuts through a stem more than two (2) years old that drastically reduces tree height, destroys tree architecture and results in discoloration, decay of the cut stem, or death of the tree.

Severability
Should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

Section 2. Effective Date
This ordinance is effective December 13, 2010.

After reviewing the public testimony, the public record, the Planning Commission's recommendation, and the goals and objectives of the County's Comprehensive Plan, Councilman Conner made a motion, seconded by Councilman Spiggle, Council voted to amend and readopt the Town of Appomattox Zoning Ordinance by revising certain provisions of the zoning ordinance text as described in the attached ordinance.

Voting YES: Garrett, McDearmon, Spiggle, Mayberry, Conner, Bennett.

Voting NO: None.
Absent: None.

AN ORDINANCE TO AMEND the Code of the Town of Appomattox by deleting and repealing Chapter 195, Article XII, Sections 119-132, and replacing it with a new Chapter 195, Article XII, Sections 119 et seq. , to be entitled Landscaping, by revising certain provisions of the Zoning Ordinance text, as described in the following paragraphs.

BE IT ORDAINED by the Council of the Town of Appomattox as follows:

Section 1. Chapter 195 of the Code of the Town of Appomattox is hereby amended to delete and repeal Chapter 195, Article XII, Sections 119-132, to be known as Chapter 195, Article XII, Section 119 as follows:

Delete Article XII Landscaping Zoning Ordinance Sections 195-119 through 195-132 and reenact as § 195-119 LANDSCAPE REGULATIONS, et seq.

§195-119.1 Intent

It is the intent of this article to promote the public necessity, convenience, general welfare, and good zoning practice by incorporating landscaping, screening, and buffering requirements into the site development plan process. The goals are to provide landscaping requirements that will ensure development consistent with the goals of the community development plan, reduce soil erosion, increase infiltration in permeable land areas to improve stormwater management, mitigate air, dust, noise, and chemical pollution, protect property values, and provide buffers between incompatible uses. It is further the intent of this article to preserve the existing natural vegetation as an integral part of the Town and to ensure that the Town continues to be an attractive place to live, work, and visit.

§195-119.2 Severability

If any provision of the zoning ordinance regulating landscaping is declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of the zoning ordinance regulating landscaping and all such provisions shall remain in full force and effect.

§195-119.3 Applicability

A. The provisions of this article are applicable to the development or redevelopment of any property after the effective date of this ordinance and located in an R-1, R-2, B-1, MHP-1, and M-1 zoning district, downtown sign district, or to any use requiring a conditional use permit approval.

B. When an existing use is expanded, enlarged, or redeveloped, only those portions of the property subject to the expansion, enlargement, or redevelopment are subject to the provisions of this section of the ordinance.

C. It is not the intent of this ordinance to regulate landscaping for single-family dwellings or two-family dwellings.

§195-119.4 General Requirements

A. Landscaping within a sight distance triangle shall not include any evergreen trees, and shall not include shrubs exceeding three (3) feet in height above the ground at maturity. Tree limbs in a sight distance triangle shall be raised to ensure visibility for motor vehicle safety.

B. When a calculation of the number of required trees and/or shrubs results in a fractional amount, the fraction shall be rounded up to the next whole number.

C. Existing vegetation within the development area is encouraged to be retained and may be used to meet all or part of the landscaping requirements. No tree or shrub less than three (3) inch calipers shall be counted when utilizing existing vegetation.

D. All landscaped areas shall be covered with an appropriate ground cover, mulch, or decorative landscape stone. The use of gravel and/or riprap is discouraged.

E. All slopes shall be covered with an appropriate ground cover. The use of riprap as groundcover on slopes visible from the public right of way is discouraged.

F. All trees and/or shrubs used to satisfy this ordinance shall be of native origin. No tree, shrub or groundcover contained on the invasive alien plant species of Virginia list as maintained by the Virginia Department of Conservation and Recreation (DCR) may be used to satisfy the requirements of this ordinance.

§195-119.5 Landscaping Plan Required

A landscaping plan shall be required of all new development or redevelopment of property within the Town for commercial or industrial purposes. Multi-family residential dwelling developments shall be considered commercial for the purposes of this ordinance.

A landscaping plan shall contain the following information:

A. The location, size, height of planting, and botanical name of all required landscaping.

B. The location, size, and botanical name of any existing vegetation proposed to be used to satisfy any portion of this ordinance.

C. The dimensions of all landscaped areas and islands.

D. A planting schedule, including any fertilizer or soil amendment to be used.

E. A general statement regarding the perpetual maintenance of the landscaping.

§195-119.6 Sign Area Landscaping

For freestanding signs, landscaping shall be required around the sign base. Landscape plantings shall be a minimum of one (1) small shrub per ten (10) square feet of sign area. Plantings should be grouped creatively to enhance the aesthetic appearance of the freestanding sign structure.

§195-119.7 Foundation Plantings

A. All sides of multi-family, commercial, or industrial buildings which are visible from the public right of way or visible from an adjacent residential use type, shall be landscaped with foundation plantings as follows:

   a. One (1) large shrub per ten (10) feet of building frontage;

   b. Two (2) small shrubs per ten (10) feet of building frontage;

   c. Plantings are encouraged to be placed in creative groupings along the perimeter of the building;

   d. Variances shall be granted if the zoning administrator finds unfavorable topography or other physical impairments of the parcel render compliance impractical.

§195-119.8 Utility Screening

A. Loading areas, refuse areas, storage yards, stormwater management facilities, HVAC equipment, water vaults, or other objectionable items shall be screened from view of any public right of way or any adjacent residential use type.

B. Stormwater management facilities intended to be displayed as a water feature or naturalized planting areas are exempt from screening requirements.

C. Screening may be accomplished by any combination of existing evergreen vegetation, walls, fences, earthen berms and/or new evergreen vegetation appropriate to screen the equipment or activity. The required height of screening at installation shall be sufficient to screen the equipment or activity.

D. The use of chain link fence as the sole method of screening is prohibited.

§195-119.9 Buffering

A. In all instances where commercial use type, industrial use type, multi-family dwelling use type, or parking area is located adjacent to any residential use type, a vegetative evergreen buffer shall be established on the property for which said buffer is required.

B. Where required, the buffer area shall be a minimum of twenty (20) feet in width extending along the entire length of the development area and shall generally be required along the property line unless topographic or other considerations would make it more effective located back from the property line.

C. The vegetative buffer shall consist of a staggered row of evergreen trees. Shrubs may be used as supplemental filler if necessary. The evergreen tree material shall be a minimum of four (4) feet in height at the time of planting. The evergreen tree line shall be planted in rows fifteen (15) feet apart and staggered ten (10) feet on center. An earthen berm may be used as well. The earthen berm shall vary in height and width and shall be curvilinear in form and provide a gentle tie-in with the existing grade. On average the height of the earthen berm should be three (3) feet in height.

D. Existing vegetation may be used to satisfy this requirement. Supplemental evergreen material may be needed to meet the buffering requirements. The need for additional evergreen material shall be at the discretion of the zoning administrator.

E. No proposed building, building addition, structure, parking area or other physical land improvement shall be located in the buffer area.

§195-119.10 Installation Guidelines

A. The planting of trees and shrubbery shall be installed in accordance with the standard landscaping specifications of the Virginia Society of Landscape Designers and/or the Virginia Chapter of the American Society of Landscape Architects.

B. Landscaping required by this ordinance shall be planted during an opportune planting season, and shall be in place and in good condition prior to occupancy or the owner/developer may provide a guarantee in a form acceptable to the Town that ensures installation. Said guarantee shall be equal to the cost of the installation remaining to be installed. A bona fide cost estimate on company letterhead issued by a recognized landscaping firm or nursery shall be provided along with the guarantee as verification of the guarantee amount.

C. All landscaping included in the guarantee shall be installed, inspected, and approved within six (6) months of acceptance of the guarantee.

D. If during times of severe drought or water emergency, the owner/developer may request in writing an extension of the time period allowed for planting any required landscaping. The zoning administrator may permit the delayed installation at his/her discretion. Upon declaration of the end of said drought or water emergency, the owner/developer shall be required to install the required landscaping within six (6) months.

§195-119.11 Maintenance

Required landscaping shall remain alive and in good condition in perpetuity. The property owner shall be responsible for the ongoing protection and maintenance of all required landscaping in a manner consistent with the approved site development plan.

§195-119.12 Alternative Landscape Plan

Upon written request, the Town Council may approve an alternative layout to the required landscaping provided that the spirit and intent of the ordinance is preserved and the goals of this section are assured.

Section 2. Effective Date
This ordinance is effective December 13, 2010.

After reviewing the public testimony, the public record, the Planning Commission's recommendation, and the goals and objectives of the County's Comprehensive Plan, Councilmember Spiggle made a motion, seconded by Councilmember Conner, Council voted to amend and readopt the Town of Appomattox Zoning Ordinance by revising certain provisions of the zoning ordinance text as described in the attached ordinance.

Voting YES: Garrett, McDearmon, Spiggle, Mayberry, Conner, Bennett.
Voting NO: None
Absent: None

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council to authorize Mayor Harvey to execute an amendment to Consultant Services Agreement between the Town of Appomattox and MRG Consulting, LLC. All members present voting aye. Motion carried.

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

RESOLUTION OF SUPPORT
DEPARTMENT OF MOTOR VEHICLES
DMV SELECT OFFICES

WHEREAS, the Department of Motor Vehicles – Appomattox DMV Select office, provides a convenient means of conducting vehicle related transactions for citizens of Appomattox County and surrounding localities; and

WHEREAS, there is a need within Appomattox County and surrounding localities to retain this service as convenient as possible; and

WHEREAS, the Appomattox DMV Select office is conveniently located between Farmville and Lynchburg, Virginia and serves rural localities and those who work or travel through them; and

WHEREAS, the Town of Appomattox, a locality within the Commonwealth of Virginia is also increasingly aware of budget restraints and cutbacks, this DMV Select service is vital to this area as it provides intangible services to Appomattox;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF APPOMATTOX that the Town wholeheartedly supports the continuation of DMV Select offices throughout the Commonwealth of Virginia including Appomattox.

Voting on the motion was as follows:

AYES: Bennett, Conner, Garrett, McDearmon, Mayberry, Spiggle.
NAYES: None.
Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to hold a Council Work Session on Friday, December 17, 2010 at the Olde Frozen Food Locker, 263 Court Street, Appomattox, Virginia beginning at 8:00 a.m. All members present voting aye. Motion carried.

On a motion by Councilmember Bennett, seconded by Councilmember Mayberry, Council voted to cancel the Workshop meeting of December 28, 2010. All members present voting aye. Motion carried.

Council Concerns – None.

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

_____ _____

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a public hearing on Monday, January 10, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Bill Goodrich, Chad Millner, Barbara Shelton, Cliff Harvey, Nolan Connelly, Ronnie Lankford, Stephanie James, Bill Gillespie, Interim Town Manager; Stacey Wilkes, Town Treasurer; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the public hearing to order.

Mayor Harvey stated the purpose of the hearing.

TAKE NOTICE, that both the Council of the Town of Appomattox, Virginia and the Board of Supervisors of the County of Appomattox, Virginia intend to approve a Voluntary Boundary Adjustment Agreement whereby certain parcels of land now located in the County would be brought within the Corporate limits of the Town.

The parcels of land which would become a part of the Town are listed in the office of the Commissioner of Revenue, as follows:

> Tax Map Identification Numbers
> 64 (A) 95, 64 (A) 95A, 64 (A) 98, 64 (A) 111, 64 (A) 112, 64 (A) 113, 64 (A) 114, 64 (A) 114A, 64 (4) 1, 64 (4) 2, 64 (4) 3, 64 (4) 3A, and 64 (4) A.

The Town Council intends to take action to approve said Agreement at its regularly scheduled meeting on January 10, 2011 and shall hold a public hearing on the Agreement on that date at 7:00 p.m. prior to taking action.

A copy of the proposed Agreement is on file with the Clerk of the Appomattox Town Council and the Clerk of the Board of Supervisors for Appomattox County.

There were no public comments.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to close the public hearing at 7:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette Clerk	Paul D. Harvey Mayor

The Appomattox Town Council held a regular council meeting on Monday, January 10, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Bill Goodrich, Chad Millner, Barbara Shelton, Linda Lipscomb, Cliff Harvey, Nolan Connelly, Ronnie Lankford, Stephanie James, Will Simmons, Hazel Thomas, Carlton Duck, Stacey Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Mayor Harvey led the Pledge of Allegiance.

On a motion by Councilmember Bennett, seconded by Councilmember Garrett, Council voted to approve the consent agenda of January 10, 2011 as presented. All members present voting aye. Motion carried.

Public Comments – None

Mayor's Comments – Mayor Harvey wished everyone a Happy New Year. A letter was received by Waite Rawls with the Museum of the Confederacy and the site work is beginning on the new Museum of the Confederacy location. "Civil War Talks" will be held at Baine's Books and Coffee on Main Street, the first Wednesday of each month from 12:15 – 12:45 p.m. Lastly, the Town needs to discuss the agreement between the Museum of the Confederacy and the Town of Appomattox for sewer service in that area.

Public Appearances – None

Unfinished Business –

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to adopt the changes to the Bylaws and Rules of Procedure for the Town of Appomattox. All members present voting aye. Motion carried.

New Business –

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adopt the 2011 Town Council meeting schedule. All members present voting aye. Motion carried.

Will Simmons, Director of Tourism appeared before Council regarding a resolution of support for the Civil War Preservation Trust for a Transportation Enhancement Grant to purchase land adjacent to the 47 +/- acres for the Battle of Appomattox Station property.

Mayor Harvey read the proposed Resolution of Support:

RESOLUTION OF SUPPORT
CIVIL WAR PRESERVATION TRUST

WHEREAS, the 150th Anniversary of the American Civil War is being commemorated throughout the Commonwealth, and

WHEREAS, publicity surrounding the sites associated with the American Civil War will be highlighted throughout the Sesquicentennial during the next 5 years (2011-2015), and

WHEREAS, Appomattox is recognized worldwide as the place Where Our Nation Reunited, and

WHEREAS, the Civil War Preservation Trust has recently acquired 47 acres within the Town of Appomattox known as the site of the Battle of Appomattox Station, and

WHEREAS, the Civil War Preservation Trust has expressed interest in acquiring and preserving additional parcels of land within the Town of Appomattox through a Transportation Enhancement Grant, and

WHEREAS, additional American Civil War related attractions will provide an increased economic benefit to the community.

NOW, THEREFORE, BE IT RESOLVED, the Appomattox Town Council does hereby support the Civil War Preservation Trust's efforts to preserve additional historic real estate properties within the Town of Appomattox.

Council inquired which properties the Civil War Preservation Trust would be trying to acquire. Mr. Simmons was unclear which properties were desired of the Civil War Preservation Trust. Mr. Simmons assured Council this resolution of support was only necessary to pursue their grant efforts. The grant, if awarded, may be used to purchase adjacent parcels.

On a motion by Councilmember Garrett, seconded by Council Spiggle, Council voted to table adoption of the resolution until more information could be obtained. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Council Garrett, Council voted to revise the Policies and Guidelines for Travel – Town Employees and Officials – Mileage reimbursement rate from $0.50 per mile to $0.51 per mile for use of a personal vehicle. All members present voting aye. Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember Garrett, Council voted to authorize Paul D. Harvey, Mayor to execute the Voluntary Boundary Adjustment Agreement to include Tax Map Identification Numbers: 64(A) 95, 64 (A) 95A, 64 (A) 98, 64 (A) 111, 64 (A) 112, 64 (A) 113, 64 (A) 114, 64 (A) 114A, 64 (4) 1, 64 (4) 2, 64 (4) 3, 64 (4) 3A, AND 64 (4) A. All members present voting aye. Motion carried.

Council Concerns:
Steve Conner – Reiterated that he could not support the Civil War Preservation Trust efforts without knowing more information.

Update from the Town Manager:

- A previous request by Dominion Virginia Power for an easement near the Town Office on Court Street has been eliminated. Dominion Virginia Power will be using an easement on the other side of Court Street.
- Properties on Confederate Blvd. – The report is complete. A letter is being sent to the Town Attorney. A list/guide has been provided to follow. The deficiencies have been identified. In approximately two (2) weeks a certified/return receipt letter will be mailed to the owner. Mr. Gillespie thanked the property investigation committee members for their assistance.
- The pavilion has been finalized. The 24' x 44' pavilion for $14,000 does not include the slab. The pavilion will be ordered this week.
- The railing on Church Street has been completed.
- Mr. Gillespie introduced Bryan David with the Region 2000 Economic Development Committee. Mr. David asked the Town of Appomattox to participate in the Region 2000 CEDS project submission. Mr. David assured Council that there was no commitment of money at this time.
- Council gave consensus to allow staff to approve change orders for the STAG grant project up to $15,000 of the base bid of $709,000. Mr. Gillespie advised Council that there is an allowance for certain things of $30,000 built into the contract awarded of $739,000. Currently, there is no contingency in the bid.

Closed Session
On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to convene in Closed Session pursuant to §2.2-3711(A)5 of the Code of Virginia, 1950, as amended, for the discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, specifically being Business A and §2.2-3711(A)6 of the Code of Virginia, 1950 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 discussion of the waterline maintenance agreement from Concord to Appomattox.

VOTE: Bennett – aye, Conner – aye, Mayberry – aye, Spiggle – aye, McDearmon – aye, Garrett – 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, Conner – aye, Mayberry – aye, Spiggle – aye, McDearmon – aye, Garrett – aye.

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

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a workshop meeting on Tuesday, January 25, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Chad Millner, Ronnie Lankford, Stephanie James, Bill & June Goodrich, Bob Hopkins, Hurt & Proffitt; Carlton & Brian, Alive Media TV; Hazel Thomas, Nolan Connelly, Nina Beasley, Frances Guill, Barbara Shelton, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; Rhonda Guill, Deputy Clerk; Bill Gillespie, Interim Town Manager; and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Discussion of December 2010 planning priorities and initiatives project
Mr. Gillespie asked Council to review the Vision Statement, Mission Statement, Core Values and Leadership Philosophy in order that they can be adopted by March 2011. They need to be posted in various places within Town structures. We will talk about these at the February 2011 Workshop and then adopt at the March 2011 Council meeting.

Mr. Gillespie lead the discussion of all the priorities and initiatives discussed at the December 2010 work session. Mr. Gillespie has provided Rhonda Guill, Deputy Clerk the entire packet to create and maintain with the comments and questions until its adoption in March 2011.
All matters discussed regarding the priorities and initiatives project are maintained at the Appomattox Town Office.

Council will choose four (4) or five (5) for this year and then begin reviewing the plan every year. Each priority and initiative project will need at least one council member. Staff will break the areas into six committees and use committee chairperson to work with the project leader/project team.

Committee reports:
Finance – Mr. McDearmon reported that the committee will begin the FY 2012 budget process soon.
Fire & Safety – Mr. Gillespie reported that the work continues on the blighted properties. The report will be very specific with pictures citing the deficiencies to be corrected.
Ordinance – Mr. Conner reported that he would like to have an Ordinance committee meeting at the end of February to discuss the Sign Ordinance at look at the Subdivision/Zoning Ordinances.
Personnel – No report.
Street & Property – Mr. Gillespie reported that the Pavilion for Abbitt Park has been ordered. He has also spoken with Mr. Bill Burke regarding the pavilion. Mr. Gillespie, Jeff Elder, VDOT and Dominion will be meeting to discuss moving the poles on Church Street and realigning the sidewalk on Church Street. Mr. Gillespie has also reviewed a site plan from O'Reilly Auto Parks and Kroger for a gas station island. He continues to work on the sewer line for the Museum of the Confederacy area and work continues to install the street lights on Ferguson Street.

Utility – Mr. Gillespie provided an update on the STAG grant utility work. The contractor is nearly complete with the water line replacement. Work on the sewer line replacement will start soon and take approximately 60 days to complete.

Staff Reports

Stacey Wilkes, Town Treasurer reported that she has met with Farmers Bank and will be offering direct deposit to town employees soon. The cost to the Town is approximately $60.00 per month but will provide a huge benefit to Town employees. The FY 2010 audit field work is complete.

Roxanne Paulette, Clerk of Council provided her written report to council but drew their attention to the VML/VACo Legislative Day on February 3, 2011. She requested that those council members wishing to attend please let her know.

Mr. Gillespie reported on changes in responsibilities at the Town Office. Rhonda Guill has been named Deputy Clerk and other employees of the Town Office will now report directly to the Town Treasurer.

Council Concerns

Mayor Harvey reported that the Town received a letter from the Appomattox County Chamber of Commerce regarding the Community of Candles. The Appomattox County Chamber of Commerce will once again resume responsibility of planning the annual Community of Candles. The Town will continue with its financial and logistical assistance.

Mr. Wayne Phelps asked by letter (material) to the Town for their support by sending Appomattox County a letter to save the former Appomattox County Library building. Council gave consensus to have Mr. Gillespie send a letter of support to Appomattox County.

Ms. Spiggle and Mr. Gillespie attempted to clarify the changes in the Bylaws and Rules of Procedure as it pertains to the Citizen Comment period.

Ms. Spiggle asked for a letter of support for grant assistance for the Carver Price Legacy Museum. Ms. Spiggle will gain more information from the Carver Price Legacy Museum.

Mr. Conner questioned if Mr. Michael Estes had been asked to appear before Council regarding the Civil War Trust request for a resolution of support for a grant to purchase property adjacent to the Battle of Appomattox Station property. Mr. Estes' schedule has not permitted him to attend yet.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 9:05 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, February 14, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: C. Lewis McDearmon, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett. Absent: Timothy W. "Timmy" Garrett.

Others: Bill and June Goodrich, Chad Millner, Stephanie James, Ed McCann, Allison Scott, Carson Baldwin, Jalen Thomas, Carlton Duck & Company, Rhonda Guill, Deputy Clerk; Stacy Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Rev. Carlton Duck led the Pledge of Allegiance.

Mayor's Comments – Mayor Harvey said our thoughts and prayers are with the firefighters tonight. He hopes everyone is ok and there are no injuries.

Public Appearances – None

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to approve the consent agenda of February 14, 2011 with the addition of Consideration to approve the revised Sanitary Sewer Alignment Engineering Fee Proposal for Phase 2 Wastewater Collection Improvements for $14,200. All members present voting aye. Motion carried.

Unfinished Business – None

New Business –

Mayor Harvey presented the following Proclamation for National FFA Week.

PROCLAMATION
National FFA Week – February 19 – 26, 2011

WHEREAS*, February, has been designated "Career and Technical Education Month" by the Association for Career and Technical Education and February 19-26, 2011, has been designated as "National FFA Week" by the National FFA Organization, and*

***WHEREAS**, FFA and Agricultural Education provide a strong foundation for the youth of America, Virginia and Appomattox and the future of the food, fiber, and natural resource systems; and*

***WHEREAS**, FFA promotes premier leadership, personal growth, and career success among its members; and*

***WHEREAS**, agricultural education and the FFA ensure a steady supply of young professionals to meet the growing demands in the science, business, and technology of agriculture; and*

***WHEREAS**, the FFA motto – "Learning to do, Doing to learn, Earning to live, Living to serve" – gives direction of purpose to these students who take an active role in succeeding in agricultural education; and*

***WHEREAS**, FFA promotes citizenship, volunteerism, patriotism, and cooperation,*

***NOW, THEREFORE,** I, Paul D. Harvey, Mayor of the Town of Appomattox, do hereby proclaim the week of February 19-26, 2011, as*

FFA WEEK

in the Town of Appomattox and urge all its citizens to become familiar with the services and benefits offered by the career and technical education programs in their communities and to support and participate in these programs.

***IN TESTIMONY WHEREOF,** I have hereunto set my hand and caused the Great Seal of the Town of Appomattox to be affixed this 14th day of February, in the year of our Lord 2011.*

Mayor Harvey proclaimed the week of February 19 – 26, 2011 to be National FFA Week in the Town of Appomattox.

On a motion made by Councilmember Spiggle, seconded by Councilmember Mayberry, Council voted to approve the revised Sanitary Sewer Alignment Engineering Fee Proposal for Phase 2 Wastewater Collection System Improvements for $14,200. All members present voted aye. Motion carried.

Appointments to Boards, Commissions and Committees –

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to table the appointments of Eric Ferguson and Ronnie D. Lankford, Jr. to the Appomattox Town Tree Board for more research until March 14, 2011. All members presented vote aye. Motion carried.

Citizen Comment Period – None

Council Concerns – None

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:45 p.m. All members present voted aye. Motion carried.

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Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

Workshop Meeting
Tuesday, February 22, 2011

The Appomattox Town Council held a workshop meeting on Tuesday, February 22, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Stephanie James, Carlton & Brian, Alive Media TV; Will Simmons, Director of Tourism; Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; Rhonda Guill, Deputy Clerk; Bill Gillespie, Interim Town Manager; and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Continued discussion of December 2010 planning priorities and initiatives project
Mr. Gillespie briefed Council of all the priorities and initiatives discussed at the December 2010 work session and January Workshop meeting. Mr. Gillespie has provided Rhonda Guill, Deputy Clerk the entire packet to create and maintain with the comments and questions until its adoption in March 2011. All matters discussed regarding the priorities and initiatives project are maintained at the Appomattox Town Office.

Mr. Gillespie advised Council that the list has been consolidated and commended them for discussing such as aggressive plan. The project will be for the good of the citizens.

Hearing no objections the priorities and initiatives project along with the mission statement, vision statement, core values and leadership philosophy will be presented at the March 14, 2011 Regular Council meeting for adoption.

Committee reports:
Finance – Mr. McDearmon reported that the committee met on February 16, 2011 and the next budget workshop is scheduled for March 9, 2011.
Fire & Safety – Ms. Bennett reported that the Town is working with Mrs. Wheeler on her property on Confederate Blvd.
Ordinance – Mr. Conner reported that a review of the Sign Ordinance will begin soon.
Personnel – Mr. Mayberry reported that the committee has not met recently.
Street & Property – Ms. Spiggle reported that the committee has not met recently.
Utility – Mr. Gillespie reported on the sewer project for the Museum of the Confederacy.

Staff Reports
Will Simmons, Director of Tourism reported on the results of his departmental budget for FY 2011 and discussed the proposed FY 2012 budget. He discussed with the Council the results of advertising and the effects of the program on the community.

Stacey Wilkes, Town Treasurer provided a written report.

Roxanne Paulette, Clerk of Council had no report.

Mr. Gillespie, Interim Town Manager has nothing further to report.

Council Concerns - None

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

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

The Appomattox Town Council held a regular council meeting on Monday, March 14, 2011 at 7:30 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Bill Goodrich, Chad Millner, Barbara Shelton, Allen Austin, Bill Burke, Ronnie Lankford, Stephanie James, Cliff Harvey, Bob Hopkins, Will Simmons, Jeff Elder, Carlton Duck, Stacey Wilkes, Town Treasurer; Rhonda Guill, Deputy Clerk; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Rev. Carlton Duck led the Pledge of Allegiance.

Mayor's Comments – Mayor Harvey had several notes of gratitude. He said the lights on Ferguson Street and Abbitt Park look great and he would like to thank Jeff Elder and the Public Works Department for the work they have done. He would also like to thank Jeff Elder and the Wastewater Department for all their hard work in getting the zinc levels down from 140 ug/L to 65 ug/L. He commended Jeff Elder for coming up with the idea for reducing the zinc.

Public Appearances –
Bill Burke – 523 Dunn Roamin Road, Appomattox, VA
Mr. Burke appeared before council representing the Abbitt Family, Appomattox Chamber of Commerce and Cheers Committee, to thank them and the Town for all their hard work on Abbitt Park and for following through with their vision to help the Park come to fruition. Mr. Burke also thanked council for their brainstorming efforts and he had a few personal notes for the Town to consider.

1. Mr. Burke said he would like to see the Visitors Center remain in the current location; it is the backbone and heart of Main Street. He noted that all downtown buildings are occupied with businesses and if the Visitor's Center is moved it will make Main Street a ghost town.
2. Mr. Burke would like to see all downtown business owners stop parking on Main Street because it takes up vital parking for tourist.
3. Mr. Burke would like to see the Town purchase a new or used trolley to transport visitors from Clover Hill Village, National Park, Museum of Confederacy and the old Jail and back to Visitors Center. Volunteers could be used for this.
4. Mr. Burke would like to see the Town work on getting a nice Hotel or Conference Center here to ensure tourist have a place to stay.

Mr. Burke thanked council for their time.

Allen Austin – 355 Oakleigh Avenue, Appomattox, VA
Mr. Austin appeared before council asking them to consider purchasing a framed limited edition canvas print of Main Street. The purchase price is $495.00 unframed and $725.00 framed. He thanked council for their time and consideration.

On a motion by Councilmember Bennett, seconded by Councilmember Garrett, Council voted to approve the consent agenda of March 14, 2011. All members present voting aye. Motion carried.

Unfinished Business –
Appointments to Boards, Commissions and Committees
On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the appointment of Eric Ferguson to the Appomattox Town Tree Board – term expiring December 31, 2012. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the appointment of Ronnie D. Lankford to the Appomattox Town Tree Board – term expiring December 31, 2012. All members present voting aye. Motion carried.

New Business –
On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to adopt the following: Vision Statement, Mission Statement, Leadership Philosophy, and Core Values. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Conner, Council voted to adopt the Priorities & Initiatives Plan for FY 2012 – 2016 with an addition to review the plan annually each January. All members present voting aye. Motion carried.

Appointments to Boards, Commissions and Committees –
On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to approve the 2011 Historic Appomattox Railroad Festival Slate of Officers: Chairperson – Will Simmons, Co-Chair – Rhonda Guill, Secretary/Treasurer – Stacey Wilkes, Safety Coordinator – Still in discussion. All members present voting aye. Motion carried.

Citizen Comment Period – None

Council Concerns –
On a motion by Councilmember Bennett, seconded by Councilmember Spiggle, Council voted to forward a letter to the Appomattox County Board of Supervisors requesting they reconsider obtaining a bid for the Rt. 613 waterline extension and authorized the Mayor, Paul D. Harvey sign said letter. All members present voting aye. Motion carried.

Closed Session –

On a motion by Councilmember McDearmon, seconded by Councilmember Conner, 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 the performance of a specific public employee of the Town, specifically being Employee A.

Vote – Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye.

Certification –
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 – Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adjourn at 9:00 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

Workshop Meeting
Tuesday, March 29, 2011

The Appomattox Town Council held a workshop meeting on Tuesday, March 29, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Cliff Harvey, Bill and June Goodrich, Hazel Thomas, Bob Hopkins, Stephanie James, Kyle Lerner, Mitch Stone, Jerome Houston and Patrick Witcher, Stephanie James, Carlton & Brian, Alive Media TV; Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; Rhonda Guill, Deputy Clerk; Bill Gillespie, Interim Town Manager; and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mr. Bill Gillespie, Interim Town Manager recognized the efforts of the Town's Wastewater Department in reducing the zinc levels at the SBR facility. It has taken a lot of effort to lower the levels. A letter is being sent to DEQ of these efforts. Council applauded the staff efforts and thanked each of them.

Mr. Bill Gillespie, Interim Town Manager advised Council of Stormwater Management. Every locality will have to operate under a permit. DCR (Department of Conservation and Recreation) is addressing legislation for the General Assembly. The true cost is not yet known for the program. Mr. Gillespie was not advocating that the Town do anything yet. The area Managers have been meeting about this topic. It might be more realistic for Town's to go with County's or maybe even regional. Localities will have a little less than 2 years to comply after the General Assembly has everything in place by the end of 2011.

Mr. Bill Gillespie, Interim Town Manager explained the Cross Connection Control Program. Currently, the Town is not conducting inspections and the Virginia Department of Health (VDH) will be looking at the permit and will be looking for the Town to implement an inspection program. The Town's current ordinance will need to be updated. The program will require additional resources and will be significant the first year.

Mr. Bill Gillespie, Interim Town Manger asked Council to allow staff to review all rental contracts. Mr. Conner stated that it appears the leases are backwards – meaning the Town is maintaining things inside and outside of the building. There was considerable discussion of the use of the depot area. Possibly using the area for conference rooms or meeting space and charging for the use of the building. It was the consensus of Council to allow Mr. Gillespie to research the matter.

Committee reports:
Finance – Mr. McDearmon reported that the committee met on March 23rd and is hopeful that the final budget meeting will be held on April 13th.
Fire & Safety – Ms. Bennett reported that the through the efforts of Mr. Gillespie and Mr. Conner, some of Ms. Wheeler's property on Confederate Blvd. have been sold. Some of the

houses are being removed while the one on the corner of Lucy Street and Confederate Blvd. is being remodeled. Ms. Bennett also reported that the Fire Department is seeking Request for Proposals (RFP's) on the new fire truck.
Ordinance – Mr. Conner reported that a timeline is being created to review the sig ordinance as well as review of the zoning maps and tax maps.
Personnel – Mr. Mayberry reported that the committee met on March 29, 2011.
Street & Property – Ms. Spiggle reported that the pavilions for Abbitt Park are scheduled for delivery on April 18, 2011 and the lights at Abbitt Park have also been installed.
Utility – Mr. Gillespie reported that Mr. Elder has reviewed the plans for Phase II of the STAG project. The project will meet the requirements of DEQ and the EPA. The Town is in the process of obtaining the plat for the Nash property. The categorical exclusion is expected soon. Staff is expecting to bid the project in May 2011.

Staff Reports
Town Manager – Mr. Gillespie had nothing further to report.

Tourism Director – Absent

Stacey Wilkes, Town Treasurer provided a written report and asked Council to review the Business License ordinance before the next workshop meeting.

Roxanne Paulette, Clerk of Council provided a written report.

Council Concerns
Ms. Spiggle appreciated the attention provided to the blighted property and thanked everyone for their hard work.

Mayor Harvey asked Council to provide a letter of support to the Carver-Price Legacy Museum in their efforts to obtain grant funding. After much discussion of Carver-Price Legacy Museum's possible name change to the Black History and Achievement Museum it was suggested that staff contact the Museum to obtain clarification.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, April 11, 2011 at 7:30 pm at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett. Absent: Timothy W. "Timmy" Garrett.

Others: Linda Lipscomb, Bob Hopkins, Stephanie James, Benny Harvey, Lucy Harvey, Hazel Thomas, Rev. Russell Cheatham, Memorial United Methodist Church, Carlton Duck, Stacey Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Russell Cheatham delivered the invocation and led the Pledge of Allegiance.

Mayor's Comments – Mayor Harvey gave thanks to staff and helping Council create a 5 year vision program that people can see. Mayor Harvey also expressed concerns of thought and prayers to Council Member Timmy Garrett during his recovery.

Public Appearances – None

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the consent agenda of April 11, 2011. All members present voting aye. Motion carried.

Unfinished Business – None

New Business – None

Citizen Comment Period – None

Town Manager Update –

1. Legacy Shelters will ship the Abbitt Park pavilion the week of April 11th. Delivery is scheduled for April 18-20. Construction is scheduled to be complete by May 1st.

2. There is continued success with lowering the zinc levels at the SBR facility.

3. The Public Works department has been very busy.

4. The final budget meeting is scheduled for this week, April 13, 2011.

Council Concerns –

Future Skate Park

Ms. Bennett asked if any information had been obtained on a future skate park. Mayor Harvey has information and will provide it to Mr. Gillespie.

Ms. Spiggle is concerned about the location of the park. She states it needs to be accessible and visible.

Budget Cuts

Mr. Conner expressed concern that the Town must have a balanced budget moving forward with the proposed FY 2012 budget. The revenues and expenditures were spreading apart. Right now there is a $160,000 shortfall and we do not have the money to keep doing this -- if we keep using reserve -- there won't be a reserve. It is not prudent to keep paying for it.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a workshop meeting on Tuesday, April 26, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others: Waite Rawls, Linda Lipscomb, Sam Craighead, Linda Wall, Stephanie James, Bill & June Goodrich, Cliff Harvey, Jeff Elder, Bob White, Mike Lawless, Carlton and Brian, Alive TV; Stacey Wilkes, Town Treasurer; Rhonda Guill, Deputy Clerk; and Bill Gillespie, Interim Town Manager.

Mayor Harvey called the meeting to order.

Mayor Harvey made the following amendments to the agenda:
(1) Addition of a closed session after item # 10 – Council Concerns
(2) Delete item # 7 – Update on Priority & Initiatives

Proclamation Recognition
Mayor Harvey read the Proclamation for Arbor Day 2011

TOWN OF APPOMATTOX
ARBOR DAY PROBCLAMATION

WHEREAS, Arbor Day has been observed throughout Virginia and the Nation for more than 120 years, and

WHEREAS, trees provide many benefits to the community, including lean air, windbreaks, noise reduction shade, and energy savings, and

WHEREAS, planting and maintaining trees provides opportunities for community interaction, volunteerism, economic development, and environmental conservation, and

WHEREAS, the Town of Appomattox has been designated a bird sanctuary and trees provide habitat for birds, and

WHEREAS, trees increase property values, enhance the economic vitality of business areas, and beautify communities, and

WHEREAS, trees, wherever planted, are a source of comfort, joy and inspiration, and

WHEREAS, the last Friday in April of each year is designated by the Virginia General Assembly as Arbor Day in the Commonwealth of Virginia.

NOW, THEREFORE, I, Paul Harvey, Mayor of the Town of Appomattox, do hereby proclaim the 29th day of April, 2011 as our Third Annual Arbor Day.

Presentations

Waite Rawls with the Museum of the Confederacy presented a slide show and gave an update on the progress of the building as well as what to expect once it is finished.
Mr. Rawls reported that the land has been graded and the storm drain and curbing have been installed. The Museum will house an indoor and outdoor classroom, 3500 sq. ft. exhibit area as well as a 1500 sq. ft. changeable exhibit area. The classroom area and exhibit area will be connected by a covered porch area. The outside will include a brick and granite walkway with stories inscribed in the granite as well as a series of 14 state flags leading up to the American Flag. The entire building is expandable to ensure growth of the Museum. They hope to build a time period Log Cabin in the field beside the Museum in the near future. The main exhibit hall will include exhibits from before Appomattox, during Appomattox and after Appomattox. There will be a case displaying Robert E. Lee sword and his uniform. The changeable exhibit will start with a display of Confederate Flags and color barriers. Mr. Rawls reported the Museum is planning to open by March 2012 in preparation of the April tourism season.

Ms. Spiggle thanked Mr. Rawls and added it was a great presentation.
Mayor Harvey thanked Mr. Rawls and added it was a great choice to come to Appomattox and tie into the National Park.
Ms. Bennett said she is very excited.

Bob White, Region 2000 Local Government Council talked about the Stormwater Management Program. Mr. White explained this is a rising issue that we will be facing in the near future. State requirements are being updated now and will soon be in place. The Environmental Protection Agency will be implementing a National Stormwater Management Program. Region 2000 will be communicating with localities to keep us up to date on the new regulations. They are working on the final draft as it pertains to the town and at some point they will be working with our staff to schedule a public hearing.

Mike Lawless with Draper and Aden Associates discussed the Region 2000 Regional Water Supply Plan. Mr. Lawless explained the requirements of the town as follows:

- Adopt a Drought Management Ordinance which includes the components recommended by DEQ – The Town of Appomattox has already fulfilled this commitment.
- Adopt a Drought Response and Contingency Plan which will be included in the Regional Water Supply Plan and will be adopted upon adoption of the Water Supply Plan; this does not need separate adoption.
- Hold a public hearing and pass a resolution adopting the Regional Water Supply Plan.

All actions required by Council will need to happen before October 2011.
Mr. Lawless said the Plan will need to be revised every 5 years with needed changes and revised and resubmitted every 10 years.

Mr. Conner wanted to make sure that by connecting to CCUSA (Concord – Appomattox waterline) that would take care of us and our water supply. Mr. Lawless responded with yes.
Mayor Harvey thanked Mr. Lawless.

Update on Carver-Price Legacy Museum – Requesting a Support Letter
Mayor Harvey reported that Roxanne Paulette, Clerk; has spoken with Jessie Lewis, President CPAA and he advised that the name of Carver-Price Legacy Museum will not be changing. The letter is needed to apply for grant money. Mr. Conner asked what exactly are they doing. Mayor Harvey said they are adding and expanding the Museum to include other things. It is the consensus of Council to have Roxanne Paulette draft and send a letter of support to the Carver-Price Legacy Museum.

Discussion of skateboarding complaints
Mayor Harvey advised we have received a complaint about the skateboarding at the Jamerson Library and Abbitt Park. There was some discussion about asking off duty police officers to monitor the area and we will pay them for their time. Mr. Mayberry does not think we should pay the Sheriffs Department more that what we already pay them. Mr. Conner agrees. Mr. Mayberry said the ordinance we have is enforceable and we will meet with the Sherriff Department. Ms. Bennett asked if we have found a place to put the skateboard park, we need to look out for the safety of the kids. Mr. Mayberry suggested the Town have a meeting with the County on property and funding. He suggested we turn it over to Mr. Gillespie and Roxanne Paulette to meet with Aileen Ferguson to discuss further. Ms. Spiggle added the skateboarders are county residents and business owners are complaining about property damage. Mr. Mayberry said the ordinance allows businesses to pursue the matter. Mr. Conner asked did we pursue the property beside Advance Auto. Mayor Harvey suggested the matter be discussed at the next joint meeting.

Discussion of the proposed changes to Chapter 126-Licensing
Mr. Gillespie explained the changes set up an appeal process and adds teeth to the ordinance if the businesses do not pay; it also establishes a penalty if Business License Tax is not timely paid. Frank Wright, Town Attorney will review the document. It is the consensus of Council to proceed with changes and schedule a public hearing.

Updates from Standing Committees
Finance – Mr. McDearmon reported the budget was finalized on April 13, 2011 and will go to public hearing on May 9, 2011.
Fire & Safety – Ms. Bennett has found at least 10 properties we need to look into. She will schedule a committee meeting soon.
Ordinance – Mr. Conner reported they are currently working on revising the Sign Ordinance and revamping the entire Zoning Ordinance to becoming more business friendly.
Personnel – Nothing to report
Street & Property – Ms. Spiggle reported there are two meetings scheduled, May 3, 2011 and May 14, 2011. The pavilion is on the way.
Utility – Mr. Garrett reported the PER has been sent out for upgrades on wastewater service, TFP and SBR, it will be back for review by May 9, 2011.

Updates from Staff Members
Town Manager – Nothing to report
Treasurer – Nothing to report
Clerk of Council – Report provided to Council

Council Concerns

Ms. Spiggle thanked Rhonda Guill and Stacey Wilkes for all their hard work. She also sent well wishes to Hazel Thomas and Barbara Shelton.

Closed Session

On a motion by Councilmember Spiggle, seconded by Councilmember Conner, Council voted to convene in Closed Session pursuant to §2.2-3711(A) 5 of the Code of Virginia, 1950, as amended, for the discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, specifically being Business A and §2.2-3711(A) 6 of the Code of Virginia, 1950 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 discussion of the waterline maintenance agreement from Concord to Appomattox.

VOTE: Bennett – aye, Conner – aye, Mayberry – aye, Spiggle – aye, McDearmon – aye, Garrett – 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, Conner – aye, Mayberry – aye, Spiggle – aye, McDearmon – aye, Garrett – aye.

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

_____ _____

Rhonda W. Guill
Deputy Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a public hearing on Monday, May 9, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others present: Linda Wall, Jim Nolen, Spencer Coleman, Kimberly Barton, Gary Barton, Linda and Bobby Shupe, Deborah Lester, Bob Hopkins, Edna Francis, Stephanie James, Jeff Elder, Utility Director; Stacy Wilkes, Town Treasurer; Rhonda W. Guill, Deputy Clerk; Roxanne W. Paulette, Clerk of Council and C. William Gillespie, Interim Town Manager.

Mayor Harvey called the public hearing to order.

Mayor Harvey stated the purpose of the public hearing:
The purpose of the public hearing is to hear citizen comments regarding the Proposed FY 2012 Budget for the Town of Appomattox – In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for the FY 2012:

GENERAL FUND EXPENDITURES	1,214,108.00
TOURISM FUND EXPENDITURES	97,500.00
WATER FUND EXPENDITURES	594,624.00
SEWER FUND EXPENDITURES	833,721.00
TOTAL EXPENDITURES	**2,739,953.00**
GENERAL FUND REVENUE	1,214,108.00
TOURISM FUND REVENUE	97,500.00
WATER FUND REVENUE	594,624.00
SEWER FUND REVENUE	833,821.00
TOTAL FUND REVENUE	**2,739,953.00**

Documentation has been available in the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday.

Bill Gillespie, Interim Town Manager applauded the efforts of the Finance Committee and all of Council for their work in preparing the FY 2012 Budget for the Town of Appomattox. Previously, the revenues were not supporting the expenditures, a $160,000.00 deficit. The committee and staff looked at the last several years. A tax increase would have nearly doubled the tax rate to make up the difference. So, the committee began comparing services to staff. It was the consensus of Council to balance the budget based on projected revenues. Council decided to fund the Priority and Initiative from fund reserve. The Priority and Initiative project includes a reviewing the

sewer department for a possible sewer expansion, repairing/replacing sidewalks, and $280,000.00 for additional and future items of work.

Mayor Harvey opened the floor for public comments and reminded each speaker of the five (5) minute limit for comments.

Public Comments:

Linda Wall – 126 Atwood Street, Appomattox, Virginia
I own a business on Atwood Street. I opened the business here because of its Tourism potential and of its rich historical heritage. I have been very discouraged at what I have seen happen since I have been trying to get ready for a grand opening the 15th of last month. Over $100,000.00 was cut out of our tourism budget.
I grew up and spent most of my life in tourism haven - from the battlefields of Petersburg, Jamestown, Williamsburg and Yorktown. We are so blessed in Virginia because we are so blessed in history, and many people fail to see the vision of how rich we can be and what an economic asset tourism is.

I received this brochure this week from the Virginia Tourism Cooperation, instant revenue for Virginia, that's what tourism is. Tourism is one of Virginia's most powerful industries. It provides instant revenue to the state. Tourism generates billions of dollars in tax revenue and supports hundreds of thousands of jobs for Virginias. In 2009 tourism generated $17.7 billion in revenue. It supported 204,000 jobs; it provided $1.24 billion in state and local taxes. State tax revenues by tourism in Virginia are enough to pay for salaries and benefits for 11,000 new state police officers. Enough for education of 76,000 Virginia students and enough to maintain 57,000 miles of Virginia roads annually.

So I am here tonight to ask council to reconsider the slashing of $100,000.00 out of the tourism budget, when tourism is an economic development asset here that has never been developed. So I closed with this little clip of Virginia CEO's talking about the economic development that Virginia tourism brings. The video was show.

Jim Nolen –

I want to thank the Mayor and the Town Council and compliment you on the job you are doing. I also want to thank the office and the field people, we are very fortunate here.

I am here to oppose the reduction in budget for tourism. I believe we have a prime product here to induce business, and if you don't believe me you should get in the real estate business and see the views of the people that come in from outside, they thinks it's just wonderful. I would suggest we work together with the county to jointly fund an aggressive effort through one or more individuals to represent both the town and county. I can't see somebody trying to do tourism and skidding to a halt at the town corporate limits or vise versa. It's like trying to ask a deputy sheriff to serve one magisterial district in my opinion, they need to work together and help pay for it. And for anybody that thinks the efforts to date didn't produce what should have produced revenue wise. How

do you know it wouldn't be a lot less? We spend thousands and thousands of dollars in advertising in our business and half of it, as the old saying goes, half of it is wasted, the problem is we don't know which half, but if you stop you are dead in the water for sure. So I think we have to keep doing what we have been doing and better.

As far as the Visitors Center, I think it is the ideal place to help the merchant's downtown. And that is what it was deigned for, with all the money spent downtown to enhance Main Street with lamppost and everything else you could not get a better Visitors Center than the old train station, it's just absolutely perfect.

Spencer Coleman –

I represent the Chamber of Commerce and I can't say much more than these people here have said, I support what they say entirely. I got in the mail the other day this brochure all the way from West Virginia, now they spent that much money for tourism to send it all the way for over here 100 miles away to get people to come there and participate in their tourism program. I just think we need to support tourism and I will just leave it at that.

Kimberly Barton –

Hello, thank you for this opportunity to speak, and everyone said some good things just now. I have a business here and I have been here around 2 years, I am going on my 3rd summer. In August 2009 is when I started, I say things were going pretty good then, the economy was taking a down turn but I will tell you I think the economy is getting worse and it is a real struggle.

I have a copy of an article, the Town of Appomattox researches initiatives priorities for the future, in here is the bullet point evaluate opportunities for potential site and provide capital expense to relocate Visitors Center. The purpose to relocate Visitors Center is to increase traffic and visibility of the Visitors Center. I put in pen a question, where do you want to move the Visitors Center? I have talked to other people, they are struggling with their businesses. I acknowledge there seems to be a tug of war between county people and town people, there seems to be a way to work together. There are advantages and disadvantages with decisions we make, but we can work together. I ask you to examine and evaluate yourselves and ask yourself do I put the people first, do I have a servants heart, do I want what is best for everyone? Often times it is human nature to let greed get in the way, we put ourselves before others, but we know Gods way is to be a servant and to put others before ourselves. I will also do whatever I can to help the business. There is a very special spirit downtown; you don't want to kill it. If you kill it you kill community. We need a revival here. We need to inspire people to work together here. I'm surprised there are not more people here from downtown, I question that, I don't know what it will take. That is all I have to say now.

Deborah Lester –

I think the reason a lot of the folks downtown did not show up is because they think you have made up your mind so what is the point. I am told that you don't believe the state economic assessment of the impact of tourism on Appomattox. I'm going to make you listen to it again. They say tourism has an 8.8 million dollar impact on the county most of it being in the town. When tourism related business get a dollar we give it to our employees in way of a paycheck, we spend it at Walmart, Kmart and Jamerson. We get our furnaces fixed at Mills, those dollars get re-spent, they support the paychecks of those businesses, and that money is taxed when it is spent by their employees, when they get food and their services and everything else. So you can't just look at tourism business and their tax revenue and call it a day. That money get circulated through out and it is taxed at every turn. The development of tourism cost less to taxpayers than any other kind of economic development. None of the pesky schools have to build for tourism and a lot of the other infrastructure doesn't have to be built for tourism. When the garment factory was fading and Thomasville was shutting its door, tourism was still going in this town; it is what you've got. We hope and pray we get another industry; it's not a good time to be looking for another industry to come to your community. Hope we get, we might but in 5 years they might move to Mexico or India or someplace else, tourism is the bird in your hand.

Property values, by the way it not just our property values downtown that will suffer, if you move the Visitors Center. I spoke to almost all Town Council Members, when I first heard about that. When I told one of them it might kill downtown their only response was a smile, its not reassuring. My husband and I called a real estate agent a week later, our business is for sale, if you look around a lot of the tourism related businesses are for sale, there is a reason for that. If downtown goes belly up and I believe it will if you move the Visitors Center. You need to think about what that will do to home values when it becomes a blighted, empty, ugly spot like so many other in Central Virginia, what is it going to do to the property values of the houses around there, the churches, your child will be going to school up the road from a not so nice place.

Also, I heard that you are taking $100,000.00 away form tourism, but you are thinking about building a water park for $60,000.00, which to me sounds like a slide and a man with a hose. But you should know there is an absolute fact by huge numbers that more people visit museums than sporting events and theme parks alone. Lynchburg has recently increased their tourism budget to $1 million in preparation for our museum; they have been dipping their fingers in our pocket for a long time. They are laughing up their sleeves at us, it is embarrassing. People come into my store and laugh at us at least once a week. What is wrong with this town, this town is a goldmine. Mayor Harvey: Ms. Lester you have about 1 minute. Ms. Lester: Campbell County makes $33 million off travelers; people are not coming to see Point of Honor. They go to Campbell County because they have come to Appomattox. I would like to if not reverse that trend, at least to have some impact on it.

We are not going to be here any longer than we have to, we are sorry to leave Appomattox it breaks our hearts, but we can't stay heavily invested in a town that is actively working against our interest. I will be gone but this town deserves better than it

is getting. And I hope that you will seriously reconsider what the numbers mean, how you are looking at them and what your level of investment should be.

Gary Barton –

My daughter and I came to this area, I had worked in this area in the past and I had always liked the area and liked the people. I attended a lot of vision meetings; to some extent we worked with the Town Council and Mayor to try to be an asset to this area. We didn't ask for anything, a lot of areas that want development will make tax incentive available, will help business to relocate or to start. We didn't ask for anything, we funded everything, we paid our taxes, and I have always paid my taxes. Quite frankly, I don't know what's going on. We had, I thought a Town Council that was proactive towards tourism, business and community, and they seemed to take those things serious; to make this a better place and to capitalize on the assets here. I see the Mayor is here, the same mayor and a lot of different people representing the town. Quite frankly, I don't know what's going on, we have a Town Council that doesn't seem to care much about the old historic district, which is the town. Yes, the town is out here on 460, but that takes care of itself and we have the Surrender Grounds and the park, they advertise and they take care of itself. A lot of people come through here from Virginia Beach going to Roanoke or wherever on 460 and their concept of Appomattox is the shopping center on 460. With the internet and some advertising, I'm sure a lot of advertising that brings them downtown is put out through the State and tourism industry.

We have been here as my daughter said for 2 years; this will be our 3rd summer here. We didn't get opened until August, because of the red tape; we still had a better year than last summer. It takes 2 years or more to establish a business and to show a profit. We are not showing a profit, but we are still trying to be here. Now I ask as a taxpayer and as a citizen, what about the grant money that was spent in the downtown district, taxpayers money, does anyone know what was spent there to make Main Street what it is and the other areas in the downtown district? Could anyone speak to that? Anybody? I mean it was taxpayers money, our money and your money, it looks like you would have some idea the investment on Main Street. If you care about other peoples money. Anybody? Roxanne Paulette: We can research that matter for you. Mr. Barton: I would think if someone is elected to office and they care about the area and they are concerned about downtown and the town itself, there would be some idea. We have invested in the downtown area in the form of grants and tax payer's money; there has been much effort in the revitalization of that, the buildings, the business, the advertising, the time, the money and the effort.

We have an excellent Visitors Center; I commend these people, that is where the people come to. They know about the surrender grounds, that's not a problem, they know about Lynchburg, but they don't know about the old historic district unless someone tells them about it. And because of the Visitors Center that is usually the point they start. They spend sometime downtown and then they go to the surrender grounds, and then visit the area some. And thanks to the Visitors Center and the people that work there, and they do an excellent job, then our business is made known or at least the visitors are made aware

of our business. They are made known of Mr. Nolen's business, Deborah's business, Shelia's business and Linda's business and they spend some time there. We have two Bed & Breakfast's down there, we have numerous businesses and it was a ghost town before, because business moved out didn't they, out of the downtown, but they are back and we are trying to make a go of it. I can see why you would like to have a small Visitors Center that is funded near the museum, but I don't see why you would want to take the Visitors Center out of the train station and the other businesses that are in the train station. I just don't know why, I guess you can address that and you can take a few minutes since my minutes are almost up. Tell us why would you want to move the Visitors Center from downtown and kill the downtown, and kill the business and kill the rental properties? Thank you very much.

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

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor

The Appomattox Town Council held a regular council meeting on Monday, May 9, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, Virginia with Mayor Harvey presiding.

Members Present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Other: Jeff Elder, Carlton Duck and Alive TV Crew, Stephanie James, Bill Goodrich, Cliff Harvey, Edna Francis, Rhonda W. Guill, Deputy Clerk; Stacy Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Rev. Carlton Duck led the Pledge of Allegiance.

Mayor's Comments – Mayor Harvey said he appreciated the work of staff on the budget and also the pavilion has been started and it will be a great addition to Abbitt Park.

Unfinished Business - None

New Business

On a motion by Councilmember Conner, seconded by Councilmember Mayberry, Council voted to approve the consent agenda of May 9, 2011. All members present voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to amend and reenact Section 190 entitled Water and Sewers, Article III – Water Service, Division 2 – Cross Connection Control; Backflow Prevention of the Code of the Town of Appomattox, Virginia. All members present voting aye. Motion carried.

On a recommendation by Councilmember Garrett, Chair of Utility Committee to award the Professional Engineering Services – Wastewater System – Preliminary Engineering Report to be awarded to Reid Engineering for an amount not exceeding $39,000.00 from the undesignated Sewer Fund Balance. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Conner, Council voted to adopt a Resolution of Quitclaim for surplus realty on Lee Grant Avenue previously used for the 30,000 gallon water tank tower and fixtures. All members present voting aye. Motion carried.

Citizen Comments – None

Council Concerns –
Mr. Conner said he would like to put the facts on the record that the people brought up. They say we got $8 million out of tourism; I would like to find it since the total revenue for Appomattox was not $8 million. The county puts $15,000 per year into tourism, there are 1700 people in the town which is roughly $300 per person in town. The total revenue to the Town from the downtown merchants, which includes their personal taxes as well as all of their business tax, totals less than $42,000.00. So when you are giving them $80,000.00 you are already giving them more than they need. The figures that were quoted in the handout were not real, they were estimates. The brochure sent out for West Virginia was sent out by the State, not by a town. The Greenbrier Resort goes with the Greenbrier Valley to do their advertising, which is Lewisburg and all the counties around them for one brochure. Their advertising budget is less than ours. Lynchburg spending $1 million for 90,000 people and we are spending the money we are for 1700 people. They didn't say anything when we said we would have to raise taxes for tourism. They fussed when we double the Business License Tax, do they want to double everything again. I just want true facts. I don't want to hurt anyone's business. If it is that important they need to get together with the Chamber or Retail Merchants to do their advertising. We spent a $1,100,000.00 and got back less than $225,000.00 in tourism. We have to have a balanced budget unless you want to raise taxes. We want to make it an asset to live in town and not a hindrance.

Mayor Harvey asked Council to consider having two standing committees instead of six standing committees. This would need a code change. Mayor Harvey said each committee would have three (3) members and he would sit on each committee. There would need to be a public hearing on this matter.

Mr. Gillespie explained the two new committees would be the Finance and Planning Committee and Physical Development Committee. He recommends having the meetings before the regular council meeting and workshop meeting. Other communities have implemented this and it has worked well. The Mayor would appoint the committee members. Each committee would consist of three (3) members.

On a motion made by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.

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Rhonda W. Guill, Deputy Clerk Paul D. Harvey, Mayor

1 Workshop Meeting
Tuesday, May 24, 2011

The Appomattox Town Council held a workshop meeting on Tuesday, May 24, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others present: Bill and June Goodrich, Cliff Harvey, Lucy Harvey, Benny Harvey, Stephanie James, Jeff Elder, Carlton Duck and Alive TV Crew, Stacy Wilkes, Town Treasurer; Rhonda Guill, Deputy Clerk; and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order

Discussion of possible committee structure changes

Mayor Harvey explained the possible committee structure changes discussed during the May 9, 2011 Regular Council Meeting. The Finance & Planning Committee would take the place of the current Personnel, Finance and Ordinance Committees. The Physical Development Committee would take the place of the current Utility, Street & Property and Fire & Safety Committees. If changed, the Council will need to hold a public hearing to hear citizen comments and then vote to amend and reenact Section 5-3 and 5-4 of the Code of the Town of Appomattox, Virginia.

Possible schedule of events:

- May 24, 2011 – Council consensus to advertise for public hearing.
- June 13, 2011 – Public Hearing to hear citizen comments on the amendments of Section 5-3 and 5-4 of the Town Code.
- June 13, 2011 – Council consideration to amend and reenact Section 5-3 and 5-4 of the Code of the Town of Appomattox, Virginia with an effective date of July 1, 2011.

These code changes would be effective on July 1, 2011 and the Mayor would appoint three (3) members of Council to each committee and denote a committee chair. The Mayor will serve as the ex-officio of each committee.

Ms. Bennett asked would these committees mean fewer meetings.

Ms. Spiggle asked would this mean longer meetings. She thinks we should go a little slower with this process.

Mr. Mayberry thinks we should look at it from a financial standpoint, this would help control the finances and we will still accomplish the same thing.

Mayor Harvey explained this would mean fewer meetings; the goal is to have committee meetings the same night as regular council and workshop meetings. The meetings may last a little longer but staff would have more time to prepare for them which should help them to run smoother.

It is the consensus of Council to move forward with the Public Hearing. Mayor Harvey instructed Ms. Paulette to advertise for a Public Hearing to be held on June 13, 2011.

Update on 2011 Curbside Waste Collection Contract

Ms. Paulette explained the current contract with BFI – Allied Waste is set to expire on June 30, 2011. The contract for curbside garbage collection services was advertised on Sunday, April 10, 2011. Bid packets were mailed to three (3) contractors. Bids were due on Tuesday,

May 10, 2011. One (1) bid was received by the deadline and was opened on Friday, May 13, 2011 by Bill Gillespie, Jeff Elder and Roxanne Paulette. The bid received is from BFI Waste Services, LLC d/b/a Allied Waste Services of Lynchburg for $239,436.00. This equates to $79,812.00 per year for each year of the 3 year contract. The amount includes a 3% CPI amount. There is an increase of approximately 50 carts from the original contract to the new contract.
Staff will be asking for consideration to award the bid to BFI Waste Services, LLC at the June 13, 2011 Regular Council meeting.

Update on Appomattox Town Shop property
Paul explained that the Town solicited a request for proposals under the Basic Ordering Agreement with all five (5) engineering firms. Three (3) proposals were received and B&B Consultants was awarded the project to survey all five (5) parcels and present a plat for recordation with one (1) parcel for the Public Works Department (Town Shop lots). The Town Attorney has been authorized to conduct a title search of the parcel at the Town Shop lot on Linden and church Street. Attorney Frank Wright was advised we needed the title searches done by May 31, 2011.

Update on Preliminary Engineering Report – Wastewater Treatment
Paul reported the contract between Reid Engineering and the Town of Appomattox was executed by him and returned to Reid Engineering. A financial arrangement was reached with Reid Engineering for the PER for $39.000.00 and if an Environmental Review is needed and the Town decided to move forward with one, it will cost an additional $1,000.00.

Update on Phase II of the STAG project – Sewer to the Museum of the Confederacy
Roxanne reported the Parkview Holdings, LLC easement has been signed and recorded in the Appomattox County Circuit Court Clerk's Office. The DEQ offered "safe advertising" instructions for May 2011. WW Associates will advertise the project May 29, 2011 and bids will be due on June 20, 2011. Council will award the project at the July 11, 2011 Regular Council meeting.
Jeff Elder said the project will be done within 6 months and a deadline date will be in the contract.
Timeline:
Sunday, May 29, 2011 – Advertisement
Thursday, June 30, 2011 – Bid due date – opening
Monday, July 11, 2011 – Council award

Update on Sidewalks projects within the Priority & Initiatives Plan
Roxanne reported the Street & Property Committee visited the areas of concern identified specifically as Highland Avenue, Church Street, Burke Street, Red House Road and Patterson Street. The three (3) sidewalks in desperate need of repair are Church Street, Burke Street and Highland Avenue. Hearing no objection, Mr. Gillespie will be advertising approximately 600 square yards of sidewalk and 100 linear feet of curbing on May 29, 2011. This amount should keep the Town in line with the budgeted amount for FY 2012 and the amount identified in the Priority and Initiative Plan. There will be a mandatory pre-bid meeting on Thursday, June 9, 2011 at 11:00 a.m. and bids will be due on June 23, 2011 and publicly read aloud. Council can then discuss this matter further at the June workshop and award the contract on July 11, 2011. The contractors will be taken to the sites to look at the sidewalks in need.

Timeline:
Sunday, May 29, 2011 – Advertisement
Thursday, June 9, 2011 – 11:00 a.m. – Mandatory Pre-Bid meeting
Thursday, June 23, 2011 – Bids due date – opening
Tuesday, June 28, 2011 – Workshop
Monday, July 11, 2011 – Council award

Updates from Standing Committees
Finance – Mr. McDearmon reported the budget will be voted on at the June 13, 2011 meeting.
Fire & Safety – Ms. Bennett reported the Fire & Safety Committee will have a meeting on June 7, 2011 to discuss blighted buildings. She and Mr. Garrett also discussed the possibility of putting the old fire alarm behind Subway to use as a tornado warning alarm.
Ordinance – Mr. Conner reported the Ordinance Committee will have its next meeting on May 31, 2011 to continue discussing the Sign Ordinance.
Personnel – Nothing to report
Street & Property – Ms. Spiggle reported the pavilion should be 100% complete by next week.
Utility – Mr. Garrett reported the sewer project discussed in the meeting early is all they have going on right now.

Council Concerns
Ms. Spiggle said she has been approached by some citizen asking if the Town of Appomattox could start using budget billing for the water and sewer bills. She has talked to Stacy, Town Treasurer about this and Stacy will look into it.

Mayor Harvey met with the Chamber of Commerce about the Community of Candles. They would like to have a synthetic ice skating rink set up in the parking lot between County Charm and the Visitors Center on the Sunday of the Community of Candles events. They would also like to move the stage to the center of Main Street. After the events on Sunday they would like to possibly move the ice skating rink to the Jamerson Library Parking Lot. It is the consensus of Council not to allow the Stage to be moved to the center of Main Street for safety reasons. Paul suggested they move the rink to the Liberty Baptist Church Lot where the basketball court is. Paul will talk to the Chamber of Commerce to ask the following questions: (1) What is the Town's liability? (2) Will the rink be manned during the week it is at the Library Parking Lot?

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn the meeting at 7:50 p.m.

_____ _____
Rhonda W. Guill, Deputy Clerk Paul D. Harvey, Mayor

The Appomattox Town Council held a regular council meeting on Monday, June 13, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members Present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N.H. "Jimmy" Mayberry and Steven T. "Steve" Conner. Absent: C. Lewis McDearmon, Jr. and Joyce B. Bennett.

Others: Sammy Carter, Linda Wall, Stephanie James, Rev. Paul Raymond, Jeff Taylor, John Spencer, Lucy Harvey, Benny Harvey, Hazel Thomas, Bill Goodrich, Jeff Elder, Utility Director; Stacy Wilkes, Town Treasurer; Rhonda W. Guill, Deputy Clerk; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Paul Michael Raymond delivered the invocation.

Rev. Paul Michael Raymond led the Pledge of Allegiance.

Scheduled Public Appearances
John Spencer, Assistant County Administrator, said we have been working on the Economic Development program for several years. From the county's prospective Economic Development does not stop at the town limits, the county will work with all town residents. Mr. Spencer introduced Jeff Taylor, Appomattox County Director of Economic Development.

Jeff Taylor thanked everyone and said he was looking forward to working with both the Town and County of Appomattox.

Mayor's Comments – Mayor Harvey told of the dedication service held at Abbitt Park on Friday afternoon. He once again thanked Lynchburg Ready Mix, W.A. Stratton, Webber Electric, Quality Builders and everyone in the Town Utility Department for all their hard work, dedication and donations to make the pavilion possible.

Adoption of Consent Agenda
On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to approve the consent agenda of June 13, 2011. All members present voting aye. Motion carried.

Unfinished Business – None

New Business

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to award the 2011 Curbside Solid Waste Collection Contract to BFI Waste Services, LLC d/b/a Allied Waste Services of Lynchburg - #2701 for an annual cost of $79,812.00. All members present voting aye. Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember Mayberry, Council voted to amend and reenact Chapter 126 – Licensing (Business and Professional Occupational License Ordinance) of the Code for the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to amend and reenact Chapter 5, Administration; Article II, Town Council; Division 2, Committees of the Code for the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adopt the Local/Regional Water Supply Plan by resolution.

A RESOLUTION APPROVING THE REGION 2000 REGIONAL WATER SUPPLY PLAN

WHEREAS, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and
WHEREAS, the Town of Appomattox is a participant in the Region 2000 Regional Water Supply Planning Group as reported to DEQ by letter before the November 2, 2008 deadline; and

WHEREAS, on June 13, 2011, the Appomattox Town Council held a public hearing to accept public comment on the Regional Water Supply Plan; and

WHEREAS, the adopted Regional Water Supply Plan will be submitted to the DEQ on or before November 2, 2011.

NOW, THEREFORE BE IT RESOLVED that the Appomattox Town Council of the Town of Appomattox hereby adopts the Region 2000 Regional Water Supply Plan as it pertains to the Town of Appomattox. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. The Town of Appomattox reserves the right to *comment on specific water supply alternatives in the future even though such alternatives may be recommended in this adopted plan. The Town of Appomattox will not be limited*

to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

BE IT FURTHER RESOLVED, that the Appomattox Town Council of the Town of Appomattox intends that that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

All members present voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to adopt an Appropriations Resolution of the Appomattox Town Council Adopting the Fiscal Year 2011-2012 Budget for the Town of Appomattox.

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2011-2012 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 2011-2012 Budget was published on April -27, 2011 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 9, 2011;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 13, 2011, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2011-2012;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	*40,425.*
Administrative Department	*394,889.*
Professional	*40,000.*
Police Department	*51,000.*
Fire Department	*30,000.*
Street Department	*447,544.*
Sanitation Department	*86,000.*
Property Maintenance & Construction	*35,000.*
Town Shop	*15,000.*
Donation/Contributions	*26,500.*

Zoning	*26,000.*
Town Office	*21,750.*
TOTAL GENERAL FUND EXPENSES	***1,214,108.***

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.13 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 $.13 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 situsued 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 60% tax relief;*
- *Personal use vehicles valued at $20,001 or more shall only receive 60% 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.*

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2011-2012;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	*170,000.*
Current Taxes – Personal Property	*135,000.*
Delinquent Taxes	*5,000.*
Penalties & Interest	*1,000.*
Bank Stock Tax	*120,000.*
Meals Tax	*435,000.*
Lodging Tax	*30,000.*
Franchise Tax	*5,700.*
Consumption Tax	*7,500.*
Vehicle License Tax	*25,000.*
Business License	*150,000.*
Zoning	*1,000.*
Interest	*15,000.*
Rental of Misc. Property	*10,000.*

Motor Vehicle Tax	*3,000.*
Sales Tax	*50,000.*
Aid to Police Department (HB599)	*41,408.*
Fire Programs	*8,000.*
Miscellaneous	*1,000.*
Other Reimbursables	*500.*
TOTAL GENERAL FUND REVENUES	***1,214,108.***

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Fund Expenditures for Fiscal Year 2011-2012;

TOURISM FUND; EXPENDITURES BY CATEGORY:

Tourism Department	*97,500.*
TOTAL TOURISM EXPENDITURES	***97,500.***

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Revenue estimates for Fiscal Year 2011-2012;

TOURISM FUND; REVENUES BY CATEGORY:

VIC Gift Shop	*17,500.*
Transfer from General Fund	*80,000.*
TOTAL TOURISM FUND REVENUES	***97,500.***

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2011-2012;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	*594,624.*
TOTAL WATER EXPENDITURES	***594,624.***

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2011-2012;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	*400,000.*
Connection Fees	*3,000.*
Penalty Fees	*5,000.*
Availability Fees	*2,000.*
Reconnect Fees	*5,000.*
Miscellaneous	*5000.*
Rental of Misc. Property	*70,000.*

Use of Beginning Balance	*50,000.*
Capital Fees	*54,624.*
TOTAL WATER REVENUES	***594,624.***

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2011-2012;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	*833,721.*
TOTAL SEWER EXPENDITURES	***833,721.***

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2011-2012;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	*600,000.*
Connection Fees	*2,500.*
Availability Fees	*2,500.*
County Reimbursement SBR & IDA PS	*79,000.*
Park Service Maintenance	*1,800.*
Interest	*10,000.*
Use of Beginning Balance	*137,921.*
TOTAL SEWER REVENUES	***833,721.***

SECTION XII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2011-2012 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2011-2012 is hereby adopted, effective July 1, 2011 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.

Vote: Garrett – aye, Spiggle – aye, Mayberry – aye, Conner – aye. Absent: McDearmon and Bennett. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to purchase a Siren Controller for the tornado warning device for $1,897.80. All members present voting aye. Motion carried.

Citizen Comment Period – None

Council Concerns – Council Member Spiggle thanked Jeff Elder for taking his time to come to her house to help her out with cleaning her driveway. He has also helped her neighbors and they appreciate it very much.

Closed Session
On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to convene in Closed Session pursuant to §2.2-3711(A) 5 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 an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being for the expansion and/or relocation of the Public Works facilities.

Vote: Garrett – aye, Spiggle – aye, Mayberry – aye, Conner – aye. Absent: McDearmon and Bennett.

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: Garrett – aye, Spiggle – aye, Mayberry – aye, Conner – aye. Absent: McDearmon and Bennett.

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

_____ _____

Roxanne W. Paulette, CMC Paul D. Harvey, Mayor

The Appomattox Town Council held a workshop meeting on Tuesday, June 28, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others present: Cliff Harvey, Stephanie James, Wanda Jobe, Carlton Duck and Alive TV, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Rhonda W. Guill, Deputy Clerk and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order. Mayor Harvey said item # 4 Planning Commission Structure under updates has been removed from the agenda and Discussion of Zoning for the Boundary Line Adjusted Area has been added.

Mayor Harvey announced the new Committee Structure as follows:

Finance and Planning
C. Lewis McDearmon, Chair
Steven T. "Steve" Conner
Joyce B. Bennett

Physical Development
N.H. "Jimmy" Mayberry, Chair
Timothy W. "Timmy" Garrett
Mary Lou Spiggle

Mayor Harvey will serve on both as ex-officio

Tourism Department Presentation
Mr. Gillespie introduced Wanda Jobe as the Lead Travel Counselor. Mr. Gillespie presented a power point presentation showcasing what the Town of Appomattox Tourism Department will look like for FY 2012. Appomattox has three (3) brochures, the Voices from the Past, Walking Tour and the main "Appomattox" brochure which the Town will split 50/50 with the county. This brochure is distributing to over 400 hotels, restaurants, rest areas, retail locations and attractions across Virginia. We also have ads in the Virginia Travel Corporation (VTC) travel Guide and the Virginia Hospitality Travel Guide. We have approximately 20,000 visitors come through our visitor's center each year, but we need to look at how we can get the people from the National Park to downtown. Mr. Gillespie suggested possibly looking into a trolley service. Mr. Gillespie said Council should be commended for not raising taxes and for the effort they put into cutting the budget. The misconception is that the tourism department has been gutted; he wants to make sure the public understands we still have a tourism department. Over the

last year the Town of Appomattox has invested over $400,000.00 in the tourism department. The Town provided the sewer line for the Museum of the Confederacy in the amount of $350,000.00. Mr. Gillespie feels we need to look at putting ads together for the upcoming Sesquicentennial and we need a strategy for the entire event. On July 21, 2011 Manassas National Battlefield will kick-off and Roxanne Paulette, Anne Dixon and Jeff Taylor will be attending. He would like to see our local Sesquicentennial Committee meet quarterly, then begin to meet more often as the date nears. Mr. Gillespie also gave an update on the Museum of the Confederacy. The building is about 35% complete, sewer bids are due by July 7, 2011 and the sewer line is estimated to be completed by November 2011. The building is estimated to be completed by March 2012 but could be sooner. Mr. Gillespie concluded the presentation by saying the Tourism Program in Appomattox is alive and well.

Updates

Preliminary Engineering Report – Wastewater Treatment

Mr. Gillespie reported that everything is on schedule and we should have some rough numbers by July 2011 and the full report by September 2011 on closing and/or expanding one of the treatment plants. There are USDA Grants available as well as loans; the Tobacco Commission should have some opportunities available. The entire report will be ready for presentation in September 2011.

Phase II of the STAG Project – Sewer to the Museum of the Confederacy

The federal budget is in a mass state of flux. The EPA is looking at what is still out there and what has already been committed. The Town has requested a transfer of $15,000.00 from water portion of the STAG grant to sewer portion of the STAG grant to help complete the sewer going to MOC. It is unknown whether the Town's request will be granted due to the federal budgeting issues. The $76,000.00 that was committed for the sewer portion of the grant is still there and we will get it.

Sidewalk Project

Mr. Gillespie introduced Jeff Elder, Utility Director. He advised we did advertise the sidewalk project for bid. Mr. Elder presented a power point presentation on the sidewalk project. The areas in question are Burke Street, Church Street, Highland Avenue and portions of Lee Grant Avenue. We are focusing on the sidewalks included in the walking tour. The total sidewalk project is 1306 LF. It was recommended to cut the sidewalk on Church Street from the project and to borrow the funds from next year's reserve to complete the entire sidewalk project this year. The bids received are as follows:

Pearson Construction -	$65,092.00
Quality Buildings and Decks, LLC -	$50,400.00
Lee White Concrete, LLC -	$49,280.00

Discussion of Zoning for the Boundary Line Adjusted Area

Mr. Gillespie discussed the Boundary Line Adjusted Area Zoning. He explained that as of right now all the property within that area is currently considered by-right zoning. He suggested a Zoning amendment which would re-zone that area to B-1 and would also

require a conditional use permit. Ms. Paulette explained the process: (1) Mr. Wright would draft an Ordinance (2) The Ordinance would be presented to Council. (3) Council would send the Ordinance to the Planning Commission; the Planning Commission will have up to 60 days to send a recommendation back to Council. (4) Council will then pass the Ordinance. The best case scenario will have the Ordnance Amendment passes by September 2011 and worse case will have the Ordinance passed by October, November 2011 at the latest. It is the consensus of Council to move forward with this process.

Priority & Initiatives Plan

Mr. Gillespie gave an update on the Priority & Initiative; he explained that most are on schedule. The only ones he thinks we will have to slip out a little bit is the one for the Pay Scale, Planning Commission and the Town Shop. Otherwise, we are on schedule. This comes up pretty quickly; he wants Council to start having discussion in September or October to update these for next year. We will have to adopt another Priority & Initiative plan by January 2012. Mr. Gillespie wants Council to look over the list of Street Lights that have been recommended to be added. The cost per light is approximately $185.00 per year.

Waterline Purchase and Maintenance Agreement

Mr. Gillespie explained that the County needed some of type of documentation, since he didn't have time to get actual numbers he used VDOT numbers to base the equipment cost on. The rates are variable and the cost will change each year. The copy that was given to the County was just a draft and he hopes to finalize it within a couple of weeks. Mr. Gillespie asked Council to give him any comments they may have in order for him to finalize the agreement. Mr. Gillespie is waiting on some information from the County Administrator regarding the Purchase Agreement.

Updates from Standing Committees

Finance – The FY 2011-2012 budget was approved.
Fire & Safety – The committee is looking into blighted properties.
Ordinance – The committee is reviewing the current Sign Ordinance.
Personnel – No report
Street & Property – No report
Utility – No report

Updates from Staff Members

Town Manager – Nothing to report
Treasurer – The Town of Appomattox will continue to contribute to the Community of Candles by way of paying for items needed by invoice, not to exceed $1,500.00.
Clerk of Council – Anyone interested in attending the VML Conference needs to let her know as soon as possible.

Closed Session

On a motion made by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to convene in Closed Session pursuant to §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 an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being for the expansion and/or relocation of the Public Works facilities.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye Bennett - 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye Bennett - aye

Council Concerns - None

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

_____ _____

Roxanne W. Paulette, CMC Paul D. Harvey, Mayor

1 Public Hearing
Monday, July 11, 2011

The Appomattox Town Council held a public hearing on Monday, July 11, 2011 at 7:15 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others Present: Rev. Rusty Small, Bill Jamerson, Stephanie James, Benny Harvey, Lucy Harvey, Bill Goodrich, Carlton Duck, Jeff Elder, Utility Director; C. William Gillespie, Interim Town Manager; Stacey Wilkes, Town Treasurer; Roxanne W. Paulette, Clerk of Council and Rhonda W. Guill, Deputy Clerk.

Mayor Harvey called the public hearing to order.

Mayor Harvey stated the purpose of the public hearing:
An application presented by Jamerson Real Estate and John and Louise Roach to close a certain parcel of real estate, referred to as Fleshman Street. This "street" has never been opened or paved and exists only as a drawing upon a plat of survey found recorded in the Office of Clerk of the Circuit Court of Appomattox County, Virginia in Deed Book 24 at Page 184 and as shown on Plat of Survey by Elizabeth R. Rosser dated March 11, 2011.

Public Comments

Bill Jamerson, President of Jamerson Real Estate said we made that request after we bought that property; we call it the Wheeler property and demolished the houses. There is an alley back behind those houses it had six single family lots. I contacted the adjoining the neighbors, the Roaches. We also contacted the other adjoining neighbors, they are not really involved. That's the reason we thought about closing the alley and taking it off the books. Thank you.

There were no other comments.

Mayor Harvey closed the public hearing.

_____ _____

Roxanne W. Paulette, CMC Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, July 11, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others Present: Rev. Rusty Small, Stephanie James, Benny Harvey, Lucy Harvey, Bill Goodrich, Linda Wall, Carlton Duck, Jeff Elder, Utility Director; C. William Gillespie, Interim Town Manager; Stacey Wilkes, Town Treasurer; Rhonda W. Guill, Deputy Clerk and Roxanne W. Paulette, Clerk of Council

Mayor Harvey called the meeting to order.

Rev. Rusty Small led the invocation

Rev. Rusty Small led the Pledge of Allegiance

Mayor's Comments
Mayor Harvey thanked all staff, utility workers and sewer workers for all they have done. Things have been running smoothly.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to add item #9, Consideration to vacate the unopened portion of Fleshman Street to the agenda. All members present voted aye. Motion carried.

Adoption of the Consent Agenda
On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adopt the Consent Agenda of July 11, 2011 with the addition of NB #9 – Consideration to vacate the unopened portion of Fleshman Street. All members present voting aye. Motion carried.

Unfinished Business – None

New Business

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to award the STAG Phase II – Wastewater Project to J.L. Crawford and Sons, Inc. in the amount of $249,952.43. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to award the FY12 Priority and Initiative Sidewalk Project to Lee White Concrete, LLC in the amount of $45,980.00. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to approve the Conditional Use Permit for Jerry's Auto Sales. All members presented voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to approve the Conditional Use Permit for a Modified Sign to Kroger/Southside Sign Production. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to amend the Policies and Guidelines for Travel (Town Policy) increasing the personal vehicle mileage reimbursement rate to the IRS rate of $0.555 retroactive to July 1, 2011. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to write-off account balances for real estate taxes receivable in the amount of $4.16; personal property taxes receivable in the amount of $3,457.02; and utility accounts receivable in the amount of $29,105.40, that have exceeded the statue of limitations for collection. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Conner, Council voted to adopt a resolution amending the FT 2011 Operating Budget to reflect reclassification of unexpended fund and to appropriate additional funding for the Abbitt Park Pavilion Project. As well as amending the FY 2012 Operating Budget to appropriate funds from the Fire Reserve for the Town's portion of the purchase of a new fire truck and appropriate funds for the sidewalk repair project. All members present voting aye. Motion carried.

Resolution approving the amending of the FY 2011 and FT 2012 Operation Budget

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time;

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2010-2011 Operating Budget to reclassify unexpended funds within the General Fund and to appropriate additional funding received for the Abbitt Park Pavilion Project as follows:

General Fund Expenditures	
General Fund – Council	*$ 6,000*
General Fund – Zoning	*<$ 6,000>*
General Fund – Property Maintenance & Construction	*$ 9,000*
Net Increase in Budget	*$ 9,000*

General Fund Revenues

General Fund – Misc. Revenue	*$ 9,000*
Net Increase in Budget	*$ 9,000*

AND BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby amend the FY 2011-2012 Operating Budget for the approved use of the Fire Reserve to assist in the purchase of the new fire truck as follows

General Fund Expenditures	
General Fund – Fire	*$ 125,391.75*
General Fund – Public Works	*$ 25,000.00*
Net Increase in Budget	*$ 150,391.75*

General Fund Revenues	
General Fund – Use of Reserves	*$ 150,391.75*
Net Increase in Budget	*$ 150,391.75*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2011 and Fiscal Year 2012 budget amendments are hereby adopted, 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.

Mr. Gillespie reported that the Ordinance Committee has been working on a new Sign Ordinance. A draft will be given to Council in the next week or so to review and it will be discussed at the July workshop meeting. The Finance and Planning Committee will finalize the Ordinance in August, it will go to Public Hearing in September and should be ready to adopt in October.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to vacate the unopened street known as Fleshman Street, which has never been opened or paved and is the width to be divided equally between Jamerson Real Estate and John and Louise Roach. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Bennett – aye. Mr. Conner abstained due to a conflict of interest. Motion carried 5-0.

Citizen Comment Period
Linda Wall – Owner of Business on Atwood Street – Ms. Wall expressed concern that the kiosk on Main Street in front of the Visitors Center is out of date and does not include the businesses on Atwood Street. She asked Council to consider granting the business owners on Atwood Street permission to install a sign on the sidewalk at Backstreet Antiques directing tourists down Atwood Street. Another option for signage would be to put a directional sign on Church Street directing traffic to Atwood Street. The business owners on Atwood Street are willing to foot the bill. Ms. Wall thanked Council for their time and consideration.

Council Concerns – None

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn the meeting at 7:50 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC Paul D. Harvey, Mayor

The Appomattox Town Council held a workshop meeting on Tuesday, July 26, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others present: Lucy Harvey, Benny Harvey, Stephanie James, Chad Milner, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Rhonda W. Guill, Deputy Clerk and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Discussion of the draft Sign Ordinance

Mr. Gillespie explained the Finance and Planning Committee has spent a lot of time on the new Sign Ordinance. The Ordinance has been simplified as far as the districts are concerned. The B-1 districts have been divided into 2 areas, Richmond Hwy corridor and all other B-1 areas. A sign permit will not be required for banners displayed by Civic and Charitable organizations. It was the consensus of Council to proceed with a joint Public Hearing with the Planning Commission in September and possible adoption in October.

Discussion of the Boundary Line Adjusted area Zoning

Mr. Gillespie explained all areas will be zoned B-1 with a conditional us permit required until the entire Zoning Ordinance is reviewed. The Boundary Line Adjusted area will be referred to as the Gateway Area Overlay District. It was the consensus of Council to proceed with a joint Public Hearing with the Planning Commission in September and possible adoption in October.

Discussion of the Waterline Purchase Agreement

Mr. Gillespie explained that we will have plenty of water to supply our customers. The Town of Appomattox is the largest user of the CCUSA Waterline.

Discussion of the Waterline Maintenance Agreement

Mr. Gillespie explained the Maintenance Agreement covers the conditions, charges, rates, etc. the Town of Appomattox will charge the County to maintain the waterline. The Department of Health has already reviewed this document. The attorney and the County will need to review the document and it will have to be signed by all parties involved before the water will be turned on. Mr. Gillespie is hoping to use the Town's Cross Connection Program. The Town will keep its wells as an Emergency Water Source. It is the consensus of Council to give the Maintenance Agreement as presented to the Attorney and Appomattox County to review and be signed.

Committee Updates:
Finance and Planning – Mr. McDearmon reported the committee spent the entire time reviewing the Sign Ordinance draft. A Public Hearing will be set.

Physical Development – Mr. Mayberry reported the committee discussed the Waterline Purchase Agreement and the Waterline Maintenance Agreement. Mr. Gillespie reported the sidewalks should be finished by the time school starts.

Staff Member Updates:
Town Manager – Nothing to report
Treasurer – Ms. Wilkes reported she and Mr. Gillespie will meet with the auditors this week to go over the audit report.
Clerk of Council – Nothing to report

Council Concerns:
Ms. Spiggle asked how the Manassas trip went. Rhonda Guill said it was very nice and very hot. She learned the National Park Service handles all aspects of the ceremony, the Town and County will be responsible for security, traffic control and emergency services.

Mr. Conner asked if the Town was responsible for the lack of Rescue Squad response. Ms. Paulette said no that is a county issue.

Ms. Spiggle congratulated Mr. Garrett on the birth of his new granddaughter, Callie Grace.

Mayor Harvey acknowledged a nice letter from the Relay for Life thanking Jeff Elder for all his help during the event.

Closed Session(s)
On a motion made by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to convene in Closed Session pursuant to §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 an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being for the expansion and/or relocation of the Public Works facilities.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett - 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye

On a motion made by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to convene in Closed Session pursuant to §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 an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being property owned by Appomattox County for a proposed reuse of public property within the Town of Appomattox.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye

On a motion made by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 8:30 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, August 8, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others Present: Cliff Harvey, Scott McBride, O'Reilly's Auto Parts; Carlton Duck and Alive TV Crew, Stephanie James, C. William Gillespie, Interim Town Manager; Stacey Wilkes, Town Treasurer and Rhonda W. Guill, Deputy Clerk

Mayor Harvey called the meeting to order

Rev. Carlton Duck led the invocation

Rev. Carlton Duck led the Pledge of Allegiance

Public Appearances – None

Mayor's Comments
Mayor Harvey continues to thank the staff, utility worker and sewer departments for all their hard work and willingness to get things done.

On a motion by Councilmember Conner, seconded by Councilmember Garrett, Council voted to adopt the Consent Agenda for August 8, 2011. All members present voting aye. Motion carried.

Unfinished Business – None

New Business
On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to approve the Sign/Conditional Use Permit for O'Reilly's Auto Parts. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember McDearmon, Council voted to grant an exemption to §33-3 (C) 3 of the Appomattox Town Code for the purchase of Badger water meters with Orion heads not to exceed the FY 2012 budget for the Town of Appomattox. All member present voting aye. Motion carried.

Citizen Comment Period – None

Council Concerns

Mr. Conner said he was approached by neighbors regarding mud and water in their basements during the heavy rain. Mr. Gillespie explained if it is water overflow due to construction they will need to contact the contractor and if it is a drainage problem in the ditches they will need to contact VDOT.

Closed Session – None

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn the meeting at 7:40 p.m. All members present voting aye. Motion carried.

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Rhonda W. Guill, Deputy Clerk Paul D. Harvey, Mayor

1 Workshop Meeting
Tuesday, August 23, 2011

The Appomattox Town Council held a workshop meeting on Tuesday, August 23, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia 24522.

Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett. C. Lewis McDearmon, Jr, - Absent

Mayor Harvey called the meeting to order.

Discussion of the Joint Planning Commission Agreement
Mr. Conner explained the new Joint Planning Commission Agreement is reducing the number of member from ten to seven. He doesn't have a problem with that due to quorum issues. Another change in the agreement would not allow an elected official from the Town or Board of Supervisors to serve on the Planning Commission. Mr. Conner does not agree with this change. It is the consensus of Council to take the agreement back to the county and ask for this clause to be removed.

Discussion of the possible creation of the Town Planning Commission
Mr. Gillespie explained the pros of having a Town Council Planning Commission. He thinks it would give diverse representation and since we are already reviewing plans at the Town level it would make sense at this point to have our own commission. Mr. Gillespie will investigate this in more detail and come back to council with recommendations.

Update on Sidewalk project
Jeff Elder gave an update on the sidewalk project. The project is about half done at this point. We have tried to raise the sidewalks to prevent cars from parking on them. They are currently working on Burke Street and everything going well. We have had many complements on the new sidewalks.

Update on the Phase I – STAG Project
Jeff Elder gave an update on the Phase I STAG project. Mr. Elder explained that 210 feet of sewer line was added to Lucy Street, due to this addition the project went over $7100.00. Mr. Elder asked council for consensus to vote at the regular meeting in September to approve this money be paid to the contractors. We will be holding a retainer or asking for a performance bond. It is consensus of Council to vote on this at the regular council meeting.

Update on Phase II – STAG Project
Jeff Elder gave on update on the Phase II STAGE project. The job as been stacked out and we are waiting on manholes to come in. Everything should come in on time as long as no problems surface. The work will begin at the low end of Nash's and coming straight across route 24 back to MOC, and then we will come back down the road.

Update on Wastewater Preliminary Engineering Report project
Mr. Gillespie reported that Reid Engineering has given him a preliminary report with five alternatives with will probably run around $5 million. We will start looking at the rate increase which will be required to get this project done. The full report will be presented at

the September Physical Development meeting and we will begin to look at the rate increase at the October Finance and Planning meeting.

Update on the Appomattox Waterline project and Maintenance Agreement
Mr. Gillespie submitted a draft of the Maintenance Agreement to the County, they asked for a few changes which have been done. The new draft copy will be given to Council. The waterline is moving along and should be finished by November or December, the tank is the big piece missing right now. The Emergency Plan will be discussed at the Physical Development meeting in October before we take it to the Health Department. We should be tying into the waterline in the spring.

Discussion of the timeline for the 2012 Priorities & Initiatives
Mr. Gillespie explained its time to start looking at the Priorities & Initiatives for the upcoming fiscal year. He would like for everyone to start thinking about what they would like to have as part of the POI list. A retreat will be scheduled for sometime in October or November.

Committee Updates
Finance and Planning – Nothing
Physical Development – Nothing

Staff Updates
Town Manager – Nothing
Town Treasurer – Nothing
Clerk – Roxanne reported she has VML Conference Information

Council Concerns
Mr. Conner has received more calls about the excessive water on Ferguson Street. Mr. Gillespie said there are problems with drainage on Ferguson Street. He will talk to VDOT about the problems.

Closed Session
On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to convene to Closed Session, pursuant to Section 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 for the purpose of Economic Development.

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 resolutions 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 – Garrett – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye.
McDearmon – absent

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

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Roxanne W. Paulette, Clerk Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, September 12, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner, and Joyce B. Bennett.

Other Present: Cliff Harvey, Lucy Harvey, Benny Harvey, Dr. Chris King, Stephanie James, Jeff Elder, Stacey Wilkes, Town Treasurer; Roxanne W. Paulette, Clerk of Council and Rhonda W. Guill, Deputy Clerk

Mayor Harvey called the meeting to order

Dr. Chris King led the invocation

Dr. Chris King led the Pledge of Allegiance

Public Appearances – None

Mayor's Comments
Community of Candles asked about leaving the ice skating rink in the parking lot on Main Street or moving it to the Jamerson Library parking lot, after Sunday's events. It is consensus of Council the rink be moved after Sunday to Liberty's property. Steve would like for Liberty to ask the Lawson's for permission as well, for use of the parking lot. The Town has agreed to put up the same size as year's past and the Community of Candles Committee will decorate it. They also asked for more money for decorations, the Town will donate the same amount of money at last year. They will be installing a stage but the location has not been determined yet. Mayor Harvey will meet with Rev. Small this week to get more details and let him know what Council has decided.

Mayor Harvey made note that item #3 under New Business has been removed and a Closed Session has been added to the agenda.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adopt the Consent Agenda for September 12, 2011. All members present voting aye. Motion carried.

Unfinished Business – None

New Business
Mayor Harvey presented the following resolution:

Resolution Concerning the Appomattox Court House National Historical Park

WHEREAS the Appomattox Court House National Historical Park plays a major part in conserving the history of Appomattox County, the State of Virginia and the United States of America as the surrender site ending the American Civil War in April 1865; and
WHEREAS the Appomattox Court House National Historical Park is the anchor site for tourism in Appomattox County; and is one of several historical locations in the heart of Virginia known as Region 2000 significant to the development of the United States; and
WHEREAS the Appomattox Court House National Historical Park is a major factor in the economic well-being of Appomattox County and the surrounding area; and
WHEREAS the National Parks Conservation Association Center for Park Research in its June 2011 "State of America's National Parks" used the Appomattox Court House National Historical Park as an example of a deteriorating site that is under staffed and underfunded with facilities and historic buildings in need of renovation, restoration, repair and ongoing maintenance; and
WHEREAS local Park Service Staff at the Appomattox Court House National Historical Park has diligently worked to protect, preserve and maintain the site and provide visitors with a meaningful, memorable experience involving what many consider the most important event of the American Civil War and one of the most important events in our nation's history; and
WHEREAS the Sesquicentennial Anniversary of this major event is in April 2015 and thousands of visitors, re-enactors and others interested in the history of the Civil War, the events that occurred at the Appomattox Court House National Historical Park and the figures involved in those events are expected to travel from across the state of Virginia, the Nation and the world to visit the site;

BE IT NOW THEREFORE RESOLVED that the Town Council of Appomattox, representing the concerns of the community and citizens; requests the National Park Service seek and provide the resources, funding and planning of a renovation, restoration, repair project for the Appomattox Court House National Historical Park to be completed by December of 2014 and provide the resources, funding and planning of an ongoing maintenance program to prevent future deterioration of this historically significant landmark.

On a motion by Councilmember Conner, seconded by Councilmember Garrett, Council voted to adopt a Resolution Concerning the Appomattox Court House National Historical Park. All members voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to authorize Mayor Harvey to execute the Water Purchase Contract between Appomattox County and the Town of Appomattox. All members present voting aye. Motion carried.

Citizen Comment Period – None

Council Concerns – None

Closed Session

On a motion by Councilmember McDearmon, seconded by Councilmember Conner, 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 a public body regarding specific legal matters requiring the provision of legal advice by such counsel, such specific legal matters being issues pertaining to the enforceability of the sign ordinance. Council also voted to convene in Closed Session, pursuant to §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 an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being for the expansion and/or relocation of the Public Works facilities. All members present voting aye. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye

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

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Roxanne W. Paulette, Clerk Paul D. Harvey, Mayor

 Workshop Meeting
Tuesday, September 27, 2011

The Appomattox Town Council held a workshop meeting on Tuesday, September 27, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner. Absent: Joyce B. Bennett and Timothy W. "Timmy" Garrett.

Others present: Chuck Hertz, Maynard Sipe, Attorney for StuCom, Landowner Tower Hill Road, Cliff Harvey, Stephanie James, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Rhonda W. Guill, Deputy Clerk and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Economic Development

Jeff Taylor, Director of Economic Development, Appomattox County appeared before Council to discuss the Economic Development Strategic Plan adopted by the Economic Development Authority and the Appomattox County Board of Supervisors. (Attached)

Sweet Briar College Radio Tower

Mr. Gillespie explained a letter the Mayor signed regarding the proposed radio tower. After a failed balloon test and numerous conversations it was not determined the exact height and impact of the proposed tower on the Museum of the Confederacy property and others. The tower is configured 36" wide panels in a triangular configuration painted in grey to match the view shed. Mr. Hertz is here tonight representing Sweet Briar. There was discussion of intents to put cell tower antennas or microwave rays installed on the tower. There were discussions of trying to buffer the view shed of the Museum of the Confederacy by installing trees at the back of the museum. There appears to be no impact to the Battle of Appomattox Station property.

Council Member Conner asked if Sweet Briar has a radio station?

Sipe (Attorney) – Yes, public radio from Charlottesville with some channels. Some with Sweet Briar community radio to a large area and non-profits. Sweet Briar has an ownership arrangement with the landowner.

Mayor Harvey cited that he has a problem with the view shed. He doesn't think a tree line a solution to the problem. He doesn't want to see it from the MOC and NPS.

Mr. Sipe stated that the distance from the MOC site in perspective and distance to the tower would be very small.

Mr. Hertz stated that the tower would be built like a skelton tower similar to the one at Transco but taller. It would be 36" wide and 380 feet high. It is 63' feet lower in elevation to the ones already there.

Mr. Hansen (property owner) stated that he is trying to provide growth in the area. He doesn't know of any law, building or zoning ordinance he would be violating. I feel like I've done everything I could possibly do to put the tower up.

Mr. Sipe (Attorney) – It is our intention to be good citizens and neighbors – will be willing to talk to the Museum of the Confederacy so the tower view shed could be screened to make it less intrusive. The tower would not be visible from the Appomattox Station Battlefield property.

Ms. Spiggle asked if there would be any consideration given to not adding the large dishes to the tower.

Mr. Snipe stated that the tower owner would like to keep the option to add things to tower at a later date specificially for the purposes of FM radio.

Council Member Conner suggested either discussing this further at the October 11th Regular Meeting or the Physical Development Committee (which Mr. Conner is not a member of).

Mayor Harvey asked if they have spoken with the MOC representatives and Mr. Sipe responded – no yet.

Sign Ordinance

Mr. Gillespie discussed with Council with changes recently made to the Sign Ordinance particularly 195-133.4 Exempt Signs.

Council gave consensus to move forward with a joint public hearing at the earliest possible date.

STAG project

On a motion by Councilmember Spiggle, seconded by Councilmember Mayberry, Council voted to authorize the final change order for the STAG project – Phase I – Water and Wastewater Improvement Project totaling $26,835.84. All members present voting aye. Motion carried.

Committee Updates:

Finance & Planning – Mr. McDearmon reported that the committee discussed the Billing & Collection Policy and they will have another draft ready at the next meeting on October 11, 2011.

Physical Development Committee - Met tonight and discussed the STAG project, Skatepark possible locations.

Staff Member Updates:
Town Manager – The MOC sewer is 50% complete. The sidewalk project is completed. The annual results for copper and lead were received and results will be included in the next Consumer Confidence Report. The zinc issues continue to improve at the SBR facility. Council congratulated the Sewer Department employees.

Treasurer –Written report provided via email. An update of the audit report is also included.

Clerk of Council – Written report provided via email. Please note the Council Retreat is scheduled for Friday, October 28, 2011 at the Frozen Food Locker on Court Street, Appomattox from 8:30 a.m. – 4:00 p.m.

Council Concerns:
Councilmember Conner would like to send a request by the WOW to take over their facility on Harrell Street to the Physical Development Committee.

Mayor Harvey advised Council that the Economic Development Authority has asked that the Town select a Town Representative (non-elected) to serve on the authority. The Town may want to consider an application process in lieu of "finding" someone to serve.

Closed Session:
On a motion made by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to convene in Closed Session pursuant to §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 an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being for the expansion and/or relocation of the Public Works facilities.

Vote: McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye. Bennett – absent and Garrett – 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: McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye. Bennett – absent and Garrett – absent.

On a motion made by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to adjourn at 8:25 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Tuesday, October 11, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner, and Joyce B. Bennett.

Others Present: Stephanie James, Cliff Harvey, Don and Martha Falls, Elizabeth Milton, Rev. Russell Cheatham, Jeff Elder, Stacey Wilkes, Town Treasurer; Roxanne W. Paulette, Clerk of Council; C. William Gillespie, Interim Town Manager and Rhonda W. Guill, Deputy Clerk

Mayor Harvey called the meeting to order

Rev. Russell Cheatham led in the invocation

Rev. Russell Cheatham led the Pledge of Allegiance

Public Appearances – None

Mayor's Comments
Mayor Harvey thanked the Historic Appomattox Railroad Festival committee for all their hard work. He also thanked the Town Staff and Town Utility Crew for always doing a great job.

Mayor Harvey made note that item #2 under new Business has been removed and item #6 Discussion of Dress Code under New Business has been added to the agenda.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to adopt the Consent Agenda for October 11, 2011. All members present voting aye. Motion carried.

Unfinished Business – None

New Business
On a motion by Councilmember McDearmon, seconded by Councilmember Conner, Council voted to amend an ordinance the Code of the Town of Appomattox, Zoning Ordinance by revising certain provisions of the Zoning Ordinance text, as described in the Section 3 of Chapter 195, Divisions of Town into districts; enumeration is hereby amended to add the following: Gateway Area Overlay District. All members present voting aye. Motion carried.

On a roll call vote, Council voted not to authorize Paul D. Harvey, Mayor to execute the Joint Planning Commission By-Laws.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Bennett – yes. Motion carried

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to refer the Sweet Briar Radio Tower request to the Physical Development Committee. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to declare Engine #3 a 1972 Chevrolet Pumper Truck titled to the Town of Appomattox as surplus and donates the same item to the Appomattox Volunteer Fire Department in accordance with §15.2-953 (B) ii of the Code of Virginia. The record will show Councilmember Garrett abstained from the vote. All other members voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to amend the Employee Handbook, Chapter 14, Personal Appearance and re-enact Chapter 14, Dress Code. All members present voted aye. Motion carried.

Citizen Comment Period
Martha Falls of 191 Sunnydale Ave, Appomattox, Virginia addressed Council concerning chicken in the Town limits. Ms. Falls would like Council to consider allowing chickens to be allowed in the Town of Appomattox. She added that chickens are the most popular pet in America, they are allowed in Roanoke, Lynchburg City, Blacksburg and Richmond. They teach children responsibility and give us eggs. She thanked council for their time.

Council Concerns
Mr. Conner remarked what a good job the Town Crew did with clean up both during and after the Railroad Festival.

Mr. Gillespie added a letter will be drafted to Town employees thanking them for their efforts during the festival.

Closed Session
On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene to Closed Session, pursuant to §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 the public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being for the expansion and/or relocation of the Public Works facilities. All members present voting aye. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted form 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 wre heard, discussed, or considered by this council.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye.

On a motion by Councilmember Bennett, seconded by Councilmember McDearmon, Council voted to adjourn at 8:22 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, Clerk Paul D. Harvey, Mayor

1 Workshop Meeting
Tuesday, October 25, 2011

The Appomattox Town Council held a workshop meeting on Tuesday, October 25, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia 24522.

Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Absent: C. Lewis McDearmon, Jr.

Others present: Stephanie James, Lucy Harvey, Benny Harvey, Stacey Wilkes, Treasurer, Jeff Elder, Utility Director, Bill Gillespie, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order.

Council Retreat
Mr. Gillespie provided Council with material for the Council Retreat scheduled for Friday, October 28, 2011 at the Frozen Food Locker, Appomattox, Virginia.

Accounts Receivable Policy
The Finance & Planning Committee and Physical Development Committee have both received copies of the drafted Accounts Receivable Policy. Stacey Wilkes, Town Treasurer provided a power point presentation outlining the new policy. The policy is expected to be adopted at the November Regular Council meeting.

Sweet Briar College Radio Tower
Mr. Gillespie reported that the FCC permit is now on hold per the Department of Historic Resources.

Update on Phase II – STAG Project
Mr. Gillespie reported that the sewer project should be completed by the end of December 2011.

Update on the Museum of the Confederacy – Appomattox
The opening date is scheduled for March 31, 2012.

Update on the Concord – Appomattox Waterline and Tank Schedule
Mr. Gillespie went over the progress and tank schedule with the Physical Development Committee. A meeting between the Town, County and VDH is scheduled for November 2011. The waterline and tank are being built in 4 different phases and should be completed by the end of December 2011.

Council gave consensus to authorize the Town Manager to proceed with final comments on the Maintenance Agreement for the Appomattox Waterline.

Council gave consensus to authorize the Town Manager to enter into a Memorandum of Understanding with AT&T regarding equipment on the elevated water tower.

Council gave consensus to proceed with the recommended and proposed sewer plan as outlined by Reid Engineering.

Council gave consensus to proceed with the public hearing process for the closing of an unopened portion of Lizzie Street.

Committee Updates
Finance and Planning – Mr. Gillespie informed Council that the Sign Ordinance is ready for a public hearing by the Joint Planning Commission and Town Council for December 2011.

Physical Development – Met earlier in the evening and provided the above recommendations/consensuses.

Staff Updates
Town Manager – Nothing
Town Treasurer – Nothing
Clerk – Nothing

Council Concerns
None

On a motion by Councilmember Bennett, seconded by Councilmember Conner, Council voted to adjourn the meeting at 7:40 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, Clerk of Council Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, November 14, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, Steven T. "Steve" Conner. Absent – Mayberry and Bennett.

Others Present: Dr. Calvin Gray, Stacey Wilkes, Town Treasurer; Roxanne W. Paulette, Clerk of Council; C. William Gillespie, Interim Town Manager.

Mayor Harvey called the meeting to order

Dr. Gray gave the invocation.

Dr. Gray led the Pledge of Allegiance

Public Appearances
None

Mayor's Comments
Mayor Harvey expressed his appreciation of staff's continued efforts.

Consent Agenda
On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to adopt the Consent Agenda for November 14, 2011 with the addition of NB #2 – Consideration to cancel the December 2011 Workshop Meeting. All members present voting aye. Motion carried.

Unfinished Business
None

New Business
On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adopt the Town of Appomattox – Accounts Receivable Policy consisting of Business Licenses, Personal Property, Business Equipment and Machinery and Tools Tax, Real Estate Taxes and Water/Sewer bills with an effective date of November 15, 2011 with the exception of the Water/Sewer bills which will be effective March 1, 2012. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to cancel the December 27, 2011 Council Workshop meeting. All members present voting aye. Motion carried.

Town Manager Update

Mr. Gillespie reported that the sewer line installation of Phase II of the STAG project is past the Museum of the Confederacy. Phase I (water and sewer lines) of the STAG project is officially closed. Staff will be presenting the Priority and Initiative items from the retreat at the December Regular meeting for discussion and will be asking for consideration to adopt at the January 2012 Regular meeting.

Citizen Comment Period

None

Council Concerns

None

Adjournment

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, Clerk of Council Paul D. Harvey, Mayor

The Appomattox Town Council held a public hearing and Workshop meeting on Tuesday, November 29, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner, and Joyce B. Bennett.

Absent: Mary Lou Spiggle.

Others present: Stephanie James, Troy Coker, Cliff Harvey, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council and Rhonda W. Guill, Deputy Clerk.

Mayor Harvey called the Public Hearing to order.

Mayor Harvey stated the purpose of the Public Hearing:
Pursuant to §15.2-2006 of the Code of Virginia, 1950, as amended, to hear citizen comments regarding an application presented by Bonnie S. Cunningham, Jacqueline S. Coker, Troy Q. Coker, Edward D. Austin, Jr., Leslie C. Austin to close a certain parcel of real estate, referred to as Lizzie Street (no open). This "street" has never been opened or paved and exists only as a drawing upon a plat of survey founded recorded in the Office of the Clerk of the Circuit Court of Appomattox County, Virginia in Deed Book 24, Page 184, and as shown on Plat of Survey by Elizabeth R. Rosser dated October 13, 2011.

No public comments.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn the Public Hearing at 7:10 p.m. All members present voting aye. Motion carried.

Mayor Harvey called the workshop meeting to order.

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to approve the closing of an unopened portion of Lizzie Street. All members present voting aye. Motion carried.

Update on the Task Force for Local Government Mandate Review Summary
Mr. Gillespie gave an update of the Task Force for Local Government Mandate Review Summary. A letter of support will be drafted by staff and sent on behalf of the Town.

Committee Updates
Finance & Planning – Mr. McDearmon reported the committee discussed the Zoning Ordinance and will continue to discuss it at the next meeting.

Physical Development – Mr. Mayberry reported the committee discussed the items from the retreat.

Staff Updates

Town Manager – None

Treasurer – Ms. Wilkes confirmed with Council it was ok to mail the New Water Policy.

Clerk of Council – Ms. Paulette reminded Council of the Planning Commission Public Hearing on Tuesday, December 13, 2011 at 6:00 p.m. at the County Board Room.

Council Concerns

Mayor Harvey asked if the security system had been discussed anymore. Mr. Gillespie stated he and Jeff Elder would have a conference call with the company sometime in the next week. If they are satisfied the system will be implemented in both parks.

Ms. Bennett commended the Appomattox County Sheriff's Department for their efforts in helping her with a problem she had at her residence.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, December 12, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett

Others Present: Sammy Carter, Cliff Harvey, Chad Milner, Stephanie James, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Rhonda W. Guill, Deputy Clerk and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck led the invocation.

Rev. Carlton Duck led the Pledge of Allegiance.

Public Appearances - None

Mayors Comments
Mayor Harvey wished the staff and all the citizens a Merry Christmas and Happy New Year. He wants us to remember the less fortunate during the holiday season.

On a motion by Councilmember McDearmon, seconded by Councilmember Mayberry, Council voted to adopt the Consent Agenda for December 12, 2011. All members present voting aye. Motion carried.

Unfinished Business – None

New Business
Mr. Gillespie thanked Council for their hard work on the Priorities and Initiatives, he added they did a much better job this year focusing on what they wanted to accomplish. He asked staff to create their own list of Priorities they would like to see accomplished. He asked Council to review all the Priorities and Initiatives for the calendar year 2012 as it will be presented at the January 9, 2012 Council meeting for approval and adoption.

Town Manager Update
Mr. Gillespie reported that he and Mr. Elder have been working on the cameras for the Town Parks. They are still trying to get in touch with the company that made the proposal. He hopes to have more information in January.

Citizen Comment Period – None

Council Concerns – None

Closed Session – None

On a motion by Councilmember Bennett, seconded by Councilmember Garrett, Council voted to adjourn the Regular Council meeting at 7:40 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC	Paul D. Harvey
Clerk of Council	Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, January 9, 2012 at 7:30 p.m. at the Appomattox Municipal building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others Present: Sammy Carter, Cliff Harvey, Stephanie James, Rev. Jim Short, Paul Hoffman, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacy Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager, Rhonda W. Guill, Deputy Clerk and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Jim Short led the invocation.

Rev. Jim Short led the Pledge of Allegiance.

Public Appearances
Paul Hoffman, Field Representative for Congressman Hurt introduced himself to the community. Congressman Hurt serves eight counties and they have three offices in the district. They are looking forward to helping with Business and Economic Growth. Congressman Hurt is working hard to balance the budget. If anyone has any concerns or questions, please feel free to contact one of their offices for assistance.

Mayor's Comments
Mayor Harvey extended a Happy New Year to everyone and hoped they had a nice holiday. On Saturday, January 14, 2012 at the 6:30 p.m. at the Appomattox County High School there will be a Community Birthday Celebration for Dr. Martin Luther King, Jr. This is a fundraiser for the Carver Price Legacy Museum. Frank Smith will be the speaker and the ACHS Jazz Band will be performing. Tickets are available for sale.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adopt the Consent Agenda for January 9, 2012. All member present voting aye. Motion carried.

Unfinished Business
None

New Business
Mr. Gillespie provided a summary of the CY 2012 Priorities & Initiatives Plan for the Town of Appomattox.

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to adopt the CY 2012 Priorities & Initiatives Plan for the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to adopt an Ordinance to amend the Code of the Town of Appomattox by deleting and repealing Chapter 195, Article XII, Sections 133-133.11, and replacing it with a new Chapter 195, Article XII, Sections 133-133.15 et seq., to be entitled Signs, by revising certain provisions of the Zoning Ordinance. All members present voting aye. Motion carried. (Ordinance Attached)

On a motion by Councilmember Conner, seconded by Councilmember Garrett, Council voted to adopt an Ordinance to amend the Code of the Town of Appomattox, Zoning Ordinance by revising certain provisions of the Zoning Ordinance text, as described in the following paragraphs, specifically Definitions. All members present voting aye. Motion carried. (Ordinance Attached)

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adopt the 2012 Town Council Meeting Schedule. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to write-off account balances for real estate taxes receivable in the amount of $60.30 and personal property taxes receivable in the amount of $4071.19, that have exceeded the statue of limitations for collection. All members present voting aye. Motion carried.

Citizen Comment Period
None

Council Concerns
Mr. McDearmon reported that Mr. Bill Burke advised him that Mrs. Anne Dixon, Appomattox County Director of Parks, Recreation and Tourism would be having Community Service workers helping out and she would have them do some work at Abbitt Park.

Closed Session
On a motion by Councilmember Bennett, seconded by Councilmember Garrett, Council voted to convene to closed session pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of potential organizational changes of Town Departments, specifically being Administration and Public Works. All members present voting aye. Motion carried.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – 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 form 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye

On a motion by Councilmember Conner, seconded by Councilmember Garrett, Council voted to adjourn the meeting at 9:00 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, January 24, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, and Steven T. "Steve" Conner.

Absent: Joyce B. Bennett.

Others present: Stephanie James, Cliff Harvey, Lucy Harvey, Benny Harvey, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mayor Harvey briefly presented an "Invest in Kids Day" proclamation for council's review. The Mayor will be presenting the proclamation at the February 13, 2012 Regular Council meeting for action.

Mayor Harvey also reminded Council members of the Ribbon Cutting Ceremony for Innovative IT Solutions on Friday, January 27, 2012 at 12:00 noon in the Town of Appomattox.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to authorize Mayor Harvey to execute the Amendment to Order by Consent for VPDES Permit No. VA 0020257 and authorize payment of the $1,050.00 civil penalty. All members present voting aye. Motion carried.

Mr. Elder, Utility Director advised Council that the Phase II – Sewer Project construction is complete. The Museum of the Confederacy is on line. All the final paperwork on the STAG grant should be finalized in the coming weeks.

Mr. Elder and Mr. Gillespie reported that they had met with Virginia Department of Health regarding the connection to the Route 460 Waterline. Hurt & Proffitt, Inc. will be submitting the O&M manual the Virginia Department of Health by the end of February 2012.

Mr. Elder made a presentation of the Backflow Prevention and Cross Connection Control Program. Due to Virginia Department of Health requirements, town staff will begin on January 30, 2012 visiting businesses to explain the program. This program is a part of our water permit issued by the Virginia Department of Health.

Mr. Elder updated Council on five (5) additional street lights that will be installed by Dominion Virginia Power.

Mr. Gillespie outlined the organizational changes with Town Departments to the Council. By rearranging within Town Departments, services can be delivered more efficiently. Utility matters such as billing, meter readings, connections, and complaints will all be handled by the Public Works Department. Mr. Gillespie also stated that a work order system needs to be established to track true costs in the appropriate departments. An inventory program and system also needs to be implemented. The Clerk's office is a repository for "everything" and sometimes things are filed in multiple locations. Each department needs to maintain their own files. Public Works has merely been an activity of the Town but needs to be treated as a true department, maintaining a budget as does the water and sewer departments. Staff has investigated the changing of the telephone system, computer equipment and software. There are a lot of options on the table.

Mr. Gillespie reported that the organizational changes will begin immediately.

Committee Updates

Finance & Planning – Mr. McDearmon reported the committee discussed the Zoning Ordinance and should finalize it at the next meeting.

Physical Development – Mr. Mayberry reported the committee discussed the items mentioned earlier in the meeting.

Council gave consensus authorizing staff to proceed with bid or proposal process on the additional shop buildings located at the Public Works Department.

Staff Updates

Town Manager – None

Treasurer – Ms. Wilkes reported that she continues to work on Financial Statements. They will be emailed to Council as they become available.

Clerk of Council – None

Council Concerns

Ms. Spiggle thanked the staff for being so efficient and their hard work. Mayor Harvey agreed with Ms. Spiggle by thanking staff.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:50.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, February 13, 2012 at 7:30 p.m. at the Appomattox Municipal building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others Present: Sammy Carter, Cliff Harvey, Claudia Puckett, Nina Beasley, Boy Scout Troop 546, Stephanie James, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck led the invocation.

Rev. Carlton Duck led the Pledge of Allegiance.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adopt the Consent Agenda for February 13, 2012. All member present voting aye. Motion carried.

Unfinished Business
None

New Business

INVEST IN KIDS DAY PROCLAMATION:
Mayor Harvey read the following proclamation:

PROCLAMATION

INVEST IN KIDS DAY

WHEREAS, *in the Commonwealth of Virginia, one out of seven children will enter kindergarten unprepared; and*

WHEREAS, *research indicates that a kindergarten-ready child is more likely to not repeat a grade and to graduate from high school. Additionally, children who thrive in the first five years are less likely to need remediation, special education or abuse alcohol and drugs; and*

WHEREAS, *as adults, they are more likely to achieve their earning potential, have health coverage and avoid costly medical conditions; and*

***WHEREAS**, the "Smart Beginnings" plan for Virginia's children was created in 2007 with the goal of ensuring that all children enter kindergarten health and ready to learn. "Smart Beginnings" communities agree to collaborate across public and private sectors including K-12 education, early care and education, health, local government, family support agencies, social services, high education and the business community to make this happen; and*

***WHEREAS**, it is critical to the well-being of the Appomattox community and to every community to invest in Smart Beginnings of all children.*

***NOW, THEREFORE,** I, Paul Harvey, Mayor of the Town of Appomattox, Virginia do hereby proclaim Tuesday, February 22, 2012 as*

INVEST IN KIDS DAY

Furthermore, I encourage parents, educators, business leaders and other to invest in kids by investing in "Smart Beginnings Central Virginia."

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RESOLUTION COMMEMORATING THE 102ND BIRTHDAY OF THE BOY SCOUTS OF AMERICA:

On a motion by Councilmember Conner, seconded by Councilmember McDearmon, Council approved the following Resolution Commemorating the 102nd Birthday of the Boy Scouts of America. All members present voting aye. Motion carried.

RESOLUTION COMMEMORATING THE 102ND BIRTHDAY OF THE BOY SCOUTS OF AMERICA

***WHEREAS**, the Boy Scouts of America have been a long standing organization dedicated to the spiritual, social, and physical growth in young men from the ages 11 to 18, and*

***WHEREAS**, the Boy Scouts of America have for over a century taught young men the meaning of patriotism, love of county, and respect for those who have provided the freedom's they enjoy today, and*

***WHEREAS**, the Scout Oath provides a picture of the goals a Scout is always striving to achieve such as doing their best in their duty to God and country, helping others at all times, and keeping themselves physically strong, mentally awake, and morally straight, and*

***WHEREAS**, the Scout Law provides the character traits that all Scouts strive for as a part of their every day life in that they will always be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent, and*

***WHEREAS**, on February 8, 2012 the Boy Scouts of America celebrated their 102nd birthday as they continue to instill the principles of Scouting in young men across this great country.*

***THEREFORE, BE IT RESOLVED**, that on this 13th day of February, 2012, the Town of Appomattox does hereby congratulate the Boy Scouts of America on their 102nd birthday and sincerely extend its deepest appreciation for their contribution to the lives of the young men all across this nation over these last 102 years.*

***BE IT ALSO RESOLVED** that the Town of Appomattox is proud to be associated with Troop 546, which is based here in Appomattox, as our local ambassador representing the Boy Scouts of America.*

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RESOLUTION – SUPPORT OF AN EXTENSION OF THE MIDLAND TRAIL:
On a motion by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to approve the following resolution:
All members present voting aye. Motion carried.

Resolution in support of an extension of the Midland Trail, as a National Scenic Byway, into Virginia

WHEREAS, the West Virginia Byways Program strives to recognize, interpret, enhance, and preserve the intrinsic qualities of West Virginia byway corridors, with eleven State-designated Byways, ten State-designated Backways and four nationally -designated Byways, in place within the State of West Virginia.

WHEREAS, the State of West Virginia, West Virginia Department of Transportation and the West Virginia Division of Tourism recognizes that Byway designated funding has provided millions of dollars to enhance and promote significant historical, cultural, and visitor service sites along West Virginia roadways, attracting multitudes of visitors and making a significant economic impact through tourism.

WHEREAS, 119 miles of West Virginia roadway was designated as Midland Trail National Scenic Byway on June 15, 2000, resulting in a significant economic impact specifically to the communities along the Midland Trail.

WHEREAS, the Midland Trail Association of West Virginia – National Scenic Byway organization recognizes that the Midland Trail historical route (Route 60) extends into Virginia, and furthermore identifies a goal of having the route in Virginia designated as a National Scenic Byway within its Corridor Management Plan.

WHEREAS, there are more than 3,400 miles of roads designated as Virginia Byways, and to recognize and preserve Virginia's scenic, cultural, and historic resources, and help

attract visitors and support economic development through tourism, the Virginia Department of Transportation (VDOT), the Virginia Tourism Corporation (VTC), the Virginia Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB), encourage local governments to nominate roads that meet the program criteria for Virginia Byway designation.

WHEREAS, there is an active effort to nominate the Virginia Midland Trail as a National Scenic Byway – extension of the West Virginia Midland Trail, by various Virginia localities and organizations, facilitated by and with guidance from the Virginia Tourism Corporation, Virginia Department of Transportation, and Virginia Department of Conservation and Recreation.

WHEREAS, the United States Secretary of Transportation recognizes certain roads (including multi-state) as All-American Roads or National Scenic Byways based on one or more archeological, cultural, historic, natural, scenic and recreational qualities.

WHEREAS, The National Scenic Byways Program is part of the U.S. Department of Transportation, Federal Highway Administration, and the program is a grass-roots collaborative effort established to help recognize, preserve and enhance selected roads throughout the United States.

WHEREAS, since 1992, the National Scenic Byways Program has provided funding for over 2,900 projects in 50 states and 1,500 state and nationally designated byway projects in 48 states.

WHEREAS, the Blue Ridge Parkway is designated as an All-American Road, providing visitors with the opportunity to learn the history and experience the culture of the entire multi-state region in which the Parkway meanders, while making a significant economic impact on the State of North Carolina and Commonwealth of Virginia, and serving as an example of a multi-state byway initiative by which the Midland Trail may follow.

THEREFORE BE IT RESOLVED that the Town of Appomattox expresses its support for the Midland Trail (Route 60) of Virginia to be designated as a Virginia Byway, and formally recognized as the Midland Trail, through the County of Appomattox, and throughout the Commonwealth.

BE IT FURTHER RESOLVED that the Town Council of the Town of Appomattox expresses its support for Midland Trail (Route 60) to be designated as a National Scenic Byway and extension of the already designated Midland Trail– National Scenic Byway.

FINALLY BE IT RESOLVED that the Town Council of the Town of Appomattox fully supports the effort to have the Midland Trail (Route 60) of Virginia designated as a Virginia Byway and National Scenic Byway, and extension of the already designated Midland Trail– National Scenic Byway in West Virginia, resulting in a multi-state National Scenic Byway.

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On a motion by Councilmember Spiggle, seconded by Councilmember Bennett, Council voted to adopt the Water Line Maintenance Agreement between Appomattox County and the Town of Appomattox and authorize Mayor Harvey to execute the agreement. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to amend the Accounts Receivable Policy – Water and Sewer Bills. All members present voting aye. Motion carried. (Amended water/sewer policy attached)

Citizen Comment Period

Sammy Carter addressed Council praising them for their vision of the Town. The teamwork shown by this Council is second to none.

Council Concerns

Council was reminded to call on the House of Delegates to oppose the elimination of the Machinery & Tools tax.

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

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Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

Joint Meeting
Appomattox Town Council & Appomattox County Board of Supervisors
February 21, 2012

The Appomattox Town Council met jointly with the Appomattox County Board of Supervisors on Tuesday, February 21, 2012 at 5:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Town of Appomattox – Present: Paul D. Harvey, Mayor; Council Members: Joyce B. Bennett, Steven T. Conner, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Timothy W. Garrett, C. William Gillespie, Jr., Town Manager; Stacey Wilkes, Town Treasurer and Roxanne W. Paulette, Clerk of Council.

County of Appomattox – Present: Board Members: Gary Tanner, Ronald C. Spiggle, W. H. Craft, Samuel Carter, Jerry Small; Jeff Taylor, Johnnie Roark, Johnny G. Overstreet, County Attorney; Aileen T. Ferguson, County Administrator; Vicky Phelps, Administrative Assistant.

Others: Stephanie James, Claudia G. Puckette, Cliff Harvey, Chad Millner.

Mayor Harvey called the Appomattox Town Council to order.

Chairman Small called the Appomattox County Board of Supervisors to order.

Mayor Harvey welcomed the Board of Supervisors and all guests to the meeting and thanked them for attending.

Items discussed:
Discussion of the Memorandum of Understanding between the Appomattox County Board of Supervisors and the Appomattox Town Council regarding a Sewer Line Expansion.
Mr. Gillespie explained the components of the attached documents to the MOU. The proposed sewer expansion would raise the daily discharge limits of the SBR sewer system from 300,000 gpd to 600,000 gpd. There is enough room located at the SBR site to expand the system. Mr. Gillespie also explained that the funding agencies he has spoken with would prefer to see a regionally (town & county) combined efforts on this project.

Mr. Spiggle asked for clarification on the discharge from the SBR plant to the Chesapeake Bay. Mr. Gillespie responded that all of that has been considered and the limit can be met without a problem.

Mr. Tanner sited that the Police Tower Road area would provide for future growth.

Mr. Overstreet, County Attorney cited that he has only one except to the MOU for consideration by the board and he would like time to massage the MOU before the board takes any action. Mr. Overstreet stated that he agreed with the MOU in principle but not binding in any details.

Mr. Gillespie also stated that USDA would like to see the Town (County) come in with a full project, meaning an economic development element.

Mr. Gillespie said he would be meeting with USDA on March 5, 2012 to discuss the Preliminary Engineering Report and Environmental Review. In order to meet the Spring/Summer deadlines for grant applications a decision would need to be made by both governmental agencies within the next few months.

Update on the Route 460 Concord/Appomattox Waterline

There is approximately less than 1000 linear feet of line remaining to be installed, 13 connections to make and testing per the Health Department standards to conduct. It is anticipated that wrap up should occur within the next 30 – 45 days. County notices will be mailed to the 50 customers and packages will be mailed by the Town in May or June 2012.

On a motion by Chairman Craft, seconded by Mr. Tanner, the Board adjourned at 6:00 p.m.

On a motion by Councilmember Spiggle, seconded by Councilmember Garrett, Council voted to adjourn the joint meeting between the Town and County at 6:00 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk of Council

Paul D. Harvey
Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, February 28, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, and Steven T. "Steve" Conner and Joyce B. Bennett.

Others present: Stephanie James, Cliff Harvey, Lucy Harvey, Benny Harvey, Carlton Duck and Alive TV Crew, Shane Reid, John Reid, Wade Tanner, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Shane Reid, John Reid and Wade Tanner of Reid Engineering Company, Inc. provided an in depth review of the Preliminary Engineering Report and Environmental Review prepared for the Town of Appomattox regarding the Wastewater Project.

Council gave consensus to forward the ordinance outlining the creation of a Town Planning Commission to legal counsel for review.

Mr. Gillespie reported on the organizational changes and Council provided consensus to move forward with the changes outlined. The Public Works department will begin advertising for the part-time Administrative Assistant. Council would like for the Clerk to visit another locality in Virginia who is utilizing the Logics Software. The general fund would absorb 75% of the cost of the new software and the water fund would fund the other 25%. The Treasurer will present the total software cost and staff recommendation at the regular March meeting.

<u>Committee Updates</u>
Finance & Planning – Mr. McDearmon reported the committee met on February 13, 2012 and discussed the following:

- An additional funding request from Sheriff Letterman.
- The FY 2013 Budget schedule was presented to the committee.
- Council presented an MOU to the Appomattox County Board of Supervisors for the sewer line expansion along 460 West.
- An amendment to the Water and Sewer Accounts Receivable Policy
- Continued discussion of the Zoning Ordinances

Physical Development – Mr. Mayberry reported the committee met prior to the Workshop meeting and received a Stormwater Management presentation from the Department of Conservation and Recreation.

Staff Updates

Town Manager – Mr. Gillespie reported that he had met with Mr. Elder, Utility Director and the Request for Proposals on the Public Works Buildings will be advertised on Sunday, March 4th. The proposals will be presented at the March 27, 2012 Physical Development Committee meeting.

Mr. Gillespie also reported that the committee has not reported completely on the blighted properties.

Treasurer – None

Clerk of Council – None

Council Concerns

Mayor Harvey recognized the Water and Wastewater Departments for their recent feature in the nationally recognized TPO Magazine. The Town will present each employee with a plaque for recognition.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 8:30.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, March 12, 2012 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others Present: Cliff Harvey, Benny Harvey, Lucy Harvey, Rodney Longmire, Claudia Puckette, Stephanie James, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Rodney Longmire led the invocation.

Rev. Rodney Longmire led the Pledge of Allegiance.

Mayor's Comments
Mayor Harvey informed the Council and audience of the Tornado Preparedness Day – March 20, 2012. The siren erected behind Subway will sound as a test at 9:45 a.m. for three minutes.

On a motion by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to adopt the Consent Agenda for March 12, 2012. All member present voting aye. Motion carried.

Unfinished Business
None

New Business

On a motion by Councilmember Garrett, seconded by Councilmember Bennett, Council voted to accept the FY 2011 Audit Report from Brown, Edwards & Company, LLP. All members present voting aye. Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember McDearmon, Council voted to authorize purchase of software programs for organizational restructuring in the amount of $25,135.00. All members present voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to declare the following items surplus equipment – 1980 Ford School Bus, 1987 GMC Diesel 7000 Dump Truck, 2003 Isuzu NQR Sweeper Truck, Hercules Leaf Machine / Model 6800, John Deere 310 B Backhoe, Terex Rubber Tire Loader. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to approve the 2012 Slate of Officers for the Historic Appomattox Railroad Festival. All members present voting aye. Motion carried.

Roxanne Paulette, Clerk of Council gave an update on the Tourism Program and Partnership Initiatives for "The Best of the Civil War…The End" grant.

Citizen Comment Period
None

Council Concerns
None

On a motion by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to adjourn the meeting at 7:50 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, March 27, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, and Steven T. "Steve" Conner and Joyce B. Bennett.

Others present: Stephanie James, Claudia Puckette, Cliff Harvey, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Jeff Elder provided Council with an update on the Backflow Prevention Program – Cross Connection Control program.

Jeff Elder updated Council on the removal of unnecessary equipment on the 100,000 water gallon tank.

Mr. Gillespie discussed the changes proposed by the Appomattox Tree Board to the Urban Forestry Ordinance – Chapter 177 of the Appomattox Town Code. After much discussion Mr. Gillespie agreed to review and offer other suggestions for the Town Council to consider at the April 9, 2012 Regular Council Meeting.

Mr. Gillespie and Mr. Elder provided Council with a presentation on Smoke Testing for Sewer Inflow and Infiltration. The reason for smoke testing is identify, document and eliminate the inflow and infiltration into the sewer plants. The town is purchasing $400 of liquid smoke and using two (2) men to perform the smoke testing. There is minimal cost involved.

Mr. Gillespie provided Council with a power point presentation on the proposed utility rate increase.

Committee Updates

Finance & Planning – The Committee met on March 12, 2012 and received the audit report from Brown Edwards regarding the FY 2011 Annual Audit and continued with the FY 2013 budget process.

Physical Development – The Committee discussed the proposed language to the Urban Forestry Ordinance, FY 2013 Budget process and an update on the Utility Rates.

Staff Updates

Town Manager – None at this time.

Treasurer – Provided Council with Goals and Audit Item Update

Clerk of Council – None at this time.

Council Concerns

Mr. Conner responded to reports that the Town has turned down restaurants, motels or businesses that want to locate in the Town of Appomattox. Those claims are untrue.

Mr. Conner and Mayor Harvey also wanted the public to know that the Museum of the Confederacy's choice not to fly or display a Confederate Flag at the museum is their choice not one made by the Town.

Mr. Garrett and Mayor Harvey also discussed the outdoor Tornado Warning system erected behind the Subway Restaurant in the Town Limits that conducted an emergency warning signal on March 20, 2012 and to what extent it was heard within the County.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 8:07 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, April 9, 2012 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others Present: Jeff Elder, Utility Director, Jenae' Cunningham, Stephanie James, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Jenae' Cunningham, St. Anne's Episcopal Church led the invocation.

Jenae' Cunningham also led the Pledge of Allegiance.

Mayor's Comments

Mayor Harvey thanked the Town Public Works Department for their assistance at the Grand Opening of the Museum of the Confederacy on March 31, 2012. He also mentioned the Appomattox Literacy Program – The Day of the Young Child – April 28, 2012 activities. Lastly, he mentioned that the issue of a Leash Law has been brought to his attention again.

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to adopt the Consent Agenda for April 9, 2012. All members present voting aye. Motion carried.

Unfinished Business

None

New Business

On a motion by Councilmember Spiggle, seconded by Councilmember Conner, Council voted to authorize advertisement of the Proposed Water and Sewer Rates and the FY 2013 Budget. All members present voting aye. Motion carried.

On a recommendation by Mr. McDearmon, Chairman of the Finance and Planning Committee, Council voted to award construction of the Public Works Buildings to Piney Ridge Contracting and Consulting with $200,000 from the Priority and Initiatives and $133,835.00 from undesignated fund balance including the brick façade. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to appoint Catherine B. Zdgiebloski to the Appomattox Town Tree Board with a term expiring December 31, 2013. All members present voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to adopt the following ordinance:
AN ORDINANCE TO AMEND AND REENACT the Code of the Town of Appomattox, Chapter 177, ARTICLE I - URBAN FORESTRY by amending §177-2 and adding §177-5 through §177-8.

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

Section 1. Chapter 177, Section 2 shall be amended and reenacted and Chapters 5 – 8 shall be added as follows:

§ 177-1. Purpose and intent of this chapter.

A. It is the purpose of this chapter to promote and protect the public health, safety and general welfare by providing for the regulation of the planting, maintenance, preservation and removal of trees and shrubs, on public property within the Town of Appomattox.

B. The purpose of this chapter is to further promote the following:

1. The planting, maintenance, restoration, and survival of desirable trees and shrubs within the town.

2. The protection of community residents and visitors from personal injury and property damage, and the protection of the town from property damage, caused or threatened by the improper planting, maintenance, or removal of trees and shrubs, located on public property.

3. The reduction of erosion and sedimentation.

4. The reduction of storm water run-off and its associated costs.

5. The protection and enhancement of property values and aesthetic qualities in the town.

6. The protection and enhancement of the overall environment of the town.

7. The protection of bird habitat as the Town of Appomattox is a bird sanctuary.

8. The enhancement of the quality of life of the town and its citizens.

9. To facilitate the long-range planning of tree care in the town.

§ 177-2. Establishment of Town Tree Board

A. There is hereby created and established the Town of Appomattox Tree Board, which shall be made up of seven members; five of which are to be citizens and residents of the Town of Appomattox, Virginia, and who are to be appointed by the town council. The town may appoint a member recommended by the Appomattox Garden Club, and non-residence in the town shall not impair the membership status of this individual. The County Forester shall serve as a standing member of the board.

B. Members of the tree board shall have skills and an expressed interest in at least one of the following areas:

(1) Urban forestry.

(2) Landscaping.

(3) Arboriculture.

C. Terms of office.

(1) Each member shall be appointed for a term of two years, or until their successors are appointed, except that the initial appointment of two members shall be for a one-year term, the remaining members for a two-year term.

(2) Members may be re-appointed to serve consecutive terms as determined appropriate by the town council.

(3) The board shall elect a chair, vice chair and secretary/treasurer who shall serve annual terms and may succeed themselves.

D. Minutes and rules.

(1) The board shall adopt such operating guidelines, rules and regulations as it may consider necessary. The board shall have no executive authority, its powers being strictly advisory.

(2) The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact. It shall keep records of its examinations and other such official actions, all of which shall be immediately filed in the town office and shall be a public record.

(3) All meetings of the board shall be open to the public.

(4) A majority of its members shall constitute a quorum for the transaction of business. In the event one or more seats on the board are vacant, a majority of the non-vacant seats shall constitute a quorum for the transaction of business.

(5) The Board will meet monthly, or at least ten (10) times per year.

E. Compensation.

(1) Members of the board will serve without compensation.

§177-3. Duties.

The Appomattox Tree Board shall have the following duties:

(1) The tree board shall recommend tree preservation and enhancement ordinances.

(2) The tree board shall investigate, develop, update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan shall be presented annually to the town council and upon their acceptance and approval shall constitute the official comprehensive tree plan for the Town of Appomattox.

(3) The tree board shall promote programs that educate citizens about trees and their benefits and assist in choosing appropriate trees and sites for planting.

(4) The tree board shall develop a capital tree management program for the public sector and with voluntary participation for the private sector. This plan shall be updated every five years.

(5) The tree board shall present an annual report each year to the town council, to include:

a. A description of the activities conducted.

b. A report of activities ongoing and forecast for future projects.

(6) The tree board shall plan and coordinate an annual Arbor Day observance.

(7) The tree board shall assist in such other duties as assigned.

§177-4. Authority to receive funding and advisory services.

A. All persons interested in urban forestry in the town are invited to make gifts, devises and bequests to the town to be used for that purpose. All donations of money shall be made through the town treasurer, who is hereby authorized and directed to receive such donations. All such monies shall be used only for the purpose of planting, maintenance, and promotion of the urban forest in the town. Expenditures from these donations shall be made by the town manager as authorized, from time to time, by the town council.

B. The tree board may, with the consent of the town council, apply for federal, state, or private grants or funding, and/or assistance, and to aid in the performance of their duties.

C. Upon request of the tree board with approval by the town manager, the departments, boards, commissions, offices and agencies of the town government shall furnish to the Council such available information and render such service as may be needed in the performance of their duties.

§177-5. Responsibilities.

The Town Manager shall be responsible for the planting, trimming, removal, and care of all trees, shrubs, plants, and other vegetation on town-owned property, who are authorized to trim, prune, spray, fertilize, water, cultivate, maintain, plant, and remove any trees, shrubs, and other vegetation in accordance with the provisions of this article.

1. The Town Manager shall be responsible for the maintenance of trees, plants and shrubs within the lines of all streets and public parks.

2. The Tree Board shall present an annual report each year to the Town Council, to include:

    a. A description of the activities conducted.
    b. A report of activities ongoing and forecast for future projects.

3. When a tree is removed, it shall be the town's policy to plant a replacement tree in the same general area, if possible.

4. Stumps of trees located along town streets and in town parks shall generally be removed below the surface of the ground so that the top of the stump does not project above the surface of the ground.

5. The Town Manager shall not remove or permit the removal of any tree, shrub, or other vegetation from any town-owned property unless he or his designee has determined that such tree, shrub, or vegetation is:

a. Diseased or Infected with injurious insects or pests
b. Obstructing or endangering the traveling public
c. Dead or unsightly
d. Affected with injurious fungus
e. May harm public property or the health of the public

§177-6. Abuse, mutilation, or damage to public trees.

Unless specifically authorized by the Town Manager or Town Tree Board, it shall be unlawful for any person to intentionally damage, cut, carve, transplant or remove any tree on public property, nor attach any rope, wire, nails, advertising posters or other contrivance to any public tree, nor allow any gaseous liquid or solid substance which is harmful to such trees to come in contact with the, nor set fire or permit any fire to burn when such fire of the heat thereof will injure any portion of any public tree. Any person found to violate the provisions of this section shall be responsible for the cost of repair, or removal and replacement, of any public tree so damaged.

§177-7. Permission to plant.

It shall be unlawful for any person to plant any tree in any street, park, public place or public grounds of the Town, without first having obtained a written permission from the Town Council, who may, at their option, consult the Tree Board, setting forth the variety thereof and the location where the same may be planted, and without in all respects complying with the conditions and terms of such permission.

§177-8. Manner of cutting.

No cutting, meaning removal and/or destruction, of any live tree in any street, park, public place or grounds in connection with the work of any Town department or agency of the Town, other than the Town Manager, or other person having a right to use the street, park, public place or grounds shall be done except in such manner as directed by the Town Manager.

Section 2. This section shall become effective on April 9, 2012.

All members present voting aye. Motion carried.

Citizen Comment Period
None

Council Concerns
None

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn the meeting at 8:05 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, April 24, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, and Steven T. "Steve" Conner and Joyce B. Bennett.

Others present: Gerald and Sandy Wilbun, Stephanie James, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mr. Gillespie provided a detailed power point presentation on the proposed FY 2013 Budget including Water and Sewer Rates.

Mayor Harvey read the Arbor Day Proclamation:
WHEREAS, Arbor Day has been observed throughout Virginia and the Nation for more than 120 years, and

WHEREAS, trees provide many benefits to the community, including clean air, windbreaks, noise reduction shade, and energy savings, and

WHEREAS, planting and maintaining trees provides opportunities for community interaction, volunteerism, economic development, and environmental conservation, and

WHEREAS, the Town of Appomattox has been designated a bird sanctuary and trees provide habitat for birds, and

WHEREAS, trees increase property values, enhance the economic vitality of business areas, and beautify communities, and

WHEREAS, trees, wherever planted, are a source of comfort, joy and inspiration, and

WHEREAS, the last Friday in April of each year is designated by the Virginia General Assembly as Arbor Day in the Commonwealth of Virginia.

NOW, THEREFORE, I, Paul Harvey, Mayor of the Town of Appomattox, do hereby proclaim the 27th day of April, 2012 as our Fourth Annual Arbor Day.

Mayor Harvey also read the Week of the Young Child Proclamation:
Whereas, the Appomattox Literacy Intervention Program, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child on April 28 2012; and

Whereas, these organizations are working to improve early learning opportunities, including early literacy programs, that can provide a foundation of learning for children in Appomattox, Virginia and

Whereas, teachers and others who make a difference in the lives of young children in Appomattox, Virginia deserve thanks and recognition; and

Whereas, public policies that support early learning for all young children are crucial to young children's futures;

I, Paul Harvey, Mayor of the Town of Appomattox, do hereby proclaim April 28, 2012 as the Day of the Young Child in Appomattox and encourage all citizens to work to make a good investment in early childhood in Appomattox, Virginia.

Mr. Elder and Mr. Gillespie updated Council on the Smoke Testing of the Sewer System. Service lines, storm drains and broken laterals are catching a lot of water. The Town thanks all the customers for their cooperation.

Committee Updates
Finance & Planning – Discussed paying for the installation of backflow devices for some businesses provided they are willing to pay for the devices and equipment. The committee also discussed the proposed FY 2013.

Physical Development – The Committee discussed the proposed FY 2013 Budget and blighted properties.

Staff Updates
Town Manager – None at this time.

Treasurer – None at this time.

Clerk of Council – Reminded Council of the VML Town Section on Friday, May 25, 2012 in Farmville, Virginia.

Closed Session
On a motion by Councilmember Conner, seconded by Councilmember McDearmon, Council voted to convene in Closed Session pursuant to Section 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 for the purpose of investing in the development and construction of utility infrastructure within properties not controlled by the Town of Appomattox. Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. Motion carried.

Now, therefore, be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted 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. Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Bennett – aye. Motion carried.

Council Concerns

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

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Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, May 14, 2012 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others Present: Lucy Harvey, Benny Harvey, Claudia Puckette, Jeff Elder, Utility Director, Jim Gallegher (Our Lady of Peace Catholic church), Stephanie James, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Father Gallegher, Our Lady of Peace Catholic Church led the invocation.

Father Gallegher also led the Pledge of Allegiance.

Mayor Harvey opened the public hearing.

The purpose of this public hearing will be to receive public comments concerning the following:

1. **Proposed changes to the Water and Sewer Policy User Charges (including Water and Sewer Rates), Connection and Availability Fees Administrative Policy with an effective date of July 1, 2012.**

   a) **Proposed Water Rates:**
   Charge for the first 2000 gallons of metered consumption - $10.00
   Charge per 1000 gallons over 2000 - $5.80

   b) **Proposed Sewer Rates:**

	0 – 2000 gallons	Charge per 1000 gallons over 2000
July 1, 2012	$29.60	$10.25
July 1, 2013	$29.60	$12.25
July 1, 2014	$29.60	$14.25
July 1, 2015	$29.60	$16.25

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq., with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950 as amended.

2. **Proposed FY 2013 Budget for the Town of Appomattox** - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2013:

GENERAL FUND EXPENDITURES	1,185,700.00
WATER FUND EXPENDITURES	544,000.00
SEWER FUND EXPENDITURES	784,182.00
TOTAL EXPENDITURES	**2,513,882.00**
GENERAL FUND REVENUE	1,185,700.00
WATER FUND REVENUE	544,000.00
SEWER FUND REVENUE	784,182.00
TOTAL REVENUE	**2,513,882.00**

There were no public comments during the public hearing.

On a motion by Councilmember Bennett, seconded by Councilmember Garrett, Council voted to close the public hearing. All members present voting aye. Motion carried.

Scheduled Public Appearances – None

Mayor's Comments
Mayor Harvey thanked Mr. Gillespie and Mr. Elder for all their efforts in prepping the area at the Public Works Building Site. Their efforts along with the Public Works Department have saved the Town a tremendous amount of money.

Consent Agenda
On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the consent agenda as presented for May 14, 2012. All members present voting aye. Motion carried.

Unfinished Business
None

New Business

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

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2011-2012 Operating Budget of the Water Fund and Sewer Fund to carryover unspent STAG grant funds and bond proceeds from FY 2011 to appropriate those funds to be spent during FY 2012 for completion of the STAG project and the retirement of debt as follows:

Water Fund Expenditures	
Infrastructure STAG	*$52,993*
Equipment Lease VRA	*$33,121*
Net Increase in Budget	*$ 86,114*
Water Fund Revenues	
Bond Proceeds	*$ 86,114*
Net Increase in Budget	*$ 86,114*
Sewer Fund Expenditures	
Equipment Lease VRA	*$ 33,121*
Infrastructure STAG	*$ 239,453*
Net Increase in Budget	*$ 272,574*
Sewer Fund Revenues	
STAG Grant Funds	*$ 71,844*
Bond Proceeds	*$200.730*
Net Increase in Budget	*$272,574*

AND BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby amend the FY 2011-2012 Operating Budget for the General Fund for the public works building change order and the original contract awarded as follows:

General Fund Expenditures	
General Fund – Property Maintenance and Construction	*$ 353,521*
Net Increase in Budget	*$ 353,521*
General Fund Revenues	
General Fund – Use of Beginning Balance	*$ 153,521*
General Fund – Use of Reserves - Priorities and Initiatives	*$ 200,000*
Net Increase in Budget	*$ 353.521*

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2012 budget amendments are hereby adopted, 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.

Amended this 14th day of May 2012.
All members present voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to amend the Accounts Receivable Water & Sewer policy #7 - $25 disconnect fee will charged for any customer cut-off for non-payment and a $25 reconnect fee will be charged to restore service. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to appoint Allen Austin to the Appomattox Town Tree Board with a term expiring December 31, 2013. All members present voting aye. Motion carried.

Citizen Comment Period
None

Council Concerns
None

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adjourn the meeting at 7:50 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, May 29, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, and Steven T. "Steve" Conner and Joyce B. Bennett.

Others present: Claudia Puckette, Stephanie James, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Committee Updates
Finance & Planning – The committee did not meeting during the month of May 2012.

Physical Development – The Committee met today, May 29, 2012 and discussed several agreements.

Staff Updates
Town Manager – Mr. Gillespie provided Council with an update of the Town Shop Buildings that are currently under construction and the ongoing sewer smoke testing.

Treasurer – None at this time.

Clerk of Council – Reminded Council of the VML Newly Elected Officials Conference in Henrico County – July 26 – 28, 2012.

Council Concerns
Councilmember Conner spoke of the new tourism video that will be coming out soon. It is a cost effective proposal that will include footage of the Museum of the Confederacy and focus on Appomattox as a day trip.

Ms. Bennett asked Mr. Gillespie if he could meet with a representative from the Museum of the Confederacy to discuss additional signage. She also reported that the Museum of the Confederacy will be sending a representative to the Visitor Information Center to volunteer.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adjourn at 7:20 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, June 11, 2012 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others Present: Claudia Puckette and Family, Janet Robertson, Appomattox County Circuit Court Clerk; Dr. Chris King, Evergreen Baptist Church; Stephanie James, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Dr. Chris King, Evergreen Baptist Church led the invocation.

Dr. Chris King also led the Pledge of Allegiance.

Janet A. Robertson, Clerk of the Circuit Court, Appomattox County administered the Oath of Office to Mayor Paul D. Harvey, Timothy W. "Timmy" Garrett, Steven T. "Steve" Conner, Mary Lou Spiggle, Claudia G. Puckette, N. H. "Jimmy" Mayberry, C. Lewis McDearmon, Jr. for the term of July 1, 2012 – June 30, 2014.

On a recommended motion by the Finance and Planning Committee, Council voted to approve the following resolution:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2012-2013 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 2012-2013 Budget was published on May 2, 2012 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, 2012;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 11, 2012, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2012-2013;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	*37,790.*
Administrative Department	*266,263.*
Professional	*42,000.*
Police Department	*42,000.*
Tourism Department	*74,982.*
Fire Department	*30,000.*
Public Works Department	*481,615.*
Sanitation Department	*88,000.*
Property Maintenance & Construction	*35,000.*
Town Shop	*13,300.*
Donation/Contributions	*26,500.*
Zoning	*26,000.*
Town Office	*22,250.*
TOTAL GENERAL FUND EXPENSES	***1,185,700.***

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.13 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 $.13 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 sitused within the Town commencing January 1, 2012, 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 60% tax relief;*
- *Personal use vehicles valued at $20,001 or more shall only receive 60% 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.*

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2012-2013;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	*170,000.*
Current Taxes – Personal Property	*86,000.*
Delinquent Taxes	*10,000.*

Penalties & Interest	*1,500.*
Bank Stock Tax	*130,000.*
Meals Tax	*440,000.*
Lodging Tax	*30,000.*
Franchise Tax	*5,700.*
Consumption Tax	*7,000.*
Vehicle License Tax	*23,000.*
Business License	*150,000.*
Zoning	*2,000.*
Interest	*14,000.*
Rental of Misc. Property	*5,000.*
Motor Vehicle Tax	*3,000.*
Sales Tax	*50,000.*
Aid to Police Department (HB599)	*42,000.*
Fire Programs	*8,000.*
Miscellaneous	*3,000.*
Other Reimbursable	*500.*
TOTAL GENERAL FUND REVENUES	***1,185,700.***

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2012-2013;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	*544,000.*
TOTAL WATER EXPENDITURES	***544,000.***

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2012-2013;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	*390,000.*
Connection Fees	*3,000.*
Penalty Fees	*5,000.*
Availability Fees	*2,000.*
Reconnect Fees	*8,500.*
Rental of Misc. Property	*80,000.*
Use of Beginning Balance	*15,000.*
County Water Line Maintenance	*36,000.*
Interest	*4,500.*
TOTAL WATER REVENUES	***544,000.***

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2012-2013;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	*784,182.*
TOTAL SEWER EXPENDITURES	***784,182.***

SECTION IX:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2012-2013;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	*673,400.*
Connection Fees	*2,500.*
Availability Fees	*2,500.*
County Reimbursement SBR & IDA PS	*77,000.*
Park Service Maintenance	*1,800.*
Interest	*6,000.*
Use of Beginning Balance	*20,982.*
TOTAL SEWER REVENUES	***784,182.***

SECTION X:

BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2012-2013 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2012-2013 is hereby adopted, effective July 1, 2012 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, 2012.
All members present voting aye. Motion carried.

On a recommended motion by the Finance and Planning Committee, Council voted to approve the following resolution:

A RESOLUTION ESTABLISHING A WATER AND SEWER POLICY FOR FISCAL YEAR 2012-2013

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 2012-2013 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 2012-2013, the fee listed in the lawfully adopted regulation, resolution or ordinance of the Town of Appomattox for the Fiscal Year 2012-2013 shall apply:

USER RATES

a) ***Proposed Water Rates:***
Charge for the first 2000 gallons of metered consumption - $10.00
Charge per 1000 gallons over 2000 - $5.80

b) ***Proposed Sewer Rates:***

	0 – 2000 gallons	*Charge per 1000 gallons over 2000*
July 1, 2012	*$29.60*	*$10.25*
July 1, 2013	*$29.60*	*$12.25*
July 1, 2014	*$29.60*	*$14.25*
July 1, 2015	*$29.60*	*$16.25*

BE IT RESOLVED, by the Town Council of Appomattox, Virginia that the Water and Sewer Policy listing for 2012-2013 is hereby adopted, effective July 1, 2012 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 2012.
All members present voting aye. Motion carried.

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

Employer Contribution Rates for Counties, Cities, Towns, School Divisions and Other Political Subdivisions
(In accordance with the 2012 Appropriation Act Item 468 (H))

RESOLUTION

BE IT RESOLVED, that the Town of Appomattox 55358 does hereby acknowledge that its contribution rates effective July 1, 2012 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-14 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code §51.1-145(I) resulting from the June 30, 2011 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the Town of Appomattox 55358 does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2012;

(Check only one box)
☐ *The Certified Rate of 6.89%* ☐ *The Alternate Rate of 6.00%; and*

BE IT ALSO RESOLVED, that the Town of Appomattox 55358 does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, the officers of Town of Appomattox 55358 are hereby authorized and directed in the name of the Town of Appomattox to carry out the provisions of this resolution, and said officers of the Town of Appomattox are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to the paid by Town of Appomattox for this purpose.

_____
Governing Body/School Division Chairman

All members present voting aye. Motion carried.

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

Member Contributions by Salary Reduction for Counties, Cities, Towns, and Other Political Subdivisions

RESOLUTION

WHEREAS, the Town of Appomattox 55358 employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012 ("FY2013 Employees" for purposes of this resolution), shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code §414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, the Town of Appomattox 55358 employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code §414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS, such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the Town of Appomattox 55358 may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year, in whole percentages, until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2012, to each such employee in service on June 30, 2012, to offset the cost of the member contributions, such increase in total creditable compensation to be equal to the difference between five percent of the employee's total creditable compensation and the percentage of the member contribution paid by such employee on January 1, 2012.

BE IT THEREFORE RESOLVED, that the Town of Appomattox 55358 does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2012 (i.e., FY2013):

Type of Employee	*Employer Paid Member Contribution*	*Employee Paid Member Contribution*
Plan 1	*0%*	*5%*
Plan 2	*0%*	*5%*
FY 2013 Employees	*0%*	*5%*

(Note: Each row must add up to 5 percent.); and

BE IT FURTHER RESOLVED, that such contributions, although designated as member contributions, are to be made by the Town of Appomattox in lieu of member contributions; and

BE IT FURTHER RESOLVED, that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT FURTHER RESOLVED, that member contributions made by the Town of Appomattox under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the Town of Appomattox directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED, that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the Town of Appomattox shall be reduced by the amount of member contributions picked up by the Town of Appomattox on behalf of such employee pursuant to the foregoing resolutions.

NOW, THEREFORE, the officers of Town of Appomattox 55358 are hereby authorized and directed in the name of the Town of Appomattox to carry out the provisions of this resolution, and said officers of the Town of Appomattox are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town of Appomattox for this purpose.

_____

Governing Body Chairman

All members present voting aye. Motion carried.

On a recommended motion by the Finance and Planning Committee, Council voted to approve the following resolution:

RESOLUTION

WHEREAS, the Appomattox Town Council desire to compensate the Mayor and each Council Member for their service to the Town and its citizens, and

WHEREAS, the Appomattox Town Council sets the monthly compensation rate at $200.00 (Two hundred dollars) for each Council Member and $400.00 (Four hundred dollars) for the Mayor, and

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council authorizes this action to begin on July 1, 2012.

All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the following resolution:

RESOLUTION OF THE TOWN OF APPOMATTOX, VIRGINIA APPROVING THE RENEWAL OF THE CABLE TELEVISION FRANCHISE

WHEREAS, Shentel Cable Company ("Franchisee") owns, operates and maintains a cable television system ("System") serving the Town of Appomattox, Virginia pursuant to a franchise agreement which expires on June 8, 2012 (the "Franchise") issued by the Town of Appomattox, Virginia (the "Franchise Authority"), and Franchisee is the duly authorized holder of the Franchise; and

WHEREAS, Franchisee has requested the consent of the Franchise Authority for the renewal of the Franchise in accordance with the requirements of the Franchise and applicable law; and

WHEREAS, Franchisee has represented that it will comply with the terms and conditions of the Franchise; and

WHEREAS, the Franchise Authority believes that it is in the best interest of the community to approve the renewal of the Franchise granted to Franchisee.

NOW, THEREFORE, BE IT RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:

Section 1. The Franchise Authority hereby approves and consents to the renewal for a term of fifteen years of the Franchise, all in accordance with the terms of the Franchise and applicable law and Franchisee shall comply with the terms and conditions of the Franchise.

Section 2. The Franchise Authority confirms that the renewal term of the Franchise shall be for a term of fifteen (15) years deemed to commence on June 9, 2012 and ending on June 8, 2027.

Section 3. The Franchise Authority agrees that the pledge of, or grant of a security interest in, the Franchise to any lender(s) of Shentel Cable Company or its affiliates, for the purpose of securing indebtedness, shall not require the consent of the Franchise Authority and is hereby authorized.

Section 4. This Resolution shall have the force of a continuing agreement with Franchisee, and Franchising Authority shall not revoke, amend or otherwise alter this Resolution without the consent of Franchisee.

PASSED, ADOPTED AND APPROVED this 11th day of June, 2012

All members present voting aye. Motion carried.

Citizen Comment Period
None

Council Concerns
Council Member Conner commented that Council does not always agree in the beginning on an issue but does agree in the end. Council Members put in a lot of time and should be commended for planning for the future not just getting through the day to day item.

Mayor Harvey thanked Council Member Bennett again for her years of service.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn the meeting. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, June 26, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Joyce B. Bennett.

Others present: Nina Beasley, Sam Carter, Chad Millner, Claudia Puckette, Stephanie James, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Rhonda Guill, Deputy Clerk; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Joyce B. Bennett was recognized by the Mayor and Council Members with a plaque for her service as Council Member – July 1, 2010 - June 30, 2012. Mayor Harvey thanked Ms. Bennett for her years of service and noted accomplishments.

Mr. Gillespie updated Council on discussions with the Appomattox County Board of Supervisors regarding the sewer extension to the North Service Area of the County and the proposed Boundary Line Adjustment. The staff has been directed to work with the County to conduct a VDOT style public hearing to provide facts, figures, maps, graphs, proposed area of the boundary adjustment.

Mr. Gillespie provided an update on the activation of the 460 Waterline stating that Town Staff and Water Department is to be commended for efforts in taking over the line. We are hoping to turn the line on July 12 or 13. The operational plan has been submitted and approved by CCUSA. The citizens should not see any differences with pressure, etc.

Committee Updates

Finance & Planning – The committee met on June 11, 2012 and discussed the police agreement and council gave consensus to leave the budget as presented, not including any additional money above the HB599 funding.

Physical Development – The Committee met today, June 26, 2012.

Staff Updates

Town Manager – Mr. Gillespie spoke regarding the Virginia Autumn Special train excursion planned for November 3, 2012 from Spencer, NC. The Town will need approximately 50 volunteers to coordinate the trip.

Treasurer – Reported that the Personal Property Tax program has been completely reconciled.

Clerk of Council – Reminded Council of the VML Newly Elected Officials Conference in Henrico County – July 26 – 28, 2012 and VML Annual Conference in Williamsburg, Virginia – September 23 – 25, 2012.

Council Concerns

Council thanked Rhonda Guill for handling the details of the Virginia Autumn Special train excursion.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 7:25 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, July 9, 2012 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others Present: Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Rev. Carlton Duck led the invocation.

Rev. Carlton Duck also led the Pledge of Allegiance.

Mayor's Comments:
Mayor Harvey recognized Roxanne W. Paulette, Clerk of Council for receiving the MMC designation.

Mayor Harvey presented the following resolution:

RESOLUTION OF COMMENDATION
ROXANNE PAULETTE – CLERK
TOWN OF APPOMATTOX, VIRGINIA

WHEREAS, the Town of Appomattox has been notified by the by the International Institute of Municipal Clerks that Roxanne Paulette, Clerk of Council for the Town of Appomattox, has distinguished herself by achieving the highest honor of her professional that being the award of the designation of Master Municipal Clerk (MMC), and

WHEREAS, the Council and the citizens of the Town of Appomattox do hereby recognize the time and effort that has been invested by Ms. Paulette in reaching this plateau in her career, and

WHEREAS, by accomplishing this goal she sits among a select few across the United States, Canada, and 15 other countries that have achieved the prestigious designation of Master Municipal Clerk (MMC), and

WHEREAS, the Appomattox Town Council and the citizens of this great community have recognized the dedication, commitment, and contribution of Ms. Paulette to public service over her twenty plus (20+) years of service to the Town of Appomattox, and

WHEREAS, the Appomattox Town Council now takes great pride in knowing that Mrs. Paulette will be recognized by her peer group for her knowledge, skills, and abilities as a

Master Municipal Clerk (MMC) with this designation by the International Institute of Municipal Clerks.

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Appomattox does hereby commend and congratulate Mrs. Paulette in her achievement and would also extend its sincere heartfelt appreciation for her steadfast and conscientious dedication to public service in meeting the needs of the citizens of the Town of Appomattox, Virginia.

This resolution being approved unanimously by the Council of the Town of Appomattox this 9th day of July, 2012 and given under my signature as Mayor of the Town of Appomattox.

Mayor Harvey welcomed Mrs. Claudia G. Puckett as a member of the Appomattox Town Council.

On a motion by Councilmember McDearmon, seconded by Councilmember Conner, Council voted to adopt the Consent Agenda with the addition of electing a Vice-Mayor and adding a Closed Session. All member present voting aye. Motion carried.

The floor was opened for nominations for Vice-Mayor. Mr. McDearmon and Mr. Conner nominated Mr. Mayberry. On a motion by Councilmember Spiggle, seconded by Councilmember McDearmon the nominations were closed.

Roll Call Vote to elect Mr. Mayberry as Vice-Mayor for the term ending June 30, 2014: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried.

On a recommendation by the Finance and Planning Committee and the Physical Development Committee, Council voted to amend the Accounts Receivable Policy – Water and Sewer Bills. All members present voting aye. Motion carried.

On a recommendation by the Physical Development Committee, Council voted to amend the Water and Sewer Policy by adding Irrigation Meter Installation. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – no, Puckette – aye. Motion carried 5 to 1.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to write off account balances for water/sewer receivable in the amount of $9268.77 that has exceeded the statue of limitations for collection. All members present voting aye. Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember Garrett, Council voted to authorize the Mayor to execute the Verizon Agreement. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, 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 of public employees of the Town of Appomattox, specifically being the Personnel Compensation Study performed by Robinson, Farmer, Cox Associates.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye.

Now, therefore, be it resolved, that the members of the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business maters 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye.

Council Concerns:
Mr. Conner would like to see what can be done to increase the water deposits for commercial customers.

Ms. Spiggle asked when the Town would be connecting to the 460 Waterline.

Mr. Conner thanked the Public Works crews for their hard work during the storm and on the recent waterline. Mayor Harvey concurred.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn the meeting at 8:30 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, July 24, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette. Absent: C. Lewis McDearmon.

Others present: Nina Beasley, Joyce Bennett, Chad Millner, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Jeff Elder, Utility Director gave an update to Council regarding the activation of the 460 Waterline. The waterline was turned on approximately one week ago.

Jeff Elder, Utility Director gave an update on the sewer line camera project. Approximately 1700 feet of line has been videoed, two (2) major problems have been identified.

Jeff Elder, Utility Director gave an update on the painting project of the Appomattox Depot. The contractor has a small amount of touch up including a few windows.

Jeff Elder, Utility Director gave an update on the cross connection program. Seventeen (17) letters have been sent to businesses. The Town has had seven (7) businesses respond. Four (4) have been fixed and the other three (3) are contacting a contractor to install the necessary equipment. The Town will take action on the remaining ten (10).

Committee Updates

Finance & Planning – The committee continues to discuss the zoning ordinance. The committee will discuss the zoning map at the next meeting. A public hearing is estimated for the fall. Mr. Gillespie asked the committee members to bring suggestions for the blighted property ordinance to the next committee meeting. There was also more discussion on the R-3 zone – using smaller lot sizes.

Physical Development – The Committee discussed having multiple water customers on one meter. A presentation of the sewer extension project and proposed boundary area adjustment will be provided at the August 13, 2012 Council meeting.

Staff Updates

Town Manager – Mr. Gillespie said the Public Works Building will be enclosed within the next two weeks and is otherwise moving along well.

Treasurer – Reported that testing will begin next week on the Logics computer software.

Clerk of Council – none

Council Concerns

Council complimented the Town Staff on their efforts in the 460 waterline maintenance process.

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

_____ _____

Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, August 13, 2012 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others Present: Gary Tanner, Jerry Small, Ronald Spiggle, Sam Carter, Willie Craft, Nina Beasley, Joyce Bennett, Wayne Casto, James Falls, June Chenault, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Rev. Carlton Duck led the invocation.

Rev. Carlton Duck also led the Pledge of Allegiance.

Public Hearing:
Mayor Harvey called the public hearing to order and stated the purpose of the hearing: To hear citizen comments regarding an ordinance to enact Chapter 145 – Town of Appomattox Planning Commission.

There were no public comments.

The hearing was closed.

Scheduled Public Appearances:
Mr. James Falls – Appeared before Council asking if the Town was prepared for a disaster? Mr. Falls noted that 8-10 houses were without power after the wind storm in late June 2012. He lost everything in his freezer. No information was available on a cooling center or where to get ice. He had no TV or radio. He wanted to know why the Town's information sign couldn't be used in Courtland Field letting people know where to find this information. He has serious problems with the lack of communication during such events. We are within 30 miles of a nuclear facility and a pipeline. We need an information center when something happens.

Ms. June Chenault - The Appomattox County Chamber of Commerce is requesting permission to place the ice skating rink in the parking lot between the depot and Country Charm in conjunction with the Community of Candles event on Sunday only for 2012.

Mayor's Comments:
Mayor Harvey thanked the Board of Supervisors for attending the meeting tonight. Mayor Harvey also raised awareness to the "Good Neighbor" program.

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to adopt the Consent Agenda of August 13, 2012. All member present voting aye. Motion carried.

Mr. Gillespie gave a power point presentation concerning the proposed sewer line expansion project and requested boundary area adjustment.

On a recommendation of the Physical Development Committee, Council voted to enact Chapter 145 – Appomattox Town Planning Commission. All members present voting aye. Motion carried.

On a recommendation of the Physical Development Committee, Council voted to repeal Chapter 5-73 Planning Commission – Designated of the Code of the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to upgrade the telephone system for a cost not to exceed $17,000.00. All members present voting aye. Motion carried.

Council Concerns:
Mr. Conner noted he would like a few more items added for the power point presentation before the joint public hearing on August 23, 2012.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn the meeting at 8:08 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, August 28, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others present: Barbara Shelton, Ms. Franklin, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Jeff Elder, Utility Director gave an update to Council regarding the inflow and infiltration discovery process on the sewer system. Public Works will continue to video the sewer lines leading the trickling filter plant. They will bring to council revised information for the preliminary engineering report prepared by Reid Engineering. Once the preliminary engineering report has been updated the Town can start the application process to secure grants for the next phase of the project.

Jeff Elder, Utility Director gave an update on the construction progress at the public works building complex. Construction is expected to be complete by October 1st. A grand opening/ribbon cutting is scheduled for Tuesday, October 23, 2012 at 3:30 p.m. (prior to the Physical Development Committee meeting) and then be open for business on October 23, 2012.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to amend the FY 2013 budget for costs associated with maintenance of the Appomattox County waterline to be fully reimbursed by Appomattox County.

> Be it resolved that the FY 2013 Water Fund budget is amended and $41,500 is appropriated, with resources funded by additional County Waterline revenue.

Roll call vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried.

Committee Updates

Finance & Planning – The committee met on August 13, 2012 and discussed the zoning map and blighted properties ordinance. They also heard a request from the Utility Director for a utility trailer needed to transport the backhoe. The Town Treasurer discussed with the committee the request for possible payment arrangements for past due taxes.

Physical Development – The Committee met the new Administrative Assistant for the Public Works Department, Patricia Garrett at their meeting today. They also received an

update from Bif Johnson, Hurt & Proffitt on the 460 Waterline. The committee also continued discussions of the zoning ordinance and map.

Staff Updates

Town Manager –

Mr. Gillespie reported that Council has been involved in with remapping the current zoning map and discussing the blighted and nuisance property ordinance. The entire zoning ordinance is being revised. A public hearing is possible for October but no later than November 2012.

Mr. Gillespie also brought to Council for discussion a request from Parkway Grocery on Route 24 to pay for a water and sewer connection over a 3 month period through installments. After much discussion Council denied the request through consensus.

Treasurer – Ms. Wilkes reported that she trying to close out June 2012. The 2012 Real Estate and Personal Property tax tickets will be mailed at the end of August 2012 with a due date of October 1, 2012.

Clerk of Council – none

Council Concerns

Mayor Harvey asked Council to provide him with their objections to the Chamber of Commerce's request to place the ice skating rink on Main Street again this year for the Community of Candles event. Council presented no objections but requested the $1,000,000 certificate of insurance and asked that the Town be listed as an additional insured.

Mr. Conner would like to revisit the issue of Town rental property.

Mrs. Puckette thanked Mr. Gillespie for conducting the joint public hearing between the Appomattox County Board of Supervisors and Town Council for the sewer expansion project and proposed boundary line adjustment. Mayor Harvey reemphasized her comments.

Mr. Mayberry encouraged everyone to attend the Board of Supervisor's meeting on Tuesday, September 4, 2012. Ms. Spiggle encouraged the public too. Mr. Conner stated that if the town is going to risk its money, they should get something out of it (boundary line adjustment).

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, September 10, 2012 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others Present: Ben Cates, News & Advance; Benny Harvey, Lucy Harvey, Chad Millner, Barbara Shelton, Ms. Franklin, Rev. Rodney Longmire, Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Rev. Rodney Longmire led the invocation.

Rev. Rodney Longmire also led the Pledge of Allegiance.

Mayor's Comments:
Mayor Harvey stated his disappointment in the vote by the Board of Supervisors not accept the Town's plan to extend sewer in the county in the area of economic development (460 Corridor).

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adopt the consent agenda of September 10, 2012 All members present voting aye. Motion carried.

Unfinished Business – none

New Business -
On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to cancel the September 25, 2012 Council Workshop Meeting. All members present voting aye. Motion carried.

Citizen Comment Period – none

Council Concerns:
Mr. Conner reiterated Mayor Harvey's comments regarding the sewer project with the Board of Supervisors but we didn't get an answer. We have things that need to be done for the citizens that live in town now. We need to make a decision and move on with the sewer area we proposed to the county or we need to do what takes care of what we already have. We needed the area in the town because we are using the town citizen's money. We unfortunately didn't get an answer period. We need to move in a timely manner so we don't catch inflation.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:37 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Tuesday, October 9, 2012 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey, presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others Present: Carlton Duck and Alive TV Crew, Jeff Elder, Utility Director; Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Rev. Carlton Duck led the invocation.

Rev. Carlton Duck also led the Pledge of Allegiance.

Mayor's Comments:
The Mayor reminded everyone of the upcoming 40th Annual Historic Appomattox Railroad Festival this weekend October 13-14, 2012.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adopt the consent agenda of October 9, 2012 with addition of NB -2 – Consideration to approve a request by Liberty Baptist Church to place the synthetic ice skating rink in the library parking lot for the Community of Candles on Sunday, December 2, 2012 and the week following and NB – 3 Discussion of a request by the Appomattox Youth Sports program for a donation of funds for the lights at the Appomattox Community Park. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –
Mayor Harvey presented a donation request for the Virginia Autumn Special. After much discussion, the Council agreed to one of the two options presented in the following motion.

On a motion by Mr. Conner, seconded by Mr. McDearmon, Council voted to authorize town staff, if requested, to provide labor for road closure/traffic control and clean up OR to provide a $400 donation to offset expenses of the Virginia Autumn Special Train Excursion on Saturday, November 3, 2012. All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded Ms. Spiggle, Council voted to authorize allowing Liberty Baptist Church to use the parking lot at the Jamerson Memorial Library to place a Synthetic Ice Skating Rink on Sunday, December 2, 2012 and the following week for the

Community of Candles event. The Town requested to be named as an additional insured on the Certificate of Insurance. All members present voting aye. Motion carried.

Council discussed the request of the Appomattox Youth Association for additional funding for the lighting project at the Appomattox Community Park. Future consideration will be given at a later date.

Citizen Comment Period – none

Council Concerns – none

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:55 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, October 23, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others present: Chad Millner, Stephanie James, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to Workshop meeting of October 23, 2012 to order.

Mayor Harvey advised Council of the following changes to the agenda:
1 – Remove #3 – Carlton Duck – Presentation of the Tourism video
2 – Add a Closed Session – Pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended for the purpose of discussion of the resignation of a specific public employee, specifically being Employee A.

Mr. Gillespie, Town Manager gave Council a copy of the 2012 Priorities and Initiatives for their review. The next Council retreat is scheduled for Friday, October 26, 2012 where Council will be outlining their 2013 Priorities and Initiatives.

At the December 2012 Regular Meeting, Council will review the 2013 Priorities and Initiatives and vote to adopt them at their January 2013 Regular Meeting.

An update on the 2012 Priorities and Initiatives included:
1 – Sidewalk Replacement Program

The Town started this project several years ago. The first year included the work for years 1 and 2 focusing on the downtown walking area.

2 – Skateboard Park

The Woodmen of the World property survey has been completed. No further plans or discussions have ensued since the survey.

3 – Children's Park & Waterpark

Mr. Gillespie has some information on water parks. They are not as expensive as you might think. Ms. Paulette has some information for children's equipment at the Children's Park.

4 – Zoning Ordinance

Mr. Gillespie intends to have the edits completed by Thanksgiving and then send them to the Town Attorney for review. He anticipates this item coming back to Council in late winter or early spring for a Public Hearing.

5 – Blighted Properties

A draft ordinance has been prepared and will be sent to the Town Attorney for his review.

6 – Senior housing & Adult Care

Some items are being allowed through the changes to the Zoning Ordinance.

7 – Trickling Filter Plant

The Physical Development Committee authorized staff to move forward with the project and the timeline will be updated. The next step will be to look at increasing the water and sewer capacities. So, the Town will move forward with the TFP pump station, SBR expansion and then the water and sewer system as a whole.

8 – Development of an Employee Pay System

The item has been completed.

9 – Town Planning Commission

The ordinance has been adopted.

10 – Town Shop (Public Works Complex)

The Ribbon Cutting for the new building was held today, October 23, 2012.
The project has been completed.

11 – Implementation of Storm water Regulations

Mr. Gillespie has had some discussions with Appomattox County and he will become certified to administer the plan.

12 – EMS Services

Mr. Gillespie has not really looked at this yet.

13 – Community Development Block Grant (CDBG)

Mr. Gillespie reported that he has identified an area to be considered in a study. The Town would qualify for the $25,000 grant however, he would like to look into a more comprehensive grant that would include housing, water and sewer, drainage and street infrastructure (sidewalks) but housing must be the initial component.

14 – Sewer Rate Increases

This item has been completed.

15 – Infrastructure

Mr. Elder is working on a capital improvement plan by identify the Town's current infrastructure.

16 – Economic Development

Mr. Gillespie encouraged Council to spend some time in this area. Mr. Bryan David will be talking with Council in the future about the CEDS program.

17 – Financial Policies

Council has adopted the Reserve Funds policy and the Undesignated Fund Balance.

18 – Cooperative Training

Mr. Gillespie has contacted the Virginia Technical Institute who indicated they would be interested in coming to Appomattox. VTI will contact the Appomattox County Public School system.

19 – Shuttle Service

Mr. Gillespie has spoken with USDA and they have a grant available for this project.

Committee Updates

Finance & Planning

Mr. McDearmon reported that the committee met on October 9, 2012 and received a request from Rev. Rusty Small, Liberty Baptist Church asking if the ice skating rink used for the Community of Candles could be left in the library parking lot for an extra week after the Community of Candles event.

The committee also heard a request from Ray Perkins, Appomattox Youth Association President regarding a donation of $50,000 for the youth park.

The committee also finalized the proposed zoning map, reviewed the June 2012 Financial Report and discussed the trickling filter plant closure project.

Physical Development Committee

Mr. Mayberry reported that the committee met today, October 23, 2012 and discussed the counter offer on the Boundary Line Adjustment and Sewer Project with Appomattox County. The committee also discussed alternatives to the sewer expansion/lines in town, the ribbon cutting ceremony at the new Public Works facilities and office renovations to enlarge the conference room and add a bathroom.

Staff Updates

Town Manager – Mr. Gillespie received a requested from the group handling the Train Excursion concerning a donation of the T-Shirts at the Gift Shop of the Visitor Center being donated to them.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to donate (at no cost) the T-Shirts from the Visitor Information Center Gift Shop to the Train Excursion committee members. All members present voting aye. Motion carried.

Additionally, the Appomattox Historical Society has asked if the Town would consider donating the remaining items to their organization for them to sell at their gift shop at the Clover Hill Village.

On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to donate (at no cost) the remaining items from the Visitor Information Center Gift Shop to the Appomattox Historical Society. All members present voting aye. Motion carried.

Mr. Gillespie also reported on the numerous complaints received regarding the Court Street Railroad Crossing. It is extremely rough.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to authorize the Mayor to sign and send a resolution to Norfolk and Southern requesting repairs to be made to the Court Street Railroad Crossing. All members present voting aye. Motion carried.

Treasurer – none

Clerk of Council – none

Council Concerns

Mrs. Spiggle reported that she has been contacted by several downtown business owners regarding some suggestions that appeared in the recent Appomattox County feasibility analysis. This was presented to the County Board of Supervisors by Dr. Ken Brunson and by Bill Slagle. The county paid Dr. Brunson $5000 for the feasibility study and almost $500.00 for various other expenses, including a 3 day trip to Williamsburg, VA.

In the study Dr. Brunson stated that a Welcome Center needs to be located by the highway so that it can be seen. This was a concern by many of her contituents. They do not want the Visitor Center moved. I want to let the citizens and business owners know that neither Council nor staff were involved in the study or ever consulted about it.

The welcome center is not the same as the Visitor Center that is owned and operated by the Town of Appomattox. She wants to assure everyone that the town has no plans of closing or moving our Visitor's Center.

Dr. Harvey stated that he believed Dr. Brunson was suggesting that a welcome center be added on Route 460 not closing or moving the Visitor's Center.

Ms. Spiggle stated that the constituents were confused.

Mr. Conner added that Dr. Brunson didn't say we should do anything – he was just stating the fact that a welcome center would be more beneficial on the highway.

Mr. McDearmon suggested that Council or staff look into silver lettering for the new Public Works Building.

On a motion by Mr. McDearmon, seconded by Mr. Conner, Council voted to authorize staff to look into individual letting for the new Public Works building. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene in a Closed Session pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the resignation of a specific public employee, specifically being Employee A.

VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye.

Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to accept the resignation of Employee A, effective November 9, 2012. All members present voting aye. Motion carried.

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

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Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Tuesday, November 13, 2012 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey, presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others Present: Gary Christie, Executive Director, Region 2000 Local Government Council; Bryan David, Executive Director, Region 2000 Economic Development Council; Barbara Shelton, Stephanie James, Chad Millner, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Rev. Carlton Duck led the invocation.

Rev. Carlton Duck also led the Pledge of Allegiance.

Scheduled Public Appearances:
Gary Christie – Region 2000 Local Government Council – Appeared before Council to give an update on projects within the Local Government Office. The office is made up of 6 different components sharing office space and administrative services, but each has independent boards and budgets. The Local Government Council has been around for about 40 years.

They provide planning and direct services, those things where local governments can come together to do things on a joint or regional process.
Items include such things as the Regional Landfill, Regional radio system, Planning, Economic Development, and Workforce Development.

Bryan David – Region 2000 Economic Development Council – Provided a synopsis of the last year's activities and progress with regards to the Center for Advanced Engineering Research, Economic Development Council, Technology Council, Young Professionals of Central Virginia, all non-profits of the partnership, Local Government Council and Workforce Investment Board.

With regards to Economic Development, your workforce is what will set you apart from other localities according to Mr. David.

The Council thanked them for coming and providing the information.

Carlton Duck – Alive Media TV
Rev. Duck gave council an update on the Tourism Video. Much of the filming is complete. The National Park, Museum of the Confederacy and Appomattox comprise the 4.5 minute new video. Items removed from the previous video include shops, eateries

and gift shops because it dates the video. He will be marketing the new video through Shentel cable services with 4 – 30 second ad spots on live channels.

Mayor's Comments:
Mayor Harvey thanked everyone who worked to make the Train Excursion a success.

Consent Agenda
On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adopt the consent agenda of November 13, 2012. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –
On a committee recommendation, Council voted to award the Sanitary Sewer Inflow & Infiltration Inspection project to Prism for $65,000.00 with a loan to the Sewer Fund from the General Fund through undesignated fund balance. All members present voting aye. Motion carried.

On a committee recommendation, Council voted to award the office renovation contract to Piney Ridge Construction Company for $13,706.00 with an appropriation from the General Fund Undesignated Fund Balance for $15,000.00.

Citizen Comment Period – none

Council Concerns –
Ms. Spiggle spoke of the successful train excursion. It was a fine example of entities working together.

Closed Session:
On a motion by Councilmember Mayberry, 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 for the purpose of Economic Development.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – 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 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye.

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

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Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

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Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others Present: Gary Christie, Executive Director, Region 2000 Local Government Council; Bryan David, Executive Director, Region 2000 Economic Development Council; Barbara Shelton, Stephanie James, Chad Millner, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

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Items include such things as the Regional Landfill, Regional radio system, Planning, Economic Development, and Workforce Development.

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With regards to Economic Development, your workforce is what will set you apart from other localities according to Mr. David.

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and gift shops because it dates the video. He will be marketing the new video through Shentel cable services with 4 – 30 second ad spots on live channels.

Mayor's Comments:
Mayor Harvey thanked everyone who worked to make the Train Excursion a success.

Consent Agenda
On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adopt the consent agenda of November 13, 2012. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –
On a committee recommendation, Council voted to award the Sanitary Sewer Inflow & Infiltration Inspection project to Prism for $65,000.00 with a loan to the Sewer Fund from the General Fund through undesignated fund balance. All members present voting aye. Motion carried.

On a committee recommendation, Council voted to award the office renovation contract to Piney Ridge Construction Company for $13,706.00 with an appropriation from the General Fund Undesignated Fund Balance for $15,000.00.

Citizen Comment Period – none

Council Concerns –
Ms. Spiggle spoke of the successful train excursion. It was a fine example of entities working together.

Closed Session:
On a motion by Councilmember Mayberry, 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 for the purpose of Economic Development.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – 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 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 9:105 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, November 27, 2012 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others present: Stephanie James (Times Virginian), Ben Cates (News & Advance), Carlton Duck, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to Workshop meeting of November 27, 2012 to order.

Mr. Gillespie provided an update of the Council's annual (3rd) retreat held on October 26, 2012. Council reviewed six (6) areas that they will prioritize projects within for the next 12 months and also 24 months. Staff will look at where funding is needed and what other resources are also needed, if any. The largest item needed is a capital improvement plan, particularly water and sewer needs, exclusively within the Town. Zoning, infrastructure and economic incentives all connect together to make a master plan.

There will more discussion at the December 10, 2012 Council meeting and the final document will be brought to Council for adoption at the January 14, 2013 Regular Council meeting.

Committee Updates
Finance & Planning

Mr. McDearmon reported that the committee met on November 13, 2012 and reviewed the revised zoning map, discussed participating in the Region 2000 Economic Development Committee, discussed water and sewer revenue projections. The committee also discussed the renovations in the conference room and bathroom at the Town Office. The treasurer provided the committee information on on-line bill pay. Other items discussed also included a request from the Appomattox Youth Association regarding a donation for the lighting project and items needed at the Train Depot.

Physical Development Committee

Mr. Mayberry reported that the committee met today, November 27, 2012 and a lot of the items discussed during the meeting were the items from the retreat that Mr. Gillespie touched on at the beginning of the workshop meeting. Mr. Mayberry commended the staff and Council for the items completed throughout the previous year.

Mr. Gillespie commended Council. Stating they were the easiest and most organized council he has ever worked with. Their willingness goes a long way in getting things done.

Staff Updates

Town Manager – The zoning map is all but complete and so is the ordinance. The clerk stated there are about 1100 property owners that will need to be notified. The process will take some time.

The public works building is complete and will begin transitioning service requests, public works needs all to that area in December 2012. The new phone system is working well.

The financial system (Logics) training is scheduled to begin in January 2013.

Treasurer – The FY 2012 field audit is complete.

Clerk of Council – Staff will be asking Council to cancel the December workshop during the December Regular Meeting. Offices will be closed December 24, 25, and 26, 2012.

Council Concerns

Mrs. Spiggle publicly thanked Rhonda Guill for all of her efforts for the Railroad Festival and train excursion.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:18 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, January 14, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey, presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others Present: Stephanie James, Chad Millner, Sam Carter, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Rev. Carlton Duck led the invocation.

Rev. Carlton Duck also led the Pledge of Allegiance.

Mayor's Comments:
Mayor Harvey wished everyone a Happy New Year. He also thanked Council and Town Staff for the peace lily sent to the house for the passing of his father, Clifford Harvey. All of the visits, phone calls, thoughts and prayers were much appreciated by him and his family.

Consent Agenda
On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adopt the consent agenda of January 14, 2013. All members present voting aye. Motion carried.

Unfinished Business
None

New Business
On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to amend the Travel Policy by increasing the mileage reimbursement rate from $0.555 to $0.565 retroactive to January 1, 2013. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Garrett, Council voted to adopt the 2013 Appomattox Town Council Meeting Schedule. All members present voting aye. Motion carried.

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

Resolution requesting repairs to Rail Crossing No. 467991R at Court Street – Town of Appomattox

WHEREAS, the vehicular crossing of the Norfolk/Southern Railway tracks located on Court Street (Crossing No. 467991R) in the Town of Appomattox has served the Town of Appomattox community for many years as the Town's primary access for one of its two primary traffic corridors, and

WHEREAS, this crossing has become extremely rough with pavement breaking up and the mechanically fastened crossing material becoming loose is proving to be a traffic hazard in addition to causing vehicular damage particularly passenger cars, and

WHEREAS, the Town of Appomattox depends on the Court Street corridor and particularly this crossing as a major thoroughfare for a large portion of its commercial and residential vehicular traffic; and

WHEREAS, the Town of Appomattox has received numerous complaints regarding the condition of this crossing coupled with requests that the crossing be repaired, and

WHEREAS, the Town Council has been petitioned by the business and residential community to request that Norfolk/Southern address the deteriorating condition of this crossing.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Appomattox, Virginia does hereby respectively request that Norfolk/Southern address the maintenance needs of the Court Street rail crossing No. 467991R in the Town of Appomattox.

All members present voting aye. Motion carried.

On a motion by Councilmember Puckette, seconded by Councilmember Garrett, Council voted to write off uncollected debts that have exceeded the statue of limitations, specifically $3297.94 (Personal Property taxes) and $24.15 (Real Estate taxes). All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to adopt the 2013 Priorities and Initiatives (attached) as presented. All members present voting aye. Motion carried.

Town Manager Report - none

Citizen Comment Period – none

Council Concerns – none

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 8:05 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, January 29, 2013 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others present: Jeff Elder, Stephanie James (Times Virginian), Carlton Duck, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to Workshop meeting to order.

Mr. Gillespie, Town Manager provided Council with an update on the Old Courthouse Road Corridor Study spearheaded by Johnnie Roark, Appomattox County with oversight by VDOT. The project is just beginning and will be conducted through the next few months. A final plan will be available near the end of April 2013. The study is being conducted through the Region 2000 Local Government Council. The corridor will extend to the National Park Service. The plan will take a long range approach to that area. There are also ordinances that Council can consider for traffic calming and enhancements of the area. The master plans are generally multi-year grant funded. The idea is to change the openness of that area to be more passive. There is also the possibility of turn lanes. Meetings with stakeholders and adjacent property owners will also be happening in the coming months.

Mr. Gillespie gave a power point presentation regarding the National League of Cities Water and Sewer warranty program. The Finance & Planning Committee and the Physical Development Committee has met and reviewed the information. The power point is for the benefit of the citizens. Council intends to consider the matter at the February 11, 2013 Regular Council meeting.

Mr. Elder, Utility Director discussed the meeting held with the International Standard Organization (ISO) who oversees and governs the writers of fire insurance in the area. Representatives from ISO, Timmy Garrett, Fire Chief, Bobby Wingfield, 911 Coordinator – Appomattox County Public Safety and Town Staff discussed fire ratings, water capabilities; volume of water the town was capable of pumping, the size of lines, number of fire hydrants & fire flow tests. In the coming weeks, staff will be conducting fire flow tests in 15-20 different areas of town.

The ISO records were being updated every 5 years and will now be every 5 months to 1 year. The ISO was pleased and impressed with the Appomattox Volunteer Fire Department including equipment and the volume of water they are capable of delivering. Due to capacity and growth it is unlikely the Town's fire rating would go down. ISO recommended sub-departments within the county as it might be a way to lower the rating.

Ms. Paulette, Clerk provided Council with an update on the Norfolk Southern repairs to the Court Street crossing. The repairs should take place within the next 90 days and will take 48-72 hours to complete.

Committee Updates

Finance & Planning
Mr. McDearmon reported that the committee met on January 11, 2013 and discussed the water and sewer warranty program offered by the National League of Cities. The committee also discussed Priorities and Initiatives, a street light on Sunrise Street and Patricia Anne Lane, Chicken Ordinance, water and sewer service on Plant Drive and Rose Lane and replacement of the ceiling grid and tiles in the Council Chambers. Staff will present prices to council for their consideration.

Physical Development Committee
Mr. Mayberry reported that the committee met tonight, January 29, 2013 and received a presentation by William Slagle, EDA Chairman. The committee also discussed the National League of Cities Water and Sewer Warranty program, update on Planning Commission member update, creating a chicken ordinance and parking in fire lanes.

The Physical Development Committee agreed not to present the proposal presented by the EDA to full council for consideration. In effect, the matter has failed in committee.

Staff was directed to craft a letter to the citizens of Appomattox in response to the resolution presented by the EDA for Appomattox County to be published in the Times Virginian newspaper.

Staff Updates
Clerk – None

Treasurer – The Logics software is live. New water bills will be going out this week. Hopefully, by the end of February 2013 all aspects will be up and running.

Town Manager - None

Council Concerns
Mrs. Puckette thanked Mr. Gillespie and staff for all you do.

Mr. Conner stated that he had been visiting other towns recently and their tax rates are a lot more than Appomattox.

Ms. Spiggle commented that all of our staff is excellent.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, January 29, 2013 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others present: Jeff Elder, Stephanie James (Times Virginian), Carlton Duck, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to Workshop meeting to order.

Mr. Gillespie, Town Manager provided Council with an update on the Old Courthouse Road Corridor Study spearheaded by Johnnie Roark, Appomattox County with oversight by VDOT. The project is just beginning and will be conducted through the next few months. A final plan will be available near the end of April 2013. The study is being conducted through the Region 2000 Local Government Council. The corridor will extend to the National Park Service. The plan will take a long range approach to that area. There are also ordinances that Council can consider for traffic calming and enhancements of the area. The master plans are generally multi-year grant funded. The idea is to change the openness of that area to be more passive. There is also the possibility of turn lanes. Meetings with stakeholders and adjacent property owners will also be happening in the coming months.

Mr. Gillespie gave a power point presentation regarding the National League of Cities Water and Sewer warranty program. The Finance & Planning Committee and the Physical Development Committee has met and reviewed the information. The power point is for the benefit of the citizens. Council intends to consider the matter at the February 11, 2013 Regular Council meeting.

Mr. Elder, Utility Director discussed the meeting held with the International Standard Organization (ISO) who oversees and governs the writers of fire insurance in the area. Representatives from ISO, Timmy Garrett, Fire Chief, Bobby Wingfield, 911 Coordinator – Appomattox County Public Safety and Town Staff discussed fire ratings, water capabilities, volume of water the town was capable of pumping.

<u>Committee Updates</u>
<u>Finance & Planning</u>

Mr. McDearmon reported that the committee met on November 13, 2012 and reviewed the revised zoning map, discussed participating in the Region 2000 Economic Development Committee, discussed water and sewer revenue projections. The committee also discussed the renovations in the conference room and bathroom at the

Town Office. The treasurer provided the committee information on on-line bill pay. Other items discussed also included a request from the Appomattox Youth Association regarding a donation for the lighting project and items needed at the Train Depot.

Physical Development Committee

Mr. Mayberry reported that the committee met today, November 27, 2012 and a lot of the items discussed during the meeting were the items from the retreat that Mr. Gillespie touched on at the beginning of the workshop meeting. Mr. Mayberry commended the staff and Council for the items completed throughout the previous year.

Mr. Gillespie commended Council. Stating they were the easiest and most organized council he has ever worked with. Their willingness goes a long way in getting things done.

Staff Updates

Town Manager – The zoning map is all but complete and so is the ordinance. The clerk stated there are about 1100 property owners that will need to be notified. The process will take some time.

The public works building is complete and will begin transitioning service requests, public works needs all to that area in December 2012. The new phone system is working well.

The financial system (Logics) training is scheduled to begin in January 2013.

Treasurer – The FY 2012 field audit is complete.

Clerk of Council – Staff will be asking Council to cancel the December workshop during the December Regular Meeting. Offices will be closed December 24, 25, and 26, 2012.

Council Concerns

Mrs. Spiggle publicly thanked Rhonda Guill for all of her efforts for the Railroad Festival and train excursion.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:18 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, CMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Regular Council Meeting on Monday, February 11, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor Harvey, presiding.

Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Absent: C. Lewis McDearmon, Jr.

Others Present: Ed McCann, Cory Hodges, Caleb Baker, Stephanie James (Times Virginian), Katrina Koerting (News & Advance), Philipp Gabathuler (Region 2000 Local Government Council), Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Rev. Carlton Duck led the prayer.

Rev. Carlton Duck also led the Pledge of Allegiance.

Scheduled Public Appearances: None

Mayor's Comments:
Mayor Harvey extended a thank you to all staff members on behalf of himself and council members.

Consent Agenda
On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adopt the consent agenda of February 11, 2013. All members present voting aye. Motion carried.

Unfinished Business
None

New Business

On a recommendation of the Finance & Planning Committee and Physical Development Committee, Council voted to authorize the Mayor to enter into an Agreement with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America (SLWA) on behalf of the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Garrett, Council voted to appoint the following members to the Appomattox Town Planning Commission. Marvin Mitchell, Roger Carson, Erin Finch, S. L. Ferguson, Jr., Claudia Puckette. All members present voting aye. Motion carried.

On a motion by Councilmember Puckette, seconded by Councilmember Conner, Council voted to adopt the following resolution:

Adoption of the Region 2000 Hazard Mitigation Plan

Whereas, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance, and

Whereas, the Region 2000 Project Management Team representing the Town of Appomattox, as well as the remaining 10 localities of Region 2000 were convened in order to study the Region's risks from and vulnerability to natural hazards, and to make recommendations on mitigating the efforts of such hazards on the Region; and

Whereas, the Project Management Team was provided staff support by Region 2000; and

Whereas, the efforts of the Project Management Team, the staff of Region 2000 as well as members of the public, private and nonprofit sectors, have resulted in the development of the Region 2000 Hazard Mitigation Plan.

Now, therefore, be it resolved by the Appomattox Town Council that the Region 2000 Hazard Mitigation Plan dated December 2012 is hereby approved and adopted for the Town of Appomattox.

Adopted by the Appomattox Town Council this 11th day of February 2013.
All members present voting aye. Motion carried.

Mayor Harvey presented the following FFA Proclamation:

NATIONAL FFA WEEK
FEBRUARY 16TH – 23RD, 2013

Whereas, FFA and agricultural education provide a strong foundation for the youth of America and the future of the food, fiber and natural resources systems; and

Whereas, FFA promotes premier leadership, personal growth and career success among its members; and

Whereas, agricultural education and FFA ensure a steady supply of young professionals to meet the growing demands in the science, business and technology of agriculture; and

Whereas, the FFA motto – "learning to do, doing to learn, earning to live, living to serve" – gives direction of purpose to these students who take an active role in succeeding in agricultural education; and

Whereas, FFA promotes citizenship, volunteerism, patriotism and cooperation.

Therefore, I do hereby designate the week of February 16 and 23, 2013 as FFA Week.

On a motion by Councilmember Spiggle, seconded by Councilmember Conner, Council voted to adopt the following resolution:

RESOLUTION TO DECLARE THE TOWN OF APPOMATTOX'S INTENT CONCERNING THE IMPLEMENTATION OF THE VIRGINIA STORMWATER MANAGEMENT REGULATIONS

WHEREAS, *the Commonwealth of Virginia updated the Virginia Stormwater Management Regulations during the 2012 General Assembly session to require every locality in Virginia to adopt a Virginia Stormwater Management Program (VSMP); and*

WHEREAS*, Virginia Stormwater Management Program (VSMP) means a program, approved by the Virginia Soil and Water Conservation Board, to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include items such as local ordinances, rules, permit requirements, annual standards, and specifications, policies and guidelines, technical materials, and requirements for plan review, inspections, enforcement, and evaluation consistent with the regulations; and*

WHEREAS, *towns are excluded from this requirement (VSMP), unless such town operates a regulated Municipal Separate Storm Sewer System (MS4); and*

WHEREAS, *the Town of Appomattox does not operate a regulated Municipal Separate Storm Sewer System (MS4), therefore not being required to develop its own program(VSMP); and*

WHEREAS, *towns are subject to the Virginia Stormwater Management Regulations and may adopt its own program (VSMP) or be subject to the county program (VSMP); and*

WHEREAS, *the County of Appomattox is currently developing a Virginia Stormwater Management Program (VSMP) in compliance with state law; and*

WHEREAS, *the County of Appomattox's Stormwater Management Program (VSMP) will take effect July 1, 2014; and*

WHEREAS, *the Town of Appomattox is a political subdivision operating within the County of Appomattox and seeks to work cooperatively with the County on stormwater management issues for the betterment of the community as a whole;*

NOW THEREFORE BE IT RESOLVED, *that the Town of Appomattox declares its intent to defer to the County of Appomattox's program and will rely on the County of Appomattox for administration, inspection and enforcement of the Virginia Stormwater Management Regulations.*

All members present voting aye. Motion carried.

Town Manager report included an update on the proposed Zoning Ordinance and Map. It is being prepared and will then undergo legal review before an anticipated public hearing of Spring 2013.

Citizen Comment Period – none

Council Concerns – none

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a Workshop meeting on Tuesday, February 26, 2013 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others present: Jeff Elder, Stephanie James (Times Virginian), Patricia Garrett, Katrina Koerting (News & Advance), Carlton Duck, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the workshop meeting to order.

Mr. Gillespie provided an updated of the Capital Improvement Plan. The Physical Development Committee reviewed the Capital Improvement Plan for the next 5 years.

Mr. Gillespie gave an update on the Inflow & Infiltration camera project. The project is being done in an effort to close the Trickling Filter Plant. Hopefully, the Town will be under construction for repairing the I&I next year and building the pump station the following year.

Council discussed the FY 2014 budget process, fixed asset policy and procurement ordinance.

Committee Updates

Finance & Planning
Mr. McDearmon reported that the committee discussed a possible livestock "chicken" ordinance. A consensus was not reached in committee.

Physical Development Committee
Mr. Mayberry reported that the committee met tonight and discussed the Capital Improvement Plan, Inflow & Infiltration project, Water and Sewer revenue projections and bids for the new pickup truck (Sewer).

Staff Updates
Clerk – None

Treasurer – The new software is transitioning well.

Town Manager - None

Council Concerns
None

Closed Session

On a motion by Councilmember Garrett, 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 the resignation of a specific public employee, specifically being Employee A.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye.

Motion carried.

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

_____ _____

Roxanne W. Paulette, MMC
Clerk of Council

Paul D. Harvey, Mayor

The Appomattox Town Council held a regular council meeting on Monday, March 11, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. "Steve" Conner and Claudia Puckette.

Absent: N. H. "Jimmy" Mayberry

Others: Bryan David, Region 2000 Economic Development Authority; Stephanie James, Times Virginian; Katina Koetring, News & Advance; Carlton Duck, Stacey Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Mayor Harvey led the Pledge of Allegiance.

Public Appearance –
Bryan David, Executive Director, Region 2000 Local Government Council – Appeared before Council to discuss a Retail Area Market Assessment of Appomattox. The assessment will be broken into three (3) different tasks. Mr. David explained that the Town would enter into a Memorandum of Understanding with the Region 2000 Economic Development Authority. Council provided a consensus to Mr. David to forward with preparing the MOU. Mr. David thanked Council for the opportunity to see what the intuitions believe.

Mr. Gillespie thanked Council for having the forethought to look at the County as a whole.

Carlton Duck, Alive Media TV – Appeared before Council to give an update on the tourism video and ad/commercial spots. Mrs. Puckette thanked Mr. Duck for time put in to this project. It is a great beginning for what we are trying to do in Appomattox.

Mayor's Comments – Mayor Harvey offered condolences for the family of N. H. "Jimmy" Mayberry who lost his sister and was unable to attend tonight's meeting.

Consent Agenda
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to approve the consent agenda of March 11, 2013 as presented. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a recommendation of the Physical Development Committee, Council voted to approve a $15,000 loan from the General Fund for the Sewer Inflow and Infiltration project. All members present voting aye. Motion carried.

On a recommendation of the Finance & Planning Committee, Council voted to accept the State Contract Bid of $23,214.03 for the purchase of a Ford F150, Extended Cab, Short Bed 4x4 truck with wiring harness and towing package. All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Mr. Conner, Council voted to declare the following surplus equipment:

- Sewer Equipment of America/Sewer Jetter – Serial Number 841650, unknown year/unknown hours, Motor serial number 5907
- 1990 Chevrolet Model Pickup – 135224.4 miles/1175.5 Hours – VIN # 1GCK24K2LE179813
- Woods Mower, unknown year/unknown hours, Serial number 29638, Model #RM306-3

All members present voting aye. Motion carried.

Council Concerns:
Mr. Conner – The Retail Area Market Assessment is about much more than Tourism.

Mr. Garrett – wanted to remind everyone that March 12, 2013 is Tornado Preparedness. The alarm will sound at 9:45 a.m.

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

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

Workshop Meeting
Tuesday, March 26, 2013

The Appomattox Town Council held a workshop meeting on Tuesday, March 26, 2013 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others: Katrina Koetring, News & Advance; Carlton & Brian, Alive Media TV; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager; and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mr. Gillespie provided a powerpoint presentation of the Old Courthouse Road Corridor Study.

Mr. Gillespie also provided an update on the Tourism Related Retail & Hospitality Market & Site Assessment project. Task 1 has been completed and Task 2 will begin soon.

Committee Reports –
Finance & Planning Committee – Mr. McDearmon reported that the committee discussed the proposal from Reid Engineering regarding the Inflow and Infiltration project, the Capital Improvement Plan and the plans for the 41st Annual Historic Appomattox Railroad Festival.

Physical Development Committee – Mr. Mayberry report that the committee met and discussed the FY 2014 budget, received a presentation from Sheriff Letterman regarding the different calls received in town vs. other areas of the county, and the Town's Water and Sewer Connection and Availability fees.

Staff Reports
Town Manager - no report.

Town Treasurer – no report.

Roxanne Paulette, Clerk of Council reminded Council of the Local Government Council Annual Dinner on April 18, 2013 at 6:00 p.m. The DMV Ribbon Cutting for the Mobile Unit will be April 18, 2013 at 10 a.m. The Town's Planning Commission will have an introductory/organizational meeting on Thursday, April 4, 2013 at 6:00 p.m.

Council Concerns
None

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

The Appomattox Town Council held a regular council meeting on Monday, April 8, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia Puckette.

Others: Rick Butler, S. L. Ferguson, Marvin Mitchell, Bryan David, Stephanie James, Katrina Koetring, Roger Carson, Barbara Shelton, Erin Finch, Jeff Elder, Carlton Duck, Stacey Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Rev. Carlton Duck led the Pledge of Allegiance.

Mr. Gillespie introduced and recognized the members of the Town Planning Commission – Marvin Mitchell - Chairman, Erin Finch – Vice-Chairman, S. L. Ferguson, Roger Carson and Claudia Puckette.

Public Hearing

Mayor Harvey opened the Public Hearing and stated the purpose:

> Appomattox Town Council and Town Planning Commission will conduct a public hearing on a proposed Ordinance of Vacation, pursuant to VA. CODE ANN. §15.2-2272 to vacate that the unopened portion of Lizzie Street identified as "Parcel 1" containing 0.106 acre, "Parcel 2" containing 0.050 acre and "Parcel 3" containing 0.055 acres, all as shown upon a plat of survey entitled "Boundary Line Adjustment Survey, 0.211 Acre, Surveyed for: Town of Appomattox, Source of Title: Town of Appomattox D.B. 24 P.184," made by Elizabeth R. Rosser, L.S., dated October 13, 2011, Divided December 9, 2011, and recorded in the clerk's office aforesaid at the Appomattox County Courthouse, which area remains an unopened street. The effect of such proposed vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:
>
> > Parcel 1 containing 0.106 acre, more or less, shall be added to T.M. No. 64A6-1-I-7A owned by Bonnie S. Cunningham;
> > Parcel 2 containing 0.050 acre, more or less, shall be added to T.M. No. 64A6-2-B owned by Jacqueline P. Hamlette and Troy Q. Coker;
> > Parcel 3 containing 0.055 acre, more or less, shall be added to T.M. No. 64A6-1-H-2 owned by Edward D. Austin, Jr. and Leslie C. Austin;

The Planning Commission will make its recommendation with respect thereto to the Appomattox Town Council for its consideration at its meeting to be held on May 13, 2013.

There were no public hearing comments regarding this item.

Mayor Harvey closed the hearing.

Scheduled Public Appearances –
Rick Butler, State Forester – Appomattox Town Tree Board
Rick Butler appeared before Council to announce that the Town of Appomattox is now designated a Tree City, USA by the Arbor Day Foundation.

The 2013 Arbor Day observance will be held on Friday, April 12 at 4:30 p.m. at the strip of property between Robinson Funeral Home and Ferguson Street.

On a motion by Mr. Mayberry, seconded by Mr. Garrett, Council voted to accept/present the 2013 Arbor Day proclamation to the Tree Board. All members present voting aye. Motion carried.

TOWN OF APPOMATTOX
ARBOR DAY PROCLAMATION

WHEREAS, *in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and*

WHEREAS, *this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and*

WHEREAS, *Arbor Day is now observed throughout the nation and the world, and*

WHEREAS, *trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and*

WHEREAS, *the Town of Appomattox has been designated a bird sanctuary and trees provide habitat for birds, and*

WHEREAS, *trees are a renewable resource giving us paper, wood for our homes, fuel for our fire and countless other wood products, and*

WHEREAS, *trees increase property values, enhance the economic vitality of business areas, and beautify communities, and*

WHEREAS, *trees, wherever planted, are a source of comfort, joy and inspiration.*

NOW, THEREFORE, *I, Paul Harvey, Mayor of the Town of Appomattox, do hereby recognize the 12th day of April, 2013 as our Fifth Annual Arbor Day celebration and I urge all*

citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, *I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.*

Bryan David, Executive Director, Region 2000 Economic Development Council
Bryan David, Executive Director, Region 2000 Economic Development Council appeared before Town Council to explain in detail the Tourism Related Retail and Hospitality Market and Site Assessment study/project.

He explained the agreement between Virginia's Region 2000 Partnership Economic Development Council (on the Town's behalf) and Peckham Guyton Albers & Viets, Inc.

On a motion by Councilmember Spiggle, seconded by Councilmember Garrett, Council voted to authorize the engagement of Region 2000 Partnership Economic Development Council to retain the professional consultant, Peckham, Guyton Albers and Viets, Inc., subject to a Memorandum of Understanding between Region 2000 Partnership Economic Development Council and the Town of Appomattox with language to be approved by the Town Manager and executed by the Mayor and further to approve the $44,500 and authorize the funds necessary to fund it from the undesignated general fund balance. All members present voting aye. Motion carried.

Mayor's Comments – Mayor Harvey thanked the Planning Commission members for their willingness to serve. Mayor Harvey also thanked Rick Butler, Roxanne Paulette and the members of the tree board for their work on obtaining the Tree City USA designation for the Town of Appomattox.

Consent Agenda
On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to approve the consent agenda of April 8, 2013 as presented. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Mr. Mayberry, seconded by Ms. Spiggle, Council voted to approve the FY 2014-2018 Capital Improvement Plan as presented. The CIP is subject to funding in an organized financial plan. All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to accept the proposal from Reid Engineering and approved payment from the existing operating budget. All members present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to cancel the May 28, 2013 Physical Development Committee meeting and Workshop meeting. All members present voting aye. Motion carried.

Staff Reports –
Mr. Gillespie reported that Norfolk Southern is scheduled to begin working to repair the Court Street crossing the week of May 13, 2013. VDOT will be working the approaches to the tracks.

Council Concerns:
Ms. Spiggle thanked Mr. Elder and Mrs. Garrett for their work on the Capital Improvement Plan.

Closed Session –
On a motion by Mr. Garrett, seconded by Mr. Mayberry, Council voted to convene in Closed Session pursuant to §2.2-3711 (A) 5 of the Code of Virginia, 1950, as amended for the purpose of discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, specifically being Business A.

Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried.

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

Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried.

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

_____ _____

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a workshop meeting on Tuesday, April 23, 2013 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Absent: C. Lewis McDearmon, Jr.

Others: Katrina Koetring, News & Advance; Carlton & Brian, Alive Media TV; Bill Gillespie, Town Manager; and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

There was a brief discussion concerning the green space at the Municipal Building. Council gave consensus to remove the large evergreen tree and then have the tree board look at the area.

Committee Reports –
Finance & Planning Committee has been working on the FY 2014 budget. The budget is set to be advertised on May 1. The general fund expenditures are down 3.7%, water fund down 9.5% and sewer fund rose 1.3% over last year.

The Physical Development Committee also met about the FY 2014 budget.

The FY 2014 Budget for the Town of Appomattox will be advertised next week.

Staff Reports
Town Manager - no report.

Town Treasurer – no report.

Roxanne Paulette, Clerk of Council reminded Council of the FFA Alumni invitation on April 25, 2013 from 6-8 pm at the ACHS Ag department for their open house. Also, on April 25, 2013 at 10:00 a.m. the ACPS will be touring the facilities with area delegates and senators.

Council Concerns
Ms. Spiggle wished Mr. McDearmon a speedy recovery.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 7:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, May 13, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia Puckette.

Absent: C. Lewis McDearmon, Jr.

Others: Johnny Roark, Stephanie James, Katrina Koetring, Carlton Duck, Stacey Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Rev. Carlton Duck led the Pledge of Allegiance.

Public Hearing Item #1
Mayor Harvey opened the Public Hearing and stated the purpose:

WATER AND SEWER CONNECTION & AVAILABILITY FEES
The purpose of the public hearing is to hear citizen comments for proposed changes to the Water and Sewer Policy User Charges (including Water and Sewer Rates), Connection and Availability Fees Administrative Policy with an effective date of July 1, 2013.

a) Proposed Water and Sewer Connection Fees:

Water
- *Standard ¾" water connection with water main located on same side of the road as the residents ~~$1,200.00~~ $1,500.00.*
- *1" Water Connection - $2,000.00*
- *Multi-Family/Unit - $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 4" residential connection with sewer main located on the same side of the as the residents ~~$1,900.00~~ $2,200.00.*
- *6" Sewer Connection - $2,600.00*
- *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.*

b) Proposed Water and Sewer Availability Fees:

	WATER	*SEWER*
Single Family Dwelling	*~~$1200.00~~*	*~~$1900.00~~*
¾" Water & 4" Sewer	*$2,500.00*	*$3,000.00*
1" Water & 6" Sewer	*$3,500.00*	*$5,000.00*

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq., with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950 as amended.

There were no public hearing comments regarding this item.

Mayor Harvey closed the hearing.

Public Hearing Item #2
Mayor Harvey opened the Public Hearing and stated the purpose:

The purpose of this public hearing will be to receive public comments concerning adoption by the Town Council of:

1. *To amend and reenact Chapter 175, Article III – Meals Tax by amending Sections 6 - 17 of the Code of the Town of Appomattox, Virginia, specifically noting §175-7 – Levy, There is hereby imposed and levied by the Town on each person a tax at the rate of ~~5%~~ **8%** on the amount paid for meals purchased from any food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not.*

Comments:
Mayor Harvey read into the record a letter received from Sheila Palamar, The Babcock House.

Mayor Harvey and Town Council.

As you know the state has increased sales tax to 5.03 % effective July 1, 2013
With a 3% increase in Meals and Lodging tax this would take our tax to 13.3 %. This will impact our local customers who already are having to think twice about going to dine out.
I understand the need for more money in the budget. With the cuts that were made to tourism, Lodging and Restaurants was impacted greatly. I feel like the small business are being targeted again.
I ask that you reconsider a 3% increase and try to look at the budget again perhaps with only a 1% increase at this time.
Thank You for your consideration in this matter.

Sheila Palamar
The Babcock House

Jessie Murdock, 318 Linden Street, Appomattox, Virginia –
At what point do we see taxation as having a limit? He urges Council not to raise taxes and thinks there are wiser ways to raise money.

Mayor Harvey closed the hearing.

Public Hearing Item #3
Mayor Harvey opened the Public Hearing and stated the purpose:

The purpose of this public hearing will be to receive public comments concerning adoption by the Town Council of:

1. *To amend and reenact Chapter 33, Procurement Policy by amending Section 3 of the Code of the Town of Appomattox, Virginia, specifically C – Limitations on spending authority and supporting provisions.*

There were no public comments regarding this item.

Mayor Harvey closed the hearing.

Public Hearing Item #4
Mayor Harvey opened the Public Hearing and stated the purpose:

The purpose of this public hearing will be to receive public comments concerning the following:

1. *Proposed FY 2014 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2014:*

GENERAL FUND EXPENDITURES	*1,518,700.00*
WATER FUND EXPENDITURES	*492,395.00*
SEWER FUND EXPENDITURES	*794,600.00*
TOTAL EXPENDITURES	*2,805,695.00*
GENERAL FUND REVENUE	*1,518,700.00*
WATER FUND REVENUE	*492,395.00*
SEWER FUND REVENUE	*794,600.00*
TOTAL REVENUE	*2,805,695.00*

There we no public comments regarding this item.

Mayor Harvey closed the hearing.

Scheduled Public Appearances –
Johnny Roark, Appomattox County Planner and a consultant company appeared before Council to provide three (3) alternatives to the gateway corridor along Old Courthouse Road. VDOT has been consulted throughout this process. A lot has been included in this document. They will be putting together a draft planning document. Council thanked them for coming and presenting this plan.

Mayor's Comments – Mayor Harvey stated his well wishes to Mr. McDearmon.

Consent Agenda
On a motion by Ms. Spiggle, seconded by Mr. Mayberry, Council voted to approve the consent agenda of May 13, 2013 with the addition of NB #2 – Consideration to accept the Boundary Line Adjustment area offered by the Appomattox County Board of Supervisors, specifically property identified on the eastbound and westbound sides of Route 460 (Richmond Highway) contiguous to the current corporate limits of the Town of Appomattox as identified on the attached map. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to accept the recommendation from the Town Planning Commission and adopt an ordinance of vacation for the unopened portion of Lizzie Street. All members present voting aye. Motion carried.

Ordinance of Vacation

[Unopened Portion of Lizzie Street connecting to the Ethel Street Extension]

***WHEREAS**, a plat entitled "Boundary Line Adjustment Survey", dated October 3, 2011, Divided December 9, 2011, by Elizabeth R. Rosser, was recorded in Plat Cabinet 1, Slide 182A, in the Clerk's Office of the Circuit Court of Appomattox County, Virginia (the "Original Plat");*

***WHEREAS**, the Original Plat showed certain portions of the premises set apart for streets, alleys, parking areas or other public uses which, by recordation of the plat were intended to be transferred in fee simple to the Town of Appomattox in accordance with Virginia Code Ann. Sec. 15.2-2265 or its predecessor statute;*

***WHEREAS**, among certain portions of the platted premises so intended to be transferred in fee simple to the Town of Appomattox was that certain property being identified as "Parcel 1" containing 0.106 acre, "Parcel 2" containing 0.050 acre and "Parcel 3" containing 0.055 acre, all as shown upon a plat of survey entitled "Boundary Line Adjustment Survey, 0.211 Acre, Surveyed for: Town of Appomattox, Source of Title: Town of Appomattox D.B. 24 P.184," made by Elizabeth R. Rosser, L.S., dated October 13, 2011, Divided December 9, 2011, and recorded in the clerk's office aforesaid at the Appomattox County Courthouse, which area remains an unopened street;*

***WHEREAS**, said street has never been opened, and there is no further need for the unopened street to be opened;*

***WHEREAS**, it is the desire of the Town of Appomattox, acting by and through its Town Council, to vacate that portion of the New Plat identified as Parcels 1, 2 and 3 by Ordinance of Vacation in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272;*

***WHEREAS**, the effect of such vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:*

Parcel 1 containing 0.106 acre, more or less, shall be added to T.M. No. 64A6-1-I-7A owned by Bonnie S. Cunningham;

Parcel 2 containing 0.050 acre, more or less, shall be added to T.M. No. 64A6-2-B owned by Jacqueline P. Hamlette and Troy Q. Coker;

Parcel 3 containing 0.055 acre, more or less, shall be added to T.M. No. 64A6-1-H-2 owned by Edward D. Austin, Jr. and Leslie C. Austin;

***NOW, THEREFORE, BE IT ORDAINED**, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272 that portion of the unopened section of Lizzie Street identified on the New Plat as "Parcel 1" containing 0.106 acre, "Parcel 2" containing 0.050 acre and "Parcel 3" containing 0.055 acres **shall be, and the same hereby is, vacated**, a public hearing thereon having been duly advertised in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2204;*

***BE IT FURTHER ORDAINED**, that a certified copy of this Ordinance of Vacation shall be recorded after the expiration of thirty (30) days from the date hereof, unless appealed to the Circuit Court for the County of Appomattox, Virginia, and thereafter if this Ordinance of Vacation is affirmed by said Court, in the Clerk's Office of the Circuit Court of Appomattox County, Virginia;*

***BE IT FURTHER ORDAINED**, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, the recordation of this Ordinance of Vacation as required in the preceding paragraph shall operate to destroy the force and effect of that portion of the Original Plat so described above and so vacated and to vest such title as the Town of Appomattox may possess free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:*

Parcel 1 containing 0.106 acre, more or less, shall be added to T.M. No. 64A6-1-I-7A owned by Bonnie S. Cunningham;

Parcel 2 containing 0.050 acre, more or less, shall be added to T.M. No. 64A6-2-B owned by Jacqueline P. Hamlette and Troy Q. Coker;

Parcel 3 containing 0.055 acre, more or less, shall be added to T.M. No. 64A6-1-H-2 owned by Edward D. Austin, Jr. and Leslie C. Austin;

The vote was: Aye: 5
Nay: 0
Absent: 1

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept the Boundary Line Adjustment area offered by the Appomattox County Board of Supervisors, specifically property identified on the East Bound and West Bound sides of Route. 460 contiguous to the current corporate limits of the Town of Appomattox as identified on the attached map. All members present voting aye. Motion carried.

Staff Reports –
Mr. Gillespie reported that Norfolk Southern is scheduled to begin working to repair the Court Street crossing the week of May 20-23, 2013.

Citizen Comments:
None

Council Concerns:
Ms. Puckette thanked Mr. Roark – this plan looks very nice.

On a motion by Mr. Mayberry, seconded by Mr. Garrett, Council voted to adjourn at 810 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette	Paul D. Harvey
Clerk	Mayor

The Appomattox Town Council held a regular council meeting on Monday, June 10, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia Puckette.

Others: Stephanie James, Katrina Koetring, Carlton Duck, Stacey Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Rev. Carlton Duck led the Pledge of Allegiance.

Scheduled Public Appearances –
None

Mayor's Comments –
None

Consent Agenda
On a motion by Mr. Mayberry, seconded by Mr. Conner, Council voted to approve the consent agenda of June 10, 2013 as presented. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Mr. McDearmon, seconded by Mr. Conner, Council voted to approve the following resolution amending the FY 2013 Operating Budget and carryover appropriations from FY 2012 to be spending during FY 2013. All members present voting aye. Motion carried.

FY 2013 Budget Amendment

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2012-2013 Operating Budget of the General Fund, Water Fund, and Sewer Fund to carryover appropriations from FY 2012 to be spent during FY 2013 for the retirement of debt and completion of the public works building as follows:

Water Fund Expenditures	
Equipment Lease VRA	*$ 53,677*
Net Increase in Budget	*$ 53,677*
Water Fund Revenues	
Use of Unassigned Fund Balance	*$ 53,677*
Net Increase in Budget	*$ 53,677*
Sewer Fund Expenditures	
Equipment Lease VRA	*$ 33,548*
Net Increase in Budget	*$ 33,548*
Sewer Fund Revenues	
Use of Unassigned Fund Balance	*$ 33,548*
Net Increase in Budget	*$33,548*
General Fund Expenditures	
Equipment Lease VRA	*$ 80,516*
Property Maintenance and Construction	*$251,308*
Net Increase in Budget	*$331,824*
General Fund Revenues	
General Fund – Use of Unassigned Fund Balance	*$331,824*
Net Increase in Budget	*$331,824*

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt an Appropriations Resolution adopting the FY 2014 Budget for the Town of Appomattox. All members present voting aye. Motion carried.

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2013-2014 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 2013-2014 Budget was published on May 1, 2013 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 13, 2013;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 10, 2013, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2013-2014;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	*38,320.*
Administrative Department	*271,231.*
Professional	*45,000.*
Police Department	*46,932.*
Tourism Department	*75,060.*
Fire Department	*30,000.*
Public Works Department	*460,411.*
Sanitation Department	*94,000.*
Property Maintenance & Construction	*395,746.*
Town Shop	*13,250.*
Donation/Contributions	*4,500.*
Zoning	*22,000.*
Town Office	*22,250.*
TOTAL GENERAL FUND EXPENSES	***1,518,700.***

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.13 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 $.13 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 situsedwithin the Town commencing January 1, 2013, 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 60% tax relief;*
- *Personal use vehicles valued at $20,001 or more shall only receive 60% 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.*

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2013-2014;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	*175,000.*
Current Taxes – Personal Property	*100,000.*
Delinquent Taxes	*10,000.*
Penalties & Interest	*1,500.*
Bank Stock Tax	*130,000.*
Meals Tax	*736,000.*
Lodging Tax	*30,000.*
Franchise Tax	*5,700.*
Consumption Tax	*7,000.*
Vehicle License Tax	*23,000.*
Business License	*160,000.*
Zoning	*2,000.*
Interest	*12,000.*
Rental of Misc. Property	*5,000.*
Motor Vehicle Tax	*3,000.*
Sales Tax	*60,000.*
Aid to Police Department (HB599)	*42,000.*
Fire Programs	*8,000.*
Miscellaneous	*3,000.*
Tourism Grant	*5,000.*

Other Reimbursable	*500.*
TOTAL GENERAL FUND REVENUES	***1,518,700.***

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2013-2014;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	*492,395.*
TOTAL WATER EXPENDITURES	***492,395.***

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2013-2014;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	*340,000.*
Connection Fees	*3,000.*
Penalty Fees	*15,000.*
Availability Fees	*5,000.*
Reconnect Fees	*7,000.*
County Water Line Maintenance	*36,000.*
Miscellaneous	*300.*
Interest	*4,000.*
Rental of Misc. Property	*80,000.*
Use of Beginning Balance - CD	*2,095.*
TOTAL WATER REVENUES	***492,395.***

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2013-2014;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	*794,600.*
TOTAL SEWER EXPENDITURES	***794,600.***

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2013-2014;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	*705,800.*
Connection Fees	*2,500.*
Availability Fees	*2,500.*
County Reimbursement SBR & IDA PS	*77,000.*
Park Service Maintenance	*1,800.*
Interest	*5,000.*
TOTAL SEWER REVENUES	***794,600.***

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2013-2014 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 2013-2014 is hereby adopted, effective July 1, 2013 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 10th day of June, 2013.

Attest:

_____ _____

Roxanne W. Paulette, Town Clerk *Paul D. Harvey, Mayor*

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the resolution establishing a water and sewer policy for Fiscal Year 2013 – 2014. All members present voting aye. Motion carried.

A RESOLUTION ESTABLISHING A WATER AND SEWER POLICY FOR FISCAL YEAR 2013-2014

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 2013-2014 is 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 2013-2014, the fee listed in the lawfully adopted regulation, resolution or ordinance of the Town of Appomattox for the Fiscal Year 2013-2014 shall apply:

a) Proposed Water and Sewer Connection Fees:

Water

- *Standard ¾" water connection with water main located on same side of the road as the residents ~~$1,200.00~~ $1,500.00.*
- *1" Water Connection - $2,000.00*
- *Multi-Family/Unit - $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 4" residential connection with sewer main located on the same side of the as the residents ~~$1,900.00~~ $2,200.00.*
- *6" Sewer Connection - $2,600.00*
- *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.*

b) Proposed Water and Sewer Availability Fees:

	WATER	*SEWER*
Single Family Dwelling	*~~$1200.00~~*	*~~$1900.00~~*
¾" Water & 4" Sewer	*$2,500.00*	*$3,000.00*
1" Water & 6" Sewer	*$3,500.00*	*$5,000.00*

BE IT RESOLVED, by the Town Council of Appomattox, Virginia that the Water and Sewer Policy listing for 2013-2014 is hereby adopted, effective July 1, 2013 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 10th day of June 2013.

_____

Roxanne W. Paulette, MMC, Town Clerk

On a motion by Mr. Mayberry, seconded by Ms. Spiggle, Council voted to amend and reeanact the Code of the Town of Appomattox, Chapter 33, Procurement Policy by amending §33-3. All members present voting aye. Motion carried.

AN ORDINANCE TO AMEND AND REENACT the Code of the Town of Appomattox, Chapter 33, PROCUREMENT POLICY by amending §33-3.

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

Section 1. Chapter 33, Section 3 shall be amended and reenacted as follows:

Chapter 33. PROCUREMENT POLICY

[HISTORY: Adopted by the Town Council of the Town of Appomattox 3-23-1998; amended in its entirety 12-8-2008. Subsequent amendments noted where applicable.]

§ 33-1. Intent.

A. The purpose of this document is to promulgate the policies of the Town of Appomattox pertaining to procurement of goods and services. This policy will ensure conformance with the public procurement provisions of the Code of Virginia. State law reference: Code of Virginia, Title 2.2, Ch. 43.

B. The end that the Town obtain high quality goods and services at a reasonable cost, that all procurement procedures be conducted in a fair and impartial manner with avoidance of any impropriety, that all qualified vendors have access to Town business and that no offerer be arbitrarily or capriciously excluded, it is the intent of the Appomattox Town Council that competition be sought to the maximum practical degree, that the rules governing contract award be made clear in advance of the competition, that specifications reflect the needs of the Town rather than being drawn to favor a particular vendor, and that the Town and vendor freely exchange information concerning what is to be procured and what is offered.

C. This policy is intended to supersede and override any earlier purchase or spending policy adopted by the Appomattox Town Council.

§ 33-2. General.

A. The Town Manager is designated as the Purchasing Agent for the Town of Appomattox and as such it shall be the Purchasing Agent's responsibility to ensure that the provisions of this policy are followed.

B. The provisions of Chapter 43 of Title 2.2 of the Code of Virginia, 1950, as amended, otherwise known as the Virginia Public Procurement Act, are hereby incorporated by reference and shall apply to purchases over $30,000 made by the Town of Appomattox as the context indicates.

C. The value of a purchase is defined as the total obligation of the Town of Appomattox to a vendor as represented by a single invoice or series of related invoices in a given calendar month, except for utility services or contracts existing as of the date of passage of this policy, in return for goods or services.

§ 33-3. Additional methods of procurement.

A. Generally. Due to the need for expediency in allowing for the efficient administration of the Town's operations, it is recognized that procedures and methods employed in the procurement of higher valued goods and services are not appropriate for the purchase of lower valued items. Therefore, separate rules for the procurement of items expected to cost $30,000 or less are hereby established as indicated by the preceding section of this policy (Reference: § 2.2-4303 of the Code of Virginia). Where different categories of purchases are established, the least restrictive may apply.

B. Emergency purchases. Emergency purchases are exempt from the requirements of this section and require no prior Council approval. However, the Purchasing Agent shall attempt to report an emergency purchase to the Mayor and a member of the Town Council before making the purchase. If such report is not reasonably practical, the Purchasing Agent shall notify the Mayor and a member of the Town Council no later than 24 hours after occurrence of the emergency. An "emergency purchase" is defined as a purchase of goods or services required by a sudden occurrence rendering a part of the water and sewer utility system inoperable or creating another immediate safety hazard or immediate risk of significant damage to Town property that did not previously exist.

C. Limitations on spending authority and supporting provisions.

(1) Less than $10,000. The Purchasing Agent is authorized to purchase needed items and services with a price of less than $10,000 without prior approval after taking reasonable steps to ensure competitive pricing given the nature of the item.

(2) Between $10,000 and $20,000. The Purchasing Agent, with the prior written approval of the Mayor and one Council member or two Council members are authorized to purchase needed items and services with a price between $10,000 and $20,000, 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) Twenty 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 $20,000 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.*

§ 33-4. Preference for locally produced goods and services.

In the case of a tie, bid preference shall be given to given to goods, services, and construction produced by firms and/or citizens of the following jurisdictions in the following order:

A. Town of Appomattox.

B. County of Appomattox.

Section 2. This section shall become effective on June 10, 2013.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to amend and reenact the Code of the Town of Appomattox, Chapter 175, Article III – Meals Tax by amending §175-6 through §175-17. Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – no. Motion carried 5-1.

AN ORDINANCE TO AMEND AND REENACT the Code of the Town of Appomattox, Chapter 175, ARTICLE III – MEALS TAX by amending §175-6 through §175-17.

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

Section 1. Chapter 175, Article III, Sections 6-17 shall be amended and reenacted as follows:

Article III. Meals Tax

State law reference: Authority for municipal meals tax, Code of Virginia, § 58.1-3840.
[Adopted 8-28-2000 (Ch. 62, Art. IV of the 1994 Code)]

§ 175-6. Definitions.

*Editor's Note: Definitions generally, see Ch. **1**, Art. I. The following words and phrases, when used in this article, shall have, for the purposes of this article, the following respective meanings except where the context clearly indicates a different meaning:*

CATER

The furnishing of food, beverages, or both, on the premises of another, for compensation.

COLLECTOR

The Treasurer or designee.

FOOD

All food, beverages, or both, including alcoholic beverages, purchased in or from a food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not, and without regard to the manner, time or place of service.

FOOD ESTABLISHMENT

Any place in or from which food or food products are prepared, packaged, sold or distributed in the Town, including but not limited to, any restaurant, dining room, grill, coffee shop, cafeteria, cafe, snack bar, lunch counter, convenience store, movie theater, delicatessen, confectionery, bakery, eating house, eatery, drugstore, ice cream/yogurt shops, lunch wagon or truck, pushcart or other mobile facility from which food is sold, public or private club, resort, bar, lounge, or other similar establishment, public or private, and shall include private property outside of and contiguous to a building or structure operated as a food

establishment at which food or food products are sold for immediate consumption.

MEAL

Any prepared food or drink offered or held out for sale by a food establishment for the purpose of being consumed by any person to satisfy the appetite and is ready for immediate consumption. All such food and beverage, unless otherwise specifically exempted or excluded herein, shall be included, whether intended to be consumed on the seller's premises or elsewhere, whether designed as breakfast, lunch, snack, dinner, supper or by some other name, and without regard to the manner, time or place of service.

TREASURER

The Treasurer and any duly designated deputies, assistants, inspector or other employees.

§ 175-7. Levy.

State law reference: Retail sales and use tax, Code of Virginia, § 58.1-600 et seq. *There is hereby imposed and levied by the Town on each person a tax at the rate of ~~5%~~ **8%** ~~in~~ on the amount paid for meals purchased from any food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not.*

§ 175-8. Collection of tax by seller.

State law reference: Retail sales and use tax, Code of Virginia, § 58.1-600 et seq. *Every person receiving any payment for food with respect to which a tax is levied hereunder shall collect and remit the amount of the tax imposed by this article from the person on whom the same is levied or from the person paying for such food at the time payment for such food is made; provided, however, no blind person operating a vending stand or other business enterprise under the jurisdiction of the Department for the Blind and Vision Impaired and located on property acquired and used by the United States for any military or naval purpose shall be required to collect or remit such taxes. All tax collections shall be deemed to be held in trust for the Town.*

§ 175-9. Compensation of the seller.

For the purpose of compensating sellers for the collection of the tax imposed by this article, every seller shall be allowed 3% of the amount of the tax due and accounted for, in the form of a deduction on such seller's monthly return; provided that the amount due is not delinquent at the time of payment.

§ 175-10. Exemptions; limits on application.

A. The tax imposed under this article shall not be levied on the following items when served exclusively for off-premises consumption:

(1) Factory-prepackaged donuts, ice cream, crackers, nabs, chips, cookies, candy, gum and nuts and other items of essentially the same nature.

(2) Food sold in bulk: for the purposes of this provision, a bulk sale shall mean the sale of any item that would exceed the normal, customary and usual portion sold for on-premises consumption (e.g., a whole cake, a gallon of ice cream); a bulk sale shall not include any food or beverage that is catered or delivered by a food establishment for off-premises consumption.

(3) Alcoholic and nonalcoholic beverages sold in factory sealed containers.

(4) Any food or food product purchased with food coupons issued by the United States Department of Agriculture under the food stamp program or drafts issued through the Virginia Special Supplemental Food Program for Women, Infants, and Children.

(5) Any food or food product purchased for home consumption as defined in the Federal Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended except hot food or hot food products ready for immediate consumption. For the purposes of administering the tax levied hereunder, the following items whether or not purchased for immediate consumption are excluded from the said definition of food in the Federal Food Stamp Act: sandwiches, salad bar items sold from a salad bar, prepackaged single-serving salads consisting primarily of an assortment of vegetables, and nonfactory sealed beverages. This subsection shall not affect provisions set forth in Subsection C (3), (4) and (5) hereinbelow.

B. A grocery store, supermarket or convenience store shall not be subject to the tax except for any portion or section therein designated as a delicatessen or designated for the sale of prepared food and beverages.

C. The tax imposed hereunder shall not be levied on the following purchases of food and beverages:

(1) Food and beverages furnished by food establishments to employees as part of their compensation when no charge is made to the employee.

(2) Food and beverages sold by day-care centers, public or private elementary or secondary schools or any college or university to their students or employees.

(3) Food and beverages for use or consumption and which are paid for directly by the Commonwealth, any political subdivision of the Commonwealth or the United States.

(4) Food and beverages furnished by a hospital, medical clinic, convalescent home, nursing home, home for the aged, infirm, handicapped, battered women, narcotic addicts or alcoholics, or other extended care facility to patients or residents thereof and the spouses and children of such persons.

(5) Food and beverages provided by a public or private nonprofit charitable organization or establishment to elderly, infirm, blind, handicapped or needy persons in their homes, or at central locations.

(6) Food and beverages provided by private establishments that contract with the appropriate agency of the Commonwealth to offer food, food products, or beverages for immediate consumption at concession prices to elderly, infirm, blind, handicapped or needy persons in their homes or at central locations.

(7) Food and beverages sold by volunteer fire departments and rescue squads; nonprofit churches or other religious bodies; educational, charitable, fraternal, or benevolent organization, on an occasional basis, not exceeding three times per calendar year as a fundraising activity, the gross proceeds of which are to be used by such church, religious body or organization exclusively for nonprofit educational, charitable, benevolent or religious purposes.

(8) Food and beverages served by churches for their members as a regular part of their religious observances.

(9) Food and beverages served by age-restricted apartment complexes or residences with restaurants, not open to the public, where meals are served and fees are charges for such food and beverages and are included in rental fees.

(10) Food and beverages sold through vending machines.

§ 175-11. Gratuities and service charges.

The tax imposed by this article shall not be levied on (i) that portion of the amount paid by the purchaser as a discretionary gratuity in addition to the sale price of the meal, and (ii) that portion of the amount paid by the purchaser as a mandatory gratuity or service charge added by the food establishment in addition to the sales price of the meal, but only to the extent that such mandatory gratuity or service charge does not exceed 20% of the sales price.

§ 175-12. Report of taxes collected; remittance; preservation of records.

State law reference: Penalties and interest on delinquent taxes, Code of Virginia, § 58.1-3916.
*Editor's Note: Amended at time of adoption of Code (see Ch. **1**, General Provisions, Art. III).*

A. It shall be the duty of every seller required by this article to pay to the Town the taxes imposed by this article to register with the Treasurer providing such information as the Treasurer may prescribe.

B. Every seller required by this article to pay to the Town the taxes imposed by this article shall file a report with the Treasurer within 20 days after the last day of each calendar month on forms prescribed by the Treasurer, signed by such person, reporting all purchases taxable under this article, the amount charged the purchaser for each such purchase, the date thereof, the taxes

collected thereon and the amount of tax required to be collected by this article. Each such report shall be accompanied by a remittance of the amount of the taxes due thereon for the preceding month.

C. Such records shall be kept and preserved for a period of five years. The Treasurer shall have the power to examine such records at reasonable times and without unreasonable interference with the business of such person, for the purpose of administering and enforcing the provisions of this article, and to make transcripts of all or any parts thereof. In such administration and enforcement, the Treasurer shall also have the powers set forth in § 175-16.

§ 175-13. Interest and penalties for failure to file a report or make remittances.

*Editor's Note: Amended at time of adoption of Code (see Ch. **1**, General Provisions, Art. III).*
A. When any seller shall fail to make any report or remit the tax required by this article, there shall be imposed, in addition to any other penalties provided in this section, a specific penalty to be added to the tax in the amount of 10%; provided, however, that in no case shall the penalty be less than $10, and such minimum penalties shall apply whether or not any tax is due for the period for which the report was required.

B. Interest shall accrue at the rate of 10% per annum which shall be computed on the taxes and penalty commencing 30 days from the date the report or remittance is due.

§ 175-14. Obligations upon going out of business.

*Editor's Note: Added at time of adoption of Code (see Ch. **1**, General Provisions, Art. III).*
Whenever any person required to collect and pay to the Town a tax under this article shall cease to operate or otherwise dispose of his or her business, any tax payable to the Town shall become immediately due and payable through such date, and the person shall make a report and remittance thereof within 10 days of such date.

§ 175-15. Civil warrant for collection of delinquent tax.

*Editor's Note: Added at time of adoption of Code (see Ch. **1**, General Provisions, Art. III).* *The Treasurer is authorized, when any tax becomes delinquent under this article, to cause a civil warrant to be issued for the collection of the tax, penalty and interest as soon as the tax becomes delinquent against the seller or person liable for payment of the tax.*

§ 175-16. Promulgation of article regulations.

*Editor's Note: Added at time of adoption of Code (see Ch. **1**, General Provisions, Art. III).*

A. The Town Treasurer shall monitor and oversee the accuracy, timeliness and completeness of the filing of reports and payment of taxes levied under this article. The Town Treasurer shall adopt and promulgate such rules and regulations and such forms not inconsistent with the provisions of this article as deemed necessary for the effective administration of this article.

B. In administering the provisions of this article, the Town Treasurer may give any seller 10 days' notice to appear before the Town Treasurer, with such books, records and papers as the Town Treasurer may require relating to the seller's business for the taxable period in question. The Town Treasurer may require that such seller or its agents and employees give testimony or answer interrogatories under oath administered by the Town Treasurer respecting the meals provided and the revenues therefrom which are or may be subject to the tax imposed hereby, or the failure to make a report thereof as provided in this article.

§ 175-17. Violations and penalties.

*Editor's Note: Added at time of adoption of Code (see Ch. **1**, General Provisions, Art. III).*

A. Any person willfully failing or refusing to file a return as required under this article or to comply with any other provision of this article shall, upon conviction, be guilty of a class 1 misdemeanor.

B. Except as provided in Subsection A of this section, any corporate, partnership or limited liability company officer, as defined in Code of Virginia, § 58.1-3906, or any other person required to collect, account for, or pay over the meals tax imposed under this article, who willfully fails to collect or truthfully account for or pay over such tax, or who willfully evades or attempts to evade such tax or payment thereof, shall, in addition to any other penalties provided by law, be guilty of a class 1 misdemeanor.

C. Each violation of or failure to comply with this article shall constitute a separate offense. Conviction of any such violation shall not relieve any person from the payment, collection or remittance of the tax as provided in this article.

Section 2. This section shall become effective on July 1, 2013.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to approve a Resolution compensating the member of the Town Planning Commission. All members present voting aye. Motion carried.

RESOLUTION

WHEREAS, the Appomattox Town Council desires to compensate the members of the Appomattox Planning Commission for their service to the Town and its citizens, and

WHEREAS, the Appomattox Town Council sets the compensation rate at $50.00 (Fifty dollars) for each meeting attended, and

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council authorizes this action to begin on July 1, 2013.

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to approve a Resolution of Support for the Old Courthouse Road Corridor Study. All members present voting aye. Motion carried.

RESOLUTION TO ADOPT THE OLD COURTHOUSE ROAD CORRIDOR MANAGEMENT STUDY AS PART OF THE TOWN OF APPOMATTOX LONG-RANGE GOALS AND OBJECTIVES

Whereas, *the Town wants to provide for the effective and efficient movement of people and goods; and*

Whereas, *the Town wants to develop primary roads, secondary roads, and highways which meet the minimum standards for traffic volume and safety; and*

Whereas, *the Old Courthouse Road Corridor Management Study examined approximately 1.1 miles of Route 24 from the Appomattox Courthouse National Park limits to the intersection of Confederate Boulevard; and*

Whereas, *the Study was performed to identify existing transportation concerns and recommendations based on existing roadway operations and geometrics, examine current and future land uses for this segment of roadway, and create a multi-modal, pedestrian friendly connection between points of interest; and*

Whereas, *the Study recommends gateways on each end of the corridor with streetscaping and green space at certain nodes of commercial activity; and*

Whereas, *the Town Council has carefully considered the public record, the public testimony, and the recommendation of the planning team; including Region 2000 Local Government Council, Appomattox County Planning Staff, and the consultant team of EPR and Placeworks Collaborative;*

Now, Therefore Be It Resolved, *by the Town Council of Appomattox on this 10th day of June, 2013, that the Old Courthouse Road Corridor Management Study be adopted and it hereby is incorporated into the long-range planning activities of the Town.*

Voting YES: Garrett, McDearmon, Spiggle, Mayberry, Conner, Puckette
Voting NO: None

Staff Reports –
Town Manager – none

Town Treasurer – none

Town Clerk – none

Citizen Comments:
None

Council Concerns:
Ms. Puckette stated that she is hearing zoning concerns since Liberty Baptist Church has purchased the former Mr. and Mrs. Babcock's home on Lee Grant Avenue. Mr. Conner and Ms. Spiggle suggested those with concerns contact the Appomattox Foundation and maybe they would be interested in purchasing the historic homes.

Mayor Harvey publicly addressed and thanked the Norfolk Southern Railroad for repairing the Court Street crossing.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adjourn at 7:55 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, July 8, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. "Steve" Conner.

Absent: N. H. "Jimmy" Mayberry and Claudia Puckette.

Others: Katrina Koetring, Carlton Duck, Stephanie James, Bryan David, Gary Christie, Stacey Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Carlton Duck delivered the invocation.

Rev. Carlton Duck led the Pledge of Allegiance.

Scheduled Public Appearances –
Bryan David, Executive Director, Region 2000 Economic Development Partnership appeared before Council to discuss the Retail Marketing Site Assessment Study. It is currently in "desktop collection" right now. He is working with Mark Courtney, Lynchburg Airport; Bob White, Region 2000 is gathering VDOT information and traffic count and Beckie Nix, Lynchburg Regional Convention and Visitors Bureau. Mr. David also reported the consulting firm Peckham Guyton Alberts & Viets, Inc. will be coming in August 2013 to tour Appomattox, collect additional material and visit with local officials.

Mr. David also discussed the proposed Lynchburg Civic Center Complex. Liberty University would be a tenant not an owner of the property. LU is underwriting 100% of the consulting costs, CBL is the owner of the mall and EPR, Inc. and Walker Parking Consultants have been retained to conduct traffic and parking analysis.

Mr. Gary Christie, Executive Director, Region 2000 Local Government Council presented the Town Council with the Local Government Council Annual Report – FY 2013, particularly the services to Appomattox County and Town.

Mayor's Comments –
Mayor Harvey thanked staff and all employees for the accomplished during FY 2013.

Consent Agenda
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to approve the consent agenda of July 8, 2013 as presented with the addition of NB #3 – Committee recommendation to provide the $6,000 stipend to the Sheriff through an updated agreement. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to accept the 2013 Slate of Officers for the Historic Appomattox Railroad Festival.
Charles & Debbie Garrett – Co-Chairmen
Paul Harvey – Vice-Chairman
Stacey Wilkes – Secretary/Treasurer
All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to write off uncollected debts that have exceeded the statue of limitations. (Copy attached) All members present voting aye. Motion carried.

On a recommendation by the Finance & Planning Committee, Council voted to include a $6000.00 stipend into the Police Agreement for FY 2014. All members present voting aye. Motion carried.

Staff Reports –
Town Manager – none

Town Treasurer – none

Town Clerk – none

Citizen Comments:
None

Council Concerns:
Reminders:
Public Hearing Zoning – July 11, 2013 at 7:00 p.m. at the Appomattox County Board of Supervisors meeting room, Price Lane, Appomattox, Virginia.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

Joint Public Hearing
Appomattox Town Council & Planning Commission
July 11, 2013

The Appomattox Town Council and Appomattox Town Planning Commission held a Joint Public Hearing on Thursday, July 11, 2013 at 7:00 p.m. at the Appomattox County Board of Supervisor's Meeting Room, 171 Price Lane, Appomattox, Virginia. The public hearing was followed by a question and answer session at 5:00 p.m. and then a presentation of the proposed Zoning Ordinance and Zoning Map at 6:00 p.m. Mr. C. William Gillespie, Jr., Interim Town Manager/Zoning Administrator provided the presentation.

Town Council Members present: C. L. McDearmon, Jr., Steven T. Conner, Timothy W. Garrett, Mary Lou Spiggle, Claudia Puckette, N. H. "Jimmy" Mayberry. Absent – Mayor Paul D. Harvey

Planning Commission Members present: Marvin Mitchell, S. L. Ferguson, Roger Carson. Absent – Erin Finch.

Others present: C. William Gillespie, Town Manager, Roxanne Paulette, Clerk of Council, Marsha Ryan, Brod Pack, Sylvia Pack, Fred Kruschwitz, Gary Gilliam, Phillip Jamerson, Steve Lawson, K. Horn, Debbie Baine, Bryan Baine, Jack Caldwell, John Canada, Tim Sturgeon, Barry & Diane Morris, Wayne & Peggy Simpson, Carolyn Dolan, Brian Robertson.

N. H. "Jimmy" Mayberry, Vice-Mayor called the Town Council to order.

Marvin Mitchell, Chairman called the Planning Commission to order.

Mr. Gillespie previously (during the 6:00 p.m. presentation) provided the following purpose for the public hearing:

This has been the most comprehensive review of the Zoning Ordinance since 1969 when the ordinance was first enacted. The Appomattox Town Council has been redrafting the ordinance for well over 18 months.

There are a number of reasons why the council decided to view the map and ordinance and they include several areas of the town that are "spot" zoned, public property was not identified, there was interest in creating a single family/village home residential areas and taking a closer look at business districts by creating B-2 more intensive use.

The Special Use Process was reviewed by the Town Attorney and changes to the language were suggested so that it flows better.

There are a number of things that did not change – such as R-1 and R-3 have the same square footage as before, Court Street is less business intense to flow closer to the Main Street area, Confederate Blvd (B-2) is more intense business, MHP-1 is the same.

The floor was opened for comments:

<u>Gary Gilliam – 291 Turkey Road</u>
My name is Gary Gilliam; I reside at 291 Turkey Road, which is just outside the town limits. I do appreciate the opportunity to share some thoughts with you this evening. For all of us, in Appomattox

County, the Town of Appomattox itself is a central hub, and our hometown. It is where we grocery shop, send our kids to school, go to the doctor, and engage in every other form of life to conduct our personal business, socialize, and go to church in so many cases.

A lot of good can come out of a review of the zoning ordinance and improving the town's land use policy and I commend you for your effort. My purpose for being here is to address apparent conflicts with the current town code and one specified zoning change presented. The current code states one directed purpose of the existing code is to protect historic areas. One property owner has requested a change of zoning designation that is counterintuitive to the code. Further, it is the altered state of access to submit a zoning change request, and altered process of review for the zoning change to occur, that I would like to express concern about. For example, the current process for a zoning change request requires notification to each adjoining landowner that a change of zoning request has been submitted. The current proposal as presented does not do that and requires the existing land owner to dig deeper to understand what may or may not be changing around them.

To quote this week's Times-Virginian article, "in an effort to attract future growth, Town of Appomattox officials have proposed changes to the town's zoning ordinance and map." I believe you will get two thumbs up from 99% of the community with such a mission statement.

I would like to make a recommendation on the process and share an observation that I believe would help citizens engage and participate in a manner that may be more effective for them, and provide opportunity for the town to garnish a more satisfactory result in terms of customer service, which would help minimize complaints and potential legal issues regarding notification.

First, it would be helpful if on the map of proposed changes, an identifier was placed on those parcels actually being changed. This would be most helpful in terms of review and comprehension of what is occurring.

Secondly, and the reason I am attending tonight, not all of the changes being proposed are directly related to the noted purpose of the zoning change, to attract future growth.

I am aware of one zoning change request incorporated into this proposal that comes at the request of the property owner. I would recommend any such requested change, that is not, directly related to the mission of the Town's efforts and intentions, be separated out and handled in a manner where citizens of the community may be properly advised and given the opportunity to participate.

To be clearer, it appears the current process does not afford one neighbor the clear opportunity to be aware of another neighbor's intent. An individual could have an intention to change the use of their property, that would be benefited or solely enabled by a zoning change, and that property owner would not be directly open to the scrutiny of the adjoining landowners. That property owner who is seeking the zoning change can remain silent as this process moves along, or even could project "they" changed it, there will be no record. Again, I am only aware of one such request, through a conversation with Mr. Gillespie, if they're others that would be important as well.

The Times-Virginian article also noted Mr. Gillespie stating "that the changes are to get areas in the proper zoning." I believe this is contrary to the request of change for Tax Map # 64A5(A)66, 658 Lee

Grant Avenue. The property is currently zoned R-1 and the plans show the current owner's request of a lessening to that designation.

I wish to reiterate the expression currently stated in the Town Code –Section 195.2 Purpose of Chapter. Part E. – Protect against destruction of or encroachment upon historic areas. The current owner was certainly aware of this status as the purchaser and current neighboring landowner.

The current land owner is forwarding a business plan. You in your role have a business decision to make. I would strongly encourage you to <u>not</u> support the zoning change request for this parcel of land. And, would not for reasons already expressed and shared in the current ordinance, the current landowner will respect your decision.

It is in my opinion as the details of their plan come forth to you, you will recognize a cost and impediment to other stakeholders. So I again would ask you see the advantage in parsing out those request which are separate from your stated reasons for updating the zoning code, and allow a more focused consideration and improved discussion to develop for those properties being requested a change by current landowner. This is not a foot race and I would strongly encourage you to consider these observations.

Respectfully yours,
Gary Gilliam

<u>Bryan Baine – 646 Lee Grant Avenue</u>
He appreciates the work involved on the map and ordinance. It is much needed. Appreciates the idea of more categories and it is very helpful for municipal zoning.

Stated he had spoken with Mr. Gillespie earlier in the day encouraging the addition of deli's, coffee shops and sandwich shops in the B-1 list of Permitted Uses.

His main concern however, is the property near 646 Lee Grant Avenue, property being rezoned from R-1 to R-3. The property is owned by Liberty Baptist Church. Zoning as he understands it – protects land owners. The property he purchased was in the middle of an R-1 district. The normal process for Liberty Baptist Church to rezone its property should include a petition to the Planning Commission. The adjacent property owners would be notified of a public hearing for the request and then the adjacent owners would be able to voice their concerns, if any. This process has abbreviated his rights. He urged Town Council not to rezone without the proper process.

<u>Fred Kruchwitz – 3164 Wildway Road, Appomattox</u>
He appreciates the concerns that Bryan Baine and Gary Gilliam have shared. Liberty Baptist Church requested the change of the property from R-1 to R-3. The church has a problem with overcrowding in the classrooms and is in need of a gym. The gym would not fit on the Moses property without encroachment on the Babcock property. It is the desire of Liberty Baptist Church to consolidate all of this property into one lot. The zone line between the Moses and Babcock property will be lost. Currently, the Babcock Home is being used as Sunday school classrooms. Schools are not permitted in R-1. And while it might be grandfathered in it seems only right to make it all the correct zone. It doesn't change a whole lot either way.

Mr. Kruschwitz also offered the following in letter format:

Appomattox County Planning Commission
Subject: Tax Lot 64A5(A)66 …. (Babcock Parcel)

Dear Sir:

The elders of Liberty Baptist Church request a zone change on the Babcock parcel from R-1 to R-2 for the following reasons:

- *Liberty also owns the adjacent two parcels referred to as the Moses property. Both these parcels as well as the church parcel itself are all zoned R-2. Consolidation of all the property including the Babcock property into one parcel is presently underway to eliminate interior property lines and setback violation issues that will arise when we submit for a building permit in the near future. Our new educational building will be located on the Moses property but extend slightly onto the rear of the Babcock parcel. The line distinguishing R-2 from R-2 will be eliminated by the parcel consolidation and it is just reasonable to make the zoning for the new parcel a uniform R-2.*
- *Liberty is presently using the Babcock home for Sunday school classes and has been doing so for over a year. Under present R-1 zoning this is a permitted use whereas under the new R-1 zone, schools are not permitted. Our desire is to continue to use the home for classrooms but without grandfather privileges, we will be in violation. The new R-2 zone allows for schools and again it is appropriate to make the zoning for this parcel R-2 to eliminate the potential use violation.*

Thank you for your consideration in this matter.

On behalf of the elders and congregation,
Fred Kruschwitz

Tim Sturgeon – 583 Lee Grant Avenue, Appomattox
It seems as though the neighborhood is getting blindsided. Why take down historical homes? Recognizes that Liberty Baptist Church is in a rock and hard place but there should be procedures to go through. If Liberty Baptist Church has nothing to hide then put it all out there.

J. E. Sears & Company, Inc. – Robert A. Sears, Jr. – submitted the following written request:
July 9, 2013

Mr. Gillespie,

I request that J. E. Sears & Co., Inc.'s properties tax map #'s 64A5 (A)30 remain zoned M-1 Industrial and the adjoining properties 64A5(A)27, 64A5(A)28, 64A5(A)29 and 64A5(A)29A be changed to M-1 Industrial.

This property consists of 6.5 acres, a 17000 square foot building with an additional 6200 square foot out building. The property also has a railroad siding which would be beneficial to a manufacture. The new B-1 zoning would not even allow us to reopen a building supply business which operated 85 years ago on the property.

The building is too large for general business in a downtown location. I would appreciate you considering my request.

Sincerely,
Robert A. Sears, Jr.

Robert Stephens – 711 Snapps Mill Road, Spout Spring, Virginia submitted the following written request:
July 2, 2013

Mr. Gillespie,

I own the property fronting on Oakleigh Avenue and fronting on Martha Street. The Tax Map numbers are 64A6(1)1, 64A6(1)2, 64A6(1)3, 64A6(1)4, 64A6(1)5, 64A6(1)6. The property is zoned R-2 Residential at this time. And that is why I purchased the property a few years ago because of the options this piece of property gave me. I have kept the property in nice condition and paid the Town Real Estate taxes. It is being proposed to be changed to R-2 High Density Residential. I do not want this to happen. Please keep it as it is was when I purchased it which would now be R-3 General Residential, which is the way the land is proposed to be directly across the street on Oakleigh Avenue. That was also previously zoned just like my property. This gives me the same options that I previously had. Therefore, this is what I would like to keep and have it be. I do not want these options to be taken away from me. It still adjoins the same R-1 and leaves the large piece of property owned by me, for a much better purpose to benefit me, my family, and the Town Citizens.

If you have any questions or I need to do anything else to have this property put in the new R-3 Zoning, please call me at 434-942-9498.

Thank you very much,

Robert Stephens

With no further comments, the public hearing was declared closed by Mr. Mayberry, Vice-Mayor, presiding.

Mr. Mitchell, Chairman, Planning Commission closed the Planning Commission's meeting.

_____ _____
Roxanne W. Paulette, Clerk N. H. "Jimmy" Mayberry, Vice-Mayor

Workshop Meeting
Tuesday, July 23, 2013

The Appomattox Town Council held a workshop meeting on Tuesday, July 23, 2013 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner and Claudia G. Puckette.

Others: Marvin Mitchell, Roger Carson, Chad Millner, Erin Finch, Stephanie James, Times Virginian; Katrina Koetring, News & Advance; Carlton & Brian, Alive Media TV; Bill Gillespie, Town Manager; and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

There was a discussion of the comprehensive rezoning public hearing held on July 11, 2013. The Planning Commission will meet on Monday, August 5, 2013 at 6:00 p.m. at the Appomattox Public Works Complex, 1799 Church Street, Appomattox, Virginia and form a recommendation to present to the Appomattox Town Council at its August 12, 2013 Regular Council Meeting.

Mayor Harvey thanked Mr. Gillespie, staff and the Planning Commission for all their hard work.

Committee Reports –
Finance & Planning Committee met on July 8, 2013 and discussed the Sheriff's request, financial options for the Trickling Filter Plant, SBR and Pump Station, the proposed zoning ordinance, and the Murphy Oil Development.

Physical Development Committee did not meet today.

Staff Reports
Town Manager - no report.

Town Treasurer – no report.

Town Clerk – no report.

Council Concerns
None

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 7:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, August 12, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner, Claudia G. Puckette.

Others: Katrina Koetring, Carlton Duck, Stephanie James, Bryan David, Lucy Harvey, Benny Harvey, Rev. Russell Cheatham, Stacey Wilkes, Town Treasurer; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Russell Cheatham, Memorial United Methodist Church delivered the invocation.

Rev. Russell Cheatham, Memorial United Methodist Church led the Pledge of Allegiance.

Scheduled Public Appearances –
Bryan David, Executive Director, Region 2000 Economic Development Partnership Economic Development Council appeared before Council to discuss incentives. Incentives alone will not attract businesses. You will need water/sewer infrastructure, a work force, etc. – these things are essential in attracting businesses. Without business incentives you are unilaterally disarming yourself. The process consists of him receiving an inquiry, being notified of a site visit, executing a non-disclosure agreement, submitting a final plan and a public announcement would follow. This could go on for one month to 4 years.

Mr. David gave a specific type of protocol analogy for a business so council could see how the process would work. He also spoke of grant opportunities.

Mayor's Comments –
Mayor Harvey welcomed everyone.

Consent Agenda
On a motion by Mr. McDearmon, seconded by Mr. Mayberry, Council voted to approve the consent agenda of August 12, 2013 as presented. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to amend in its entirety the Code of the Town of Appomattox, Chapter 195, entitled Zoning and selective changes to the comprehensive Zoning Map, as presented by the Appomattox Town Planning Commission. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Puckette, Council voted to award the Water and Sewer Line Construction project at the end of North Avenue for a proposed subdivision to Counts and Dobyns (Contractor) and authorize the Mayor to enter into an agreement for an amount of $69,369 with a 10% contingency, specifically $33,110.00 from undesignated water fund balance and $36,286 from undesignated sewer fund balance. All members present voting aye. Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember McDearmon, Council voted to award the Water and Sewer Line Construction project at the end of North Avenue for a proposed subdivision to Ferguson Enterprises (materials) for $44,192.55 and $5,000.00 for 57 Stone from Boxley, specifically $28,792.45 from undesignated water fund balance and $20,400.09 from undesignated sewer fund balance. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to authorize the Mayor to execute the Agreement to Provide Law Enforcement Services with Appomattox County. All members present voting aye. Motion carried.

Staff Reports –
Town Manager – none

Citizen Comments:
None

Council Concerns:
None

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 8:07 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette , MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Special Call Meeting
August 20, 2013

At the Special Call Meeting of the Appomattox Town Council held on August 20, 2013 at 5:30 p.m.in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, with Mayor, Paul D. Harvey, presiding.

Council members present: Steven T. Conner, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Timothy W. Garrett, Claudia Puckette. Absent: C. Lewis Mayberry, Jr.

Also in attendance were: John Brancaglione, Joseph Decepida, Bryan David, Katrina Koetring, Stephanie James, Daniel Puckette, Sam Carter, Chad Millner, Stacey Wilkes, Bill Gillespie, and Roxanne Paulette, Clerk.

Mayor Harvey called the Special Call Council Meeting to order.

Bryan David introduced the guests, Mr. Brancoglione and Mr. Decepida.

The Peckham, Guyton, Albers & Viets, Inc. (PGAV) firm from St. Louis, Missouri appeared before Council looking for direction from Council as to whether we need or want a final report for the Retail Market Site Assessment Study. Mr. Brancoglione thanked Council for investing in their firm. PGAV looked at a lot of factors when compiling this report. They looked at a couple of potential components – Destination Retail (outlet mall) and Hospitality.

The data does not support a major player. There are enough other numbers that something on a smaller scale would work. Next, PGAV would like to begin to test this notion with some of their contacts, quietly.

Bryan David advised Council that he had a few ideas in the event that there is truly no interest from a smaller developer but suggested Council wait and see what happens with Mr. Brancoglione's contacts first.

With no further business, Council adjourned at 6:30 p.m.

_____ _____

Roxanne W. Paulette, MMC
Town Clerk

Paul D. Harvey
Mayor

Workshop Meeting
Tuesday, August 27, 2013

The Appomattox Town Council held a workshop meeting on Tuesday, August 27, 2013 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Claudia G. Puckette.

Absent: Steve Conner

Others present: Stephanie James, Katrina Koetring, Carlton Duck, Alive Media TV; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey called the meeting to order.

Mr. Gillespie provided an update and discussion concerning a landscaping plan at the Town Office. Bonnie Swanson has presented him with a drawing for the Town Office to be considered in the Spring of 2014. The plan would also create a sign, bench, flag pole and plantings.

Committee Updates

Finance & Planning – Mr. McDearmon gave an update on the SBR Consent order, bids for the North Avenue Water and Sewer Line project, cell tower agreements, project funding, request for a water adjustment, an emergency generator and the upcoming council retreat.

Physical Development Committee – Mr. Mayberry reported that the committee had discussed the creation of an Economic Development Authority and starting the Request for Proposal process on the cell towers agreements.

Council gave consensus to direct staff to start the process for developing an Economic Development Authority for the Town of Appomattox.

Council gave consensus to direct staff to begin the Request for Proposals (RFP) on the fair market values of the 5 cell tower lease agreements with the Town of Appomattox.

Mr. Mayberry also reported on the zinc levels at the SBR plant, smoke testing is ongoing on the North side of Appomattox, and painting of the depot.

Staff Reports –

Town Manager – Mr. Gillespie reported that the Town Treasurer and Utility Director will draft an adjustment policy for the next Finance & Planning Committee meeting.

Treasurer – no report

Town Clerk – Reminded Council members of the Retreat scheduled for Friday, November 1, 2013.

Council Concerns – none

Closed Session –

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 a specific public employee of the Town, specifically being Employee A.
Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Puckette – aye. Conner – absent.

Now, therefore, be it resolved, that the members of the Appomattox Town Council Appomattox 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.

Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Puckette – aye. Conner – absent.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adjourn at 7:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, August 12, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner, Claudia G. Puckette.

Others: Jonathan Watson, Stephanie James, Stacey Wilkes, Bill Gillespie, and Roxanne Paulette.

Mayor Harvey called the meeting to order.

Jonathan Watson, Pastor, Bible Baptist Church led the invocation and Pledge of Allegiance.

Mayor's Comments –
Invited citizens to attend the September 24, 2013 Council Workshop to hear a presentation on the formation of the Town's EDA.

Consent Agenda –
On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adopt the consent agenda as presented with the addition on NB #4 – Consideration to change the October 15, 2013 Regular Council meeting to Wednesday, October 16, 2013 and to cancel the Finance & Planning Committee meeting for October 2013. All members present voting aye. Motion carried.

New Business –
On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to adopt the following resolution:

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2013-2014 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

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 sitused within the Town commencing January 1, 2013, 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 *53.5%* tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive *53.5%* 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.

All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to approve the following lease agreements effective November 1, 2013:
Country Charm lease of 967 square feet at the depot for $241.75 per month; Arts & Crafts Cooperative lease of 1125 square feet at the depot for $281.25 per month; and the DMV lease of 1120 square feet at the Municipal Building for $500.00 per month. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to adopt the following resolution:

Consideration to adopt a resolution amending the FY 2014 Operating Budget for the Water and Sewer Funds for the North Avenue construction project.

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2013-2014 Operating Budget of the Water Fund and Sewer Fund to appropriate the funds for construction of the North Avenue project:

Water Fund Expenditures		
Capital Improvements	$65,558	
Net Increase in Budget		$ 65,558
Water Fund Revenues		
Use of Reserves		$ 65,558
Net Increase in Budget		$ 65,558
Sewer Fund Expenditures		
Capital Improvements	$ 58,500	
Net Increase in Budget		$ 58,500
Sewer Fund Revenues		
Use of Reserve		$ 58,500

Net Increase in Budget $ 58,500

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2014 budget amendments are hereby adopted, 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.

Amended this 9th day of September 2013.

Attest:

_____

Roxanne W. Paulette, Town Clerk

All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Garrett, Council voted to change the October 15, 2013 Regular Council meeting to Wednesday, October 16, 2013 and to cancel the Finance & Planning Committee meeting for October 2013. All members present voting aye. Motion carried.

Town Manager Report – none

Citizen Comments – none

Council Concerns – Mr. Conner apologized for missing the August Workshop meeting.

On a motion by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to adjourn at 7:43 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Paulette , MMC
Clerk

Paul D. Harvey
Mayor

Council Workshop Meeting
Tuesday, September 24, 2013

The Appomattox Town Council held a workshop council meeting on Tuesday, September 24, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner, Claudia G. Puckette.

Others: Danny Richardson, Chad Millner, Audrey Wright, Lisa Pannell, Katrina Koetring, Andy Carroll, Ed Shober, Benny Harvey, Bob Goode, Rodney Deaner, Stephanie James, Bill Gillespie, Town Manager; Stacey Wilkes, Town Treasurer, and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Mayor's Comments –
Mr. Gillespie provided a Powerpoint presentation regarding the creation of the Economic Development Authority by the Appomattox Town Council.

Mayor Harvey encouraged those present to apply to serve. The deadline for completed applications is October 4, 2013.

Committee Updates –
Finance & Planning Committee – Mr. McDearmon reported that the Finance & Planning Committee met on Monday, September 9, 2013. They discussed creating an Economic Development Authority and creating a water & sewer adjustment policy.

Physical Development Committee – Mr. Mayberry reported that the committee met this afternoon and discussed a request by the Chamber of Commerce to change the date of the annual Community of Candles event, discussed the water and sewer adjustment policy, public works organizational chart, boundary line adjustment and an update on the cell tower lease agreements.

Staff Updates –
Town Manager – none
Town Clerk – none
Town Treasurer – none

Council Concerns –
Mr. Conner expressed concerns regarding the Retail Marketing Study is not necessarily looking at just jobs. He also expressed concern that the EDA group should be comprised of members who could keep things confidential.

Mrs. Puckette thanked everyone for coming out tonight. The EDA is vital to our economic development. We need to do all we can to benefit from our community.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn. All members present voting aye. Motion carried.

Roxanne W. Paulette, MMC
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Wednesday, October 16, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner, and Claudia G. Puckette.
Timothy W. "Timmy" Garrett – absent

Others: Tom Adams, Chad Millner, Sam Carter, Cathy Sherman, Bobby Harrison, Alive Media TV; George Bergdoll, Stephanie James, Katrina Koetring, Barbara Shelton, Karen Fratrick, Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne Paulette, Clerk of Council.

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

Bobby Harrison led the prayer and Pledge of Allegiance.

Public Hearing –
Mayor Harvey opened the public hearing.

The purpose of the public hearing is to hear citizen comments regarding a Voluntary Boundary Adjustment between the Council of the Town of Appomattox, Virginia and the Board of Supervisors of the County of Appomattox, Virginia. The Council intends to approve a Voluntary Boundary Adjustment whereby certain parcels of land now located in the County would be brought within the Corporate limits of the Town.

The parcels of land which would become a part of the Town are listed in the office of the Commissioner of Revenue, as follows: 63-((A))-52A; 63-((A))-52; 63-((A))-55; 63-((A))-54 & 56; a part of 63-((A))-58; 63-((2))-1.

There were no comments during the public hearing.

Mayor Harvey closed the public hearing.

Mayor's Comments –
Mayor Harvey thanked staff and the Railroad Festival committee for another successful RRF particularly due to the wet conditions throughout the weekend.

Consent Agenda –
On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adopt the consent agenda as presented with the addition on NB #9 – Consideration to adopt a resolution – Irrevocable Election Not to Participate in Virginia Local Disability Program (VRS). All members present voting aye. Motion carried.

New Business –

On a motion by Councilmember Spiggle, seconded by Councilmember Puckette, Council voted to approve the Voluntary Boundary Adjustment Agreement and authorize the Mayor, Paul Harvey to execute on behalf of the Town of Appomattox.

Voluntary Boundary Adjustment Agreement

This agreement made and entered into this ____ day of _____, 2013, by and between the County of Appomattox, VA ("County" herein) and the Town of Appomattox ("Town" herein).

---WITNESSETH---

That for and in consideration of the mutual benefits to these political subdivisions of the Commonwealth of Virginia, the County and Town hereby covenant and agree pursuant to Section 15.2-3106 et seq., Code of Virginia as follows:

1) *That a portion of the boundary line between County and Town shall be changed and a new line established, which change shall have the effect of bringing a portion of the geographical area of the County within the corporate limits of the Town.*

2) *That County and Town has followed the procedures set forth in Section 15.2-3107 of the code of Virginia before taking action to adopt this Agreement.*

3) *That County and Town shall as soon as practicable after adoption of this Voluntary Boundary Agreement file a Petition for approval of said Agreement in the Circuit Court for Appomattox County following the procedure as set forth in Sec. 15-2-3108, Code of Virginia. That the costs of said proceedings, including, but not limited to, survey and court costs shall be borne equally between County and Town.*

4) *That the change of said boundary line is more particularly set forth in Exhibit "A" attached hereto. In said exhibit the existing boundary line is shown as "Town Limits" on the legend and the new boundary line is shown in "red". The effect will be to bring into the corporate limits of the Town the following tax map parcels as set forth in the office of the Commissioner of the Revenue for Appomattox County, as follows: 63-((A))-52A; 63-((A))-52; 63((A))-55; 63-((A))-54 & 56; a part of 63-((A))58; 63-((2))-1.*

WITNESS THE FOLLOWING SIGNATURES AND SEALS this the ___ day of _____, 2013.

Vote: McDearmon – aye, Spiggle – aye, Mayberry – aye, Puckette – aye, Conner – no, Garrett – absent. Motion carried 4 to1.

On a motion by Councilmember Spiggle, seconded by Councilmember Conner, Council voted to enact the Code of the Town of Appomattox, Chapter 32, Section 1 through 9, entitled "Economic Development Authority".

AN ORDINANCE TO ENACT the Code of the Town of Appomattox, Chapter 32, Sections 1 through 9.

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

Part I: Administrative Legislation. Chapter 32: "Economic Development Authority," Sections 1 through 9 shall be enacted as follows:

State law reference: Authority for creation of economic development authority, Code of Virginia, §15.2-4900, et. seq.

§32-1. Creation.

There is hereby created, pursuant to the provisions of §§15.2-4900 through 15.2-4920, inclusive of the Code of Virginia, 1950, as amended, a political subdivision of the Commonwealth, to be known as an Economic Development Authority, with such public and corporate powers as are set forth in such sections of the Code of Virginia.

§32-2. Name.

The name of the Authority shall be the "Economic Development Authority of the Town of Appomattox, Virginia."

§32-3. Powers and duties generally.

The Authority shall have the same powers, duties and obligations as set forth in §§15.2-4900 through 15.2-4920, inclusive, of the Code of Virginia, 1950, as amended.

§32-4. Board of directors – Appointment; number.

The Authority shall be governed by a Board of Directors in which all powers of the Authority shall be vested and which Board shall be composed of seven directors, appointed by the Town Council.

§32-5. Same – Terms of office; oath, residence; removal from office.

The seven directors shall be appointed initially for terms of one, two, three, and four years; two being appointed for one-year terms; two being appointed for two year terms; two being appointed for three-year terms and one being appointed for a four-year term. Subsequent appointments shall be for terms of four years, except appointments to fill vacancies which shall be for the unexpired terms. All terms of office shall be deemed to commence upon the date of the initial appointment to the authority, and thereafter, in accordance, with the provisions of the preceding sentence. If at the end of any term of office of any director a successor thereto has not been appointed, then the director whose term of office has expired shall continue to hold office until his successor is appointed and qualified. Each director shall, upon appointment or reappointment, before entering upon his duties, take and subscribe the oath prescribed by §49-1 of the Code of Virginia, 1950, as amended. No director shall be an officer or

employee of the Town, except that members of the Town Council may serve as directors provided they do not comprise a majority of the Board.

Every director shall, at the time of his appointment and thereafter, reside in the Town of Appomattox or an adjoining locality. When a director ceases to be a resident of the Town of Appomattox adjoining jurisdiction, the director's office shall be vacant and a new director may be appointed for the remainder of the term.

A member of the Board of Directors of the Authority may be removed from office by the Town Council of Appomattox without limitation in the event that the board member is absent from any three consecutive meetings of the Authority, or is absent from any four meetings of the Authority within any 12-month period. In either such event, a successor shall be appointed by the Town Council for the unexpired portion of the term of the member who has been removed.

§32-6. Same – Officers; compensation.

The directors shall elect from their membership a chairman, a vice-chairman, and from their membership or not, as they desire, a secretary and treasurer, or a secretary-treasurer, who shall continue to hold such office until their respective successors shall be elected. The directors shall receive no salary but may be compensated such amount per regular, special or committee meeting or per each official representation as may be approved by the Town Council, not to exceed two hundred dollars ($200.00) per meeting or official representation, and shall be reimbursed for necessary traveling and other expenses incurred in the performance of their duties.

§32-7. Same – Meetings – Quorum.

Four members of the Board of Directors shall constitute a quorum of the Board for the purposes of conducting its business and exercising its powers and for all other purposes; except, that no facilities owned by the Authority shall be leased or disposed of in any manner without a majority vote of the members of the Board of Directors. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the powers and perform all the duties of the Board.

§32-8. Same – Records.

The Board shall keep detailed minutes of its proceedings, which shall be open to public inspection at all times. It shall keep suitable records of all its financial transactions and, unless exempted by §30-140 of the Code of Virginia, 1950, as amended, it shall arrange to have the records audited annually. Copies of each such audit shall be furnished to the Town Council and shall be open to public inspection.

§32–9. Same – Copies of Internal Revenue Service reports.

Two copies of the report concerning issuance of bonds required to be filed with the United States Internal Revenue Service shall be certified as true and correct copies by the secretary or assistant secretary of the authority. One copy shall be furnished to the Town Council and the other copy mailed to the Department of Business Assistance until January 1, 2014. After January 1, 2014, one copy shall be furnished to the Town Council and the other copy mailed to the Department of Small Business and Supplier Diversity.

This section shall become effective on October 16, 2013.

All members present voting aye. Motion carried.

On a motion by Councilmember Puckette, seconded by Councilmember Spiggle, Council voted to appoint the following members to the Economic Development Authority for the Town of Appomattox:

Andy Carroll, Robert (Bob) P. Goode, Phillip Jamerson, Chad Millner, Lisa Pannell, C. Lewis McDearmon, Jr., and N. H. "Jimmy" Mayberry.

All members present voting aye. Motion carried.

Mayor Harvey thanked all of the applicants.

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to amend the following lease agreements effective date from November 1, 2013 to December 1, 2013:

a) Country Charm lease of 967 square feet at the depot for $241.75 per month.

b) Arts & Crafts Cooperative lease of 1125 square feet at the depot for $281.25 per month.

c) DMV lease of 1120 square feet at the Municipal Building for $500.00 per month.

All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to approve the request from the Appomattox County Chamber of Commerce to hold the annual Community of Candles event on Saturday, December 7, 2013. All members present voting aye. Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember Conner, Council voted to approve the Organizational Chart and Job Descriptions for the Public Works Department of the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Mayberry, Council voted to amend the Water and Sewer Policy to include User Charges, Connection and Availability Fee Administrative Policy by approving the Water and Sewer Adjustment Policy, specifically the addition of L – Policy for Relief from Excessive Sewer Bill – Due to Undetectable Water Line Leak or Break. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to purchase a pickup truck for the Public Works Department at the state contract price of $26,711.00 from General Fund Reserves. All members present voting aye. Motion carried.

On a motion by Councilmember Puckette, seconded by Councilmember Spiggle, Council voted to approve the following resolution:

RESOLUTION

Irrevocable Election Not to Participate in Virginia Local Disability Program

WHEREAS, by enacting Chapter 11.1 of Title 51.1 of the Code of Virginia, the Virginia General Assembly has established the Virginia Local Disability Program ("VLDP") for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code §51.1-169; and

WHEREAS, for purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election on or before November 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the Code of Virginia, with the exception of long term care coverage, by January 1, 2014; and

WHEREAS, it is the intent of the Town of Appomattox 55358, to make this irrevocable election to request that its eligible employees not participate in VLDP;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Appomattox irrevocably elects not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees; and it is further

RESOLVED, that, as an integral part of making this irrevocable election, the Town of Appomattox certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

Adopted in Appomattox, Virginia this 16th day of October, 2013.

All members present voting aye. Motion carried.

Town Manager Report – none

Citizen Comments – none

Council Concerns –
Mrs. Puckette thanked the members of the EDA. She is looking forward to working with them.

Mr. Conner stated that the EDA has good people serving.

Ms. Spiggle is very enthusiastic and the Town is making great strides.

Mayor Harvey again thanked everyone who applied. The Town is very appreciative.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette , MMC
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a workshop council meeting on Tuesday, October 29, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner, Claudia G. Puckette.

Others: Jeff Elder, Katrina Koetring, Stephanie James, Bill Gillespie, Town Manager; Stacey Wilkes, Town Treasurer, and Roxanne Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

On a motion by Councilmember Conner, seconded by Councilmember McDearmon, Council voted to take in the Parkview Mobile Home Park water and sewer system and authorize the Mayor to execute the necessary documents. All members present voting aye. Motion carried.

Committee Updates –
Finance & Planning Committee – No report for October 2013.

Physical Development Committee – Mr. Mayberry reported that the committee received a report from Sheriff Letterman and Major Simpson regarding the last three (3) months of activity in the Town. The committee also discussed a "No Lease" policy and material for the Council Retreat.

Staff Updates –
Town Manager – Mr. Gillespie reported that the Preliminary Engineering Report (PER) and Environmental Review (ER) for the Wastewater System by Reid Engineering will be finalized by the end of November – 1st of December and will be submitted to USDA. The Town should receive a response around the 1st of the year. The total projected cost of the project is $6 million dollars.

There will be an Economic Development Authority (EDA) orientation on December 9th during the committee meeting.

Bryan David will provide an update on the PGAV study during the December 9th Regular Council Meeting.

Town Clerk – none

Town Treasurer – none

Council Concerns –
None

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn. All members present voting aye. Motion carried.

Roxanne W. Paulette, MMC
Clerk

Paul D. Harvey
Mayor

Regular Council Meeting
Tuesday, November 12, 2013

The Appomattox Town Council held a regular council meeting on Tuesday, November 12, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner, and Claudia G. Puckette.

Others: Sarah Corder, Melanie Oelrich, Ashely Ransthorne (Liberty University students), Rev. Chris Brooks, Elizabeth Brooks, Cathy Sherman, Barbara Shelton, Stephanie James, Katrina Koetring, Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne Paulette, Clerk of Council.

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

Rev. Chris Brooks, Glory Baptist Church led the prayer and Pledge of Allegiance.

Mayor's Comments –
Mayor Harvey thanked staff for a wonderful Council Retreat.

Mayor Harvey welcomed the 3 students from Liberty University Journalism Department who were attending tonight's council meeting.

Consent Agenda –
On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adopt the consent agenda as presented for Tuesday, November 12, 2013. All members present voting aye. Motion carried.

New Business –
On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to cancel the November 26, 2013 and December 24, 2013 Council Workshop Meetings. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to award the construction of the SBR building to Piney Ridge Contracting & Consulting, LLC for $52,474.00.
Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

On a motion by Councilmember Spiggle, seconded by Councilmember McDearmon, Council voted to authorize Appomattox County to retain indefinitely any revenue received by way of the Appomattox County Sheriff's Office through summons written under the Code of the Town of Appomattox, Virginia.
Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

On a motion by Councilmember Conner, seconded by Councilmember Puckette, Council voted to withdraw the Town's involvement with future Historic Appomattox Railroad Festival events with the exception of a donation to a committee and the closing of the streets needed for the event. All members present voting aye. Motion carried.

Town Manager update – none

Citizen Comment period – none

Council Concerns:
Mr. Conner – The council retreat was held up the street in Appomattox not at the Greenbrier.

Ms. Spiggle – The retreat was a huge success with lots of planning.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, MMC
Clerk

Paul D. Harvey
Mayor

The Appomattox Town Council held a regular council meeting on Monday, December 9, 2013 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. "Timmy" Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. "Steve" Conner, and Claudia G. Puckette.

Others: Paul Michael Raymond, Andy Carroll, Stephanie James, Chad Millner, Bob Goode, Bryan David, Executive Director, Region 2000 Economic Development Council; Carlton Duck, Alive Media TV; Stephanie James, Times Virginian; Katrina Koetring, News & Advance; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne Paulette, Clerk of Council.

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

Paul Michael Raymond led the prayer and Pledge of Allegiance.

Scheduled Public Appearances –
Bryan David, Executive Director, Region 2000 Economic Development Council provided an update on the status of the Peckham, Guyton, Albers & Viets, Inc. (PGAV) Retail Marketing Study.

Mayor's Comments –
Mayor Harvey thanked the Town's new Economic Development Council for their service. Andy Carroll will be Chairman and Chad Millner the Vice-Chairman.

Consent Agenda –
On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adopt the consent agenda with the addition of NB #2 – Consideration of Resolution of Watch for Children Signs. All members present voting aye. Motion carried.

New Business –
On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to approve the following resolution:

RESOLUTION

WHEREAS, the 1997 session of the General Assembly amended the Code of Virginia, with the addition of Section 33.1-210.2 which allows the installation of "Watch for Children" signs; and

WHEREAS, a resident of Isabelle Street in the Town of Appomattox, Virginia, has expressed concern regarding speeding on this street and potential juvenile pedestrian activity; and

WHEREAS, a review of this area indicates that it meets the criteria set forth by the Virginia Department of Transportation, for the installation of "Watch for Children" signs.

NOW, THEREFORE, BE IT RESOLVED, the Appomattox Town Council does hereby request the Commissioner of the Virginia Department of Transportation to use funds from the Secondary

Construction Budget to install "Watch for Children" signs at the appropriate location on Isabelle Street in the Town of Appomattox, Virginia.

The vote was: Aye: Garrett, McDearmon, Spiggle, Mayberry, Conner, and Puckette
Nay: None
Absent: None
Motion carried.

Town Manager update – Mr. Gillespie discussed the material (Priorities & Initiatives) generated at the 2013 Council Retreat. The Finance & Planning Committee will further discuss the Priorities & Initiatives in January 2014 and consideration for final approval will be submitted in February 2014.

Citizen Comment period – none

Council Concerns – none

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, 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 a specific appointee and/or public officer of the Town, specifically being Appointee A.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – 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 certification 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 8:30 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
January 13, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, January 13, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Carlton Duck, Alive Media TV; Willie Craft, Rev. Rusty Small, Cathy Sherman, Bill Burke, Bob Goode, Katrina Koetring, Stephanie James, Chad Millner, Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Rev. Rusty Small, Liberty Baptist Church led the prayer and Pledge of Allegiance.

Scheduled Public Appearances –
None

Mayor's Comments –
Mayor Harvey invited Council and guests to a meeting on Friday, January 24, 2014 at 2:00 p.m. at the Appomattox County Administrator's Conference Room for a meeting on Way Finding Signs.

Consent Agenda –
On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adopt the Consent Agenda with the addition of 4A – Consideration of the proposals received for the Cell Tower Agreements and 4B – Consideration to accept an Option from Nextel for the decommissioning of cell tower site. All members present voting aye. Motion carried.

New Business –
On a recommendation of the Finance & Planning Committee, Council voted to approve the following:

AN ORDINANCE TO AMEND Section 185-23 of the Code of the Town of Appomattox, Chapter 185, Article III, and to add the following provision which shall become Section 185-24 thereof, entitled "Presumption where vehicle illegally parked."

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

***Section 1**. Sections 185-23 and 185-24 of Chapter 185 of the Code of the Town of Appomattox shall appear as follows:*

***§185-23. Reserved parking for the disabled**.*

A. It shall be unlawful for a vehicle not displaying disabled parking license plates, an organizational removable windshield placard, a permanent removable windshield placard, or a temporary removable windshield placard issued under § 46.2-731 of the Code of Virginia or DV disabled parking license plates issued under § 46.2-739(B) of the Code of Virginia to be parked in a parking space reserved for persons with disabilities that limit or impair their ability to walk or for a person who is not limited or impaired in his ability to walk to park a vehicle in a parking space so designated except when transporting a person with such disability in the vehicle.

B. Any person violating this section shall be fined $100.

C. A summons or parking ticket for the offense may be issued by law enforcement officer or other uniformed personnel employed by the county to enforce parking regulations within the Town without the necessity of a warrant being obtained by the owner of the private parking lot.

***§185-24. Presumption where vehicle illegally parked**.*

In any prosecution charging a violation of any parking regulation contained in this Article, proof that the vehicle described in the complaint, summons or warrant was parked in violation of such regulation, together with proof that the defendant was at the time of such parking the registered owner of the vehicle, as required by Chapter 3 of Title 46.2 of the Code of Virginia, shall constitute in evidence a prima facie presumption that such registered owner of the vehicle was the person who parked the vehicle at a place where, and for the time during which, such violation occurred.

***Section 2**. Effective Date.*

This ordinance shall become effective upon its passage.

All members present voting aye. Motion carried.

On a recommendation of the Finance & Planning Committee, Council voted to approve the following:

AN ORDINANCE TO AMEND Section 16-1 of the Code of the Town of Appomattox, Chapter 16, Section 1, entitled "Where Town elections held".

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

***Section 1**. Section 1 of the Code of the Town of Appomattox shall appear as follows:*

***§16-1. Where Town elections held**.*

The ~~County School Board office~~ Board of Supervisors Meeting Room, 171 Price Lane, Appomattox, Virginia shall be the polling place for all Town elections.

Section 2. *Effective Date.*

This ordinance shall become effective upon its passage.

All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to adopt the following budget amendment by resolution:

Consideration to adopt a resolution amending the FY 2014 Operating Budget for the General Fund for the purchase of a public works truck in the amount of $26,715; the new police agreement in the amount of $6,000; and $42,600 to carry forward unspent funds appropriated in FY 2013 for the marketing study.

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2013-2014 Operating Budget of the General Fund to appropriate the funds for the purchase of a public works truck in the amount of $26,715; the new police agreement in the amount of $6,000; and $42,600 to carry forward unspent funds appropriated in FY 2013 for the marketing study:

General Fund Expenditures

Professional	*$ 42,600*
Police	*6,000*
Public Works	*26,715*
Net Increase in Budget	*$ 75,315*

General Fund Revenues

Use of Undesignated Fund Balance	*$ 58,600*
Use of Equipment Reserve	*26,715*
Net Increase in Budget	*$ 75,315*

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2014 budget amendments are hereby adopted, 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.

Amended this 13th day of January 2014.

Attest:

_____

Roxanne W. Casto, Town Clerk

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. All members present voting aye. Motion carried.

On a motion by Mrs. Puckette, seconded by Mr. Conner, Council voted to adopt the following budget amendment by resolution:

Consideration to adopt a resolution amending the FY 2014 Operating Budget for the Sewer Fund for the emergency purchase of computer software and equipment needed to operate in the amount of $20,700; and the construction of the new headworks location building in the amount of $52,474.

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2013-2014 Operating Budget of the Sewer Fund to appropriate the funds for the emergency purchase of computer software and equipment needed to operate, and the construction of the new headworks location and building:

Sewer Fund Expenditures

Computer Expense	$ 20,700
Capital Improvements	52,474
Net Increase in Budget	$ 73,174

Sewer Fund Revenues

Use of Equipment Reserve	$ 73,174
Net Increase in Budget	$ 73,174

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2014 budget amendments are hereby adopted, 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.

Amended this 13th day of January 2014.

Attest:

_____

Roxanne W. Casto, Town Clerk

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. All members present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to approve the 2014 Town Council meeting scheduled. All members present voting aye. Motion carried.

4A – Consideration of the proposals received for the Cell Tower Agreements was tabled to the next meeting. Mrs. Puckette asked if they could borrow the needed money for the 2014 Priorities & Initiatives. Mr. Gillespie advised that Council could do that but it would have to be at least a 20 year loan.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept Option 2 from Nextel as they are decommissioning their cell tower space on the 100,000 water tank. Option 2 – Nextel will remove everything except the equipment shelter and ice bridge. Nextel will give the Town the shelter and ice bridge free of charge. All members present voting aye. Motion carried.

Mr. Gillespie advised Council that he recommends a policy be crafted by staff and submitted to Council for consideration of the Watch for Children signs. VDOT no longer accepts a resolution by the locality as a request to install the signs on the localities behalf. Mr. Gillespie estimates that including labor and materials, the sign installation on Isabelle Street will cost the Town approximately $800 - $1000 from the Public Works budget. Council gave consensus for this installation and for staff to develop a policy for Council's future consideration.

Mayor Harvey and Mr. Gillespie reported that a letter had been sent to the Appomattox County Chamber of Commerce regarding their proposed ACT project and the plans being initiated by the Town of Appomattox for its signage project. Discussions between the Chamber of Commerce and Town will continue regarding this project.

Mr. Gillespie outlined the next steps for the Town's Economic Development Authority. The next meeting date has not been set as of yet. The Authority will be discussing the items identified in the Priority & Initiatives, creating a Vision and Mission Statement, Core Values and a Leadership Philosophy, setting up and developing a plan of their next projects. The Authority will report to Council on a quarterly basis.

Mr. Gillespie provided an update on the Status of the Region 2000 Economic Development Council since Bryan David, Executive Director's departure on December 31, 2013. Mr. David is now in the Interim County Administrator for Orange County, Virginia. There will be an extensive selective process for a candidate that meets the qualifications and requirements to fill the position. At present, Mike Davidson, Economic Development Director for Campbell County will fulfill the current vacancy. Mr. Davidson is a member and Chair of the Region 2000 Marketing Committee. Currently Mr. Davidson is setting up the protocol for the Town's Economic Development Authority. The protocol should be established and in place by the end of this week.

Mr. Gillespie explained that the Virginia Municipal League is supporting legislation being introduced by Delegate Hugo in an attempt to re-write the Worker's Compensation law. Other attempts have failed in the past. Worker's Compensation claims and the payout for services is running rampant in Virginia. The claims for Worker's Compensation are much higher than that for Medicaid.

Mr. Gillespie also provided an update on the Peckham, Guyton, Albers & Viets, Inc. (PGAV) Retail Marketing Study. There are two recommendations from the study worth considering. PGAV strongly suggests having a market strategy to attract restaurants, hotels or even a theme based hotel. A marketing campaign could cost approximately $50,000. Mr. Gillespie will obtain a more detailed scope of work for the $50,000 cost.

Mr. Gillespie reported that he had met with Tom McClanahan, Project Manager for Hardees. It is Hardees intent to close on the property by the end of March 2014. Construction will take 90-120 days. Hardees should be open by July 1.

Mr. Gillespie also informed Council that USDA has received the Preliminary Engineering Report and Environmental Review from Reid Engineering for the Wastewater Improvement Project. It is possible that all of the comments from the required agencies would be completed by the fall of 2014. It is also possible that the project would be under construction in 2015.

Town Manager Update –

Mr. Gillespie informed Council that the Town has been awarded a $25,000 Community Development Block Grant. The grant could provide 1.4 million dollars of improvements to the Meadowlark Area.

Citizen Comment period –
None

Council Concerns –
None

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

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
January 28, 2014

The Appomattox Town Council held a Workshop Council meeting on Tuesday, January 28, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Katrina Koetring, News & Advance; Stephanie James, Times Virginian; Bobby Wingfield, Stacey Wilkes, Town Treasurer; Bill Gillespie, Jr., Town Manager, and Roxanne W. Casto, Town Clerk.

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

Mr. Gillespie presented through graphic displays the lease agreement process for the cell tower sites. There are two (2) leases at the 1,000,000 gallon water tank, specifically US Cellular and American Tower (Verizon).

US Cellular owns the tower and the Town owns the land. American Tower owns the Verizon tower and the Town owns the land. US Cellular as 2 antennas, one for US Cellular and one for Public Safety (Appomattox County). Again, the Tower belongs to the US Cellular and the land on which it sits belongs to the Town of Appomattox. The current lease expires in 2025. If US Cellular added another tenant this would enable the Town to collect 50% of the rent collected by US Cellular of the new tenant.

American Tower owns the tower on which Verizon is located. The lease does not expire until 2032. They do not have to ask permission to add another antenna.

There are two (2) other leases on the 100,000 gallon water tank, specifically Ntelos and T-Mobile. The Ntelos lease expires in 2020 and is for antennas located on the Town's water tank. The T-Mobile lease expires in 2039 and is also for antennas located on the Town's water tank.

A lengthy discussion was then prompted by a question and answer session:

Mr. Conner asked what happens if the 100,000 gallon tank disappears?

Mr. Gillespie responded – disappears?

Mr. Conner – yeah or we moved it?

Mr. Gillespie – no tower there?

Mr. Conner – in other words – no tower there? What's our obligation to those people?

Mr. Gillespie – I don't know – that's not covered in the lease.

Mr. Garrett – Can they keep us from taking the tank down?

Mr. Gillespie – No – if the tanks not there. You don't have an obligation to them no more than they do to you. If you decide you want to take the tank down – are you saying they would tell you – you can't take it down? It's a public facility. Do you want to take it down?

Mr. Conner – No, I am just saying if the Health Department says this tank isn't usable for the Town. What obligation do we have to these people on this lease?

Mr. Gillespie – I don't know – it's a public facility.
AP Wireless is only buying the rents. They have presented several options to pay you for those rents.

Mayor Harvey – aren't the options included in the rates – preventing us from re-negotiating until the lease fully expires?

Mr. Gillespie - All property rights would be retained by the Town. Public Safety equipment would be addressed in the contract and remain there in perpetuity.

Mr. Conner – Don't we have to work that out with US Cellular not AP Wireless.

Mr. Gillespie – No, all you are doing is selling the rents. You put all this in the contract. You want to make sure that none of this is assumed.

Mr. Conner – We would have to get US Cellular to agree not just AP Wireless.

Mr. Gillespie – US Cellular says that they can put the Public Safety on there, right?

Mr. Conner – I don't know – that's why I am asking. What are the incentives to the County?

Mr. Gillespie – None that I know of.

Mr. Bobby Wingfield (from the audience) advised Council that there are 4 connectors on the US Cellular tower, spaced out. Public safety and the school system share it right now

Mr. Gillespie – that agreement stays with the Town and US Cellular.

Mr. Conner – But then you sell the leases.

Mr. Gillespie – No, that's the problem we are getting into – we are not selling the lease. We are selling the rents. The leases are still yours.

Mr. Conner – 50 years? Why can't we sell them for the remaining portion of the leases/rent? 11 years, 6 years, etc.?

Mr. Gillespie – You could but you'd get less money.

Mr. Conner – Rather than tie it up for 50 years. You'd have it tied up for less time.

Mr. Gillespie – You signed leases for long periods of time before. This isn't the first time this has come up.

Mr. Conner – These leases were not negotiated property and not at the rates they should have been.

Mr. Gillespie - You can go in when they are re-negotiated and not give renewing terms. At the end of the current lease amount you will get the difference 100% from your current vendors. The rent and lease are two different things.

Mayor Harvey – explain what you are missing Steve.

Mr. Conner - Why would AP Wireless buy it for 50 years? Why not just buy it for 11 years?

Mr. Gillespie – They will buy it for 2 years if you want them too.
But we are talking about $1,001,000 vs. $20,000 – That's where I see the difference. This has been going on for a long time.

Mr. Gillespie – I have trouble understanding whether its 50 years or 100 years as long as I have the mechanism to negotiate the points what difference does it make if its 200 years?

Mr. Conner – Can the companies with the leases protest any increase or proposal when their lease is up because they are now locked in with AP Wireless for 50 years? What makes US Cellular have to have a new lease?

Mr. Gillespie – AP Wireless is buying the rent.

Mr. Mayberry – The lease is for the tower alone. The rent is for what goes on the tower.

Mr. Conner – I understand that.

Mrs. Casto – No, the rent is for the land.

Mr. Conner – Right, the rent is for the Tower.

Mr. Mayberry – It's our land.

Mr. Gillespie – These are tow you have locked in because you own the land.

Mr. Conner – That's right.

Mr. Gillespie – I don't know what else to tell you. You will have all the flexibility you would need and have still had. Plus, you have a cash proposal to do other things.

Any questions?
None

Mrs. Puckette – I think when you put this in perspective all of these leases have been extremely long term in my mind. I come from a Real Estate background and I tend to think 1 or 5 years…this seems longer. In the beginning that really bothered me, but we still are only going to sell our income or lease our income and not anything else. Am I correct?

Mr. Gillespie – Explained the Verizon commercial – That's the game these guys are playing – They are trying to make their portfolio larger. They can use this as a marketing tool & put new people anywhere you want to go.

Mrs. Puckette – We are not losing anything, we are just taking our rent upfront, correct?

Mr. Gillespie – You only have 1 of those leases that are coming due in 6 years.

Mr. Conner – I understand what you're saying now but I don't read their proposal that way.

Mr. McDearmon – And what do they propose paying?

Mr. Gillespie - $1,001,000.

Mr. Conner – is that a lump sum?

Mr. Gillespie – No, the lump sum is $850,000. The 5 year option is $1,001,000. I am going to pick up where we left off at the committee meeting. I would suggest you take the 5 year option because you are going to end up spreading these projects over time. You've got the time. At least you've got the Capital Improvement cash mechanism.

Ms. Spiggle – So tell me what you're getting each year?

Mr. Gillespie - $91,000 in 11 payments over 5 years = $1,001,000.

Mr. Conner – and the current rent roll is $80,000/year?

Mr. Gillespie – No, it's $60,000. You've lost $26,000.

Mr. Conner – Let me ask you a question – If we don't take it lump sum and another customer pulls out in 5 years – are we out of that money too?

Mr. Gillespie – No, that doesn't have anything to do with you.

Mr. Conner – What's the return on investment Ms. Wilkes? Taking the lump sum vs. payments?

Ms. Wilkes – I believe I would have to calculate that Mr. Conner – I do not have that information off the top of my head.

Mr. Garrett – What would the proposal be if US Cellular wasn't in there?

Mr. Gillespie – I don't know because when the RFP was made available it was included. And we did get a 2 week extension, the deadline is tomorrow.

Ms. Puckette – If we don't do it we won't have a way to fund our projects. While this may not be the best proposal I've seen in my real estate time it is a means to an end. Our choices come to "do nothing" and run the risk of losing towers or accept some funding to make things happen. Things we have come here to do. It is a difficult decision when you think about leasing something for so many years but this is the way they do business. But, if do not take this money now and move forward – it's been almost 2 years here not – planning and trying to move forward and make some things happen. Then we have wasted all this and will not have done for our citizens what we told them we would do. So is the best option in the world? Probably not. Is it the option we have – yes. I think after much thought that the only way for us to get the seed money we need to do our economic growth and development. If we don't we will have set ourselves back even further. It's time for us to do something.

Ms. Spiggle – Well said.

This concluded the discussion.

Councilmember Mayberry made a motion, seconded by Councilmember Puckette to accept the proposal by AP Wireless for the purchase of the rents for the Town's four cell sites. Councilmember Mayberry also moved that the Mayor and Finance Committee Chairman enter into negotiations with AP Wireless in order to develop a contract which the Mayor would be authorized to sign on behalf of the Town.
Roll Call Vote –
Ayes – McDearmon, Spiggle, Mayberry, Puckette
Noes – Garrett, Conner
Motion carries 4-2.

Mr. Garrett asked that before anything is signed that our attorney's make sure that the 911 and schools will not be harmed. I can see it being lost.

Mayor Harvey assured Mr. Garrett that Mr. Wright (Town Attorney) would review everything.

Mr. Conner – And we will make sure that we are just selling rents? Our present rent.

Mr. Harvey – yes, that's already in the proposal.

Mr. Conner – But that isn't what was in writing.

Mr. Gillespie & Mr. Harvey – yes it is.

Mr. Conner – Okay

Committee Updates-

Finance & Planning:
Mr. McDearmon reported that in their January committee meeting they heard from Jeff Elder, Facilities Manager concerning the purchase of a used dump truck and a mini excavator. After much searching he (Jeff) advised the committee that he could not find anything for the money council had set forth. So he (Jeff) wanted the committee to put the money set aside for the mini excavator towards the funds for the dump truck which they still haven't gotten any leads on. The committee discussed the payout options on the cell tower leases and the proposal for the cell tower leases. Lastly, the Committee discussed the Priorities and Initiatives for 2014 and beyond.

Physical Development Committee:
Mr. Mayberry reported that the committee met this afternoon and Mr. Proctor Harvey and Mr. Dave Farley made a presentation on how to improve the Town with enhancements, particularly to enhance the corridors for tourists.

Staff Member Updates:
Town Clerk – none
Town Treasurer – none
Town Manager – none

Council Concerns:
None

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
February 10, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, February 10, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Carlton Duck, Alive Media TV; Katrina Koetring, Stephanie James, Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance.

Scheduled Public Appearances –
None

Mayor's Comments –
Mayor Harvey said he was approached by a citizen who would like to have a retreat/conference entitled "Reconciliation of Government" for the sesquicentennial in 2015, possibly even inviting Glenn Beck to host his retreat (outdoor event, 4-H Center) in Appomattox.

Consent Agenda –
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the Consent Agenda with the addition of New Business #4 – Consideration to authorize a water adjustment for the American Legion Post on Oakleigh Avenue, specifically to provide an average water bill. All members present voting aye. Motion carried.

New Business –

Capital Improvement Plan FY 2014 – 2019
Mr. Gillespie explained that the 5 year Capital Improvement Plan (CIP) equipment and facility improvements for water, sewer and general buildings of the Town. This provides a picture of what things will be addressed and the funding. How the funding is programmed through the revenue of the Town. It is not a real busy Capital Improvement Plan for the next 5 years.

Mr. Conner – Are you going to put all 3 of them together or separate (General, Water, Sewer)?

Mr. Gillespie – All 3 go together in the CIP unless you have a question about something – we can talk about that.

Mr. Conner – The way you explained it earlier we are automatically voting to spend $30,000 on renovation at the Town Office and $30,000 on parking lot maintenance.

Mr. Gillespie – Correct.

Mayor Harvey – Are there any other questions for Mr. Gillespie? There were none.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to adopt the Capital Improvement Plan FY 2015-2019.
Roll call vote: Garrett – yes, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – no, Puckette – yes. Motion carried 5-1.

2014 Priorities & Initiatives
Mr. Conner – These are things we would like to do, if we have the money, not guaranteed to do.

Mr. Gillespie – Obviously, some of them are not funded. The initiatives are what we are talking about. We need to start laying the groundwork to get these things done. As part of that, how you're going to fund it will come up.

Mr. Garrett – So this is more of a study that allows staff to do the groundwork to make projects proceed?

Mr. Gillespie – Yes, because some of them we don't even know what the numbers are.

On a motion by Mr. Mayberry, seconded by Councilmember Puckette, Council voted to adopt the 2014 Council Priorities & Initiatives.
Roll call vote: Garrett – yes, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – yes. Motion carried 6-0.

Mayor Harvey then passed out the committee assignments for each member. They are as follows:
Mr. Conner – Relationship/Managed Growth Committee
Mr. Mayberry – Infrastructure Committee
Mr. McDearmon – Financial Committee
Mrs. Puckette – Communications Committee
Ms. Spiggle – Spot Floral Garden Project Committee
Mr. Garrett – Water/Splash Park Exploratory Committee

Mr. Gillespie advised that the first item that needs attention is the Legislative Day for the third or fourth week in March 2014.

On a motion by Mr. Conner, seconded by Mr. Mayberry, Council voted to amend the Travel Policy by decreasing the mileage reimbursement rate from $0.565 to $0.56 effective immediately. All members present voting aye. Motion carried.

On a recommendation of the Finance & Planning Committee, Council voted to authorize a water adjustment for the American Legion Post on Oakleigh Avenue, specifically to provide an average water bill. All members present voting aye. Motion carried.

Town Manager Update –

Mr. Gillespie reported on the Consent Order the Town has been under with DEQ for nearly 10 years. The Consent Order was issued for high zinc levels. Approximately 18 to 20 months ago, the wastewater treatment staff started using lime in the setting basins to try to pull the zinc levels down. It is a relatively cheap fix about $10,000/year. They have been able to maintain that level for over 12 months. When our consent order came due at the end of it (July 2013) DEQ wanted to ensure that the Town could maintain those numbers for 6 more months. The level has been maintained for 18 months. In the letter dated January 30, 2014 from DEQ, they stated that the terms of the consent order have now been completed. This is a milestone.

Citizen Comment period –
None

Council Concerns –
None

On a motion by Mr. Mayberry, seconded by Mrs. Puckette, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Workshop Meeting
February 25, 2014

The Appomattox Town Council held a Workshop Council meeting on Tuesday, February 25, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Katrina Koetring, News & Advance; Stephanie James, Times Virginian; Alive Media TV; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; Bill Gillespie, Jr., Town Manager, and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Report from Priority & Initiatives Committee Chairs:

Water Park – Mr. Timothy W. "Timmy" Garrett:
Mr. Garrett reported that the Water/Splash Park Exploratory Committee will be exploring the feasibility of a water/splash park for the Town of Appomattox. He will be moving forward with getting the committee set up.

Finance – Mr. C. Lewis McDearmon, Jr.:
Mr. McDearmon reported that the committee has not met with Town Staff yet but will be doing so soon.

Garden Spot – Ms. Mary Lou Spiggle:
Ms. Spiggle reported that we will soon have equally as beautiful highways and byways as the City of Lynchburg. Next week she hopes to meet with the firms submitting proposals as a part of the selection process for choosing a landscaping architect for the master plan for the Town of Appomattox.

Infrastructure – Mr. N. H. "Jimmy" Mayberry:
Mr. Mayberry reported that now the Town of Appomattox has an Economic Development Authority in place and Council has identified a scope of work for the Authority. The Town will be sending a letter outlining the wants for the town. The EDA will meet on March 20, 2014.

Relationships/Managed Growth – Mr. Steve T. Conner:
Mr. Conner reported that his committee will be working to coordinate the Legislative Dinner on March 27, 2014. He also plans to meet with state legislators in the coming weeks.

Communications – Mrs. Claudia G. Puckette:
Mrs. Puckette reported that her committee is also working on the Legislative Dinner. She is also planning for the committee to develop better ways to communicate with our citizens. We would like for the public to participate even more.

Legislative Dinner
The dinner is planned for Thursday, March 27, 2014 at 6:00 p.m. at the Appomattox Community Center and catered by the Babcock House.

Standing Committee Updates:
Finance & Planning:
Mr. McDearmon reported that the committee met on February 10, 2014. The Town Treasurer provided a monthly report and reviewed the reserves and money set aside for the Capital Improvement Plan. The committee also reviewed the Capital Improvement Plan/Projects for FY 2015. Mr. Gillespie gave an update on the SBR plant building project. He also reported that the Consent Order for the SBR plant has been lifted and closed. Mr. Gillespie updated the committee on the burned house on Sunnydale Avenue. Staff will continue to pursuing this and return to the committee with an update.

Physical Development Committee:
Mr. Mayberry reported that the committee met today, February 25, 2014 and heard a presentation by the Railroad Festival Committee (Paul Harvey, Tony Clifton, Rhonda Guill) requesting a monetary donation, some staffing assistance with trash barrels, banners, stage, etc. The committee also toured the depot (on Main Street).

Mr. Jeff Elder, Facilities Director recapped the visit from the railroad train station. The Town will begin a restoration process of the depot. This will include repairing and painting the roof (ceiling) inside the current visitor's center, relocating the current Visitor's Center to the lower end after remodeling that end, looking into grants to help with remodeling. The Town will also advertise a Request for Proposals for future businesses to lease the large space (current Visitor's Center). It is the desire of the Town to restore the depot to its original colors and plans.

Staff Member Updates:
Town Clerk – none

Town Treasurer – none

Town Manager – The Town will continue trying to find out who owns the property on Sunnydale Avenue where the house burned several years ago. Currently, the town has not had any luck finding anyone who will claim ownership. Mr. Gillespie has been in contact with the Town Attorney to discuss the process of removing the burned house.

Council Concerns:
Mr. Conner spoke concerning the possibility of raising Meals Tax by another 1% and implementing a Cigarette Tax and abating the Real Estate Tax for the Town of Appomattox. He believes it would provide an incentive for people to move into Town.

Mr. Gillespie suggested sending this issue to Mr. McDearmon (Finance Committee) for review.

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to adjourn at 7:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
March 10, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, March 10, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Rev. Jeremy Boyce, Carlton Duck, Alive Media TV; Stephanie James, Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Rev. Jeremy Boyce, Bible Baptist Church led the prayer and Pledge of Allegiance.

Scheduled Public Appearances –
None

Mayor's Comments –
None

Consent Agenda –
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the Consent Agenda of March 10, 2014 as presented. All members present voting aye. Motion carried.

New Business –

On a motion by Ms. Spiggle, seconded by Mr. Conner, Council voted to appoint Mrs. Claudia G. Puckette to the Appomattox Town Planning Commission, term expiring June 30, 2014. All members present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Ms. Spiggle, Council voted to appoint Todd Milton, Lonny Hamlett and S. L. Ferguson to the Town's Property Maintenance Investigation Board for the 2014 calendar year. All members present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to write off the uncollected debts listed as Real Estate - $69.30, Personal Property - $7925.66 and Miscellaneous Accounts Receivable - $245.44. All members present voting aye. Motion carried.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to approve the following VML resolution:

Form of Ordinance
Approving Joint Powers Association Agreement

WHEREAS, Virginia political subdivisions are authorized by law to provide group life insurance, accident and health insurance and other employee benefits programs for their officers and employees; and

WHEREAS, Virginia Code §15.2-1300 provides that any power, privilege or authority exercised, or capable of being exercised by a political subdivision in the Commonwealth of Virginia may be exercised and enjoyed jointly with any other political subdivision of the Commonwealth having a similar power, except where express statutory procedure is otherwise provided for the joint enterprise; and

WHEREAS, said Code section authorizes two or more political subdivisions to enter into agreements with one another for such joint action and to appropriate funds and sell, lease, give or otherwise supply such property, personnel or services therefore as legally empowered to furnish; and

WHEREAS, the Virginia Public Procurement Act (the "Procurement Act") exempts from its competitive sealed bidding and competitive negotiation requirements (the "Requirements") the joint procurement by public bodies, utilizing competitive principles, of insurance purchased through member associations under the conditions set forth in the Procurement Act; and

WHEREAS, members of Virginia Local Government Insurance Association (the "Association") are Virginia political subdivisions who have executed the Joint Powers Association Agreement, a copy of which is attached to and made part of this Resolution (the "Joint Powers Agreement"); and

WHEREAS, members of the Association may procure insurance through the Association; and

WHEREAS, insurance products purchased through the Association are more cost effective than those purchased through alternative means; and

WHEREAS, the procurement of insurance should be effectuated as provided in the Joint Powers Association Agreement, in accordance with applicable provisions of the Procurement Act, such as the utilization of competitive principles pursuant to an exemption from the Requirements; and

WHEREAS, it appearing to the Town Council of the Town of Appomattox that the procurement of insurance pursuant to the Joint Powers Agreement is otherwise in the best interests of the Town of Appomattox.

NOW, THEREFORE, BE IT HEREBY ORDAINED that:

(1) Competitive sealed bidding and competitive negotiation for the procurement of insurance are not fiscally advantageous to the public because of the administrative and economic advantages of procuring such insurance through the Association.

(2) The procurement of insurance pursuant to the Joint Powers Agreement is hereby approved.

(3) The Joint Powers Agreement and the performance of the terms and conditions thereof on behalf of the Town of Appomattox are hereby authorized and approved.

(4) The Clerk of Council for the Town of Appomattox is hereby authorized and directed to execute and deliver the Joint Powers Agreement on behalf of the Town of Appomattox in substantially the form presented to this meeting.

(5) The payment obligations of the Town of Appomattox pursuant to the provisions hereof and the Joint Powers Agreement shall be subject to annual appropriation of requisite funds therefor by the Appomattox Town Council.

(6) This Ordinance shall take effect immediately upon its adoption or passage.

Adopted: _____
Attest: _____
All members present voting aye. Motion carried.

On a recommendation of the Finance and Planning Committee, Council voted to accept the proposal from Harvey Design Land Architect for the Beautification Master Plan. All members present voting aye. Motion carried.

On a recommendation of the Finance & Planning Committee, Council voted to authorize staff to proceed with the necessary steps, including a legal process, to abate the burned house on Sunnydale Avenue. All members present voting aye. Motion carried 6-0.

Town Manager Update –
None

Citizen Comment period –
None

Council Concerns –
Mrs. Puckette thanked Ms. Wilkes for a very nice presentation regarding the Town's financial condition. The Town is in very good financial condition and she is very proud of our accomplishment.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Workshop Meeting
March 31, 2014

The Appomattox Town Council held a Workshop Council meeting on Monday, March 31, 2014 (due to weather conditions on March 25, 2014) at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Frank Wright, Town Attorney, Katrina Koerting, News & Advance; Alive Media TV; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; Bill Gillespie, Jr., Town Manager, and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Mr. Gillespie provided an update from the Town's Economic Development Authority meeting held on March 20, 2014. It was a good meeting, very positive and they have a lot to do. Mr. Gillespie also provided an update on the Thomasville building. The building is costing $350,000 to maintain annually.

The Appomattox Town Planning Commission is having their first meeting this Thursday, April 3, 2014 along with the Region 2000 Local Government Council who will be assisting with a Comprehensive Plan.

Mr. Gillespie provided an update from the VML Legislative Session. There are new storm water regulations, whereby you can elect not to have your own program. Appomattox County will not run their program. Mr. Gillespie will administer the plan for the Town of Appomattox. There will be no Real Estate tax if there was a loss of spouse in the military. Non-profit groups will not have to report Meals Tax on the 1st 100,000 of gross receipts. Boundary Line adjustment letters will no longer have to be sent certified. There were 4 bills introduced (HB371, HB344, SB174, SB45) attempting to change the formula for BPOL and Machinery and Tools or drop it all together.

Mr. Gillespie provided an update on the Community Development Block Grant project. The Town has been awarded $25,000 for a planning grant. Staff met with the Department of Housing and Community Development to finalize the budget. The Local Government Council will run the program. The community is very excited about the project. The Town has two (2) excellent citizen representatives from the area on the committee. The rest of 2014 will consist of gathering data. The Town will apply in March 2015 and grants are awarded in July 2015.

Mr. Gillespie prepared a letter to be sent to Governor McAuliffe regarding the Virginia General Assembly adjourning without passing a budget.

On a motion by Mr. Mayberry, seconded by Mrs. Puckette, Council voted to send the prepared letter to Governor McAuliffe. All members present voting aye. Motion carried.

Report from Priority & Initiatives Committee Chairs:

Water Park – Mr. Timothy W. "Timmy" Garrett:
Mr. Garrett reported that he and Mr. Gillespie will be visiting the Splash Valley in Roanoke, Virginia on April 10.

Finance – Mr. C. Lewis McDearmon, Jr.:
Mr. McDearmon reported that the met with Mr. Gillespie and Ms. Wilkes to discuss the General Fund and Water and Sewer Funds and to set up the budget.

Garden Spot – Ms. Mary Lou Spiggle:
Ms. Spiggle reported that the committee has been established. They will be meeting on April 16, 2014 at 5:30 p.m. with Proctor Harvey.

Infrastructure – Mr. N. H. "Jimmy" Mayberry:
Mr. Mayberry reported that he met with Mr. Gillespie to discuss the list of items on the Priorities and Initiatives. Some of the items will be passed on to the EDA at their next meeting. Anything the Planning Commission or Economic Development Authority does will come back to council for their approval.

Relationships/Managed Growth – Mr. Steve T. Conner:
Mr. Conner reported that the Town hosted a Legislative Dinner on March 27, 2014. His committee will also be presenting ideas to coordinate with other community activities including the public schools by speaking to government classes and job shadowing with Juniors and Seniors.

Communications – Mrs. Claudia G. Puckette:
Mrs. Puckette reported that the Town Council had a wonderful time of fellowship last Thursday at the Legislative Dinner. Her committee is hoping to develop a newsletter to be mailed with the water bills to aid in communication regarding things going on with council. She hopes to have an informal picnic for the community to share hopes and dreams for our town. She welcomes participation from the community on her committee.

Standing Committee Updates:
Finance & Planning:
Mr. McDearmon reported that the committee met on March 10, 2014. Town Council is working on the budget for FY 2015. Town representatives attended a luncheon hosted by Congressman Hurt on March 19, 2014 at the Spring House. Mr. McDearmon and Mr. Mayberry attended a meeting at the CVCC Appomattox Center hosted by Dr. Capps also on March 19, 2014. The Finance & Planning committee discussed at their March 10, 2014 meeting the Priority and Initiatives, street dedication for Hardees, Tiger Fuel Property, the burned house on Sunnydale Avenue and a possible cigarette tax. Staff and Council representatives would be meeting with

the Town of Farmville on April 4, 2014. The Treasurer provided her monthly report at the March 10, 2014 committee meeting.

Physical Development Committee:
Mr. Mayberry reported that the committee met today, March 31, 2014 and discussed a Chicken (Livestock) Ordinance, the plat for Hardees, received an update on the burned house on Sunnydale Avenue, update on Dollar Tree and reviewed the scope of work presented by HDLA for the Route 24 Corridor. The committee also reviewed the FY 2015 General Fund as a part of the budget process.

Mr. Jeff Elder, Facilities Director recapped the visit from the railroad train station. The Town will begin a restoration process of the depot. This will include repairing and painting the roof (ceiling) inside the current visitor's center, relocating the current Visitor's Center to the lower end after remodeling that end, looking into grants to help with remodeling. The Town will also advertise a Request for Proposals for future businesses to lease the large space (current Visitor's Center). It is the desire of the Town to restore the depot to its original colors and plans.

On a recommendation of the Physical Development Committee, Council voted to authorize the purchase of a dump truck with a not to exceed amount of $133,500. Roll Call Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

On a recommendation of the Physical Development Committee, Council voted to authorize the security renovations at the Town Office and Public Works front office with a not to exceed amount of $10,000. Roll Call Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

Staff Member Updates:
Town Clerk – none

Town Treasurer – none

Town Manager – none

Council Concerns:
Mayor Harvey mentioned the Legislative Dinner was overdue and was a great event.

Closed Session

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to convene in Closed Session pursuant to §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 the public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being for the expansion of the Public Works facilities and pursuant to Section 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 for the purpose of Economic Development and pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of a specific appointee and/or public officer of the Town, specifically being Appointee A and pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the performance of specific public employees of the Town, specifically being employees A, B, C, D, E, F, G, H, I, J and K.

Vote:
Garrett – aye, McDearmon –aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye.

Now, therefore, be it resolved, that the members of the Appomattox Town Council Appomattox 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:
Garrett – aye, McDearmon –aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye.

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to adjourn with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Special Call Meeting
April 9, 2014

At the Special Call Meeting of the Appomattox Town Council held on April 9, 2014 at 5:30 p.m.in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, there present with Mayor, Paul D. Harvey, presiding.

Council members present: Timothy W. Garrett, C. Lewis Mayberry, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Claudia Puckette. Absent: Steven T. Conner

Also in attendance were: C. William Gillespie, Jr. Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the Special Call Council Meeting to order.

On a motion by Councilmember Mayberry, seconded by councilmember McDearmon, Council voted to convene in closed session pursuant to Section 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 for the purpose of Economic Development.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Puckette – aye, Conner – absent.

Now, therefore, be it resolved, that the members of the Appomattox Town Council Appomattox 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: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Puckette – aye, Conner – absent.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adjourn. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
April 14, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, April 14, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Carlton Duck, Alive Media TV; Geri Granato, Beth Turner, Daphne Moore, Lewis Moore, Rhonda Guill, Rick Butler, Bryan Baine, Katrina Koerting, Rev. Russell Cheatham, Frances Guill, Stephanie James, Times Virginian; Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Rev. Russell Cheatham, Memorial United Methodist Church led the prayer and Pledge of Allegiance.

Scheduled Public Appearances –
Rick Butler, Virginia Department of Forestry appeared before Council to present the Town with its 2nd year of Tree City USA material. Mr. Butler expressed concerns of the lack of interest with the current Town Tree Board. The Town will coordinate a meeting with the current membership and seek additional membership.

Mayor's Comments –
The Town of Pamplin had a major water leak and the Town of Appomattox's Public Works Department assisted them in repairing the leak. Mayor Harvey thanked the Town's staff for their assistance.

Mayor Harvey also commented on the Civil War Re-enactment held the weekend of April 12th. He is hopeful for an even larger event next year as it will be the 150th Anniversary of the end of the Civil War.

Consent Agenda –
On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adopt the Consent Agenda of April 14, 2014 as presented. All members present voting aye. Motion carried.

New Business –

Mayor Harvey presented the following proclamation:

TOWN OF APPOMATTOX
ARBOR DAY PROCLAMATION
April 17-24, 2014

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and

WHEREAS, the Town of Appomattox has been designated a bird sanctuary and trees provide habitat for birds, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fire and countless other wood products, and

WHEREAS, trees increase property values, enhance the economic vitality of business areas, and beautify communities, and

WHEREAS, trees, wherever planted, are a source of comfort, joy and inspiration.

NOW, THEREFORE, I, Paul Harvey, Mayor of the Town of Appomattox, do hereby recognize the 25th day of April, 2014 (the last Friday in April) as our Sixth Annual Arbor Day celebration and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this _____ day of _____

Mayor _____

Town Manager Update –
Mr. Gillespie provided an updated on the burned house at 427 Sunnydale Avenue, Appomattox, Virginia. There are a number of judgment liens on the property. The Town Attorney has crafted a certified letter to be sent to the owner of record, trustee and lien holder. Staff will be moving forward with the letters and public notice advertisement. After 30 days have passed from the expiration of the letters and the public notice the Town Attorney can proceed with the next steps in the process.

Citizen Comment period –
Beth Turner – Spout Spring, Virginia – Has a business on Main Street and has been there for over 23 years.

I am here tonight on the concern of moving the Visitor's Center. The concerns I have are that the parking is very inadequate on that end of the street where/we/I understand you are planning to move it. There are too many businesses that continue to park on the street, all day, every day, during business hours that don't allow any available parking places for our customers and visitors.

Why would you move the visitor's center to the end of the street where there is no adequate parking when where it is has several parking spaces to hold several visitors? The other concern is that by placing the visitor's center at the other end of the street where it is not visible until you get to the end of the street makes it too difficult to find and then find a place to park. The only alternative for them is to go right and get lost or go left and then not know how to loop back around, feel discouraged and leave this town.

The location is very quaint and very functional and gives the visitor's a chance to sit out on the deck, watch trains go by and take pictures and use the available facilities. If you decide to move the visitor's center all you would be doing is making it harder for those who want to see and get information more difficult. I challenge each of you on this Town Council to take a drive downtown during normal business hours and then locate where the proposed visitor's center would be and then try to find a place to park. A visitor's center is a much needed asset to this town and especially on Main Street. Why would you take something that is working and working well to the end of the street where it will not be visible until you get to the end and then get lost. We have been a business owner on Main Street for over 23 years and enjoyed the people who have enjoyed this town. So why would you take something that is working and turn it into a change that would not benefit the visitors of this town. We don't know what your plans are but you need to consider those who have supported this town, whose businesses have been an asset and to those who live and visit here. Thank you.

Lewis Moore – Appomattox County Resident

Ditto what Beth said. Can anyone give me a good reason for moving the visitor's center? Anyone?

Mayor Harvey – we don't exchange dialogue – you get to speak.

Another concern I have is increasing the meals tax. You all know you just increased 3% not too long ago. From 5% to 8%. That makes Appomattox and I think, the Town of Orange, the highest. I also understand that it is to replace the Real Estate tax that residents in Town are paying at this time. Since I can't ask a question as I had some questions – It was stated that the people from Appomattox were not the ones who eat in the Town. I'm just wondering where they are coming from? I don't get 2 or 3$ of visitors over a year period. And over the winter months I don't get 1%. So, in my opinion the people I have eating in my restaurant are local people from the County and the Town.

Bryan Baine – 646 Lee Grant Avenue

Thank you – I am here to talk about Meals Tax primarily but I would like to thank the Council and particularly Ms. Spiggle on the upcoming work on greenspace projects along our roads and it will benefit our businesses as well as everyone else's businesses. I love to see that. I want to speak about the meals tax. I am for meals tax. I think it's a good way and a fair way to collect some revenue. It does tap some money from other states and other parts of the state, which is good. We would like to keep some of their money – I think – it's great. It is part of a tax package for a town, particularly ours. It is important to look at it in the context of the whole state and you've probably already done this. Weldon Cooper Center at UVA does an annual report of tax rates throughout the state. 2013 is out – 2012 is available online. The only town – city or county at 8% is the Town of Orange. So now there may be 2 of us at 8% - so now are tied for first, unless someone else has also raised it that much.

Only 7 towns have more than 6% and there are a lot of towns in Virginia and we are on the way top end even graduated down just a little. Almost everyone else is a 3 or 5%. It is important to look at where everyone is for 2 reasons – 1) General fairness to people coming through town, locals, and restaurant owners – while we don't pay the tax – we just collect it. It must have an impact if you go too far. People will say – come in and get dinner – people may not notice it. But if you're coming in to get a cup of coffee, right after y'all changed it, from here at first and then out of the area/state would ask is that right? Can you check it again? What's your tax here? Oh man that's high. So I am not sure it's the message we want to send. 2) In selling the Town as a place to attract businesses and restaurants – I am sure when I was sitting there and as you are sitting there. When you say "What do you want to see in this town" and they say "some restaurants and a hotel" everyone wants more choices to eat without driving to Lynchburg and I don't know if an 8-9% tax wouldn't keep a chain restaurant out of here – but I don't think it would be in the plus column either.

You don't want to be #1 in a Tax – There's a lot of things we want to be #1 at in the Town and probably are but a tax isn't one of them.

I think the Visitor's Center works great where it is. It draws people downtown which is important because you're coming to Main Street not going through Main Street on your way to

somewhere. Main Street is a destination. You are going to the bank, Country Charm, Baine's bookstore, Granny Bee's. You hate to lose any of our package destinations.

Mayor Harvey – thank you for all of your comments and giving of your time, opinions and needs.

Council Concerns – none

On a motion by Mr. Conner, seconded by Mr. Puckette, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
April 29, 2014

The Appomattox Town Council held a Workshop Council meeting on Tuesday, April 29, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: John Redding, Rick Butler, Spencer & Jane Coleman, Clara Aleman (HDLA), Proctor Harvey (HDLA), Katrina Koerting (News and Advance), Stephanie James (Times Virginian), Carlton Duck (Alive Media), Rhonda Guill, Jeff Smith, Madeline Abbitt, Paul Michael Raymond, Jane Raymond, Eddie Parrish, Stacey Wilkes, Town Treasurer; Bill Gillespie, Jr., Town Manager, and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the meeting to order and welcomed everyone in attendance.

Council received a presentation from Proctor Harvey and Clara Aleman from Harvey Design Land Architects (HDLA) regarding the ROSE project.

On a motion by Councilmember Puckette, seconded by Councilmember McDearmon, Council voted to approve the Organizational Chart dated April 1, 2014. All members present voting aye. Motion carried.

Mayor Harvey presented a Proclamation for Municipal Clerks Week – May 4 – 10, 2014.

Proclamation

Municipal Clerks Week
May 4 - 10, 2014

***Whereas**, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and*

***Whereas**, the Office of the Municipal Clerk is the oldest among public servants, and*

***Whereas**, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and*

***Whereas**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and*

***Whereas**, the Municipal Clerk serves as the information center on functions of local government and community, and*

***Whereas**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.*

***Whereas**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.*

***Now, Therefore, I**, Paul D. Harvey, Mayor of the Town of Appomattox, do recognize the week of May 4 through May 10, 2014, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Roxanne W. Casto and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.*

Dated this 29th day of April, 2014

Report from Priority & Initiatives Committee Chairs:

Water Park – Mr. Timothy W. "Timmy" Garrett:
Mr. Garrett reported that he and Mr. Gillespie toured the Splash Valley park in Roanoke. They are waiting on data from other communities.

Finance – Mr. C. Lewis McDearmon, Jr.:
Mr. McDearmon reported that he had met with Stacey Wilkes and Bill Gillespie on Thursday, May 8, 2014 and discussed the cash flow analysis for water and sewer. He suggested based on data not to reduce the Real Estate tax and not to increase the Meals Tax. He did recommend that the Town implement a Cigarette Tax.

Garden Spot – Ms. Mary Lou Spiggle:
Ms. Spiggle had no additional report to Mr. Harvey's presentation. The ROSE committee will meet again on May 1, 2014 at 5:30 p.m. Mrs. Madeline Abbitt will chair the fundraising strategies.

Infrastructure – Mr. N. H. "Jimmy" Mayberry:
Mr. Mayberry reported that he will be meeting with Mr. Gillespie next week.

Relationships/Managed Growth – Mr. Steve T. Conner:
Mr. Conner reported that he is planning a picnic for the summer.

Communications – Mrs. Claudia G. Puckette:
Mrs. Puckette reported that her committee is working on a newsletter to Town residents. She is planning a picnic for this summer.

Standing Committee Updates:
Finance & Planning:
Mr. McDearmon reported that the Finance & Planning Committee met to discuss the FY2015 Budget for the Town of Appomattox, the proposed Cigarette Tax and the monthly Treasurer's Report.

Physical Development Committee:
Mr. Mayberry reported the Physical Development Committee received an update on the inclusion of Dutch Lane in the Town of Appomattox. They also discussed the sewer inflow and infiltration grant opportunity, the ROSE program and continued discussions of the 2015 Budget.

Staff Member Updates:
Town Clerk – none

Town Treasurer – none

Town Manager – none

Council Concerns:
None

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to adjourn at 8:00 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
May 12, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, May 12, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, and Steven T. Conner.

Members absent: Timothy W. Garrett, Jr. and Claudia G. Puckette.

Others: Carlton Duck, Alive Media TV; Bonnie Cunningham, Willie Craft, Katrina Koetring, News and Advance; Stephanie James, Times Virginian; Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance.

Mayor's Comments –
Mayor Harvey congratulated the newly re-elected council member.

Scheduled Public Appearances – none

Consent Agenda –
On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adopt the Consent Agenda of May 12, 2014 with the addition of NB #1 – Report on the ROSE program, NB #2 – Consideration for funding appropriations for the ROSE program, specifically $15,000 for the ROSE program and $14,200 for the Master Plan and NB #3 – Consideration to authorize Hurt and Proffitt, Inc. to apply for a grant for the Inflow and Infiltration project on the North Side of the Town of Appomattox. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

Ms. Spiggle provided an update on the ROSE project.

On a motion by Councilmember McDearmon, seconded by Councilmember Spiggle, Council authorized the funding appropriation for the ROSE program, consisting of $15,000 for the ROSE program marketing booklets and $14,200 for the Master Plan for a total of $29,200 from the General Fund undesignated fund balance. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to authorize Hurt and Proffitt, Inc. to apply for a Grant for the Inflow and Infiltration project on the North Side of the Town of Appomattox, totaling $25,000 from the Sewer Fund undesignated fund balance. All members present voting aye. Motion carried.

Town Manager Update –
None

Citizen Comment period –
Bonnie Cunningham wrote a letter to Council – It read as follows:
5/12/14
Dear Sirs,
This is a request for the street to be paved on Sunrise Street from where it stops to my driveway. There are three houses that have street frontage, so it would benefit all three. We only have a narrow gravel road. This is town and there should be paved streets. We do pay town and county taxes so why don't we have the benefit of a paved street and snow removal? I was told when I bought my house that the road was coming down and going over to Ethel Street within two years and that is what it shows on my plat. I was also told there would be no mobile homes in the area. Both Mr. Marston and the real estate man told me this. I wasn't here long and they put in a mobile home across the street from my property, well it was not zoned for it, then I get all this run around about the street for thirteen years, they say they don't know who the land belongs to and it's a paper street. But they split part of the property and gave it to us, how could they do that if they don't know who owns it? And this is just ridiculous. Then some town employees have the nerve to tell me in the last couple of weeks maybe you should just sell your house and move. I am 63 years old disabled and have no intentions of letting them run be off. I pay my taxes both of them, and I want what is right to be done ASAP.

I also want the people in the doublewide to take their drainage pipe off my property.

I am tired of being lied to.

You are very welcome to come to my house. I will be glad to tell and show you all about what has happened here. The reason I won't come to a meeting is I do not want to be on TV.

Sincerely,
Bonnie Cunningham

Willie Craft – 371 South Fork Road
Thanked Council for allowing Town Employees to fix the major water leak in the Town of Pamplin.

Council Concerns –
Ms. Spiggle thanked the voting citizens in the Town. "We are ready to work for our citizens".

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adjourn at 7:55 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
May 27, 2014

The Appomattox Town Council held a Workshop Council meeting on Tuesday, May 27, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Benny Harvey, Katrina Koerting, News & Advance; Alive Media TV; Stacey Wilkes, Town Treasurer; Bill Gillespie, Jr., Town Manager, and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Public Hearings –
Mayor Harvey opened the first public hearing by stating the purpose, to receive public comments concerning the adoption of a Cigarette Tax Ordinance. To amend Chapter 175 by adding a new article, entitled Article VI which provides for a Cigarette Tax. The proposed ordinance would be levied and imposed by the Town, in addition to any other taxes which may be or have been imposed, a tax to be paid and collected as provided in this article on each and every sale of cigarettes made in the Town. The tax is to be paid by the seller, local dealer or other agent by affixing a stamp, or causing a stamp to be affixed to every pack of cigarettes, in the kind manner required by this article and at the applicable rates as follows: The rate or amount of tax levied or imposed on cigarettes shall be at the rate of twenty-seven cents ($.27) for each twenty (20) cigarettes or fractional part thereof.

The floor was opened for public comments.

There were no public comments made.

Mayor Harvey closed the first hearing.

The second public hearing was opened by Mayor Harvey and he stated the purpose, to receive public comments concerning adoption by the Town Council of the Proposed FY 2015 Budget for the Town of Appomattox – In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY2015:

General Fund Expenditures	$1,656,608.00
Water Fund Expenditures	$488,908.00
Sewer Fund Expenditures	$828,500.00
Total Expenditures	$2,974,016.00

General Fund Revenue	$1,656,608.00
Water Fund Revenue	$488,908.00
Sewer Fund Revenue	$828,500.00
Total Revenue	$2,974,016.00

The floor was opened for public comments.

There were no public comments made.

Mayor Harvey closed the second public hearing.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to adopt the Town's Economic Development Authority recommendation of the Incentive Program for Economic Development. All members present voting aye. Motion carried.

Report from the Priority and Initiatives Chairs:

Communications – Mrs. Claudia G. Puckette:
Ms. Puckette reported that she is planning to set a date for a picnic in August. There will be good food, sharing opportunities, information on the ROSE program and the Master Plan.

Relationships/Managed Growth – Mr. Steve T. Conner:
Mr. Conner reported that there is not a lot going on with his committee. He did attend the FFA banquet. He believes the Town should reach out to kids/school.

Infrastructure – Mr. N. H. "Jimmy" Mayberry:
Mr. Mayberry reported that his committee will begin looking into the blighted property areas of the Town.

Garden Spot – Ms. Mary Lou Spiggle:
Ms. Spiggle provided another update of the ROSE committee's progress. There was a meeting on May 22 to plan strategies for the 28 identified areas. On June 2, 2014 there will be a public press conference to announce our 1st sponsor. On June 9, 2014 there will be a public hearing and resolution to adopt during the regular council meeting.

Finance – Mr. C. Lewis McDearmon, Jr.:
Mr. McDearmon reported that he had met with Town Manager and Treasurer regarding reserves, meals tax and the cigarette tax.

Water Park – Mr. Timothy W. "Timmy" Garrett:
Mr. Garrett reported that he is waiting on financial data on neighboring water parks.

The Appomattox Chamber of Commerce through a letter by John Redding reported on the ACT Art Project.
The Appomattox Chamber Art Project has begun in full force. The ACT Art Committee is committed to beautifying Appomattox and will begin with a mural painting on the east side of the old Cities Service gas station building. The building, owned by Brod Pack, will have an Appomattox theme of a train engine and station with state icons of a cardinal and dogwood blossoms. The mural was designed by Abby Huffman, art student at Appomattox High School.

Faith Jones, Art Instructor for Appomattox High School, will direct the artistic effort being performed by her students.

Before the mural can be painted, the building's surface will need to be power washed, sprayed with a sealant and primed. For this part of the project the Chamber is seeking monetary donations for sealant, outdoor paint, spray paint, rollers, and brushes. A call for volunteers will be made as the work progresses. Jeff Elder, Appomattox Utility Director, will consult with the Town as to the availability of a power washer and access to water. Surface preparation can begin as soon as it can be organized with the art department beginning as early as June 11th.

The Appomattox Chamber ACT Art project is relying on monetary contributions and donations of material to begin this mural. The Appomattox Historical Society, Steve Conner Real Estate and Chamber leadership have each pledged donations of $100 or more.

Checks can be made to the Appomattox Chamber of Commerce and a plaque recognizing those contributing over $100 will be placed on the wall.

The future intent of ACT Art is to complete the front and west side of the building as funds allow.

Mr. Redding stated in his presentation that he is looking for direction from Council. A resolution of support will be prepared for the June 9, 2014 Council meeting.

Standing Committee Updates:
Finance & Planning:
Mr. McDearmon reported that the committee met on May 12, 2014. Two closed sessions were held at that meeting. Also, Mr. Elder provided an update on the depot building and the Treasurer provided her monthly report at the May 12, 2014 committee meeting.

Physical Development Committee:
Mr. Mayberry reported that this committee met today. They received a report from Sheriff Letterman, an update on the sidewalk and narrow portion of Lee Grant Avenue, an update on the incentive program being considered by the Town's Economic Development Authority, discussed the proposed chicken ordinance, received a request to the close Main Street for a 150th anniversary celebration event by the Museum of the Confederacy, and received a request by the Appomattox Volunteer Fire Department for assistance with a crash truck.

Staff Member Updates:
Town Clerk – none

Town Treasurer – none

Town Manager – none

Council Concerns:

Mayor Harvey noted the mix up in the letter mailed by the Service Line Warranty company regarding the insurance for homeowners with water and sewer service lines.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 7:25 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
June 9, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, June 9, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, and Steven T. Conner and Claudia G. Puckette.

Others: Brian Moore, Alive Media TV; Proctor Harvey, Clara Aleman, Nathan Harbin (HDLA); Katrina Koetring, News and Advance; Stephanie James, Times Virginian; Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Brian Moore (Alive Media) led the prayer and Pledge of Allegiance.

Mayor Harvey called the public hearing to order.

PH – 06092014-01 Rose Program
The purpose of such meeting is to receive public comments regarding the Town of Appomattox requesting the Virginia Department of Transportation to approve a project for roadside beautification of the Town of Appomattox in conjunction with the Town's corridor beautification project. The Master Plan will be on public display in the Council Chambers for review from 4:00 p.m. to 6:00 p.m. Town staff and project team members will be available to take public comments in the Council Chambers, Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Mr. Proctor Harvey provided a powerpoint presentation for the audience regarding the program.

There were no public comments.

Mayor Harvey closed this public hearing.

Mayor Harvey opened the second public hearing.

PH – 06092014 – 02 Voluntary Boundary Adjustment

Take notice that both the Council of the Town of Appomattox, Virginia and the Board of Supervisors of the County of Appomattox, Virginia intend to approve a Voluntary Boundary Adjustment Agreement whereby a certain small parcel of land containing 0.07 acres now located in the County would be brought within the Corporate limits of the Town.

This small parcel was inadvertently not included in the recent Voluntary Boundary Adjustment whereby a certain 23.28 acre parcel of land formerly located in the County was made part of the Corporate area of the Town by Order of the Circuit Court for Appomattox County, Virginia dated December 3, 2013. This small 0.07 acre parcel is adjacent to the 23.28 acre parcel and

both parcels are contained in a new 23.35 acre parcel shown on a plat of survey made by Larry E. Hartsoe, C.L., dated September 24, 2013, Revised September 16, 2013 and April 8, 2014.

The Town Council intends to take action to approve said Agreement at its regularly scheduled meeting on June 9, 2014 and shall hold a public hearing on the Agreement on that date at 7:30 p.m. prior to taking action at 210 Linden Street, Appomattox, Virginia.

The Board of Supervisors intends to take action to approve the Agreement at its regularly scheduled meeting on June 2, 2014 and shall hold a public hearing on the Agreement at that meeting at 7:00 p.m. prior to taking action at 171 Price Lane, Appomattox, Virginia.

A copy of the proposed Agreement as well as said Plat of Survey are on file with the Clerk of the Appomattox Town Council and the Clerk of the Board of Supervisors for Appomattox County.

There were no public comments.

Mayor Harvey closed the public hearing.

Mayor's Comments –
Mayor Harvey thanked the 6th graders from Appomattox Middle School for their letters and asked that the Town send each child a "Thank You" letter.

Mayor Harvey also addressed the Utility Service Line Protection Program. There has been a mix up with the 3rd party mailing company and if you received a letter in error, please let the Town know and we will have your name and address removed from the mailing list.

Scheduled Public Appearances – none

Consent Agenda –
On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adopt the consent agenda as presented for June 9, 2014. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to amend the Code of the Town of Appomattox, Chapter 175, thereof, entitled Taxation, to add a new Article providing for Cigarette Tax.

AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Chapter 175, thereof, entitled Taxation, to add a new article providing for Cigarette Tax

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

Section 1. Chapter 175 of the Code of the Town of Appomattox is hereby amended to add a new article following Article V, to be known as Article VI as follows:

Article VI. Cigarette Tax

Sec. 175-32. Definitions.
Sec. 175-33. Levied; amount.
Sec. 175-34. Preparation, sale, etc., of stamps; duties of treasurer generally.
Sec. 175-35. Inspection of records, premises, etc.
Sec. 175-36. Seizure and disposition of untaxed cigarettes, etc.
Sec. 175-37. Obligation of dealers and agents regarding stamps.
Sec. 175-38. Presumption based on quantity.
Sec. 175-39. Presumption based upon stamps or markings.
Sec. 175-40. Disposition of revenue.
Sec. 175-41. Illegal acts.
Sec. 175-42. Penalty
Sec. 175-43. Each violation a separate offense.
Sec. 175-44 – 175-50. Reserved.

§ 175-32. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) Agent means every local dealer and other person who shall be authorized by the town treasurer to purchase and affix stamps to packages of cigarettes under the provisions of this article.

(b) Dealer means every manufacturer, jobber, wholesale dealer or other person who supplies a seller with cigarettes.

(c) Package means every package, box can or other container of any cigarettes to which the internal revenue stamp of the United States government is required to be affixed by and under federal statutes and regulations and in which retail sales of such cigarettes are normally made or intended to be made.

(d) Sale means every act or transaction, irrespective of the method or means employed, including the use of vending machines and other mechanical devices, whereby title to any cigarettes shall be transferred from the seller, as defined in this section, to any other person within the town.

(e) Seller means every person engaged in the business of selling cigarettes who transfer title or in whose place of business title to any such cigarettes is transferred within the town for any purpose other than resale.

(f) Stamp means the small gummed piece of paper or decalcomania to be sold by the town treasurer and to be affixed by the agent to every package of cigarettes; it shall also denote any insignia or symbol printed by a meter machine upon any such package under authorization of the town treasurer.

(g) Treasurer means the town treasurer and every person duly authorized by him to serve as his representative.

Sec. 175-33. Levied; amount.

There is hereby levied and imposed by the town, in addition to any other taxes which may be or have been imposed, a tax to be paid and collected as provided in this article on each and every sale of cigarettes made in the town. The tax is to be paid by the seller, local dealer or other agent by affixing a stamp, or causing a stamp to be affixed to every pages of cigarettes, in the kind and manner required in this article and at the applicable rates as follows: The rate or amount of tax levied or imposed on cigarettes shall be at the rate of twenty-seven cents ($.27) for each twenty (20) cigarettes or fractional part thereof.

Sec. 175-34. Preparation, sale, etc., of stamps; duties of treasurer generally.

(a) The town treasurer shall acquire, keep and sell necessary stamps to local dealers and other agents, the stamps to be of such denominations and quantities as may be necessary for the payment of the tax imposed in this article.

(b) In the sale of such stamps to a local dealer or other agent, the treasurer shall allow a discount of two cents ($0.02) per stamp of the face value thereof to cover the cost which will be incurred by such dealer or agent in affixing the stamps to packages of cigarettes.

(c) The town treasurer may, from time to time and as often as he deems advisable, provide for the issuance and exclusive use of stamps of a new design and forbid the use of stamps of any other design. The treasurer is empowered to make and carry into effect such reasonable rules and regulations relating to the preparation, furnishing, sale and redemption of stamps as he may deem necessary. In redeeming stamps or making refunds for destroyed stamps, he shall not in any case refund more than ninety (90) percent of the face value of such redeemed or destroyed stamps. He is further authorized and empowered to prescribe the method to be employed, the conditions to observed, and any other necessary requirements not contrary to this article in the use of meter machines for printing upon packages of cigarettes an insignia to represent the payment of the tax and in lieu of stamps.

(d) In addition to powers granted in subsections (a) through (c) of this section, the town treasurer is further authorized and empowered to:

(1) Prescribe, adopt, promulgate and enforce rules and regulations relating to the method and means to be used in the cancellation of stamps;

(2) Delegate his powers to agents or others, including the police officers of the town;

(3) Act in any other matters pertaining to the administration and enforcement of the provisions of this article.

Section 175-35. Inspection of records, premises, etc.

The town treasurer, or his duly authorized agent, is empowered to examine books, records, invoices and papers related to purchases, sales, etc., of cigarettes, and to examine all cigarettes in and upon any premises where cigarettes are placed, sold, stored, offered for sale or displayed for sale by a seller.

Section 175-36. Seizure and disposition of untaxed cigarettes, etc.

(a) If the town treasurer or his agent discovers any cigarettes subject to the tax imposed under this article, but upon which such tax has not been paid and upon which stamps have not been affixed or evidence of payment is not shown thereon by printed markings of a meter machine in compliance with the provisions of this article, then the treasurer or duly authorized agents or officers, any of them, may seize and take possession forthwith of such cigarettes, which shall thereupon be deemed to be forfeited to the town. Such cigarettes may, within a reasonable time thereafter, and after written notice is posted at the front door of the municipal building at least five days before the date given therein for sale, shall sell such cigarettes in the place designated in such notice.

(b) Any property, other than motor vehicles, used in the furtherance of any illegal evasion of the tax may be seized, confiscated and disposed of as provided in subsection (a) of this section. No credit from any sale or other disposition shall be allowed toward any tax or penalties owed.

(c) The seizure and sale of any property shall not be deemed to relieve any of the persons of any other penalties provided in this article.

Sec. 175-37. Obligation of dealers and agents regarding stamps.

(a) Every local dealer in cigarettes and every agent appointed under this section shall purchase necessary stamps from the town treasurer to pay the tax imposed under this article and shall affix or cause to be affixed a stamp of the monetary value provided by this article to each package of cigarettes prior to deliver or furnishing such cigarettes to any seller who is not also an agent.

(b) Nothing contained in this section shall be deemed to preclude any dealer from authorizing and employing any agent to purchase and affix such stamps in his behalf or to have a stamp meter machine used in lieu of stamps to effectuate the provisions of this article.

(c) Stamps or printed markings of a meter machine shall be placed upon each package of cigarettes in such a manner as to be readily visible to the purchaser.

(d) It shall be the responsibility of every seller to determine that each package of cigarettes offered for sale shall have a proper stamp affixed thereto in compliance with the provision of this article.

(e) If inspection by the agents of the town discloses unstamped or improperly stamped packages of cigarettes, the seller, when such cigarettes were obtained from a local dealer, shall immediately notify such dealer and upon such notification such dealer shall forthwith either affix to the unstamped or improperly stamped package, container or item with proper amount of stamps or he shall replace such package, container or item with others to which stamps have been properly affixed. If a seller, who is not also an agent, acquires or has in his possession unstamped or improperly stamped cigarettes, the seller shall forthwith notify the treasurer of such fact. The treasurer shall thereupon affix or cause to be affixed the proper stamps to such cigarettes. The cost of such stamps at face value shall be advanced by such seller.

(f) The treasurer, by proper rules and regulations, may require every local dealer, agent or seller to cancel stamps upon all packages of cigarettes in his possession.

(g) Every local dealer and seller shall maintain and keep for a period of at least two (2) years such records of cigarettes received and sold by him as may be required by the treasurer; such records shall be made available for examination in the town by the treasurer upon demand, and the means, facilities and opportunities for making any such examination shall be made available at all reasonable times.

Sec. 175-38. Presumptions based on quantity.

Cigarettes found in quantities of more than six (6) cartons within the town shall be conclusively presumed for sale therein and may be seized and confiscated if:

(1) They are in transit, and are not accompanied by a bill of lading or other document indicating the true name and address of the consignor or seller and of the consignee or purchaser, and the brands and quantity of cigarettes so transported, or they are in transit and accompanied by a bill of lading or other document which is false or fraudulent, in whole in part;

(2) They are in transit and are accompanied by a bill of lading or other document indicating:

a. A consignee or purchaser in another state or the District of Columbia who is not authorized by the law of such other jurisdiction to receive or possess such cigarettes on which the taxes imposed by such other jurisdiction have not been paid, unless the tax of the state or district of destination has been paid and the products bear the tax stamps of that state or district; or

b. A consignee or purchaser in the commonwealth but outside the town who does not possess a state sales and use tax certificate, a state retail cigarettes license and, where applicable, both a business license and retail cigarettes license issued by the local jurisdiction of destination; or

(3) They are not in transit and the tax has not been paid, nor have approved arrangements for payment been made, provided that this subsection shall not apply to cigarettes in the possession of distributors or public warehouses which have filed notice and appropriate proof with the town that those cigarettes are temporarily within the town and will be sent to consignees or purchasers outside the jurisdiction in the normal course of business.

Sec. 175-39. Presumption based upon stamps or markings.

If any package of cigarettes is found in the possession of a seller without proper stamps or authorized printed markings thereon, and the seller is unable to submit evidence establishing that he received such packages, containers or items within the immediately preceding forty-eight (48) hours, and that he has not offered the same for sale, then it shall be presumed that such packages, containers, or items are being kept in violation of the provisions of this article, and the seller shall be subject to the tax and a penalty in the amount of fifty (50) percent thereof, even though such seller is also an agent.

Sec. 175-40. Disposition of revenue.

Revenue derived from the tax imposed in this article shall be deposited by the town treasurer to the credit of the general fund of the town for utilization for such legal purposes as the council of the town may from time to time determine.

Sec. 175-41. Illegal acts.

It shall be unlawful and a violation of this article for any dealer or other person liable for the tax to:

(1) Perform any act or fail to perform any act for the purpose of evading the payment of any tax imposed by this article or of any part thereof, or to fail or refuse to perform any of the duties imposed under him under the provisions of this article or to fail or refuse to obey any lawful order which may be issued under this article;

(2) Falsely or fraudulently make, or cause to be made, any invoices or reports, or to falsely or fraudulently forge, alter or counterfeit any stamp, or to procure or cause to be made, forged, altered or counterfeited any such stamp or knowingly and willfully to alter, publish, pass or tender as true any false, altered, forged or counterfeited stamp or stamps;

(3) Sell, offer for sale or authorize or approve the sale of any cigarettes upon which the town stamp has not been affixed;

(4) Possess, store, use, authorize or approve the possession, storage or use of any cigarettes in quantities of more than sixty (60) cigarettes upon which the town stamp has not been affixed;

(5) Transport, authorize or approve the transportation of any cigarettes in quantities of more than sixty (60) packages into or within the town upon which the town stamp has not been affixed, if they are:

a. Not accompanied by a bill of lading or other document indicating the true name and address of the consignor or seller and the consignee or purchaser and the brands and quantity of cigarettes transported;

b. Accompanied by a bill of lading or other document which is false or fraudulent in whole or part; or

c. Accompanied by a bill of lading or other document indicating:

1. A consignee or purchaser in another state or District of Columbia who is not authorized by the law of such other jurisdiction to receive or possess such tobacco products on which the taxes imposed by such other jurisdiction have not been paid unless the tax on the jurisdiction of destination has been paid and such cigarettes bear the tax stamps of the jurisdiction; or

2. A consignee or purchaser in the state but outside the taxing jurisdiction who does not possess a state sales and use tax certification, a state retail tobacco license and, where applicable, a business license and a retail tobacco license issued by the local jurisdiction of destination;

(6) Reuse or refill with cigarettes any package from which cigarettes have been removed, for which the tax imposed has been theretofore paid; or

(7) Remove from any package any stamp with intent to use or cause the package to be used after such package has already been used or to buy, sell or offer for sale or give away any used, removed, altered or restored stamps to any person, or to reuse any stamp which had therefore been used for evidence of the payment of any tax prescribed by this article or to sell, or offer to sell, any stamp provided for in this article.

Sec. 175-42. Penalty.

Any persons violating any of the provisions of this article shall be guilty of a Class 1 misdemeanor. Any fine and/or imprisonment pursuant to conviction of a Class 1 misdemeanor shall not relieve any such person from the payment of any tax, penalty or interest imposed by this article.

Sec. 175-43. Each violation a separate offense.

The sale of any quantity or the use, possession, storage or transportation of more than sixty (60) packages of cigarettes upon which the town stamp has not been affixed shall be and constitutes a separate violation. Each continuing day of violation shall be deemed to constitute a separate offense.

Sec. 175-44 – Sec. 175-50. Reserved.

Section 2. This section shall become effective on October 1, 2014.

VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – no, Puckette – yes. Motion carried 5 – 1.

On a motion by Councilmember Spiggle, seconded by Councilmember Mayberry, Council voted to approve a Resolution adopting the FY 2015 Budget for the Town of Appomattox.

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2014-2015 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 2014-2015 Budget was published on May 14, 2014 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 27, 2014;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 9, 2014, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2014-2015;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	320,098.
Administrative Department	263,676.
Professional	73,000.
Police Department	59,814.
Tourism Department	79,790.
Fire Department	37,000.
Public Works Department	488,026.
Sanitation Department	103,000.
Property Maintenance & Construction	145,054.
Town Shop	28,500.

Donation/Contributions	7,900.
Zoning	25,750.
Town Office	25,000.
TOTAL GENERAL FUND EXPENSES	**1,656,608.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.13 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 $.13 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 situsedwithin the Town commencing January 1, 2013, 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 60% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 60% 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.

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2014-2015;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	165,000.
Current Taxes – Personal Property	110,000.
Delinquent Taxes	10,000.
Penalties & Interest	5,000.
Public Service Corporation	6,500.
Bank Stock Tax	120,000.
Cigarette Tax	20,000.
Meals Tax	850,000.
Lodging Tax	30,000.
Franchise Tax	5,700.
Consumption Tax	7,000.
Vehicle License Tax	22,000.
Business License	165,000.
Zoning	2,000.

Interest	10,000.
Rental of Misc. Property	5,000.
Motor Vehicle Tax	3,500.
Sales Tax	60,000.
Aid to Police Department (HB599)	41,408.
Fire Programs	10,000.
Miscellaneous	3,000.
Tourism Grant	5,000.
Other Reimbursable	500.
TOTAL GENERAL FUND REVENUES	**1,656,608.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2014-2015;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	488,908.
TOTAL WATER EXPENDITURES	**488,908.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2014-2015;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	320,000.
Connection Fees	3,000.
Penalty Fees	15,000.
Availability Fees	5,000.
Reconnect Fees	7,000.
County Water Line Maintenance	36,000.
Miscellaneous	300.
Interest	5,000.
Credit Card Fees	1,000.
Rental of Misc. Property	96,608.
TOTAL WATER REVENUES	**488,908.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2014-2015;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	828,500
TOTAL SEWER EXPENDITURES	**828,500.**

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2014-2015;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	739,700.
Connection Fees	2,500.
Availability Fees	2,500.
County Reimbursement SBR & IDA PS	77,000.
Park Service Maintenance	1,800.
Interest	5,000.
TOTAL SEWER REVENUES	**828,500.**

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2014-2015 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 2014-2015 is hereby adopted, effective July 1, 2014 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 9th day of June, 2014.

Attest:

_____ _____

Roxanne W. Casto, Town Clerk Paul D. Harvey, Mayor

VOTE: VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – no, Puckette – yes. Motion carried 5 – 1.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to approve the Voluntary Boundary Adjustment Agreement.

Voluntary Boundary Adjustment Agreement

This agreement made and entered into this ____ day of _____, 2014, by and between the County of Appomattox, Virginia ("County" herein) and the Town of Appomattox, Virginia ("Town" herein).

---WITNESSETH---

That for and in consideration of the mutual benefits to these political subdivisions of the Commonwealth of Virginia, the County and Town hereby covenant and agree pursuant to Section 15.2-3106 et seq., Code of Virginia as follows:

1) *That a portion of the boundary line between County and Town shall be changed and a new line established, which change shall have the effect of bringing a small 0.07 acre parcel of the geographical area of the County within the corporate limits of the Town.*

2) *That County and Town has followed the procedures set forth in Section 15.2-3106 of the Code of Virginia before taking action to adopt this Agreement.*

3) *That County and Town shall as soon as practicable after adoption of this Voluntary Boundary Agreement file a Petition for approval of said Agreement in the Circuit Court for Appomattox County following the procedure as set forth in Sec. 15-2-3108, Code of Virginia. That the costs of said proceedings, including, but not limited to, survey and court costs shall be borne equally between County and Town.*

4) *This small parcel was inadvertently not included in the recent Voluntary Adjustment whereby a certain 23.28 acre parcel of land formerly located in the County was made a part of the Corporate area of the Town by Order of the Circuit Court for Appomattox County, Virginia dated December 3, 2013. This small 0.07 acre parcel is adjacent to the 23.28 acre parcel and both parcels are contained in a new 23.35 acres plat shown on a play of survey made by Larry E. Hartsoe, C.L., dated September 16, 2013, revised September 24, 2013 and April 8, 2014 and attached hereto.*

WITNESS THE FOLLOWING SIGNATURES AND SEALS this the ___ day of _____, 2014.

VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Councilmember Spiggle, seconded by Councilmember Puckette, Council voted to approve the Virginia Department of Transportation's Comprehensive Roadside Management Plan Resolution:

RESOLUTION

WHEREAS, the Town of Appomattox, in accordance with the Virginia Department of Transportation's Comprehensive Roadside Management Plan, requests the Commonwealth Transportation Board to establish a project for the roadside beautification of the Town of Appomattox, and

WHEREAS, the Virginia Department of Transportation (VDOT) requires a formal resolution from the local governing body, adopted subsequent to a public hearing during which the proposed landscaping activities are made available for review, and

WHEREAS, the Town of Appomattox will follow the General Rules and Regulations of the Commonwealth Transportation Board (Sections 24VAC 30-20-20, 24 VAC 30-20-80), and the Land Use Permit Manual (24VAC30-151 et seq.), and

WHEREAS, the Town of Appomattox assumes full responsibility for maintenance of the presented program for highway beautification, and

BE IT FURTHER RESOLVED, that the Town of Appomattox hereby agrees to have available to VDOT the Corridor Master Plan at all times, will assume responsibility for maintenance of described project, and will comply by all rules and regulations detailed in VDOT's Comprehensive Roadside Management Program.

Adopted this _____day of _____, _____, Virginia by the Town Council of the Town of _____, Virginia.

APPROVED: *ATTEST:*

_____ _____

Mayor *Town Clerk*

All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adopt a resolution amending FY 2014 Operating Budget for the General Fund for the carry forward of fire programs revenues of $8000 and FY 2012-2013 not received until FY 2013-2014 and the additional revenues to be received for FY 2013-2014 of $2000.

1. Consideration to adopt a resolution amending the FY 2014 Operating Budget for the General Fund for the carry forward of fire program revenues of $8,000 for FY 2012-2013 not received until FY 2013-2014 and the additional revenues to be received for FY 2013-2014 of $2,000

   WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

   NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2013-2014 Operating Budget of the General Fund for the carry forward of fire program revenues of $8,000 for FY 2012-2013 not received until FY 2013-2014 and the additional revenues to be received for FY 2013-2014 of $2,000

General Fund Expenditures

Fire	$ 10,000
Net Increase in Budget	$ 10,000

General Fund Revenues

Fire Programs	$ 10,000
Net Increase in Budget	$ 10,000

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2014 budget amendments are hereby adopted, 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.
Amended this 9th day of June 2014.
Attest:

_____
Roxanne W. Casto, Town Clerk

VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Councilmember Mayberry, seconded by Councilmember Puckette, Council voted to adopt a resolution amending FY 2014 Operating Budget for the General Fund to reallocate funds for the FY 2013-2014 as needed.

1. Consideration to adopt a resolution amending the FY 2014 Operating Budget for the General Fund to reallocate funds for the FY 2013-2014 as needed

   WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

   NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2013-2014 Operating Budget of the General Fund to reallocate funds for the FY 2013-2014 as needed

General Fund Expenditures	
Public Works	$ (2,700)
Sanitation	1,500
Town Shop	16,200
Zoning	$(15,000)
Net Increase in Budget	$ -0- .

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2014 budget amendments are hereby adopted, 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.
Amended this 9th day of June 2014.
Attest:

_____
Roxanne W. Casto, Town Clerk

VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to adopt a resolution amending the FY 2013-2014 Operating Budget for the Sewer Funds to appropriate the remaining funds approved in the CIP for improvements to the SBR plant in the amount of $5,026.00.

1. Consideration to adopt a resolution amending the FY2013 - 2014 Operating Budget of the Sewer Fund to appropriate the remaining funds approved in the CIP for improvements to the SBR plant in the amount of $5,026

   WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

2. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2013-2014 Operating Budget of the Sewer Fund to appropriate the remaining funds approved in the CIP for improvements to the SBR plant in the amount of $5,026

Sewer Fund Expenditures	$ 5,026
Net Increase in Budget	$ 5,026

Sewer Fund Revenues	
Use of Reserves	$ 5,026
Net Increase in Budget	$ 5,026

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2014 budget amendments are hereby adopted, 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.
Amended this 9th day of June 2014.
Attest:

_____
Roxanne W. Casto, Town Clerk

VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Councilmember Spiggle, seconded by Councilmember Conner, Council voted to adopt a resolution amending the FY 2014 Operating Budget for the General Fund to appropriate $133,500 from the Equipment Reserve for the purchase of a new dump truck and $20,000 from the Fire Reserve to help outfit the new crash truck.

1. Consideration to adopt a resolution amending the FY 2014 Operating Budget for the General Fund to appropriate $133,500 from the Equipment Reserve for the purchase of a new dump truck and $20,000 from the Fire Reserve to help outfit the new crash truck.

   WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

   NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2013-2014 Operating Budget of the General Fund to appropriate $133,500 from the Equipment Reserve for the purchase of a new dump truck and $20,000 from the Fire Reserve to help outfit the new crash truck.

General Fund Expenditures

Fire	$ 20,000
Public Works	$ 133,500
Net Increase in Budget	$ 153,500

General Fund Revenues

Use of Fire Reserve	$ 20,000
Use of Equipment Reserve	$ 133,500
Net Increase in Budget	$ 153,500

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2014 budget amendments are hereby adopted, 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.
Amended this 9th day of June 2014.
Attest:

_____
Roxanne W. Casto, Town Clerk

VOTE: Garrett – abstained (Chief – Appomattox Volunteer Fire Department), McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – yes, Puckette – yes. Motion carried 5-0.

On a motion by Councilmember Puckette, seconded by Councilmember Spiggle, Council voted to award the 2014 Curbside Garbage Collection Contract to Republic Services for $275,220 for three (3) years and the acceptance of Alternates #1, #2, and #3.

VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – yes, Puckette – yes. Motion carried 6-0.

Town Manager Update –
None

Citizen Comment period –
None

Council Concerns –
Councilmember Puckette stated that she is pleased with the cleanliness of the Town's Kiddie Park but the paint is wearing on the top of the caboose and did not think children should be crawling through the rough concrete pipes.

On a motion by Councilmember Mayberry, seconded by Councilmember Puckette, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
June 24, 2014

The Appomattox Town Council held a Workshop Council meeting on Tuesday, June 24, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Absent: C. Lewis McDearmon, Jr.

Others: Janet Hix, David Hix, Austin Robertson, Alive Media TV; Bill Gillespie, Jr., Town Manager, and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Janet A. Hix, Appomattox County Circuit Court Clerk performed the swearing in ceremony for Paul D. Harvey, Mayor and Council Members Timothy W. Garrett, Mary Lou Spiggle, N. H. Mayberry, Steven T. Conner, Claudia G. Puckette. Mr. McDearmon was absent and will be sworn in at a later date. Mrs. Hix thanked Council for the opportunity to administer the oath of elected officials.

On a motion by Council Member Puckette, seconded by Council Member Spiggle, Council voted to adopt the following resolution:

1. Consideration to adopt a resolution amending the FY 2014 Operating Budget for the General Fund for FY 2013-2014 CIP projects currently in progress; including Depot repairs, sidewalk replacement, security upgrades, and paving

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2014 Operating Budget for the General Fund for FY 2013-2014 CIP projects currently in progress; including Depot repairs, sidewalk replacement, security upgrades, and paving

General Fund Expenditures	
Town Office	$ 7,500
Public Works	$ 88,000
Property Maintenance & Construction	$ 33,130
Net Increase in Budget	$128,630.

General Fund Revenues	
Use of Undesignated Reserve	$128,630
Net Increase in Budget	$128,630.

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2014 budget amendments are hereby adopted, 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.

Amended this 24th day of June 2014.

Attest:

_____
Roxanne W. Casto, Town Clerk

Roll Call Vote: Garrett – aye, Spiggle – aye, Mayberry –aye, Conner – aye, Puckette –aye.
Absent: McDearmon.
Motion carried 5-0.

Report from the Priority and Initiatives Chairs:

Communications – Mrs. Claudia G. Puckette:
Ms. Puckette reported that she is working to form the communication committee. She is also planning to invite Hollie Cammarasana, Director of Communications from VML Insurance programs to a council meeting.

Relationships/Managed Growth – Mr. Steve T. Conner:
Mr. Conner - none

Infrastructure – Mr. N. H. "Jimmy" Mayberry:
Mr. Mayberry reported that the Infrastructure Committee met last Wednesday, June 19, 2014 to discuss blighted properties. The committee will meet again at a later date.

Garden Spot – Ms. Mary Lou Spiggle:
Ms. Spiggle provided another update of the ROSE committee's progress.

Finance – Mr. C. Lewis McDearmon, Jr.:
Mr. McDearmon reported that he had met with Town Manager and Treasurer regarding reserves, meals tax and the cigarette tax.

Water Park – Mr. Timothy W. "Timmy" Garrett:
Mr. Garrett reported that he is looking through information from Roanoke. He is looking into a small feasibility study after July 1, 2014. Mr. Gillespie made contact with the architect from Splash Valley.

Standing Committee Updates:
Finance & Planning – no report

Physical Development Committee:
Mr. Mayberry reported that the committee met earlier in the evening and discussed the following topics: Hardee's, Murphy Oil, burnt house on Sunnydale Avenue, Brod Pack's building, boundary line adjustment/public hearing on July 14, 2014, blighted property committee report, the Planning Commission and Comprehensive Plan, EDA incentives and performance agreement, update on cell site rental sale and the proposed chicken ordinance.

Staff Member Updates:
Town Clerk – none

Town Treasurer – none

Town Manager – none

Council Concerns:
Council Member Puckette expressed her gratitude to the Middle School students who wrote letters to the Town Council. Mayor Harvey concurred and stated that the letters were well thought out.

On a motion by Council Member Mayberry, seconded by Council Member Garrett, Council voted to adjourn at 7:20 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
July 14, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, July 14, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, and Steven T. Conner and Claudia G. Puckette.

Others: Dr. Calvin Gray, Pastor of New Jerusalem Baptist Church; Katrina Koerting, News and Advance; Carlton Duck, Alive Media TV; Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Dr. Calvin Gray led the prayer and Pledge of Allegiance.

Mayor Harvey called the public hearing to order.

PH – 07142014 - 01 Voluntary Boundary Adjustment

Take notice that both the Council of the Town of Appomattox, Virginia and the Board of Supervisors of the County of Appomattox, Virginia intend to approve a Voluntary Boundary Adjustment Agreement whereby a certain small parcel of land containing 0.07 acres now located in the County would be brought within the Corporate limits of the Town.

This small parcel was inadvertently not included in the recent Voluntary Boundary Adjustment whereby a certain 23.28 acre parcel of land formerly located in the County was made part of the Corporate area of the Town by Order of the Circuit Court for Appomattox County, Virginia dated December 3, 2013. This small 0.07 acre parcel is adjacent to the 23.28 acre parcel and both parcels are contained in a new 23.35 acre parcel shown on a plat of survey made by Larry E. Hartsoe, C.L., dated September 24, 2013, Revised September 16, 2013 and April 8, 2014.

The Town Council intends to take action to approve said Agreement at its regularly scheduled meeting on July 14, 2014 and shall hold a public hearing on the Agreement on that date at 7:30 p.m. prior to taking action at 210 Linden Street, Appomattox, Virginia.

The Board of Supervisors intends to take action to approve the Agreement at its regularly scheduled meeting on July 7, 2014 and shall hold a public hearing on the Agreement at that meeting at 7:00 p.m. prior to taking action at 171 Price Lane, Appomattox, Virginia.

A copy of the proposed Agreement as well as said Plat of Survey are on file with the Clerk of the Appomattox Town Council and the Clerk of the Board of Supervisors for Appomattox County.

There were no public comments.

Mayor Harvey closed the public hearing.

Mayor's Comments –
Mayor Harvey congratulated the local FFA for being voted #1 in the State of Virginia.

Scheduled Public Appearances – Council Member Spiggle introduced Gene Williams who composed and recorded the "12 Unknown". The Appomattox County Board of Supervisors unanimously voted it as the official County song. The song is about the confederate cemetery on Old Courthouse Road. Mr. Williams sang a couple of verses and the chorus.

Mayor Harvey thanked Mr. Williams for presenting this to Council.

Consent Agenda –
On a motion by Councilmember Puckette, seconded by Councilmember McDearmon, Council voted to adopt the consent agenda as presented for July 14, 2014 with the addition of NB #7 – Consideration to adopt a resolution amending the FY 2015 Operating Budget for the General Fund FY 2014-2015 for the installation of a new fence at Abbitt Park. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Council Member Garrett, seconded by Council Member Spiggle, Council voted to authorize Paul D. Harvey, Mayor to execute the following:

Voluntary Boundary Adjustment Agreement

This agreement made and entered into this ____ day of _____, 2014, by and between the County of Appomattox, Virginia ("County" herein) and the Town of Appomattox, Virginia ("Town" herein).

---WITNESSETH---

That for and in consideration of the mutual benefits to these political subdivisions of the Commonwealth of Virginia, the County and Town hereby covenant and agree pursuant to Section 15.2-3106 et seq., Code of Virginia as follows:

1) *That a portion of the boundary line between County and Town shall be changed and a new line established, which change shall have the effect of bringing a small 0.07 acre parcel of the geographical area of the County within the corporate limits of the Town.*

2) *That County and Town has followed the procedures set forth in Section 15.2-3106 of the Code of Virginia before taking action to adopt this Agreement.*

3) *That County and Town shall as soon as practicable after adoption of this Voluntary Boundary Agreement file a Petition for approval of said Agreement in the Circuit Court for Appomattox County following the procedure as set forth in Sec. 15-2-3108, Code of Virginia. That the costs of said proceedings, including, but not limited to, survey and court costs shall be borne equally between County and Town.*

4) *This small parcel was inadvertently not included in the recent Voluntary Adjustment whereby a certain 23.28 acre parcel of land formerly located in the County was made a part of the Corporate area of the Town by Order of the Circuit Court for Appomattox County, Virginia dated December 3, 2013. This small 0.07 acre parcel is adjacent to the 23.28 acre parcel and both parcels are contained in a new 23.35 acres plat shown on a play of survey made by Larry E. Hartsoe, C.L., dated September 16, 2013, revised September 24, 2013 and April 8, 2014 and attached hereto.*

WITNESS THE FOLLOWING SIGNATURES AND SEALS this the ___ day of _____, 2014.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Puckette – aye, Conner – aye. Motion carried 6-0.

On a motion by Council Member Mayberry, seconded by Council member McDearmon, Council voted to write off uncollected debts that have exceeded the statue of limitations – total of $4,739.92. All members present voting aye. Motion carried.

On a motion by Council Member McDearmon, seconded by Councilmember Spiggle, Council voted to accept the FY 2013 Audit Report as presented by Brown, Edwards & Company, LLP. All members present voting aye. Motion carried.

On a recommendation of the Finance & Planning Committee, Council voted to approve the amendment to the Employee Handbook revising the Grievance Procedure. All members present voting aye. Motion carried.

On a recommendation of the Finance & Planning Committee, Council voted to adopt the Report of Harassment Form and appoint the Facilities Director and Clerk of Council as the compliance officers. All members present voting aye. Motion carried.

On a motion by Council Member Spiggle, seconded by Council Member Garrett, Council nominated Steven T. Conner to the Board of Zoning Appeals. All members present voting aye. Motion carried.

On a recommendation of the Finance & Planning Committee, Council voted to adopt the following resolution:

1. Consideration to adopt a resolution amending the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for the installation of a new fence at Abbitt Park

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for the installation of a new fence at Abbitt Park

General Fund Expenditures	
Property Maintenance & Construction	$ 20,000
Net Increase in Budget	$ 20,000

General Fund Revenues	
Use of Undesignated Reserve	$ 20,000
Net Increase in Budget	$ 20,000

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2015 budget amendments are hereby adopted, 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.
Amended this 14th day of July 2014.
Attest:

_____
Roxanne W. Casto, Town Clerk

Town Manager Update –
None

Citizen Comment period –
None

Council Concerns –
Ms. Spiggle congratulated the Appomattox Machine Pitch – 7 and 8 year old boys of the Appomattox Youth Sports program for the win of the State Championship. They will be headed to the World Series in Arkansas.

On a motion by Council Member Garrett, seconded by Council Member Mayberry, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
July 29, 2014

The Appomattox Town Council held a Workshop Council meeting on Tuesday, July 29, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Tommy Terry, Daniel Puckette, Wayne and Rachel Lee, Katrina Koerting, Carlton Duck, Alive Media TV; Stacey Wilkes, Town Treasurer, Bill Gillespie, Jr., Town Manager, and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Claudia Puckette introduced Hollie S. Cammarasana, VML Director of Communications. Ms. Cammarasana presented a powerpoint presentation explaining the benefits of communicating especially through a social media website with residents and citizens. Mrs. Cammarasana emphasized the quality of material over the quantity.

Report from the Priority and Initiatives Chairs:

Communications – Mrs. Claudia G. Puckette:
Ms. Puckette reported that the Town picnic is scheduled for Friday, September 26, 2014 from 6:00 p.m. to 8:00 p.m. at the W. M. Abbitt Memorial Park in Downtown Appomattox.

Relationships/Managed Growth – Mr. Steve T. Conner:
Mr. Conner reported that has spoken with members of the School Board, Board of Supervisors and Planning Commission in hopes of working better together.

Infrastructure – Mr. N. H. "Jimmy" Mayberry:
Mr. Mayberry reported that the Infrastructure Committee met to discuss blighted properties.

Garden Spot – Ms. Mary Lou Spiggle:
Ms. Spiggle reported that the committee continues to move forward with garden spots.

Finance – Mr. C. Lewis McDearmon, Jr.:
Mr. McDearmon reported that the committee has not met since finalizing the budget.

Water Park – Mr. Timothy W. "Timmy" Garrett:
Mr. Garrett reported that he has scheduled a committee meeting for Thursday, July 31, 2014 at 4:00 p.m.

Standing Committee Updates:
Finance & Planning – no report

Physical Development Committee – no report

Staff Member Updates:
Town Clerk – reminded Council of the upcoming Annual VML Conference in Roanoke, Virginia.

Town Treasurer – none

Town Manager – none

Council Concerns:
None

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adjourn at 8:07 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
August 11, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, August 11, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. Conner and Claudia G. Puckette.

Others: Katrina Koerting, News and Advance; Stephanie James, Times Virginian; Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Carlton Duck led the prayer and Pledge of Allegiance.

Mayor's Comments:

Mayor's State of the Town Address:

As part of the Town Council and staff's desire to communicate more effectively with our citizens, we have elected to take time to present a brief "State of the Town" address to inform you of some of the completed projects as well as ongoing and planned ones.

One of the great things to report is that over the last three years the budget has been reduced 23% without loss of any services or raising personal property or real estate taxes. We have accomplished this thru reducing legal and engineering fees, having some projects completed in house and staff and employee reductions. We have also established necessary reserves in all of the Town funds – general, water and sewer and are working to completely fund all of them. After many, many years of operating as a deficit, the sewer fund has also been stabilized.

In the administrative area the council and staff worked for over a year to complete the rezoning of the Town as well as reorganizing the landscaping and sign ordinances. Out of this rezoning council elected to institute a R-2 zoning to allow for small lot sizes and residences and there is already a developer constructing a subdivision to meet these requirements.

Under the guidance of our interim Town Manager, Council began having annual planning retreats. We established mission and vision statements along with core values in the initial retreat and started discussions of priorities and initiatives – essentially goals to achieve and dreams to consider. Council formed six Priority and Initiative committees with each council person serving as a chair; finance, media and citizen communication, intergovernmental cooperation and concerns, infrastructure, water park development, and town beautification and development.

The ROSE program is one of the projects that blossomed from the Priority and Initiative ideas. This is the Roadway Opportunities for Sustainable Enhancements – businesses and

individuals sponsor a beautification garden in the selected VDOT right of way sites with signage to recognize their sponsorship.

Also from planning retreats Council has recently initiated and formed a Planning Commission and an Economic Development Authority. The Planning Commission is currently working, with assistance from the Region 2000 Local Government Council, to develop a comprehensive plan for the Town. The EDA has just put together business incentives and performance agreements to help in attracting new business. As a quick sidebar that has occurred before these actions, the Town has recently welcomed for new businesses – Tractor Supply, Dollar Tree, Murphy Oil and soon Hardee's.

The Council is also joining with a consultant to design a master plan for improvements in the Town including a new Kiddie Park pavilion and new playground equipment, possible metal fencing for Abbitt Park, restoring the Depot to its original state and possibly redesigning the Visitor Center space. We have already been awarded a Community Development Block Grant for areas in the Town with significant needs and concerns, with special focus on Meadowlark subdivision. The Town also participated in a Route 24 corridor study. This is to hopefully see this area to the National Park and Museum of the Confederacy greatly enhanced with road improvements, garden sites and walking trails.

In the public works area you have already seen the new public works building as well as the building to house the equipment and Abbitt Park has the new pavilion and stage cover installed. Also for well over two decades the Town has been under a consent order from DEQ because of high Zinc content at the SBR treatment plant. Over the last two years the plant operators and the utility department have gotten this level below the required zinc level and the consent order has been removed.

The public works department in conjunction with the Town staff have done a capital improvements plan to include eventual closure of the Trickling Filter Plant with installation of a pump station to the SBR plant, lining of sewer lines and replacement of sewer and water lines that are needed. This will also help control and eliminate excess storm water into the sewer system.

All of these things are being accomplished while staff and the public works department continue to provide the best services to you every day. All of the planning, formation and development of these committees, master plans, and capital improvement plans are for the long term benefit of the Town. It is to insure that when a new council or new staff or public works group is eventually in place that there is continuity in services and growth with proper maintenance of what is in place and the plans for the Town's future.

Scheduled Public Appearances – None

Consent Agenda –
On a motion by Mr. Mayberry, seconded by Ms. Spiggle, Council voted to adopt the consent agenda with the addition of NB #3 – Consideration to approve the use of Brown, Edwards and

Company, LLP for $23,650 for the FY 2014 Annual Audit and NB #4 – Consideration to appoint a Board of Directors for the ROSE project for the purposes of incorporation. All members present voting aye. Motion carried.

Unfinished Business –
Mr. Gillespie read Frank Wright, Town Attorney's email regarding the liability associated with the burned house on Sunnydale Avenue.

New Business –
On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to approve the purchase of three (3) sewer flow meters for $25,250.00 and adopt the following resolution:

1. *Consideration to adopt a resolution amending the FY2014 - 2015 Operating Budget of the Sewer Fund to appropriate funds for the purchase of flow meters in the amount of $25,250.*

   WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

   NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2014-2015 Operating Budget of the Sewer Fund to appropriate the funds for the purchase of flow meters in the amount of $25,250

Sewer Fund Expenditures	*$ 25,250*
Net Increase in Budget	*$ 25,250*
Sewer Fund Revenues	
Use of Reserves	*$ 25,250*
Net Increase in Budget	*$ 25,250*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2015 budget amendments are hereby adopted, 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.
Amended this 11th day of August 2014.
Attest:

_____
Roxanne Casto, Town Clerk

VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to award the contract to WEL, Inc. to remove the burned house on Sunnydale Avenue for $11,900 and adopted a resolution amending the FY 2015 Operating Budget for the General Fund:

1. *Consideration to adopt a resolution amending the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for the demolition of the burned home on Sunnydale Avenue in the amount of $12,000*

   WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

   NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for the demolition of the burned home on Sunnydale Avenue in the amount of $12,000

General Fund Expenditures	
Property Maintenance & Construction	*$ 12,000*
Net Increase in Budget	*$ 12,000*

General Fund Revenues	
Use of Undesignated Reserve	*$ 12,000*
Net Increase in Budget	*$ 12,000*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2015 budget amendments are hereby adopted, 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.
Amended this 11th day of August 2014.
Attest:

_____
Roxanne Casto, Town Clerk

VOTE: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

On a motion by Ms. Puckette, seconded by Mr. Mayberry, Council voted to appoint the following people to the ROSE project Board of Directors: Paul Harvey, Bill Gillespie, Jeff Elder and Mary Lou Spiggle for the purposes of incorporating as a 501 (c) 3 status organization. All members present voting aye. Motion carried.

Town Manager Update –
Mr. Gillespie provided Council with a draft document explaining the changes to the meeting structure.

Council will discuss this matter before the retreat and make changes in November.

Citizen Comment period –
None

Council Concerns –
Mr. Conner – In light of recent issues with the fence for Abbitt Park he stated that he believes there should be a Community Parks advisory committee to give input before doing things within the park.

Ms. Spiggle agreed that citizen input is better and thinks this is a good idea.

Ms. Puckette thanked Mayor Harvey for his words of the Town's accomplishments.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to adjourn at 8:05 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
August 26, 204

The Appomattox Town Council held a Workshop Council meeting on Tuesday, August 26, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Ronald C. Spiggle, W. H. Craft, Sara Carter, Gary Tanner, Samuel E. Carter (Appomattox County Board of Supervisors), Johnny Overstreet, County Attorney; Jeff Taylor, Appomattox County Economic Development Director; John Spencer, Assistant County Administrator; Carlton Duck, Stephanie James, Katrina Koerting, Frank Wright, Town Attorney; Bill Gillespie, Town Manager and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the Council Workshop meeting to order.

Chairman Ronald C. Spiggle called the Board of Supervisors meeting to order.
*The County minutes reflect the Appomattox County Board of Supervisors motions.

On a motion by Mr. Mayberry, seconded by Ms. Puckette, Council voted to go into closed session, along with the Board of Supervisors, pursuant to Section 2.2-373711 (A) 5 of the Code of Virginia (1950), as amended, for the purpose of discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community and pursuant to Section 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, for the financial interest of the governmental unit would be adversely affected. For this closed session two 92) such new prospective businesses or industries (one of which may locate on the Thomasville site) will be discussed and neither has made a previous announcement of their intent or interest. A report of the status of the situation will be presented by the County's Director of Economic Development and the Town Manager.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Now, therefore, be it resolved, that the members of 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: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to approve the Performance Agreement as written with a word change – "event". All members present voting aye. Motion carried.

Mr. Gillespie presented Council with a draft agenda for the annual council retreat tentatively scheduled for October 17, 24 or 31.

Council discussed the new committee structure and meeting schedule again. The workshop meeting would be eliminated. Council will vote to make this effective November 1, 2014.

Report from the Priority and Initiatives Chairs:

Communications – Mrs. Claudia G. Puckette:
Ms. Puckette is continuing to work on the details for the Town Picnic on Friday, September 26 from 6:00 p.m. – 8:00 p.m. at the W. M. Abbitt Memorial Park in Downtown Appomattox.

Relationships/Managed Growth – Mr. Steve T. Conner:
Mr. Conner is working on growth with the boundary line adjustment and would like to have a hot dog social with the Board of Supervisors, School Board and Town Council on a Wednesday or Thursday.

Infrastructure – Mr. N. H. "Jimmy" Mayberry:
Mr. Mayberry reported that the Infrastructure Committee has not met recently.

Garden Spot – Ms. Mary Lou Spiggle:
Ms. Spiggle reported that the committee has not met recently however she and Mrs. Abbitt have spoken several continues to move forward with garden spots. Mr. Gillespie, Mayor Harvey, Madeline Abbitt, Claudia Puckette and Ms. Spiggle will be meeting with the Spout Spring Ruritan Club soon.

Finance – Mr. C. Lewis McDearmon, Jr.:
Mr. McDearmon reported that the committee has not met since finalizing the budget.

Water Park – Mr. Timothy W. "Timmy" Garrett:
Mr. Garrett reported that he will be discussing a feasibility study for the water park soon.

Standing Committee Updates:
Finance & Planning – did not meet in August.

Physical Development Committee – met this afternoon to discuss the Performance Agreement.

Staff Member Updates:
Town Clerk – none

Town Treasurer – none

Town Manager – none

Council Concerns:
Mr. Conner asked if the Town had a brush collection schedule. Mr. Gillespie advised that he would obtain it from Mr. Elder and provide it to him.

On a motion by Mr. Mayberry, seconded by Mr. Garrett, Council voted to adjourn at 7:50 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Special Call Council Meeting
Tuesday, September 2, 2014

A Special Call Council Meeting was held on Tuesday, September 2, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others present: Bill Jamerson, Phillip Jamerson, Winfred Nash, Buddy Conner, Jeff Elder, Facilities Director, Bill Gillespie, Interim Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the Special Call Council meeting to order.

On a motion by Council Member Garrett, seconded by Council Member McDearmon, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 (A) 5 of the Code of Virginia (1950), as amended, for the purpose of discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community and pursuant to Section 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 for discussion of a prospective new business, when the business has made no previous announcement of their interest or intent, specifically being prospective project A.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Mayberry made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member McDearmon and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.

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

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk of Council	Mayor

Appomattox Town Council
Regular Council Meeting
September 8, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, September 8, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. Conner and Claudia G. Puckette.

Others: Appomattox Boy Scouts Troop 504, Don and Martha Falls, Elizabeth Milton, Linda Lipscomb, James Lipscomb, Katrina Koerting, News and Advance; Stephanie James, Times Virginian; Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Brian Moore led the prayer and Boy Scout Troop 504 led the Pledge of Allegiance.

Public Hearing –
09082014 – 01

The purpose of this public hearing will be to receive public comments concerning adoption by the Town Council of:

To amend Chapter 117 of the Code of the Town of Appomattox, Chapter 117, to add Article V and to add the following provision which shall become Section 117-28 through 117-30 thereof, entitled "Regulation of Residential Chicken Keeping".

To amend Chapter 195 of the Code of the Town of Appomattox, thereof, entitled Zoning, Article I, entitled "General Provisions", to incorporate the following definitions into the existing definitions of this section.

To amend Chapter 195 of the Code of the Town of Appomattox, thereof, entitled Zoning, to add a new article providing for Article XVII, entitled "General Provisions", Section 195-163, entitled "Residential Chicken Keeping".

<u>Linda Lipscomb – 147 Maple Street – Appomattox, Virginia</u>
I am here tonight to speak in favor of the Town Council adopting the proposed ordinances to allow chickens to be kept in residential areas in Town Limits. The ordinance proposed is fair in lot dimensions and setbacks from neighboring structures. The minimum and maximum dimensions for chicken coops and run falls are within the standard poultry keeping recommendations. Like a lot of people today with all the recalls and scares I have become more aware of where my food comes from and what is in it. I read labels in the grocery store. If I can't pronounce an ingredient I probably don't' want to eat it. Within the last month my family has started drinking milk from pasteurized jersey cows with no genetically modified ingredients instead of milk from the commercially raised grain free cows. We also eat pasteurized beef instead of grain feed beef. If we can't grow it ourselves, we buy produce from local farmers. A

natural extension of this type of thinking and eating is raising chickens for egg production. My neighbor, former neighbor Dr. Powell insists there is nothing wrong with eating two (2) eggs for breakfast. He has been doing it for years. Having raised chickens in California, I have personal experience with the appearance and taste of a home grown egg as opposed to an egg from egg producing factory environment. Nothing can beat it. Chickens kept as described in these ordinances will not be a nuisance to neighboring hens are much quieter than barking dogs, besides they sleep at night. They are not as dangerous as other animals. A hen peck is not as serious as a dog bite or cat scratch. Roosters are another story but they are not permitted underneath these ordinances. Chickens can also make fun family pets they are curious and have many natural behaviors that can be amusing and soothing to watch. They are something that strikes the very basic core of all of us watching them scratch in the dirt or chasing down crickets or plucking grass. Just like dogs they come running to greet you, looking for treats. In return they give us eggs, the perfect food. Eggs are loaded with vitamins, minerals and proteins. They improve our cholesterol profile – they produce choline an important nutrient for the brain. They contain the proteins necessary for amino acids that our body can't produce. Have antioxidants which help protect the eyes and help reduce body fat. However, in a factory, caged, grain fed environment these proteins and nutrients are altered. Pastured or homegrown eggs are the best. I urge you to adopt these ordinances to allow residents to keep backyard chickens. Thank you.

Martha Falls - 191 Sunnydale Avenue - Appomattox, Virginia
Kudos to Linda Lipscomb. Three years ago next month I began a journey with this Town Council and trying to have an ordinance approved for the care and maintenance of chickens in this town. In that 3 year period of time, I have lost 34 lbs. I have more wrinkles and my hair is grayer and we still don't have an ordinance. Shame on you. However, I am quoted in the newspaper more than you are. So that's all I have to say. I said it all 3 years ago. Wish you would make a decision. This is not rocket science. It takes a one syllable answer – yes or no. Thank you.

Mayor Harvey closed the public hearing.

Mayor's Comments:
Mayor Harvey welcomed the Boy Scouts to the meeting and thanked everyone for attending.

Mayor Harvey also mentioned that the new fence had been installed at Abbitt Park.

Mayor Harvey reminded council members about talking over each other. He reminded them to use Robert's Rules of Order and allow everyone to be heard.

Scheduled Public Appearances – None

Consent Agenda –
On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adopt the consent agenda of September 8, 2014 as presented. All members present voting aye. Motion carried.

Unfinished Business –
None

New Business –
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to amend Chapter 117 of the Code of the Town of Appomattox, Chapter 117, to add Article V and to add the following provision which shall become Section 117-28 through 117-30 thereof, entitled "Regulation of Residential Chicken Keeping", and to amend Chapter 195 of the Code of the Town of Appomattox, thereof, entitled Zoning, Article I, entitled "General Provisions", to incorporate the following definitions into the existing definitions of this section and to amend Chapter 195 of the Code of the Town of Appomattox, thereof, entitled Zoning, to add a new article providing for Article XVII, entitled "General Provisions", Section 195-163, entitled "Residential Chicken Keeping".
Roll Call Vote: Garrett – yes, McDearmon – no, Spiggle – yes, Mayberry – no, Conner – no, Puckette – no. Motion failed 4-2.

On a motion by Mr. Mayberry, seconded by Mr. Garrett, Council voted to adopt a resolution amending the Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2014-2015 Budget for the Town of Appomattox, Virginia – Section IV: Personal Property Tax Relief:

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 sitused within the Town commencing January 1, 2014, 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 *54.8*% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive *54.8*% 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.

Roll Call Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to adopt a resolution amending the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for the carry forward of funding of incomplete projects from FY 2014, and appropriate maintenance funding for new truck purchased June 2014.

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for the carry forward of funding for incomplete projects, and appropriate maintenance funding for new truck purchased June 2014

General Fund Expenditures	
Council	$ 1,863
Public Works	90,080
Town Office	3,621
Property Maintenance & Construction	33,930
Net Increase in Budget	$ 129,494

General Fund Revenues	
Use of Undesignated Reserve	$ 129,494
Net Increase in Budget	$ 129,494

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2015 budget amendments are hereby adopted, 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.
Amended this 8th day of September 2014.

Attest:

_____
Roxanne Casto, Town Clerk

Roll Call Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

On a motion by Mr. Mayberry, seconded by Mrs. Puckette, Council voted to adopt a resolution amending the FY 2014 Operating Budget to reflect reclassification of unexpended funds:

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2013-2014 Operating Budget to reclassify unexpended funds within the General Fund

General Fund Expenditures	
Professional	$ 4,800
Public Works	$<4,800>
Net Increase in Budget	$ -0-

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2014 budget amendment is hereby adopted, 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.

Amended this 8th day of September, 2014.
Attest:

_____
Roxanne W. Casto, Town Clerk

Roll Call Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

On a motion by Mrs. Puckette, seconded by Mr. McDearmon, Council voted to adopt a resolution amending the FY 2015 Operating Budget for the General Fund, Sewer Fund, and Water Fund for FY 2014-2015 for the allocation of utility services provided to the various departments.

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2015 Operating Budget for the General Fund, Sewer Fund, and Water Fund for FY 2014-2015 for the allocation of utility services provided to the various departments

General Fund Expenditures	
Tourism	$ 960
Town Shop	420

Town Office	480
Net Increase in Budget	$ 1,860

General Fund Transfers	
Transfer to Water	$ 621
Transfer to Sewer	$ 1,239
Net Increase in Budget	$ 1,860

Sewer Fund Expenditures	
Expenditures	$ 22,191
Net Increase in Budget	$ 22,191

Sewer Fund Transfers	
Transfer In	$ 1,239
Transfer out	$ 23,430
Net Increase in Budget	$ 22,191

Water Fund Expenditures	
Expenditures	$ 24,051
Net Increase in Budget	$ 24,051

Water Fund Transfers	
Transfer In	$ 24,051
Net Increase in Budget	$ 24,051

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2015 budget amendments are hereby adopted, 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.
Amended this 8th day of September 2014.
Attest:

_____
Roxanne Casto, Town Clerk

Roll Call Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

Treasurer's Report
Stacey Wilkes, Town Treasurer provided an overview of the June and July 2014 Financial Reports.

Town Manager Update –
None

Citizen Comment period –
None

Council Concerns –
Ms. Puckette reminded everyone of the Community Picnic scheduled for Friday, September 26, 2014 at 6:00 p.m. at Abbitt Park.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 8:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
September 23, 2014

The Appomattox Town Council held a Workshop Council meeting on Tuesday, September 23, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Absent: C. Lewis McDearmon, Jr.

Others: Carlton Duck, Stephanie James, Katrina Koerting, Stacey Wilkes, Treasurer; Bill Gillespie, Town Manager and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the September 23, 2014 Council Workshop meeting to order.

Paul Harvey received correspondence from the Virginia Department of Health regarding the sampling of the groundwater wells #5 and #9 and everything came back fine.

He also received a letter from the Commonwealth of Virginia Department of Health supporting the Town's USDA grant application to perform the sewer inflow and infiltration and sewer treatment to complete the package.

Lastly, there will be a Pipeline Safety Course on October 21, 2014 at the Spring House Restaurant for a 90 minute seminar. The event is sponsored by Columbia Gas and Williams Pipeline.

Mr. Gillespie wanted to remind Council that the reason for testing the wells is so Appomattox can use the wells as a secondary source and can back feed into the County if necessary.

Mr. Gillespie provided a PowerPoint presentation to the Council regarding the County way finding signs. Appomattox County received a VDOT grant handled by the Local Government Council to place way finding signs throughout the County. The vast (90%) are going to be in town. The options have been narrowed down. The signs are planned for installation before the sesquicentennial.

Proctor Harvey, HDLA is performing the design work for the County.

Mr. Gillespie asked that if Council has a preference of the sign choices that they be shared with the County.

Mr. Gillespie provided Council with an update on the USDA project. The Town submitted a response to USDA's questions regarding more detail on the inflow and infiltration project and the letter from the Health Department was revised regarding the closure of the Trickling Filter Plant. Closure of the TFP would eliminate the problem.

The Environmental Report has been approved. Mr. Gillespie anticipates having a letter of conditions in November 2014.

Mr. Gillespie requested feedback from Council as to whether it would like to partner with the Chamber of Commerce or another group for a ROSE project sign.

Mayor Harvey advised that the Chamber may go in a different direction. The Chamber may partner with the Historical Society. Mayor Harvey asked if the Town and Council would like to share a space. After most of council agreed to this idea, Mayor Harvey said it would discuss the idea with Mr. Spiggle, Chairman of the Board of Supervisors.

Report from the Priority and Initiatives Chairs:

Communications – Mrs. Claudia G. Puckette:
Ms. Puckette reported that the Community Picnic is Friday, September 26, 2014 from 6:00 – 8:00 p.m. at the Watkins M. Abbitt Memorial Park. She encouraged everyone to come out and see what is going on in your town. After the picnic she hopes to get her committee back together to discuss ideas previously addressed with Hollie Cammarasana, VML, Director of Communications.

Relationships/Managed Growth – Mr. Steve T. Conner:
None

Infrastructure – Mr. N. H. "Jimmy" Mayberry:
None

Garden Spot – Ms. Mary Lou Spiggle:
Ms. Spiggle reported that the following are the contributors to date:

- Spout Spring Ruritan Club – sponsored a garden spot on 460 in front of the old Thomasville building.
- Farmers Bank of Appomattox – was the 1st to sponsor a garden spot and they have chosen the site near the Huddle House at the intersection of 460 and Court Street.
- Williams Gas Company has preliminarily chosen the spot/median strip of 460 near Walmart.
- The Historical Society may partner with the Chamber of Commerce
- Dr. Paul Harvey in honor/memory of his parents – Clifford and Patsy Harvey

She is very excited about this project and planting should begin in November 2014.

Finance – Mr. C. Lewis McDearmon, Jr.:
Absent

Water Park – Mr. Timothy W. "Timmy" Garrett:
None

Standing Committee Updates:
Finance & Planning – No report

Physical Development Committee – No report

Staff Member Updates:
Town Clerk – Discussed with Council their desire to continue with the warranty program through the National League of Cities. After much discussion, the consensus was to suspend the fall mailing campaign and work with the program administrators to ensure a successful spring mailing campaign to current water/sewer customers of the Town.

Town Treasurer – none

Town Manager – Discussed with Council the continuing issues of parking in fire lanes. The Town Attorney is suggesting changing the ordinance to reflect either a sign or paint on the pavement as acceptable "signage".

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to draft an ordinance as it relates to parking in fire lanes, specifically accepting either painted on the pavement or erecting a sign and that parking in either would violate the ordinance. All members present voting aye. Motion carried.

Council Concerns:
Mrs. Puckette reported that an official with the Hardee's organization commented to her at the Grand Opening that the young people in Appomattox are hard working. That says a lot about our young people, parents, and school system.

Mr. Conner and Ms. Spiggle both commented that they had heard similar comments from Tractor Supply and Dollar Tree.

Mayor Harvey also reminded Council of the Open House being held on Friday, September 26, 2014 from 6:00 – 9:30 p.m. by Rev. Paul Michael Raymond on the opening of a new academic bookstore. Please make an effort to stop by after the picnic.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:55 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
October 14, 2014

The Appomattox Town Council held a Regular Council meeting on Tuesday, October 14, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. Conner and Claudia G. Puckette.

Others: Rev. Jonathan Watson, Bible Baptist Church; Katrina Koerting, News and Advance; Stephanie James, Times Virginian; Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Rev. Jonathan Watson, Bible Baptist Church led the prayer and the Pledge of Allegiance.

Mayor's Comments:
On behalf of the Railroad Festival committee and Board of Directors, Mayor Harvey thanked Council for their donation and in kind goods and services to a successful Railroad Festival weekend. There were numerous new events this year. The return of the Joel Sweeney Race, horse exhibition, magic show and the parade was very good.

Scheduled Public Appearances – None

Consent Agenda –
On a motion by Mr. Mayberry, seconded by Mr. Garrett, Council voted to adopt the consent agenda of October 14, 2014 as presented. All members present voting aye. Motion carried.

Unfinished Business –
None

New Business –
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to amend Section 185-21 of the Code of the Town of Appomattox, Chapter 185, Article III, Section 21, entitled "Parking in fire lanes & areas for Town trash containers prohibited; penalty". All members present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to adopt the Town Council Standing Committee Rules and Procedural Guidelines for Standing Council Committees as presented.
Roll Call Vote: Garrett – no, McDearmon – yes, Spiggle – no, Mayberry – yes, Conner – no, Puckette – yes. The motion was tied 3-3. Mayor Harvey voted – yes. Motion carried 4-3.

Treasurer's Report
Stacey Wilkes, Town Treasurer provided an overview of the August 2014 Financial Reports.

Closed Session –
On a motion by Council Member Mayberry, seconded by Council Member Puckette, Council voted to convene in Closed Session, 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 the performance of a specific public appointee of the Town, specifically being Appointee A.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member McDearmon and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.

Council agreed by consensus to advertise the new job description of the Town Manager in November 2014.

Town Manager Update –
None

Citizen Comment period –
None

Council Concerns –
Mrs. Puckette thanked everyone including staff for coming to the picnic. Mayor Harvey said he had heard lots of positive comments.

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

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
October 28, 2014

The Appomattox Town Council held a Workshop Council meeting on Tuesday, October 28, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others: Carlton Duck, Stephanie James, Katrina Koerting, Stacey Wilkes, Treasurer; Bill Gillespie, Town Manager and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the October 28, 2014 Council Workshop meeting to order.

Council received the quarterly report from Sheriff Letterman, Appomattox County, outlining efforts of the Appomattox County Sheriff's Office within the Town for the months of July, August, and September 2014. Council thanked Sheriff Letterman for the update.

Mr. Gillespie, Town Manager, explained the revisions to the Economic Development Incentive Policy (as presented). The revisions include infrastructure assistance and what you are willing to do for commercial businesses.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to accept the revisions of the Incentive Policy dated October 28, 2014. All members present voting aye. Motion carried.

<u>Report from the Priority and Initiatives Chairs:</u>

Communications – Mrs. Claudia G. Puckette:
No report

Relationships/Managed Growth – Mr. Steve T. Conner:
No report

Infrastructure – Mr. N. H. "Jimmy" Mayberry:
None

Garden Spot – Ms. Mary Lou Spiggle:
Ms. Spiggle provided an update on the ROSE project.

Finance – Mr. C. Lewis McDearmon, Jr.:
No report – believes the Town is financially sound.

Water Park – Mr. Timothy W. "Timmy" Garrett:
No report – still considering a feasibility study for the water park.

Mr. Gillespie asked the Council members to consider which components of their respective committees they would like to keep moving into next year.

Standing Committee Updates:
Finance & Planning – No report – no meeting this month

Physical Development Committee – No report – no meeting this month

Staff Member Updates:
Town Clerk – Mrs. Casto gave an update on the property located at 427 Sunnydale Avenue. All delinquent tax amounts and liens will be provided to the Town Attorney.

Town Treasurer – none

Town Manager – Reminded Council of the Retreat scheduled for Friday, November 7, 2014. Also, the Town Council will meet jointly with the Planning Commission and Economic Development Authority on December 4, 2014.

Council Concerns:
Mayor Harvey encouraged everyone to come to the retreat with an open mind.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 7:35 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
November 10, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, November 10, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, and Claudia G. Puckette.

Members absent: Steven T. Conner.

Economic Development Authority Members present: Lisa Pannell, Bob Goode, Chad Millner, and Andy Carroll.

Economic Development Authority Members absent: Phillip Jamerson.

Others present: Katrina Koerting, News and Advance; Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck led the prayer and the Pledge of Allegiance.

Mayor's Comments:
Council participated in their annual retreat on Friday, November 7, 2014. The retreat was led by Mr. Gillespie and staff. Council received the Master Plan from HDLA, the beginning phases of the comprehensive plan from Region 2000 and Christine Kennedy, Lynchburg Regional Chamber of Commerce provided leadership coaching/development to Council. Mayor Harvey thanked everyone for participating.

On Wednesday, November 5, 2014, the Town experienced a wonderful day with the announcement of Lindenburg Industries in the old Thomasville building. Lindenburg Industries anticipates adding 340 jobs at an average annual salary of $32,000 plus benefits over a 3 year period. Mayor Harvey said a special thank you to staff for preparing for the event. Mayor Harvey also thanked Mr. Gillespie for all his efforts in this area of economic development growth. Mr. Gillespie was highly instrumental in assisting with this project.

Scheduled Public Appearances – None

Consent Agenda –
On a motion by Mr. Mayberry, seconded by Mr. Garrett, Council voted to adopt the consent agenda of November 10, 2014 with the addition of NB #3 – Consideration to approve the request to close streets for the 2014 Christmas Parade on November 30, 2014 at 3:00 p.m. All members present voting aye. Motion carried.

Unfinished Business –
None

Andy Carroll, EDA Chairman called the Appomattox Town Economic Development Authority to order for their Special Called meeting.

Mr. Gillespie explained the incentive policy and how it applies to the Performance Agreement for Lindenburg Industries.

On a motion by Mr. Millner, seconded by Ms. Pannell, the Appomattox Town Economic Development Authority voted to authorize Chairman, Andy Carroll to execute the Performance Agreement with Lindenburg Industries on behalf of the EDA.
Roll call vote: Pannell – yes, Carroll – yes, Millner – yes, Goode – yes. Motion carried.

New Business –
On a motion by Mr. Garrett, seconded by Mr. Mayberry, Council voted to authorize Mayor Harvey to execute the Performance Agreement with Lindenburg Industries on behalf of the Town of Appomattox.
Roll call vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Puckette – yes. Conner – absent. Motion carried 5-0.

Mr. Gillespie will send a Thank You to letter to Mr. Davidson with Campbell County for all of his assistance.

On a motion by Mr. Millner, seconded by Mr. Goode, the EDA voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. McDearmon, Council voted to cancel the November 25, 2014 and December 23, 2014 Council Workshop meetings. All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Mr. Mayberry, Council voted to approve a request from Anne Dixon, Director of Parks and Recreation to close certain Town streets for the annual Christmas Parade on Sunday, November 30, 2014 at 3:00 p.m. All members present voting aye. Motion carried.

Treasurer's Update –
Stacey Wilkes, Town Treasurer provided an overview of the September 2014 finances for the Town.

Town Manager Update –
Mr. Gillespie advised that the job description for the position of Town Manager would be placed in trade magazines for advertisement with a cutoff in December or January however; the position would be open until filled.

Citizen Comments – none

Council Concerns –
Ms. Spiggle inquired about planting tulips in town soon so they could be in full bloom by April 2015. Anne Dixon has volunteered to plant them. Ms. Spiggle believes the purchase would be under $50. The bulbs would be purchased locally. She respectfully requested that the Town purchase them. If the Town is unable, she and the Mayor will split the cost.

Claudia Puckette thanked Mr. Gillespie for all his efforts in securing Lindenburg Industries. She feels like a cloud has been lifted.

On a motion by Mr. Mayberry, seconded by Mr. Garrett, Council voted to adjourn at 8:10 p.m. All member present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
December 8, 2014

The Appomattox Town Council held a Regular Council meeting on Monday, December 8, 2014 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Jr., C. Lewis McDearmon, Jr., Mary Lou Spiggle, N.H. "Jimmy" Mayberry, Steven T. Conner and Claudia G. Puckette.

Others present: Stephanie James, Times Virginian; Katrina Koerting, News and Advance; Carlton Duck and Brian Moore, Alive Media TV; Mr. and Mrs. Paul Michael Raymond, Mr. and Mrs. Gary Christie, Executive Director, Region 2000 Local Government Council; Mr. Ben Bowman, Workforce Development Director, Workforce Investment Board; Stacey Wilkes, Town Treasurer; C. William Gillespie, Jr., Town Manager; and Roxanne W. Casto, Clerk of Council.

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

Rev. Paul Michael Raymond led the prayer and the Pledge of Allegiance.

Mayor's Comments:
Mayor Harvey welcomed everyone and wished them a Merry Christmas and Happy Holiday.

Scheduled Public Appearances
Gary Christie, Executive Director, Region 2000 Local Government Council gave a brief overview of the items the Local Government Council is working on.

Ben Bowman, Workforce Development Director, Workforce Investment Board provided Council with an annual report. He also told council that they have launched a new website.

Consent Agenda –
On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to adopt the consent agenda of December 8, 2014 as presented. All members present voting aye. Motion carried.

Unfinished Business –
None

New Business –
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to reappoint C. Lewis McDearmon, Jr. and N. H. "Jimmy" Mayberry to the Town of Appomattox Economic Development Authority, terms expiring December 31, 2018. All members present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Garrett, Council voted to begin the process of vacating an unopened paper alley between Lucy Street and Oakleigh Avenue. All members present voting aye. Motion carried.

Mr. Gillespie discussed with Council the list of Priorities and initiatives created for the Planning Commission and Economic Development Authority.

On a motion by Mr. Conner, seconded by Mr. Mayberry, Council voted to provide the Priority & Initiative list to the Planning Commission and Economic Development Authority as discussed. All members present voting aye. Motion carried.

Mr. Gillespie gave an update on the ROSE project. The bids are in for the garden plantings and the signs. He indicated that a board meeting is needed. He plans for the gardens and signs to be installed in March 2015.

After much discussion, the Town Manager hiring process will consist of Mr. Garrett and Mrs. Puckette reviewing all the applications and bringing back choices for full council to consider interviewing. Mr. Conner stated that he would like to get someone on board by January 1, 2015. Interviews will be scheduled for next week.

Treasurer's Update –
Stacey Wilkes, Town Treasurer provided an overview of the October 2014 finances for the Town.

Town Manager Update –
None

Citizen Comments –
Rev. Paul Michael Raymond voiced a concern about the property at 222 Harrell Street in regards to how to clean it up and make it more aesthetically pleasing. Mr. Gillespie and Mr. Elder will take a look at it.

Council Concerns –
Mayor Harvey advised Council that staff had met with Quarterdeck, LLC an event planning company regarding the Sesquicentennial. Their quote to provide services to the Town, its businesses and citizens would be below the $50,000 fee for professional services.

Staff will meet with them again before bringing a proposal to council.

On a motion by Mr. Garrett, seconded by Mr. Mayberry, Council voted to convene in Closed Session pursuant to Section 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 government unit would be adversely affected, specifically for discussion of a prospective new business, when the business has made no previous announcement of their interest or intent, specifically being prospective project A.

Roll Call Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.

Council Member Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Roll Call Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry –yes, Conner –yes, Puckette – yes.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 8:55 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Special Call Council Meeting
Tuesday, December 16, 2014

A Special Call Council Meeting was held on Tuesday, December 16, 2014 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others present: Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the Special Call Council meeting to order.

On a motion by Council Member Conner, seconded by Council Member Garrett, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidates A, B and C.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Spiggle and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Mayberry – yes, Conner – yes, Puckette – yes.

As a result of the closed session, Council voted to extend an offer, contingent upon contract negotiations to Candidate C for the position of Town Manager.
Roll Call Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

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

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk of Council	Mayor

Appomattox Town Council
Regular Council Meeting
January 12, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, January 12, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others present: Johnnie Roark, Daniel Puckette, Stephanie James, Times Virginian; Katrina Koerting, News and Advance; Daniel Puckette, Carlton Duck and Brian Moore, Alive Media TV; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Rev. Brian Moore led the prayer and led the Pledge of Allegiance.

Mayor's Comments:
I hope everyone had a great New Year. We had our joint committee meeting tonight and we have a lot ahead of us.

Most importantly, we need to recognize Mr. Gillespie. He came here to do a 60 day job and stayed for 4 years. He has managed to change the culture of how we do things. We have gone from not having a plan one to having a Master Plan, Comprehensive Plan, EDA, and a Planning Commission, all of which is beginning to move the Town forward.

From a personal standpoint, "Thank you". I have learned something new every time I have talked to you. Also, Mayor Harvey thanked him for hanging around for a transitional phase. From Council, staff and myself – Thank you!

Mr. Gillespie – One thing I have learned over the years and I have learned from myself as well. You have been a great group to work with. You have come a long way. You are right at the threshold of great things to happen.

Scheduled Public Appearances – none

Adoption of the consent agenda –
On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to adopt the consent agenda of January 12, 2015 as presented. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Councilmember Garrett, seconded Councilmember McDearmon, Council voted to approve the 2015 meeting schedule of the Appomattox Town Council. All members present voting aye. Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember Mayberry, Council voted to reappoint William Coupe to the Board of Zoning Appeals, with a term expiring December 31, 2019. All members present voting aye. Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember Puckette, Council voted to amend the Board of Directors for the ROSE project by replacing C. William Gillespie, Jr. with Madeline Abbitt. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Puckette, Council voted to approve QuarterDeck Services as the event planner for the Town of Appomattox Sesquicentennial events for a total of $35,000.
Roll Call – Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Puckette – aye, Conner – no. Motion carried 5 to 1.

On a motion by Councilmember Mayberry, seconded by Councilmember Puckette, Council voted to approve the 2015 Priorities and initiatives. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to approve an Economic Development Performance Agreement with the addition of a letter of commitment from COJANA, LLC. All members present voting aye. Motion carried.

Treasurer's Report – Stacey Wilkes, Town Treasurer provided the November 2014 Financial Report.

Town Manager's Report – none

Citizen Comment Period – none

Council Concerns – Mrs. Puckette thanked Mr. Gillespie for his service.

Closed Session –
On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, 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 or consideration of a prospective candidate for employment and/or appointment of a specific public officer, specifically being Candidate C for the position of Town Manager, and pursuant to §2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town of Appomattox regarding specific legal matters requiring the provision of legal advice by such

counsel, specifically being the interpretation of proposed contract terms for Candidate C for the position of Town Manager and Section 2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the performance of a specific public appointee of the Town, specifically being Appointee A. All members present voting aye. Motion carried.

The meeting was reopened to the public.

Closed Session Certification –
Councilmember Mayberry made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council hereby certifies that 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.

The motion was seconded by Council Member Garrett, and Council by the following recorded vote adopted the motion:
Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to approve the contract for the Town Manager as written and authorize the Mayor to execute. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
February 9, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, February 9, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others present: Scott Smith, Region 2000 Planner, Nathan Harbin and Proctor Harvey, HDLA; Barbara Shelton, Stephanie James, Times Virginian; Katrina Koerting, News and Advance; Daniel Puckette, Carlton Duck, Alive Media TV; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Rev. Duck opened the meeting with a prayer and led the Pledge of Allegiance.

Mayor Harvey opened the public hearing PH 02092015-01 – CDBG funding.

Scott Smith, Region 2000 Planner provided the purpose of the public hearing which is to solicit public input on local community development and housing needs in relation to the Community Development Block Grant (CDBG) funding for a project in our community. The project is to assist low to moderate income families fix slum and blighted properties through housing rehabilitation.

There were no public comments.

Mayor Harvey closed the public hearing.

Mayor's Comments:
Mayor Harvey reminded Council members to allow other to finish speaking before interrupting.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adopt the consent agenda for February 9, 2015 as presented with the addition of NB #9 – Consideration to purchase a Town Radio System for a price not to exceed $34,000 from the General Fund Equipment Reserve, specifically from Elecom, sole source provider of Motorola equipment. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to amend the Travel Policy increasing the mileage reimbursement rate from $0.56 to $0.575 retroactive to January 1, 2015. All members present voting aye. Motion carried.

On a motion by Councilmember Puckette, seconded by Councilmember Mayberry, Council voted to adopt the FY 2016-2020 Capital Improvement Plan, funding FY 2016. Vote – Garrett, McDearmon, Spiggle, Mayberry, Puckette voting aye and Conner voting no. Motion carried 5-1.

On a motion by Councilmember Mayberry, seconded by Councilmember Puckette, Council voted to adopt the Priorities and Initiatives for 2015-2016. All members present voting aye. Motion carried.

On a motion by Councilmember Puckette, seconded by Councilmember McDearmon, Council voted to accept the Master Plan as presented by HDLA. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Puckette, Council voted to conduct Phase I of the Master Plan Feasibility Study for $31,000. All members present voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to adopt the Virginia Housing Development Authority Resolution for Dogwood Apartments VA, LLC. All members present voting aye. Motion carried.

VDHA Tracking Number: *2015-C-13*
Development Name: *Dogwood Apartments*
Development Jurisdiction: *Town of Appomattox, Virginia*
Name of Owner/Applicant: *Dogwood Apartments VA LLC*

RESOLUTION

The above-referenced development is located in a Revitalization Area in the Town of Appomattox, Virginia. The revitalization area is (i) blighted, deteriorated, deteriorating or, if not rehabilitated likely to deteriorate by reason that the buildings, improvements or other facilities in such area are subject to one or more of the following conditions – dilapidation, obsolescence, overcrowding, inadequate ventilation, light or sanitation, excessive land coverage, deleterious land use, or faulty or otherwise inadequate design, quality or condition, and (ii) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

After continued discussions of a Water Park Feasibility Study, Councilmember Conner, seconded by Councilmember Mayberry, Council voted to advertise a Request for Proposal for the water park feasibility study. All members present voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember McDearmon, Council voted to advertise a Request for Proposal for the Basic Ordering Agreement for Engineering Services. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to replace an old system with a new Town Radio System for a price not to exceed $34,000 from the General Fund Equipment Reserve, specifically from Elecom, sole source provider of Motorola equipment.
Roll Call Vote: Garrett – yes, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, and Puckette – aye. Motion carried.

Treasurer's Report – Stacey Wilkes, Town Treasurer provided the December 2014 Financial Report.

Town Manager's Report – none

Citizen Comment Period – none

Council Concerns – Mr. Conner said he thinks Council should focus on projects it can finish.

Closed Session –
On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, 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 the potential resignation of a specific public officer, specifically being Officer A, and pursuant to Section 2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town of Appomattox regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being the interpretation of proposed contract terms for a contract with Appointee A. All members present voting aye. Motion carried.

The meeting was reopened to the public.

Closed Session Certification –
Councilmember Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council hereby certifies that 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.

The motion was seconded by Council Member Spiggle, and Council by the following recorded vote adopted the motion:
Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 9:07 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
March 9, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, March 9, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, N. H. "Jimmy" Mayberry, Steven T. Conner, and Claudia G. Puckette.

Others present: Scott Smith, Region 2000 Planner, Stephanie James, Times Virginian; Katrina Koerting, News and Advance; Daniel Puckette, Linda Lipscomb, Museum of the Confederacy; Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Rev. Brian Moore opened the meeting with a prayer and led the Pledge of Allegiance.

Mayor Harvey opened the public hearing PH 02092015-01 – CDBG funding.

Scott Smith, Region 2000 Planner provided the purpose of the public hearing which is to solicit public input on the proposed Community Development Block Grant (CDBG) proposal to be submitted to the Virginia Department of Housing and Community Development for the Greater Meadowlark Neighborhood Project. The Greater Meadowlark Neighborhood Project proposal will include the following activities: housing rehabilitation, pedestrian safety improvements, blight removal, and storm drainage improvements.

Jacqueline Coker – Owns property on Stevens Street. There are lots of people walking and littering. She hopes the Town could install NO LITTERING signs in the area. She also stated that she hopes the grant goes through because it would certainly be appreciated.

There were no other comments.

Mayor Harvey closed the public hearing.

Mayor Harvey opened the next public hearing PH 03092015-02 – Museum of the Confederacy

The Museum of the Confederacy-Appomattox, 159 Horseshoe Road, Appomattox, Virginia does hereby request a special exception permit in order to add a living history display area (Museum/Cultural Services) on property identified as Tax Map Identification Number 64 (A) 95C. This parcel is approximately 2.0 acres in size and is located immediately adjacent to the existing museum. The property is zoned B-2, General Business, however the use is not among the permitted uses. Town Code Section 195-14, Uses Not Specifically permitted; special exception allows for any use not specifically listed in the use chart to make a request to Town Council for approval by special exception.

Mrs. Linda Lipscomb, Site Director gave a brief explanation of the request.

There were no public comments.

Mayor's Comments:
Mayor Harvey thanked the Public Works for all of their efforts during snow removal.

Scheduled Public Appearances – none

Consent Agenda -
On a motion by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to adopt the consent agenda for March 9, 2015 as presented. All members present voting aye. Motion carried.

Unfinished Business – none

New Business –

On a motion by Mr. Mayberry, seconded by Ms. Spiggle, Council voted to approve the Sewer Only Policy. All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Mr. Conner, Council voted to pursue the LOVE works sign for the Sesquicentennial events. All members present voting aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Mr. Garrett, Council voted to authorize the Mayor to execute the Letter of Request for the Historic Downtown & Business Districts for Phase I of the Master Plan. All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to proceed with the Water Park Feasibility Study at a cost of $35,000. Vote: Garrett, McDearmon, Spiggle, Mayberry and Puckette all voting aye. Mr. Conner voted no. Motion carried 5-1.

On a motion by Ms. Spiggle, seconded by Mr. Conner, Council voted to adopt a resolution for the Community Development Block Grant for the Greater Meadowlark Community Improvement Project.

Community Development Block Grant
Greater Meadowlark Community Improvement Project

***WHEREAS**, the Town of Appomattox wishes to apply for $1,000,000 of Virginia Community Development Block Grant (CDBG) funds for the Greater Meadowlark Community Improvement Project; and*

***WHEREAS**, citizen participation requirements have been met by holding public hearings on February 9, 2015 and March 9, 2015, advertising both as appropriate and with notices posted and distributed to citizens; and*

***WHEREAS**, the CDBG National Objective of providing benefit to Low-and-Moderate Income (LMI) persons is being met through the rehabilitation of at least 15 houses occupied by LMI persons; and*

***WHEREAS**, the Town of Appomattox will be providing at least $15,000 in in-kind contributions to the project; therefore*

***BE IT RESOLVED** that the chief executive officer of the Town of Appomattox is hereby authorized to sign and submit appropriate documents for this Virginia Community Development Block Grant application.*

All members present voting aye. Motion carried.

Town Manager's Report – Mr. Gillespie reported on the planning of the Legislative Breakfast. Delegate Fariss and Senator Garrett are available to attend on Friday, March 27, 2015 at 7:30 a.m. The Clerk will send out invitations to the Town Council, Board of Supervisors, Town and County staff, Town and County EDA, Town and Council Planning Commission members and the School Board.

Citizen Comment Period – none

Council Concerns – Mrs. Puckette asked for an update on Lindenburg Industries. Mr. Gillespie advised Council that Blair Construction has applied to have the electricity/power put in their name. Some demolition of the building has begun. It is a mammoth project.

Closed Session –
On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, 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 retained by the Town of Appomattox regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being the interpretation of proposed contract terms for a contract with Appointee A. All members present voting aye. Motion carried.

The meeting was reopened to the public.

Closed Session Certification –
Councilmember Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council hereby certifies that 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.

The motion was seconded by Council Member Mayberry, and Council by the following recorded vote adopted the motion:
Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Mayberry, seconded by Ms. Puckette, Council voted to approve the Second (2nd) Amendment to the consulting agreement between the Town of Appomattox and MRG, LLC. All members present voting aye. Motion carried.

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

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
April 13, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, April 13, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, and Claudia G. Puckette.

Absent: N. H. "Jimmy" Mayberry

Others present: Marvin Mitchell, Roger Carson, S. L. Ferguson, Daniel Puckette, Philipp Gabathuler, Region 2000; Stephanie James, Times Virginian; Katrina Koerting, News and Advance; Linda Lipscomb, Museum of the Confederacy; Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Mayor's Comments:
Mayor Harvey recognized those involved with the planning of the Sesquicentennial events. The shuttles were excellent at moving people around.

Mayor Harvey recognized and thanked Katrina Koerting with the News and Advance for her service. Katrina will be leaving the News and Advance to return to Connecticut.

Scheduled Public Appearances –
Philipp Gabathuler with Region 2000 presented the "draft" comprehensive plan. The final plan will be presented in June 2015.

The Mayor and Council commended the Planning Commission and Philipp for the draft comprehensive plan and all their hard work.

Consent Agenda -
On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to adopt the consent agenda for April 13, 2015 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business – none

New Business –

Mr. Gillespie provided an update on the Water Park Feasibility Study. He and Mr. Garrett had a conference call with the consultant. There will be three (3) meetings to gather information, give their conceptual findings and an operational assessment. The consultant will be looking at the health of the community. The same data can be used for marketing within a hundred mile radius. The consultant will also look at other communities and say "this is what we see", "these are your possibilities" and give the Town options.

The Town will put together a committee. The Consultant and the Town will put together site assessments. A report will be generated in 2-3 months.

Mayor Harvey commented that he is looking at the feasibility study from a diagnosis perspective. Any information is good/helpful information.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adopt the VDOT Land Use Permit Resolution:

"RESOLUTION"

***WHEREAS**, it becomes necessary from time to time for the Town of Appomattox to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,*

***WHEREAS,** expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the Town of Appomattox by the Virginia Department of Transportation of said permits for the work aforesaid;*

***NOW, THEREFORE, BE IT RESOLVED** by the Appomattox Town Council this 13th day of April, 2015:*

***Section 1:** That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Town of Appomattox does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Town of Appomattox and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars ($1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars ($75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of transportation or the Commonwealth of Virginia in the event of suit.*

***Section 2:** That the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized to execute on behalf of the Town of Appomattox all land use permits and related documents of the Virginia Department of Transportation.*

***Section 3:** That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.*

Section 4: *That the Town of Appomattox shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.*

BE IT STILL FURTHER RESOLVED *that the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.*

All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to accept the recommendation of the Appomattox Town Planning Commission to approve the Special Except for the Museum of the Confederacy in Appomattox for Tax Map #64(A) 95C. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the following resolution:

1. *Consideration to adopt a resolution amending the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for Cigarette Tax revenue and expense, special event expenses, the Master Plan feasibility study Phase I, water park feasibility study, and the purchase of radio system*

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

2. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for Cigarette Tax revenue and expense, special event expenses, the Master Plan feasibility study Phase I, water park feasibility study, and the purchase of radio system*

General Fund Expenditures	
Administrative	*$ 15,000*
Council	*51,000*
Donations	*1,200*
Public Works	*35,380*
Tourism	*35,000*
Property Maintenance & Construction	*$ 88,920*
Net Increase in Budget	*$ 226,500*

General Fund Revenues	
Cigarette Tax	*$ 172,500*
Use of Equipment Reserve	*$ 54,000*
Net Increase in Budget	*$ 226,500*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2015 budget amendments are hereby adopted, 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.
Amended this 13th day of April 2015.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Puckette – yes, Conner – no. Motion carried 4-1. Mr. Mayberry was absent.

Town Manager's Report – Mr. Gillespie expressed his concern to Council about the lack of information and that the Town is involved in an identity crisis. It is the Town's responsibility to provide quality of life. Mr. Gillespie said he would like to see an article in the local paper once or twice a month. The Town could use the PTO's / High School students to explain what the town is doing. The town could utilize a newsletter to explain things going on in government as well as explain the difference in Town and County government.

Citizen Comment Period – none

Council Concerns –
Mr. Conner expressed concerns with social media comments/concerns with the music downtown. Mrs. Casto explained that the issue with the music downtown has since been resolved since the posting of the comment.

Ms. Spiggle recognized the efforts of Linda Lipscomb since the Museum of the Confederacy opened. Mrs. Lipscomb is doing all she can to improve the visitor's experience.

Council wished Stacey Wilkes, Town Treasurer a happy birthday.

Mrs. Puckette comments that the Museum of the Confederacy is the spark in this community. It has been a huge encouragement to the tourism industry.

Mayor Harvey commented on the ribbon cutting for the first ROSE garden project. After the next committee meeting, efforts will begin for another round of solicitations.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:30 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Special Call Council Meeting
May 5, 2015

The Appomattox Town Council held a Special Call Council meeting on Tuesday, May 5, 2015 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle and Claudia G. Puckette.

Absent: N. H. "Jimmy" Mayberry and Steven T. Conner

Others present: Patricia Garrett, Administrative Assistant for Public Works; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne Casto, Town Clerk.

Mayor Harvey called the Special Call meeting to order.

Mr. Gillespie provided information regarding the letter of conditions from the United States Department of Agriculture (USDA) for the Trickling Filter Plant project.

Ms. Wilkes provided a funding analysis for the USDA project. The funding breakdown consists of $3,780,000.00 in a loan and $879,000.00 in form of a grant for a total of $5,659,000.

The Town will be required to have the following reserves: Operation & Maintenance $130,473.00; Depreciation of Short-lived assets $164,200.00; and Debt Service Reserve $145,152.00. USDA is waiving the $650,000.00 capital reserve amount. The town already has the Operation & Maintenance and Depreciation of Short-Live Assets.

This will be a 40 year loan with an interest rate of 2.125%. The interest rate is now locked so it will not be higher but if it is lower at the time of closing we would receive the lower rate. The first two years will be interest only for approximately $79,800.00. The remaining payments will be monthly payments of $12,096.00 or annual debt service of $145,152.00.

The anticipated project completion date is during 2018. The debt service reserve would be funded in 2018. There would only be interest in FY 2019 and 2020. In FY 2021, the Town could have a need to subsidize from the general fund. This projection anticipates the worst case scenario and a 2.5% increase in expenses each year. The 2.5% increase has not been experienced for FY 2016. The expenses are flat for FY 2016.

The current VRA (Virginia Resource Authority) bond the Town has will be paid off in September 2021.

In conclusion, Mr. Gillespie and Ms. Wilkes concur it is time to take care of the aging Trickling Filter Plant. The project is financially possible for the Town.

Council thanked the staff for their hard work in making this possible.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to authorize the Mayor to execute the necessary documents for the USDA project funding.
Ayes: Garrett, McDearmon, Spiggle, Puckette.
Noes: None
Motion carried 4-0.

With no further business, Mr. Garrett made a motion for adjournment at 6:40 pm, seconded by Mrs. Puckette.
Ayes: Garrett, McDearmon, Spiggle, Puckette.
Noes: None
Motion carried 4-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
May 11, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, May 11, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, and Claudia G. Puckette.

Absent: N. H. "Jimmy" Mayberry

Others present: Daniel Puckette and Marvin Hamlett, Times Virginian; Alicia Petska, News and Advance; Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; and Roxanne Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Rev. Brian Moore opened the meeting with a prayer and led the Pledge of Allegiance.

Mayor Harvey opened the public hearing PH 05112015-01 FY 2016 Budget for the Town of Appomattox.

The purpose of this public hearing will be to receive public comments concerning the following: **Proposed FY 2016 Budget for the Town of Appomattox** - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2016:

GENERAL FUND EXPENDITURES	1,953,008.00
WATER FUND EXPENDITURES	530,509.00
SEWER FUND EXPENDITURES	895,791.00
TOTAL EXPENDITURES	**3,379,308.00**
GENERAL FUND REVENUE	1,953,008.00
WATER FUND REVENUE	530,509.00
SEWER FUND REVENUE	895,791.00
TOTAL REVENUE	**3,379,308.00**

There were no comments.

Mayor Harvey closed the public hearing.

Mayor's Comments:
The Town has received a $5,000 CDBG (Community Development Block Grant) Planning Grant from the Department of Housing and Community Development. The 1st step of the grant must be completed by July 8, 2015.

Mayor Harvey also wished Councilman Mayberry a speedy and complete recovery.

Scheduled Public Appearances –
None

Consent Agenda -
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the consent agenda for May 11, 2015 with the addition of New Business #2 – Consideration of a committee recommendation to abate uncollectable real estate taxes and associated penalty and interest in the amount of $2,672.48. All members present voting aye. Motion carried 5-0.

Unfinished Business – none

New Business –

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

1. Consideration to adopt a resolution amending the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for revenue received from the Virginia Department of Transportation for snow removal, additional funding for the ROSE program, and design for Kiddie Park improvements

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

2. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for revenue received from the Virginia Department of Transportation for snow removal, additional funding for the ROSE program, and design for Kiddie Park improvements

General Fund Expenditures

Council	$ 5,000
Property Maintenance & Construction	20,300
Property Maintenance & Construction	(5,000)
Public Works	17,985
Net Increase in Budget	38,285

General Fund Revenues

Use of Kiddie Park Reserve	$ 20,300
Miscellaneous Revenue	17,985
Net Increase in Budget	$ 38,285

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2015 budget amendments are hereby adopted, 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.
Amended this 11th day of May 2015.

Attest:

_____
Roxanne Casto, Town Clerk

On a recommendation by Mr. McDearmon, Chairman of the Finance and Planning Committee, Council voted to approve a request to abate uncollectable real estate taxes and associated penalty and interest in the amount of $2,672.48 as discussed at the Finance & Planning committee meeting. All members present voting aye. Motion carried.

Town Manager's Report – none

Citizen Comment Period – none

Council Concerns – none

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried 5-0.

_____	_____
Roxanne W. Casto, MMC Clerk	Paul D. Harvey Mayor

Appomattox Town Council
Regular Council Meeting
June 8, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, June 8, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, Claudia G. Puckette and vacancy.

Others present: Daniel Puckette, Times Virginian; Carlton Duck and Brian Moore, Alive Media TV; Nathan Harbin and Proctor Harvey, HDLA; Carolyn Mayberry and Greg Mayberry, Rev. Russell Cheatham, C. William Gillespie, Jr., Town Manager, Stacey Wilkes, Town Treasurer; and Roxanne Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Rev. Russell Cheatham, Memorial United Methodist Church opened the meeting with a prayer and led the Pledge of Allegiance.

Mayor's Comments:

Mayor Harvey presented a Proclamation of Service to Carolyn and Greg Mayberry for Mr. Norman H. "Jimmy" Mayberry's service as Council Member for 19 years. Mr. Mayberry passed away on May 14, 2015 at the age of 72.

PROCLAMATION

Whereas, Norman H. "Jimmy" Mayberry served as a member of the Appomattox Town Council since 1995; and

Whereas, Mr. Mayberry untiringly devoted over 19 years to our community during a period of time that numerous projects were initiated through his leadership which will continue to have a revitalizing and growing impact on our community far beyond his term of office; and

Whereas, Mr. Mayberry was always willing to place his concern for the public good ahead of his personal interests and thus, has earned the admiration and high regard of other civic leaders and the affection of a host of area residents; and

Whereas, Mr. Mayberry was unique in his sensitivity for doing what was best for the entire community, and he had courage in expressing his convictions and a special way of dealing with complex issues; and

Whereas, if there was one characteristic that distinguished Mr. Mayberry's career as a public servant, it was his enormous capacity for hard work – no one in these parts ever put more of himself into the job of working for his community than did Mr. Mayberry; and

Whereas, Mr. Mayberry demonstrated in many practical ways his deep and genuine love for our community and the surrounding area;

Now, Therefore, I, Mayor Paul D. Harvey, wish to express our sincere appreciation and thanks to the family of Mr. Mayberry for his distinguished service to the community, and highly commend him for the manner in which he carried out his duties and responsibilities.

_____
Paul D. Harvey, Mayor

Date:_____

Scheduled Public Appearances –
Harvey Design Land Architects – Nathan Harbin and Proctor Harvey presented the CDBG/DHCD Grant Central Business District Map to Council. The Town has been awarded a $5000 planning grant and a $20,000 atheistic grant. The application was made in mid-March. Council offered several suggestions to the proposed map by adding additional property.

The deadline to comply with the requirements of the $5000 planning grant is July 8, 2015.

There will be a management team meeting for businesses to understand the process before the July 8, 2015 deadline.

Consent Agenda –
On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to approve the consent agenda dated June 8, 2015 with the addition of NB#4 – Consideration to authorize the Mayor to execute the following document associated with the Greater Meadowlark CDBG project: Town of Appomattox – Section 3 – Local Business and Employment Plan; Town of Appomattox – Residential Anti-Displacement Plan; Town of Appomattox Non-Discrimination Plan; Town of Appomattox – Fair Housing Certification; Town of Appomattox – Section 504 Grievance Procedure and NB#5 – Consideration to appoint Mary Lou Spiggle to fill the unexpired term of Mr. Mayberry on the Town's Economic Development Authority.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes. Motion carried 5-0.

Unfinished Business – none

New Business –
On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adopt an Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2015-2016 Budget for the Town of Appomattox, Virginia.

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2015-2016 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 2015-2016 Budget was published on April 29, 2015 and May 6, 2015 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 11, 2015;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 8, 2015, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2015-2016;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	46,110.
Administrative Department	338,500.
Professional	58,000.
Police Department	61,072.
Tourism Department	76,840.
Fire Department	37,000.
Public Works Department	573,136.
Sanitation Department	97,000.
Property Maintenance & Construction	596,850.
Town Shop	25,250.
Donation/Contributions	11,500.
Zoning	5,750.
Town Office	26,000.
TOTAL GENERAL FUND EXPENSES	**1,953,008.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.12 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 $.12 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 situsedwithin the Town commencing January 1, 2015, 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 54.8% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 54.8% 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.

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2015-2016;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	160,000.
Current Taxes – Personal Property	90,000.
Delinquent Taxes	25,000.
Penalties & Interest	10,000.
Public Service Corporation	6,500.
Bank Stock Tax	130,000.
Cigarette Tax	200,000.
Meals Tax	850,000.
Lodging Tax	30,000.
Franchise Tax	6,000.
Consumption Tax	7,100.
Vehicle License Tax	22,000.
Business License	170,000.
Zoning	2,000.
Interest	10,000.
Rental of Misc. Property	9,000.
Motor Vehicle Tax	3,500.
Sales Tax	70,000.
Aid to Police Department (HB599)	41,408.

Fire Programs	10,000.
Miscellaneous	3,000.
Tourism Grant	5,000.
Other Reimbursable	500.
Use of Reserve	92,000.
TOTAL GENERAL FUND REVENUES	**1,953,008.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2015-2016;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	530,509.
TOTAL WATER EXPENDITURES	**530,509.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2015-2016;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	300,000.
Connection Fees	3,000.
Penalty Fees	12,000.
Availability Fees	5,000.
Reconnect Fees	8,000.
County Water Line Maintenance	42,000.
Miscellaneous	300.
Interest	4,500.
Credit Card Fees	1,500.
Rental of Misc. Property	3,600.
Intergovernmental Revenue	32,650.
Use of Fund Balance	117,959.
TOTAL WATER REVENUES	**530,509.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2015-2016;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	895,791.
TOTAL SEWER EXPENDITURES	**895,791.**

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2015-2016;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	800,000.
Connection Fees	2,500.
Availability Fees	2,500.
County Reimbursement SBR & IDA PS	77,000.
Park Service Maintenance	1,800.
Interest	5,000.
Intergovernmental Revenue	1,500.
Use of Beginning Balance	5,491.
TOTAL SEWER REVENUES	**895,791.**

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2015-2016 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 2015-2016 is hereby adopted, effective July 1, 2015 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.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to award the Engineering Basic Ordering Agreements to Anderson & Associates, Inc., B & B Consultants, Hurt & Proffitt, Inc., WW Associates and Reid Engineering.
Vote: Garrett – yes, McDearmon – yes, Spiggle –yes, Conner – yes, Puckette – yes. Motion carried 5-0.

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to adopt a Resolution amending the FY 2015 Operating Budget for the General Fund 2014-2015 for revenue to be received from the Community Development Block Grant and appropriate those funds for expenses incurred toward the project, additional funding for the ROSE program, and additional funding for current year CIP projects and amending the FY 2015 Operating Budget for the Water Fund for FY 2014-2015 for the current year CIP projects.

Consideration to adopt a resolution amending the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for revenue to be received from the Community Development Block Grant and appropriate those funds for expenses incurred toward the project, additional funding for the ROSE program, additional funding for administrative staff expenses, and funding for current year CIP projects and amending the FY 2015 Operating Budget for the Water Fund for FY 2014-2015 for current year CIP projects.

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2015 Operating Budget for the General Fund for FY 2014-2015 for revenue to be received from the Community Development Block Grant and appropriate those funds for expenses incurred toward the project, additional funding for the ROSE program, and additional funding for administrative staff expenses

General Fund Expenditures	
Council	$ 4,322
Public Works	7,250
Property Maintenance & Construction	93,125
Administration	9,700
Net Increase in Budget	$ 114,397
General Fund Revenues	
Grants	$ 23,125
Use of Undesignated Fund Balance	91,272
Net Increase in Budget	$ 114,397
Water Fund Expenditures	
Tank Maintenance	$ 52,000
Net Increase in Budget	$ 52,000
Water Fund Revenues	
Use of Undesignated Fund Balance	$ 52,000
Net Increase in Budget	$ 52,000

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2015 budget amendments are hereby adopted, 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.
Amended this 8th day of June 2015.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to authorize Mayor Harvey to execute the following documents associated with the Greater Meadowlark CDBG project:

1. Town of Appomattox – Section 3 – Local Business and Employment Plan
2. Town of Appomattox – Residential Anti-Displacement Plan
3. Town of Appomattox Non-Discrimination Plan
4. Town of Appomattox – Fair Housing Certification
5. Town of Appomattox – Section 504 Grievance Procedure

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to appoint Mary Lou Spiggle to the Town of Appomattox Economic Development Authority to serve the remainder of Mr. Mayberry's unexpired term ending June 30, 2018.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes. Motion carried 5-0.

Town Manager's Report – Mr. Gillespie provided Council with an update regarding Lindenburg Industries. Blair Construction and Southern Air have been working on the building.

The hotel project (Appomattox Inn and Suites) will be finishing work on the extension of water and sewer lines and installation of the sewer pump station tomorrow, June 9, 2015. The project is within budget.

Citizen Comment Period – none

Council Concerns – none

On a motion by Mr. McDearmon, seconded by Mr. Conner, Council voted to recess to Monday, June 15, 2015 at 6:00 p.m. pending information on how to fill the Council vacant seat.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes. Motion carried 5-0.

_____ _____

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Special Call Council Meeting
June 25, 2015

The Appomattox Town Council held a Special Call Council meeting on Thursday, June 25, 2015 at 5:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle and Claudia G. Puckette and Steven T. Conner.

Others present: Bill Gillespie, Town Manager.

Mayor Harvey called the Special Call meeting to order.

On a motion by Council Member Spiggle, seconded by Council Member Garrett, 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 prospective candidates for appointment for the council vacancy created by the death of Councilman Norman H. "Jimmy" Mayberry on May 14, 2015.

Vote:
Garrett – yes, McDearmon – yes, Spiggle –yes, Conner –yes, Puckette –yes.

The meeting was re-opened to the public at 5:45 p.m.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon –yes, Spiggle –yes, Conner –yes, Puckette – yes.

On a motion by Council Member Spiggle, seconded by Council Member Puckette, Council voted to appoint M. Erin Finch to fill the unexpired term of Mr. Norman H. "Jimmy" Mayberry until the next Town Council General Election on May 6, 2016.

With no further business, Council Member Garrett made a motion for adjournment at 5:50 p.m., seconded by Council Member Conner.
Ayes: Garrett, McDearmon, Spiggle, Conner, Puckette.
Noes: None
Motion carried 5-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
July 13, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, July 13, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch and Claudia G. Puckette.

Absent: Steven T. Conner

Others present: Daniel Puckette, Times Virginian; Carlton Duck and Brian Moore, Alive Media TV; Nathan Harbin and Clara Aleman, HDLA; Rev. Chris Brooks, Elizabeth Milton, Kristen Harbin, Noah Harris, Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; and Roxanne Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Rev. Chris Brooks, Glory Baptist Church opened the meeting with a prayer and led the Pledge of Allegiance.

Public Hearing:
07132015-01 – Appomattox Town Code Chapter 185-16
Mayor Harvey opened the public hearing to receive public comments concerning adoption of amended and reenacted Town Code Section 185-16 – Failure to pay license fee or personal property tax; registration withholding; violations and penalties.

The amendment is as follows:
It shall be unlawful for any owner of a motor vehicle to fail to pay the local license fee or personal property taxes assessed with respect to each motor vehicle after September 30 of each year, and with respect to any fees not paid at that time, a fee of $40 to reimburse the Town of Appomattox for costs associated with administration of the Vehicle Registration Withholding Program with the Commonwealth of Virginia Department of Motor Vehicles shall be assessed.

There were no public comments.

Mayor Harvey closed the public hearing.

Public Hearing:
07132015-02 – USDA Rural Development
Mayor Harvey opened the public hearing to comments regarding the Town's intent to apply for USDA Rural Development funds to assist in the replacement of the town's 60+ year old Trickling Filter Facility. Comments regarding economic and environmental impacts, service area, alternatives to the project, and other related project issues are encouraged.

There were no public comments.

Mayor Harvey closed the public hearing.

Mayor's Comments:
Mayor Harvey welcomed Ms. Erin Finch to Council. Ms. Finch was chosen to fill the unexpired term of the late Mr. Mayberry.

Mayor Harvey informed Council they would be receiving an update on upgrades to the Kiddie Park. Jeff Elder, Roxanne Casto and Mayor Harvey met with HDLA the week prior to finalize the concepts in the presentation.

Scheduled Public Appearances –
Harvey Design Land Architects – Nathan Harbin and Clara Aleman presented a PowerPoint presentation of the Preliminary Design for the upgrades at the Kiddie Park.

Mrs. Puckette asked that the Town make the park as safe as possible.

Ms. Spiggle added that the kids will love climbing and sitting on all of it. She agrees with the lime color selection.

The recommendation from staff is to ask Council to do a bid package including bathrooms. The Town would have an add-on of the security cameras. The Town could possibly receive the security cameras as a donation.

Construction drawings and the identification of equipment should be completed by August 1, 2015. The project will then be out to bid for 30 days, with bids due in September 2015.

Consent Agenda –
On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to adopt the consent agenda with the addition of New Business #4 – Consideration to accept the Finance & Planning Committee recommendation to accept the FY 2014 Annual Audit from Brown, Edwards & Company, LLP and New Business #5 – Consideration to advertise the Kiddie Park upgrades.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Absent: Conner
Motion carried 5-0.

Unfinished Business – none

New Business –

Mayor Harvey opened the floor for nominations of Vice-Mayor. Mr. McDearmon nominated Mr. Garrett. There were no other nominations. Mayor Harvey closed the floor.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to elect Mr. Timothy W. "Timmy" Garrett as Vice Mayor until the Council term ending June 30, 2015.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Absent: Conner
Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to write off uncollected debts, as presented by Stacey Wilkes, Town Treasurer, that have exceeded the statute of limitations.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Absent: Conner
Motion carried 5-0.

On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to amend and reenact the Appomattox Town Code – Chapter 185, Section 16 – Failure to pay license fee or personal property tax; registration withholding; violations and penalties.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Absent: Conner
Motion carried 5-0.

On a recommendation by Mr. McDearmon, Chairman of the Finance & Planning Committee, Council voted to accept the FY 2014 Annual Audit Report from Brown, Edwards & Company, LLC.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Absent: Conner
Motion carried 5-0.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to authorize HDLA to create the bid package and advertise the Kiddie Park project.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Absent: Conner
Motion carried 5-0.

Town Manager's Report – Mr. Gillespie is on vacation.

Citizen Comment Period – none

Council Concerns – none

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 8:10.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Absent: Conner
Motion carried 5-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
August 10, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, August 10, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch

Others present: S. L. Ferguson, Roger Carson, Marvin Mitchell (members of the Planning Commission), Daniel Puckette, Times Virginian; Ashley Walter, News & Advance; Carlton Duck, Alive Media TV; Stacey Wilkes, Town Treasurer, C. William Gillespie, Jr., Town Manager and Roxanne Casto, Town Clerk.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck opened the meeting with a prayer and led the Pledge of Allegiance.

Public Hearing:
08102015-01 – Comprehensive Plan
Mayor Harvey opened the public hearing to comments regarding the proposed adoption of the Town of Appomattox Comprehensive Plan. The purpose of the comprehensive Plan shall be "guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants" of the Town of Appomattox.

There were no public comments.

Mayor Harvey closed the public hearing.

Mayor Harvey, Mr. Conner and Ms. Spiggle thanked the Planning Commission members and Mr. Philipp Gabathuler, Planner, Region 2000 Local Government Council for all their hard work on the Comprehensive Plan.

Mrs. Puckette said this had been a very thoughtful process.

Mayor's Comments:
Jeff Elder and Mayor Harvey attending the Department of Housing and Community Development meeting for the Main Street project held in Lynchburg. It is their recommendation for the town to become an affiliate member otherwise, the Town would not qualify.

Mayor Harvey advised that the Region 2000 Business and Economic Development Alliance recently merged with the Lynchburg Regional Chamber of Commerce. The merger vote was 16-6, with most local government members casting the dissenting votes. The thought of local government members is the alliance will take away from local governments and it will likely emphasize Lynchburg over other localities. The Appomattox Town Council will have an opportunity to ask questions of Megan Lucas, Region 2000 Alliance CEO when she appears at the September Council meeting.

Consent Agenda –

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for August 10, 2015 with the addition of NB#3 – Consideration to lease space in the depot in for seven (7) days in October 2015 and seven (7) days in December 2015 for $200 per occurrence.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Absent: Finch
Motion carried 5-0.

Unfinished Business – none

New Business –

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to adopt a Loan Resolution (RUS Bulletin 1780-27) authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its Appomattox Water Reclamation Facility (SBR plant).
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Absent: Finch
Motion carried 5-0.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt a Resolution of the Governing Body (Virginia RUS, Instruction 180, Exhibit B, Attachment 1) in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Absent: Finch
Motion carried 5-0.

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to approve a request to lease space at the depot for seven (7) days in October 2015 and seven (7) days in December 2015 for $200.00 each occurrence.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Absent: Finch
Motion carried 5-0.

Town Manager's Report – Mr. Gillespie reported that the Town should know the status of the Meadowlark Study and the Downtown Business District Study in late August/early September, approximately 45 days.

The bid packages for the Children's Park are being prepared for advertisement on August 16, 2015. The bids will be due on September 14, 2015.

Citizen Comment Period – none

Council Concerns – none

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 7:55 p.m.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Absent: Finch
Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
September 14, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, September 14, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Absent: Timothy W. Garrett

Others present: Daniel Puckette, Times Virginian; Ashlie Walter, News & Advance; Megan Lucas, CEO, Region 2000 Alliance, Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; and C. William Gillespie, Jr., Town Manager, and Roxanne Casto, Town Clerk.

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

Rev. Brian Moore opened the meeting with a prayer and led the Pledge of Allegiance.

Mayor's Comments: Mayor Harvey thanked Mr. Gillespie for responding to the letter printed in the Times Virginian that referred to the Town in an unfavorable manner. Mayor Harvey also reminded everyone of the upcoming Railroad Festival, the second weekend in October.

Scheduled Public Appearances:
Megan Lucas, CEO, Region 2000 Alliance appeared before Council to advise them of what the Alliance has been working on over the last year.

Council thanked Ms. Lucas for attending and providing them with all the information.

Consent Agenda –

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for September 14, 2015 with the addition of NB #3 – Consideration to accept the recommendation of the Physical Development Committee to adopt a Policy on Renting, Loaning or Leasing Town Owned Equipment and NB #4 – Consideration to accept the recommendation of the Finance and Planning Committee to write off $298.85 in Real Estate taxes and $360.34 in Penalties and Interest.
Vote: McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Absent: Garrett
Motion carried 5-0.

Unfinished Business – none

New Business –

On a motion by Councilmember Puckette, seconded by Councilmember Finch, Council voted to adopt the Town of Appomattox Comprehensive Plan 2035 based on the recommendation by the Appomattox Town Planning Commission.
Vote: McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Absent: Garrett
Motion carried 5-0.

On a motion by Councilmember Spiggle, seconded by Councilmember Puckette, Council voted to adopt an amendment to the appropriations resolution of the Appomattox Town Council adopting the fiscal year 2015 – 2016 budget for the Town of Appomattox.

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2015-2016 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

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 situsedwithin the Town commencing January 1, 2015, 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 50.65% tax relief;*
- *Personal use vehicles valued at $20,001 or more shall only receive 50.65% 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.*

Vote: McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Absent: Garrett
Motion carried 5-0.
On a recommendation of the Physical Development Committee, Council voted to adopt a Policy on Renting, Loaning or Leasing Town owned Equipment.
Vote: McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Absent: Garrett
Motion carried 5-0.

On a recommendation of the Finance & Planning Committee, Council voted to write off $298.85 in Real Estate Taxes and $360.34 in Penalties and Interest.
Vote: McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Absent: Garrett
Motion carried 5-0.

Town Manager's Report - Mr. Gillespie discussed HB 2 with Council. It is a transportation funding mechanism. The town has earned the designation of Urban Development Area (UDA). The Town of Appomattox is the first town in Region 2000 to earn the designation. He has plans for the town to go after funding for projects, specifically the 24 corridor.

Citizen Comment Period – none

Council Concerns – Mrs. Puckette advised Council of the town's Annual Community Picnic on Friday, September 25, 2015 from 6:00 p.m. to 8:00 p.m. at the Abbitt Memorial Park on Main Street. It will be a great night of food and informative displays of things happening in the Town.

Mr. Conner asked Mr. Gillespie if the Town had been contacted by the schools about combining the internet and phone capabilities. He said yes and he was waiting on more information.

On a motion by Councilmember Puckette, seconded by Councilmember McDearmon, Council voted to adjourn at 8:00 p.m.
Vote: McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Absent: Garrett
Motion carried 5-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
October 13, 2015

The Appomattox Town Council held a Regular Council meeting on Tuesday, October 13, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch

Others present: Daniel Puckette, Times Virginian; Ashlie Walter, News & Advance; Carlton Duck and Brian Moore, Alive Media TV; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; and C. William Gillespie, Jr., Town Manager, and Roxanne Casto, Town Clerk.

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

Rev. Carlton Duck opened the meeting with a prayer and led the Pledge of Allegiance.

Mayor's Comments: Mayor Harvey thanked the Railroad Festival committee for another successful year. Mayor Harvey also thanked the Town for their assistance.

Scheduled Public Appearances:
None

Consent Agenda –

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the consent agenda for October 13, 2015 as presented.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Absent: Finch
Motion carried 5-0.

Unfinished Business – none

New Business –

On a motion by Councilmember Spiggle, seconded by Councilmember Puckette, Council voted to table the consideration to award the bid for the upgrades to the Children's Park until the November 9, 2015 Regular Council meeting.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Absent: Finch
Motion carried 5-0.

Town Manager's Report - Mr. Gillespie reported that all of the USDA documents have been submitted with the exception of the attorney contract, bond counsel and engineering contract. These should be ready for submission by mid – November.

He also briefed Council on the Urban Development Area designation (HB 2). There is no match from the Town and the roundabout at the 460 and 24 intersection is not included. Approximately $10 million dollars are available.

Mr. Gillespie also advised Council that Town Staff and Scott Smith with Region 2000 met with the Department of Housing and Community Development for the first meeting regarding the Greater Meadowlark project grant.

The Downtown Business District study/survey needs more information. The goal is to obtain a $30,000 planning grant for downtown. There are more than 142 buildings in this study.

Mrs. Puckette thanked Mr. Gillespie for all he is doing.

Citizen Comment Period – none

Council Concerns –
Mr. Garrett provided Council with a handout of a powerpoint presentation regarding a partnership with the Appomattox County School System for internet hot spots in Town.

Ms. Spiggle also thanked Town staff for their involvement with Railroad Festival activities.

Mrs. Puckette reminded Council that the Town would be providing Hot Dogs, soda and water at Abbitt Park on Thursday, October 29, 2015 from 5:00 p.m. – 7:00 p.m. for their annual Halloween event.

On a motion by Councilmember Garrett, seconded by Councilmember Conner, Council voted to adjourn at 7:50 p.m.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Absent: Finch
Motion carried 5-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Special Call Council Meeting
November 4, 2015

The Appomattox Town Council held a Special Call Council meeting on Wednesday, November 4, 2015 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Claudia G. Puckette and Steven T. Conner.

Others present: Daniel Puckette, Times Virginian Newspaper; Jeff Elder, Facilities Director; Bill Gillespie, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Special Call meeting to order.

On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council authorized the Mayor to execute a contract, after review and approval by the Town Attorney, for the purchase of "All of the property in a survey by William W. Dickerson, Jr., dated October 30, 2007, 1.175 acres a portion of the property in DB 216, Page 347 as recorded in the Appomattox County Circuit Court Clerk's Office from Watkins M. Abbitt, Jr., etals, more commonly known as 1.175 acres on Hunter Street Route T1036 in the Town of Appomattox" for the agreed upon price of $40,000, such contract to be contingent upon approval by the entire council, in its sole discretion, after conducting such studies as it deems appropriate and after a public hearing on the purchase.

Roll Call Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – abstained (citing business deals and forfeited commission on the property), Puckette – yes. Motion carried 5-0.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council adopted by the following resolution:

1. *Consideration to adopt a resolution amending the FY 2016 Operating Budget for the General Fund for FY 2015-2016 for the purchase of a parcel of land*

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

2. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2016 Operating Budget for the General Fund for FY 2015-2016 for the purchase of a parcel of land*

General Fund Expenditures
Property Maintenance & Construction *40,000*

Net Increase in Budget *$ 40,000*

General Fund Revenues

Use of Undesignated Reserve	*$ 40,000*
Net Increase in Budget	*$ 40,000*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2016 budget amendments are hereby adopted, 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.
Amended this 4th day of November 2015.
Attest:

_____
Roxanne Casto, Town Clerk

Vote – Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – abstained (citing business deals and forfeited commission on the property), Puckette – yes. Motion carried 5-0.

On a motion by Councilmember Spiggle, seconded by Councilmember Garrett, Council voted to adjourn at 6:20 p.m.
Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
November 9, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, November 9, 2015 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch and Claudia G. Puckette.

Absent: Steven T. Conner

Others present: Daniel Puckette, Times Virginian; Ashlie Walter, News & Advance; Carlton Duck and Brian Moore, Alive Media TV; Mark Thomas, Southside Electric Cooperative; Ben Bowman, Region 2000 Workforce Development Director; Gary Christie, Executive Director, Region 2000 Local Government Council; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; and C. William Gillespie, Jr., Town Manager, and Roxanne Casto, Town Clerk.

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

Rev. Brian Moore opened the meeting with a prayer and led the Pledge of Allegiance.

Mayor's Comments: Mayor Harvey thanked staff and Council for helping with the Halloween event in Abbitt Park on Thursday, October 29, 2015. The Town served almost 500 hot dogs.

Mayor Harvey also commented that there is an important item for consideration on tonight's agenda. He hopes that everyone has had a chance to look at it carefully. We were all elected to replace a Council that wasn't doing much from the general fund. It's time for us to show what we were elected for. We've only done a few items (the Abbitt Park, inside the railroad depot and a few small sidewalk projects). We have put a lot of money into this and hundreds and hundreds of staff hours to get this project together. This has come together as more of a family park instead of just a kiddie park. Part of our mission statement [in there on the wall] is to improve the quality of life and we have an opportunity to do that with this new park. So I hope everyone has had an opportunity to look through the material so we can discuss it tonight.

Scheduled Public Appearances:
Mark Thomas, Community Relations Coordinator for Southside Electric Cooperative appeared before Council to introduce himself. He has been on the job for about 5 months. He has been going around the area speaking to Towns, Counties and chambers. Southside Electric Cooperative offers more than electricity. While there are 1670 connections in the County of Appomattox, none are actually in the Town. Southside Electricity has not had a loss injury in 2 years. Southside has been sponsoring and partnering with the following: Appomattox Railroad Festival, Appomattox 1865 Foundation Lantern Tours, the Appomattox Angels softball team that went the World Series, College Scholarships and youth tours in Washington, DC. Mr. Thomas thanked Council for allowing him the opportunity to speak.

Mr. Ben Bowman, Director of the Workforce Development Board updated Council on the past year, stating it has been a very busy year. They have been focused on imposing guidelines of the Workforce Innovation Opportunity Act. This fall, they will be working with the County library to meet the needs of the County's youth and adults who may need assistance with job searches. They continue to work with the Appomattox County Economic Development Director, Jeff Taylor. The goal is to make sure anyone looking for training services is assisted.

There were no questions from Council. Mr. Bowman thanked Council for allowing him the opportunity to come out and speak to them.

Mr. Gary Christie, Executive Director, Region 2000 Local Government Council presented the Annual Report. Mr. Christie reported that the spring 2016 Annual Dinner would be held at the new hotel in the April. The Local Government Council has assisted the Town the Comprehensive Plan, CDBG Greater Meadowlark Grant, Housing Study, and the Safety Traffic Study (Main & Church Street).

The Local Government Council is working with Appomattox Council on their comprehensive plan, solid waste disposal, an agricultural grant, and tourism initiative. For every $1 in dues paid by localities, the commission generates into $41 of grant money.

The Local Government Council continues to work with VDOT on the new transportation priority system, HB 2 ranking (providing input) on the Route 131 and 460 corridor.

Mr. Christie also reminded Council that the Local Government Council is not involved with the merger between the Economic Development Alliance and the Lynchburg Chamber of Commerce. The merger is expected to be finalized in January 2016.

There were no questions from Council.

Mr. Christie thanked Council for the opportunity.

Consent Agenda –

On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to adopt the consent agenda for November 9, 2015 as presented.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Absent: Conner
Motion carried 5-0.

Unfinished Business –
<u>Council consideration to award the bids for the upgrades to the Children's Park.</u>
Mayor Harvey – we have the bids that were presented at the last regular meeting (October) and nothing has changed. Does anyone have anything they would like to bring up to discuss?

Mrs. Puckette – I have a couple of things – I have been hearing some conflicting information and I just want to get straight on what we did do and I was told that – I wish Mr. Conner was here tonight so he could help me understand but he told me at the County Industrial Park when the Governor was here and that Proctor Harvey did the bidding process for what we have and he told me that the advertising was only done on the internet and that is why we have such few bids. Can anyone address this for me- is that what happened? My thought was it was done the way we always do stuff – I would just like to find out – does anyone know what really happened?

Mr. Gillespie said he remembers because he did it. I didn't want Proctor Harvey to do the bid documents or put the packages together primarily because of all the alternates we had so anyway I did all that and I wanted to be able to put the language in there to give Council the most flexibility and be able to choose since you wanted to be able to see specific things with specific numbers, instead of a lump sum – this way you wouldn't have to go back and negotiate it. I also handled the advertisement. It wasn't advertised on the internet. It was advertised publically in the newspaper. The Clerk was the one who put it in the paper. I did the notice – she advertised it. I don't know where that information came from but it met Procurement law, the way we did it.

Puckette – Again, I wish Steve were here but he told me that and I just wanted to be sure. Would there have been anything wrong with us putting the bids on the internet?

Mr. Gillespie – It wouldn't have been anything wrong with it but we are traditionalist and we have always advertised locally but we decided to advertise in the Lynchburg paper to give us more coverage. I thought we did what we needed to do and most contractors (be it big or small) usually subscribe to a solicitation service that lets them know these things are coming. We also put it in on Sunday, which is when most companies are looking for this type of thing.

Puckette – So there was nothing unusual about how this was handled?

Gillespie – No

Puckette – Thank you

Wilkes – It is also required by procurement law to place the advertisement in the newspaper.

Puckette – So the next point is probably mute but since we didn't pay Proctor Harvey to do the bidding process, then we didn't pay him $20,000 for the bids.

Gillespie – He (Proctor) basically put together the bid specifications for all the equipment, the layout and design drawings.

Puckette – That's something we voted on

Gillespie – Correct

Puckette – Other things Mr. Conner had spoken to that he isn't here to share was information from other localities. So anyway…

Gillespie – If you are speaking of the Chilhowie proposal, which I have seen – there is really no comparison to the Chilhowie. It was basically 2 pieces of play equipment. The scope of work you have approved and the conceptual layout is much larger than that. You basically have 4 groups – 0-2, 2-5, 5-12 and a handicapped area. You essentially have a much larger scope than what the other one (Chilhowie) was. You have pavilions, benches, and grills. The scopes are no comparison - $150,000-160,000 in comparison.

Puckette – So we aren't comparing apples to apples then?

Gillespie – Not really

Puckette – Finally, isn't Little Tikes one of the best companies to get for playground equipment? I thought I overhead Timmy (Garrett) say it was a good company. That's my experience it's a good company.

Gillespie – I called 4 localities – Charlottesville, York County, Powhatan and another one – all using Little Tikes as their standard and Charlottesville has done 8-10 playgrounds.

Puckette – I remembered them from my teachings days and I think they are a good company. From what you see here are the prices reasonable?

Gillespie – Maybe the Clerk could speak better to that – She's been working on this for at least 3 years – priced it – I would think it is.

Casto – I know the books I have all indicate these are good prices – It's in line with everything I have in my office.

Puckette – I am generally low in prices when looking for estimates – I was figuring $450,000 so again my estimate is a little low and true to form for me.

Harvey – Are there any other council member questions, comments or ideas?

Garrett – One concern I have, due to being in the process of purchasing the land beside it I think we need to look at how that's going to play into the whole project, before we go spending $500,000 or whatever we spend or agree to.

I think it may even dictate where we put the equipment, in my mind – in lieu of what we were talking about. I think that needs to be looked at or considered.

I am all for doing what we are talking about doing but I think we've done a lot since we've been on Town Council. We are moving forward – trying to everyday – I do think we need to if we are not going to approve it tonight – how much ground are we going to lose – coming up on the

winter months. I don't have any problems with the items we got out to bid but I think we can get some other companies in and we can get some fairer prices in. I think we need to look at how this other piece of property is going to affect this. We may want to shift the whole thing and the change the whole layout and change the whole thing in my mind. The money – I don't have a problem spending the money – but I want a good project not one that's washed down the hill where it's at now. The land where it is at and the project can be utilized to include the other piece of property and in the middle of buying. Right now if we go with what we've got it will all be put on the lower end.

Puckette – Were we going to use the other (new Abbitt property) for parking?

Garrett – Well the way it was - the new land was not looked at with the project he designed. We might be able to utilize the new property to make a better park – a better project. That's the only problem I have.

Harvey – I would sit here and disagree with you. This property in the design process wouldn't really change that much. If you are talking about redesigning it – redoing it – bid proposals and change the scope – plans and everything.

Garrett – Well I don't understand that.

Gillespie – You can compare it to "shopping" the bid. You would have to change it. You can't advertise the same thing. The other thing is that the bids are no good after this month. So the point may be mute.

Garrett – It could be less

Gillespie – It could be more

Spiggle – It could be less

Garrett – We talked about it years ago – about buying the property – and since then we've designed this park. In my mind it would be better to have a playground on a flatter piece of land than on a hill. That's all I'm bringing up.

Harvey – Isn't grading in the project?

Garrett – Not in the specs

Gillespie – All the parking was to keep away from the play area. It was never considered before.

Spiggle – I am of the opinion that Timmy has. None of us have a problem whatsoever with redoing the Kiddie Park. It is not about that. We all want to do this and bring the best park or the family park as the best park possible and now we have decided to purchase some land which adjoins it and is contiguous to it so what are we going to do with that property? Let's take a deep

breath and take another look at it – see if we can do better – even better. Once you get the Kiddie Park done it's going to be there for 20-30 years. It's already been there for 20 years. It's almost winter. Let's slow down a little bit and reconsider this. I agree with Timmy – I believe we can do better but we do want to do it. I don't want that laid on me or Timmy or anyone. No, you are against spending money on the public – that's not it at all. I just say let's get the best deal we can. Let's do the best we can for the public.

Puckette – Do you have any idea what it will cost for dollars if we put this off? Specs and plans? Redo? $20,000 already.

Gillespie – I don't have a feel for the scope. If you are talking about the same scope you have to be careful of that – You don't want a contractor coming back and saying you know my price now and now you want to shop my price. With a public bid you cannot do that. Privately a lot of people do that. If it's the same scope or something else – I don't know what you're saying.

Puckette – Are you saying…

Harvey – The scope has to change.

Garrett – I don't understand that – It's the same scope, it's the same equipment. It takes the same scope to put it in the ground.

Gillespie – What am I saying? Is the prices are no good after this month.

Garrett – We have the right to refuse all the bids and rebid it.

Spiggle – That would be ok in my mind.

Gillespie – That's what you'd have to do – rebid it.

Puckette – Are you thinking of putting additional equipment in or what's the purpose?

Garrett – I don't think we can afford additional equipment. It is just the lay of the land. You go to a playground that is on a slope as opposed to a flat piece of land. I didn't see any excavating in that proposal, except where they are going to put the bathrooms maybe. How much leveling of the land….they can't do a whole lot. It's going to be on a hill. We have a hard time at the schools keeping the fall protection material to stay in the playground. Now that we have that piece of land – look at shifting it to a…the parking change that around…yes maybe it will cost us more money but it will make a better park on a flatter piece of property than on the side of a hill going to creek.

Puckette – I never noticed it being on a hill – maybe I've missed something.

Garrett – I don't know what the grade is but it slopes to the stormwater creek.

Puckette – Do you think the stuff there now has washed out?

Garrett – Everything I have with less slope than that has washed out.

Puckette – I mean over there – have you seen where it's washed out?

Garrett – Jeff have you had any rutting out over there?

Jeff Elder – The kids kick stuff out and it goes down the hill. Kids are going to play in it.

Puckette – Well they are going to kick it out one way or another.

Garrett – I am all for doing everything we've talked about down there.

Spiggle – Me too

Garrett – I just think we need to look at it with the new piece of property.

Finch – I have a question about the alternates and putting it back out to bid. The contractor with the lowest responsible base bid was not able to give us a quote on the alternates?

Gillespie – No, the way the bid is structured, the Town bid statement says that the Town reserves the right to offer the lowest responsible bid and any collection of alternates.

Finch – That was my question – would it have to go back out to bid?

Gillespie – No, not because of that.

Puckette – Best case scenario – I am just trying to understand if we did it your way – stopped everything and relooked at it – what is the best thing that you see that could come from it – what are you really looking for to happen – that isn't going to happen anyway?
Question for Timmy or Mary Lou – either one…

Garrett – Just a better playground – better environment on a flatter piece of land than it is on a slope (chuckle) from kids running – any playground company will tell you that they'd rather put it on a flat surface than on the side of a hill. You can call anyone of them and they would tell you the flatter the better. That's all – the land we are looking at buying is a whole lot better than the current location.

Puckette – And just to move the equipment from one side to another we would have to redo the whole process?

Gillespie – No, if you keep the same scope – if I am understanding what he is saying, you could award it now and just move it where you want to move it.

Harvey – That was going to be my question

Puckette – well, then that might save us money

Harvey – Go ahead and purchase the equipment we've talked about and then redesign the process if that's agreeable.

Puckette – How much do you think Proctor Harvey would charge us to do that?

Gillespie – I don't know – but it couldn't be much. I think what they were trying to do was to group the ages together so you could keep the kids all in one area. Then have the picnic areas away from that. Mr. Garrett's talking about moving an area to that property or another area or relocate the road.

Puckette – And not have to change all this?

Gillespie – If you have to relocate the road then obviously you are talking about more money. If you are talking about moving the equipment – then you just move it. That's not a big deal. Instead of it being over here it would be over there.

Puckette – Would that be agreeable Timmy?

Garrett – I think we need to get other prices.

Spiggle – I do too – We can get better prices.

Puckette – Why do you think that?

Spiggle – We only got 2 people to bid and tell me the total bid?

Harvey – what are you basing that on?

Spiggle – Tell me the total bid Roxanne, say it out loud.

Casto – The total? I don't have that. I have the base bid as $201,129.

Spiggle – Did you not say $550,000?

Casto/Harvey – no – I didn't say that. I have on my notes at the bottom that alternate #1 the base bid, alternate 1, option 2 with tough coat - $406,381.

Puckette - $406,381 – I hate to see that price get away from us.

Harvey – The other 3 alternates the Town could do. We felt like in talking with Mr. Gillespie and Jeff we could get it at $550,000 to do the other parts. Mr. Gillespie has already researched the pre-fab toilets and can get them for $65,000.

Puckette – That's a whole lot more than $20,000.

Harvey – Steve was looking at a waterless one which is has a lot of odor issues.

Gillespie – It has one stall inside instead of 2.

Spiggle – So when you add the alternate plans to the $406,381, the total is?

Harvey – we are going to try to come in at $550,000

Spiggle – That's what I said to begin with.

Harvey – no, you said…

Spiggle – The bid is lower than that, but in order to accomplish everything we want to do is $550,000 which is more than a half a million dollars. And, we have the money but we need to be fiscally responsible with the money and not just say "we have the money, we need to spend it".

Harvey – I don't think anyone on this council is saying that

Spiggle – you said that to me Paul

Harvey – No, I said we have the money to pay for this and we have a good bid in hand.

Spiggle – That's not what you said – That's fine - we need to spend the money wisely and be fiscally responsible.

Puckette – I think part of this is that Steve had told all of us when the Governor was here…

Spiggle – My opinion is not based on anything Steve's told me

Puckette – (continued) these bids were too high – and I was hoping he was going to be here tonight and I asked him to bring some concrete evidence of that. That we were looking at too much money because if other people are saying, that we trust and we pay this is their job – this is what they do all day, every day and they are telling us that this is a good bid and Mr. Conner said it was not and he was basing his information down in Matthews County and I wanted to see the facts and figures because I've thought about it and figure it up in my mind and I think this is a good price and my fear is that if we reject this tonight and go back to the drawing board your prices will be higher next time because everything goes up. I've never seen stuff like this go down. That's my experience – maybe you know things come down more than I do – My fear is that if we are too afraid to act and put this wherever you deem appropriate that we will cost the

people more money down the road. We know what we have right here $406,831 to do this part – waiting on the other alternates. You are taking a gamble – it could go down yes, but it could also go up. And that would be more of a historical way for it to go. For that reason, I am hesitant to let these numbers get away from us. I could be wrong – y'all could prove me wrong tomorrow. This is what I've observed.

Harvey – Mr. Garrett you stated that you don't have a problem spending the money but you don't like the design so if we go back to the drawing board after we agree to the equipment we are purchasing (you may be objecting to the price too). Do you still have an objection to buying the equipment as we bid it? Is there still an issue for you and Mrs. Spiggle?

Garrett – How many bids did we get on the playground equipment? Was it just 2?

Gillespie – It was 4

Garrett – I'm not counting Jamerson

Gillespie – Well 5 if you add Jamerson

Harvey – Carolina Recreation Design and Virginia Playground Equipment were disqualified because they didn't put in the concrete pads under the pavilions. It was bid to the specs. They were not responsible bids.

Puckette – How can you say that you're going to get a whole lot more bids in the next process? They have done the bidding process the same way they have always done it. I don't know how or where a whole bunch more companies are going to come from that haven't had the opportunity to see this ad. The bidding process was done like we've been told here tonight not some internet mess like we've been told.

Harvey – We aren't making much progress here tonight.

Garrett – I'd like Proctor to look at the land and see how this whole thing can be revisited cause he may come up with something better than he has now. This thing isn't going to happen…if we don't vote tonight…

Harvey – If you don't vote tonight, then this goes away

Garrett – well

Harvey – these bids, this price goes away tonight

Garrett – That's fine – I just feel like it needs to be revisited by Proctor Harvey – along with the other property we are trying to buy.

Harvey – The point we are trying to make is if we award the bid – you get the equipment and he can redesign it in a different way. You don't agree with that?

Garrett – My 5th sense is telling me no. We aren't going to get it put in even with good prices before spring of 2016 anyway.

Puckette – So you're willing to take the gamble that the prices aren't going to be more at a later time?

Harvey – Ask each one of you to say whether you are for it or against it and state your reason. This isn't a vote. If we don't have a consensus you'll have to put the negative vote out there.

Garrett – No, because it needs to be revisited by the engineer and laid out on the property as stated and I think we can get a better price even if we have to rebid it. They might grant us the price they already gave us – who said they won't?

Gillespie – They told me the will not give the same price.

Garrett – Fine – we will rebid the whole thing then.

Puckette – Why do you feel you'll get a better price later?

Spiggle – Claudia – I think we are going one by one.

Harvey – She asked Mr. Garrett a question.

Spiggle – I though you said one by one.

Harvey – I did but let him answer – it's a discussion. Mr. McDearmon will be next.

Garrett – I said may get a cheaper price. It will cost us either way. I don't want to put something in that will cause it not to be a good park.

McDearmon – If we buy this equipment that we put bids in on now – it will probably not be put in until spring and by then shift it over to the new land if need be.

Garrett – This bid isn't just buying the equipment – it's also putting it in.

McDearmon – I can't imagine it matters where you put it.

Spiggle – It's bigger than just buying the equipment. Mr. Gillespie just said we can't change the scope.

McDearmon – I think we need to go ahead and buy the equipment and see where we want to put it on the 2 pieces of property in the spring. I just think we need to go ahead and get it at this price. I don't think it's going to come down.

Spiggle – I disagree. I agree with what Timmy says. I think this isn't just about buying the equipment. The bid is about more than that – putting it in. So I think we can get a better price for putting it in and I think we need to ask Proctor Harvey (he didn't even know we were going to buy this property) since we've engaged with him to look at it and so why are we in such a hurry to do this? I vote no.

Finch – At this point, I am for the park and getting it done. I do have a lot of questions and if there are this many questions during the process then it's not a bad idea to have a rebid done.

Puckette – I am of the same opinion as Lewis – We have a good price I would like to see us secure the price. No one here has told me why the price isn't good and that we can get another one. I don't feel good about waiting to get a better one. That is typically not the way it works.

Harvey – Mr. Gillespie has been told that the prices will not be duplicated in a rebid.

Puckette – Costing the people money.

Harvey – Everyone has had opportunity to express their opinion. My feeling is that the discussion can end. Need to put a motion on the floor and vote whichever way you want to go.

On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to accept the bid from MRS Recreation – Ashland, Virginia - $201,129 for the base bid, $50,992 for Alt #1, $145,860 for Alt #2, $8,400 for Tough Coat Surface for a total of $406,381.00. Alternates #3, 4 and 5 will be put together and done by the Town as part of completing the park.
Roll call vote: Garrett – deny, McDearmon – accept, Spiggle – deny, Finch – deny, Puckette – accept, Conner – absent. Motion denied 3-2 to not pursue the bids as presented.

Puckette – What's the next step Mr. Gillespie?

Gillespie – I don't know. I need somebody to tell me what you want.

Garrett – I make a recommendation we get with Proctor and let him look at the additional piece of property and give us his input on what would make a better park or a good park – won't say good because he did good to start with.

Puckette – It must not have been good enough.

Garrett – It's not that – It's just the lay of the land. You can't look at it from right here. You need to go down there and visit it to see what I'm talking about.

Harvey – Are you making that into a motion Mr. Garrett?

Garrett – Yes, I can make that into a motion.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to ask Proctor Harvey to reevaluate the project with the additional property and come back with a recommendation.

Harvey – Do you want to find out his fee first?

Gillespie – I think he is going to have to meet with someone first to find out what the scope will be first.

Mr. Garrett withdrew the motion, seconded by Ms. Spiggle

Mr. Gillespie will contact Proctor Harvey to explain where Council wants to go and have him draw up the scope.

Gillespie – It may be good for Council to meet with Proctor Harvey – I may be interpreting something incorrectly.

Harvey – Think we can get him [Proctor] here for the December meeting?

Gillespie – I will check with him [Proctor].

New Business -

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt a resolution amending the FY 2016 Operating Budget for the General Fund for FY 2015-2016 for the carry forward of funding of incomplete projects from FY 2015

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

1. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2016 Operating Budget for the General Fund for FY 2015-2016 for the carry forward of funding for incomplete projects*

General Fund Expenditures	
Council	*$ 35,000*
(WaterPark)	
Property Maintenance & Construction	
(Sidewalks - $82,150, Town Hall Improvements -$35,000,	
Slurry Parking - $ 35,000, and Kiddie Park design - $16,103)	
	168,253
Net Increase in Budget	*$ 203,253*

General Fund Revenues

Use of Undesignated Reserve	*$ 203,253*
Net Increase in Budget	*$ 203,253*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2016 budget amendments are hereby adopted, 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.
Amended this 9th day of November 2015.
Attest:

_____
Roxanne Casto, Town Clerk

VOTE: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes. Conner – absent. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to award the Concrete Sidewalk Repair and/or Replacement Contract to C. Lee White Construction for $84.00/sq. ft., total cost of $162,150.00, with the work to be completed in the spring of 2016.
Roll Call Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes. Conner – absent. Motion carried 5-0.

Update from Appomattox County Schools regarding Fiber:
Mr. Gillespie reported that he had a discussion with Mr. Arbogast and the goal is to provide fiber throughout the Town. Mr. Gillespie suggested forming an exploratory committee but the process has a long way to go.

Mr. Garett stated that right now they are getting the connection points through the schools.

(A written report was included with the agenda packet)

Update on the Meadowlark – CDBG project:
Mr. Gillespie stated that the Town received information from the contract negotiations meetings held on October 13, 2015. All of the town's requirements should be received by DHCD by January 4, 2016.

Update on the Appomattox Business District Revitalization Project (Downtown Business District):
The Town of Appomattox has been notified that up to $25,000 is available to the Town for developing solutions that identify the needs in the Appomattox Business District Revitalization Project.

Town Manager's Report – none

Treasurer's Report – Stacey Wilkes provided Council with highlights of each fund (General, Water & Sewer) revenues and expenditures through September 2015.

Citizen Comment Period – none

Council Concerns – none

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:50 p.m.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Absent: Conner
Motion carried 5-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
December 14, 2015

The Appomattox Town Council held a Regular Council meeting on Monday, December 14, 20156 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Daniel Puckette, Times Virginian; Ashlie Walter, News & Advance; Carlton Duck and Brian Moore, Alive Media TV; Members of the Appomattox County High School Football team, coaches, school staff and parents; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; and C. William Gillespie, Jr., Town Manager, and Roxanne Casto, Town Clerk.

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

Marquis Morgan, Football player gave the invocation and led the Pledge of Allegiance.

Mayor's Comments:
Mayor Harvey reminded Council of the reception for the 3 retiring Board of Supervisors members on Wednesday, December 16, 2015 from 2:00 pm – 4:00 pm.

Mayor Harvey also acknowledged the presence of the young men from the Appomattox County High School football team who demonstrated a lot of special athletic ability, personal faith and teamwork and on their accomplishment of winning the 2015 State Championship.

Mayor Harvey presented the players with the following Proclamation:

A PROCLAMATION HONORING

THE APPOMATTOX COUNTY HIGH SCHOOL
2015 STATE CHAMPIONSHIP FOOTBALL TEAM

WHEREAS, *the hard work, dedication, sportsmanship, talent and exceptional team chemistry of the 2015 Appomattox Raiders Football Team has enabled these student athletes to earn a State Championship title; and*

WHEREAS, *in 2015 Appomattox County High School fielded a true "team" in every sense of the word, with 54 highly skilled and united football players and 13 outstanding coaches; and*

WHEREAS, *the 2015 Appomattox Raiders Football team completed the season with an impressive 15-0 record; and*

WHEREAS, *the 2015 Appomattox Raiders Football team made history by winning the first Virginia High School League Group 2A Football Championship in the school's history with a 42-6 victory over Clarke County; and*

WHEREAS, *Head Coach Doug Smith and the entire coaching staff, team member parents, faculty and student body at Appomattox County High School were integral in guiding the team to victory through their unwavering support during the undefeated season;*

NOW, THEREFORE, BE IT RESOLVED, *that I, Paul D. Harvey, Mayor of the Town of Appomattox along with my fellow Councilmembers, do hereby proclaim December 14, 2015 as "2015 Appomattox Raider Football Team Day – Power of One" in honor of the 2015 State Champion Appomattox County Varsity Football Team's outstanding accomplishments.*

FURTHER, *I urge all citizens of Appomattox County to join me in recognizing and celebrating the team's achievement and wish the members of the team continued success.*

_____

Paul D. Harvey, Mayor, Town of Appomattox

There was a brief recess to allow for those who wished to exit the meeting.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the consent agenda for December 14, 2015 as presented with the addition of New Business #3 – Committee Reports and New Business #4 – Closed Session.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

Unfinished Business:
None

New Business:
There was discussion to join the Lynchburg Regional Alliance by Council. Mayor Harvey gave some explanation as to what other localities are planning to do as far as joining in July 2016. Mayor Harvey suggested joining the Alliance for at least a year to see where it goes. The cost would be $2,180.00. The dues would not be payable until July 2016. By consensus, the item was tabled to become part of the budget process.

Commendation Reports/Recommendations:
On a committee recommendation, Council voted for staff to proceed with developing the depot by creating a scope to change the current visitor's center into a community center with a kitchen, restoring the vacant end to that of the time period and then move the visitor's center to the renovated end.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

On a committee recommendation, Council voted to engage HDLA in a redesign of the Kiddie Park and to obtain the status of the park equipment pricing from the original bid and authorize Timmy Garrett to act on behalf of Council to purchase the park equipment if necessary before December 31, 2015.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes.
Conner – no (stating he wants to see the total price; not open ended).
Motion carried 5-1.

On a committee recommendation, Council voted to adopt a resolution to enter into a Memorandum of Understanding between the Town of Appomattox and the Town of Pamplin reference contractual services for water and sewer maintenance and repair services and approve the Memorandum of Understanding.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

Closed Session:
On a motion by Mr. Conner, seconded by Mr. McDearmon, Council voted to convene in Closed Session, 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 the performance of a specific public appointee of the Town, specifically being Appointee A.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette –yes.
Motion carried 6-0.

The meeting was re-opened to the public.

Ms. Spiggle, made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Mr. Conner and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette –yes.
Motion carried 6-0.

Town Manager's Report:
None

Citizen Comment Period:
None

Council Concerns:
Mrs. Puckette spoke to her concerns that things are not being discussed during the Council meetings as they were when she first came on Council. So many things are being discussed outside. Everyone is entitled to opinions but no one is entitled to their own facts. Opinions are personal views, Facts are truth (what you personally know), Here say is not something you have personal knowledge of. She hopes Council can get back to the way it used to be where everything was brought to Council. She encouraged the other Council members to read a book by John Maxwell regarding Leadership and Integrity.

Adjournment:
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adjourn at 8:15 p.m.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
January 11, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, January 11, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Mr. and Mrs. Donald Wilk, Daniel Puckette, Times Virginian; Ashlie Walter, News & Advance; Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; and C. William Gillespie, Jr., Town Manager, and Roxanne Casto, Town Clerk.

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

Rev. Carlton Duck gave the invocation and led the Pledge of Allegiance.

Mayor's Comments:
Mayor Harvey welcomed everyone back and hopes everyone is eager to start the budget process.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for January 11, 2016 as presented with the addition of New Business #4 – Committee Reports.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Ms. Puckette, seconded by Mr. McDearmon, Council voted to reappoint S. L. Ferguson to the Appomattox Town Planning Commission with a term to expire on December 31, 2017.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to table, until the February 2016 Council Meeting, the appointments/reappointments to the Town of Appomattox Economic Development Authority.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adopt the 2016 Town Council meeting schedule.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the FY 2017 Capital Improvement Plan for the Town of Appomattox.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes, Conner – no.
Motion carried 5-1.

Commendation Reports/Recommendations:
On a recommendation of the Finance & Planning Committee, Council agrees to partner with the Appomattox County Board of Supervisors for signage to recognize the Appomattox County High School 2015 Football team at a cost to the Town not to exceed $3,000.00 from the General Fund Undesignated Fund Balance. All members present voting aye. Motion carried.

Town Manager's Report:
Mr. Gillespie advised Council that the advertisement for the position of Town Manager would be appearing this week.

Citizen Comment Period:
None

Council Concerns:
Ms. Spiggle asked that consideration be given for a future agenda item. The item would be moving the election to every 4 years instead of every 2 years with staggered terms in November rather than May.

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to adjourn at 7:50 p.m.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
February 8, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, February 8, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch

Others present: Daniel Puckette, Times Virginian; Carlton Duck and Brian Moore, Alive Media TV; Stacey Wilkes, Town Treasurer; and C. William Gillespie, Jr., Town Manager, and Roxanne Casto, Town Clerk.

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

Rev. Brian Moore gave the invocation and led the Pledge of Allegiance.

Mayor's Comments:
Mayor Harvey advised that he and Mr. Gillespie attended the Appomattox County Board of Supervisor's Retreat on Saturday, January 30, 2016 to speak to items they can work on jointly. He stated he feels the Board of Supervisors and Town Council will move forward attracting businesses.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. McDearmon, seconded by Ms. Puckette, Council voted to adopt the consent agenda for February 8, 2016 as presented.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Finch – absent.
Motion carried 5-0.

Unfinished Business:
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted on the following appointments to the Town's Economic Development Authority:

Michael Goin – will fill the unexpired term of Lisa Pannell – term expiring 12/31/2017,
Daniel Richardson – term expiring 12/31/2019,
Bob Goode – reappointment, term expiring 12/31/2019.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Finch – absent.
Motion carried 5-0.

New Business:
On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adopt a resolution amending the FY 2016 Operating Budget for the General Fund:

1. Consideration to adopt a resolution amending the FY 2016 Operating Budget for the General Fund for FY 2015-2016 for the carry forward of funding of incomplete projects from FY 2015 and new projects approved in December 2015, and January 2016.

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

2. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2016 Operating Budget for the General Fund for FY 2015-2016 for the carry forward of funding for incomplete projects from FY 2015 and new projects approved in December 2015, and January 2016.

General Fund Expenditures	
Council	*$ 19,183*
(Master Plan)	
Donations and Contributions	
(sign for football team $3,000)	*3,000*
Property Maintenance & Construction	
(Kiddie Park Phase 1 - $79,372, depot dormers $29,855)	
	109,227
Net Increase in Budget	*$ 131,410*
General Fund Revenues	
Use of Undesignated Reserve	*$ 131,410*
Net Increase in Budget	*$ 131,410*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2016 budget amendments are hereby adopted, 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.
Amended this 8th day of February 2016.
Attest:

_____
Roxanne Casto, Town Clerk

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Finch – absent.
Motion carried 5-0.

Commendation Reports/Recommendations:
On a recommendation of the Finance and Planning Committee and the Physical Development Committee, Council voted to have a work session prior to each Regular Council meeting and a workshop on the fourth Tuesday of each month at 7:30 p.m., immediately following the Town EDA meeting, effective March 1, 2016. All members present voting aye. Motion carried.

On a recommendation of the Finance and Planning Committee and the Physical Development Committee, Council voted to deny the budget request of The Healing Place for the FY 2017 Budget contribution. All members present voting aye. Motion carried.

Town Manager's Report:
Mr. Gillespie reported (with humor) that the Public Works Department did a "bang up" job with snow removal in the recent storm. Mr. Elder's entrepreneurial approach to snow removal is most helpful to the Town. The department ran for 24 hours – finishing up on Sunday.

Citizen Comment Period:
None

Council Concerns:
Mr. Conner expressed concerns that residents are leaving their roll out carts near the road and sidewalks days after trash collection. Mr. Gillespie said the Town could put out a notice and police the cans.

Mr. Conner stated that the money needs to be spent on the depot and sidewalk replacement. Mr. Gillespie stated that the work should start on the sidewalks in mid-March.

Mayor Harvey commented on the phone calls he had received regarding the chained dogs on Lee Grant Avenue. Assistance was provided to the animals via the property owners.

Closed Session:
On a motion by Council Member Garrett, seconded by Council Member Spiggle, 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 prospective candidates for employment, specifically being applicants for the position of Town Manager.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Finch – absent.
Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Finch – absent.
Motion carried 5-0.

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:50 p.m.
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes.
Finch – absent.
Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Special Call Council Meeting
February 22, 2016

The Appomattox Town Council held a Special Call Council meeting on Monday, February 22, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Claudia G. Puckette and Steven T. Conner.

Others present: Jeff Elder, Facilities Director and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Special Call meeting to order.

On a motion by Council Member Garrett, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidates A, B, and C.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to adjourn at 8:00 p.m.
Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Special Call Council Meeting
March 2, 2016

The Appomattox Town Council held a Special Call Council meeting on Wednesday, March 2, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Claudia G. Puckette and Steven T. Conner.

Others present: Jeff Elder, Facilities Director and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Special Call meeting to order.

On a motion by Council Member McDearmon, seconded by Council Member Conner, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidate D.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember Garrett, Council voted to adjourn at 7:20 p.m.
Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Special Call Council Meeting
March 8, 2016

The Appomattox Town Council held a Special Call Council meeting on Tuesday, March 8, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Claudia G. Puckette and Steven T. Conner.

Others present: Jeff Elder, Facilities Director and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Special Call meeting to order.

On a motion by Council Member McDearmon, seconded by Council Member Garrett, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidate D.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Finch, Council voted to adjourn at 7:35 p.m.
Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
March 14, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, March 14, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Claudia G. Puckette and Steven T. Conner.

Others present: Carlton Duck & Brian Moore, Alive Media TV; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Stacey Wilkes, Treasurer, Bill Gillespie, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order.

Mayor's Comments:
Two weeks ago, Appomattox County was directly impacted by an EF3 Tornado near the Evergreen area of Appomattox County. The county has come a long way very quickly. The long range recovery planning has already begun.

The Town of Appomattox will be hosting "Spring Clean Up" March 28 – April 1, 2016 and April 4 – 8, 2016.

On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to adopt the consent agenda for Monday, March 14, 2016 as presented. All members present voting aye. Motion carried.

Old Business – none

New Business –

Committee Recommendations – none

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to appoint the following members to the Rehab Board for the Greater Meadowlark Community Improvement Project: Lonnie Hamlett, Building Inspector, Appomattox County; Lewis McDearmon, Council Member; Paul Humbles, Neighborhood Representative; Brian Goldman, Rehabilitation Specialist; Goldman & Associates; W. Scott Smith, Senior Planner, Region 2000 Local Government Council; Jeff Elder, Facilities Director, Town of Appomattox. All members present voting aye. Motion carried.

Town Manager's Update – The sidewalk repair project will begin this week and be complete within 60 days. These are sidewalks located on Confederate Blvd to Church Street, Atwood Street to Church and Highland and Court Street in several places.

The Region 2000 Business and Economic Development Alliance has moved from the Bank of the James building into the Lynchburg Regional Chamber building on Memorial Avenue.

Council Concerns – none

Closed Session –

On a motion by Council Member McDearmon, seconded by Council Member Garrett, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidate D.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member McDearmon and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried.

On a motion by Mr. McDearmon, seconded by Ms. Finch, Council voted to adjourn at 8:20 p.m.
Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Workshop Council Meeting
March 22, 2016

The Appomattox Town Council held a Workshop Council meeting on Tuesday, March 22, 2016 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Claudia G. Puckette and Steven T. Conner.

Absent: M. Erin Finch

Others present: Jeff Elder, Facilities Director; Stacey Wilkes, Treasurer, Bill Gillespie, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Workshop Council meeting to order.

Mayor Harvey advised that Don Powers, the Archery Coach from Cornerstone Christian Academy would like to invite Council them to participate with the students any Thursday from 3:30 – 4:30 p.m.

Downtown Economic Restructuring Study
Mr. Gillespie reported that the Town hosted a kick off meeting for the Appomattox Downtown Planning Grant and the Economic Restructuring of Downtown Study on Monday, March 21, 2016.

The Town of Keysville report was provided for Council to review. The study will identify what the town has, what is being lost, what existing businesses need to be more successful.

The study will aid in the application for a $1.5 million dollar grant.

Employee Handbook
Mrs. Casto reviewed the proposed changes to the Employee Handbook with Council.

This item will be added to the April Regular Council meeting agenda for consideration.

Sewer Adjustment
Mr. Elder appeared before Council to discuss the request from the Lazer Car Wash for a sewer adjustment.

After much discussion, Council was not interested in changing their policy regarding sewer charges. It offered (2) suggestions for the Lazer Car Wash to consider:

1 – At the cost of the customer, the Town could install a meter and meter setter on the non-potable well, continuing to bill sewer at 100% amount of the metered water.

2 – The customer could install a new sewer meter.

Closed Session

On a motion by Mr. Garrett, seconded by Ms. Spiggle, 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 discussing a prospective candidate for the position of Town Manager with the Town of Appomattox, specifically being prospective candidate D.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes, Finch – absent. Motion carried 5-0.

The meeting was reopened to the public.

Councilmember McDearmon made the following motion:

Whereas, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Mr. Garrett and Council by the following recorded vote adopted by the motion.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes, Finch – absent. Motion carried 5-0.

On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to adjourn at 8:55 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
April 11, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, April 11, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Claudia G. Puckette and Steven T. Conner.

Absent: M. Erin Finch

Others present: Philipp Gabathuler, Carlton Duck & Brian Moore, Alive Media TV; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Rick Butler, Virginia State Forester; Stacey Wilkes, Treasurer, Bill Gillespie, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Carlton Duck led the prayer and Pledge of Allegiance.

Public Hearing -
Mayor Harvey opened the public hearing by stating the purpose:
The purpose of this public hearing will be to receive public comments concerning the proposed purchase of real property located in the Town of Appomattox, more particularly identified as 1.175 acres, more or less, tax identification number 64A5(A) 249, currently owned by Anne Abbitt Kerr, Watkins M. Abbitt, Jr., and Corrine H. Abbitt, for the price of $40,000 to be added to an adjoining parcel currently owned by the Town. Documents relating to the proposed purchase, including a plat of survey, have been available for review at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia.

There were no public comments.

Mayor Harvey closed the public hearing.

Mayor's Comments:
None

Scheduled Public Appearances:
None

Consent Agenda -
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the consent agenda for Monday, April 11, 2016 as presented. All members present voting aye. Motion carried 5-0.

Old Business – none

New Business –

Committee Recommendations –
On a recommendation of the Finance & Planning and Physical Development Committees, Council voted to fund (2) separate engineering agreements and authorizes staff to pursue the interim financing options for the loan, specific to the USDA, Inflow and Infiltration and SBR modification project. All members present voting aye. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to authorize Mayor Harvey to execute the employment agreement for the position of Town Manager. All members present voting aye. Motion carried 5-0.

Mayor Harvey presented the 2016 Arbor Day Proclamation to Rick Butler, Virginia State Forester:

TOWN OF APPOMATTOX
ARBOR DAY PROCLAMATION

WHEREAS, *in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and*

WHEREAS, *this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and*

WHEREAS, *Arbor Day is now observed throughout the nation and the world, and*

WHEREAS, *trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and*

WHEREAS, *trees are a renewable resource giving us paper, wood for our homes, fuel for our fire and countless other wood products, and*

WHEREAS, *trees increase property values, enhance the economic vitality of business areas, and beautify communities, and*

WHEREAS, *trees, wherever they are planted, are a source of joy and spiritual renewal.*

NOW, THEREFORE, *I, Paul Harvey, Mayor of the Town of Appomattox, do hereby recognize the 29th day of April, 2016 (the last Friday in April) as our Eighth Annual Arbor Day celebration and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and*

FURTHER, *I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.*

Dated this _____ *day of* _____

Mayor _____

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to accept the FY 2015 Town Audit by Brown Edwards & Company, LLC. All members present voting aye. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, the following resolution was adopted by a majority of the members of the Town Council by a roll call vote:

RESOLUTION AUTHORIZING THE PURCHASE OF LAND

Whereas, the Appomattox Town Council held a public hearing on Monday, April 11, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia to hear citizen comments regarding the purchase of land in the Town of Appomattox for the purpose of adding to an adjoining parcel currently owned by the Town, used as a Children's Park; and

Whereas, the land is located in the Town of Appomattox, and is described as follows:

All that certain tract or parcel of land, lying and being in the Southside Magisterial District, Appomattox County, Virginia, containing 1.175 acres, more or less, described upon a plat of survey dated October 30, 2007, made by William W. Dickerson Jr., L.S., entitled "1.1175 Acres Surveyed for: Watkins M. Abbitt, Jr.," which said plat is recorded in the Clerk's Office of the Circuit Court of Appomattox County, Virginia as instrument No. 201600246 for a more particular description of metes and bounds and;

Whereas, the Town of Appomattox has executed a contingent contract for the purchase of the aforesaid property; and

Whereas, the contingent contract and a detailed plat are available for review at the Appomattox Town Office, Monday through Friday, 8:30 am to 4:30 pm, and;

Now, therefore, be it resolved, that the Appomattox Town Council does hereby adopt this resolution on April 11, 2016 at a duly called Regular Meeting and the purchase of the abovementioned property by the Town of Appomattox through the execution of the Contract of Purchase shall take effect immediately.

_____

Clerk of Council

Vote: Garrett – yes, McDearmon – Yes, Spiggle – yes, Puckette - yes, Conner – abstained, Finch – absent. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the latest version of the Employee Handbook with the proposed changes. All members present voting aye. Motion carried 5-0.

Town Manager's Update – None

Citizen Comment Period – None

Council Concerns:
Mr. Conner stated he had received a phone call regarding the Town having received a grant for sidewalks in Meadowlark.

Closed Session –

On a motion by Council Member McDearmon, seconded by Council Member Garrett, 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 the performance of a specific public appointee of the Town, specifically being Appointee A.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes, Finch - absent.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes, Finch - absent.
Motion carried.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 8:20 p.m. Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Conner – yes, Puckette – yes, Finch - absent. Motion carried 5-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Special Call Council Meeting
April 27, 2016

The Appomattox Town Council held a Special Call Council meeting on Wednesday, April 27, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Frank Wright, Town Attorney; Bill Gillespie, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the meeting to order.

Closed Session –
On a motion by Council Member McDearmon, seconded by Council Member Garrett, 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 the performance of a specific public appointee of the Town, specifically being Appointee A.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried.

Mr. Gillespie discussed the proposed FY 2017 Town Budget by providing a recap of the 15/16 and 16/17 budgets with no significant increase in the revenues or expenditures. The budget is nearly flat. The other changes to the proposed budget include an additional deputy for the Police Department of the budget, creation of an internal service fund, fully funded Capital Improvement Plan, and up to a 2% merit increase based on performance for employees with no cost of living increases for FY 2017. Additional budget concerns included a request by Anne Dixon for a donation for the lighting project at the Community Ball Park on Police Tower Road and a request by the Chamber of Commerce for a donation to offset their financial distress. There was no discussion or decision regarding these additional items.

Mr. Gillespie discussed with Council the request to change the Zoning Ordinance for permitted uses within Section 195-56 of the Appomattox Town Code to allow residential apartments provided they are located above the ground floor level in a building where the ground floor is used for another permitted use. Council cited parking problems and fire code alternations necessary for this request. Mr. Gillespie cited he would pull the item from a proposed public hearing until the item could be discussed further.

Council Concerns:
Mr. Garrett would like to move forward with a recognition dinner for the first responders of the Tornado. He would like for the event to include first responders from the initial touchdown of the tornado until the last victim was found. He has a list of the agencies and would like for the Town to consider this a community appreciation event. He proposes using the High School cafeteria for the large crowd as it has plenty of parking. A definite number of people will need to be determined, a date for the event and a caterer.

On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to adjourn at 8:05 p.m. Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

_____ _____

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
May 9, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, May 9, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner, and Claudia G. Puckette

Others present: Carlton Duck & Brian Moore, Alive Media TV; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Rev. Frank Casper, Central Baptist Church, Mr. and Mrs. Donald Wilk, Jeff Elder, Facilities Manager, Stacey Wilkes, Treasurer, Bill Gillespie, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Frank Casper, Central Baptist Church led the prayer and Pledge of Allegiance.

Mayor's Comments:
Mayor Harvey stated that the Greater Meadowlark Community Development Block Grant project is underway. Residents and the community will begin to see work in the next few months.

The community should see the installation of new park equipment and pavilion at the Kiddie Park.

The Town received an excellent annual water inspection report from the Virginia Department of Health – Office of Drinking Water.

Mayor Harvey also commented on the new blinds in the Council Chambers. They are very nice and make the room feel calmer and warmer.

Scheduled Public Appearances:
None

Consent Agenda -
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the consent agenda for Monday, May 9, 2016 as presented.
Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

Old Business – none

New Business –

Committee Recommendations –
None

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the following resolution:

Virginia Retirement System

VIRGINIA RETIREMENT SYSTEM
P.O. Box 2500
Richmond, VA 23218-2500

Employer Contribution Rates for Counties, Cities, Towns, School Divisions and Other Political Subdivisions
(In accordance with the 2016 Appropriation Act Item 475(I))

Resolution to Elect the Alternate Rate

WHEREAS, the 2016 Appropriation Act Item 475(I)(1) requires that an employer pay the contribution rate certified by the VRS Board of Trustees ("Certified Rate"), unless the employer elects to pay an alternate rate as described in Item 475(I)(2) ("Alternate Rate"); and

WHEREAS, if an employer wishes to pay the Certified Rate, then the employer need not take action on this resolution; and

WHEREAS, if an employer wishes to pay the Alternate Rate established in the 2016 Appropriation Act, then the employer must pass this resolution on or before July 1, 2016, to elect the Alternate Rate; and

WHEREAS, any local public school division that elects to pay the Alternate Rate must receive a concurrence of its local governing body documented by a resolution of the governing body on or before July 1, 2016;

NOW, THEREFORE, BE IT RESOLVED, that the [insert Locality, School Division, or Other Political Subdivision Name] Town of Appomattox ("the Employer") [insert employer code] 55358, does hereby elect to pay the Alternate Rate and acknowledges that its contribution rate effective July 1, 2016 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) ninety percent of the results of the June 30, 2015 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2016-18 biennium; and

BE IT FURTHER RESOLVED, that the Employer does hereby certify to the Virginia Retirement System Board of Trustees that it agrees to pay the Alternate Rate of [insert Alternate Rate provided in the attached cover letter] 6% effective July 1, 2016; and

BE IT FURTHER RESOLVED, that the Employer does hereby acknowledge that, if it is a school division, this resolution shall not become effective unless the Virginia Retirement System receives a concurrence of its local governing body documented by a resolution of the local governing body dated on or before July 1, 2016; and

BE IT FURTHER RESOLVED, that the Employer does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution.

NOW, THEREFORE, the officers of the Employer are hereby authorized and directed in the name of the Employer to carry out the provisions of this resolution, and said officers of the Employer are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Employer for this purpose.

_____
Governing Body/School Division Chairman

CERTIFICATE

I, [insert name] Roxanne W. Casto, [insert title] Clerk of Council of the Employer, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Employer held at [insert county/city/town] Appomattox, Virginia at [insert time] 7:30 p.m. on [insert date] May 9, 2016. Given under my hand and seal of the Employer this _____ day of _____, 2016.

_____
(signature)

Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Town Manager's Update – None

Citizen Comment Period – None

Council Concerns:
Ms. Spiggle is pleased and proud of the Public Works Department for the water report inspection. The Town has so many projects in progress and there are a lot of improvements in the works. She is very happy and pleased with the progress.

Mr. Conner said getting out from under the consent order has saved the Town money in the long run.

Closed Session –

On a motion by Council Member Garrett, seconded by Council Member McDearmon, Council voted to convene in Closed Session pursuant to Section 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 the possible investment of public funds for lights at the Appomattox Community Park.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member McDearmon made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 8:15 p.m.
Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.
Motion carried 6-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Public Hearing
May 25, 2016

The Appomattox Town Council held a Public Hearing on Wednesday, May 25, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch

Others present: Ashlie Walter, News & Advance; Daniel Puckette, Times Virginian; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey opened the Public Hearing by stating the purpose:

The purpose of this public hearing will be to receive public comments concerning the following:

Proposed FY 2017 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2017:

GENERAL FUND EXPENDITURES	1,935,808.00
INTERNAL SERVICE FUND EXPENDITURES	163,000.00
WATER FUND EXPENDITURES	813,246.00
SEWER FUND EXPENDITURES	993,520.00
TOTAL EXPENDITURES	**3,905,574.00**
GENERAL FUND REVENUE	1,935,808.00
INTERNAL SERVICE FUND REVENUE	163,000.00
WATER FUND REVENUE	813,246.00
SEWER FUND REVENUE	993,520.00
TOTAL REVENUE	**3,905,574.00**

Documentation was available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday.

No comments were made from the public during the hearing.

The public hearing was closed at 6:05 p.m.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Special Call Council Meeting
May 25, 2016

The Appomattox Town Council held a Special Call Council Meeting on Wednesday, May 25, 2016 at 6:15 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch

Others present: Ashlie Walter, News & Advance; Daniel Puckette, Times Virginian; Jeff Elder, Facilities Director; Stacey Wilkes, Town Treasurer; Bill Gillespie, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Special Call council meeting to order.

Council Workshop meetings

There was a discussion concerning the conflicts of the Council Workshop meeting. The meeting is currently scheduled to be held on the fourth Tuesday of each month following the Town's Economic Development Authority meeting.

Mr. Conner made a motion to change the Council Workshop meetings to the fourth Wednesday of each month at 6:00 p.m. There was no second to the motion. The motion died for a lack of a second.

On a motion by Ms. Puckette, seconded by Mr. Garrett, Council voted to change the Council Workshop meetings to be held on fourth Tuesday of each month at 6:00 p.m. Garrett – yes, McDearmon – yes, Spiggle – yes, Puckette – yes, Conner – no. Motion carried 4-1.

The Town Economic Development Authority will be notified to choose a different Tuesday of each month to hold their meetings.

Fiber Project

Mr. Jeff Elder, Facilities Director for the Town of Appomattox provided an update on the Fiber project. At the request of VDOT, the contractor has been requested to submit an updated set of plans for the project.

Mr. Conner – Realistically, we (the Town) need to be careful how much we get involved.

Mr. Garrett – Mr. Arbogast needs a better plan. There is already a Fiber Optic Authority.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted for the Town to only mark water and sewer lines, nothing else (policy statement). All members present voting aye. Motion carried.

Community Ball Park

Mr. Elder reported he had asked Mr. Davy Hackett to put in a written request for a funding donation for the Community Ball Park.

Mr. Hackett appears to be changing directions and has not provided the written request.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to table this item until a written request is received. All members present voting aye. Motion carried.

Mr. Elder suggested a dollar amount be set and specified for use at the ball fields and paid to Appomattox County. The Town should request how the money is to be used.

Ms. Puckette said we are already contributing to the park through County taxes.

Grading at the Kiddie Park

Mr. Elder made a request for funding to perform necessary grading work at the Kiddie Park. He estimated that the work should not exceed $10,000.

On a motion by Ms. Spiggle, seconded by Mr. Conner, Council voted to allocate $10,000 for grading at the Kiddie Park. All members present voting aye. Motion carried 5-0.

Mr. Elder also advised Council he would like to install a split rail fence between the newly cleared property and the back property lines of the homeowners.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council agreed to allow the purchase and installation of split rail fencing at the Kiddie Park, not to exceed $2,500.00. All members present voting aye. Motion carried 5-0.

Sheriff's Agreement Amendment

Mr. Gillespie advised that the agreement adds $38,400 in funding and additional accountability for the funding. Mr. Conner recommended a signature line for the Sheriff.

Town Manager Update

None

Council Concerns

Mr. Garrett recommended forming a "group" to discuss the pros and cons of creating a Town Police Department. Mr. Conner said he was fine with that as long as the Sheriff is a part of the conversation. Mayor Harvey said he is in favor of open discussions of possibly forming a Town Police Department.

Mayor Harvey reminded Council of the Appomattox County Chamber of Commerce request for a financial donation.

On a motion by Mrs. Puckette, seconded by Mr. McDearmon, Council voted to adjourn at 6:50 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
June 13, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, June 13, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner, and Claudia G. Puckette

Others present: Janet A. Hix, Carlton Duck & Brian Moore, Alive Media TV; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Don & Nancy Wilk, Shirley Walker, Linda Lipscomb, Bill Gillespie, Jeff Elder, Facilities Manager, Stacey Wilkes, Treasurer, Philipp Gabathuler, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Carlton Duck led the prayer and Pledge of Allegiance.

Mrs. Janet A. Hix, Appomattox County Clerk of the Circuit Court appeared to administer the Oath of Office to the Mayor and Council Members for the next ensuring term of office – July 1, 2016 – June 30, 2018.

Citizen Comment Period:
Don & Nancy Wilk – 1900 Church Street, Appomattox, Virginia
Mr. and Mrs. Wilk appeared before Council to express their intent to purchase the former Appomattox Team Room on Church Street and their desire to have a specialty artisan market in the lower level and are requesting to live upstairs. The market will include real food from local growers and hopefully organic will become the new normal. They have a concept of farm to table restaurant and upstairs residency. There are 10 parking spaces available in the rear of the property. They expect to close on the property at the end of the month.

Shirley Walker – P O Box 2106, Appomattox, Virginia and works at Hometown Pharmacy appeared before Council because of a disturbing incident in the parking lot at the Triangle Plaza. Five (5) men had her car surrounded and would not let her leave. She called the Sheriff's Office and the deputy talked to her like she had done something wrong. She didn't appreciate what happened. She said Sheriff Letterman treated her like a joke. She said she wasn't sure what the protocol was for this but something needs to be done. There is broken glass and kids trashing the parking lot at the Triangle Plaza. She said the owner of the property has called the Sheriff and the Sheriff isn't very receptive. Nothing seems to be getting done. She wanted to know how the Council could help to solve this problem before it gets any worse.

Mayor's Comments:
Mayor Harvey invited the community to a "Town Community Visioning" meeting on Tuesday, June 1st from 5:30 – 7:30 p.m. at the Appomattox Visitor's Information Center, 210 Main Street, Appomattox, Virginia. This meeting will give property owners, etc. an opportunity to share ideas of the business district area, a timeline of activities, etc. It is vital to get input from those groups of people. As the project organizers, we need your input.

Mayor Harvey welcomed Mr. Gabathuler, who began June 1st as the new Town Manager. Mayor also thanked Mr. Gillespie (who was in the audience) for hanging around during the transition phase.

Scheduled Public Appearances:
None

Consent Agenda -
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for Monday, May 9, 2016 with the addition of New Business #4 – consideration to adopt a Resolution amending the FY 2016 Operating Budget for the General Fund.
Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Old Business – none

New Business –
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to accept the fee proposals from Reid Engineering for $315,879.10 and CHA Engineering for $192,504 for the Inflow and Infiltration Study. Roll call vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the FY 2017 Budget Resolution for the Town of Appomattox

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2016-2017 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 2016-2017 Budget was published on May 11 and 18, 2016 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 Wednesday, May 25, 2016;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 13, 2016, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2016-2017;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	*51,110.*
Administrative Department	*346,605.*
Professional	*58,000.*
Police Department	*88,980.*
Tourism Department	*78,110.*
Fire Department	*27,000.*
Public Works Department	*692,001.*
Sanitation Department	*97,000.*
Property Maintenance & Construction	*407,305.*
Town Shop	*34,750.*
Donation/Contributions	*11,500.*
Zoning	*750.*
Town Office	*26,000.*
Reserves	*16,697.*
TOTAL GENERAL FUND EXPENSES	***1,935,808.***

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.12 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 $.12 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 situsedwithin the Town commencing January 1, 2016, 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 54.8% tax relief;*
- *Personal use vehicles valued at $20,001 or more shall only receive 54.8% 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.*

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2016-2017;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	*160,000.*
Current Taxes – Personal Property	*90,000.*

Delinquent Taxes	*25,000.*
Penalties & Interest	*10,000.*
Public Service Corporation	*6,300.*
Bank Stock Tax	*130,000.*
Cigarette Tax	*200,000.*
Meals Tax	*925,000.*
Lodging Tax	*32,000.*
Franchise Tax	*6,000.*
Consumption Tax	*7,100.*
Vehicle License Tax	*25,000.*
Business License	*170,000.*
Zoning	*2,000.*
Interest	*9,000.*
Rental of Misc. Property	*9,000.*
Motor Vehicle Tax	*3,500.*
Sales Tax	*70,000.*
Aid to Police Department (HB599)	*41,408.*
Fire Programs	*10,000.*
Miscellaneous	*3,000.*
Town DMV Fees	*1000.*
Other Reimbursable	*500.*
TOTAL GENERAL FUND REVENUES	***1,935,808.***

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2016-2017;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	*813,246.*
TOTAL WATER EXPENDITURES	***813,246.***

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2016-2017;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	*320,000.*
Connection Fees	*5,000.*
Penalty Fees	*12,000.*
Availability Fees	*10,000.*
Reconnect Fees	*8,000.*
County Water Line Maintenance	*42,000.*
Miscellaneous	*500.*
Interest	*4,500.*
Credit Card Fees	*1,500.*

Rental of Misc. Property	*28,000.*
Intergovernmental Revenue	*25,000.*
Use of Fund Balance	*356,746.*
TOTAL WATER REVENUES	***813,246.***

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2016-2017;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	*993,520.*
TOTAL SEWER EXPENDITURES	***993,520.***

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2016-2017;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	*800,000.*
Connection Fees	*2,500.*
Availability Fees	*2,500.*
County Reimbursement SBR & IDA PS	*77,000.*
Park Service Maintenance	*1,800.*
Interest	*4,000.*
Intergovernmental Revenue	*1,700.*
Use of Beginning Balance	*104,020.*
TOTAL SEWER REVENUES	***993,520.***

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Expenditures for Fiscal Year 2016-2017;

INTERNAL SERVICE FUND; EXPENDITURES BY CATEGORY:

Internal Service Department	*163,000.*
TOTAL INTERNAL SERVICE FUND EXPENDITURE	***163,000.***

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Revenue estimates for the Fiscal Year 2016-2017;

INTERNAL SERVICE FUND; REVENUE BY CATERGORY:

Reserves	*163,000.*
TOTAL INTERNAL SERVICE REVENUE	***163,000.***

SECTION XII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2016-2017 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2016-2017 is hereby adopted, effective July 1, 2016 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 day of June, 2016.

Attest:

_____ _____
Roxanne W. Casto, Town Clerk *Paul D. Harvey, Mayor*

Roll Call Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – no, Puckette – yes. Motion carried 5-1.

On a motion by Ms. Spiggle, seconded by Ms. Finch, Council voted to adopt a resolution amending the FY 2016 Operating Budget for the General Fund and FY 2016 Operating Budget for the Sewer Fund:

1. *Consideration to adopt a resolution amending the FY 2016 Operating Budget for the General Fund for FY 2015- 2016 for the CDBG grants awarded, to reallocate funds for repairs, and to reallocate funds for Railroad Festival costs incurred through public works; and to amend the FY 2016 Operating Budget for the Sewer fund for FY 2015-2016 for revenues and expenses associated with the National Park Service pump station*

2. *WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2016 Operating Budget for the General Fund for FY 2015-2016 for the CDBG grants awarded, to reallocate funds for repairs, and to reallocate funds for Railroad Festival costs incurred through public works; and does hereby amend the FY 2016 Operating Budget for the Sewer fund for FY 2015-2016 for revenues and expenses associated with the National Park Service pump station*

General Fund Expenditures

Property Maintenance and Construction	*$ 1,035,000*
Donations and Contributions	*(2,205)*
Public Works	*(2,795)*

Town Shop	*5,000*
Net Increase in Budget	*$ 1,035,000*

General Fund Revenues

CDBG Meadowlark Grant Revenue	*$ 1,000,000*
Use of Undesignated Reserve	*35,000*
Net Increase in Budget	*$ 1,035,000*

Sewer Fund Expenditures	*$ 21,000*
Net Increase in Budget	*$ 21,000*
Sewer Fund Revenues	*$ 21,000*
Net Increase in Budget	*$ 21,000*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2016 budget amendments are hereby adopted, 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.
Amended this 13th day of June 2016.
Attest:

_____
Roxanne Casto, Town Clerk

Roll call vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to adopt a resolution amending the FY 2016 Operating Budget for the General Fund

1. *Consideration to adopt a resolution amending the FY 2016 Operating Budget for the General Fund for FY 2015-2016 for the Phase 1 Kiddie Park improvements which corrects original equipment appropriation as a use of fund balance and appropriates for site work*

2. *WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time*

3. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2016 Operating Budget for the General Fund for FY 2015-2016 for the Phase 1 Kiddie Park Improvements which corrects original equipment appropriation as a use of fund balance and appropriates for site work*

General Fund Expenditures

Property Maintenance and Construction	*$ 57,088*
Professional	*(5,000)*
Net Increase in Budget	*$ 52,088*

General Fund Revenues

Use of Undesignated Reserve	*$ 52,088*
Net Increase in Budget	*$ 52,088*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2016 budget amendments are hereby adopted, 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.
Amended this 13th day of June 2016.
Attest:

_____
Roxanne Casto, Town Clerk

Roll call vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Treasurer's Report – Ms. Stacey Wilkes, Town Treasurer presented the Town's financial report for April 2016. She is still expecting a $400,000 surplus for the general fund. The water fund is breaking even and the sewer fund is ahead by about $30,000 after the emergency purchase of a generator.

Mr. Garrett asked if the Cigarette Tax is doing as well as expected? Ms. Wilkes advised that being able to meet the anticipated budget amount may be close for this fiscal year.

Town Manager's Update – No report

Council Concerns:
Mr. Garrett suggested the Town have Sheriff Letterman address Ms. Walker's concerns. He also suggested that Ms. Walker contact the County Board of Supervisors also with her concerns.

Also, there are skateboarders in Town again. They are dodging cars and on school property. Mr. Garrett suggested speaking with the Town Attorney and Sheriff Letterman.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 8:20 p.m.
Vote: Garrett –yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
June 28, 2016

The Appomattox Town Council held a Workshop Council meeting on Tuesday, June 28, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner, and Claudia G. Puckette.

Others: Anne Dixon, Jeff Elder, Peggy Whitehead, Ashlie Walter, Daniel Puckette, Philipp Gabathuler, Town Manager and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the June 28, 2016 Council Workshop meeting to order.

Anne Dixon, Director of Parks, Recreation and Tourism, Appomattox County, appeared before Council to provide an update on events at the Appomattox Community Park (County/Police Tower Road). Mrs. Dixon asked for the Town's consideration of a donation to continue the efforts made at the park.

There was discussion of the request received from the Appomattox County Chamber of Commerce for a financial donation. An action item will be placed on the July 11, 2016 Regular Council meeting agenda.

There was a brief discussion of the vacancy on the Board of Zoning Appeals. The Clerk will place an advertisement in the Times Virginian for interest. Council will appoint at the August 8, 2016 Council meeting.

Town Council received a request to provide a letter of support for the Blue Ridge Medical Center. The Blue Ridge Medical Center is interested in bringing a location to Appomattox. Federal aid to construct the location is being sought and a letter of support from the Town Council for the application process is desired.

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

RESOLUTION SUPPORTING BLUE RIDGE HEALTH CARE, INC. ESTABLISHING A SATELLITE CENTER IN APPOMATTOX COUNTY

WHEREAS, *the need for improved health care access has been noted in the Town's Comprehensive Plan (pp. 43, 62);*

WHEREAS, *Blue Ridge Health Center, Inc., a non-profit health care organization and a Federally Qualified Health Center has a mission to provide quality health care to people regardless of ability to pay and to improve their general health and well-being through prevention, education, and treatment, and*

WHEREAS, *Blue Ridge Health Center, Inc. is interested in establishing a satellite center in Appomattox County and will be submitting an application for grant funding to the Federal government's Health Resources and Services Administration for a "new access point" in Appomattox County by July 15, 2016,*

THEREFORE BE IT RESOLVED, *that the members of the Appomattox Town Council fully agree that the establishment of a Federally Qualified Health Center would benefit County residents who need improved access to affordable quality care, and*

BE IT ALSO RESOLVED THAT, *the Appomattox Town Council supports the submission of a funding application by Blue Ridge Health Center, Inc. for a new access point in Appomattox County and encourages the Health Resources and Services Administration to award such funding.*

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – abstained due to a working relationship with Blue Ridge Medical Center, Puckette – yes. Motion carries 5-0-1.

There was a discussion of the Town's intent to join the membership of the Lynchburg's Regional Business Alliance (formerly Virginia's Region 2000 Business and Economic Development Alliance). The cost to join is $2,181.00.

This item will be added to the July 11, 2016 Regular Council meeting agenda for action.

Standing Committee Updates:
None

Staff Member Updates:
Mr. Gabathuler advised Council of the timeline that has been set by CHA Engineering and Reid Engineering for the Inflow and Infiltration work. The monitoring will be done in July – August 2016; complete plans by January – February 2017; and advertise in Spring 2017 for construction.

There was an incident at the Pump Station in Concord that "fried" the SCADA system and caused the water pump station to lose pressure. The problem has been corrected. Pump Station #5 (sewer) was also struck by lightning.

The Kiddie Park grading will begin soon. The Public Works department will close down ½ of the park to remove equipment, place new equipment and remove the pavilion.

Mrs. Susan Adams, Appomattox County Administrator invites the Town Council to attend the County's First Responders event in Courtland Field on September 19, 2016.

Downtown Revitalization /Visioning process – Approximately 24 people attended the kick off meeting. The Town is off on the right foot and receiving good feedback.

Mr. Gabathuler advised Council that they may need to consider revisiting the lawn cutting ordinance at a future meeting.

Council Concerns:
Ms. Joyce Bennett attended a water meeting regarding ensuring safe drinking water and she obtained a signed book by the author to add to Mr. Elder's library at Public Works.

Mr. Conner is concerned about those walking dogs downtown and the owners of the animals not cleaning up after them.

Mrs. Puckette is concerned about people continuing to park in the fire lanes at the Shopping Centers.

Sheriff Letterman has talked with the landlord of the Triangle Plaza regarding the loitering complaints.

Closed Session –
On a motion by Council Member Puckette, seconded by Council Member Garrett, 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 the resignation of a specific public appointee of the Town, specifically being Appointee A.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Spiggle and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:00 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
July 11, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, July 11, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Mary Lou Spiggle, M. Erin Finch, Steven T. Conner, and Claudia G. Puckette

Members absent: Timothy W. Garrett and C. Lewis McDearmon, Jr.

Others present: Carlton Duck & Brian Moore, Alive Media TV; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Don & Nancy Wilk, Linda Lipscomb, Audrey Wright, Robin Snyder, Superintendent of the Appomattox Court House National Historical Park; Stacey Wilkes, Treasurer, Philipp Gabathuler, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Brian Moore led the prayer and Pledge of Allegiance.

Scheduled Public Appearances:
Robin Synder, Superintendent, Appomattox Court House National Historical Park appeared before Town Council to provide an update on events at the park. The National Park Service will begin "No Fee" for access as on September 30, 2016. She cares deeply about tourism and community engagement. She intends to create fun runs and walks in the park along with ready and crafts at the Library. She thanked Council for the opportunity to speak.

Audrey Wright – 886 Lee Grant Avenue, Appomattox, Virginia
Ms. Wright spoke to Town Council regarding the tall grass ordinance. Her adjacent property will not keep the grass cut below the allowable 12" limit by the ordinance. She has called the adjacent property owner many times and the Town has also contacted them. And both are met with unfilled promises.

Mayor Harvey commented he received a letter form Liberty Baptist Church explaining that the church was implementing a plan to remedy the problem and apologized for letting it get this way.

Mr. Gabathuler admitted the Town has been more lacks than it should have been. He admits that word of mouth has generally been more effective, except in this case.

Ms. Wright thanked Council for their time and attention to this matter.

Ms. Wilkes presented a water bill extension request for the resident at 449 Sunnydale Avenue. After a brief discussion, Council took no action on this request.

Mayor's Comments:
Mayor Harvey said this was Stacey Wilkes', Town Treasurer's next to last day. She will be leaving the Town and going to the County of Amherst as their Finance Director. Town Council thanked her for her service and wished her well.

Consent Agenda -
On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to approve the consent agenda of July 11, 2016 with the addition of NB #6 – Consideration to allow the request of the Virginia Department of Transportation to use inmate labor to pick up litter on the 460 Bypass and clean the bridges within the Town limits by using these individuals to clean/sweep the bridges and approaches in and around Town and other locations as seen fit by VDOT and Camp 9 officials, NB#7 – Consideration to approve funding of a Public Address (PA) system at the Appomattox Community Park, not to exceed $5000.00 and NB#8 – Consideration to approve sponsoring/hosting an event for the First Responders of the Tornado event.
Vote: Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

Old Business – none

New Business –
On a motion by Mr. Conner, seconded by Ms. Puckette, Council voted to adopt a Resolution requesting to add the extension of North Avenue to the secondary system of the state highways.

RESOLUTION – ADDITION OF NEW SUBDIVISION STREETS

WHEREAS, the street described as North Avenue, is shown on the plat entitled "Plat Showing Amended North Avenue Subdivision and Sight Easement Dedication for property of Yvonne Somerville (Lot 17 North Avenue Subdivision)", which plat was approved by the Town of Appomattox Subdivision Agent and recorded in the Clerk's office of the Circuit Court of Appomattox County, and

WHEREAS, the Area Land Use Engineer of the Virginia Department of Transportation has advised the Council the streets meet the requirements established by the Subdivision street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Council requests to add the extension of North Avenue to the secondary system of the state highways, pursuant to §33.2-705, Code of Virginia, and the Departments' Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Council guarantees a clear and unrestricted public right of way, as described, and any necessary easements for cuts, fills, drainage, and sight distance, and

BE IT FURTHER RESOVLED that a certified copy of this resolution along with the executed form AM4.3 be forwarded to the Appomattox Resident Administrator for the Virginia Department of Transportation.

Recorded in Plat Cabinet "2", Slide 109A, Instrument 201600663 on May 9, 2016.

The Vote was: Aye: Spiggle, Finch, Conner and Puckette.
Nay: none
Motion carried.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted not to provide a financial donation to the Appomattox County Chamber of Commerce. Vote: Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to fund the 2016 Contribution to the Lynchburg Regional Business Alliance (formerly Virginia's Region 2000 Business and Economic Development Alliance). Vote: Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Conner, seconded by Ms. Finch, Council voted to amend the signature cards at Farmers Bank of Appomattox and Branch Banking & Trust (BB&T) for all accounts by adding Philipp Gabathuler, Timothy Garrett, C. Lewis McDearmon and Paul Harvey. Vote: Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mrs. Puckette, seconded by Mr. Conner, Council voted to write off uncollected debts that have exceeded the status of limitations specifically utility accounts $1,463.19 and tax write offs of $7,888.50. Vote: Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Conner, seconded by Ms. Finch, Council voted to allow the request of the Virginia Department of Transportation to use inmate labor to pick up litter on the 460 Bypass and clean the bridges within the Town Limits by using the individuals to clean/sweep the bridges and approaches in and around the Town and other locations as seen fit by VDOT and Camp 9 officials. Vote: Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Ms. Finch, seconded by Ms. Spiggle, Council voted to approve funding of a Public Address (PA) system at the Appomattox County Community Park to exceed $5,000.00. Vote: Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to approve sponsoring/hosting an event for the First Responders of the Tornado event, not to exceed $3,500.00. Vote: Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

Treasurer's Report – Ms. Stacey Wilkes, Town Treasurer presented the Town's financial report for May 2016.

Town Manager's Report:
Mr. Gabathuler informed Council of the Joint Public Hearing scheduled for Tuesday, July 26, 2016 at 6:30 p.m. between the Town Council and Town Planning Commission for a Conditional Use Permit for the former Thomasville property, specifically Latitude 37 Appomattox, LLC.

The Inflow and Infiltration/Smoke Testing is still in the data collection phase.

The Appomattox Community Park "Kiddie Park" is under a tremendous renovation phase. The contractors are moving dirt and staff will begin looking at playground equipment placement.

The Downtown Revitalization Study is going very well. Business surveys are coming in. The visitor survey deadline is July 20, 2016.

The National Park Service is going through the FLAP (Federal Land Access Program) process now. Mr. Gabathuler intends to apply on the Town's behalf along with VDOT, Appomattox County, and Region 2000. Ideally this plan is for a multiuse path such as the High Bridge Trail.

Mr. Gabathuler advised that his family has moved into the Town of Appomattox.

Mr. Gabathuler also thanked Ms. Wilkes for her time with the Town and wished her well.

Citizen Comment Period – None

Council Concerns:
Mrs. Puckette expressed her desire to hold another community picnic. It is an excellent opportunity for the Council members to meet with the public. She also wished Stacey Wilkes the best and thanked her for everything.

Mr. Conner – We have an opportunity for the Town, County and National Park Service to work together. Since revenues are up, maybe we can cut some taxes.

Mayor Harvey asked Mr. Gabathuler if Mrs. Adams, County Administrator had mentioned having a joint meeting between the Town and County any time soon. He replied that she had mentioned in the fall of 2016.

Mrs. Spiggle thanked Stacey Wilkes for her service and this move was an excellent job opportunity for her. She also thanked Ms. Snyder.

On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to adjourn at 8:45 p.m.
Vote: Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Joint Public Hearing
July 26, 2016

The Appomattox Town Council and Appomattox Town Planning Commission held a joint public hearing on Tuesday, July 26, 2016 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, and M. Erin Finch.
Abstaining: Steven T. Conner

Planning Commission members present: Marvin Mitchell, S. L. Ferguson, Claudia Puckette.
Absent: Roger Carson.

Others present: Ashlie Walter, News & Advance; Daniel Puckette, Times Virginian; Noah Harris, George Aznavorian, Steven Conner (Agent), Jeff Elder, Facilities Director; Don and Nancy Wilk, Philipp Gabathuler, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Town Council meeting to order.

Marvin Mitchell, Chairman, called the Planning Commission to order.

Mayor Harvey stated the purpose of the public hearing:
Latitude 37 Appomattox, LLC does hereby request a Conditional Use Permit in order to add storage units as shown on the Conditional Use Permit Plan submitted for Tax Map Identification Number 64A1 (A) 3. This parcel is approximately 85.5 acres in size and is located at 310 Furniture Lane, Appomattox, Virginia. The property is zoned M-1, Industrial. Any structure to be erected or land to be used in such zone shall be for one or more of the uses enumerated in Town Code Section 195-66, all of which shall require a conditional use permit. However, Town Code Section 195-14 allows for any use not specifically enumerated as a permitted use in any zone to be approved by special exception of the Town Council in its discretion, upon request by the owner of the property.

No comments were made from the public during the hearing.

Mayor Harvey and Chairman Mitchell closed the public hearing.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Workshop Meeting
July 26, 2016

The Appomattox Town Council held a Workshop Council meeting on Tuesday, July 26, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner, and Claudia G. Puckette.

Others: Don and Nancy Wilk, Chris Sams, Appomattox County Sheriff's Office, Bonnie Cunningham, Frank Wright, Town Attorney; Jeff Elder, Facilities Director; Ashlie Walter, News and Advance; Daniel Puckette, Times Virginian; Philipp Gabathuler, Town Manager and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the Council Workshop meeting to order.

Appearance – Bonnie Cunningham, 203 Sunrise Street, Appomattox, Virginia –
My problem is water. I don't know how many years ago, nobody that has been there knows when but part of the street was done. When I bought my house 16 years ago, I was told they were going to finish the street – they were coming through there to join the other street, that didn't materialize. I was also told that there would not be any trailers or doublewides, 3 months later a double wide moved in a piece of property that wasn't big enough to put anything on. Ronnie Spiggle passed variances for that trailer to be put there. It's also in the paperwork that they are suppose to have permanent foundation – it's not – it's underpinning. They built another house a year or two after that. Where they come down with the street – when they started the street – there is a pipe that comes out of this side of the street and then dumps on this side. It was woods there when I bought my house – they built a house, girl who had the house built said the crawlspace was always full of water. I never paid any attention to the pipe, honestly, until they cut the trees down and the water started flowing, which didn't happen until they put the water line in. Then I found out that they don't have but about 10 feet of yard. The rest belongs to the Town. Anyway, the water is coming from the pipe, down through his yard and under the house, down to my house. When it rains it comes down the street – and now there is more water. I got a new neighbor last year and I think he moved in in January of 2015. Last spring and summer he spent cutting a bunch of woods down, uprooted all the stumps and came over and tried to put them on my land. He's been mad at me ever since. When it snowed last year, I was in Virginia Beach with my son and his family for Christmas. I had a friend going through the house every fews days to get the mail and make sure nothing was leaking. She called and said "Bonnie your house in sitting in a river". I came home and it snowed again – water was coming from everywhere. I've had a concrete driveway put in and the man was suppose to have run drains from the downspout and under the driveway. I gave him ample time to fix it. Now when it rains or snows I have water in the crawlspace. The door to the crawlspace is always open. One son lives in Virginia Beach, another son lives at Spring Mill with a broken neck and one lives in South Boston. I am waiting for someone to come. The road needs to be finished. I've talked to contractors, several of them. They said yall can take that road where you cut it off at, cut the pipe to the telephone pole and the rest is yall, put a drain across the driveway and that will take and keep the water from running down that side. I'll give you the variance or whatever you need to run the pipe as long as it's not putting water on me. Contractor told me that what my neighbor

has done to me will cost over $10,000 to fix. I don't have any money. I didn't do it. I don't feel responsible for it. I don't appreciate it because someone does something to me – I'm responsible. I have a tree in my back yard and I've been trying to find out who owns the land behind me. I finally found out on my own the other day and I went to see the man. I brought him to my house and took him out there to show him the dead tree. He said to give him a week, so he has until Thursday and if he doesn't, I'll go see him again. I'm trying to do these things on the up and up. I'm not mad or mean to anyone. I know yall make me so mad but I don't try to be mean and hateful. I just wish people would look at it like if it were your house would you want it like this. I don't feel like I should have to fix what everyone has done to me. When I moved there – I have pictures of my grandkids playing in the yard. Now they can't do that. You saw how muddy it is down there. I've done everything I know to do. Nobody has done anything to help me. I even mentioned selling it. I have been told to sue the Town, sue my neighbor, sue the County, sue VDOT, sue the man behind me if he doesn't get the tree out. If I was to do that what would I gain out of it? How long would it take to go through all those suits. My house would be ruined before they do anything about it. I don't have money for lawyers. I don't have money to fix this problem. When I bought the house there was no problem. I have put in hardwood floors, concrete driveway, shed, I've gotten my house fixed pretty much the way I wanted it. I planned to work until I am 70. I became disabled at 61 – so I can't.

Does anybody have any ideas? I don't want to sell my house. I have it the way I wanted it. Now it's flooding every time I turn around.

Mr. Gabathuler – Ms. Cunningham, if I may, the way the public appearances are set up – you have the floor to say what you wish but Council will not discuss the matter. What we can do is issue a letter by our Town Attorney in regards to our response.

Mr. Wright – I will investigate from what I have heard tonight.

Ms. Cunningham – you (Mr. Wright) are welcome to come to my house tonight or anytime.

Mrs. Cunningham thanked everyone for their time.

Town Council discussed the quotes received for the roof at the Town Shop Maintenance Building and a truck identified in the Capital Improvement Plan FY2017. Staff will present the bids for approval at the August 2016 Regular Council meeting.

Town Council discussed dates for a joint meeting with the Appomattox County Board of Supervisors. The dates discussed were August 24, 2016, August 29, 2016, and August 30, 2016. Council agreed on August 24, 2016 at 6:30 p.m. with a location to be determined.

Town Council discussed the First Responder's Recognition Dinner. The County of Appomattox is also planning an event for September 19, 2016. Mr. Conner said he was not objecting to the Town holding an event but was also not objecting to the Town and Council holding it together instead of separately. Mr. Garrett said he wants to hold them separate. Ms. Spiggle also said she supported holding the events separate but it does not mean that the Council is unable to work

with the County. The Town needs to hold their own event and the funds for it have already been allocated.

Mrs. Puckette asked how many people from the Town, other departments, other counties would be attending. Mr. Garrett estimates 75 people and $3500.00 allocation of funds. Mr. Conner said we all need to work together and use the $3500.00 to pay for it.

Mrs. Puckette said these people were volunteering and they came when called. Mr. Garrett said he feels the Town needs to follow through and Ms. Spiggle agreed.

Mayor Harvey thanked everyone for the discussion and said the Town would move forward with what is planned.

Mr. Gabathuler proposed to Council a funding request of $60,000 on behalf of the ROSE committee for design, construction and 5 years of maintenance costs associated with 6 ROSE style gardens ($8,500 each = $51,000) plus design, construction and 5 years of maintenance costs associated with improvements to the Town's three welcome signs ($3,000 each = $9,000). After much discussion regarding locations and placement, Mr. Gabathuler was instructed to provide a list of gateway locations and ROSE garden locations by the August meeting.

There was also a discussion of bringing the Tree Board members to the ROSE committee. More information will follow at the August meeting if the two bodies can be combined.

Standing Committee Updates:
None

Council Concerns:
Mr. Garrett encourages you to ride by the Kiddie Park and look at the progress.

Staff Member Updates:
The Clerk reminded Council members of the Annual VML Conference which begins October 11, 2016 in Virginia Beach, VA.

Mr. Gabathuler asked for discussion of Council Work Sessions. He feels it is the responsibility of the Manager to communicate with Council Members.

Ms. Spiggle – would like to have a Regular Council meeting and a Workshop meeting (2 meetings per month).

Mr. Conner - would like to have a one meeting (Regular Meeting) and others if needed.

Mr. Gabathuler said he would take full responsibility for talking to each Council member before meetings.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 8:10 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
August 8, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, August 8, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Steven T. Conner, and Claudia G. Puckette

Members absent: Mary Lou Spiggle and M. Erin Finch

Others present: Carlton Duck & Brian Moore, Alive Media TV; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Barry Letterman, Sheriff, Gary & Fran Christie, Linda Lipscomb, Philipp Gabathuler, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Carlton Duck led the prayer and Pledge of Allegiance.

Scheduled Public Appearances:
Barry Letterman, Sheriff, Appomattox County gave a quarterly update to Council. Mrs. Puckette thanked Sheriff Letterman for the Sheriff's Night Out event.

Glenda Venable – 853 Lee Grant Avenue
Ms. Venable appeared before Council to request an extension on her water bill until Friday, August 12, 2016. She experienced an unexpected water pipe expense. She said she was agreeable to paying the $50.00 reconnection fee but did not want to have her water cut off.

Linda Lipscomb - Director, Museum of the Confederacy, Appomattox
Mrs. Lipscomb appeared before Council to provide an update on activities at the Museum of the Confederacy. In October 2015, they opened the cabin and in the spring 2016 they added a vegetable and herb garden. There are plans to expand but right now they are watching the revenues and expenditures. She stated she is now working part time instead of full time. Mayor Harvey thanked Mrs. Lipscomb and her staff.

Gary Christie, Executive Director, Region 2000 Local Government Council.
Mr. Christie appeared before Council to provide an update of ongoing projects. Staff has been writing and managing the Meadowlark grant, the Downtown Revitalization Planning Grant and have had good fortune with the trail project for Appomattox County.

On October 20, 2016, they will roll out the Comprehensive Economic Development Strategy. Work has begun on the Region 2000 All Hazard Mitigation Plan. Progress continues on the ride share program, Regional Service Authority for trash and 3 jurisdictional regional radio system.

The Workforce Center moved into the VEC facility.

They are working with the Town of Pamplin – Water Tank Maintenance and Restoration and West side wastewater planning.

Mayor's Comments:
Mayor Harvey thanked Sheriff Letterman for the Sheriff's Night out event.

The Town received a letter for the Tree City USA program from Senator Mark Warner. Mayor Harvey requested sending a copy to Rick Butler, State Forester.

Consent Agenda -
On a motion by Mr. McDearmon, seconded by Mr. Conner, Council voted to adopt the consent agenda with the addition of NB #7 – Consideration of a payment arrangement for a utility bill. Vote: Garrett – aye, McDearmon – aye, Conner – aye, Puckette – aye. Motion carried.

Old Business – none

New Business –
On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to table the recommendation of a Board of Zoning Appeals member to the August 23, 2016 Council Workshop meeting. Vote: Garrett – aye, McDearmon – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to table the request for a Conditional Use Permit for Latitude 37 Appomattox LLC to the August 23, 2016 Workshop meeting. Vote: Garrett – aye, McDearmon – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Conner, seconded by Ms. Puckette, Council voted to participate in the revision of the Region 2000 All Hazard Mitigation Plan Update by signing the letter of intent and authorizing Philipp Gabathuler, Acting Agent. Vote: Garrett – aye, McDearmon – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to proceed with the seven (7) gardens of the Gateway Improvement after the bids/proposals have been received. Vote: Garrett – aye, McDearmon – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to accept the bid proposal of the 1 Ton truck with Utility Body for $42,417.21, identified in the FY CIP. Vote: Garrett – aye, McDearmon – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to accept the bid proposal from Woodall & Lang, Inc. for replacement of the roof at the existing maintenance shop (320 Linden Street) for $16,355.00, identified in the FY CIP. Vote: Garrett – aye, McDearmon – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Conner, Council voted to allow the extension of a water bill payment to August 12, 2016 for Ms. Venable. Vote: Garrett – aye, McDearmon – aye, Conner – aye, Puckette – aye. Motion carried.

Treasurer's Report – There was none available for June 2016.

Town Manager's Report:
Mr. Gabathuler reported that four (4) applicants were interviewed for the position of Town Treasurer. One applicant has been selected for a background check.

Mr. Gabathuler provided an update on the Children's Park. Heavy construction is underway and will continue for at least the next 3 weeks. He also reported that staff is working to prepare for the annual Community Picnic on Thursday, September 8, 2016 in Abbitt Park from 6:00 p.m. – 8:00 p.m.

The Council Workshop meeting on August 23, 2016 will contain a joint public hearing with the Planning Commission for an application submitted by Church & Main, LLC and Bays Trash Removal.

Mr. Gabathuler will also be resubmitting the Smart Scale application.

Citizen Comment Period – None

Council Concerns:
Ms. Susan Adams, Appomattox County Administrator has proposed three (3) dates for a joint meeting – August 24, 30 or 31st. The consensus was August 30, 2016.

Mr. Conner raised concerns about an article in the Times Virginian regarding the ROSE garden project. Mayor Harvey has already spoken with Chamber President, John Redding. Mr. Redding will be sending a letter to the newspaper explaining the ROSE project and the ACT beautification project.

Mr. Conner also asked about signage and security cameras for the Children's Park. Mr. Gabathuler advised it will be part of the project once construction is complete.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adjourn at 8:35 p.m. Vote: Garrett – aye, McDearmon – aye, Conner – aye, Puckette – aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Joint Public Hearing
August 23, 2016

The Appomattox Town Council and Appomattox Town Planning Commission held a joint public hearing on Tuesday, August 23, 2016 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle and Claudia Puckette.
Abstaining: Steven T. Conner
Absent: M. Erin Finch

Planning Commission members present: Marvin Mitchell, S. L. Ferguson, and Roger Carson.

Others present: Ashlie Walter, News & Advance; Daniel Puckette, Times Virginian; George Aznavorian, Steven Conner (Agent), Brad Bays, Basil Bays, Don & Nancy Wilks, Jeff Elder, Facilities Director; Philipp Gabathuler, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the Town Council public hearing to order.

Marvin Mitchell, Chairman called the Planning Commission public hearing to order.

Mayor Harvey stated the purpose of the public hearing:

Latitude 37 Appomattox, LLC for **Bays Trash Removal, Inc.** does hereby request a Conditional Use Permit in order to store portable toilets and service trucks as shown on the Conditional Use Permit Plan as identified as Tax Map Identification Number 64A1 (A) 3. Two to three employees will be on site at various times throughout the day. Trucks are filled with water each morning and waste is emptied each evening. This parcel is approximately 85.5 acres in size and is located on 310 Furniture Lane, Appomattox, Virginia. The property is zoned M-1, Industrial, however any structure to be erected or land to be used shall require a conditional use permit. Town Code Section 195-14, Uses Not Specifically permitted; special exception allows for any use not specifically listed in the use chart to make a request to Town Council for approval by special exception.

The Town of Appomattox Planning Commission recommended approval of this permit based on the following conditions at their August 4, 2016 meeting:

A. No septic waste should be dumped on the site.
B. A maximum of 8,000 gallons of water should be used on this site per month.
C. A maximum of 8,000 gallons of sewer capacity should be used on this site per month.
D. Bays Trash Removal, Inc. installs a sewer meter which can be read by Town Staff.
E. Bays Trash Removal, Inc. is responsible for having the sewer meter calibrated on an annual basis—starting the first month of operation. The annual calibration report should be sent to the Town Office (PO Box 705, Appomattox, VA 24522).

F. A monthly report detailing sewer usage shall be sent to the Town Office (PO Box 705, Appomattox, VA 24522) by the fifth of every month.

Basil Bays and Brad Bays made a presentation for the CIP application. The specified amount of area is 40 yards by 120 yards. They propose dumping into the pump station holding tank, units will be cleaned when returned and sanitized, units will be confined to a small area and there will be some traffic in and out.

Questions for Council and the Planning Commission:
Ms. Spiggle asked how the Planning Commission can procedurally make recommendations before the public hearing. Council has ultimate approval. The Planning Commission should make recommendations. The official approval barring a public hearing comes from Council.

Ms. Spiggle asked if notices of the public hearing were sent to adjacent property owners. She said she also believed that some of the items (recommendation) were added after the Planning Commission meeting. She said she has issues with the procedure.

She asked why make conditions prior to the public hearing. That's the proper procedure why not follow them?

She didn't know anything about the public hearing until reading it in the Times Virginian.

What about the letters to the adjacent property owners? Including the Primary School – sending letter out is due process. This is a use not provided for. In our current zoning ordinance – this use is not allowed.

If the Town approves the request any M-1 property can be used for the same purpose.

Will the trucks be squeaky clean?
Bays – yes

How can the Planning commission approve?

Mr. Gabathuler said Mr. Bays' application outlined very clearly their plans. The Planning Commission only makes recommendations, it does not approve.

Spiggle – Hearing from Mr. Carter and others – anything that has to be hidden out of sight, most people do not want toilets on the side of 460. You cannot hide trucks coming in and out.

In other areas, the Town sewer rates are lower Farmville and Bedford – Will you bring sewer to Appomattox?

Mr. Gabathuler said any uses in M-1 would need a Conditional Use Permit. There are no by right uses.

Mr. Bays explained that Bays Trash Removal bought out Taylor Portable Toilets two (2) years ago. They are currently operating out of the current Taylor site. They have also purchased a six (6) acre site but it is not operational at this time. It has been approved by the Board of Supervisors but there is still some engineering, road work, well drilling, telephone lines, etc. to the done.

Mr. Bays assured Council of their willingness to contain the flies, odor, rodents and varmints.

Mr. Samuel E. Carter – 307 Morton Lane, Appomattox
Mr. Mayor, Town Council members, Town Manager and Madam Clerk – I am here to address the Conditional Use Permit. I've had a lot of conversations with different people regarding this but today seems to be the day that something changes every hour. This comes up and that goes away, etc, etc. However, the things I have written down, Mrs. Spiggle, I must say I agree with you wholeheartedly on a lot of your points. This right here – I've been serving the public for 36 years. This right here has caught my attention more so than even the Courthouse episode because it is in the Town Limits, out in the County, that's fine but within the Town Limits it is not the place for it in my opinion. The questions I have to ask, and I know you are not obligated to answer but at least take them into consideration:
1 – Why is it that they are not using the site the County approved in February? Well, I just heard from the gentleman but I don't understand it because the County put in the stipulation of the 6.5 acres down there that there would be 30 units. Now, I don't know how many units you can put on 6.5 acres but it is written in case and concrete that is your maximum amount you are going to have.

Steve Conner interjected – it was 30 dumpsters.

Mr. Carter – It is 30 units – I have it right here and it talks about the egress of the property.
I still don't know why they want to go from the County back into the Town.

2 – Are they moving their entire operation here? No, I understand that now.

3 – How are they attaching to the sewer system? That pump up there has not been used in 5 ½ years – have we tested it? I don't know. It may be cracked or it may be in perfect running condition but we don't know that unless it has been tested.

4 – Who was notified about this and how? When zoning property or property to be rezoned notice has to go out to adjacent property owners just like down at the Vera site. He met with those people down there – told them the situation. Everything went fine for both parties. That didn't happen here. No adjacent property owners – the school, the Railroad even, the ones across the street or down Morton Lane.

Now on this 85.5 acres – now you say 45 yards by 40 yards – why should a person or persons go by something that isn't in writing.

For example, our dear friends at Walmart, we had that gentleman's agreement that we are going to have painted red brick – now guess what it is not. The point I am trying to make is that all of this needs to be documented.

5 – What road are they going to use? Dairy Queen or the Primary School? We already know that the Primary School is probably the worst possible road for any additional volume of traffic.

If you go by Dairy Queen, any amount of traffic you're by an eating establishment and that doesn't look very good.

Mayor Harvey reminded Mr. Carter he had 2 minutes.

Who is going to regulate all of this? The conditions put forth by the Planning Commission? Who's going to enforce? Is it going to be state regulators or someone from the Town? As long as someone checks the checker.

Again, the water rates? Are they going to be charged residential or commercial? Nothing within the Conditional Use Permit addresses this. I think that is what has everyone bogged down.

Unless it is written down – it will be hard to hold their feet to the fire. How many trucks daily will be going to coming in and out?

It says here – no septic waste. What's the definition of septic waste? I know it's got to be a period of time but there is no time element.

All of these questions need to be asked and from the bottom of my heart I think this – I would like for the Town Council to table it until you find out and then put it in writing or don't allow it.

Mr. Carter thanked everyone.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to table the public hearing for Bays Trash Removal to give time to review the procedural issues. All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to table the public hearing for Church & Main LLC to give time to review the procedural issues. All members present voting aye. Motion carried.

Mayor Harvey and Chairman Mitchell closed the public hearing at 7:15 p.m.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
August 23, 2016

The Appomattox Town Council held a Workshop Council meeting on Tuesday, August 23, 2016 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, and Claudia G. Puckette.

Others: Jeff Elder, Facilities Director; Ashlie Walter, News and Advance; Daniel Puckette, Times Virginian; Chad Millner, Bonnie Cunningham, George Aznavorian, Philipp Gabathuler, Town Manager and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the Council Workshop meeting to order.

Appearance –
Mr. Brett Arbogast, Appomattox County Public Schools appeared before Council to provide an update on the Fiber project. VDOT will be issuing the permit. There will not be a relapse of the last project. Mr. Gabathuler has agreed to write something for any areas that cross private property. 59% of homes do not have internet access. With Jeff Elder's help they have been able to reroute the path the 128 strands of fiber line will cross. The school will be responsible for obtaining the Land Use Permit and will distribute copies to everyone. JWS Communications was the only bid received for $186,000.

Unfinished Business:
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council recommended Mr. Jonathan Garrett to serve the unexpired term ending July 31, 2019 on the Board of Zoning Appeals. Vote: McDearmon – aye, Spiggle – aye, Conner – aye, Puckette – aye, Garrett – abstained, Finch – absent. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to issue a Conditional Use Permit for Latitude 37 Appomattox LLC to add storage units. Vote: McDearmon – aye, Spiggle – aye, Conner – abstained, Puckette – aye, Garrett – aye, Finch – absent. Motion carried 4-0.

New Business:
On a motion by Mr. McDearmon, seconded by Mr. Conner, Council voted to recommend no further action regarding the drainage complaint at 203 Sunrise Street, Appomattox, Virginia. Vote: McDearmon – aye, Spiggle – aye, Conner – aye, Puckette – aye, Garrett – aye, Finch – absent. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to declare the following items as surplus property: One (1) – Yogi Bear spring seat see saw; One (1) Four way see saw; One (1) sandbox; One (1) Dome shaped monkey bars; One (1) Merry go round; Two (2) Slides; One (1) Set of child swings; One (1) Yellow tubing for crawling thru; One (1) Flag pole. Vote: McDearmon – aye, Spiggle – aye, Conner – aye, Puckette – aye, Garrett – aye, Finch – absent. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Ms. Puckette, Council voted to deny the request for financial assistance to the Town of Pamplin for its annual "Celebrate Pamplin" event on Saturday, September 17, 2016. Vote: McDearmon – aye, Spiggle – aye, Conner – aye, Puckette – aye, Garrett – aye, Finch – absent. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Ms. Puckette, Council voted to support a resolution assisting the Appomattox County Public School in applying for the $1500.00 grant for a Virginia Tourism Corporation LOVE sign. Vote: McDearmon – aye, Spiggle – aye, Conner – aye, Puckette – aye, Garrett – aye, Finch – absent. Motion carried 5-0.

Standing Committee Updates:
None

Council Concerns:
Mr. Garrett reported that there were 120 First Responders who attended the dinner.

Staff Member Updates:
Mr. Gabathuler reported that smoke testing will begin September 12, 2016 and conclude at the end of the month. A detailed map of the smoke testing area will be posted on the Town's website, an article placed in the Times Virginian and door hangers will be distributed. Emergency responders will be notified so they do not get overwhelmed by the number of calls.

Mr. Gabathuler reported that a Town Treasurer has been hired and she started yesterday. She is Sharon Layne. She comes from the Town of Keysville with over 20 years of experience as their Clerk/Treasurer.

Progress continues at the Children's Park. The pavilion, equipment and mulch have been installed. The park will be reseeded. The cost of 6 cameras for surveillance is $5,275.00. There was much discussion regarding cameras. However, the consensus was they are needed along with more police coverage of the park.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to convene in closed session, pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the performance of a specific public appointee of the Town, specifically being Appointee A.

The meeting was re-opened to the public.

Council Member Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Garrett Council by the following recorded vote adopted the motion: McDearmon – aye, Spiggle – aye, Conner – aye, Puckette – aye, Garrett – aye, Finch – absent. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 8:30 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Joint meeting - Appomattox Town Council and
Appomattox County Board of Supervisors
August 30, 2016

The Appomattox Town Council and Appomattox County Board of Supervisors held a Joint meeting on August 30, 2016 at 6:00 p.m. at the American Civil War Museum – Museum of the Confederacy Appomattox meeting room, located at 159 Horseshoe Road, Appomattox, Virginia.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, Claudia G. Puckette, and Mayor Paul D. Harvey.

County Board members present: Sara Carter, Sam Carter, Bryan Moody, Chad Millner, and Bill Hogan.

Others: Linda Lipscomb, Susan Adams, County Administrator; Vicky Phelps, Emily Coleman, Patrick Saylor, Ashlie Walter, Daniel Puckette, Philipp Gabathuler, Town Manager and Roxanne W. Casto, Town Clerk.

Emily Coleman welcomed everyone to the Civil War Museum (Museum of the Confederacy) for this historic meeting between the two bodies for a visioning process.

Mayor Harvey called Town Council meeting to order.

Mr. Carter, Chairman called the Board of Supervisors to order.

Mr. Gabathuler thanked everyone for attending and is looking forward to finding common goals.

Mrs. Adams discussed the ground rules for the meeting.

Each member was presented with seven (7) cards laid out in front of them on the table. They are areas of focus within each comprehensive plan, specifically the efforts in the past. Each member was asked to pick out their top two (2) cards and to be prioritized.

Each member was then asked to identify their "dreams" for this meeting –

Lewis McDearmon – 460 Corridor (sewer expansion) and work together one Economic Development.

Sara Carter – Multi-purpose trail including the Museum of the Confederacy – National Park Service Battlefield into Downtown

Steve Conner – 500 + jobs

Bryan Moody – come alongside all small business recognized by state as what can happen working together.

Claudia Puckette – Economic Development – Our demographics are bleak, create jobs, educational opportunities, opportunity to learn to fill good jobs, make a good living and stay here.

Mary Lou Spiggle – personally love to see a small retail mall with shops. The Town did a feasibility study regarding this. Tourists and locals could go without having to go to Lynchburg or Farmville.

Chad Millner – collectively 5-10 businesses creating 25-50 jobs each.

Bill Hogan – Tap into unutilized resources, our uniqueness, what do we have that no one else has. Everyone has an industrial park.

Timmy Garrett – Workforce Training – 65% of our graduates that do not go to college. Put some money to this or get some money to implement.

Sam Carter – Expand and populate 460, small shopping elements.

Paul Harvey – We need a Master Long Range Utility Plan, where we need to expand, extra water and sewer. It's the first piece of the whole puzzle. Jeff Elder and Bill Gillespie are willing to work on this. They are very familiar with the system.

Susan Adams – Everyone is thinking in these directions which all appear to be common.

The cards turned in by the members showed the following:

1 – Business Retention / Expansion – Qty – 10
2 – Infrastructure Development – Qty – 6
3 – Tax Reduction – Qty – 3
4 – Community Safety – Qty – 2
5 – Recreational Facilities – Qty – 1

How can we work together?

1 – Packages – Incentive Agreements for existing and business businesses - Coordinated approaches. Town Council, Board of Supervisors and Schools need coordinated economic strategies - in the right way it becomes marketable.

Discussion items:

Workforce Training

When businesses come to Appomattox – we need to do something to market "Appomattox" not Town and County. Instead of overlay we need to market as one with one stop shopping such as zoning.

Paint the water tanks "Welcome to Appomattox"

Better recognize existing businesses.

Coordinated efforts - both have EDA's. Is there a lot of communication? Create some cross pollination. Why do we have 2 EDA's? Maybe there is a legitimate reason.

County – schools
Town – utilities

Town Council and Board of Supervisors weren't getting along and the Board of Supervisors and County EDA weren't getting along. You need to get the administrator to go to the state. Re-organize your boards – get rid of the generals.

We all offer different services – truly representative of each jurisdiction.

EDA represents the pieces – what it would look like in the future.

New chairman for the Board of Supervisors EDA

Economic Development – County Administrator and Town Manager can do economic development directors work.

We need to work together so they can work together.

County EDA only uses the EDA for Economic Development – EDA has a lot of power that they weren't utilizing.

Industrial Park is a glorified hayfield.

County wasn't moving away from the industrial park.

No new businesses have come to the IDA park – 4 companies in the industrial park were in the Town. It's a net loss in jobs since moving.

Idea to get 2 EDA's together at a future meeting.

Working toward a joint EDA with common goals created by both the BOS and TC.

Visioning needs to come from this group.

2 – Infrastructure Development
Master Utility Plan – Infrastructure – Water and Sewer specifically open doors for funding too. EDA, USDA, Tobacco Commission.

Need a vision and market ourselves, set out goals, timeline to get them done, mark them off.

Barriers have been put up and those need to come down.

Need to work together – in the past these joint meetings were unproductive.

We, BOS & TC need to get the right people - unable to get the Town and County EDA's together jointly.

Who is on the all-stars from each body – regionalize when we become one body.

Shift gears –
Barriers/Obstacles
Philipp and Susan don't know historical background – synergy to make things happen (from the room). Realize we may not always agree.

Town taxpayers are also County residents and taxpayers. Everyone has an opinion and they are valid.

Bryan Moody – reference to the Lion King movie –
Move on with your life – move ahead with what you have. We can get muddled down in the past but Apostle Paul said move towards the goals.

Stubbornness – unwilling to let go over what we have.

Time to move away from all the sewage – we need to cooperate.

New group of people – younger, what to do, what's best – 2 new administrator and manager and looking at it differently.

Keep in mind – we need to understand each other responsibilities to the public. Understand each other. We need to understand each other to find common ground. Get into each other's shoes.

Bill Hogan – County Administrator and Town Manager to get us a list of the Town's responsibilities – what do the County citizens get for their tax dollars. Tax dollars – taxing authority. EDA abilities and responsibilities.

Workforce Development (South Hill) Tobacco Commission funded

Healthcare is broken – dollar responsibility HHR – 7 pods – Central Virginia Region Pod – amazing what has been done in the last 4 meetings.

Town Council, EDA and BOS – all the folks that drive. One big voice – one group (players) a couple of local businesses. Connect the dots.

Sam Carter – Spent 20 years on Town Council, 16 years on the BOS. When on TC everyone got along. In the 2000's everyone was working against each other.

People in Appomattox don't like change – change needs to be filtered in nice and easy.

Streamline the zoning, business permits, building permits process.

TC and BOS got along but nothing got done.

Jealousy – BLA statement of why you are stealing our property – Suspicious of each other.

Frequency of follow up meetings –
Sara Carter – quarterly
Steve Conner – monthly

Next meeting will be September 21, 2016 at 6:00 p.m., then maybe 6 weeks after that.

Everyone thanked Linda Lipscomb for use of the space.

Keep in mind – business retention and infrastructure development.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried.

On a motion by Mr. Millner, seconded by Ms. Carter, the Board voted to also adjourn at 7:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
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Paint the water tanks "Welcome to Appomattox"

Better recognize existing businesses.

Coordinated efforts - both have EDA's. Is there a lot of communication? Create some cross pollination. Why do we have 2 EDA's? Maybe there is a legitimate reason.

County – schools
Town – utilities

Town Council and Board of Supervisors weren't getting along and the Board of Supervisors and County EDA weren't getting along. You need to get the administrator to go to the state. Re-organize your boards – get rid of the generals.

We all offer different services – truly representative of each jurisdiction.

EDA represents the pieces – what it would look like in the future.

New chairman for the Board of Supervisors EDA

Economic Development – County Administrator and Town Manager can do economic development directors work.

We need to work together so they can work together.

County EDA only uses the EDA for Economic Development – EDA has a lot of power that they weren't utilizing.

Industrial Park is a glorified hayfield.

County wasn't moving away from the industrial park.

No new businesses have come to the IDA park – 4 companies in the industrial park were in the Town. It's a net loss in jobs since moving.

Idea to get 2 EDA's together at a future meeting.

Working toward a joint EDA with common goals created by both the BOS and TC.

Visioning needs to come from this group.

2 – Infrastructure Development
Master Utility Plan – Infrastructure – Water and Sewer specifically open doors for funding too. EDA, USDA, Tobacco Commission.

Need a vision and market ourselves, set out goals, timeline to get them done, mark them off.

Barriers have been put up and those need to come down.

Need to work together – in the past these joint meetings were unproductive.

We, BOS & TC need to get the right people - unable to get the Town and County EDA's together jointly.

Who is on the all-stars from each body – regionalize when we become one body.

Shift gears –
Barriers/Obstacles
Philipp and Susan don't know historical background – synergy to make things happen (from the room). Realize we may not always agree.

Town taxpayers are also County residents and taxpayers. Everyone has an opinion and they are valid.

Bryan Moody – reference to the Lion King movie –
Move on with your life – move ahead with what you have. We can get muddled down in the past but Apostle Paul said move towards the goals.

Stubbornness – unwilling to let go over what we have.

Time to move away from all the sewage – we need to cooperate.

New group of people – younger, what to do, what's best – 2 new administrator and manager and looking at it differently.

Keep in mind – we need to understand each other responsibilities to the public. Understand each other. We need to understand each other to find common ground. Get into each other's shoes.

Bill Hogan – County Administrator and Town Manager to get us a list of the Town's responsibilities – what do the County citizens get for their tax dollars. Tax dollars – taxing authority. EDA abilities and responsibilities.

Workforce Development (South Hill) Tobacco Commission funded

Healthcare is broken – dollar responsibility HHR – 7 pods – Central Virginia Region Pod – amazing what has been done in the last 4 meetings.

Town Council, EDA and BOS – all the folks that drive. One big voice – one group (players) a couple of local businesses. Connect the dots.

Sam Carter – Spent 20 years on Town Council, 16 years on the BOS. When on TC everyone got along. In the 2000's everyone was working against each other.

People in Appomattox don't like change – change needs to be filtered in nice and easy.

Streamline the zoning, business permits, building permits process.

TC and BOS got along but nothing got done.

Jealousy – BLA statement of why you are stealing our property – Suspicious of each other.

Frequency of follow up meetings –
Sara Carter – quarterly
Steve Conner – monthly

Next meeting will be September 21, 2016 at 6:00 p.m., then maybe 6 weeks after that.

Everyone thanked Linda Lipscomb for use of the space.

Keep in mind – business retention and infrastructure development.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried.

On a motion by Mr. Millner, seconded by Ms. Carter, the Board voted to also adjourn at 7:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Joint meeting - Appomattox Town Council and
Appomattox County Board of Supervisors
August 30, 2016

The Appomattox Town Council and Appomattox County Board of Supervisors held a Joint meeting on August 30, 2016 at 6:00 p.m. at the American Civil War Museum – Museum of the Confederacy Appomattox meeting room, located at 159 Horseshoe Road, Appomattox, Virginia.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, Claudia G. Puckette, and Mayor Paul D. Harvey.

County Board members present: Sara Carter, Sam Carter, Bryan Moody, Chad Millner, and Bill Hogan.

Others: Linda Lipscomb, Susan Adams, County Administrator; Vicky Phelps, Emily Coleman, Patrick Saylor, Ashlie Walter, Daniel Puckette, Philipp Gabathuler, Town Manager and Roxanne W. Casto, Town Clerk.

Emily Coleman welcomed everyone to the Civil War Museum (Museum of the Confederacy) for this historic meeting between the two bodies for a visioning process.

Mayor Harvey called Town Council meeting to order.

Mr. Carter, Chairman called the Board of Supervisors to order.

Mr. Gabathuler thanked everyone for attending and is looking forward to finding common goals.

Mrs. Adams discussed the ground rules for the meeting.

Each member was presented with seven (7) cards laid out in front of them on the table. They are areas of focus within each comprehensive plan, specifically the efforts in the past. Each member was asked to pick out their top two (2) cards and to be prioritized.

Each member was then asked to identify their "dreams" for this meeting –

Lewis McDearmon – 460 Corridor (sewer expansion) and work together one Economic Development.

Sara Carter – Multi-purpose trail including the Museum of the Confederacy – National Park Service Battlefield into Downtown

Steve Conner – 500 + jobs

Bryan Moody – come alongside all small business recognized by state as what can happen working together.

Claudia Puckette – Economic Development – Our demographics are bleak, create jobs, educational opportunities, opportunity to learn to fill good jobs, make a good living and stay here.

Mary Lou Spiggle – personally love to see a small retail mall with shops. The Town did a feasibility study regarding this. Tourists and locals could go without having to go to Lynchburg or Farmville.

Chad Millner – collectively 5-10 businesses creating 25-50 jobs each.

Bill Hogan – Tap into unutilized resources, our uniqueness, what do we have that no one else has. Everyone has an industrial park.

Timmy Garrett – Workforce Training – 65% of our graduates that do not go to college. Put some money to this or get some money to implement.

Sam Carter – Expand and populate 460, small shopping elements.

Paul Harvey – We need a Master Long Range Utility Plan, where we need to expand, extra water and sewer. It's the first piece of the whole puzzle. Jeff Elder and Bill Gillespie are willing to work on this. They are very familiar with the system.

Susan Adams – Everyone is thinking in these directions which all appear to be common.

The cards turned in by the members showed the following:

1 – Business Retention / Expansion – Qty – 10
2 – Infrastructure Development – Qty – 6
3 – Tax Reduction – Qty – 3
4 – Community Safety – Qty – 2
5 – Recreational Facilities – Qty – 1

How can we work together?

1 – Packages – Incentive Agreements for existing and business businesses - Coordinated approaches. Town Council, Board of Supervisors and Schools need coordinated economic strategies - in the right way it becomes marketable.

Discussion items:

Workforce Training

When businesses come to Appomattox – we need to do something to market "Appomattox" not Town and County. Instead of overlay we need to market as one with one stop shopping such as zoning.

Paint the water tanks "Welcome to Appomattox"

Better recognize existing businesses.

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Streamline the zoning, business permits, building permits process.

TC and BOS got along but nothing got done.

Jealousy – BLA statement of why you are stealing our property – Suspicious of each other.

Frequency of follow up meetings –
Sara Carter – quarterly
Steve Conner – monthly

Next meeting will be September 21, 2016 at 6:00 p.m., then maybe 6 weeks after that.

Everyone thanked Linda Lipscomb for use of the space.

Keep in mind – business retention and infrastructure development.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried.

On a motion by Mr. Millner, seconded by Ms. Carter, the Board voted to also adjourn at 7:45 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Joint Public Hearing
September 12, 2016

The Appomattox Town Council and Appomattox Town Planning Commission held a joint public hearing on Monday, September 12, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch and Claudia Puckette.
Abstaining: Steven T. Conner

Planning Commission members present: Marvin Mitchell, S. L. Ferguson, and Roger Carson.

Others present: Ashlie Walter, News & Advance; Daniel Puckette, Times Virginian; George Aznavorian, Steven Conner (Agent), Brad Bays, Basil Bays, Don & Nancy Wilks, Jeff Elder, Facilities Director; Philipp Gabathuler, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the Town Council public hearing to order.

Marvin Mitchell, Chairman, called the Planning Commission public hearing to order.

Mayor Harvey stated the purpose of the public hearing:

Latitude 37 Appomattox, LLC for **Bays Trash Removal, Inc.** does hereby request a Conditional Use Permit in order to store portable toilets and service trucks as shown on the Conditional Use Permit Plan as identified as Tax Map Identification Number 64A1 (A) 3. Two to three employees will be on site at various times throughout the day. Trucks are filled with water each morning and waste is emptied each evening. This parcel is approximately 85.5 acres in size and is located on 310 Furniture Lane, Appomattox, Virginia. The property is zoned M-1, Industrial, however any structure to be erected or land to be used shall require a conditional use permit. Town Code Section 195-14, Uses Not Specifically permitted; special exception allows for any use not specifically listed in the use chart to make a request to Town Council for approval by special exception.

Basil Bays and Brad Bays made a presentation for the CIP application. Mr. Gabathuler added that the application has been amended to remove the emptying of waste. The application is now just to store the port a johns on site and fill with water. Mr. Bays is withdrawing the dumping aspect from the Latitude 37 Appomattox LLC site as it will only be used as a temporary site until the Vera site is fully developed.

Ms. Spiggle asked how many toilets they envision storing on the Latitude 37 Appomattox LLC site? Mr. Bays said 8 currently. In the winter months it could be 20-30 units. The main location will remain in Bedford.

Ms. Spiggle asked is it their intention to move to Vera since the Board of Supervisors approved that site earlier this year?
Mr. Bays said they bought the property earlier this year and yes, they still plan to move there.

Mr. Gabathuler stated that Council could impose a maximum number of units to be stored on site.

Mr. McDearmon asked if the request is strictly for storage. Would you also clean all the units before coming back to the storage lot? Mr. Bays said yes. The toilets would be cleaned before coming back to the site, simply because it is much easier to transport an empty toilet.

Mayor Harvey said the storage units are well hidden? Mr. Bays said yes. Mr. Conner showed the area on the map of the property.

Mayor Harvey – Do you have a timeframe for the Vera site? Mr. Bays said he was not sure at this time.

Mayor Harvey – changing the dumping, changes everything, not that I'm a voting part of it.

Public Comments:

Elizabeth Gilliam – 236 Dunn Roamin Road, Appomattox, Virginia
A citizen of Appomattox County, I want to make it clear I appreciate that this is a City Council Meeting and you have some things you want to make some decisions on tonight but I feel the County and City work well together over the years and that communication makes all the difference. When I initially heard about this project I was shocked but sitting here this evening I feel much more reassured about what I am hearing particularly Mayor Harvey about the aspect of bringing material in and dumping. I am also assured that this will be a temporary location and that when their plans are complete at their everyday site they will move there.

As an everyday citizen my shock came from having any operation like this right in the heart of our tourist district. Where people from all over the world come basically because of the surrender grounds just a stone's throw away was terrifically unappealing. I didn't think this was the foot we wanted to put forward to the rest of the world.

Hearing what I have tonight I feel reassured that all of that is going to take place and this is temporary and rather small in nature. Again, thank you for letting a non-citizen of your city limits speak tonight.

Sam Carter – 307 Morton Lane, Appomattox, Virginia
Thank you Mayor Harvey, Council Members, Town Manager and Madam Clerk – I brought with me the questions I had at the last public hearing and after hearing what I have tonight and talking with the gentleman before the meeting, I am overjoyed and feel good about this change of events. I appreciate the people that worked on this to get this to the stage it is now. Thank you again.

Church and Main, LLC
Mr. Gabathuler spoke regarding the Conditional Use Permit application for 1848 Church Street. The request is for the owner to reside on the 2nd floor. The Planning Commission raised concerns of parking and safety.

Mr. and Mrs. Wilk's, owner/applicant spoke to the former Tea Room being a vacant building for a number of years and their desire to purchase the property and open a business there. They have spoken and met with the building inspector regarding their request to live on the 2nd floor.

Questions from Council – none
Questions from the Planning Commission – none

Mr. Gabathuler requested to add this item to tonight's Regular Council meeting agenda.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adjourn the public hearing.

On a motion by Mr. Mitchell, seconded by Mr. Carson, the Planning Commission recessed for their regular monthly meeting.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Public Hearing
September 12, 2016

The Appomattox Town Council held a public hearing on Monday, September 12, 2016 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia Puckette.

Others present: Ashlie Walter, News & Advance; Daniel Puckette, Times Virginian, Jeff Elder, Facilities Director; Philipp Gabathuler, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the Town Council public hearing to order.

Mayor Harvey stated the purpose of the public hearing:

To amend the Code of the Town of Appomattox by adding a permitted use to Chapter 195, Article VII, Section 56, as described in the following paragraphs:

> §195-56: Permitted Uses.
> (20) Residential apartments provided they are located above the ground floor level in a building where the ground floor is used for another permitted use, with a conditional use permit.

A complete copy of the current ordinance and proposed changes were available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia or by calling the Town Office 434-352-8268.

There were no public comments.

Mayor Harvey adjourned the public hearing.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
September 12, 2016

The Appomattox Town Council held a Regular Council meeting on September 12, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch Steven T. Conner, and Claudia G. Puckette

Others present: Ashlie Walter, News & Advance; Daniel Puckette, Times Virginian; George Aznavorian, Steven Conner (Agent), Brad Bays, Basil Bays, Megan Lucas, Kelly Hitchcock, Sharon Layne, Town Treasurer; Elizabeth Gilliam, Linda Lipscomb, Nathan Harbin, Proctor Harvey, Don Pendleton, Frank Wright, Town Attorney; Don & Nancy Wilks, Jeff Elder, Facilities Director; Philipp Gabathuler, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Carlton Duck led the prayer and Pledge of Allegiance.

Scheduled Public Appearances:
Mr. George Aznavorian presented a Master Plan for the Latitude 37 Appomattox, LLC property (formerly the Thomasville property).

Mr. Steven T. Conner presented the following Conflict of Interest Disclosure Statement during this portion of the meeting:

I, Steven T. Conner, will abstain from voting or participating in discussion on this petition due to having a personal interest in this transaction. I am disqualified from participating in this transaction pursuant to Subdivision A 1 of Section 2.2-3112 of the Code of Virginia. My interest is that I serve as the real estate agent for the property owner, Latitude 37 Appomattox LLC. My real estate business is known as Steven T. Conner Real Estate, 536 Court Street, Appomattox, Virginia.

Mr. Aznavorian and Mr. Conner presented a concept of mixed use with the core of the property being used for medical purposes. Mr. Aznavorian plans to use the plant (large building) for automotive or furniture but does not see it being used for any one user. There is also an opportunity for 10-12 businesses that offer a small number of employees. Mr. Conner said the reason for this presentation is to overcome concerns for the property. Mr. Aznavorian will offer a viewing to the public on Saturday, September 17, 2016 from 2:30 p.m. – 7:30 p.m.

Mayor Harvey thanked everyone for the presentation and discussion.

Mayor's Comments:
Mayor Harvey commented that the Town had been through a lot of things in the last few weeks and it was nice to see this coming together. He also mentioned naming the Appomattox Community Park (Kiddie Park) after the late N. H. "Jimmy" Mayberry but has decided to dedicate a plaque in his memory at the pavilion area of the park.

Consent Agenda -
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to adopt the consent agenda with the addition of NB #6 – Consideration to amend Chapter 195, Article VII, Section 56, Permitted Uses (20) Residential apartments provided they are located above the ground floor level in a building where the ground floor is used for another permitted use, with a conditional use permit, NB #7 – Consideration to approve the Conditional Use Permit application/request for Church and Main LLC, NB #8 – Consideration to approve the Conditional Use Permit application for Bays Trash Removal at the Latitude 37 Appomattox, LLC property. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

Old Business – none

New Business –
On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to issue a Conditional Use Permit for Latitude 37 Appomattox, for storage units with no conditions based upon the recommendation of the Town of Appomattox Planning Commission.
Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – abstained: *I, Steven T. Conner, will abstain from voting or participating in discussion on this petition due to having a personal interest in this transaction. I am disqualified from participating in this transaction pursuant to Subdivision A 1 of Section 2.2-3112 of the Code of Virginia. My interest is that I serve as the real estate agent for the property owner, Latitude 37 Appomattox LLC. My real estate business is known as Steven T. Conner Real Estate, 536 Court Street, Appomattox, Virginia.*
Motion carried 5-0.

Discussion of participation of Federal Land Access Program (FLAP) –
Philipp Gabathuler and Kelly Hitchcock have been working on this project for the Town. Since the National Park joins the Town boundaries this appeared to be a grant opportunity for the Town, County and National Park Service. The Virginia Department of Transportation (VDOT) would submit the actual application. The Museum of the Confederacy would serve as the trail head. Mrs. Puckette asked what the trail would look like and Kelly responded that is will be a crush and run material, 10' wide and a multi-use trail. The FLAP program needs a letter of support from the Town. Mr. Conner said the Town needs to get on board while we have the NPS as an advocate. Council would like to discuss this at the joint Town & County meeting on September 21, 2016. Kelly thanked Council as tonight's meeting was for informational purposes.

Discussion of the Appomattox Railroad Depot –
The Town has a planning grant with HDLA. Mr. Nathan Harbin, HDLA began the discussion of where Council left off several months ago by discussing the layout of the "depot" structure. An existing layout of the building was presented. Mainly wanted to come back and have a conversation around the building. The VIC occupies about 2000 square feet in the original freight room. One of the things we have talked about during the rehabilitation phase is to open the space back up for flexible event space, stage for events, etc. At this stage, cost is not

something to get into to. One of the things you gave us to look at as a priority was the Visitor's Center as it is today and should it stay downtown. There is discussion to support locating the Visitor's Center on the bypass but it is a sensitive subject. We have looked at a satellite visitor's center in the other unused portion of the depot. There is opportunity to restore that area.

Mainly, we just wanted to come down and have a conversation about the structure.

There are 2 immediate priorities and the other areas are flexible at this stage. The immediate priorities are a Historic Structures Investigation Report and Stabilization of the building. The stabilization would prevent further deterioration. Some damage from the hidden gutter system. Some things need to be addressed before moving forward.

Don Pendleton, Real Estate appraiser and architectural historian in the Lynchburg area. Some time ago, he met with Mr. Gillespie and Mr. Elder to tour the structure. At that time there was a lot of community involvement to save and restore the historic structure. In thinking about this with HDLA, an important first step would be to do a Historic Structures Investigation Report. This would give a detailed analysis of the structure and investigate issues we are talking about and repairs. It establishes the point where you move forward. It is an important first step and will add value to the building no matter how you move forward. It is an important contribution to the property. The next step would be stabilization. In the report, you would be able to find out what those things are and how to address those things immediately. The report will help staff when looking for grants, etc. to help with the process/application.

Mr. Conner said he likes Nathan's idea of gutting the building and opening it up to one big room. It will do more for businesses downtown when you have events then the way it is being used now. Leave the 2 bathrooms because they are handicap accessible. Make the rest of it a big room with a kitchen in it and usable for the public. It brings more people downtown. It would be used by the public at night and helps the downtown businesses. Any downtown or shopping center, the anchor is key. We need to listen to the last 2 reports that the visitors said we want something out here to help us find downtown. We either need to listen to them or don't do the report. There is hysteria out here that if the Town moves the Visitor's Center we will kill downtown business which it is actually the opposite. If you move it out you will help downtown.

Mr. Pendleton estimates it would take 2 to 3 months to receive a report from an architect or historical architect. Mr. Pendleton will provide an estimate cost for the report at the next Council work session. After the 1st report, the Town can decide if it wants to proceed with the second phase of the report.

Mr. Proctor Harvey, HDLA said it is important for Council to realize that we have a contract with you and we've been asked to go slowly. Our services have brought Don Pendleton, a structural engineer and that is part of what we have done to go through the entire building. The building is leaking now with every rain. You don't know what is behind what you can't see.

Mr. Nathan Harbin said this was to revisit this and come back at the work session and put together the floorplan, particularly of the freight room side.

1st step – the analysis of the condition of the building
2nd step – stabilization

Cost of the report? – Mr. Pendleton will get this by the work session. Mr. Harbin suggests putting together an RFP for the analysis/report. Mr. Conner said that HDLA has $15,000-$20,000 estimate for the report. Mr. Harvey said that number needs to be revisited.

Council directed Mr. Gabathuler to authorize Mr. Pendleton to proceed with gathering cost estimates of a Historic Structures Investigation Report for the depot building on Main Street.

Discussion of pursuing a Phase I Environmental Assessment of 1720 Confederate Blvd -
Mr. Gabathuler advised Council of the results from the downtown revitalization survey consisting of 1720 Confederate Blvd as it has lots of potential. The Town's EDA concurred with Mr. Gabathuler contacting the land owner regarding a Phase I and II Environmental Review. Mr. Gabathuler sent a letter to the property owner in hopes of determining their interest.

Mr. Gabathuler assured the Town Council that a Phase I Environmental Study does not cost a lot of money.

Mr. Conner stated that he would love to see this but not with other people's money.

Ms. Spiggle asked if the Town were opening up a can of worms. What about other property such as Tiger Fuel or Brod Pack's building?

Mr. Gabathuler said the idea through public planning is a primary target for potential, increasing the value of the property. He said that the EDA has not discussed purchasing the property. This is just an opportunity to find out something about the property, hopefully making it more valuable.

Ms. Puckette and Ms. Spiggle both said they would like to have known about this before the meeting. Neither one of them knew anything until after the letter had been sent to the property owner.

Mr. Gabathuler accepted responsibility for not putting this on Council's radar prior to sending the letter. Council agrees to have Mr. Gabathuler pursue the study only if the grant from DEQ can be obtained.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to change the October 2016 Regular Council meeting to Monday, October 17, 2016 due to the Annual VML Conference. All members present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Ms. Puckette, Council voted to amend Chapter 195, Article VII, Section 56, Permitted Uses (20) Residential apartments provided they are located above the ground floor level in a building where the ground floor is used for another permitted use, with a conditional use permit. Roll call vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Ms. Puckette, seconded by Mr. McDearmon, Council voted to approve the Conditional Permit application/request for Church and Main, LLC for an owner occupied residential unit on the 2nd floor and two (2) off street parking spaces reserved for them. Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to approve the Conditional Use Permit for Bays Trash Removal at the Latitude 37 Appomattox, LLC property with the following conditions:

1. The maximum number of units shall be 40.
2. A time limit on the permit shall be one year, to be reevaluated in one year.
3. No waste will be dumped into the Town's waste system.
4. If there are any complaints the Zoning Administrator will respond to the complaint within 72 hours and Bays will have 7 days to respond to the Zoning Administrator.
5. If it is determined that any waste has been dumped into the Town system, at their site, a fine will be levied by the Town of Appomattox.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – abstained: *I, Steven T. Conner, will abstain from voting or participating in discussion on this petition due to having a personal interest in this transaction. I am disqualified from participating in this transaction pursuant to Subdivision A 1 of Section 2.2-3112 of the Code of Virginia. My interest is that I serve as the real estate agent for the property owner, Latitude 37 Appomattox LLC. My real estate business is known as Steven T. Conner Real Estate, 536 Court Street, Appomattox, Virginia.*
Motion carried 5-0.

Town Manager's Report:
Mr. Gabathuler introduced the Town Treasurer, Sharon Layne.

The Kiddie Park (Appomattox Community Park) will be hydro seeded since there has been no rain. Steve Signworks has been contacted about new signage at the park. He is working on an estimate from Audio Tronics for camera equipment.

Smoke testing continues on the Town's sewer system.

Citizen Comment Period – None

Council Concerns – None

*Ms. Finch left the meeting due to a medical issue.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the performance of a specific public appointee of the Town, specifically being Appointee A.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – absent, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member McDearmon made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:
Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – absent, Conner – yes, Puckette – yes.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 10:35 p.m. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – absent, Conner – aye, Puckette – aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Special Call Council Meeting
September 26, 2016

The Appomattox Town Council held a Special Call Council meeting on September 26, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, and Claudia G. Puckette.

Member absent: M. Erin Finch

Others: Jeff Elder, Facilities Director and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the Special Call Council meeting to order and stated the purpose.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, 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 the resignation of a specific public appointee of the Town, specifically being Appointee A.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member McDearmon Council by the following recorded vote adopted the motion: McDearmon – aye, Spiggle – aye, Conner – aye, Puckette – aye, Garrett – aye, Finch – absent. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to adjourn at 7:00 p.m. with no further business. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Joint Public Hearing
September 27, 2016

The Appomattox Town Council and Appomattox Town Planning Commission held a joint public hearing on Tuesday, September 27, 2016 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner

Planning Commission members present: Marvin Mitchell, S. L. Ferguson, and Claudia Puckette. Absent: Roger Carson

Others present: Ashlie Walter, News & Advance; Daniel Puckette, Times Virginian; George Aznavorian, Steven Conner (Agent), Kenny Gobble, Jeff Elder, Facilities Director; Philipp Gabathuler, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the Town Council public hearing to order.

Marvin Mitchell, Chairman called the Planning Commission public hearing to order.

Mayor Harvey stated the purpose of the public hearing:

Latitude 37 Appomattox, LLC does hereby request a conditional use permit for a Planned Unit Development (PUD) to cover the entire property formerly known as Thomasville Furniture. The property is located at 310 Founders Lane, Appomattox, VA. The property is further identified as Tax Map Identification Number 64A1 (A) 3 and is approximately 85.49 acres in size. The property is bordered by Richmond Highway (US460) to the North, Confederate Blvd. to the east, Appomattox County Public School property and VDOT property to the west, and Norfolk-Southern Railroad property to the south.

Latitude 37 intends to develop the property into four designated areas—a map and design regulations that can be obtained upon request from the Town Office located at 210 Linden St., Appomattox, VA 24522 between the hours of 8:30-4:30PM Monday-Friday.

- Area 1—designated in yellow on the concept plan—is approximately 41.08 acres in size and is planned for a mix of uses as enumerated in the Development Guidelines.
- Area 2—designated in red on the concept plan—is approximately 34.95 acres in size and is planned for a mix of uses as enumerated in the Development Guidelines.
- Area 3—designated in purple on the concept plan—is approximately 7.01 acres and is planned for a mix of uses as enumerated in the Development Guidelines.
- Area 4—designated in blue—is approximately 3.28 acres and is planned for a mix of uses as enumerated in the Development Guidelines.

Statement from Steven T. Conner:

I, Steven T. Conner, will abstain from voting or participating in discussion on this petition due to having a personal interest in this transaction. I am disqualified from participating in this transaction pursuant to Subdivision A 1 of Section 2.2-3112 of the Code of Virginia. My interest is that I serve as the real estate

agent for the property owner, Latitude 37 Appomattox LLC. My real estate business is known as Steven T. Conner Real Estate, 536 Court Street, Appomattox, Virginia.

Kenny Gobble – 720 Woodlawn Trail, Appomattox Virginia –
Thank you for allowing me to speak. In regards to the Conditional Use Permit presented today. I would like to say I am not against the development completely. I am for growth for our community. There are tons of unknowns here and we need to know exactly what the plans are for the development of the property before approving a smorgasbord conditional use permits for a property that could change the face of our community. In the 13 years I have been selling RE I have seen some of these presented for the good and some for the bad. I just want to make sure ours is for the good. I think a plan by the developer that is detailed with their renditions should be a reasonable request. You might have a vision as the Town Council of what he means and he might have a different vision. It needs to be in writing and detailed as specifics. I also have a list of questions:
1 – The additional tax burden this will put on our community. Will this create additional jobs to help with the tax burden? Say we have 50 apartments/lofts put above the retail space. The 50 units could have 50 additional kids and then 1.5 parents per unit so you're looking at another 125 people. We are looking at having to upgrade our school systems. If you have tenants how are you going to offset the tax expenses, additional police, additional rescue and fire. The community is going to have to absorb that and the least we should put on it. Do we limit this to 50 or 100 units to the property? He is a smart business man and knows he needs to the retail space to offset the cost.
2 – What are we opening the door for? Are we going to allow other businesses to have a second floor apartment? We are opening Pandora's box with that. I am sure there are plenty of retail space that would like to offset their losses right now with vacant apartment space and they are not allowed to put apartments above retail right now. I'll be the first to tell you we need more rental property in Appomattox. There are investors who will bring that. Do we want to take the epicenter and turn it into apartments? I know you all have a plan – is this in your plan?
I beg of you to consider the long term effects of this on our community, on our children's community and their future in this community. Without discussion can anyone be able to make a decision like this in our community. This is the largest development in our community since Thomasville. I love Appomattox just as much as you do. I understand that we are not Wyndhurst, we don't have the colleges to support this. We need to be ok with just being Appomattox. Are loft apartments going to bring more jobs? We already have lots of citizens, without more jobs. Please think of the impact and get everything in writing. Provide us with something that is more concrete. The citizens have put a trust in you to make the right decision. Don't make a knee jerk reaction just to have something in the Thomasville plant. Thank you.

Mayor Harvey closed the public hearing and the Planning Commission will recess into the Conference Room.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
September 27, 2016

The Appomattox Town Council held a Workshop Council meeting on Tuesday, September 27, 2016 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, and Claudia G. Puckette.

Others: Jeff Elder, Facilities Director; Ashlie Walter, News and Advance; Daniel Puckette, Times Virginian; George Aznavorian, and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the Council Workshop meeting to order.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt a Resolution – Amendment to the Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2016-2017 Budget for the Town of Appomattox – Personal Property Tax Relief Rate:

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2016-2017 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

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 situsedwithin the Town commencing January 1, 2016, 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 47.73% tax relief;*
- *Personal use vehicles valued at $20,001 or more shall only receive 47.73% 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.*

All members present voting aye. Motion carried 6-0.

There was information provided to Town Council regarding the Surveying/Engineering services fee proposal for sidewalk and drainage improvements in the Meadowlark Project Area. $7,000 of the proposal will be reimbursed by the Community Development Block Grant for the Meadowlark Improvement Grant and the other $7,000 will be an expense to the Town. This item will be presented for Council's consideration at the October 17, 2016 Regular Council meeting.

At this point in the meeting the following statement was issued from Steven T. Conner for the next two (2) motions:
I, Steven T. Conner, will abstain from voting or participating in discussion on this petition due to having a personal interest in this transaction. I am disqualified from participating in this transaction pursuant to Subdivision A 1 of Section 2.2-3112 of the Code of Virginia. My interest is that I serve as the real estate agent for the property owner, Latitude 37 Appomattox LLC. My real estate business is known as Steven T. Conner Real Estate, 536 Court Street, Appomattox, Virginia.

On a motion by Mr. Garrett, seconded by Ms. Finch, the Appomattox Town Council approved the Conditional Use Permit application to a Planned Unit Development as shown on the attached documents – 1) Conditional Use Permit and 2) Development Guidelines for Tax Map # 64A1 (A) 3. Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes, Conner – abstaining. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to authorize Mayor Harvey to sign the Conditional Use Permit for the Planned Unit Development for Latitude 37 Appomattox, LLC for Tax Map # 64A1 (A) 3. Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Puckette – yes, Conner – abstaining. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to amend the signature cards at Farmers bank of Appomattox and Branch Banking and Trust (BB&T) for all accounts by removing Philipp U. Gabathuler and adding Sharon M. Layne, Timothy W. Garrett, C. Lewis McDearmon, Jr., and Paul D. Harvey. All members present voting aye. Motion carried.

Staff Member Updates:
Mr. Elder advised Council that as of yet the grass at the Appomattox Children's Park (Kiddie Park) is still not growing. The smoke testing on the Town's sewer system is still ongoing. The blacktop will be installed near the sidewalk replacement soon.

Ms. Casto advised Council that Logics (computer software) would be on site soon for computer training for the Town Treasurer.

Council Concerns:
Mr. Garrett thanked Mr. Aznavorian for his interest in the Town of Appomattox.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:50 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
October 17, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, October 16, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner, and Claudia G. Puckette

Others present: Carlton Duck & Bobby Harris, Alive Media TV; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Noah Harris, Anne Dixon, Kelly Hitchcock, Ernie Price, Dana Mayberry, Barry Letterman, Linda Lipscomb, Sue Cochrane, Charles Clausman, Representatives from Wolfbane Productions, and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order.

Rev. Bobby Harris led the prayer and Pledge of Allegiance.

Scheduled Public Appearances:
Barry Letterman, Sheriff, Appomattox County gave a quarterly update to Council.

Linda Lipscomb - Director, Museum of the Confederacy, Appomattox
Mrs. Lipscomb appeared before Council as a representative of the newly formed Appomattox Tourism Alliance. The alliance will be applying for a marketing leveraging grant through the Virginia Tourism Corporation. The request to the Town was for a $1500.00 contribution and a letter of support.

Kelly Hitchcock, Senior Planner, Region 2000 Local Government Council –
Mrs. Hitchcock appeared before Council to discuss the April 15, 2016 application deadline for the FLAP (Federal Land Access Program). Council would be committing $72,000 along with a letter of support. The trail will be on VDOT right of way, small portion around the Museum of the Confederacy.

On a motion by Ms. Puckette, seconded by Mr. McDearmon, Council voted to set aside the money for this project over the next two (2) years and provide the letter of support for the FLAP application.
Roll call vote - Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried.

Mayor's Comments:
Mayor Harvey reminded Council members of the Downtown Revitalization meeting on Tuesday, October 18, 2016 from 5:30 p.m. to 7:00 p.m. at the 1848 Church, LLC (building).

He also advised Council of the Veterans Day Ceremony at the Appomattox Courthouse Square on Friday, November 11, 2016 at 11:00 a.m.

Consent Agenda -
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the consent agenda with the addition of Item VIII – Standing Committee Report. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

Old Business – none

New Business –
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to approve the Surveying/Engineering Services Fee Proposal from WW Associates for the Meadowlark Neighborhood Revitalization Project and approve the funds necessary of $14,000. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

Standing Committee Reports –
On a motion by Mr. Conner, seconded by Ms. Puckette, Council voted to authorize $35,000 previously identified in the Town's Capital Improvement Plan – Water Fund to be appropriated for Water Modeling Services to be completed by MRG Consulting, LLC. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to authorize $500.00 for Legislative Liaison Services for Central Virginia Training Center (Amherst County). Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to authorize $2500.00 for additional split rail fencing at the Appomattox Community (Children's) Park. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Ms. Finch, seconded by Mr. Conner, Council voted to hold a grand opening and ribbon cutting at the Appomattox Community (Children's) Park on Tuesday, October 25, 2016 at 5:00 p.m. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

On a motion by Mr. Conner, seconded by Ms. Finch, Council voted to hold a joint meeting with the Appomattox County Board of Supervisors on Tuesday, October 25, 2016 at 6:00 p.m. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

Citizen Comment Period – None

Council Concerns:
Mr. Garrett asked how does one join the Appomattox Tourism Alliance and can Council be provided a list of who has given what amounts to the Marketing Leveraging Grant?

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to fund $1,500 from the current Tourism budget for the project. Roll call vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – no, Puckette – yes. Motion carried 5-1.

Mrs. Puckette thanked everyone for attending the Town's Annual Community Picnic.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to adjourn at 8:40 p.m. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Joint meeting - Appomattox Town Council and
Appomattox County Board of Supervisors
October 25, 2016

The Appomattox Town Council and Appomattox County Board of Supervisors held a Joint meeting on October 25, 2016 at 6:00 p.m. at the American Civil War Museum – Museum of the Confederacy Appomattox meeting room, located at 159 Horseshoe Road, Appomattox, Virginia.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner, Claudia G. Puckette, and Mayor Paul D. Harvey.

County Board members present: Sara Carter, Sam Carter, Bryan Moody, Chad Millner, and Bill Hogan.

Others: Frank Strickler, Linda Lipscomb, Susan Adams, County Administrator; Vicky Phelps, Noah Harris, Ashlie Walter, Daniel Puckette, and Roxanne W. Casto, Town Clerk.

At 6:30 p.m., Mayor Harvey called Town Council meeting to order. Mr. Carter, Chairman called the Board of Supervisors to order.

1st priority Focus Area – "Business Retention/Expansion"
Frank Strickler, Virginia Economic Development Partnership
Mrs. Susan Adams introduced Frank Strickler with the Virginia Economic Development Partnership (Workforce Development). She invited him to attend tonight's meeting because one of the items identified at our last joint meeting was business expansion & retention, as well as what it means for the two (2) bodies to work together in a unified way and the strength that it brings to our community and the impact it has on the businesses in our community.

Mr. Strickler:
I've seen businesses come and go. It is very important that if you have businesses or industries in your town, that you pay attention to them because there are mechanisms in the state that get notified that one of these businesses is closing, it is little that can be done because this decision is being made at a corporate level. The way we are looking at the workforce is changing. The millennials are smart kids. It's a different culture and we must learn to change.

You need to designate one week a year for businesses. 70% of growth in Virginia is because of small businesses. You need to celebrate small businesses. You need to ask business "what are the problems, successes and complaints"? So, what can we do? Host a business appreciation week and conduct business visitations.

Homework is done via internet long before the company ever comes to Town. You need to show prospects the quality of like – lakes, ponds, soccer fields, green spaces, hiking spaces. Show off your assets. Housing is not as important as soccer fields and hiking spaces and a good coffee shop.

The new millennials are the largest population of available workers. Have you looked at your succession planning for businesses? Take a look at parks, create as many amenities as possible, good educational facilities.

Workforce Ready People-
Let's start tap dancing around discussions of mega-tronics, welding technicians, mechanical machinist and electrical machinists. CVCC in Lynchburg has one of the most beautiful 24 bay welding classrooms he has ever seen. There is a steel company in Lynchburg building stadiums and they need skilled workers. Start lobbying for budgets of raw materials for students. Sometimes we need to ask our companies to participate in the training. Apprenticeship programs are making a comeback. The name is changing to "earn while you learn".

Mrs. Adams – How can we engage our local businesses?

Mr. Strickler – Connect them to the Community Colleges but even more than that they (you) need to start engaging K-12. Go to the high school and talk to the math teachers.

Mr. Moody – Do we have magnet programs in Virginia?

Mr. Strickler – Yes, we have magnet schools in Virginia.

Encourage your businesses to look at global markets. Very easy for small businesses to do this.

Mr. Sam Carter – UVA is talking about doing away their engineering program.

Mr. Strickler – ODU/VCU has picked up the slack.

Mr. Steve Conner – Sweet Briar has an engineering program.

Ms. Finch – spoke to the lack of engineers willing to relocate to this area. The company she works for could easily double if they had enough staff.

Mr. Stickler – Also, show off your state parks.

Mrs. Adams – You mentioned IKEA – do they only buy from distributors or direct?

Mr. Strickler – No, they build and buy direct. The company you met with last week they are owned by IKEA. IKEA is expanding their American market. That's the case for the German company looking at the Thomasville building. They are going to light somewhere. One of the interesting things about that group is they wanted to be totally vertically integrated and I'm not sure that's a good way to go in this economy.

Mrs. Adams – Talking about prospects when they come to Virginia, they don't give us a lot of information because they like to keep it confidential – one thing they really stress to us is why they don't give us that information – it inhabits the company from making a decision.

Mr. Strickler – said he hasn't personally seen that to be the case but rather NIMBY – "not in my backyard" mentality from the community.

Mr. Strickler – I can tell you and this is very important when a prospect comes to town you need to show a united front. European companies don't know what they don't know – have a few people to build the confidence levels of the prospects.

Mayor Harvey – these things don't sound like things that will happen in a couple of years…

Mr. Strickler – Do the simple stuff – make sure downtown looks nice, soccer fields are marked, etc.

Everyone thanked Mr. Strickler for attending and sharing this information.

<u>The "Urge" to "Merge"?</u>
Mrs. Adams referred the members of both governing bodies to the handout (attached). The main focal point is merging of the EDA's.

Mr. Conner – we need to get on with his.

Mayor Harvey – I think we need to put together a unified front as Mr. Strickler mentioned. One incentive package that people can come in and see one thing.

Mr. Conner – Zoning and Building Inspections all need to be in one place instead of sending people to the Town and then to the County.

Mayor Harvey – Do we want to discuss the makeup of it – How many from each body?

Mr. Conner – What size number do you think we need, Susan? 5,7,9?

Mrs. Adams – I don't know – I don't think we know at this point.

Mrs. Puckette – It isn't that simple.

Mr. Conner – no, but we need to get started on it.

Mrs. Puckette – From what I'm hearing right now it is to make sure our incentive plans are put together to facilitate these things happening quickly without trying to merge the two (2) EDA's so fast. We need to take time to identify.

Mr. Garrett – We need to take time to identify what is important and what isn't.

Mr. Conner – I agree with all that but I'm not sure how functional the County EDA is right now. We need to do something to correct it – are we going to have 5, 7, 9 people to start working towards that?

Mrs. Puckette – That's the County's EDA and that's their business. I don't want to be stepping on their toes.

Mrs. Sara Carter – I appreciate your sensitivity on that, but I think we need to be forth coming and be forth right to speak about this. What Steve said is true, we are in a transitional state right now and because of that it is a good time to talk about what we want when we are able to make that change. I appreciate your sensitivity but it's a good time to talk, in my opinion.

Mrs. Puckette – We don't need to tell you what to do.

Mrs. Sara Carter – yeah, but what would a joint EDA look like?

Mrs. Puckette – one thing I know when the Town decided to have their one – I don't know why everyone is in a hurry to have just one (EDA) but I think we need to know what we need to have independently before we can put it together to see if it will even be a fit. I want us to work together, don't misunderstand but I think we don't want to do something so quick that six months from now – oh, gosh I wish we had looked at this a little longer. I sense this urgency that we need to do this tonight and we are not taking out time.

Mrs. Adams – Amherst Town and County are in the process of looking at this right now. You are right, it won't happen overnight, but you need to start having this discussion. They have looked at some strategies and come up with "One Amherst". They have put together some of their strategies and I think that's where we need to go with it. In order to do that, we need to have that vision and a timeline. There are going to be some uncomfortable areas that we will have to deal with and as long as we are talking like we are now, I don't think we will have problems. This is why we need to have open discussions.

Mr. Conner – Appoint people – we are both short on members. Appoint people now and you won't have to get rid of some later. It's an excellent time to do it. Need to make a plan and show we are bringing people in here as one – the better off were going to be before we lose more prospects. That's all I'm saying.

Mrs. Puckette – Have we lost prospects?

Mr. Conner – Possibly.

Mrs. Adams – Our closed session may address some of the incentive issues.

Mr. Hogan – What about debt for each EDA? It isn't as easy as flipping a switch. There are incentive packages in effect that businesses have signed on to. Contracts in place that might need to be absorbed.

Mrs. Adams – It's going to take an attorney to look into all of that. We will have to look at that. It's not a simple process. The question tonight is do you want us to move in that direction? We need to start moving because it's going to take time.

Mr. Conner – The town couldn't get enough people to serve – we had to put county residents on there. Why don't we just merge and have one EDA? All state and federal people say you'll get more grants, etc., if you have one or regional. Regional is where they want to put their money. It gives us one face. We can set here and posture but we're both going to have to give up some things.

Mrs. Adams – In speaking with someone from the State, the State is encouraging town's and county's to work together and even the County and adjacent locality collaboratively.

Mrs. Puckette – Can we get someone to come in and talk to us from some of the experts? Helpful from the state level, Amherst, etc.

Mayor Harvey – I think we need to have an attorney to look at all that will need to be considered to make sure those transitions are smooth.

Mayor Harvey – What I'm hearing you say is that at the next meeting you'd like to have one or 2 of these people present to talk to us about how to go about the process. You don't want to start the process until more is understood and to try and have an attorney at one of the meetings.

Mr. Conner – Does the County EDA even have a quorum?

Mrs. Adams – The County does have a quorum for their EDA.

Mr. Hogan – If Amherst is too early in the process – can the state help us find another locality that has completed it?

Mr. Moody – forgive my ignorance – how long has the town had an EDA?

Mrs. Casto – Since 2013, about 3 years.

Mayor Harvey – We formed our EDA because we felt like we needed to move on certain things that the County wasn't doing.

Is there a vote of confidence that all agree to look at a joint EDA? There was no objection.

Mayor Harvey – If something comes up before this is finalized, tell the prospect that we can certainly do what they need.

A doodle poll was discussed to arrange the next joint meeting.

Closed Session:

On a motion by Council Member Garrett, seconded by Council Member Puckette, Council voted to convene in Closed Session, pursuant to Section 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 for discussion of a prospective new business, when the business has made no previous announcement of their interest or intent, specifically being prospective project A.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

On a motion by Board Member Millner, seconded by Board Member Sara Carter, the Board voted to convene in Closed Session, pursuant to Section 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 for discussion of a prospective new business, when the business has made no previous announcement of their interest or intent, specifically being prospective project A.

Vote:
Sam Carter – yes, Sara Carter – yes, Millner – yes, Hogan – yes, Moody – yes.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

Board Member Sara Carter made the following motion:

WHEREAS, the Board of Supervisors has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors 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.

The motion was seconded by Board Member Millner and Board by the following recorded vote adopted the motion:

Vote:
Sam Carter – yes, Sara Carter – yes, Millner – yes, Hogan – yes, Moody – yes.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:15 p.m. All members present voting aye. Motion carried.

On a motion by Mrs. Sara Carter, seconded by Mr. Millner, the Board voted to also adjourn at 8:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Public Hearing
November 14, 2016

The Appomattox Town Council held a public hearing on Monday, November 14, 2016 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, and M. Erin Finch.

Town Council Members Absent: Steven T. Conner

Others present: Brian Moore & Carlton Duck, Alive Media Services; Ashlie Walter, News & Advance; Daniel Puckette, Times Virginian; Noah Harris, Jeff Elder, Facilities Director; and Roxanne W. Casto, Clerk of Council

Mayor Harvey stated the purpose of the public hearing:

In accordance with §15.2-202 of the Code of Virginia, 1950, as amended, the purpose of this public hearing will be to receive public comments concerning amendments to the Appomattox Town Charter, Chapter C of the Appomattox Town Code. The Charter and amendments are available for review at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, Monday through Friday, 8:30 a.m. – 4:30 p.m. or by calling 434-352-8268.

An informative summary of the amendments desired are listed below.

Current:

~~**§C-1. Election and appointment of officers, etc.**~~

~~There shall be elected by the qualified voters of said Town every two years, on the first Tuesday in May of every even-numbered year, one elector thereof, who shall be denominated the Mayor, and six electors, who shall be denominated the Councilmen of said Town; the Mayor and six Councilmen shall constitute the Council of said Town. The Town Council may appoint a Treasurer, Commissioner of Revenue and shall have the authority to employ a Town Clerk, a Town Manager, and the same person may serve in one or more of such capacities, and whenever deemed wise a health or sanitary officer, and such other officers as it may deem wise and necessary for the proper conduct of the government of said Town, and appoint committees and boards, and prescribe and fix their duties, and shall have power to fix the salary and compensation of said Treasurer, Town Clerk, Town Manager and such other officers, necessary, but such compensation shall be fixed by said Council before the officer chosen shall assume the duties of his office. (1980 Acts, ch. 43)~~

Amended to read:

§C-1. Election and appointment of officers, etc.

There shall be elected by the qualified voters of said Town one elector thereof, who shall be denominated the Mayor, and six electors, who shall be denominated the Councilmen of said Town; the Mayor and six Councilmen shall constitute the Council of said Town. The Town Council shall have the authority to appoint or employ a Town Clerk, a Treasurer, a Commissioner of Revenue, a Town Manager, a health or sanitary officer, and such other officers as it may deem appropriate for the proper conduct of government of the Town; the same person may serve in one or more of such capacities. The Town Council shall have the power to fix the salary and compensation of said employees and appointees as necessary, but such compensation shall be fixed by said Council before the individual chosen shall assume the duties of office. The Town Council may also appoint committees and boards, and prescribe and fix their duties.

Current:

~~**§C-4. Terms of office; vacancies.**~~
~~The Mayor and members of Council shall enter upon the duties of their office on the first day of July, next succeeding their election, and shall continue in the office until their terms have expired, and their successors shall have been elected and qualified. In case of a vacancy in the office of Mayor, or Councilmen, elected by the electors of said Town, caused by death, resignation or otherwise, such vacancy shall be filled by a majority vote of the Town Council from the electors of the Town for the unexpired term. (1980 Acts, ch. 43)~~

Amended to read:

§C-4. Terms of office; vacancies.
The Mayor and Council in office at the time of the adoption of this Charter shall continue in office until the expiration of the terms for which they were elected or until their successors are elected and qualified. At the next election of members to the Town Council held on the first Tuesday in May 2018, the three (3) council candidates receiving the greatest number of votes shall be elected for three and one-half year terms, and the three (3) council candidates receiving the next greatest number of votes and the Mayor shall be elected for one and one-half year terms. Thereafter, the Council members shall be elected for terms of four (4) years, and the Mayor shall be elected for terms of two (2) years, or until their successors are elected and qualified. An election shall be held on the first Tuesday in November 2019 for the three council seats first expiring and for the Mayor, and on the first Tuesday in November 2021 for the three council seats next expiring. Elections thereafter shall be held every two (2) years on the first Tuesday in November. The term of each person elected under this section at a May election shall begin on July 1 next following their election, and of each person elected under this section at a November election shall begin on January 1 next following their election. In case of a vacancy in the office of Mayor, or Councilmen, elected by the electors of said Town, caused by death, resignation or otherwise, such vacancy shall be filled by a majority vote of the Town Council from the electors of the Town for the unexpired term.

No comments were made from the public during the hearing.

Mayor Harvey closed the public hearing.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
November 14, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, November 14, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, and Claudia G. Puckette.

Members absent: Steven T. Conner

Others present: Carlton Duck & Brian Moore, Alive Media Services; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Linda Lipscomb, Robin Snyder, Superintendent of the Appomattox Court House National Historical Park; Kelly Hitchcock, Senior Planner, Region 2000; and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Brian Moore led the prayer and Pledge of Allegiance.

Scheduled Public Appearances:
Mr. Nathan Simpson called to let Town Council know he would not be attending.

Mayor's Comments:
Mayor Harvey met with Mr. Gillespie, Mrs. Susan Adams and Mr. William H. Hefty, Attorney to discuss forming a joint Town and County Economic Development Authority. Mr. Hefty indicated that there are several options – one would be to keep the two entities separate and create one policy – the second would be to fold the Town's EDA under the County's and provide articles to cover both parties. The other two suggestions were not worth pursuing.

Mayor Harvey also informed Council that the Mr. Gillespie created a blighted property agreement/grant. Mr. Hefty did not suggest putting it into effect, however doing so would not set a precedence as this could be done as a one-time item. Mayor Harvey and Mrs. Susan Adams will be attending the Town's EDA meeting on Thursday, November 17, 2016 to present both of these items. The blighted property policy will likely be tabled until a decision is made regarding the joining of EDA's.

Consent Agenda -
On a motion by Mr. McDearmon, seconded by Ms. Finch, Council voted to approve the consent agenda of November 14, 2016. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner - absent. Motion carried.

Old Business – none

New Business –
On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to adopt a resolution of the General Assembly of the Commonwealth of Virginia to amend the Town's Charter.

RESOLUTION

Whereas, the Appomattox Town Council met on the 14th day of November, 2016 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 1 - Election and appointment of officers, etc. is amended to read:***

   There shall be elected by the qualified voters of said Town one elector thereof, who shall be denominated the Mayor, and six electors, who shall be denominated the Councilmen of said Town; the Mayor and six Councilmen shall constitute the Council of said Town. The Town Council shall have the authority to appoint or employ a Town Clerk, a Treasurer, a Commissioner of Revenue, a Town Manager, a health or sanitary officer, and such other officers as it may deem appropriate for the proper conduct of government of the Town; the same person may serve in one or more of such capacities. The Town Council shall have the power to fix the salary and compensation of said employees and appointees as necessary, but such compensation shall be fixed by said Council before the individual chosen shall assume the duties of office. The Town Council may also appoint committees and boards, and prescribe and fix their duties.

3. ***Section 4 – Terms of office; vacancies is amended to read:***

   The Mayor and Council in office at the time of the adoption of this Charter shall continue in office until the expiration of the terms for which they were elected or until their successors are elected and qualified. At the next election of members to the Town Council held on the first Tuesday in May 2018, the three (3) council candidates receiving the greatest number of votes shall be elected for three and one-half year terms, and the three (3) council candidates receiving the next greatest number of votes and the Mayor shall be elected for one and one-half year terms. Thereafter, the Council members shall be elected for terms of four (4) years, and the Mayor shall be elected for terms of two (2) years, or until their successors are elected and qualified. An election shall be held on the first Tuesday in November 2019 for the three council seats first expiring and for the Mayor, and on the first Tuesday in November 2021 for the three council seats next expiring. Elections thereafter shall be held every two (2) years on the first Tuesday in November. The term of each person elected under this section at a May election shall begin on July 1 next following their election, and of each person elected under this section at a November election shall begin on January 1 next following their election. In case of a vacancy in the office of Mayor, or Councilmen, elected by the electors of said Town, caused by death, resignation or

otherwise, such vacancy shall be filled by a majority vote of the Town Council from the electors of the Town for the unexpired term.

This Resolution was adopted by a majority vote of the Appomattox Town Council at its November 14, 2016 meeting.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to approve a Services Agreement for Zoning/Plan Review and authorize the Mayor to execute.

TOWN OF APPPOMATTOX
SERVICES AGREEMENT FOR ZONING/PLAN REVIEW

***WHEREAS**, the Town of Appomattox has a temporary need for assistance with the administration of the requirements in its zoning ordinance, and*

***WHEREAS**, examples of these as needed services would include, but not limited to, interpretations of the Town's zoning ordinance, review of site plans/plats for zoning compliance, review/approval of zoning permits, meetings with the Town's Planning Commission/Board of Zoning Appeals as deemed necessary, and meetings with potential developers needing assistance in the interruption of the Town's zoning ordinance, and*

***WHEREAS**, Appomattox County has graciously offered to provide these services until the Town has secured the necessary professional expertise to execute these services, and*

***WHEREAS**, the Mayor will serve as the Town's Zoning Administrator for approval and signature on reviewed documents, and*

***WHEREAS**, the proposed agreement between the Town of Appomattox and Appomattox County would include the following conditions:*

- *This agreement can be terminated by either party at any time with 30 days' notice*
- *All advertisements and other out of pocket expenses for the administration of the zoning ordinance shall be paid directly by the Town of Appomattox*
- *All advertisements and public meeting notices shall be the responsibility of the Town of Appomattox*
- *All minutes and other meeting documentation shall be the responsibility of the Town of Appomattox*
- *This agreement will be reviewed by both Town Council and Board of Supervisors six months after the effective date of December 1, 2016.*

This agreement was approved by the Council of the Town of Appomattox on the 14th day of November, 2016.

This agreement was approved by the Board of Supervisors of Appomattox County on the 21st day of November 2016.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to cancel the November 22, 2016 and December 27, 2016 Council Workshop meetings.
Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

There was discussion of the FLAP Application and Town's letter of support for the project. Ms. Hitchcock, Senior Planner, Region 2000 Local Government Council appeared before Council to answer any questions or provide additional information. The earliest completion would be 2020. There are several more years to set aside the funding for this project, should it get awarded. The grant is for $700,000 and needs participation from both the Town and County to make the application. The National Park commitment at this point is $16,000.00. Ms. Snyder said she will continue to look for additional funds. This is part of a community project and creates connectivity. This grant could lead to other grant money, specifically the Downtown Façade project. Ms. Hitchcock stated it was her understanding that the Appomattox County Board of Supervisors would also be providing a letter of support as they voted for Option A, committing to the match also. It is anticipated that award would occur in August of 2017. Ms. Snyder thanked the Town Council and is very appreciative and is looking forward to a great opportunity to the local people of the community.

Treasurer's Report – none

Town Manager's Report – none

Citizen Comment Period – none

Council Concerns:
Mrs. Puckette expressed her concerned of a budget report. She would like to have one soon. There is much discussion about spending and she would like to know the status of funds.

It is now mid-November and Council has not had a retreat. She would like to have one. Also, there has been no preparation made for the coming year, exploring of new ideas. We are behind and this is no time to drop the ball. She said she had spoken with Mr. Gillespie who would be willing to facilitate a retreat if that is what Council wants.

On a motion by Ms. Puckette, seconded by Mr. Garrett, Council voted to hold a retreat on Friday, December 9, 2016. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

Mayor Harvey invited the Council members to attend the Town Economic Development Authority meeting on Thursday, November 17, 2016 at 6:00 p.m. to hear the presentation regarding the View Shed Policy.

Mayor Harvey also invited the Council members to attend the GO Virginia meeting on November 28, 2016 at 2:00 p.m. at Wiley | Wilson presented by the Lynchburg Regional Business Alliance.

The Appomattox County Administrator, Susan Adams has proposed the following dates for the next joint Town and County meeting – Thursday, January 12, 2017 and Thursday, January 19, 2017. Council members will check their schedules/calendars and let the Clerk know of their availability.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 8:05 p.m. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

Roxanne W. Casto, MMC Clerk	Paul D. Harvey Mayor

Appomattox Town Council
Regular Council Meeting
November 14, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, November 14, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, and Claudia G. Puckette.

Members absent: Steven T. Conner

Others present: Carlton Duck & Brian Moore, Alive Media Services; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Linda Lipscomb, Robin Snyder, Superintendent of the Appomattox Court House National Historical Park; Kelly Hitchcock, Senior Planner, Region 2000; and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Brian Moore led the prayer and Pledge of Allegiance.

Scheduled Public Appearances:
Mr. Nathan Simpson called to let Town Council know he would not be attending.

Mayor's Comments:
Mayor Harvey met with Mr. Gillespie, Mrs. Susan Adams and Mr. William H. Hefty, Attorney to discuss forming a joint Town and County Economic Development Authority. Mr. Hefty indicated that there are several options – one would be to keep the two entities separate and create one policy – the second would be to fold the Town's EDA under the County's and provide articles to cover both parties. The other two suggestions were not worth pursuing.

Mayor Harvey also informed Council that the Mr. Gillespie created a blighted property agreement/grant. Mr. Hefty did not suggesting putting it into effect, however doing so would not set a precedence as this could be done as a one-time item. Mayor Harvey and Mrs. Susan Adams will be attending the Town's EDA meeting on Thursday, November 17, 2016 to present both of these items. The blighted property policy will likely be tabled until a decision is made regarding the joining of EDA's.

Consent Agenda -
On a motion by Mr. McDearmon, seconded by Ms. Finch, Council voted to approve the consent agenda of November 14, 2016. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner - absent. Motion carried.

Old Business – none

New Business –
On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to adopt a resolution of the General Assembly of the Commonwealth of Virginia to amend the Town's Charter.

RESOLUTION

Whereas, the Appomattox Town Council met on the 14th day of November, 2016 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 1 - Election and appointment of officers, etc. is amended to read:***

   There shall be elected by the qualified voters of said Town one elector thereof, who shall be denominated the Mayor, and six electors, who shall be denominated the Councilmen of said Town; the Mayor and six Councilmen shall constitute the Council of said Town. The Town Council shall have the authority to appoint or employ a Town Clerk, a Treasurer, a Commissioner of Revenue, a Town Manager, a health or sanitary officer, and such other officers as it may deem appropriate for the proper conduct of government of the Town; the same person may serve in one or more of such capacities. The Town Council shall have the power to fix the salary and compensation of said employees and appointees as necessary, but such compensation shall be fixed by said Council before the individual chosen shall assume the duties of office. The Town Council may also appoint committees and boards, and prescribe and fix their duties.

3. ***Section 4 – Terms of office; vacancies is amended to read:***

   The Mayor and Council in office at the time of the adoption of this Charter shall continue in office until the expiration of the terms for which they were elected or until their successors are elected and qualified. At the next election of members to the Town Council held on the first Tuesday in May 2018, the three (3) council candidates receiving the greatest number of votes shall be elected for three and one-half year terms, and the three (3) council candidates receiving the next greatest number of votes and the Mayor shall be elected for one and one-half year terms. Thereafter, the Council members shall be elected for terms of four (4) years, and the Mayor shall be elected for terms of two (2) years, or until their successors are elected and qualified. An election shall be held on the first Tuesday in November 2019 for the three council seats first expiring and for the Mayor, and on the first Tuesday in November 2021 for the three council seats next expiring. Elections thereafter shall be held every two (2) years on the first Tuesday in November. The term of each person elected under this section at a May election shall begin on July 1 next following their election, and of each person elected under this section at a November election shall begin on January 1 next following their election. In case of a vacancy in the office of Mayor, or Councilmen, elected by the electors of said Town, caused by death, resignation or

otherwise, such vacancy shall be filled by a majority vote of the Town Council from the electors of the Town for the unexpired term.

This Resolution was adopted by a majority vote of the Appomattox Town Council at its November 14, 2016 meeting.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to approve a Services Agreement for Zoning/Plan Review and authorize the Mayor to execute.

TOWN OF APPPOMATTOX
SERVICES AGREEMENT FOR ZONING/PLAN REVIEW

***WHEREAS**, the Town of Appomattox has a temporary need for assistance with the administration of the requirements in its zoning ordinance, and*

***WHEREAS**, examples of these as needed services would include, but not limited to, interpretations of the Town's zoning ordinance, review of site plans/plats for zoning compliance, review/approval of zoning permits, meetings with the Town's Planning Commission/Board of Zoning Appeals as deemed necessary, and meetings with potential developers needing assistance in the interruption of the Town's zoning ordinance, and*

***WHEREAS**, Appomattox County has graciously offered to provide these services until the Town has secured the necessary professional expertise to execute these services, and*

***WHEREAS**, the Mayor will serve as the Town's Zoning Administrator for approval and signature on reviewed documents, and*

***WHEREAS**, the proposed agreement between the Town of Appomattox and Appomattox County would include the following conditions:*

- *This agreement can be terminated by either party at any time with 30 days' notice*
- *All advertisements and other out of pocket expenses for the administration of the zoning ordinance shall be paid directly by the Town of Appomattox*
- *All advertisements and public meeting notices shall be the responsibility of the Town of Appomattox*
- *All minutes and other meeting documentation shall be the responsibility of the Town of Appomattox*
- *This agreement will be reviewed by both Town Council and Board of Supervisors six months after the effective date of December 1, 2016.*

This agreement was approved by the Council of the Town of Appomattox on the 14th day of November, 2016.

This agreement was approved by the Board of Supervisors of Appomattox County on the 21st day of November 2016.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to cancel the November 22, 2016 and December 27, 2016 Council Workshop meetings.
Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

There was discussion of the FLAP Application and Town's letter of support for the project. Ms. Hitchcock, Senior Planner, Region 2000 Local Government Council appeared before Council to answer any questions or provide additional information. The earliest completion would be 2020. There are several more years to set aside the funding for this project, should it get awarded. The grant is for $700,000 and needs participation from both the Town and County to make the application. The National Park commitment at this point is $16,000.00. Ms. Snyder said she will continue to look for additional funds. This is part of a community project and creates connectivity. This grant could lead to other grant money, specifically the Downtown Façade project. Ms. Hitchcock stated it was her understanding that the Appomattox County Board of Supervisors would also be providing a letter of support as they voted for Option A, committing to the match also. It is anticipated that award would occur in August of 2017. Ms. Snyder thanked the Town Council and is very appreciative and is looking forward to a great opportunity to the local people of the community.

Treasurer's Report – none

Town Manager's Report – none

Citizen Comment Period – none

Council Concerns:
Mrs. Puckette expressed her concerned of a budget report. She would like to have one soon. There is much discussion about spending and she would like to know the status of funds.

It is now mid-November and Council has not had a retreat. She would like to have one. Also, there has been no preparation made for the coming year, exploring of new ideas. We are behind and this is no time to drop the ball. She said she had spoken with Mr. Gillespie who would be willing to facilitate a retreat if that is what Council wants.

On a motion by Ms. Puckette, seconded by Mr. Garrett, Council voted to hold a retreat on Friday, December 9, 2016. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

Mayor Harvey invited the Council members to attend the Town Economic Development Authority meeting on Thursday, November 17, 2016 at 6:00 p.m. to hear the presentation regarding the View Shed Policy.

Mayor Harvey also invited the Council members to attend the GO Virginia meeting on November 28, 2016 at 2:00 p.m. at Wiley | Wilson presented by the Lynchburg Regional Business Alliance.

The Appomattox County Administrator, Susan Adams has proposed the following dates for the next joint Town and County meeting – Thursday, January 12, 2017 and Thursday, January 19, 2017. Council members will check their schedules/calendars and let the Clerk know of their availability.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 8:05 p.m. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Puckette – aye, Conner – absent. Motion carried 5-0.

Roxanne W. Casto, MMC Clerk	Paul D. Harvey Mayor

Appomattox Town Council
Special Call Council Meeting
November 16, 2016

The Appomattox Town Council held a Special Call Council meeting on November 16, 2016 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner, and Claudia G. Puckette.

Others: Jeff Elder, Facilities Director and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the Special Call Council meeting to order and stated the purpose.

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to convene in closed session, pursuant to Section 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 discussion of prospective consulting services to be provided as more fully described in the request for proposal advertised on November 2, 2016 and November 9, 2016.

The meeting was re-opened to the public.

Council Member Finch made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Garrett Council by the following recorded vote adopted the motion: McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye, Garrett – aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:15 p.m. with no further business. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
December 12, 2016

The Appomattox Town Council held a Regular Council meeting on Monday, December 12, 2016 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck & Brian Moore, Alive Media Services; Daniel Puckette, Times Virginian Newspaper; Jeff Elder, Facilities Manager; Sharon Layne, Town Treasurer; Linda Lipscomb, and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Carlton Duck led the prayer and Pledge of Allegiance.

Scheduled Public Appearances:
None

Mayor's Comments:
Mayor Harvey congratulated the Appomattox County High School football team for winning the 2016 State Championship.

Consent Agenda -
On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to approve the consent agenda of December 12, 2016. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried.

Old Business – none

New Business –
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to table the appointment of members to the Planning Commission and Economic Development Authority to the January 9, 2017 Regular Council meeting. All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council named the Town Clerk as the Hiring Agent for the Accounting/HR Specialist position in the absence of a Town Manager. All members present voting aye. Motion carried.

Standing Commission Reports - none

Citizen Comment Period – none

Council Concerns:
Ms. Spiggle wished everyone a very blessed Christmas.

Mrs. Puckette thanked everyone who attended the Council Retreat on December 9, 2016. She is looking forward to implementing the ideas discussed.

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, 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 discussion of prospective consulting services to be provided as more fully described in the request for proposal advertised on November 2, 2016 and November 9, 2016.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to adjourn the regular council meeting. Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Special Call Council Meeting
December 13, 2016

The Appomattox Town Council held a Special Call Council meeting on December 13, 2016 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, and Claudia G. Puckette.

Absent: M. Erin Finch

Others: Jeff Elder, Facilities Director and Roxanne W. Casto, Town Clerk.

Mayor Harvey called the Special Call Council meeting to order and stated the purpose.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to convene in closed session, pursuant to Section 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 discussion of prospective consulting services to be provided as more fully described in the request for proposal advertised on November 2, 2016 and November 9, 2016.

Vote: McDearmon – aye, Spiggle – aye, Conner – aye, Puckette – aye, Garrett – aye, Finch – absent. Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Puckette Council by the following recorded vote adopted the motion: McDearmon – aye, Spiggle – aye, Conner – aye, Puckette – aye, Garrett – aye, Finch – absent. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 7:00 p.m. with no further business. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
January 9, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, January 9, 2017 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Members absent: C. Lewis McDearmon, Jr.

Others present: Carlton Duck & Brian Moore, Alive Media Services; Daniel Puckette, Times Virginian Newspaper; Jeff Elder, Facilities Manager; Linda Lipscomb, Kelly Hitchcock, Noah Harris, Clarence Monday, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Brian Moore led the prayer and Pledge of Allegiance.

Scheduled Public Appearances:
Kelly Hitchcock, Senior Planner with Region 2000 appeared before Council to provide an update on the Downtown Revitalization Planning Grant as it is in its draft state. Ms. Hitchcock will reappear before Council at the February 13, 2017 to present the final copy of the Economic Restructuring Plan.

On January 26, 2017 at 5:30 p.m. there will be an opportunity for residents, property owners and the community to see the application. The event will be held at the Appomattox Visitors Center 214 Main Street, Appomattox, Virginia.

The management team will be finalizing the document before the February 13, 2017 Council meeting. The grant application deadline is March 29, 2017. Council thanked Kelly for the update.

Mayor's Comments:
None

Consent Agenda -
On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to approve the consent agenda of January 9, 2017 as presented. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried.

Old Business –
On a motion by Mr. Conner, seconded by Ms. Finch, Council voted to appoint Linda Lipscomb to the Appomattox Town Planning Commission effective immediately, with a term expiring January 1, 2021 (4 years). Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried.

New Business –
On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to adopt the 2017 Meeting Schedule of the Appomattox Town Council. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried.

Standing Commission Reports - none

Citizen Comment Period – none

Town Manager's Report:
Mr. Monday reported he is becoming familiar with the Town's operations and staff. He has a tour of the Town planned with Mr. Elder for tomorrow. He is looking forward to one on one interaction with each council member. He thanked Council for the opportunity to serve.

Council Concerns:
Mayor Harvey asked Council's plan to hire an assistant Town Manager to work with Mr. Monday. Council agreed to allow Mr. Monday and Mr. Gillespie to develop the plan of hiring an assistant.

Roxanne Casto, Clerk shared with Council a request from an itinerant merchant who would like consideration of Council to reduce the Business License tax for an itinerant merchant who also contributes to another form of tax, such as Meals Tax. After much discussion, Council concurred to leave the ordinance as is.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to adjourn the regular council meeting at 7:45 p.m. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried.

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Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Joint meeting - Appomattox Town Council and
Appomatox County Board of Supervisors
January 19, 2017

The Appomattox Town Council and Appomattox County Board of Supervisors held a Joint meeting on January 19, 2017 at 6:00 p.m. at the American Civil War Museum – Museum of the Confederacy Appomattox meeting room, located at 159 Horseshoe Road, Appomattox, Virginia.

Town Council Members present: Timothy W. Garrett, Mary Lou Spiggle, Steven T. Conner, M. Erin Finch, Claudia G. Puckette, and Mayor Paul D. Harvey.

County Board members present: Sara Carter, Sam Carter, Chad Millner, and Bill Hogan.

Absent: C. Lewis McDearmon, Jr., and Bryan Moody.

Others: Clarence Monday, Linda Lipscomb, Susan Adams, County Administrator; Vicky Phelps, Daniel Puckette, Nathan Harbin and Roxanne W. Casto, Town Clerk.

At 6:30 p.m., Mayor Harvey called Town Council meeting to order. Mr. Carter, Chairman called the Board of Supervisors to order.

Mayor Harvey introduced Phillip Jamerson, Teresa Lawson and Nathan Harbin for a presentation of the Courtland Field/Park "Proposed" Project. Mayor Harvey turned the presentation over to Mr. Jamerson.

Mr. Jamerson presented a vision for Courtland Festival Park. Phillip, Teresa, and Nathan having been meeting for some time along with Susan Adams, Jeff Elder and Paul Harvey. This all came from a community vision meeting held back in April/May 2016, started focusing on the Courtland Field and Abbitt Park. Mr. Jamerson read the cover letter from the handout provided to Town Council and the Board of Supervisors.

Dear Supervisors and members of Town Council:
I present a citizens group that would like for you to consider working with us to create a multi-faceted festival park at Courtland Field. Research suggests that parks benefit community's in many ways. There is economic value - direct and indirect income as well as increased property values. There are health benefits – both physical and mental. Finally, there are social benefits as far as civic pride and connecting citizens from diverse backgrounds. Attached is the conceptual design for the festival park, delivery method and budget. Our concept compliments the Experience Appomattox marketing plan that is in place now. If the joint board looks favorably upon our request, we propose to expand our group to include one supervisor, one council members and expect to bring in others as needed for consultation and inclusion. This proposal is the first step in our process, the second step is joint board approval and third is seed money to compete the design. If all goes well, we would like to break ground in April of this year (2017) and have completion by January 2018. We have successfully completed the silent phase of a fundraising campaign and stand ready to put forth the effort to convert Courtland Field into a community showplace that we can all be proud of. We all appreciate this opportunity to present for your consideration.

Mr. Jamerson stated they are hopeful to accomplish a center for cultural arts. Appomattox is known for its history, but we will always have that. It can't be taken away from us. We are just trying to do something that adds to that. If Floyd County can do it, so can Appomattox.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:15 p.m. All members present voting aye. Motion carried.

On a motion by Mrs. Sara Carter, seconded by Mr. Millner, the Board voted to also adjourn at 8:15 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

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Town Council Members present: Timothy W. Garrett, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner, Claudia G. Puckette, and Mayor Paul D. Harvey.

Absent: C. Lewis McDearmon, Jr.

County Board members present: Sara Carter, Sam Carter, Chad Millner, and Bill Hogan.

Absent: Bryan Moody

Others: Clarence Monday, Interim Town Manager, Linda Lipscomb, Susan Adams, County Administrator; Vicky Phelps, Daniel Puckette, Phillip Jamerson, Teresa Lawson, Nathan Harbin and Roxanne W. Casto, Town Clerk.

At 6:30 p.m., Mayor Harvey called the Town Council meeting to order. Mr. Carter, Chairman called the Board of Supervisors to order.

Mayor Harvey introduced Phillip Jamerson, Teresa Lawson and Nathan Harbin for a presentation of the Courtland Field/Park "Proposed" Project. Mayor Harvey turned the presentation over to Mr. Jamerson.

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community show place that we can all be proud of. We all appreciate this opportunity to present this for your consideration.

Mr. Jamerson stated they are hopeful to accomplish a center for cultural arts. Appomattox is known for its history, but we will always have that. It can't be taken away from us. We are just trying to do something that adds to that. Other communities – Floyd County and Abington have people come from all over to their park and Barter Theatre – we can do it too – look at where we are situated. We have over 6 colleges and universities – that's a lot of diversity – each of those colleges and universities have bands – have people who want to be in performing arts and we could be a place that could work with them to display it. There are 5 state parks within a 30-minute radius of Appomattox, the National Park Service and recreational opportunities.

We are just trying to kick start something not reidentify Appomattox. We are trying to compliment what we already have and build upon it for not just our citizens but also for people coming into our community.

Mr. Jamerson showed a power point presentation:

I. Proposal:

VISION – Beautification – something to make Appomattox feel nicer. Maybe others will do things to their property.

Direct/Indirect Income – The park can be used by families for reunions or music festivals – generate direct and indirect income. Farmers Market – Community Cultural Center and a place for reflection.

II. Program:

Landscaping and earth "sculpting", performing arts/movie stage with dance area, serenity trail to Abbitt Park – connectivity between each park. Tables where people can eat lunch, walking trails, event lawn with vehicle access (Railroad Festival), Memorial Garden, Fountain, two pavilions with restrooms, vendors, farmers market, private functions, etc.

Conceptual design was unveiled but it's only conceptual at this point. Anything can be changed.

III. Delivery & Operations:

Phillip Jamerson will volunteer as owner's agent for the County to act as the Construction Manager. The work will be performed utilizing current procurement laws. Vendor contracts will be with the County.

The County will own the property and the Town will manage and maintain the property upon completion. This is always subject to change.

IV. Budget:

This is based on today's budget numbers, $600,000 includes design, pavilions, stage, stormwater management plan, hardscape, landscape, water feature, removable fencing, signage, furnishings and general conditions.

V. Funding

Private - $300,000
Public - $300,000 (Town and County)

The committee views this is a community project.

The committee has already raised $200,000. He feels very confident that once this goes public tonight it will be fairly easy to raise the other $100,000 of private donations.

Mr. Garrett – Is the $200,000 all cash or in-kind services?

Mr. Jamerson – Cash

Mr. Monday – Of the money received has any conditions been put on how this money can or cannot be spent?

Mr. Jamerson – No

Mr. Jamerson – I have presented this program as you have seen it tonight to every person I've talked to.

There will be some money coming in on pledges over a 3-year time period.

Mr. Sam Carter – requested the slide of how the park will look like at the end of completion. He reminded everyone that he is an advocate of the Railroad Festival knowing full well it is only a 2-day event.

Mayor Harvey – talked to the Railroad Festival board and they are all on-board as long as there is ample room to get the rides and equipment in there.

Mr. Conner – this is the first time I've seen it but it's in the heart of downtown. It's the centerpiece of your town.

Mayor Harvey – This is in the footprint of the downtown revitalization and what we are providing as the downtown focal point.

Mrs. Puckette – With the downtown project and all I think it would be nice if the park complimented downtown.

Mr. Jamerson – we will come up with something that compliments downtown hopefully through the inspiration of the Courtland home.

Ms. Spiggle – The County owns it, but the Town maintains it…I'm just asking about the maintenance.

Mr. Conner – If the County builds it, the Town can maintain it.

Mr. Jamerson – I have no idea.

Mayor Harvey – That has not been discussed at all. Jeff Elder, myself and Mrs. Adams need to get together to discuss that. It will have to be brought to the Town Council for approval. Everything will be low maintenance.

Mrs. Puckette – What's the possibility of the Town and County applying for grants to help fund this park?

Nathan Harbin – Spoke to the grant opportunities. It can stretch out the timeframe quite a bit – so it depends on if you want to wait. Most of the grants for things like this are very competitive.

Mr. Jamerson – There is no contingency built into the budget and if money becomes a problem, we just won't build one of the pavilions or something else in the scope. We will cut back until funding is available.

Mr. Hogan – Legally, can a person donate money to a locality?

Mr. Jamerson – Yes, I could donate money to a locality – you would send me a thank you letter, and I can put that on my taxes. We've already researched this because we were thinking we would have to set up one of those 501 (c) 3 tax exempt organizations but we don't have to do that.

Mayor Harvey – I think you spoke of generating some revenue – would that be used for maintenance?

Mr. Jamerson – There are about 10 different ways of doing this. If this becomes a reality – we will find the vehicle to make that happen.

Mrs. Spiggle – Maintenance is more than cutting grass and there is a lot to consider.

Mr. Garrett – Currently the County mows the grass.

Mr. Hogan – Do you have any idea what it would cost to bury the overhead lines?

Mayor Harvey – It is cost prohibitive.

Mr. Millner – I appreciate the private funding initiative. I would like to hear from citizens about the public funding. Some citizens may say the County already has other parks that need funding.

Mayor Harvey – advised that both bodies will have to go back to discuss this. Chad are you requesting a public hearing or public meeting/exposure to this information? We were not planning for there to be a vote tonight.

Mrs. Puckette – The concept is awesome. This is the very thing that we've been told to do to improve growth and economic development.

Ms. Finch – What about the sidewalk on Highland Avenue? I recall there being a lot of talk about VDOT and storm drainage.

Mayor Harvey – That's on the other side of Highland.

Mr. Conner – You don't need a sidewalk on that side of the street – just widen the street and solve a lot of problems.

Mr. Jamerson – This will be taken into consideration with the park plan.

Mr. Jamerson – I'm sure that there will be some stormwater management needed for the plan.

Ms. Spiggle – Quite a few years ago, Proctor Harvey came up with this similar project the Town Council advised Mr. Harvey that we can't do this because we don't own Courtland Field and at that time the two bodies were not so agreeable. The possibility of doing this now is great – haven't we come along way.

Mr. Garrett – Do you intend to go over $300,000?

Mr. Jamerson – We've identified what we think we can get in donations.

Mayor Harvey – Once it is open to the public – some businesses will donate that haven't been contacted.

Mr. Jamerson – On behalf of Teresa Lawson, Nathan Harbin, Susan Adams, Paul Harvey and Jeff Elder – I appreciate the opportunity to speak with you tonight. We are very excited about this opportunity.

Susan Adams, Administrator – Appomattox County introduced the next topic. At the November 2016, joint meeting you indicated you would like to speak with an attorney about the possibility of merging the 2 EDA's and so we have Bill Hefty with us. Bill is the expert of authorities in

Virginia. Bill is going to provide you with a presentation and then we will have a question and answer session.

Bill Heft – Susan and Paul asked me to talk about the EDA's and how you could possibly merge them.

Mr. Hefty – The state statue does not allow you just to merge. Two localities can create an authority, so you can have a joint authority from the get-go but nothing that says you can merge two existing authorities.

You could dissolve both of your authority's and create a new joint authority and that would be legal, but you cannot dissolve the economic development authority if it has debt, so you can't dissolve the County EDA even though you could dissolve the Town EDA and then create a joint EDA. So, that's the legal side of merging them.

You could go back to the General Assembly and say merge the 2 EDA's even though one has debt and that means the Town of Appomattox would be responsible for some of the debt of the County EDA, but we couldn't do that until next year. So, merging them doesn't work very well.

How are there other ways that you could end up with one EDA serving the Town and the County?

One approach is to have both EDA's appoint the same 7 people to each EDA and then they could meet and vote on things twice, but it would be the same seven people voting. I don't like that very much but it's a possibility.

Another option would be to dissolve the Town's EDA and have an agreement with the County that they would appoint three (3) members to the County's EDA from the Town. You would be dissolving the EDA that had no debt, leaving you with one EDA.

The other option is keeping both of your EDA's and working together. You could have joint meetings of the EDA's – separate votes – joint projects if you want to. You could have an agreement on how that would work if you wanted to.

There are some other opportunities like tax sharing agreements/revenues sharing agreements between localities.

The Town of Christiansburg and Montgomery County have a revenue sharing agreement that has been approved by the Commission on Local Governments in Richmond, but they have about a 50-acre site of land that is in Montgomery County where they are agreement for meals and lodging taxes. There is a process you have to go through to have the agreements.

Another opportunity is a new thing in Virginia called "Go Virginia" – it is an attempt by the private sector who say they want to have more say in how economic development happens and so we are going to use state money and it is going be run by more businesses. They have divided

the state into regions and they are going to economic development councils and award state grants based on the regions. It is going to be competitive and there are going to be pots of money – it isn't going to be unlimited. Not sure that the merger works great from a legal standpoint, but we are trying to come up with other options.

Questions:
Mr. Conner – Does the County have new people?

Mrs. Adams – We have almost a whole new slate of people and they are active.

Mrs. Puckette – From your vantage point do you see a benefit or advantage to both of us to have one or do you think we just try to work together?

Mr. Hefty – It all depends on how well you work together. Some localities work together well, others do not. If you're going to have one, it's going to be a partnership and I think having one has its advantages.

Mrs. Adams – Is the make up of the Town's EDA all Town members?

Mayor Harvey – No

Mr. Hefty – The nice thing about the legislation is you can have a member from the adjoining locality.

Mrs. Adams – How would you re-establish new term limits?

Mr. Hefty – You may have to do it when they come up for re-election. You do have the issue of what happens when we both disagree.

Mayor Harvey – There was some discussion of leaving the 2 bodies as they are but together a workable policy that is a one-stop. What I'm hearing from you is that it is probably going to be easier to leave the 2 bodies as they are and find a way to work together jointly.

Mr. Conner – The problem as I see it is that the Town can't keep enough people on ours anyway. We can't find people willing to serve. I know from Economic Development that when businesses try to come here, they don't know where to go.

Mayor Harvey – That's my suggestion – have one place they can come.

Mr. Conner – We need a marketing plan that says these are our incentives if they are in town or county. People are confused. They don't know whether to go to the Town Office or the County Office. I don't care if we have one or two, but the Town is having a hard time finding members.

Mr. Hefty – The easiest way would be for the County to have the EDA with 4 members and the Town to recommend 3 members to the County EDA.

Mrs. Carter – It seems to me that there is a lot to be said for moving forward together as we are. If you find out that doesn't work, you can always come back to the idea of – just being one body. Take advantage that we would be a regional body and find a way to work together.

Mrs. Puckette – An agreement with two bodies – we need to get on one page. If you happen to meet an entrepreneur who wants something that we would have something that comes from both bodies that we could present so it's the one stop shop. Do you have an idea of an agreement of sorts that we could consider? I think that would solve everyone's problems.

Mr. Hefty – You need one document. You need to find the right mix for the business. Sometimes it's in Town, other times in the County. You need to eliminate borders and try to attract business.

Mr. Conner – One thing that Appomattox is fortunate about is that the Town is right in the middle of the County – so it's easier to work as one.

Mrs. Carter – Have those 2 EDA's have a joint meeting scheduled, combining their meeting schedules and staffing and by doing that some of that will happen on their own and then the agreements over time.

Mrs. Adams – I think we need to look at this short and long term and that's the purpose of having Bill here tonight. What happens if next year we want to merge. We need to know how to be preparing for that. We can't just make our minds up tonight. If we want to start dissolving something, we start preparing for that. Let's get some of those pieces in place so if 3 years down the road they decide to do this we are prepared so we don't have to have this discussion.

Mayor Harvey – We must prepare for success not failure. The road starts with finding a way to put the 2 EDA's together.

Mrs. Adams – Let's find those common denominators.

Mayor Harvey – I agree with Mrs. Carter – let's the 2 EDA's get together and see what kinds of joint ideas they have but ultimately having one incentive package we could throw out there to come here. Like you said they must come to the Town anyway – even though the County manages most of it. The Town has its own Planning Commission and Zoning that could be streamlined so it doesn't have to be complicated.

Mrs. Adams – I don't think having joint meetings would be the way to start you may just need to focus on one thing like the marketing plan. So, if we go to joint meetings – we have different directions then we really aren't accomplishing much.

Mr. Conner – I think the Board of Supervisors and Town Council, Town Manager, and County Administrator need to give the 2 EDA's the function and direction of what they need to be looking at. They don't get in there and look at the whole world.

Mrs. Adams – Let's pick one thing and focus on that.

Mr. Conner – We aren't looking for an EDA with a vision, we are looking for an EDA to make this thing function. Because their vision is immaterial but what the developer is willing to put up with.

Mr. Hefty – EDA's are largely vehicles for doing things. They can do the financing. It's really your staffs that drive your economic development. At the staff level that really does the work. EDA's are not the ones that should be out there meeting with clients.

Mayor Harvey – Staff to come up with potential marking and bring it to the joint people. Do we depend on the staff to do that first?

Mr. Conner – yes.

Mrs. Adams – I think we bring the ideas, but the EDA has to give the vision of where they want to be.

Mr. Millner – Both bodies need to have the discussion of the focus areas before you give the EDA meaning because they aren't going to have any idea where the focus should be.

Mayor Harvey – I think we need to bring them something and say look at this. What do you think of it? We all have a vision of getting more jobs here – what we need is a package that gets them here. I don't think putting 14 people together will work – look at us. I think we need as a staff to put together marketing ideas and incentive pages and say what do you think of this?

Mr. Conner – In the state of Virginia, the purpose of an EDA is because a town can't write the check out to give incentives. Is that correct?

Mr. Hefty – Yes and I can help you put together marking ideas and incentive packages for consideration.

Mrs. Puckette – That was my whole point earlier – can you help us with us this? I think with some coaching and direction we can get there with our 2 EDA's.

Mr. Hefty – Yes.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to give staff the direction along with Mr. Heft to come up with the idea and then present it the Council and then Council can present it to the EDA. All members present voting aye. Motion carried 5-0.

On a motion by Mrs. Carter, seconded by Mr. Hogan, the Board voted to give staff the direction along with Mr. Heft to come up with the idea and then present it the Council and then the Board can present it to the EDA. All members present voting aye. Motion carried 4-0.

Everyone thanked Mr. Hefty for attending and providing the information.

Mayor Harvey apologized for overlooking our new Interim Town Manager, Clarence Monday. We have been fortunate to hire Mr. Monday on a part-time basis. He has over 32 years of experience in local government.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to meet on February 23, 2017, possibly at the hotel conference room. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Millner, seconded by Mr. Hogan, the Board voted to meet on February 23, 2017, possibly at the hotel conference room. All members present voting aye. Motion carried 4-0.

On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to adjourn at 7:54 p.m. All members present voting aye. Motion carried 5-0.

On a motion by Mrs. Sara Carter, seconded by Mr. Hogan, the Board voted to also adjourn at 7:54 p.m. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
January 24, 2017

The Appomattox Town Council held a Workshop Council meeting on Tuesday, January 24, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett and Mary Lou Spiggle.

Others: Clarence Monday, Town Manager and Roxanne W. Casto, Town Clerk.

Members present waited for 30 minutes but left after no quorum was available to convene the meeting.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
February 13, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, February 13, 2017 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Members absent: C. Lewis McDearmon, Jr.

Others present: Carlton Duck & Brian Moore, Alive Media Services; Daniel Puckette, Times Virginian Newspaper; Ashlie Walter, News & Advance; Tom Utz, Linda Lipscomb, Kelly Hitchcock, Clarence Monday, Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Carlton Duck led the prayer and Pledge of Allegiance.

Consent Agenda -
On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to approve the consent agenda of February 13, 2017 with the addition of NB #7 and committee recommendations under Committee reports. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried 5-0.

New Business –
On a motion by Mrs. Puckette, seconded by Mr. Conner, Council voted to appoint Mr. Tom Utz and Mr. Jeff Garrett to the Town of Appomattox Economic Development Authority effective immediately with a term ending December 31, 2021. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Ms. Finch, Council voted to adopt the Economic Restructuring Plan for the Downtown Revitalization project. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried 5-0.

On a motion by Ms. Puckette, seconded by Ms. Spiggle, Council voted to adopt the Greater Meadowlark Neighborhood Improvement Project Housing Program Design. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to adopt the following resolution authorizing participation in the Virginia Main Street Commercial District Affiliate Program:

> ***WHEREAS****, the Virginia Main Street Program has established the DHCD Commercial District Affiliate Program in the Virginia Department of Housing and Community*

Development (DHCD) to assist localities in developing public and private initiatives to revitalize their downtown commercial areas; and

***WHEREAS**, interested Virginia cities, towns, and counties that are exploring downtown revitalization may participate as an affiliate; and*

***WHEREAS**, affiliate communities are provided access to all Virginia Main Street training, resources, and some technical assistance, as program resources permit; and*

***WHEREAS**, the Town of Appomattox is actively engaged in revitalization of its pedestrian-oriented traditional downtown area and has developed the Town of Appomattox Economic Restructuring Plan to guide revitalization efforts.; and*

***WHEREAS**, the Town of Appomattox will strive to utilize the four points of the Main Street Program: Economic Restructuring, Design, Promotions, and Organization.*

***NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Appomattox, Virginia:*
That the Town of Appomattox apply for selection to participate in the DHCD Commercial District Affiliate Program.

***BE IT FURTHER RESOLVED** that the Town of Appomattox will commit to utilizing the Main Street Approach and will utilize the training and program resources as tools and best practices within the downtown revitalization efforts.*

Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried 5-0.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to adopt the Greater Meadowlark Neighborhood Improvement Project Housing Program Design. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to authorize staff to issue a Request for Proposal (RFP) for interim construction financing. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Ms. Finch, Council voted to authorize staff to solicit bids for Phase I construction of the Inflow and Infiltration Rehabilitation project. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried 5-0.

There was discussion by Council to authorize payment for ½ of the legal fees associated with the joint EDA possibilities. To date the current bill is $2,310.00 for Bill Hefty. This item will be added to the next Council meeting agenda for consideration/authorization.

Committee Recommendations:
On a recommendation of the Physical Development Committee, Council voted to adopt the FY 2018 Capital Improvement Plan and inclusion into the FY 2018 Budget. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner - no, Puckette – aye. Motion carried 4-1.

On a recommendation of the Physical Development Committee and Finance & Planning Committee, Council voted to recommend denial of the request for a zoning amendment to allow mobile homes in the R-3 Zoning District with a Conditional Use Permit. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. McDearmon - absent. Motion carried 5-0.

Scheduled Public Appearances:
Kelly Hitchcock, Planning & Development Director with Region 2000 appeared before Council to provide an update on the Downtown Revitalization Planning Grant Economic Restructuring Plan. Mrs. Hitchcock explained several different scenario's with Council regarding the grant application. Her next steps include attending a technical assistance workshop next week, holding a public hearing on March 13, 2017 with the Town Council, and the application is due by 5:00 p.m. on March 29, 2017 to the Department of Housing and Community Development.

*Mr. Conner left at this point in the meeting but thanked everyone for working around him tonight as he had a family emergency to take care of.

Mayor's Comments:
Mayor Harvey commended Mr. Monday on "hitting the ground running". He has been working hard over the last six (6) weeks. He has also been working well with staff.

Citizen Comment Period –
Mrs. Linda Lipscomb – 147 Maple Street, Appomattox and Site Director for the Museum of the Confederacy will be retiring on March 31, 2017 after 5 years in Appomattox. She will be just days short of 17 years with the Museum of the Confederacy system. She looks forward to her continued work on various projects in Appomattox.

Town Manager's Report:
Mr. Monday reported he is becoming familiar with the Town's operations and staff. He has a tour of the Town planned with Mr. Elder for tomorrow. He is looking forward to one on one interaction with each council member. He thanked Council for the opportunity to serve.

Town Manager's Report –
Mr. Monday reminded Town Council that the Virginia Municipal League will be hosting a Regional Supper in Appomattox on Thursday, April 6, 2017 at the Appomattox Inn and Suites in Town.

The Town invoiced VDOT for $7,640.00 for snow removal in January 2017.

The Town received a favorable score on the VDOT Smart Scale project for Old Courthouse Road. The Town should be receiving more information in the spring 2017.

Council Concerns:
None

Closed Session:
On a motion by Council Member Garrett, seconded by Council Member Puckette, 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 the performance of a specific public appointee of the Town, specifically being Appointee A.

Vote:
Garrett – aye, McDearmon – absent, Spiggle – aye, Finch – aye, Conner – absent, Puckette – aye. Motion carried 4-0.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Finch and Council by the following recorded vote adopted the motion:

Vote:
Garrett – aye, McDearmon – absent, Spiggle – aye, Finch – aye, Conner – absent, Puckette – aye. Motion carried 4-0.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to adjourn the regular council meeting at 8:45 p.m. Vote: Garrett – aye, Spiggle – aye, Finch – aye, Conner – absent, Puckette – aye. McDearmon - absent. Motion carried 4-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Council Workshop Meeting
February 28, 2017-6:00 pm

The Appomattox Town Council held a Workshop meeting on Tuesday, February 28, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Members absent: C. Lewis McDearmon, Jr. and M. Erin Finch

Others present: Daniel Puckette, Times Virginian Newspaper; Kelly Hitchcock, Region 2000; Jeff Elder, Facilities Manager, Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the workshop meeting to order.

Staff provided Council with the FY 2018 Budget Timeline (calendar).

Mr. Monday provided an update on the CDBG Downtown Revitalization Grant application/project. The Town is getting down to the wire with a little more than a month before the application is due for submission. Staff continues to work with the Courtland Field project as a component of the grant application.

Ms. Hitchcock met with Doug Ellis from DHCD to discuss components of the grant application such as what could and could not be included. She met with Mr. Jamerson and Ms. Adams to discuss components of the grant and the Courtland Field project.

$700,000 is the magic number for the proposed budget in the grant application. The project management team (Downtown Revitalization team) will meet again on March 2, 2017 for recommendations to Town Council.

On March 13, 2017-The Town Council will hold a public hearing on the proposed grant application to inform citizens exactly what the grant application will consist of for submission.

Mr. Conner stated he would like to review the material ahead of time and wanted to know how much each business might receive in grant funding.

Ms. Spiggle wanted to know how much grant funding could we apply for.

Ms. Hitchcock provided 1-4 (A-D) scenarios.

Option A- is the original downtown portion of the project.

Options B-C-D are variations including Courtland Field, street lights, etc.

Each business/property owner could receive up to 20,000 of grant funding. $280,000 is available for façade improvements= 20,000 x 14 properties=$280,000.

The Courtland Field project is $600,000= $300,000 private, $300,000 Town/County.

Mr. Garrett- stated he likes the concept (Courtland Field) but thinks it can be done in phases.

Mayor Harvey- stated that lights for the stage and an IT component for the stage area need to be considered.

Mr. Conner- the project looks nice and will clean up a "blighted" piece of property in Town. This is a true economic impact on the downtown area.

Mrs. Puckette-I am ok with the project but where do we stand on the budget.

Mayor Harvey said he thinks we should still put in public money (Town funds).

Mr. Monday stated there will be a joint informational meeting on Thursday, March 9, 2017 at the Appomattox County Board of Supervisors meeting room (board room) at 6:30 pm for public input.

Discussion of Phase II of the Town Children's Park
The second phase will consist of bathrooms and splash pad. There is approximately $270,000 remaining from the FY 2017 budget and council has adopted a CIP for FY 2018 proposing an additional $345,000. Within approximately 2 weeks the specifications and scope of the project will be prepared. The project will be advertised for 30 days. The bids will be brought back for council to award. There will be 1 bid for the bathrooms and 1 bid for the splash pad.

On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to move forward with the bid process for Phase II of the Town Community (Kiddie) Park.
VOTE: Garrett-yes, Spiggle-yes, Conner-yes, Puckette-yes. Motion carried 4-0.

Conner asked if this will cover everything intended at the park-security system, additional parking, a small pavilion or two (2)? Have we figured out any maintenance amounts or operational costs?

Mr. Elder said the facilities will be checked daily and that UV lights are being installed which offer the lowest maintenance cost. There will be locks on the bathroom doors with timers.

Vacant Town Positions
Dana Glover has been hired as the Accounting/HR Specialist and will start March 6, 2017.

Town Treasurer-The previous employee provided resignation effective February 28, 2017. This is a critical component and vital position for the Town. Looking at the future of the Town, the position description has been updated and staff feels the compensation should be reflective.

On a motion by Ms. Puckette, seconded by Ms. Spiggle, Council voted to regrade the positon of Town Treasurer from a 7 to an 11.
VOTE: Garrett-yes, Spiggle-yes, Conner-no, Puckette-yes. Motion carries. 3-1

Mrs. Puckette stated she would like to see some type of compensation for those employees affected by the recent interruptions without a Town Manager and Town Treasurer.

Mr. Conner stated he would rather see a bonus for this type of compensation.

Mr. Monday will research what would be appropriate.

Mr. Monday discussed the Town Manager's position. He spoke with department heads and Mr. Gillespie and is recommending for the town to hire a full-time Town Manager. Part-time may save the Town money, but there are disadvantages. The person isn't always available and it is difficult for that person to be involved with the community.

Full-time will cost more money but the person will be fully devoted to the Town. A full time person is better able to fill the dots.

Mr. Monday will handle recruitment, advertisement and a timeline for filling the position.

Under his contract with the Town he will provide the utmost flexibility to find the best candidate. Per the VRS guidelines, the Town needs to be actively recruiting a full-time Town Manager. If needed a VRS extension could be requested by the Town for Mr. Monday.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to move forward with the recruitment process for Town Manager. All council members present voting aye. Motion carried 4-0.

Council Concerns:
There will be an informational meeting for the Courtland Field project on Thursday, March 9, 2017 at 6:30 pm at the Appomattox County Board of Supervisors, Meeting room, 191 Price Lane, Appomattox, Virginia.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 7:35 pm. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk

Paul D. Harvey
Mayor

Appomattox Town Council
Regular Council Meeting
March 13, 2017-7:30 pm

The Appomattox Town Council held a Regular Council meeting on Monday, March 13, 2017 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Sam Carter, Susan Adams, Chad Millner, Kelly Hitchcock, Ashlie Walter, Daniel Puckette, Linda Lipscomb, Marvin Mitchell, Carlton Duck, Brian Moore, Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Carlton Duck led the prayer and Pledge of Allegiance.

Public Hearing –

Mayor Harvey opened the Public Hearing.

Mayor Harvey stated the Purpose of the Public Hearing.

The Town of Appomattox will hold a Public Hearing on Monday, March 13, 2017 at 7:30 pm at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia to solicit public input on the proposed Community Development Block Grant (CDBG) proposal to be submitted to the Virginia Department of Housing and Community Development for the Appomattox Downtown Revitalization Project. The project will provide for building façade, street and public space improvements along Main and portions of Court and Church Streets. Residents of the project area are encouraged to attend.

The draft CDBG proposal will be presented for comment along with information on projected beneficiaries, including the number of low-and-moderate income residents to benefit from the proposed project. Citizens will be given the opportunity to comment on past use of the CDBG funds. A fact sheet on the draft proposal will be available at the Region 2000 Local Government Council, 828 Main Street, Lynchburg, Virginia beginning March 14, 2017, contact Kelly Hitchcock, at 434-845-3491 or at khitchcock@region2000.org.

Complaints and grievances pertaining to the CDBG proposal can be submitted in writing to the Town of Appomattox, 210 Linden Street, Appomattox, Virginia 24522 or by phone at 434-352-8268 until March 28, 2017

Staff Concerns-
Ms. Hitchcock explained the components of the $700,000 grant applications and the project boundaries. She attended a technical assistance workshop on February 16, 2017.

Mr. Monday thanked Ms. Hitchcock for explaining the grant application and further explained why the application needs to be submitted correctly. The process will be highly competitive including façade improvements, streetscape and Courtland Field. There will be flexibility built into the 3 (three) motions for Council's consideration.

Public Comments-
Mr. Sam Carter requested clarification of Council's consideration item #2. Mr. Monday explained that the 3 motions for consideration by the Town Council will enable the Town to submit the application on its own, with support from Appomattox County and at a cost not to exceed $150,000 for the Town.

Mrs. Puckette inquired about the maintenance of the Park. Mayor Harvey advised that he, Mr. Monday, Mr. Elder, and Ms. Adams will be meeting to discuss this item soon.

Mrs. Puckette said since the Town has no ownership in the property-what protection will the Town have if the County receives an offer on the property?

Mr. Conner said Courtland Field will always be a park from now on.

Mr. Wright assured Council that legal staff could review this item and put some measures in place to satisfy this item. In good faith, some agreement could be reached.

Mayor Harvey closed the public hearing.

Public Appearances
None

Mayor's Comments
Thanked Kelly Hitchcock for her efforts on the Department of Housing Community Block Grant application.

He also read a letter from Dana Mayberry, General Manager of the Appomattox Inn & Suites into the record.

March 13, 2017

Dear Town Council Members,

I am Dana Mayberry , I reside at 156 Gladwood Drive, Appomattox Va. I attended the joint board meeting on Thursday evening, March 9, 2016 that Phillip Jamerson introduced his plans for Courtland Field. I did not think that I would be able to attend and was not on the schedule to speak and even though the floor was opened to additional speakers, I did not take an opportunity to do so as I did not feel prepared. Having much regret, I have been doing a lot of thinking in regard to what I heard that evening and wanted to send a letter in hopes that it would be read and taken into consideration during the decision process.

First of all, I am the General Manager for the Appomattox Inn and Suites. I know everyone in that room would have agreed that the hotel has been an asset to this community and has been bringing in a large amount of tax revenue for all. I have been overwhelmed at the business that has been coming in to this community and I know that the restaurants, shops and businesses as well as the attractions have been seeing an increase in business. On that note, it is Phillip Jamerson's forethought and willingness to invest in this community which made this happen. I did not know a lot about his plans for Courtland Field but must say I was overwhelmed at his presentation and the possibility of this project. What a wonderful and beautiful project for our community.

I wanted to pass on my full support for this project. I would hope that you would not let this opportunity get passed up. This would be another opportunity to draw people into our community to bring in revenue. It would also be something that the people of our community would be so proud of and somewhere that they could enjoy spending time and attending events.

I especially wanted to comment on the Railroad Festival and the concern of how this would affect the setup of the festival. I totally support the Railroad Festival first of all, it is a part of the Appomattox community. I have some of my best memories of my children and family spending time enjoying that festival. It is important to the Appomattox people, it is a time of year where people who have left and moved away, return home again to visit family, attend reunions etc. It must continue as it is a Appomattox tradition and a time that we all share together. An opportunity for the community to come together as a whole and celebrate our home town and its history. However, being one weekend a year, it should not hinder an entire year of what this project would provide for the community. What enjoyment the people of this community would get out of such a wonderful place.

I sincerely believe this is the perfect opportunity to make the Railroad Festival even better, give it some changes and new ideas as it has sort of gotten to be the same ole thing every year. I believe that there were enough smart/creative people in that room the other night that if we all put our heads together can come up with the alternative areas to hose all the necessary and fun events that the Railroad Festival provides the attendees. For ex: we have the new Courthouse parking lot and Methodist Church directly across the street from Courtland field, we have the streets, and we have the middle school football field. Just a few alternatives. There is no doubt that things can be worked out to make the festival continue and be even better!

The people of our community need a place like this! A place that we can bring family, tourist (which is one reason we want to put the LOVE sign there) a place to enjoy events, family celebrations, etc. I also feel like we will draw more interest in hosting events that would draw outside the community, therefore bringing in additional revenue to the downtown area and throughout Appomattox.

Another thing that I really started thinking about after hearing people talk about traveling and seeing places like this was that a lot of us in that room the other night get the opportunity to go places and see beautiful parks just like this one, but there are a lot of people in this community

that do not or cannot go anywhere. That never get to enjoy places like this. They stay right in Appomattox each and every day of the year. We need to consider that when thinking about where our money is used. It needs to go back into projects like this. Projects that provide things for the people that are less fortunate in this community. It really upset me when I heard the comment made in regard to people sitting on their porches and not paying fees to attend events in that field, well so what?? It just happens to be convenient for them….and they are the ones that have to be disturbed by it sometimes, so why not let them enjoy it!!!

I am also a committee member of the new Appomattox Tourism Advisory Committee, For those of you not aware of our new committee, we are currently a group of local business partners that have come together to promote tourism. We are working so hard to come up with lots of ideas and ways to build up tourism and revenue for this community. This would just be one more attraction for us to promote.

I am also a Chamber of Commerce Board Member, I am very proud to be a board member along with several other new board members bringing in fresh new ideas and support to make our chamber work for everyone in the community. This park would be an asset to many of ideas we are coming up with for the people who live, work and visit Appomattox.

There is no doubt in my mind that we will be rewarded in the long run from this project. The town and county will see that providing another attraction in this community will definitely pay off in the long run.

Please do not let this opportunity pass by. Please consider what an overall benefit this would be for Appomattox. We voted for people like you to sit in these positions to look out for the best interest of our community. Don't let us down!

Thank you!

Dana Mayberry

Consent Agenda-
On a motion by Mr. McDearmon, seconded by Ms. Puckette, Council voted to adopt the consent agenda with the addition of NB#4-Consideration to participate in the Local Government Challenge Grant with the Appomattox County Board of Supervisors, with a local match not to exceed $2500 in the FY2018 Budget for the Town of Appomattox, contingent upon the County's participation in the grant. All members present voting aye. Motion carried 6-0.

Unfinished Business
None

New Business

On a motion by Mr. Conner, seconded by Ms. Puckette, Council voted to approve the Department of Housing Community Block Grant application for submission of the Appomattox Downtown Revitalization project.
VOTE: Garrett-yes, McDearmon-yes, Spiggle-yes, Finch-yes, Conner-yes, Puckette-yes. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Ms. Puckette, Council voted to approve the following resolution and authorize submission of the application with the specific project contingent upon the County's consideration of the Courtland Field portion.

RESOLUTION TO ENDORSE THE SUBMITTAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR THE APPOMATTOX DOWNTOWN REVITALIZATION PROJECT.

WHEREAS, the Commonwealth of Virginia, Department of Housing and Community Development has announced available funding for Virginia Community Development Block Grant program; and

WHEREAS, the Town of Appomattox has adopted the Town of Appomattox Economic Restructuring Plan to provide a roadmap of activities to implement the revitalization of the Town's Central Business District; and

WHEREAS, the Town of Appomattox through prioritizing long-term needs to sustain and strengthen the economic vitality of the community, has identified elimination of blight through façade improvements and beautification and safety enhancements of the streetscapes and public spaces within the Downtown District, as defined in the Economic Restructuring Plan, as a priority need in the community; and

WHEREAS, in accordance with Section 104(b)(c) of the Housing and Community Development Action of 1974, a CDBG National Objective of aid in the prevention or elimination of slums and blight will be meet through the project building façade, streetscape and public space rehabilitation; and

WHEREAS, the Appomattox Town Council will appoint a committee to govern the program development and execution of the downtown revitalization project and will develop façade improvement guidelines and maintenance standards; and

WHERERAS,citizen participation requirements have been met by holding public meetings on June 21, 2016 and March 13, 2017, advertising both as appropriate and with notices posted and distributed to citizens.

NOW THEREFORE, BE IT RESOLVED, that the Council of the Town of Appomattox wishes to apply to the Virginia Department of Housing and Community Development for a Virginia

Community Development Block Grant (VCDBG) not to exceed $700,000 to be utilized to conduct a downtown revitalization project in the Town of Appomattox.

BE IT FURTHER RESOLVED, that Clarence Monday, Town Manager, is hereby authorized to sign and submit appropriate documents for the submittal of this Virginia Community Development Block Grant proposal.

Adopted this ____day of _____, 2017

ATTEST: _____

VOTE: Garrett-yes, McDearmon-yes, Spiggle-yes, Finch-yes, Conner-yes, Puckette-yes. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Ms. Puckette, Council voted to authorize participation in a Town project, specifically the Courtland Field project with the Town's portion not to exceed $150,000.
Roll call vote: Garrett-yes, McDearmon-yes, Spiggle-yes, Finch-yes, Conner-yes, Puckette-yes. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to table a vote to participate in the Local Government Challenge Grant with the Appomattox County Board of Supervisors, with a local match not to exceed $2,500 in the FY2018 Budget for the Town of Appomattox, contingent upon the County's participation in the grant-until the March 28, 2017 council Workshop meeting. All members present voting aye. Motion carried.

Council Standing Committee reports-none

Citizen Comment Period-none

Town Managers Report-

The proposals for the Interim financing of the Inflow and Infiltration project will be ready for Council consideration on March 28, 2017. The proposals were due today and the Town received 4 proposals. A thorough review of the proposals will be conducted before a recommendation is made to Council on March 28, 2017.

Council Concerns:

Council inquired about the timeline for the vacant positions of Town Manager and Town Treasurer. Mr. Monday advised that applications are beginning to arrive. The first review for Town Manager will be April 10, 2017.

Mr. Conner stated he agrees with Dana Mayberry's letter to the Town.

Mr. McDearmon commented that Council will need more time for the March 28, 2017 Council Workshop meeting.

Council agreed by consensus to meet at 5:00 pm on March 28, 2017.

Mrs. Puckette stated how happy the meeting on March 9, 2017 made her feel. The Town and County are sharing common goals for Courtland Field.

Mayor Harvey reminded Council members of the Virginia Municipal League Regional Supper on April 6, 2017 at the Appomattox Inn & Suites.

Closed Session
On a motion by Councilmember Garrett, 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/or briefings by staff members pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically relating to the lawsuit currently pending in the Appomattox County Circuit Court filed by the Virginia Economic Development Partnership Authority, and to which the Town of Appomattox is presently a party.

Vote – Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

The meeting was re-opened to the public.

Councilmember Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Councilmember Spiggle and Council by the following recorded vote adopted the motion.

Vote – Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council authorized the Town Attorney to execute the assignment presented to the Town Council, after such assignment is amended to require the VEDPA to indemnify the Town of Appomattox from any claims arising from the Lindenburg project. All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Ms. Finch, Council voted to adjourn at 8:45 pm. All members present voting aye. Motion carried.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Joint meeting - Appomattox Town Council and
Appomattox County Board of Supervisors
March 28, 2017

The Appomattox Town Council and Appomattox County Board of Supervisors held a joint meeting on March 28, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Town Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner, Claudia G. Puckette, and Mayor Paul D. Harvey.

Absent: M. Erin Finch

County Board members present: Sara Carter, Sam Carter, and Chad Millner.

Absent: Bill Hogan and Bryan Moody

Others: Tom Utz, Jeff Garrett, Brennan Hefty, Bill Hefty, Clarence Monday, Interim Town Manager, Susan Adams, County Administrator; Vicky Phelps, and Roxanne W. Casto, Town Clerk.

At 6:35 p.m., Mayor Harvey called the Town Council meeting to order. Mr. Carter, Chairman called the Board of Supervisors to order.

Mayor Harvey led those in attendance in prayer.

Mayor Harvey – We are pleased to have Brennan Hefty and Bill Hefty with us tonight to give us a presentation to help share ideas on how we can move forward with economic development and good thoughts on how to move forward ideas on a marketing plan.

Mr. Bill Hefty – When I was here last time we talked about combining the EDA's and it just does not work very well and partly because one of the EDA's has debt and it's hard to dissolve both of them and reconstitute an EDA and there is no statute that says you can joint 2 EDA's when one of them has debt so the issue really makes that (combining) impossible.

So, you're going to have 2 EDA's – a Town EDA and a County EDA. The other thing we talked about was the EDA's are financing mechanisms, but the nuts and bolts of economic development is administrative, Town staff and County staff. Here you also have the regional organization that is doing economic development and the problem with that is it is regional; do they focus on Appomattox or other areas? In looking at it, we think you need to work together, that's obvious and I think that you have some unique capabilities in the Town and the City [County]. You seem to look from the outside to work together pretty well and you have water and sewer in Town and the business park in the County. One thing that is missing is a person to coordinate the economic development function and having done this over a lot of jurisdictions in Virginia it is really hard for the County Administrator and Town Manager to be in charge of economic development because it is not their primary jobs. Even places not much larger than Appomattox have one person dedicated to economic development.

Our first recommendation is that you think about hiring a combined economic development coordinator. It is the only way, I think, to take what the Town has to offer, what the County has to offer and market those two (2) things together from the standpoint – everyone else has too many duties to focus on economic development and if you're serious about it – having someone who that's their responsibility working with Clarence and Susan, is, we think, the best approach. It doesn't have to be a high paying position. I have a draft here, we call it an Economic Development Associate and a draft Memorandum of Understanding basically a shared position – basically for VRS purposes, an employee of one or the other and we have it being an employee of the County (could be town) and that persons job would be to focus on economic development for the County and the town, to apply for grants, to try to find prospects try to talk to prospects, to try to interest prospects, scheduling meetings, showing them advantage of the Town, advantages of the County, basically marketing Appomattox as one area.

You are much better off if you are willing to market it as one area because the County obviously has land and the Town is just beautiful with a lot of attributes to shop, eat, all sorts of things.

The associate would be responsible for coordinating everything between the Town and the County. Benefits – tailored to the County or Town. Obviously, there are some businesses that are smaller and would just go in the Town – I think it just makes sense. I don't think that an economic development associate needs to focus on just huge businesses. It's the smaller businesses that come into the town – that can add to the tax base of both the Town and the County and also add to the quality of life. I think, it would be a huge mistake I think to only focus just huge business with lots of employees. It's the stores I think they need to focus on as well. Looking at starting July 1, 2017 if you're interested in starting that and you have someone on board who could coordinate all that stuff.

Incentives that the Town can offer such as water and sewer, the County can offer land, development fees, forgiven of taxes or tax rebates these are things the Town and County can work on together. One of the things we put in here is joint meetings, I think this is a great idea. You guys are already doing something that a lot of Town and County's aren't doing. I think around economic development is a way to do that – recommend that there be 3 meetings/year among the governing bodies to talk about economic development along with the EDA's. The EDA's need to be involved in these too since they will be financing those initiatives.

Joint marketing materials – Paul spoke to this – we don't write joint marketing materials, so we did not bring marketing materials on Appomattox. You need to have some, and it needs to focus on what the Town can offer and what the County can offer. The joint presentation makes the economic development effort a lot better and more palatable to small businesses or businesses that may want to come in. They need to know that the Town and County are on the same page and working together. It just works much better for businesses. The goal would be for the associate to have marketing materials by January 1, 2018.

Sharing of tax revenues – I put in the memorandum of understanding not particulars about sharing of tax revenues but that the Town and County agree to explore options. We had hoped that with the Go Virginia initiative that there could be an application from both the Town and

County (2 applications) to apply for some of the funding. We think now that some of the regulations that are going to come out are going to say that the town and county cannot be the 2 that apply. It has to be either 2 county's – a city and a county, but not a town within a county. That's not what the statue says but what the regulations say and that part of the Go Virginia initiative you are not going to be able to do together but you can do it with another county. The MOU being put forward is subject to approval of the Town Council and Board of Supervisors, both of you have to approve it and anyone can end it whenever they want to. It is if you are happy with it you can continue with it.

If you are not happy with it, you can dissolve it and the joint funding would go away. So, each of you would control how long you want to be in this relationship. The question is to look at if you want to hire someone to oversee economic development functions and then work with Susan and Clarence or whoever to make that work going forward. The results are not guaranteed but I think your chances of getting people are a lot better together than if you just rely on the regional effort to bring you prospects. You are competing against other jurisdictions that have people who oversee economic development.

Brennan Hefty presented a Power point presentation on economic development incentives.

Incentive options are tools to use but the prospects may have a different idea. Not knowing when a prospect is coming, and their timeframe may be very short – having someone on staff dedicated to economic development helps in this area.

All of these incentives funnel through the EDA's. One of the obvious ways to incentivize is through a cash grant. In all of the agreement there are "claw backs", so if a company falls short of its goals there is a provision that you get your money back because it is taxpayers' money. Another is the façade improvement grants, which make a huge difference. It's a matching grant. The benefits go a long way. You can donate property and it doesn't have to be at fair market value and the EDA is not required to have a public hearing. Issuing bonds is another way to finance other companies coming in. Richmond does small loans for business start up but you need to be careful with that – EDA's are not bankers and you don't want to get burned on that. Running the incremental tax revenue back through the EDA and the advantage to this is really you aren't taking existing taxes – it's new taxes. Another popular request is waiving of fees – building permit, zoning fees, water and sewer connection fees.

Utility costs seem to be a major issue. They are expensive costs and are going up. Sidewalk improvements are constantly being negotiated.

Another option is something called enterprise zones. The locality must apply to DHCD for designation of the zone in the locality. The concept is certain areas can expect certain advantages for fees, permit fees. There is currently a cap on the number of enterprise zones in the state. You have to wait until one of those expires before applying to the state.

The Local Technology Zone basically established by local ordinances and incentivized through locality funding. Lynchburg was one example of reimbursement of BPOL fees paid.

Lastly, there are state funds and grants that you could be eligible for with regional cooperation.

Questions:

Mr. Carter – asked about the "Go Virginia" through the VEDP – The VA Opportunity fund, yes but the "Go Virginia" goes through a new board that has been created. The Tobacco Commission also has their own board.

Mr. Carter – going back to the beginning – how much time do you think an economic development director or associate should spend in Richmond?

Mr. Hefty – I don't think you need to spend a lot of time with the people at Virginia Economic Development Partnership. That isn't the duty or the job of the people. I think you need to know the people, have contact with them on a regular basis. A lot of the time, the prospects will have already talked to VEDP. You must have a relationship with VEDP, so they will send people your way.

Mr. Carter – that's exactly my point – you can show or see what's been brought in from Region 2000 and that's zero.

Economic Development is a full-time job and if you fully commit to it – there are no guarantees and you truly are competing against everyone else. You really have to get there and market the area.

You have transportation and railroad nearby and you are centrally located. You really do have to spend some time doing it (economic development).

Mrs. Puckette – I think you really need to have a good job description – see some job descriptions, of a successful person.

Mr. Conner – need to pick one boss – the person can't work for 5 people.

Mr. Harvey – this person will have to answer to 2 EDA's, 2 government bodies, a County Administrator, and Town Manager.

Mr. Hefty – If the person is good – they will know how to keep all those balls in the air. You need good personalities.

When you asked us to come here originally it was to try to look at things the Town and County could do together which is I am a firm believer you can do more together than doing it separately and to the extent that the Town can pay we will let the County do it because they are bigger, I think the town has a lot of things to offer in this partnership in terms of enticing businesses to the area. In terms of you are the place where people come to do a lot of business, grocery shop that

sort of thing. The town is an integral part of this – it is much stronger if the town and county do this together than if the county does it on their own – that's just my opinion.

Mr. Conner – I agreed about 4-5 groups to answer to – we are going to suck it up, pick on person.

Mayor Harvey – Have to interact with both; a person with strong character. You may have to pay a little more for this kind of experience. I would like for the board of other council members to speak up and tell us what you think of it.

Mrs. Sara Carter – I think the logical answer to our question about how to obtain our goals of working together [so when we looked at this at our previous meeting] some of the ideas we had before turned out not to be feasible. This looks like a good opportunity to find a way to thread that needle to work together. For the person chosen – it will be critical to hit the ground running and have the expertise to work with the two groups.

Mayor Harvey – If they know how to do the job, they are going to simplify it for us. They take the lead and not create more complications for us. They control the information and what is presented.

Mrs. Puckette – They will have to be a great communicator. The boards have to feel like they are in the loop. This thing of not being in the loop – that's where all kinds of stuff goes wrong. They need a job description with measurable timelines – if in 18 months you bring someone to town or you bring no one to town. We've got to set goals. I don't' want to pay big bucks for someone to drive around in a car and has lunch and whatever.

Mr. T. Garrett – Pay them a salary and if they bring someone in here – reward them – let that person know that if they bring businesses here – we will reward them.

Mr. Conner – Kind of a like a commission.

Mr. T. Garrett – A lot of what's been discussed – we've been doing. I think you need to find the person with the talent we are talking about and brings jobs here.

Ms. Spiggle – The last economic development director, he got mixed up and thought he was a tourism director and we needed an economic development director. He was just confused but a likeable person. You can't bring a business without telling them how nice Appomattox is.

Mr. Hefty – Businesses want to be in a nice place but it's a business decision. So, they are looking at your incentive packages. First, its important to understand what the points of the business are.

Mr. Conner – The prospects want to know what type of workforce you have today – not 5 years from now. Also, if their first question is what the incentives are then they aren't serious. If the workforce is ready, then the incentives are not a major thing.

Mr. Hefty – I tend to agree with you Mr. Conner. The companies that get funneled have done their own research. They are looking for workforce/skill levels, schools/workforce, quality of life.

If they fund those things in a community then it becomes crucial how responsive you are with incentives.

Cooperation between the Town and County speaks to the region getting along.

Mrs. Puckette – How do we get in front all of these other people?

Mrs. Adams – Luck

Mr. Hefty – It's going to take a while. Going to see the VEDP folks, marketing materials to get to companies, networking with other economic development directors, get to work to get your region noticed because a lot of people go the regional entity. Show yourself above others in the region.

Mrs. Sara Carter – we are doing a lot of right things. We are the only school system in the region that is fully accredited – the only one comparable in the state that is accredited. You do the fundamentals and what the Town is doing appealing to the attractiveness, park improvements, and the county has to work those things like schools and appropriate services and the town does a lot of those quality of life things together and we work together like we are supposed to then that is a very appealing package. Then you get someone out there marketing this appealing package; we've got accredited schools and quality of life and start with the fundamentals and then get someone out there to market it.

Mr. Conner – Manufacturing – we need a really good work ethic amount of people looking for full time jobs.

Mr. Millner – There are a lot of pieces to the puzzle and we are a lot closer than we thought – so how do we get them all together and working together as a unified team and marketing ourselves.

Brennan Hefty – Everyone in the Unites States knows where Appomattox is located.

Mayor Harvey – Is there somewhere other than just advertising for this position –is there a source we can go to that has these kinds of people that we can talk to without necessarily advertising this position getting a bunch of unqualified people?

Conner/Adams – ½ of the previous VEDP staff that were just fired – VEDP Association.

Mayor Harvey – Someone who is qualified working with 4 bodies – don't want to be behind the eight ball.

Mrs. Adams – I think they need to be strong in technology and social media – databases that need updating. A lot of information needs updating first.

Mr. Hefty – Consider paying more to get more.

Mayor Harvey – Sharing the expense between the Town and County.

Mr. Hefty – Think about working together – joint meetings – Town and County EDA meetings.

Mrs. Puckette – Someone to keep us all informed and up to date.

Sam Carter – To Mrs. Adams: Because of your past economic development director experience – the businesses you attracted Garet Bosiger and the cabinet making company – how did you attract them? Mrs. Adams – it was luck. The prospect went to Halifax and they didn't have natural gas and then they came to Charlotte County and we didn't have natural gas either but it's called "court", the prospect – so you just continue to court them and work with them at the state level representatives and finally they had confidence in us that we could get them natural gas and they located there.

Mr. Bosiger, a company from Indiana purchased it from him – basically finders' luck – with oversees connections and the gift of the building, she got grants – all with no help from the region.

Mr. Millner – the prospects how many started inquires through the internet, regional, VEDP?

Mrs. Adams – They contacted Charlotte County directly and then the County contacted VEDP, always good to have the Governor's cabinet at that meeting – especially if they are coming from out of state. So, we would just have a round table discussion with all the parties. Tobacco Commission, Workforce Development, one stop shop because you only get one opportunity to sell yourself. I sold myself to the cabinet company because I like Conway Twitty.

Mayor Harvey – any other questions –

Adams – There is an area of economic development we need to keep in mind and that is the level of confidentially that all the bodies need to be informed and there's a timing factor on that – when the bodies need to be informed.

Mr. Conner - Keep it confidential. Turn them lose and let them go and do their job and keep their mouth shut.

Mr. Sam Carter – Mr. Bob Goode – what do you think?

Mr. Goode – there is a lot of wisdom in this – it takes the burden off a lot of people and puts in on one and they will work with it much easier than a bunch of people.

Mr. Conner – If you want to be informed on everything (prospects) that person is working on – then you might as well forget it – because it won't work. Give them guidelines and let them go.

Mrs. Puckette – I understand – in some manner we have to hold them accountable – to employ someone for several years and have nothing…

Mr. Conner – I hate to tell you this, but you might – it's a gamble you have to take.

Mrs. Puckette – If he/she can provide a report – Richmond & prospects – then we will give them enough time.

Mr. Conner – It could take 3-4 years…

Mrs. Adams – I think they could give you a spreadsheet with activities. WIG is one we are working with now. It doesn't give you too many details but lets you know they are doing something.

Mayor Harvey – How long did it take [Charlotte County businesses]?

Adams – typically they have to take it back to their boards. Oh, the timeframe of those entities – less than a year.

Mayor Harvey – Thanked Mr. Bill Hefty and Brennan Hefty for attending the meeting and providing the MOU.

On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Millner, seconded by Mrs. Sara Carter, the Board voted to also adjourn at 7:40 p.m. All members present voting aye. Motion carried 3-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Council Workshop Meeting
March 28, 2017

The Appomattox Town Council held a workshop meeting on Tuesday, March 28, 2017 at 5:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch, C. Lewis McDearmon, Jr.

Others present: Thomas Utz; Susan Adams; Jeff Elder, Facilities Manager; Clarence Monday, Interim Town Manager; Roxanne Casto, Clerk of Council

Mayor Harvey called the meeting to order.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to award financial services for the interim financing of construction costs associated with the inflow and infiltration rehabilitation project to the Bank of the James and to approve the interest rate of 2.27%. All members present voting aye. Motion carried.

Mr. Monday provided an update on the Community Development Block Grant for the Downtown Appomattox Revitalization Grant, specifically the Courtland Field project. The program budget is $677,700 for Administration, Façade program, Streetscape, Courtland Field, Harrell St & Marketing. With the authorization you have already provided, Ms. Hitchcock is working hard to have the grant application submitted by tomorrow, March 29, 2017.

Mayor Harvey-there was never an official vote on this but I was at a meeting where the Town's intent was questioned by one of the board members and I took it upon myself to think the Town has already intended to divide the grant money, if awarded between the Town & County for the use of the Courtland Field project. I am asking for an official vote so there won't be any question out in the public about our (the Town's) intent with regards to the $140,000 associated with the grant.

I apologize if I overstepped my bounds regarding the letter sent to the board but I felt like I was in some way protecting the Council's integrity.

Ms. Spiggle-I have this letter here but we should have voted on it before sending the letter. I do think you (Mayor Harvey) jumped the gun but your apology is accepted.

Mayor Harvey-I'm going to defend myself just a little bit here. No one objected except Mr. Conner who said we should still donate the $140,000 and give the $150,000 for the Town.

Ms. Puckette-I have another issue but I am not opposed to sharing funds but my concern is we are talking here about taking care of all the maintenance. We don't have a clue how much all of that is going to cost and we are talking about giving all this up which is neither here nor there but we have no control over that park, we have no ownership. I have concerns over that. Anything

could happen. We are getting along and that is great but we need to do the things that will ensure that there are no issues coming down the pike.

Mr. Elder wanted to address concerns. No one has agreed on behalf of the Town to do anything at the park. Nothing has been decided on the maintenance and who will pay for it or anything else.

After our last meeting, Ms. Spiggle said she thought she understood that Mr. Monday, Mr. Harvey, and Mr. Elder were going to meet with Ms. Adams to discuss the maintenance.

Mr. Monday said everyone (above) met last week but it is so early in the process it is hard to be so definite in the process this early on.

I think under item B I totally agree that a definite plan needs to be carved out. I have found Ms. Adams to be very open to ways to share those responsibilities so it won't be a burden or increasingly demanding on the Town or the County-that it can be distributed in a fair and equitable way. We do need to have those conversations & determine a final plan of work.

Mr. Conner-they have some staff that does certain functions & we have some staff that does things that county staff doesn't do & vice versa and maybe we can match that up.

Mr. Monday-good suggestion

Ms. Adams-Like Jeff Elder, Mr. Monday, and the Mayor said-we've sat around the table and looked at what our resources are and how we can share those resources at a minimal cost that would be to the Town or the County either one. As a committee, we are working well together but we aren't going to make any decisions that wouldn't come back to the Town or County. The land issue I think the biggest concern is going into the vote of the using the park property which is the County property for the grant if that money were not shared, I'm not sure that the board would have voted for it to be a part of the grant so we have to take it back for another vote if it were not participating in the grant and sharing the money.

Mr. Conner and Mrs. Spiggle-I think if we are going to work together-then we need to do that.

An announcement of the grant will most likely come the first week of July, as to whether the grant has been funded or not.

Ms. Spiggle-do you know when Phillip Jamerson intends to break ground-Ms. Adams, Mayor Harvey, etc. At the last meeting, he said April 1st-he wants to start as soon as possible-the part not covered by the grant.

Mr. Garrett-at what point do we approve Mr. Jamerson as the project manager?
Ms. Puckette-there needs to be some guidelines. No one has voted on that yet.
Mayor Harvey-that was a conceptual plan. The next step is to do an actual design. That is what we come back and vote on.

Ms. Puckette-I'm talking about the money-we haven't voted on anything like that. We voted on the $150,000 if everything falls into place-but the other things haven't fallen into place yet and everyone's going it's a done deal and we have some concerns we need to work out.

Ms. Adams-That's the purpose of appointing a person from the Town and County to this committee to bring that back to group.

Ms. Puckette-we are in the dark

On a motion by Mr. Conner, seconded by Ms. Spiggle council voted to split the $140,000 grant funding, with Appomattox County, if awarded, for the Downtown Revitalization Grant, specifically for the Courtland Field project.
Roll call vote: Puckette-yes, Conner-yes, Spiggle-yes, Garrett-yes. Motion carried 4-0.

On a motion by Ms. Spiggle, seconded by Mr. Conner Council voted to appoint Mr. Timothy Garrett to the Courtland Field Project Committee. All members present voting aye. Motion carried.

There was a discussion of the Town resuming its Zoning functions. Mr. Conner stated he didn't see a problem leaving it with Appomattox County. Mr. Roark is available 5 days a week and Mr. Gillespie is only in Appomattox 1 day a week. If you have to get your building permit and health permit at the County office why not the Town zoning permit? I think this adds a burden to the taxpayer.

Mrs. Puckette asked why this item has come up?

Mr. Monday asked for the item to be placed on the agenda. It is typical for most localities to take care of their own zoning functions.

I think it is very gracious and admirable of what the County did to help the Town. Back before I came here, you were without a Town Manager and Mr. Gillespie in trying to help with Zoning and I & I matters, it was difficult to do both. As we search for a Town Manager-I would hope a new Town Manager would assume over your zoning functions. Mr. Gillespie is most familiar with Town Zoning Code. It sounds more professional to refer citizens to your own staff, rather than sending them to the County office.

In a normal situation, yes, but let's wait to see if the Town Manager has zoning experience. Have Johnnie Roark review the code, Town staff member to sign off.

In the essence of time and hearing no discussion moving towards changing this arrangement, Mayor Harvey closed the floor for discussion.

Mayor Harvey asked Ms. Adams if Appomattox County has approved funding for the Arts Challenge Grant. Her response was no.

Mayor Harvey stated that this item was tabled earlier this month contingent upon the County funding the same.

The application is due for submission by April 1-payment of local matching funds would not be until next year.

Mr. Garrett-Where is the grant going to if you get it?

Mayor Harvey-Available to any non-profit who applies? -Not sure of this to be a fact.

Ken Arpino-The application must come from a local entity with a match of local funds. It must be used for an arts project. We are proposing Shakespeare in the Park as the project.

Mr. Conner-From what my wife tells me and she has been doing this for 20 years-you have to know the project before submitting the application.

Ms. Puckette-how many can you get in one year?
Mr. Arpino-just this one.

Mr. Conner-501 (c) 3 doesn't mean much to me.
Mr. Conner-didn't we give you all $1500 a while back?

Mr. Arpino-That was for tourism.

Mr. Conner-I have a real problem donating to things that aren't in Town. It shouldn't be a burden to live in Town. You shouldn't have to pay twice for everything.

Ms. Spiggle-since the Board agreed last year to contribute-would they fully fund their portion again?

Mr. Garrett-I would like to be a part of the process from the beginning-not when it gets to this point in the application part. I am not supporting it.

Ms. Adams-Last year we identified 2 groups who could benefit from this grant-The Courthouse Theatre and Wolfbane production. I think Timmy you were going to check with the school drama/theatre group to see if they were interested. If we had a budget on a specific event, the County could apply on their behalf.

Mr. Conner-I feel like we get this stuff at the last minute to donate taxpayers money and if we want to donate it-we should do it out of our own pocket.

Ms. Spiggle-If you were going to do Shakespeare in the Park, would you have done it in Courtland Field if it were not being considered for improvement?

Mr. Arpino-No, we would probably have gone back to the National Park.

The location of downtown is more appealing because of the downtown restaurants, etc. than at the National Park, we have to find these services for people. It's just easier in Town.

Ms. Puckette-I see both sides of it. I can't help but be a little concerned that it's not all in Town.

Mayor Harvey-As usual I'm going to throw in an opposing position on this. The events that are held in Town are going to bring people to Town and they are going to spend money in Town-meals, cigarettes, etc. I don't think we are going to lose money by supporting this with $2500. If they get 300-500 people at one of these things-we will not lose money. You say we are spending Town money but we are going to get money back by having these events in Town.

I think all of you might be overlooking the fact that there is a benefit to the Town indirectly because the event is held in Town. As usual I'm on the opposing side to not spending money but we will not lose any money, may not make any but won't lose it either.

Ms. Spiggle-I thought the event wouldn't be in Town until after the park was up and running. Am I mistaken?

Mayor Harvey-I said at some point we will indirectly get the money back.

Ms. Spiggle-Isn't this a yearly grant?

Mr. Arpino-You can apply every year so you wouldn't make a contribution until next year and the play isn't until next year so it would all happen at one time.

Ms. Puckette-I just don't know how the public will react if we just hand out $2500 for this, for one event, for rather than a blanket or a lot of people. I can just imagine people coming up to me asking why did I do that.

So, what's my answer then?

Mr. Conner-I think it's a never-ending thing. If we give $1500, $2500, $5000, here or there then you have the cub scouts or the football team. That did great for this community but do you give them $2500 a game? The 4-H, FFA, etc. I think you need to personally give, not give the taxpayers money. I voted against every one of these, so I'm solid with these.

Mayor Harvey put the request up for a motion for consideration of pledging $2500 towards the Arts Challenge Grant contingent upon the County's participation also. Is there a motion & second? Hearing none, the item will lay where it is. (Died for a lack of a motion.)

Discussion of FY2018 Budget

Mr. Monday outlined the notebook presented to Council. The first item is the budget timeline General Fund Revenue, preliminary estimates along with Water and Sewer Revenue estimates and all expenditures and a preliminary snapshot on all revenues and expenditures.

At the June 12, 2017 Council Meeting, Council will adopt the budget so we are good on time. The public hearing will be May 8, 2017 or May 23, 2017. The date will be determined by the next two (2) meetings. No action required this evening.

Revenues and Expenditures are all posted to the financial program through February 28, 2017. Also listed is this fiscal year 2016-2017 Budget amounts and year to date revenues and expenditures. The general fund for Fiscal year 2018 reflects a couple of journal entries needed to reallocate revenue to the proper line item. The sewer fund revenue reflects a $2,000,000-line item for the interim financing. It is a "wash" with the sewer fund line item expenditure for the USDA project. This is the construction funding for the Inflow & Infiltration project. The budget is the same format as you have been used to seeing in the past. There has been a slight increase in health insurance and workers compensation and general liability. A journal entry is necessary for FY2017 to reallocate expenditures to the proper line item. FY2018 has been projected in the correct line items. There are notes at the bottom of certain pages. Those notes are Capital Improvement Project memos so you will be able to easily identify projects. In the next few weeks staff will be determining carry forward amounts of FY2017 into FY2018 as projects will likely not be completed in FY2017. Staff will also determine how the FY2017 Internal Service fund was developed and fill in those amounts for FY2018. Lastly, salaries will need to be considered.

Mr. Garrett inquired about the garbage contract. Mr. Elder was instructed by Mr. Monday to inquire about an extension with our current provider.

Mrs. Casto advised Council that every known commitment by Council has been taken into consideration during this budget process.

Mr. Conner asked, "doesn't Council still get to vote on each item after its put in the budget". "Just because it's in the budget doesn't mean we have to spend it." Mr. Monday replied that was up to Council.

Once Council adopts the budget it means it's appropriated and staff can spend it unless there is a separate motion that tells us not to. The budget gives us a road map to do our jobs.

In closing, looking at the last sheet you cannot go by the bottom line until the process is closer to being finished.

Mr. Elder provided a handout regarding Town Hall renovations. Flat roof, electrical issues, basement is leaking, 3 electrical panels, roof drains run into the ceiling, manager's office is

leaking around the windows, mold in the basement, ramp is cracking in spots, street lights, payment box.

Mr. Conner-Can we build a new building cheaper?

Mr. Elder-This building is worth the money. He would like direction from Council. He would like to hire a structural engineer to tell the Town how to proceed with a cost estimate.

On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to allow Mr. Elder to get a cost estimate on how to proceed with renovations to the Town Office building, up to $15,000. Garrett –yes, Spiggle-yes, Conner-yes, Puckette-yes. Motion carried 4-0.

Committee reports-none

Staff Reports-
Mr. Elder advised Council that staff is draining the 100,000-gallon tank for maintenance.

Mr. Monday-Thursday, April 20, 2017 at 5:30 pm the Commonwealth Transportation Board will meet at the Lynchburg VDOT office on Campbell Ave. Someone will need to speak on the Town's behalf for the Smart scale project. This is on the line of being funded. Mr. Conner agreed to attend and speak.

Mr. Conner-I am going to support whatever Council says, whether I am for it or not when I speak on behalf of you.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to adjourn at 6:05 pm. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Casto, Clerk of Council Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
April 10, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, April 10, 2017 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Ashlie Walter, News & Advance, Susan Adams, Appomattox County Administrator; Doug Hudgins, CHA, Inc.; Donna Witt & Daniel Witt, Teresa Gabrielson, Times Virginian; Rick Butler, Carlton Duck, Brian Moore, Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Regular Council meeting to order and welcomed the visitors.

Rev. Carlton Duck led the prayer and Pledge of Allegiance.

Public Appearances
Doug Hudgins, CHA, Inc. gave a presentation and update on the Inflow and Infiltration of the Town's sewer system project. The bids for the project are due on May 2, 107. Mr. Hudgins will be back on May 8, 2017 to attend the Council meeting.

Mayor's Comments
Mayor Harvey read the annual Arbor Day Proclamation and Mr. Rick Butler presented items to the Town in recognition of their continued dedication and participation in the Arbor Day program.

TOWN OF APPOMATTOX
ARBOR DAY PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fire and countless other wood products, and

WHEREAS, trees increase property values, enhance the economic vitality of business areas, and beautify communities, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Paul Harvey, Mayor of the Town of Appomattox, do hereby recognize the 28th day of April, 2017 (the last Friday in April) as our Annual Arbor Day celebration and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Consent Agenda-
On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to adopt the consent agenda for April 10, 2017 as presented. All members present voting aye. Motion carried.

Unfinished Business
None

New Business
On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to approve the payment request #1 of the 4 annual payments that were provided as an Economic Stimulus Grant in the Performance Agreement between the Town of Appomattox, the Town of Appomattox Economic Development Authority and COJANA, a Limited Liability Corporation in the amount of $25,330.68 to COJANA, a Limited Liability Corporation as the owner of the Appomattox Inn and Suites and also consideration in accepting payment request #1 that COJANA has met its responsibilities as noted in the Performance Agreement dated March 13, 2015. All members present voting aye. Motion carried.

Council Standing Committee reports
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to authorize advertising the FY 2018 Annual Budget for the Town of Appomattox as presented. All members present voting aye. Motion carried.

Citizen Comment Period
None

Town Managers Report-
None

Council Concerns:
Mrs. Puckette sat down with Mr. John Redding several months ago to talk about the Chamber of Commerce and he was most open to some of the reasons why we were not open to his proposal before. He took my words to heart and I received an email from him last week and I asked if I could share it. Basically, he has been working on a seminar for their merchants the first of May to discuss how to market themselves and their businesses better. He also indicated they are going to change the name of Friday Cheerz and make it a more family friendly event. Mr. Redding seemed very open to the comments and took them to heart and I just wanted to share this with you.

Closed Session
On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, 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 prospective candidates for employment, specifically being applicants for the position of Town Manager.
Vote – Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

The meeting was re-opened to the public.

Councilmember Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Councilmember Finch and Council by the following recorded vote adopted the motion.

Vote – Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 8:55 pm. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
April 25, 2017

The Appomattox Town Council held a Workshop meeting on Tuesday, February 28, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the workshop meeting to order.

Mr. Monday reported that an applicant called and is unable to attend tonight. His interview will be rescheduled to Monday, May 8, 2017 at 6:00 p.m.

There was a 15-minute recess.

Mayor Harvey reconvened the meeting.

Mayor Harvey announced that Mr. Phillip Jamerson has invited Town Council to a fundraising event at the hotel on April 28, 2017 at 6:00 p.m. Mr. Monday cautioned the Council Members of meeting requirements under the Freedom of Information Act.

Discussion of FY 2018 Budget

Mr. Monday advised Council of the FY 2018 salary adjustments for Town employees. Employees receiving a satisfactory or better rating on performance evaluations would receive a 2.7% merit increase. The remainder of the funds would be spent to correct grade and compression issues/problems.

A trailer crash cushion is needed for Public Works activities. Mr. Elder reported he has found one for approximately $28,000.

Town Council gave consensus to proceed with filling the Information Technology Technician position. Mr. Monday reported he hopes to have someone hired by June 1, 2017.

Mr. Monday reported that interviews for the position of Town Treasurer will begin tomorrow, April 26, 2017.

Republic Services would like to exercise their option to extend their contract for an additional 3 years. There will be a 6% increase for FY 2018 and FY 2019 and 2020 would be based on the Consumer Price Index (CPI).

The garbage contract extension will be placed on the May 8, 2017 Regular Council meeting agenda for official consideration.

Mr. Elder will touch base with Mr. Pendleton regarding the structural analysis of the depot.

Mr. Elder continues to rent a generator for the Public Works department. The cost could be $40,000 – 50,000. It is not currently in the budget or the FY 2018 proposed budget. Mr. Garrett stated Mr. Elder possibly needed a 20KW generator for the Town Office.

Mrs. Casto reported that Sheriff Letterman will be attending the May Council meeting.

Mrs. Casto reported that flowers were sent to the Gabathuler family.

Courtland Field Update
Mr. Garrett reported that the committee has met several times. A Memorandum of Understanding has been discussed. Mr. Jamerson is working to have a document drawn up to make sure the property remains a park. Mr. Jamerson is also working on a theme for the park. A budget is being developed.

The County is going to have the donations funneled through the EDA or 501 (c) 3, one way or the other.

[Ms. Finch left at 6:25 p.m.]

Council Concerns:
Council discussed the possibility of using the 1865 Foundation as a vehicle to accept the statues from other localities.

Closed Session
On a motion by Mr. Conner, seconded by Mr. 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidate B and for the purpose of discussion prospective candidates for employment, specifically being applicants for the position of Town Manager.

Vote – Garrett – aye, McDearmon – aye, Spiggle – aye, Finch –absent, Conner – aye, Puckette – aye. Motion carried 5-0.

Council Member Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Vote – Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – absent, Conner – aye, Puckette – aye. Motion carried 5-0.

Mayor Harvey read the following statement:
The Town Council, as authorized by Virginia Code Section 2.2-3712 (B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidates, in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 8:35 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC	Paul D. Harvey
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
May 8, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, May 8, 2017 at 5:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette. M. Erin Finch – arrived at 6:05 p.m.

Others present: Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order at 5:15 p.m.

On a motion by Mr. Conner, seconded by Mr. Garrett, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidate B and for the purpose of discussion of prospective candidates for employment, specifically being applicants for the position of Town Manager.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – absent, Conner – aye, Puckette – aye. Motion carried 5-0.

Council Member McDearmon made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Spiggle and Council by the following recorded vote adopted the motion:

Vote – Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

Rev. Brian Moore gave the invocation and led the Pledge of Allegiance.

Mayor Harvey opened the public hearing and stated the purpose:

To receive public comments concerning the following:

> **Proposed FY 2018 Budget for the Town of Appomattox** - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2018:
>
> | | |
> |---|---|
> | GENERAL FUND EXPENDITURES | 2,553,191.00 |
> | INTERNAL SERVICE FUND EXPENDITURES | 123,500.00 |
> | WATER FUND EXPENDITURES | 962,320.00 |
> | SEWER FUND EXPENDITURES | 3,315,248.00 |
> | **TOTAL EXPENDITURES** | **6,954,259.00** |
>
> | | |
> |---|---|
> | GENERAL FUND REVENUE | 2,553,191.00 |
> | INTERNAL SERVICE FUND REVENUE | 123,500.00 |
> | WATER FUND REVENUE | 962,320.00 |
> | SEWER FUND REVENUE | 3,315,248.00 |
> | **TOTAL REVENUE** | **6,954,259.00** |
>
> Documentation is available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday. For questions, please contact Clarence C. Monday, Interim Town Manager at 434-352-8268.

There were no public comments made during the hearing.

Mayor Harvey closed the public hearing.

Public Appearances
None

Mayor's Comments
Mayor Harvey recognized Mrs. Casto for Municipal Clerks Week.

Consent Agenda-
On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adopt the consent agenda for May 8, 2017 as presented. All members present voting aye. Motion carried.

Unfinished Business
None

New Business

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt a budget resolution amending the FY 2017 Operating Budget for the General Fund for FY 2015-2016 for the carry forward of funding of incomplete projects from FY 2016.

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

1. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2017 Operating Budget for the General Fund for FY 2016-2017 for the carry forward of funding for incomplete projects*

General Fund Expenditures	
Property Maintenance & Construction	
Public Works Building	*$26,695.00*
Town Hall Improvements	*$29,895.00*
Kiddie Park Improvements	*$70,093.00*
Sidewalk & Curb Improvements	*$64,980.00*
CDBG/Meadowlark	*$990,421.00*
Net Increase in Budget	*$1,182,084.00*
General Fund Revenues	
Use of Undesignated Reserve	*$191,663.00*
CDBG/Meadowlark Grant Revenue	*$990,421.00*
Net Increase in Budget	*$1,182,084.00*

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2017 budget amendments are hereby adopted, 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.
Amended this _____ day of _____, 2017.

All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to extend the Curbside Solid Waste Collection contract dated July 1, 2014 for three additional years, commencing July 1, 2017, expiring June 30, 2020. All members present voting aye. Motion carried.

Council Standing Committee reports
None

Citizen Comment Period
None

Town Managers Report-
Mr. Monday reported on the following items:

- There will be a pre-bid meeting on May 9, 2017 for the Kiddie Park project.
- The I & I construction bids were due today at 2:00 p.m. There was a lot of interest.
- The search continues for a Town Treasurer. Several candidates have been interviewed and analysis of the candidates continues.

Council Concerns:
Ms. Spiggle cited this week as Public Service Recognition Week to honor public servants to local government connecting citizens with local government employees.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to provide 4 hours of recognition leave for Town employees. Leave must be taken within one (1) year and is to be coordinated with their supervisor. All members present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adjourn at 7:50 pm. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Special Call Council Meeting
May 16, 2017-6:00 p.m.

The Appomattox Town Council held a Regular Council meeting on Tuesday, May 16, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council

Mayor Harvey called the Special Call Council meeting to order and stated the purpose of the Special Call Council meeting as a closed session.

Closed Session
On a motion by Councilmember Conner, seconded by Councilmember Conner, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidate D and for the purpose of discussion of prospective candidates for employment, specifically being applicants for the position of Town Manager.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye.

Council Member Finch made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Conner and Council by the following recorded vote adopted the motion:

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye.

Mayor Harvey read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adjourn at 7:45 pm. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
May 23, 2017-6:00 pm

The Appomattox Town Council held a workshop meeting on Tuesday, May 23, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch

Others present: Susan Chapman, Kim Ray, Gary Shanaberger, Clarence Monday, Roxanne Casto

Mayor Harvey called the meeting to order.

Presentation of FY 2016 Annual Audit-Susan Chapman, Brown, Edwards & Company, LLP

Mrs. Chapman reviewed the FY2016 Annual Audit including the process and when the final documents would be mailed to the Town. This audit had an unmodified opinion, which is a good thing. There were no major changes in presentation this year. GASB 68 which is the net pension showed a well-funded VRS position. The VRS reporting is always a year behind.

The General Fund assets show that cash is increasing and receivables are increasing. The General Fund liabilities are relatively stable and the unassigned fund balance is growing. All of these are good things.

We (auditors) cannot tell you (Council) how much to keep in reserves or unassigned fund balance. That is a governing body decision.

The General Fund revenues are doing well. There has been a slight drop in property tax, due to reduce in RE tax rate. All other taxes have nearly doubled. The General Fund expenditures have increased by 3% however you (Council) are still putting money back in the General Fund.

The Water Fund cash has increased in the last couple of years. This is due partially to the rent assignment agreement. The capital asset is declining because of the Town's aging system. The Town needs to continue to look at lines and infrastructure. The Water Fund liability is declining, specifically because the debt is declining. All of the cash from the sale of the water tank cell towers will be received before the revenue is realized.

The Water Fund Operating Revenue vs. Operating Expense has been in the negative for the last 5 years. This is due to depreciation. Depreciation is a use of the assets and is a non-cash expense. The Town needs to recognize the expense. Mrs. Chapman recommended a Rate study be performed. The cash reserves are growing in the Water Fund. The depreciation is the real issue with the Water Fund.

The Sewer Fund is also operating at a loss but has made progress. The water and sewer funds need to be stable.

The management letter still addresses segregation of duties as well as other comments & suggestions. Inventory is now being recorded. There is a delicate balance between what items are needed and what is obsolete.

Roxanne will provide Council with a copy of the Management letter tomorrow.

Looking out on the horizon, there will be new GASB standards affecting the financials. The GASB (General Accounting Standards Board) wants to change the format for reporting. It would be more like what you would see in a for-profit world. Brown Edwards will communicate any changes to the Town.

Mrs. Chapman asked Council if they had any question. After hearing none, Mayor Harvey thanked Mrs. Chapman for all the information.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept the FY2016 Annual Audit by Brown, Edwards, & Company, LLP. All members present voting aye. Motion carried 5-0.

Request to vacate an unopened and unnamed alley.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to refer the matter to the Town Attorney to give an opinion regarding the structures and driveway located within the unopened and unnamed alley. All members present voting aye. Motion carried 5-0.

On a motion by Mr. McDearmon, seconded by Ms. Puckette, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidate D and for the purpose of discussion of prospective candidates for employment, specifically being applicants for the position of Town Manager.

VOTE: Garrett-aye, McDearmon-aye, Spiggle-aye, Conner-aye, Puckette-aye, Finch-absent. Motion carried.

The motion was re-opened to the public.

Mr. Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a Closed Session on this date, pursuant to an affirmative recorded voted and in accordance with provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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 close meeting were heard, discussed or considered by this Council.

The motion was seconded by Ms. Spiggle, and Council by the following recorded vote adopted the motion:

VOTE: Garrett-aye, McDearmon-aye, Spiggle-aye, Conner-aye, Puckette-aye, Finch-absent. Motion carried 5-0.

Council Concerns

Mr. Garrett requested information/update on where Council stands on the staggered terms. Mr. Monday stated he had spoken with Frank Wright, Town Attorney and that the bill died in committee during General Assembly session of 2017. Therefore, the Town will need to start the process all over, including a public hearing.

Council members will contact Delegate Fariss and Senator Peake individually to garner support for charter change with regards to staggered seats and term changes.

Mr. Garrett reported that the Courtland Festival Park committee will meet on Wednesday, May 24.

Mayor Harvey read the following statement:

The Town Council, as authorized by Virginia Code 2.2-3712 (B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular scheduled meeting.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 8:10 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Public Hearing
June 12, 2017

The Appomattox Town Council held a Public Hearing on Monday, June 12, 2017 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Margaret Camel, News & Advance; Teresa Gabrielson, Times Virginian; Jeff Elder, Facilities Manager; Frank A. Wright, Jr., Town Attorney; Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order and opened the public hearing by reading the following stated purpose of the hearing:

Notice is hereby given that the Town Council of the Town of Appomattox, Virginia (the "Council") will hold a public hearing to receive public comment and to consider the adoption of: (1) a proposed Resolution (the "Interim Note Authorizing Resolution") authorizing the issuance by the Town of an aggregate not-to-exceed $2,000,000 Town of Appomattox, Virginia Promissory Note (the "Interim Note") to the Bank of the James (the "Bank"), and (2) a proposed Resolution (the "Bond Authorizing Resolution") authorizing the issuance by the Town of Appomattox, Virginia (the "Town") of an aggregate not-to-exceed $3,780,000 Town of Appomattox, Virginia Sewer Revenue Bond, Series 2017, in one or more series (the "Bond"), to the United States of America, acting through Rural Utilities Service, an Agency of United States Department of Agriculture ("RUS").

The Town shall use the proceeds of the Interim Note and the Bond, together with other monies lawfully available to the Town to pay capital costs in order to provide a portion of the funds needed by the Town to (i) acquire, construct, rehabilitate, and equip various improvements to the Town's sewer system and facilities related thereto, including but not limited to Trickling Filter Sanitary Sewer Basin Rehabilitation – Phase I – a system-wide rehabilitation of existing sanitary sewer, which includes approximately 14,104 LF of cleaning and CCTV, 23,681 LF of pipe lining, 1,141 LF of pipe bursting, 233 lateral rehabilitations and reconnections, 4 sewer line point repairs and 8 manhole installation and a system-wide rehabilitation of existing sanitary manholes, which includes approximately frame and cover rehabilitation of 26 manholes, raising manhole frame to grade for 6 manholes, cementitious lining on 325 FLT of manhole walls and miscellaneous interior rehabilitation items and (ii) pay issuance costs in connection with the Interim Note and the Bond (collectively, the "Project").

The Bank has offered to provide interim financing for the Project represented by the Interim Note in an original principal amount up to $2,000,000. The interest on the Interim Note shall be 2.270% per annum for a term up to two years. The payment of the principal of and interest on the Interim Note shall be unsecured.

The Bond would be issued by the Town pursuant to the terms of a letter to the Town dated April 29, 2015 from RUS (the "Letter of Conditions") and further, the provisions of the

Bond Authorizing Resolution and the Form RD 1780-27 Loan Resolution, as required by RUS to set forth the form and details of the Bond to be considered for approval by the Council on June 12, 2017 during the regular meeting thereof. The Town will also consider approval of the Form RD 1780-12 Grant Agreement.

As set forth in the Letter of Conditions, RUS has advised that the Project is eligible for permanent, long-term financial assistance which shall consist of a $3,780,000 loan represented by the Bond and a grant in an amount up to $1,879,000 for a total funding award for the Project in an amount up to $5,659,000. The interest on the $3,780,000 loan to be represented by the Bond shall be 2.125% per annum for a term up to 40 years. The payment of the principal of and the interest on the Bond shall be secured by a pledge of the revenues of the Town's sewer system on parity with all other obligations of the Town secured by revenues of the Town's sewer system. The Town also shall provide for the establishment and maintenance of reserve accounts in connection with the Bond, as required under the Letter of Conditions.

The public hearing, which may be continued or adjourned, will be held before the Town Council at 6:30 p.m. on Monday, June 12, 2017, at the Appomattox Municipal Building, located at 210 Linden Street, Appomattox, Virginia 24522. Any person interested in the Project, the Town's issuances of the Interim Note or the Bond, or any other matters in connection with such total financial assistance to the Town (all as described above) may appear at the hearing and present his or her views. The Council may set time limits on speakers and other rules and procedures for the conduct of this public hearing.

Information regarding the Project, including such total interim and permanent financial assistance, may be inspected by the public at the Appomattox Municipal Building located at the address given above. Written comments may be forwarded to the Council prior to the public hearing in care of the Town Manager at the address given above.

There were no public comments.

Mayor Harvey closed the hearing.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
June 12, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, June 12, 2017, at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette. M. Erin Finch – arrived at 6:05 p.m.

Others present: Carlton Duck and Brian Moore, Alive Media TV; Doug Hudgins, CHA, Inc.; Margaret Camel, News & Advance; Teresa Gabrielson, Times Virginian; Jeff Elder, Facilities Manager; Frank A. Wright, Jr., Town Attorney; Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck gave the invocation and led the Pledge of Allegiance.

Public Appearances
None

Mayor's Comments
Mayor Harvey invited everyone to try to attend one of the productions of Romeo and Juliet – a civil war themed play by Wolfbane Productions. The play will be held on Thursday – Saturday 8:00 p.m. – 10:30 p.m. at the Appomattox Courthouse National Historical Park. The production ends July 1, 2017. Tickets are $20.00 each.

Consent Agenda-
On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to adopt the consent agenda for June 12, 2017 as presented. All members present voting aye. Motion carried.

Unfinished Business
After much discussion regarding the request to vacate an unopened and unnamed alley between Lucy Street and Oakleigh Avenue, Council agreed to send the petitioners a letter to determine their continued interest along with a copy of the original petition, copy of the plat and to determine if they are willing to share the cost of a public hearing notice.

New Business
Council provided consensus for Mr. Elder, Facilities Manager to obtain all necessary information to fulfill the request for a sidewalk on Church Street between the Searcy property and Liberty Baptist Church property.

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to award financial services for the interim financing of construction costs associated with the inflow and infiltration rehabilitation project to the Bank of the James with an interest rate of 2.27% per annum for a term up to two years and authorize the Mayor to execute any and all documents necessary to issue the loan. All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to award Contract 1 to Insituform Technologies, LLC for the Base Bid of $1,090,813.60, a portion of Alternate A, increasing their total contract amount to $1,180,766.20 and Contract 2 to Layne Inliner in the amount of $219,180. Total construction budget will be $1,469,943.20, which includes the 5% construction contingency allowed by Rural Development. All members present voting aye. Motion carried.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to amend the Employee Handbook – Travel Policy – Appendix A, decreasing the mileage reimbursement rate from $0.54 to $0.535. All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to adopt the following resolution:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2017-2018 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 2017-2018 Budget was published on April 26, 2017 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 8, 2017;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 12, 2017, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2017-2018;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	*51,110.*
Administrative Department	*425,400.*
Professional	*70,000.*
Police Department	*88,980.*
Tourism Department	*86,360.*
Fire Department	*37,000.*
Public Works Department	*690,741.*
Sanitation Department	*97,000.*
Property Maintenance & Construction	*705,400.*
Town Shop	*40,750.*
Donation/Contributions	*233,500.*

Zoning	*750.*
Town Office	*26,200.*
TOTAL GENERAL FUND EXPENSES	***2,553,191.***

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.12 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 $.12 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 situsedwithin the Town commencing January 1, 2017, 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 47.73% tax relief;*
- *Personal use vehicles valued at $20,001 or more shall only receive 47.73% 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.*

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2017-2018;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	*160,000.*
Current Taxes – Personal Property	*100,000.*
Delinquent Taxes	*10,000.*
Penalties & Interest	*5,000.*
Public Service Corporation	*6,000.*
Bank Stock Tax	*130,000.*
Cigarette Tax	*150,000.*
Meals Tax	*1,025,000.*
Lodging Tax	*60,000.*
Franchise Tax	*6,000.*
Consumption Tax	*7,100.*
Vehicle License Tax	*25,000.*
Business License	*170,000.*
Zoning	*2,000.*
Interest	*9,000.*

Rental of Misc. Property	*9,000.*
Motor Vehicle Tax	*4,200.*
Sales Tax	*70,000.*
Aid to Police Department (HB599)	*41,408.*
Fire Programs	*10,000.*
Miscellaneous	*3,000.*
Town DMV Fees	*1000.*
Other Reimbursable	*500.*
TOTAL GENERAL FUND REVENUES	***2,553,191.***

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2017-2018;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	*962,320.*
TOTAL WATER EXPENDITURES	***962,320.***

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2017-2018;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	*320,000.*
Connection Fees	*5,000.*
Penalty Fees	*12,000.*
Availability Fees	*2,000.*
Reconnect Fees	*8,000.*
County Water Line Maintenance	*42,000.*
Miscellaneous	*500.*
Interest	*4,500.*
Credit Card Fees	*1,500.*
Rental of Misc. Property	*28,000.*
Intergovernmental Revenue	*25,000.*
Use of Fund Balance	*513,820.*
TOTAL WATER REVENUES	***962,320.***

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2017-2018;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	*3,315,248.*
TOTAL SEWER EXPENDITURES	***3,315,248.***

SECTION IX:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2017-2018;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	*800,000.*
Connection Fees	*2,500.*
Availability Fees	*2,500.*
County Reimbursement SBR & IDA PS	*77,000.*
Park Service Maintenance	*1,800.*
Interest	*4,000.*
Intergovernmental Revenue	*1,700.*
Use of Beginning Balance	*425,748.*
USDA	*2,000,000.*
TOTAL SEWER REVENUES	***3,315,248.***

SECTION X:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Expenditures for Fiscal Year 2017-2018;

INTERNAL SERVICE FUND; EXPENDITURES BY CATEGORY:

Internal Service Department	*123,500.*
TOTAL INTERNAL SERVICE FUND EXPENDITURE	***123,500.***

SECTION XI:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Revenue estimates for the Fiscal Year 2017-2018;

INTERNAL SERVICE FUND; REVENUE BY CATERGORY:

Reserves	*123,500.*
TOTAL INTERNAL SERVICE REVENUE	***123,500.***

SECTION XII:

The salaries, wages and allowances set out in said Budget are hereby authorized as per the terms of the town's classification and merit system as approved compensation for officers and employees for services rendered, unless hereafter otherwise provided by ordinance; provided however, that the Town Manager is authorized to make such rearrangement of positions in the several departments named in the Budget, in respect to officers and employees appointed by his/her as may best meet the needs and interests of the Town and after approval by Council.

SECTION XIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2017-2018 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XIV:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2017-2018 is hereby adopted, effective July 1, 2017 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 12th day of June, 2017.

All members present voting aye. Motion carried.

Citizen Comment Period
None

Town Managers Report-
Mr. Monday reported on the following items:

- Nathan Simpson has been hired as the Information Technology Technician.
- A press release will be ready later this week regarding the Town Treasurer's announcement. Kimberley Ray's first day will be Monday, June 19, 2017.
-

Council Concerns:
Mrs. Puckette requested an update on the Appomattox Kiddie Park improvements. Mr. Monday replied that the bids were received and are upwards of $500,000, which is higher than expected. Staff is still working on negoiations and verifying bids. More information will be forthcoming.

Closed Session:
On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to convene in Closed Session pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended for purpose of discussion of prospective candidates for employment, specifically being applicants for the position of Town Manager and pursuant §2.2-3711 (A) 7 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town regarding a specific legal matter requiring the provision of legal counsel, such matter being legal issues pertaining to requirements relating to Virginia Retirement System contributions.

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member McDearmon and Council by the following recorded vote adopted the motion:

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 9:35 pm. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
June 27, 2017

The Appomattox Town Council held a workshop meeting on Tuesday, June 27, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: C. Lewis McDearmon, Jr. and M. Erin Finch

Others present: Jeff Elder, Facilities Manager; Kim Ray, Clarence Monday, Interim Town Manager; Roxanne Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to table the update and discussion of the Aquatic Play Area and Restrooms/Aquatic Play Area Equipment Room until July 10, 2017 at the Regular Council meeting. All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to table until further notice, the request for a sidewalk on Church Street from the Searcy property to Liberty Baptist Church. All members present voting aye. Motion carried.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to refer the request to abandon an unopened portion of Autumn Lane to the Appomattox Town Planning Commission. All members present voting aye. Motion carried.

On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to refer the request for a Conditional Use Permit by the Appomattox County Chamber of Commerce for a sign permit to the Appomattox Town Planning Commission. All members present voting aye. Motion carried.

<u>Update on FY 2018 Staff Salary Increases</u>
Mr. Monday thanked Council for their graciousness with $40,000 to provide merit increases of 2.7% to all employees with a satisfactory or better performance evaluation. There were also six (6) positions regraded to alleviate some compression issues. Communication with all employees is being prepared for distribution.

Closed Session:
On a motion by Mr. Garrett, seconded by Mr. Conner, 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 a prospective candidate for employment, specifically being an applicant for the position of Town Manager and 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 discussion of a proposed contract for the employment of a Town Manager.

VOTE: Garrett-aye, McDearmon-absent, Spiggle-aye, Conner-aye, Puckette-aye, Finch-absent. Motion carried 4-0.

The motion was re-opened to the public.

Mr. Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a Closed Session on this date, pursuant to an affirmative recorded voted and in accordance with provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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 close meeting were heard, discussed or considered by this Council.

The motion was seconded by Ms. Spiggle, and Council by the following recorded vote adopted the motion:

VOTE: Garrett-aye, McDearmon-absent, Spiggle-aye, Conner-aye, Puckette-aye, Finch-absent. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to hire Gary Shanaberger as the Appomattox Town Manager. Council further agrees to exercise the contract and authorizes Mayor Harvey to execute on behalf of the Town.
ROLL CALL VOTE: Garrett-aye, McDearmon-absent, Spiggle-aye, Conner-aye, Puckette-aye, Finch-absent. Motion carried 4-0.

Council Concerns
Mrs. Puckette reported on a complaint she received this week regarding loud, disruptive noises outside of a restaurant establishment on Atwood Street at approximately 2:00 a.m. Mr. Garrett suggested writing a letter to the owner of the property.

Staff Reports
None

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adjourn at 7:40 pm. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
July 10, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, July 10, 2017, at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Member absent: Mary Lou Spiggle

Others present: Carlton Duck and Brian Moore, Alive Media TV; Margaret Camel, News & Advance; Teresa Gabrielson, Times Virginian; Jeff Elder, Facilities Manager; Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council.

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

Rev. Brian Moore gave the invocation and led the Pledge of Allegiance.

Public Appearances
None

Mayor's Comments
Mayor Harvey offered thoughts and prayers for Councilwoman Mary Lou Spiggle and wished her a speedy recovery.

Consent Agenda
On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to adopt the consent agenda for July 10, 2017 as presented. All members present voting aye. Motion carried.

Unfinished Business

Update and discussion of the Aquatic Play Area and Restrooms and Aquatic Play Area Equipment Room.

Mr. Monday, Interim Town Manager provided an update regarding the bids received for the above-mentioned project. The bid for the restrooms and aquatic equipment is a valid bid for $75,194. The bid received for only the Aquatic Play area is not a valid bid. The bid received for all of the above-mentioned project is a valid bid for $536,400. Council appropriated $305,000 for this project in FY 2018.

Mr. Gillespie and Mr. Elder can only estimate the sewer line and electricity based on their previous experience.

Mayor Harvey – what changed in the numbers from the last time? $440,000 with the contingency.

Mr. Garrett – The only thing I'm aware of from the original proposal is the water reclaim and electricity sewer line across the creek.

The reclaim unit, $75,000-100,000 wasn't included originally.

Mr. Elder – The building (restrooms and equipment room) for $75,000 does not include plumbing and wiring, you can cut (the cost of the building) by changing the block and roof structure. The idea was to take the low bid for the building and we would come in plumb the building by buying the materials and subcontracting to save money.

Mayor Harvey – Is there a figure for the reclamation facility? Mr. Elder responded $75,000-100,000.

Mr. Conner – Do we know the operation and maintenance costs annually?

Mr. Monday – Responded that staff has discussed this but it is hard to provide a number for that tonight.

Mr. Garrett – I know we need to do the restrooms/bathrooms. They are using a porta-john now and there are 100's of people there. Then we need to see if Council is willing to put the splash pad back out for bid.

Mr. Elder – There is going to be some new development in the area that will need sewer.

Ms. Puckette – We have the funds in place to get the bathrooms done?

Mayor Harvey – I talked to Mr. Monday about doing the restrooms now and splash pad later.

Mr. Monday – That is correct.

Mr. Conner – Is this going to be a 365 day per year bathroom? Holidays and weekend?

Mr. Elder – Replied that probably not in the winter months.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to table until the next regular meeting, any decision on the bathrooms/equipment room, to make it fully operational. All members present voting aye. Motion carried.

On a motion by Mr. McDearmon, seconded by Ms. Finch, Council voted to amend the signature cards at Farmers Bank of Appomattox and Branch Banking and Trust (BB&T) for all accounts with the following authorized signers: Gary Shanaberger, Kimberley Ray, Timothy W. Garrett and Paul D. Harvey. All members present voting aye. Motion carried.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to send a letter to the Lynchburg Regional Business Alliance thanking them for the opportunity but decline to pay the invoice. All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to table the request for street lights on North Avenue and Dutch Lane until there is a review of the agreement with the developer. All members present voting aye. Motion carried.

Town Manager's Report:
Mr. Monday reported on the following items:

- Council gave consensus with sending the request to vacate an unopened and unnamed alley between Lucy Street and Oakleigh Avenue to the Appomattox Town Planning Commission.

- The request by the Appomattox County Chamber of Commerce for a Conditional Use Permit is being sent to the Appomattox Town Planning Commission by consensus.

Mayor Harvey welcomed Kim Ray, Town Treasurer.

Council Concerns:
Mrs. Puckette offered suggested dates for the annual Community Picnic. Council agreed on September 22, 2017 and to provide only food this year.

On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to adjourn at 8:25 p.m. All members present voting aye. Motion carried.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
July 25, 2017

The Appomattox Town Council held a workshop meeting on Tuesday, July 25, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Patricia Garrett, Barry Letterman, Sheriff; Jeff Elder, Facilities Manager; Clarence Monday, Interim Town Manager (by phone); Roxanne Casto, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed visitors.

Town Council received an update from Sheriff Barry Letterman regarding services provided during October 2016 – June 2017.

Council thanked Sheriff Letterman for the update.

There was an update and discussion of the Aquatic Play Area and Restrooms/Aquatic Play Area Equipment Room.

Mr. Elder provided updated information regarding the operation and maintenance of the proposed bathrooms and splash pad.

There were no comments or questions regarding the general maintenance.

There was some debate over the number of weeks the bathroom will be open at the park.

Mr. Elder advised he estimates the additional parking will cost $5,900 and consists of crush and run and #57 Stone. The parking lot will add approximately 21 more spaces.

Mayor Harvey reminded Council the appropriated budget amount for FY 2018 for this project is $305,000.

Mr. Garrett stated it was his goal to create a park for kids to go and have a good time.

Ms. Spiggle noted that the money has been allocated and it is our intention to finish the park.

Mr. Elder said that the splash pad bid was approximately $250,000. The Town has already spent $270,000 including the purchase of the land. The Town is looking at nearly the same prices as HDLA estimated 3 years ago.

Ms. Finch responded that prices will go up over time.

Mr. Garrett stated that Council needs to vote on the bathrooms and parking lot next month.

Mr. Conner said he wanted to be clear that he wanted to keep the park open when others wanted to close it.

At the August 14, 2017, Council intends to reject the bid for the building, state a reason/purpose and notify the contractor.

Mr. Monday said he would work with Mr. Elder next week to determine what Council is trying to accomplish with the bathrooms and review the Town's procurement policy.

Mr. Garrett said if the Town subs the building he would be willing to plumb the building to save money.

Mr. Conner said he believes the Town needs the bathrooms and parking lot.

Mayor Harvey responded saying the Town has the money appropriated and either way needs to accept or reject the bids.

Mr. Monday will prepare the letters for bidders so the Town can move forward with the bathrooms and parking lot.

Mr. Garrett thanked Council for the good discussion.

Council Concerns:
Mr. Conner – The Town needs to look for bids to save people money. There are 680 residences that pay takes and it doesn't need to be a burden to live in Town. Mrs. Spiggle said this is a community and it will be a wonderful park for our community. Mrs. Puckette commented that we are all pay taxes.

Staff Reports:
Mr. Monday reported that Mr. Shanaberger's first day will be August 1, 2017. They have been working extensively and Mr. Shanaberger is eager to get started.

Courtland Field Project:
Mayor Harvey and Mr. Garrett provided an update on the park. The site work has been awarded, the Erosion and Sediment control issues have been worked out. Dirt will start moving soon. The contractor will start with the stage area first. The Town has installed the sewer line. There is no word on the Downtown Revitalization Grant yet.

Smart Scale – Rt. 24 project:
There has been no official word on this project.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to adjourn at 7:10 pm. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
August 14, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, August 14, 2017, at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck and Derek Norfield, Alive Media TV; Margaret Camel, News & Advance; Alexa Layne, Times Virginian; Nathan Simpson, Information Technology Technician; Kim Ray, Town Treasurer; Jeff Elder, Facilities Manager; Clarence Monday, Interim Town Manager and Roxanne W. Casto, Clerk of Council.

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

Pastor Carlton Duck gave the invocation and led the Pledge of Allegiance. Council participated in a moment of silence recognizing the recent death of Pastor Duck's wife.

Public Appearances
Nathan Simpson, Information Technology Technician for the Town of Appomattox appeared before Council to provide an update on the recreation of the Town's Tourism website – www.historicappomattox.com. He intends to launch the new site in mid-September.

Mayor's Comments
Mayor Harvey welcomed Mr. Shanaberger to his first Council meeting as the new Town Manager. He also welcomed Mrs. Ray, Town Treasurer. She will give her first update tonight.

Consent Agenda
On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to adopt the consent agenda for August 14, 2017 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business

Update and discussion of the Aquatic Play Area and Restrooms and Aquatic Play Area Equipment Room.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to reject the bids for the Aquatic Play Area and Restrooms and Aquatic Play Area Equipment Room due to budgetary constraints. All members present voting aye. Motion carried 6-0.

Mr. Shanaberger, Mr. Elder and Mr. Garrett will work to present a re-bid package at the August 29, 2017 Council Workshop meeting.

Street Light request on North Avenue and Dutch Lane
Mr. Elder advised Council that the Town did not request the developer to install street lights or sidewalks when the zoning ordinance was changed.

Mr. Garrett made a motion to table the request until the August 29, 2017 Council Workshop meeting to determine if there were other areas of Town with lighting deficiencies. Mr. Garrett later rescinded his motion.

Mr. Elder will contact Dominion Virginia Power to obtain pictures and specifications of the street lights quoted.

New Business

Consensus was provided for the Physical Development Committee to discuss the request of a property owner of the Town's interest in purchasing an adjacent parcel of property to the Town's Administration building.

On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to rename and repurpose sewer funds identified in the Capital Improvement Plan for FY 2018. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to approve the request to waive the sewer tap fees at 262 Rose lane, Appomattox, Virginia as a part of the Greater Meadowlark Neighborhood Improvement Project CDBG #15-14. All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to notify the County of Appomattox of the Town's intentions to resume its zoning functions. All members present voting aye. Motion carried 6-0.

Mayor Harvey advised that Mr. Gillespie is willing to assist Mr. Shanaberger with any zoning questions or concerns.

Citizen Comment period – none

Staff Reports –
Mrs. Kimberley Ray, Town Treasurer provided an update of activities since June 2017. The budget for FY 2017 was rolled forward into FY 2018 on June 30, 2017. The inventory count was performed by Brown, Edwards and the Public Works department on June 30, 2017. New procedures for FY 2018 are being implemented as were identified in the audit report, specifically segregation of duties. Progress continues to close out FY 2017. Mrs. Ray is looking forward to providing monthly reports to Council.

Mr. Gary Shanaberger, Town Manager thanked Council for the support shown over the first two weeks. He has attended his first Planning Commission meeting, EDA meeting, Experience Appomattox meeting, and Regional Manager's meeting and is burying himself in the Town Code, State Code and Town Budget.

Council Concerns:
Mrs. Puckette reported that the Town picnic was originally scheduled for Friday, September 22, 2017 and this is an away Varsity Football game and recognizing that lots of our community will likely attend – she requested Council consider changing the date to Thursday, September 21, 2017. Council concurred with the requested change. The annual Town Picnic will be held on Thursday, September 21, 2017 from 6:00 p.m. – 8:00 p.m. at Abbitt Park.

Mr. Conner stated the Council needs to focus on fixing sidewalks, partnering with VDOT if necessary and fixing the depot.

Mayor Harvey reported on the Courtland Festival Park project. Mayor Harvey, Mr. Elder and Ms. Adams will be meeting soon to discuss the maintenance of the property. On August 21, 2017, the Board of Supervisors are expected to approve the Articles of Incorporation for the foundation. Mayor Harvey spoke of a tiered system for rental of the park property. A memorandum of understanding between the Town and County would be needed for maintenance and a rental agreement. Several Council members raised concerns over maintaining property we do not own. Mayor Harvey said he would keep the Council informed of future conversations.

Mayor Harvey reported that the Town has not received any notification regarding the Downtown Revitalization Grant.

Mayor Harvey reported that Appomattox County did receive the Arts Challenge Grant on behalf of Wolfbane Productions. He requested Council consider partnering with Appomattox County on the local fund match.

Mr. Conner stated that he believes the Council should give personally to a 501 (c) 3 organization and not with tax dollars.

There were no further comments.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:35 p.m. All members present voting aye. Motion carried 6-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Joint Public Hearing and Council Workshop Meeting
August 29, 2017

The Appomattox Town Council held a Workshop meeting on Tuesday, August 29, 2017 at 6:00 p.m. which included a joint public hearing with the Appomattox Town Planning Commission at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch

Town Planning Commission members present: Marvin H. Mitchell, S. L. Ferguson, Linda Lipscomb, Roger Carson and Claudia Puckette.

Others present: Louise Roach, Robert and Sharon Harris, Joy Bagby, Jeanette Brady, John Redding, Frank Wright, Town Attorney; Jeff Elder, Facilities Manager; Clarence Monday, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk of Council.

Mayor Harvey called the joint Public Hearing and Council Workshop meeting to order.

Chairman Marvin Mitchell called the Town Planning Commission meeting to order for the joint Public Hearing.

Mayor Harvey opened the joint public hearing by introducing the application of the Appomattox County Chamber of Commerce for a Conditional Use Permit to install an outdoor sign on property owned by the County of Appomattox located at 220 Community Lane, Appomattox, Virginia, Tax Map Number 64A6 (A) 83, adjoining the limited access portion of Route 460 at the beginning of the bypass on the eastern end, on property known as the "Community Center". Specific location of the sign is parallel to and just inside of the fence separating the Appomattox Community Center land from the VDOT right of way. Two small red flags have been placed on site to mark the proposed location of the sign.

The property is zoned P-1, Public Use District. Town Code Section 195-14, Uses Not Specifically Permitted, special exception allows for any use not specifically listed in the use chart to make a request to Town Council for approval by special exception.

Mr. Monday provided a staff presentation regarding the application noted above.

Mr. Redding, President of the Appomattox County Chamber of Commerce spoke concerning the application and why it was being presented for consideration.

Mayor Harvey asked Council Members and Planning Commission members for questions. There were no questions.

Mayor Harvey asked for Public Comments from the audience. There were no comments.

Mayor Harvey read the second petition for the joint public hearing, a Request to Vacate an Unopened and unnamed alley between Oakleigh Avenue and Lucy Street. Mr. Monday made a staff presentation on behalf of the applicants, John R. and Louise Roach, Robert G. and Sharon G. Harris, Joy Bagby and Lee A. Conner and/or Martha H. Conner by the Conner Estate. The Town presently owns said property containing approximately 0.21586 acres as specified on a Plat of Survey Alley Abandonment dated April 25, 2016. Said property is not in use by the Town and serves no public purpose.

The Appomattox Town Council and Appomattox Town Planning Commission will conduct a joint public hearing on a proposed Ordinance of Vacation, pursuant to VA. CODE ANN. §15.2-2272 to vacate an unopened and unnamed alley running between Oakleigh Avenue and Lucy Street, parallel to Martha Street, identified as "Parcel 1" containing 0.084 acre, "Parcel 2" containing 0.00086 acre, "Parcel 3" containing 0.023 acre, "Parcel 4" containing 0.064 acre, and "Parcel 5" containing 0.044 acre, all as shown upon a plat of survey entitled "Plat of Survey, Alley Abandonment, 5 Parcels Surveyed for: Town of Appomattox, Deed Book 64 Page 422, Appomattox County, Virginia" made by George E. Welch, L.S., dated April 25, 2016, and to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat"), which area remains an unopened alley. The effect of such proposed vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened alley so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

Parcel 1 containing 0.084 acre, more or less, shall be added to T.M. No. 64A6 1 D owned by the Martha H. Conner estate;

Parcel 2 containing 0.00086 acre, more or less, shall be added to T.M. No. 64A6 1 D 8 owned by Robert G. Harris and Sharon G. Harris;

Parcel 3 containing 0.023 acre, more or less, shall be added to T.M. No. 64A6 1 D 8 owned by Robert G. Harris and Sharon G. Harris;

Parcel 4 containing 0.064 acre, more or less, shall be added to T.M. No. 64A6 1 D 1 owned by John R. Roach and Louise B. Roach;

Parcel 5 containing 0.044 acre, more or less, shall be added to T.M. No. 64A6 1 E owned by Joy Beverly Bagby.

Mayor Harvey asked Council Members and Planning Commission members for questions. There were no questions.

Mayor Harvey asked for Public Comments from the audience. There were no comments.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to close the joint public hearing at 6:12 p.m. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Ferguson, seconded by Mrs. Lipscomb, the Planning Commission voted to close the joint public hearing at 6:12 p.m. All members present voting aye. Motion carried.

Mayor Harvey opened the Town Council Public Hearing to receive public comments concerning the following:

1. To amend and reenact Chapter 185, Section 16 – Failure to pay license fee or personal property tax; registration withholding; violations and penalties.

   The amendment is as follows:

   (B) It shall be unlawful for any owner of a motor vehicle to fail to pay the local license fee or personal property taxes assessed with respect to each motor vehicle after September 30 of each year, and with respect to any fees not paid at that time, a fee of ~~$40~~ *$45* to reimburse the Town of Appomattox for costs associated with administration of the Vehicle Registration Withholding Program with the Commonwealth of Virginia Department of Motor Vehicles shall be assessed.

Mayor Harvey asked for any public comments. There were no comments made.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to close the public hearing at 6:14 p.m. All members present voting aye. Motion carried 5-0.

Before beginning the Council Workshop meeting, Mayor Harvey announced the addition of Item #13 – Consideration to approve the purchase of the pump for Pump Station #6 of $19,492.00.

On a motion by Ms. Spiggle, seconded by Mr. McDearmon, Council voted to amend and reenact the Appomattox Town Code, Chapter 185, Section 16 – Failure to pay license fee or personal property tax; registration withholding; violations and penalties.

AN ORDINANCE TO AMEND AND REENACT the Code of the Town of Appomattox, Article II, Chapter 185, thereof, entitled Vehicle License Fee, by amending §185-16 Failure to pay license fee or personal property tax; registration withholding; violations and penalties.

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

Section 1. Chapter 185, Vehicle License Fee, of the Code of the Town of Appomattox is hereby amended to read as follows:

§185-16. Failure to pay license fee or personal property tax; registration withholding; violations and penalties.

(A) In the event that the license fee required by this Article is not paid, or if any personal property taxes, properly assessed against such vehicle, are not paid on or before September 30 of each year, with respect to each owner or co-owner of any motor vehicle as to which the license fee has not been paid, or any personal property taxes have not been paid, the Treasurer shall mail to the owner/co-owner by First Class Mail notice of intent to request the Commonwealth of Virginia Department of Motor Vehicles under the

Vehicle Registration Withholding Program to deny his or her registration renewal with respect to the vehicle which is subject to the license fee or personal property tax herein. In the event of payment of that vehicle license fee and/or delinquent personal property taxes, the Treasurer shall provide the vehicle owner/co-owner an approved numbered receipt that clearly indicate that the vehicle fees and delinquent taxes to the locality, together with the penalty, interests and administrative fee herein above set forth.

(B) It shall be unlawful for any owner of a motor vehicle to fail to pay the local license fee or personal property taxes assessed with respect to each motor vehicle after September 30 of each year, and with respect to any fees not paid at that time, a fee of ~~$40~~ ***$45*** to reimburse the Town of Appomattox for costs associated with administration of the Vehicle Registration Withholding Program with the Commonwealth of Virginia Department of Motor Vehicles shall be assessed.

(C) A violation of this section shall constitute a Class 4 misdemeanor and shall be punished by a fine of one hundred dollars ($100.00).

(D) A violation of this section by the registered owner of the vehicle shall not be discharged by prepayment of a fine or by payment of a fine imposed by the court except upon presentation of satisfactory evidence that the required license has been obtained.

Section 2. Effective Date.

ENACTED AND ORDAINED THE ~~13th day of July, 2015~~ *29th of August, 2017*. This ordinance shall become effective upon passage.

All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. McDearmon, Council voted to approve the request on behalf of the Appomattox Tourism Committee to hold a Christmas Event in Downtown Appomattox on Saturday, December 2, 2017 from 10:00 a.m. to 6:30 p.m. with the use of the Depot for crafts and wreath making and voted to waive the $25.00 application fee. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to approve the request to advertise a Request for Proposal for a Historic Preservation Architect for the Appomattox Depot. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to deny contributing to the local match of the Arts Challenge Grant for Wolfbane Productions. All members present voting aye. Motion carried 5-0.

Mr. Shanaberger discussed with Council a request from Appomattox County to mark fiber optic lines. Mr. Shanaberger will discuss the request further with Ms. Adams, County Administrator.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to approve funding for Pump Station #6 in the amount of $19,492. All members present voting aye. Motion carried 5-0.

Staff Reports:
Mr. Shanaberger reported at Liberty Baptist Church will be demolishing the former home of Mr. and Mrs. Babcock on Lee Grant Avenue to install a parking lot. He also reported that he will be providing an ESRI Report to members of the Town's EDA and Council in the next week or so.

Council members sent prayers of concern to the family of Councilmember Finch during the illness of her father.

On a motion by Mr. McDearmon, seconded by Mr. Garrett, Council voted to adjourn at 7:10 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
September 11, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, September 11, 2017 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck, Alive Media TV; Alexa Layne, Times Virginian; Nathan Simpson, Information Technology Technician; Frank A. Wright, Jr., Town Attorney; Jonathon Watson, Pastor at Bible Baptist Church; Kim Ray, Town Treasurer; Jeff Elder, Facilities Manager; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Pastor Jonathon Watson gave the invocation and led the Pledge of Allegiance.

Public Appearances
None

Mayor's Comments
Mayor Harvey stated he would like to add his comments during the Manager's Report.

Consent Agenda
On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to adopt the consent agenda for September 11, 2017 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business
None

New Business

On a motion by Mr. Conner, seconded by Mr. McDearmon, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal interpretation of requirements of the sign ordinance as applied to the Chamber of Commerce's pending application.

Vote: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

Whereas, the Appomattox Town Council has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law,

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council hereby certifies that 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 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: Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to a Resolution Amendment to the Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2017-2018 Budget for the Town of Appomattox – Personal Property Tax Relief Rate.

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2017-2018 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

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 situsedwithin the Town commencing January 1, 2017, 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 61.86% tax relief;*
- *Personal use vehicles valued at $20,001 or more shall only receive 61.86% 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.*

All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Ms. Finch, Council voted to transfer the Tar Wagon Sprayer from the surplus list to the Appomattox County Public Schools. All members present voting aye. Motion carried.

On a motion by Mr. Conner, seconded by Ms. Finch, Council voted to declare the list dated September 11, 2017 as surplus.

Dixie Chopper 60"
John Deere 318 Lawnmower
1998 Pickup bed (Dodge)
Garage Door
Enclosed Trailer
Playground equipment:
Merry-go-round
2 Slides
Crawl through pipe
Yogi bear see-saw
4-way see-saw

All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Puckette, Council voted to adopt an Ordinance of Vacation for an unopened and unnamed alley running between Oakleigh Avenue and Lucy Street, parallel to Martha Street.

Ordinance of Vacation

[Unopened and unnamed alley running between Oakleigh Avenue and Lucy Street, parallel to Martha Street]

WHEREAS, by deed dated September 20, 1951 and recorded in the Appomattox County Circuit Court Clerk's Office in Deed Book 64, page 422, D.A. Conner, Lois Conner, C.W. Smith and L. Cabell Smith, attempted to create an unnamed street or alley between their respective properties (the "Original Deed");

WHEREAS, the unnamed street or alley consisted of property in the Town of Appomattox more particularly identified as "Parcel 1" containing 0.084 acre, "Parcel 2" containing 0.00086 acre, "Parcel 3" containing 0.023 acre, "Parcel 4" containing 0.064 acre, and "Parcel 5" containing 0.044 acre, all as shown upon a plat of survey entitled "Plat of Survey, Alley Abandonment, 5 Parcels Surveyed for: Town of Appomattox, Deed Book 64 Page 422, Appomattox County, Virginia" made by George E. Welch, L.S., dated April 25, 2016, and to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat"), which area remains an unnamed and unopened alley;

WHEREAS, said alley has never been opened, and there is no further need for the unopened alley to be opened;

WHEREAS, it is the desire of the Town of Appomattox, acting by and through its Town Council, to vacate that portion of the New Plat identified as Parcels 1, 2, 3, 4 and 5 by Ordinance of Vacation in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272;

WHEREAS, the effect of such vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened alley so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

Parcel 1 containing 0.084 acre, more or less, shall be added to T.M. No. 64A6 1 D owned by the Martha H. Conner estate;

Parcel 2 containing 0.00086 acre, more or less, shall be added to T.M. No. 64A6 1 D 8 owned by Robert G. Harris and Sharon G. Harris;

Parcel 3 containing 0.023 acre, more or less, shall be added to T.M. No. 64A6 1 D 8 owned by Robert G. Harris and Sharon G. Harris;

Parcel 4 containing 0.064 acre, more or less, shall be added to T.M. No. 64A6 1 D 1 owned by John R. Roach and Louise B. Roach;

Parcel 5 containing 0.044 acre, more or less, shall be added to T.M. No. 64A6 1 E owned by Joy Beverly Bagby;

NOW, THEREFORE, BE IT ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272 that portion of the unopened and unnamed alley running between Oakleigh Avenue and Lucy Street, parallel to Martha Street, identified on the New Plat as "Parcel 1" containing 0.084 acre, "Parcel 2" containing 0.00086 acre, "Parcel 3" containing 0.023 acre, "Parcel 4" containing 0.064 acre, and "Parcel 5" containing 0.044 acre, **shall be, and the same hereby is, vacated**, a public hearing thereon having been duly advertised in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2204;

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance of Vacation shall be recorded after the expiration of thirty (30) days from the date hereof, unless appealed to the Circuit Court for the County of Appomattox, Virginia, and thereafter if this Ordinance of Vacation is affirmed by said Court, in the Clerk's Office of the Circuit Court of Appomattox County, Virginia;

BE IT FURTHER ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, the recordation of this Ordinance of Vacation as required in the preceding paragraph shall operate to destroy the force and effect of any previously created boundary lines of *that portion* of the unnamed and unopened alley so described above and so vacated and to vest such title as the Town of Appomattox may possess free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

Parcel 1 containing 0.084 acre, more or less, shall be added to T.M. No. 64A6 1 D owned by the Martha H. Conner estate;

Parcel 2 containing 0.00086 acre, more or less, shall be added to T.M. No. 64A6 1 D 8 owned by Robert G. Harris and Sharon G. Harris;

Parcel 3 containing 0.023 acre, more or less, shall be added to T.M. No. 64A6 1 D 8 owned by Robert G. Harris and Sharon G. Harris;

Parcel 4 containing 0.064 acre, more or less, shall be added to T.M. No. 64A6 1 D 1 owned by John R. Roach and Louise B. Roach;

Parcel 5 containing 0.044 acre, more or less, shall be added to T.M. No. 64A6 1 E owned by Joy Beverly Bagby;

The vote was: Aye: Garrett, McDearmon, Spiggle, Finch, Puckette
Nay: None
Abstain: Conner

Motion carried 5-0-1.

There was a discussion of the Downtown Christmas event on December 2, 2017. Mayor Harvey stated that this item needs some clarity. The first item is a waiver for food vendors from licensing requirements. The second item is trash/garbage collection the day of the event. Lastly, there is a request for porta johns/bathrooms.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to waive the food vendor fees for the Downtown Christmas event on December 2, 2017. All members present voting aye. Motion carried.

Mayor Harvey reported that he has spoken with Republic Services regarding the donation of the carboard trash boxes for the event and he has a donor for the trash bags. Republic Services will work on a quote for trash services.

The Town will determine if the porta johns in Abbitt Park will be sufficient for the event.

Staff Report:

Mrs. Ray reported that she and other Town Employees received financial software training and she is implementing the use of another component of the program – Purchase Orders.

Mrs. Casto – none

Mr. Shanaberger reported on the following:

- The bid proposal packages for the restrooms at the Kiddie Park should be ready next week.
- Mr. Wright, Town Attorney would like to begin working now on any legislative recommendations for the next General Assembly session.
- Senator Mark Peake will meet with Town and County officials on Monday, October 16, 2017.
- Mr. Elder reported to him that the screw pump at the Trickling Filter Plant is down but service is online.
- He will be providing the ESRI report to the EDA at their meeting tomorrow night, September 12, 2017. The meeting is open to the public.

Citizen Comment period – none

Council Concerns:
Mr. Conner reported that Blue Ridge Medical needs a letter of support for a funding agency and could possibly need $2000 towards a water and sewer connection.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to authorize Mayor Harvey to send a letter of support for Blue Ridge Medical and authorized the Town Economic Development Authority to potentially offer an incentive for water and sewer infrastructure improvements. Motion carried 5-0-1. Conner abstaining.

Mrs. Puckette reminded everyone of the Town Picnic on Thursday, September 21, 2017 from 6:00 p.m. – 8:00 p.m. at Abbitt Park.

Ms. Finch thanked everyone for their prayers and concerns during her father's illness.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adjourn at 8:45 p.m. All members present voting aye. Motion carried 6-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Joint Public Hearing and Council Workshop Meeting
September 26, 2017

The Appomattox Town Council held a Workshop meeting on Tuesday, September 26, 2017 at 6:00 p.m. which included a joint public hearing with the Appomattox Town Planning Commission at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Council Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch

Town Planning Commission members present: Marvin H. Mitchell, S. L. Ferguson, Linda Lipscomb, Roger Carson and Claudia Puckette.

Others present: Bill Jamerson, Nathan Simpson, Jeff Elder, Facilities Manager; Clarence Monday, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk of Council.

Mayor Harvey called the joint Public Hearing and Council Workshop meeting to order.

Chairman Marvin Mitchell called the Town Planning Commission meeting to order for the joint Public Hearing.

Mayor Harvey opened the joint public hearing, a Request to Vacate the unopened portion of Autumn Lane, such portion being identified as "0.320 Ac." as shown upon a plat of survey entitled "Composite Boundary Survey, 5.322 Acres Total, Drawn for Jamerson Real Estate, Inc." made by Michael Ray Goin, L.S., dated May 12, 2017, Revised August 21, 2017, and to be recorded in the clerk's office of the Appomattox County Circuit Court, which area remains an unopened road, and to vacate part of the opened portion of Autumn Lane, such portion being identified as "0.102 Ac.," upon the plat aforesaid. The effect of such proposed vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of the portion of Autumn Lane so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties. As all abutting properties are owned by Jamerson Real Estate, Inc., the title to the 0.320 acre parcel and to the 0.102 acre parcel described above shall be vested in Jamerson Real Estate, Inc.

Mayor Harvey asked Council Members and Planning Commission members for questions. There were no questions.

Mayor Harvey asked for Public Comments from the audience. There were no comments.

Mayor Harvey closed the public hearing.

Chairman Mitchell closed the public hearing.

Update on the Christmas Event in Downtown Appomattox on Saturday, December 2, 2017
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to approve $280.00 for trash pickup by Republic Services for the Downtown Christmas event on Saturday, December 2, 2017. All members present voting aye. Motion carried.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to approve renting two (2) portajohns (1 – regular and 1 – handicap) to be placed in Courtland Field for the Downtown Christmas event on Saturday, December 2, 2017. Vote: Garrett, McDearmon, Spiggle, Puckette – yes. Conner – no. Motion carried 4-1.

Discussion of a Request for Application for Water Outside Corporate Limits
Mr. Elder presented to Council a request to serve the Appomattox Christian Academy with water. The location is outside of the Town limits. Appomattox Christian Academy would be required to pay for their portion of the line. Their portion is approximately 687 feet. The Town would like to further the project by looping the line back into 460/Confederate Blvd. This portion of line is 874 feet. The Appomattox Christian Academy is estimating 500 gallons per day of usage.

Town Council provided consensus to look at all the information to serve the property.

Staff Reports

Jeff Elder, Facilities Manager advised Council he has been working with Nathan Simpson, Town's Tourism Technology Technician regarding a "call system" which would make a call or send a text message/alert to individuals of broken lines, boil notices, etc.

Council gave consensus to proceed with the initiative.

Kim Ray, Town Treasurer reported she attended a two-day training for collections. Mrs. Ray is planning to present trend data at the next workshop meeting.

Mr. Shanaberger, Town Manager updated Council on the following items:

- Downtown Revitalization Grant application was not successful. He will be reaching out to the DHCD representative for feedback on the Town's application.
- Courtland Festival Park is progressing. The grass and SOD will be in place in the next few weeks. There may be a need to water the grass and SOD. Council provided consensus to provide the water for the new grass and SOD as an in-kind donation. Mayor Harvey reported that the foundation will take over the water meter once the park is open.
- The Request for Proposal (RFP) for the depot project is nearly ready and will be advertised next week.
- The bid request for the Kiddie Park will be ready at the next meeting.
- The Town's Economic Development Authority has extended a $5000 incentive package to Mr. Brod Pack to demolish and remove the old service station building on Confederate Blvd.

- The Town's EDA has invited the County's EDA to their next meeting to hear a presentation from Katie Conner with the Virginia Tourism Corporation.

Council Concerns:
Mr. Conner stated that there are several items that need to come to the front burner. Those being the Town Office Building renovations and the Depot. Mr. Conner has been approached by several businesses and citizens regarding animal waste. Mr. Conner would like for staff to research animal pet waste stations in town.

Mrs. Puckette thanked staff for all the hard work preparing for the Town picnic. There was a nice crowd this year.

Mr. Shanaberger announced that the Chrysler Car Club would be arriving in Town on Monday, October 2, 2017 from Boone, NC.

Council gave consensus for Nathan Simpson to remove the pictures of Lindenburg from the Town's Facebook page.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 7:10 pm. All members present voting aye. Motion carried 5-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
October 10, 2017

The Appomattox Town Council held a Regular Council meeting on Tuesday, October 10, 2017 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., M. Erin Finch, Steven T. Conner and Claudia G. Puckette. Mary Lou Spiggle arrived at 7:45 p.m.

Others present: Bill Jamerson, S. L. Ferguson, Marvin Mitchell, Linda Lipscomb, Derek Norfield, Alive Media TV; Frank A. Wright, Jr., Town Attorney; Robert Vogel; Kim Ray, Town Treasurer; Jeff Elder, Facilities Manager; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Derek Norfield gave the invocation and led the Pledge of Allegiance.

Public Appearances
None

Mayor's Comments
Mayor Harvey reminded everyone of the 45th Annual Historic Appomattox Railroad Festival this weekend, October 14 & 15, 2017. He also thanked Mr. Bill Jamerson, who was in the audience, for all his assistance getting the Courtland Festival park ready for the weekend activities. The next issue coming up for the park will be the memorandum of understanding which Mayor Harvey, Mr. Shanaberger, Mr. Elder and Mrs. Adams will be working on together.

Consent Agenda
On a motion by Ms. Finch, seconded by Mr. McDearmon, Council voted to adopt the consent agenda for October 10, 2017 with the addition of New Business #2 – Consideration to amend the Town of Appomattox, Greater Meadowlark Neighborhood Improvement Project, Housing Program Design, CIG #15-14as presented. All members present voting aye. Motion carried 5-0.

Mr. Mitchell, Chairman of the Town's Planning Commission reconvened the Planning Commission meeting from October 5, 2017.

Unfinished Business
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 (A) 8 of the Code of Virginia, 1950 as amended, for the purpose of consultation with legal counsel, such matter being the legal interpretation of requirements of the sign ordinance as applied to the Chamber of Commerce's pending application and as generally applicable.

Vote: Garrett – aye, McDearmon – aye, Spiggle – absent, Finch – aye, Conner – aye, Puckette – aye. Motion carried 5-0.

On a motion by Mr. Ferguson, seconded by Mrs. Lipscomb, the Planning commission voted to convene in closed session, pursuant to Section 2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, such matter being the legal interpretation of requirements of the sign ordinance as applied to the Chamber of Commerce's pending application and as generally applicable.

Vote: Mitchell – aye, Ferguson – aye, Lipscomb – aye. Carson – absent. Motion carried 3-0.

The meeting was reopened to the public.

Town Council Member McDearmon made the following motion:

WHEREAS, the Appomattox Town Council has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Town Council member Spiggle and the Town Council Commission by the following recorded vote adopted the motion:

Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Finch – aye, Conner – aye, Puckette – aye. Motion carried 6-0.

Planning Commission member Ferguson made the following motion:

WHEREAS, the Appomattox Town Planning Commission has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Town Planning Commission that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Planning Commission 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.

The motion was seconded by Planning Commission member Lipscomb and the Town Planning Commission by the following recorded vote adopted the motion:

Vote: Mitchell – aye, Ferguson – aye, Lipscomb – aye. Carson – absent. Motion carried 3-0.

New Business

On a motion by Mr. Conner, seconded by Ms. Puckette, Council voted to adopt an Ordinance of Vacation for the unopened portion of Autumn Lane consisted of property in the Town of Appomattox more particularly identified as "0.320 Ac.", and a part of the opened portion of Autumn Lane consisted of property in such jurisdiction more particularly identified as "0.102 Ac.", both of such parcels being shown upon a plat of survey entitled "Composite Boundary Survey, 5.322 Acres Total, Drawn for Jamerson Real Estate, Inc.," made by Michael Ray Goin, L. S., dated May 12, 2017, revised August 21, 2017, and to be recorded in the Clerk's Office of the Appomattox County Circuit Court (the "New Plat").

Ordinance of Vacation

[Portion of Autumn Lane]

WHEREAS, by plat dated May 30, 1924 and recorded in the Appomattox County Circuit Court Clerk's Office in Deed Book 24, page 184, a thirty foot (30') wide right of way now known as Autumn Lane was created, a portion of which was never opened as a road (the "Original Plat");

WHEREAS, the unopened portion of Autumn Lane consisted of property in the Town of Appomattox more particularly identified as "0.320 Ac.," and a part of the opened portion of Autumn Lane consisted of property in such jurisdiction more particularly identified as "0.102 Ac.," both of such parcels being shown upon a plat of survey entitled "Composite Boundary Survey, 5.322 Acres Total, Drawn for Jamerson Real Estate, Inc." made by Michael Ray Goin, L.S., dated May 12, 2017, revised August 21, 2017, and to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat");

WHEREAS, the unopened portion of Autumn Lane as described above has never been opened, and there is no further need for the unopened portion to be opened;

WHEREAS, there is no further need for the opened portion of Autumn Lane as described above to remain open;

WHEREAS, it is the desire of the Town of Appomattox, acting by and through its Town Council, to vacate that portion of the New Plat identified as "0.320 Ac." and as "0.102 Ac." by Ordinance of Vacation in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272;

WHEREAS, the effect of such vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened road so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties. As all abutting properties are owned by Jamerson Real Estate, Inc., the title to the 0.320 acres and to the 0.102 acres shall be vested in Jamerson Real Estate, Inc.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272 the unopened portion of Autumn Lane, identified on the New Plat as "0.320 Ac.", and that part of the opened portion of Autumn Lane identified on the New Plat as "0.102 Ac.," **shall be, and the same hereby are, vacated**, a public hearing thereon having been duly advertised in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2204;

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance of Vacation shall be recorded after the expiration of thirty (30) days from the date hereof, unless appealed to the Circuit Court for the County of Appomattox, Virginia, and thereafter if this Ordinance of Vacation is affirmed by said Court, in the Clerk's Office of the Circuit Court of Appomattox County, Virginia;

BE IT FURTHER ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, the recordation of this Ordinance of Vacation as required in the preceding paragraph shall operate to destroy the force and effect of any previously created boundary lines of *that portion* of Autumn Lane so described above and so vacated and to vest such title as the Town of Appomattox may possess free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, in Jamerson Real Estate, Inc.

The vote was: Aye: Garrett, McDearmon, Spiggle, Finch, Conner, Puckette
Nay: None
Abstain: None

On a motion by Ms. Finch, seconded by Mr. Conner, Council voted to amend the Town of Appomattox, Greater Meadowlark Neighborhood Improvement Project, Housing Program Design, CIG #15-14. All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to add NB #3 – To receive a recommendation of the Appomattox Town Planning Commission to deny the Conditional Use Permit application for an off-premise sign by the Appomattox County Chamber of Commerce. All members present voting aye. Motion carried.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to accept the recommendation of the Appomattox Town Planning Commission to deny the request of the Appomattox County Chamber of Commerce Conditional Use Permit for an off-premise sign. All members present voting aye. Motion carried.

Citizen Comment Period – none

Staff Report:

Mrs. Ray reported she is working to schedule the FY 2017 Annual Audit for the first week of December 2017. She is also planning an upgrade/enhancement of the Logic Software for November/December 2017. She is preparing a financial update for Council at the October 24, 2017 Workshop meeting.

Mr. Elder discussed the need to have the Oakleigh Avenue and Cawthorne Street utility line repairs properly engineered.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to approve $18,000 for engineering services. All members present voting aye. Motion carried.

Mrs. Casto – none

Mr. Shanaberger reported on the following activities:

- The Request for Proposals for the Depot are due on November 2, 2017.
- The Kiddie Park bathroom design may need additional engineering costs for a site plan to include the splash pad. Council provided consensus to pursue engineering and hold the bid package until the engineering is complete.
- Mr. Elder and Mr. Shanaberger met with representatives of Appomattox Christian Academy to discuss the preliminary stages of the water line extension.
- Received a request from Shentel for additional equipment at the water tower.
- Received information from a local citizen witnessing a company taking water from a fire hydrant without supervision.
- Has been contacted by a group who would like to hold car cruise in events on private property in the Town.
- The pet waste stations are being evaluated by the Public Works Department.
- Senator Mark Peake invited Council to attend a roundtable meeting on Monday, October 16, 2017 at 5:00 p.m. at the Appomattox County Board of Supervisors meeting room.
- During the last 24-48 hours the Public Works Department has been dealing with sewer line back-up and a water leak.

Council Concerns:

Ms. Spiggle reminded everyone of the Appomattox Railroad Festival this weekend October 14 and 15, 2017.

Mrs. Puckette thanked the staff and Mr. Shanaberger for moving the Town forward.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 8:55 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
October 24, 2017

The Appomattox Town Council held a Workshop meeting on Tuesday, October 24, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Council Members present: C. Lewis McDearmon, Jr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette.

Absent: M. Erin Finch and Timothy W. Garrett

Others present: Jeff Elder, Facilities Manager; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk of Council.

Mayor Harvey called the Council Workshop meeting to order.

Staff Reports

Kim Ray, Town Treasurer presented financial statements from July and August 2017. She and Mrs. Glover will continue to track meals, lodging and cigarette tax. Mrs. Ray also presented some information on the current financial software program including a scheduled upgrade with the current provider to give the Town the latest versions of their software.

Mr. Elder, Facilities Manager informed Council of a "Fats, Oils & Grease Program" he would be presenting at the next regular meeting for their consideration.

Mr. Shanaberger, Town Manager provided an update to Council on the following activities:

- The roof of the Town Office building needs to be addressed. There are three (3) possible ways to fix the roof.
- One architect attended the walk through of the Depot.
- Received a few requests from individuals/groups to make appearances to Council over the next few months.
    - The food pantry will attend the November 28, 2017 Workshop meeting.
    - Region 2000, Gary Christie will attend the January 2018 Regular meeting.
- Anticipating the engineering site study for the Kiddie Park by the end of the week.
- Informed Council of the plans for a micro-brewery in Town. He is working with a wastewater expert on the sewer discharges and he and the Town Attorney are creating a list of requirements to accompany the permitted use zoning application.
- Food truck/Itinerant Merchants – Mr. Shanaberger will do more research but requested Council remain open to a different rate structure for licensing requirements.
- Mayor Harvey, Sheriff Letterman, Susan Adams and Mr. Shanaberger will be traveling to Lexington to discuss their permitting process for parades and demonstrations.

Roxanne Casto presented to Council the "Experience Appomattox" concept of "Whoville" for the theme of Christmas in Downtown Appomattox on Saturday, December 2, 2017. While

Council was supportive of the concept, they were not willing to purchase the multi-colored lights that intertwine the garland on the lamp posts on Main Street.

Council Concerns:
None

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourn at 7:50 pm. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
November 13, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, November 13, 2017 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon and Mary Lou Spiggle.

Members absent: M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck and Derek Norfield, Alive Media TV; Josh Davis, Times Virginian Newspaper; Nathan Simpson, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order but noted the lack of a quorum.

Section 5 – 10. Procedure in absence of quorum.
If a quorum fails to attend within 30 minutes after the time appointed for meeting, the Clerk of the Council shall enter on the journal the names of those in attendance, and the fact of adjournment for want of a quorum. If a quorum fails to attend on the day of any regular meeting, the meeting shall stand adjourned to the next day of meeting, or at such other time as those present may designate.

Mayor Harvey took a moment to remind everyone of the "Experience the Holidays" event in Downtown Appomattox – Saturday, December 2, 2017

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council adjourned at 7:35 p.m. until the next meeting of the Appomattox Town Council on Tuesday, November 28, 2017 at 6:00 p.m. Garrett – yes, McDearmon – yes, Spiggle – yes.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Council Meeting
November 28, 2017

The Appomattox Town Council held a Workshop meeting on Tuesday, November 28, 2017 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Mary Lou Spiggle, Steven T. Conner, and Claudia G. Puckette.

Members absent: M. Erin Finch.

Others present: Carlton Duck, Alive Media TV; Josh Davis, Times Virginian Newspaper; Emily Wheeler, Kat Ferguson, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed everyone.

Rev. Carlton Duck led the Prayer and Pledge of Allegiance to the Flag of the United States of America.

Public Appearances:
Emily Wheeler – Appomattox Free Pantry Project, appeared before Council to request public space, specifically at the Appomattox Children's Park (Kiddie Park) to place a box on a 6x6 post where individuals could place non-perishable food or hygiene items. Mrs. Wheeler advised that the Town Park has a lot of foot traffic and one of the goals of their project is to destigmatize the need for food or other non-perishable items. Home Depot has donated some of the money for materials, flowers and mulch and a team of volunteers, artists and woodworkers will make the pantry box.

Mrs. Wheeler explained there are similar projects in Lynchburg at the Daily Bread and the Hutchinson school. She further explained that the volunteers will gladly check on the box weekly.

The Appomattox Town Council provided consensus to allow placement of the Little Food Pantry project at the Appomattox Community Park (Kiddie Park).

Mayor's Comments:
Mayor Harvey stated he believes the Little Food Pantry project is a great idea. He also reminded everyone of the Downtown Christmas event on December 2, 2017 with the Whoville theme.

Consent Agenda:
On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to adopt the consent agenda for November 28, 2017 as presented. All members present voting aye.
Motion carried 5-0.

Unfinished Business:
None

New Business:

On a motion by Mrs. Puckette, seconded by Mr. Conner, Council voted to adopt the Fats, Oil and Grease Program for the Town of Appomattox Public Works Department. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to award the Town Office Roofing and Alley Replacement project to the lowest bidder, Woodall and Lang for a cost of $26,810.00. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to cancel the December 26, 2017 Council Workshop meeting. All members present voting aye. Motion carried 5-0.

Citizen Comment Period:
None

Staff Reports:

Mrs. Ray, Treasurer reported on the following items:
- Brown, Edwards, Co, LLP would begin the FY 2017 Annual financial audit on November 29, 2017.
- An update on the financial software is still scheduled for December 2017.
- Past Due Personal Property tax notices have been sent to all delinquent accounts.

Mrs. Casto – no report

Mr. Shanaberger, Town Manager reported on the following items:
- The Town received four (4) RFP's from qualified Architectural/Engineering firms for a Historic Structure Report for the former Norfolk and Western Train Depot. A scope of work is anticipated for completion in January 2018.
- He attended a meeting with the Department of Housing and Community Development on November 27, 2017 to discuss the Downtown Revitalization Grant application submitted earlier this year. The applicant pool was extremely competitive however, DHCD provided several suggestions for the next application should the Town desire to submit again.
- He has a meeting scheduled with the Virginia Economic Development Partnership on December 12, 2017 in Richmond, Virginia.

Council Concerns:

Mr. Conner stated the Town needs to do a little planning on these buildings to maintain them for the next 25 years.

Ms. Spiggle stated "Go Raiders" as the Football team heads in to the state finals.

Mayor Harvey extended a thank you for all staff members.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adjourned at 6:55 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
December 11, 2017

The Appomattox Town Council held a Regular Council meeting on Monday, December 11, 2017 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck, Alive Media TV; Margaret Camel, News and Advance; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck led the prayer and Pledge of Allegiance of the United States of America.

Public Appearances – none

Mayor's Comments:
Mayor Harvey thanked the Experience Appomattox committee for a very successful Downtown Christmas event on December 2, 2017. The "Whoville" themed event attracted over 2000 people.

Mayor Harvey presented a Proclamation to the Appomattox County High School Golf Team and to the Appomattox County High School Football Team.

Mayor Harvey also wished everyone a happy and safe holiday season.

Consent Agenda:
On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council voted to adopt the consent agenda for December 11, 2017 as presented. All members present voting aye.
Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to approve the advertisement and bid package for the Children's (Kiddie) Park restrooms/equipment room project. All members present voting aye. Motion carried 6-0.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to move forward the water and sewer rate study, in house by staff. All members presented voting aye. Motion carried 6-0.

Staff Reports:
Mrs. Casto – none

Mrs. Ray – Brown, Edwards & Company, LLP has begun the FY 2017 annual audit. The software update planned for the middle of December 2017 will require service interruptions. This process is ongoing with the current financial software provider.

Mr. Elder – The Water Model Study is complete however staff is in the process of reviewing the material. This is a time-consuming process. Pump Station #6 work has been completed. The Inflow and Infiltration project is getting started. The waterline engineering work for Oakleigh Avenue and Cawthorne Street will need to wait until Spring 2018.

Mr. Shanaberger reported that the Fats, Oils and Grease ordinance amendment will be ready by the January 8, 2018 Council meeting. On Tuesday, December 12, 2017 he will be attending a VEDP meeting in Richmond, Virginia. He thanked the office staff for their assistance with the audit. A special thank you to the facilities department for their hard work. Gary Christie, Executive Director of Region 2000 Local Government Council will be making a presentation to Council at the January 8, 2018 Regular Council meeting.

Ms. Spiggle requested an update on the Little Food Pantry project. Mr. Shanaberger advised that after speaking with the Town Attorney the project may be a little more complicated than first thought. The requestor will consider other alternatives.

Council Concerns:
Mayor Harvey reminded everyone of the Ribbon Cutting at the Bank of the James building on December 13, 2017 at 12:00 noon.

Mrs. Puckette inquired about giving Coach Smith a "Key to the Town".

On a motion by Mrs. Puckette, seconded by Mr. Conner, Council voted to provide a "Key to the Town" on behalf of the Town and Citizens. All members present voting aye.
Motion carried 6-0.

Ms. Spiggle wished everyone a blessed Christmas. Mrs. Puckette and Mr. Garrett concurred.

Mr. Conner reminded Council of the Special Projects such as the Train Station (Depot), Town Office and Water and Sewer rates. Funding from VDOT, USDA, and CDBG is dwindling and the Town needs to learn to depend on its own money.

On a motion by Mr. Garrett, seconded by Mr. McDearmon, Council adjourned at 8:03 p.m. All members present voting aye. Motion carried 6-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
January 8, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, January 8, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck and Derek Norfield, Alive Media TV; Carrie Dungan, News and Advance; Rev. Russell Cheatham, Memorial United Methodist Church; Nathan Simpson, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Russell Cheatham, Memorial United Methodist Church led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
Mr. Gary Christie, Executive Director, Region 2000 Local Government Council gave an brief overview of services they provide and the project they are working on for the Town of Appomattox.

Mayor's Comments:
Mayor Harvey – hopes everyone had a good holiday season.

Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for January 8, 2018 as presented. All members present voting aye. Motion carried.

Unfinished Business:
None

New Business:
On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to adopt the 2018 meeting schedule of the Appomattox Town Council. All members present voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to write off uncollected debts that have exceeded the statue of limitations. All members present voting aye. Motion carried.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to authorize payment of $150,000 to the Courtland Field Park project. All members present voting aye. Motion carried.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to amend the Code of the

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Town of Appomattox by deleting and repealing Chapter 190, Article IV Sewage Disposal, Section 70 thereof, Grease, oil and sand interceptors, when required; standards, and replacing it with a new section 70, to be entitled, Grease, oil and sand interceptors, when required; standards.

AN ORDINANCE TO AMEND THE Code of the Town of Appomattox by deleting and repealing Chapter 190, Article IV Sewage Disposal, Section 70 thereof, Grease, oil and sand interceptors, when required; standards, and replacing it with a new section 70, to be entitled, Grease, oil and sand interceptors, when required; standards.

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

§ 190-70 **Grease, oil and sand interceptors, when required; standards. [Amended 6-14-1999]**; *Amended 1-9-2018*

Grease, oil and sand/grit interceptors shall be provided by the owner at his expense, when, in the opinion of the ~~superintendent~~ *plant manager and the utility manager*, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except that such ~~facilities~~ *interceptors* shall not be required for private living quarters of dwelling units. All ~~grease, oil and grit chambers~~ *interceptors* shall be of a type of capacity approved by the ~~Town~~ *utility manager; as identified in the Fats, Oil and Grease Program adopted by the Appomattox Town Council;* ~~and the State Health Department~~ *and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature.* ~~Chambers~~ *They* shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight. All chambers for this purpose shall be maintained by the property owner, at his expense, in continuously efficient operation at all times.

Section 2. Effective Date.

This ordinance shall become effective on January 9, 2018.

All members present voting aye. Motion carried.

Town Manager's Report:
Mr. Shanaberger's report include an update on the following:

- The construction bids for the Appomattox Children's Park (Kiddie Park) were extended from January 11, 2018 to January 30, 2018.
- The Water and Sewer Rate Study – anticipates a scope of work ready by February/March 2018. Council gave consensus to have the rate study conducted by May/June 2018, if possible.
- Train Depot – Mr. Tom Frisbee-Fulton, Architect is willing to assist the Town in selecting an architectural/engineering firm for a nominal fee. The selection will consist of 4-5 people including the Council's Physical Development Committee and 2

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additional people. He advised that the report sought by Council could cost $30,000-50,000. He will share a timeline at the Council Workshop meeting on Tuesday, January 23, 2018.

- The new and updated Town and Tourism websites were launched on January 3, 2018. Council thanked Nathan Simpson for his hard work on the projects.

Council Concerns:

Mr. Conner asked Mr. Shanaberger to look into a business owner's request for a cardboard recycling container.

On a motion by Mr. Garrett, seconded by Ms. Finch, Council adjourned at 8:15 p.m. All members present voting aye. Motion carried.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

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Appomattox Town Council
Regular Council Meeting
January 8, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, January 8, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck and Derek Norfield, Alive Media TV; Carrie Dungan, News and Advance; Rev. Russell Cheatham, Memorial United Methodist Church; Nathan Simpson, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Russell Cheatham, Memorial United Methodist Church led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
Mr. Gary Christie, Executive Director, Region 2000 Local Government Council gave an brief overview of services they provide and the projects they are working on for the Town of Appomattox.

Mayor's Comments:
Mayor Harvey – hopes everyone had a good holiday season.

Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for January 8, 2018 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to adopt the 2018 meeting schedule of the Appomattox Town Council. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to write off uncollected debts that have exceeded the statue of limitations. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to authorize payment of $150,000 to the Courtland Field Park project. All members present voting aye.
Motion carried.6 -0.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to amend the Code of the Town of Appomattox by deleting and repealing Chapter 190, Article IV Sewage Disposal, Section 70 thereof, Grease, oil and sand interceptors, when required; standards, and replacing it with a new section 70, to be entitled, Grease, oil and sand interceptors, when required; standards.

AN ORDINANCE TO AMEND THE Code of the Town of Appomattox by deleting and repealing Chapter 190, Article IV Sewage Disposal, Section 70 thereof, Grease, oil and sand interceptors, when required; standards, and replacing it with a new section 70, to be entitled, Grease, oil and sand interceptors, when required; standards.

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

§ 190-70 **Grease, oil and sand interceptors, when required; standards. [Amended 6-14-1999]**; *Amended 1-9-2018*

Grease, oil and sand/grit interceptors shall be provided by the owner at his expense, when, in the opinion of the ~~superintendent~~ *plant manager and the utility manager*, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except that such ~~facilities~~ *interceptors* shall not be required for private living quarters of dwelling units. All ~~grease, oil and grit chambers~~ *interceptors* shall be of a type of capacity approved by the ~~Town~~ *utility manager; as identified in the Fats, Oil and Grease Program adopted by the Appomattox Town Council;* ~~and the State Health Department~~ *and shall be located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature.* ~~Chambers~~ *They* shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight. All chambers for this purpose shall be maintained by the property owner, at his expense, in continuously efficient operation at all times.

Section 2. Effective Date.

This ordinance shall become effective on January 9, 2018.

All members present voting aye. Motion carried 6-0.

Town Manager's Report:
Mr. Shanaberger's report include an update on the following:

- The construction bids for the Appomattox Children's Park (Kiddie Park) were extended from January 11, 2018 to January 30, 2018.
- The Water and Sewer Rate Study – anticipates a scope of work ready by February/March 2018. Council gave consensus to have the rate study conducted by May/June 2018, if possible.
- Train Depot – Mr. Tom Frisbee-Fulton, Architect is willing to assist the Town in selecting an architectural/engineering firm for a nominal fee. The selection will

consist of 4-5 people including the Council's Physical Development Committee and 2 additional people. He advised that the report sought by Council could cost $30,000-50,000. He will share a timeline at the Council Workshop meeting on Tuesday, January 23, 2018.

- The new and updated Town and Tourism websites were launched on January 3, 2018. Council thanked Nathan Simpson for his hard work on the projects.

Council Concerns:
Mr. Conner asked Mr. Shanaberger to investigate a business owner's request for a cardboard recycling container.

On a motion by Mr. Garrett, seconded by Ms. Finch, Council adjourned at 8:15 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
January 23, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, January 23, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Mary Lou Spiggle and Steven T. Conner.

Members absent: Timothy W. Garrett, C. Lewis McDearmon, M. Erin Finch, and Claudia G. Puckette.

Others present: Nathan Simpson, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order but noted the lack of a quorum.

Section 5 – 10. Procedure in absence of quorum.
If a quorum fails to attend within 30 minutes after the time appointed for meeting, the Clerk of the Council shall enter on the journal the names of those in attendance, and the fact of adjournment for want of a quorum. If a quorum fails to attend on the day of any regular meeting, the meeting shall stand adjourned to the next day of meeting, or at such other time as those present may designate.

On a motion by Ms. Spiggle, seconded by Mr. Conner, Council adjourned at 6:05 p.m. until the next meeting of the Appomattox Town Council on Monday, February 12, 2018 at 7:30 p.m. Spiggle – yes, Conner - yes.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
February 12, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, February 12, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Absent: C. Lewis McDearmon, Jr.

Others present: Carlton Duck and Derek Norfield, Alive Media TV; Carrie Dungan, News and Advance; Nathan Harbin, Craig Wilson, Nathan Simpson, Tom Utz, Bob Goode, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
Craig Wilson, President/CEO of Community Planning Partners, Inc. appeared before Council to discuss the Downtown Revitalization Grant process the Town was engaged in with Region 2000 Local Government Council for the March 2017 application, which was not awarded to the Town and how/if the Town would like to move forward with a Spring 2019 application submittal.

According to Mr. Shanaberger and Mr. Wilson, the Department of Housing and Community Development (DHCD) encouraged the Town to reapply. Community Planning Partners, Inc. has a 80% success rate with application submittals being awarded and funded.

The biggest challenge the Town faced during the process was getting the businesses involved or engaged in the program. Another challenge the Town's application faced was a disbursed downtown area.

Mr. Wilson explained the next grant application would likely be March 2019 and there are several things that need to occur before submission.

Mayor Harvey thanked Mr. Wilson for the informative presentation.

Mayor's Comments:
Mayor Harvey requested Mr. Shanaberger coordinate with Appomattox County a letter of support to the Virginia Department of Transportation for the signs agreed upon by the Town to recognize the Appomattox County High School State Champions and the monetary contribution for the project.

Mayor Harvey also received a letter from Laura Dawson regarding the Appomattox Vintage and Artisans Market scheduled or Saturday, May 5 in the Courtland Festival Park.

Consent Agenda:
On a motion by Ms. Finch, seconded by Mr. Garrett, Council voted to adopt the consent agenda for Monday, February 12, 2018 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to donate $1000 to the American Legion Post 104 to facilitate payment of their water bill. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to proceed with building the restrooms at the Kiddie Park based on the bid received from Phillip Banton Builder, Inc. for a cost not to exceed $88,186.67. Garrett – yes, Spiggle – yes, Finch – yes, Puckette – yes, Conner – no. Motion carried 4-1.

The FY2019 Budget timeline for the Town of Appomattox was presented for discussion. There was no discussion.

Standing Committee Reports:
The Physical Development Committee will meet on Tuesday, February 13, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Citizen Comment Period:
None

Town Manager's Report:

Mr. Shanaberger reported on the following:

- Water and Sewer Rate Study. He has received two (2) proposals from engineering firms and waiting for one (1) additional proposal. There should be more information available at the February 27, 2018 Council Workshop meeting.
- The Physical Development Committee will meet on Tuesday, February 13, 2018 to continue discussion of interviewing firms for the Historic Structures Report for the Norfolk and Western Depot.
- Staff met with Republic Services regarding customer service of curbside trash collection. Republic agreed to provide an annual collection calendar and it has been posted on the Town website. Mr. Shanaberger will coordinate with Mrs. Torrence, Office Manager, a

method to send the calendar to residents. Town staff is hopeful the meeting will lead to better customer relations.

- On February 1, 2018, he, Mr. Elder and Mr. Gillespie, traveled to Richmond, Virginia to meet with USDA regarding the Town's sewer projects.
- Mr. Shanaberger thanked Nathan Simpson for his work on the Town's website. The curbside trash collection schedule and zoning map have recently been added.
- The zoning permit has been issued for the microbrewery.
- Thanked staff for wearing so many hats. A financial report will be presented at the February Workshop meeting.

Questions – none

Council Concerns:
Ms. Spiggle inquired about the possibility of placing the Council meeting videos on the Town website.

Mayor Harvey commended Council for their action to assist the American Legion Post.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council adjourned at 8:30 p.m. All members present voting aye. Motion carried 5-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
February 27, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, February 27, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Members absent: C. Lewis McDearmon

Others present: Robin Snyder, Matt Perkins, Nathan Simpson, Barry Letterman, Sheriff; Susan Adams, Jeff Elder, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Sheriff Letterman provided an update regarding Sheriff's Office activities during the recent months. Three (3) deputies have retired and three (3) new officers are in the academy for training. The current starting salary is $31,000 but there is a request to increase that amount to $36,000. He currently has 10 officers below $36,000 per year. Mr. Garrett commented that the Town may need to consider this issue during budget discussions. Members of the community are invited to attend a meeting on March 8, 2018 for open dialogue on the opioid epidemic.

Matt Perkins, Special Projects Manager, Virginia's Region 2000 Local Government Council provided an update on the Greater Meadowlark Neighborhood Improvement Project. In April 2016, the Town of Appomattox was awarded a $1,000,000 multi-year grant ($700,000 for housing rehabilitation and $300,000 for infrastructure improvements). Phase I must be fulfilled or under contractual obligations by April 13, 2018 before Phase II will be funded.

The program received 20 applications and 15 families have been assisted. The 15 families include 10 elderly, 17 other adults, and 13 children. 10 of the homes are owner occupied and 5 are investor owned (rental) properties. The average amount spent on each home is $34,000. $512,000 has been obligated plus administrative costs. $17,000 has been secured through investors or non-profits to the project. There are two (2) substandard structures under contract for removal. The project has replaced roofs, heating systems, plumbing, weatherization, smoke detectors, refrigerators, stoves and range hoods, ramps, hand bars and toilets, replaced broken windows, termite treatment, bed bug removal and assistance with obtaining homeowners insurance. The Town has actively coordinated Spring and Fall Clean up with residents of the Meadowlark area.

The project will generate approximately $43,000 through repayment of loans over the next 10 years by way of the deed of trust on each of the homes.

The engineering firm B & B Consultants is currently working on drawings to correct the 3 areas of storm water backup. This is a component of Phase II.

A compliance review of the grant by the Department of Housing and Community Development is scheduled for the end of March 2018.

Robin Snyder, Superintendent, Appomattox Court House National Historical Park provided a brief update on the Federal Lands Access Program (FLAP). The program has a budget of $800,000 with design to be completed during the federal fiscal year (October 2018 – September 2019) and construction completed during federal fiscal year (October 2019 – September 2020).

Appomattox County has agreed to be the lead agency on the project and the Virginia Department of Transportation will be the fiscal arm. It is hopeful a memorandum of agreement can be reached within the next three (3) to six (6) months.

The Appomattox Court House National Historical Park will be hosting an open house to gain input on the Comprehensive Site – Wide Trail System on Thursday, March 1, 2018 from 6:00 p.m. – 8:00 p.m. at the American Civil War Museum – Appomattox.

Ms. Snyder also provided handouts of accomplishments for FY 2017 and FY 2018 Programs and Priorities.

Ms. Snyder also spoke on the Appomattox Tourism Committee's efforts to increase tourism and economic development.

Council Concerns – none

Mayor's Comments – On Saturday, April 21, 2018 there will be a kick off event at the Courtland Festival Park with family/children's activities from 12:00 noon – 5:00 p.m. and a beach band with adult beverages beginning at 5:30 p.m.

Staff Reports –

Mrs. Kim Ray, Town Treasurer gave a financial report for FY 2018 as of December 31, 2017 and another financial report for January 2018. She is working on delinquent account processing for taxes, business licenses and personal property taxes. The statute of limitations is longer for Real Estate taxes, but those delinquencies are on the radar.

Gary Shanaberger, Town Manager reported on the following:

- Three (3) proposals were received for the Water and Sewer Rate Study from engineering firms under the Town's Basic Ordering Agreement. The firms would need one full year of Internal Service Fund financial data to use for the Study. Council provided a consensus to award the study to Hurt & Proffitt, Inc. for $9,300.00. Hurt & Proffitt, Inc.

offered to maintain the study for $1,500.00 per year. Hurt & Proffitt, Inc. is also willing to wait until July 1, 2018 to invoice the Town for the study.

- The Appomattox Children's Park contract documents for the restrooms have been finalized.
- The Physical Development Committee will meet on Saturday, March 3, 2018 at 8:45 a.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.
- The curbside trash collection customer service has improved greatly. The Town is receiving fewer phone calls from residents.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to adjourn at 7:30 p.m. All members present voting aye. Motion carried 5-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
March 19, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, March 19, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding. *(The regular second Monday meeting scheduled for Monday, March 12, 2018 was rescheduled to March 19, 2018 due to inclement weather).*

Members present: Timothy W. Garrett, Mary Lou Spiggle and Claudia Puckette.

Members absent: M. Erin Finch, Steven T. Conner and C. Lewis McDearmon, Jr.

Others present: Carlton Duck, Alive Media TV; Jeff Elder, Nathan Simpson, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order but noted the lack of a quorum.

Section 5 – 10. Procedure in absence of quorum.
If a quorum fails to attend within 30 minutes after the time appointed for meeting, the Clerk of the Council shall enter on the journal the names of those in attendance, and the fact of adjournment for want of a quorum. If a quorum fails to attend on the day of any regular meeting, the meeting shall stand adjourned to the next day of meeting, or at such other time as those present may designate.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council adjourned at 7:50 p.m. until the next meeting of the Appomattox Town Council on Tuesday, March 27, 2018 at 6:00 p.m. Garrett – yes, Spiggle – yes, Puckette – yes.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
March 27, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, March 27, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett (arrived at 7:05 p.m.), Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Members absent: C. Lewis McDearmon

Others present: Carlton Duck, Alive Media TV; Nathan Simpson, Jeff Elder, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Public Appearances – none

Council Concerns – none

Mayor's Comments – Mayor Harvey reminded Council and those in attendance of the two (2) events planned at the Courtland Festival Park on April 12, 2018 beginning at 5:30 p.m. The Town and Council will sponsor the unveiling of the LOVE sign. On Saturday, April 21, 2018 the Courtland Festival Park Foundation will sponsor an official opening of the Courtland Festival Park with activities planned from 12:00 noon to 8:30 p.m.

Consent Agenda –
On a motion by Ms. Finch, seconded by Mrs. Puckette, Council voted to approve the consent agenda for Tuesday, March 27, 2018 as presented. All members present voting aye. Motion carried 4-0.

Unfinished Business –
On a motion by Mr. Conner, seconded by Ms. Finch, Council voted to re-appoint S. L. Ferguson and Marvin H. Mitchell to the Appomattox Town Planning Commission with a term expiring December 31, 2022. All members present voting aye. Motion carried 4-0.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to waive the food vendor fees for the Appomattox Vintage and Artisans Market on May 5, 2018 in Courtland Festival Park. Vote: Spiggle – yes, Finch – yes, Puckette – yes, Conner – no. Motion carried 3-1.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to amend the Employee Handbook – Travel Policy – Appendix A, increasing the mileage reimbursement rate from $0.535 to $0.545, retroactive to January 1, 2018. All members present voting aye. Motion carried 4-0.

Citizen Comment Period – none

Staff Reports –

Mr. Elder – none

Mrs. Casto – none

Mr. Shanaberger, Town Manager reported on the following items:

- Town Staff will be meeting with Hurt & Proffitt, Inc. on Thursday, March 29, 2018 to discuss the timeline for the Utility Rate Study.
- Construction has begun on the restrooms at the Children's Park.
- An Invitation to Bid on the restrooms for cleaning has been advertised and are due by Friday, April 13, 2018.
- Talked with Craig Wilson, Community Planning Partners regarding the Downtown Revitalization Grant application.
- Met with Jay Hutt, Epitome Networks regarding a software upgrade for the phone system and problems regarding service/quality of Verizon phone lines. Epitome Networks will be looking into a wireless issue between the Town Office and Public Works.
- The Physical Development Committee of the Appomattox Town Council is continuing to vet choices of Architect/Engineering firms for the Historic Structures Report for the Norfolk and Western Railway Building. A recommendation from the Physical Development Committee will be forthcoming in the next few weeks.

Mrs. Kim Ray, Town Treasurer provided a financial report for March 2018. Highlights for the FY 2018 include the Meadowlark Grant, Interim financing through the Bank of the James for the Inflow and Infiltration project, and the Internal Service Fund is now up and operating the first interest payment for the Bank of the James loan will be due in April 2018.

Mrs. Ray outlined the FY 2018 Operating Revenues and Expenditures year to date.

FY 2019 Budget Discussions:

Downtown Revitalization Grant –
Mr. Shanaberger intends to meet with property owners to determine their interest in the project should the Town choose to resubmit a grant application. Council concurred to place $20,000 in the proposed FY 2019 budget but requested an opportunity to decide whether to engage with a firm before expending funds. Mr. Conner stated he doesn't think the Town will get enough property owners interested in reapplying. Mr. Shanaberger stated that the Town has nothing to lose by placing the item in the budget. Mrs. Puckette agreed we should put it in the budget and see how this plays out.

Norfolk and Western Railway – Historic Structures Report –
Mr. Shanaberger advised Council there is approximately $60,000 in a checking account from the proceeds of the gift shop sales from the Tourism Department. This project seems like a logical use of these funds.

Financial Software –
Staff requests to delay this request until FY 2020.

Vehicle –
Mr. Shanaberger is requesting to purchase a new or used vehicle for use by Administrative Staff with a budget of $30,000.

VRS Group Life Insurance -
Mr. Shanaberger explained that 19 full-time employees would benefit from this plan. Council provided consensus to leave it in the FY 2019 budget.

Retiree Health Insurance –
Mr. Garrett and Ms. Spiggle requested the Town take the necessary steps to offer this to retirees at their cost beginning July 1, 2018.

Sweeper Truck -
The Town uses the sweeper truck once a week during the summer months and to clean up mud from water and sewer line repairs. Grant opportunities may be available and Public Works will continue to research those opportunities. The balance of the equipment could be financed with a low interest loan.

Mr. Shanaberger advised that the budget process is on track with another review planned for April 9 and final presentation on April 24, 2018. The public hearing will be held in May 2018 and adoption in June 2018.

Council Concerns:
Mr. Conner inquired about residential trash service, specifically if the dates had been changed? How could residents find out if there has been a change. Mr. Shanaberger explained that the dates have not changed however, today, March 27th the trash crew was running late.

On a motion by Ms. Finch, seconded by Mr. Conner, Council voted to adjourn at 7:30 p.m. All members present voting aye. Motion carried 5-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
April 9, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, April 9, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Absent: C. Lewis McDearmon, Jr.

Others present: Carlton Duck and Derek Norfield, Alive Media TV; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. S. L. Ferguson led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
None

Mayor's Comments:
Mayor Harvey reminded those present of the upcoming events at the Courtland Festival Park. On April 12, 2018 the LOVE sign unveiling will begin at 5:30 p.m. On Saturday, April 21, 2018 a Dedication of the Park event will be held from 12:00 – 8:30 p.m.

Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to adopt the consent agenda for Monday, April 9, 2018 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to approve the payment request #2 of the 4 annual payments that were provided as an Economic Stimulus Grant in the Performance Agreement between the Town of Appomattox, the Town of Appomattox Economic Development Authority in the amount of $29,960.15 to COJANA, a limited Liability Corporation as the owner of the Appomattox Inn and Suites and also consideration in accepting payment request #2 that COJANA has met its responsibilities as noted in the Performance Agreement dated March 13, 2015. All members present voting aye. Motion carried 5-0.

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

RESOLUTION
Concerning participation by retirees in health insurance program

WHEREAS, the Town of Appomattox provides all full-time employees with medical health insurance through a health insurance plan "the Plan" and

WHEREAS, the Town of Appomattox has the option to provide employees retiring from the Town of Appomattox service the ability to purchase health care insurance through the Town of Appomattox's plan until such time as they become eligible for Medicare health coverage as determined by the federal government. At that time retiree coverage will end or the retiree will elect a Medicare Supplement from the Plan and

WHEREAS, only those employees retiring who meet the eligibility requirements retiring after 50 years of age and ten years of service with the Town of Appomattox or 55 years of age and five years of service with the Town of Appomattox may participate in this plan. Age and service requirements are waived if the retiring employee is documented to be disabled and

WHEREAS, the participating former employee will pay All of the premium cost at regular intervals as determined by the Plan. Failure to timely pay the premium due will result in the immediate cancellation of the former employee's plan and

WHEREAS, the option is available only to those retiring on or after July 1, 2018, and

WHEREAS, the Town of Appomattox reserves the right to modify or discontinue health care plans and third-party providers at its discretion.

NOW THEREFORE BE IT RESOLVED, that the Town of Appomattox does hereby extend the option for retired employees to purchase health care insurance coverage through the Plan. Our choice of Medicare Supplemental coverage is Advantage 65 with Dental/Vision.

Date: _____

Signed By: _____

Attested By: _____

All members present voting aye. Motion carried 5-0.

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

1. *Consideration to adopt a resolution amending the FY 2018 Operating Budget for the General Fund for FY 2016-2017 for the carry forward of funding of incomplete projects from FY 2017*

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

2. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2018 Operating Budget for the General Fund for FY 2017-2018 for the carry forward of funding for incomplete projects*

General Fund Expenditures	
CDBG/Meadowlark	*$704,124*
Net Increase in Budget	*$704,124*

General Fund Revenues	
CDBG/Meadowlark Grant Revenue	*$704,124*
Net Increase in Budget	*$704,124*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2018 budget amendments are hereby adopted, 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.
Amended this _____ day of _____, 2018.
Attest:

_____
Roxanne Casto, Town Clerk

All members present voting aye. Motion carried 5-0.

On a committee recommendation, Council voted to select the firm, Dalgleish, Gilpin, Paxton Architects for development of a Historic Structures Report for the Norfolk and Wester Train Depot. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Ms. Finch, Council for to adopt the following resolution:

1. *Consideration to adopt a resolution amending the FY 2018 Operating Budget for the General Fund for FY 2017-2018 for the engagement of professional services for the development of a Historic Structure Report for the former Norfolk and Western Train Depot.*

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

2. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2018 Operating Budget for the General Fund for FY 2017-2018 for the engagement of professional services*

General Fund Expenditures	
Property Maintenance & Construction	*60,000*
Net Increase in Budget	*$ 60,000*

General Fund Revenues	
Use of Undesignated Reserve	*$ 60,000*
Net Increase in Budget	*$ 60,000*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2018 budget amendments are hereby adopted, 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.
Amended this 9th day of April, 2018.
Attest:

_____
Roxanne Casto, Town Clerk

All members present voting aye. Motion carried 5-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:

Mr. Shanaberger reported on the following:

- Construction continues on the restrooms at the Kiddie Park.
- Staff met with Hurt & Proffitt, Inc. to begin providing information for the Utility Rate Study.
- The evaluating process of the Downtown Revitalization Grant application will begin soon. He is planning to discuss assistance from the Town's Economic Development Authority.
- Publicly thanked Tom Frisbee-Fulton & Fred Kruschwitz for their assistance with the Physical Development Committee in selecting an Architectural firm for the Historic Structures Report for the Train Depot.

Council Concerns:
Mr. Conner – Are we still doing this [Downtown grant application] in house? Mr. Shanaberger advised he is evaluating interest from the property owners 50% participation from property/business owners is key to the application. Mr. Conner asked if the Town has a scope of the area? Mr. Shanaberger said it would be the same as the last time. Mr. Conner stated the agreement has to be with the property owner, not the business.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council adjourned at 7:50 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
April 24, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, April 24, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, Mary Lou Spiggle, M. Erin Finch, Steven T. Conner (arrived at 7:20 p.m.) and Claudia G. Puckette.

Members absent: C. Lewis McDearmon

Others present: Bif Johnson, Dennis Amos, Stacie Castro, Nathan Simpson, Jeff Elder, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Mr. Rick Butler, State Forester presented the Town with the 6 years of Tree City USA material from the Arbor Day Foundation.

Mayor Harvey read the following proclamation:

TOWN OF APPOMATTOX
ARBOR DAY PROCLAMATION

WHEREAS, *in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and*

WHEREAS, *this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and*

WHEREAS, *Arbor Day is now observed throughout the nation and the world, and*

WHEREAS, *trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperate, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and*

WHEREAS, *trees are a renewable resource giving us paper, wood for our homes, fuel for our fire and countless other wood products, and*

WHEREAS, *trees increase property values, enhance the economic vitality of business areas, and beautify communities, and*

WHEREAS, *trees, wherever they are planted, are a source of joy and spiritual renewal.*

NOW, THEREFORE, *I, Paul Harvey, Mayor of the Town of Appomattox, do hereby recognize the 27th day of April 2018 (the last Friday in April) as our Annual Arbor Day celebration and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and*

FURTHER, *I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.*

Dated this _____ *day of* _____

Mayor _____

Utility Rate Study –

Bif Johnson, Dennis Amos, and Stacie Castro from Hurt & Proffitt, Inc. met with Council to discuss the time frame of the Utility Rate Study. They hope to wrap up the study within 90 days. They were also seeking guidance and direction for several items. The three (3) items the rate will try to include are operations and maintenance expenses, debt service or projects, and reserves.

Mayor Harvey inquired about the types of rate structures; flat vs. tiered, etc. Mr. Johnson explained that those scenarios could be incorporated into the next presentation with Council. He reminded Council this is a marathon, not a sprint.

Hurt & Proffitt will include a report with all the options of rates include use of reserve and general fund transfer. Water and sewer funds should be stand-alone enterprise funds. The rates need to include depreciation. The rates need to include depreciation. Council needs to have the willingness to annualize rate increases yearly. It will eliminate the anxiety of rate increases.

FY 2019 Budget - Finalization

Mr. Shanaberger discussed the proposed FY 2019 Budget and hopes that the rate study will answer a lot of questions about future projects, as it pertains to the Capital Improvement Plan for Water and Sewer.

Morton Lane – Sewer Line
Mr. Elder briefly discussed the need to address the current sewer line on Morton Lane. The engineers estimate is $170,950. Council gave consensus to fund the design in FY 2019 of $13,000 and then budget for the construction in FY 2020.

Fire Department
Mr. Garrett stated that the Fire Department needs more funding, specifically for their operating budget, trucks and air packs. The AVFD receives approximately $100,000 from the Town and County, pass through of Fire Program funds and about $30,000 from the Spout Spring Ruritan Club for turnout gear and Walter Payne grant money.

Mr. Garrett informed Council that the Appomattox Volunteer Fire Department needs more money to operate. They have outdated gear and air packs. Council will consider an increase for FY 20.

Staff Reports –

Mr. Elder – none

Mrs. Casto – none

Mrs. Ray provided the March 2018 Financial Report. The same report will also be electronically sent to Council members.

Mrs. Ray discussed the possibility of submitting changes to the Accounts Receivable policy to Council for review. She also explained how the Purchase Order program is aiding in better control of line items in the budget for FY 2018.

Mrs. Earhart will be providing training and consultation in the middle of May. Mrs. Earhart will be providing assistance for the remaining items of the FY 2017 audit, GASB compliance and software upgrades.

Mr. Shanaberger reported on the following items:

- The architectural firm toured the depot last week.
- The Kiddie Park restrooms are nearly complete.

Council Concerns:
Mr. Conner reminded Council that Amherst eliminated their Real Estate tax, Personal Property tax and Business License tax and increased their Meals Tax and Cigarette Tax.

Mr. Garrett asked if the town is getting what it should in Cigarette Tax revenue? Mr. Conner said the Cigarettes are monitored by regulations and selling how many are on the shelves.

Mrs. Puckette inquired about the Key to the Town for Coach Smith. Mrs. Casto advised she was working on it.

Mr. Conner also inquired about merit raises for employees in the proposed budget. After a lengthy discussion Council voted on the following:
On a motion by Mr. Conner, seconded by Ms. Finch, Council voted to approve a one-time bonus of $10,000 each to Mr. Elder and Mrs. Casto for service beyond expectations. All voting aye. Motion carried.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
May 14, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, May 14, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Nathan Simpson, Mr. and Mrs. James Boyce, Carlton Duck and Derek Norfield, Alive Media TV; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
None

Mayor's Comments:
None

Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Finch, Council voted to approve the consent agenda for May 14, 2018 as presented. All members present voting aye. Motion carried.

Unfinished Business:
None

New Business:
On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to adopt the following VRS Group Life Insurance:

VRS GROUP LIFE INSURANCE RESOLUTION

BE IT RESOLVED that the Appomattox Town Council, a local political subdivision, of the Commonwealth of Virginia, acting by and through the Town of Appomattox, does hereby elect to have those of its employees who are regularly employed full time on a salaried basis and whose tenure is not restricted as to temporary or provisional appointment, become eligible to participate in the Group Life Insurance program as set out in Title 51.1, Chapter 5 of the Code of Virginia, as amended, effective July 1, 2018 and

BE IT FURTHER RESOLVED, the Town of Appomattox agrees to pay the required employer cost for its eligible employees and further, to deduct from employees' wages and to pay over in the manner prescribed the employees' portion to the extent that such employees' portion is not paid by the Town of Appomattox.

Now, therefore, Paul D. Harvey, Mayor and Roxanne W. Casto, Clerk, are hereby authorized and directed in the name of the Town of Appomattox to execute any required contract in order that employees of the Town of Appomattox may become eligible to participate in the Group Life Insurance program as provided in the aforementioned sections of the Code of Virginia. In execution of any contract which may be required the seal of the Town of Appomattox shall be affixed and attested by the Clerk, and said officers of the Town of Appomattox are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town of Appomattox and its employees for this purpose.

CERTIFICATE

I, _____, Clerk of the Town of Appomattox certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Appomattox Town Council held at the Appomattox Municipal Building, Appomattox, Virginia at 7:30 o'clock p.m. on May 14, 2018. Given under my hand and the seal of the Town of Appomattox this _____ day of _____. 20___.

_____
Clerk

All members present voting aye. Motion carried 6-0.

On a motion by Mr. McDearmon, seconded by Mrs. Puckette, Council voted to adopt the VRS Resolution to Elect the Alternate Rate:

NOTE: The language in this resolution has been approved by VRS Benefits Counsel and is not subject to modification.

Virginia Retirement System

VIRGINIA RETIREMENT SYSTEM
P.O. Box 2500
Richmond, VA 23218-2500

Employer Contribution Rates for Counties, Cities, Towns, School Divisions and Other Subdivisions
(In accordance with the 2018 Appropriation Act Item 474(I))

Resolution to Elect the Alternate Rate

WHEREAS, the 2018 Appropriation Act, Item 474(I)(1), requires that an employer pay the contribution rate certified by the VRS Board of Trustees ("Certified Rate"), unless the employer elects to pay an alternate rate as described in Item 474(I)(2) ("Alternate Rate"); and

WHEREAS, if an employer wishes to pay the Certified Rate, then the employer need not take action on this resolution; and

WHEREAS, if an employer wishes to pay the Alternate Rate established in the 2018 Appropriation Act, then the employer must pass this resolution on or before July 1, 2018, to elect the Alternate Rate; and

WHEREAS, any local public school division that elects to pay the Alternate Rate must receive the concurrence of its local governing body, documented by a resolution of the governing body, on or before July 1, 2018;

NOW, THEREFORE, BE IT RESOLVED, that the [insert Locality, School Division, or Other Political Subdivision Name] Town of Appomattox ("the Employer") [insert employer code] 55358, does hereby elect to pay the Alternate Rate and acknowledges that its contribution rate effective July 1, 2018 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) one-hundred percent of the results of the June 30, 2017 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2018-20 biennium; and

BE IT FURTHER RESOLVED, that the Employer does hereby certify to the Virginia Retirement System Board of Trustees that it agrees to pay the Alternate Rate of [insert Alternate Rate provided in the attached cover letter] 6 % effective July 1, 2018; and

BE IT FURTHER RESOLVED, that the Employer does hereby acknowledge that, if it is a school division, this resolution shall not become effective unless the Virginia Retirement System receives the concurrence of its local governing body documented by a resolution of the local governing body dated on or before July 1, 2018; and

BE IT FURTHER RESOLVED, that the Employer does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution.

Virginia Retirement System

VIRGINIA RETIREMENT SYSTEM
P.O. Box 2500
Richmond, VA 23218-2500

NOW, THEREFORE, the officers of the Employer are hereby authorized and directed in the name of the Employer to carry out the provisions of this resolution, and said officers of the Employer are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Employer for this purpose.

Paul D. Harvey
Governing Body/School Division Chairman

CERTIFICATE

I, [insert name] Roxanne W. Casto, [insert title] Clerk of Council of the Employer, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Employer held at [insert county/city/town] Appomattox, Virginia at [insert time] 7:30pm on [insert date] May 14, 2018. Given under my hand and seal of the Employer this 15 day of May, 2018.

Roxanne W. Casto, mmc
(signature)

All members present voting aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to adopt the Commonwealth of Virginia 457 Deferred Compensation Plan Employer Adoption Agreement for All Employees:

Commonwealth of Virginia 457 Deferred Compensation Plan
Employer Adoption Agreement for All Employees

THIS AGREEMENT (the "Agreement"), executed this [insert date] _14th___ day of _____May_____, 20_18__, is by and between [insert Locality, School Division, or Other Political Subdivision] _____Town of Appomattox_____ (the "Employer") and the Virginia Retirement System (the "Plan Sponsor") (hereinafter collectively referred to as the "Parties").

WITNESSETH

WHEREAS, the Commonwealth of Virginia established the Commonwealth of Virginia 457 Deferred Compensation Plan (the "Plan") and the Master Trust for the Plan (the "Trust") pursuant to § 51.1-600 et seq. of the Code of Virginia, as amended, and Internal Revenue Code ("IRC") § 457(b), including both Roth and Traditional options; and

WHEREAS, pursuant to § 51.1-603.1 of the Code of Virginia, as amended, the Employer desires to enter into this Agreement with the Plan Sponsor to permit participation in the Plan by its eligible employees; and

WHEREAS, the Employer is an "eligible employer" within the meaning of IRC § 457(e)(1)(A); and

WHEREAS, pursuant to § 51.1-603.1(B) of the Code of Virginia, as amended, the Employer may establish and automatically enroll certain employees in the Plan upon hire; and

WHEREAS, the Employer, by a resolution of its governing body, has directed its responsible official to enter into this Agreement;

NOW, THEREFORE, in consideration of the premises herein, the Parties agree as follows:

1) *The Plan Sponsor and the Employer represent and warrant that each shall comply with all applicable laws and policy.*

2) *The Plan Sponsor represents to the Employer that the Plan Sponsor shall provide sufficient services to administer the Plan.*

3) *The Employer acknowledges and agrees to the terms and conditions established in the Trust and the Plan.*

4) *For purposes of the Employer's participation in the Plan, "employees" shall mean all "employees" as defined in § 51.1-600 of the Code of Virginia.*

5) *The Employer shall permit the Plan Sponsor's third party administrator ("TPA") to conduct group and individual meetings on the Employer's premises for the purpose of explaining the Plan or enrolling employees.*

6) *The Employer shall permit the Plan Sponsor and the TPA to communicate directly with eligible employees about plan information and enrollment.*

7) *The Employer shall remit contributions under the Plan to the TPA in accordance with procedures promulgated by the Plan Sponsor or the TPA. The Employer shall correctly report and withhold employees' wages in accordance with applicable laws and policy.*

8) *The Employer shall make the appropriate contributions (including associated matching contributions to another plan, if applicable) required under Internal Revenue Service regulations and the Plan Sponsor procedures to correct any failure (i) to inform an employee of the opportunity to defer, (ii) to allow an employee to defer, or (iii) to implement automatic enrollment, reenrollment, or an election or election change by an employee.*

9) *Should the Employer offer its employees deferred compensation plans in addition to the Plan, then the Employer is responsible for monitoring all plans to ensure that no participants exceed the maximum deferral limits under IRC § 457.*

10) *If the Employer so desires, it may check the box below and sign the statement of acknowledgment to automatically enroll certain employees in the Plan in a manner prescribed by the Plan Sponsor, subject to an employee (i) commencing employment or reemployment on or after the first day of [insert month and year]_____July 2018_____ but no sooner than the date established and confirmed by the Plan Sponsor, (ii) not participating in the Hybrid Retirement Plan described in § 51.1-169 of the Code of Virginia, and (iii) not having affirmatively elected to participate in the plan described in § 51.1-602 of the Code of Virginia or a 403(b) plan. If the Employer does not check the box and sign the statement of acknowledgment, then the Employer shall not automatically enroll its employees in the Plan.*

[X] *By checking this box and signing this statement of acknowledgment, the Employer agrees to automatically enroll in the Plan in a manner prescribed by the Plan Sponsor, all employees who (i) commence employment or reemployment on or after the first day of [insert month and year]_____July 2018_____ but no sooner than the date established and confirmed by the Plan Sponsor, (ii) do*

not participate in the Hybrid Retirement Plan described in § 51.1-169 of the Code of Virginia, and (iii) have not affirmatively elected to participate in the plan described in § 51.1-602 of the Code of Virginia or a 403(b) plan.

_____
Signature

11) *If applicable, the Employer acknowledges it is solely the responsibility of the Employer to instruct the Plan Sponsor's TPA where to map assets from the Employer's existing plan to the available investments under the Plan. Neither the Plan Sponsor nor the Plan Sponsor's TPA will advise or recommend to the Employer how to map assets from the Employer's existing plan.*

12) *The Employer acknowledges asset transfers from an existing plan with the Employer into the Plan may need to be made over more than one day depending upon the facts and circumstances of each case.*

13) *The Employer acknowledges upon termination of this Agreement asset transfers out of the Plan may need to be made over more than one day depending upon the facts and circumstances of each case.*

14) *This Agreement may be amended from time to time only by written agreement between the Plan Sponsor and the Employer.*

15) *The term of this Agreement shall be for at least a three-year period beginning on the date of its execution and, thereafter, may be terminated by either party upon written notice to the other party, which termination shall become effective on a date established by the Plan Sponsor.*

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed, intending to be bound thereby.

Employer	***Virginia Retirement System***
By: _____	*By:* _____
Title: _____	*Title:* _____
Date: _____, 20__	*Date:* _____, 20__

All members present voting aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council voted to adopt the Commonwealth of Virginia 457 Deferred Compensation Plan Resolution:

Commonwealth of Virginia 457 Deferred Compensation Plan Resolution

WHEREAS, the [insert Locality, School Division, or Other Political Subdivision Name] _____Town of Appomattox_____ (the "Employer"), acting by and through [insert name of governing body] _____the Appomattox Town Council_____, desires to adopt the Commonwealth of Virginia 457 Deferred Compensation Plan (the "Plan") for its employees as defined in the adoption agreement between the Employer and the Virginia Retirement System (the "VRS"); and

WHEREAS, the Plan, which includes both Roth and Traditional options, is authorized by the Code of Virginia § 51.1-600 et seq. and Internal Revenue Code § 457(b), and political subdivisions are authorized to participate in such Plan by the Code of Virginia § 51.1-603.1; and

NOW, THEREFORE, BE IT RESOLVED, that the Employer hereby approves the adoption of the Plan for its employees in accordance with applicable law and policy; and

BE IT FURTHER RESOLVED, that the Employer's staff is hereby directed to implement the Plan effective the first day of [insert month and year] __July 2018_____ but no sooner than the date established and confirmed by VRS.

NOW, THEREFORE, the officers of the Employer are hereby authorized and directed in the name of the Employer to carry out the provisions of this resolution, enter an adoption agreement with VRS, and pay such sums as are due to be paid by the Employer for this purpose.

_____
Governing Body Chair

CERTIFICATE

I, [insert name] _____, [insert title] _____ of the Employer, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Employer held at [insert county/city/town] _____, Virginia at [insert time] _____ on [insert date] _____ _____, 20__. Given under my hand and seal of the Employer this _____ day of _____, 20__.

_____
Signature

All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to adopt the Authorization to Pick Up the Employees Contribution to VRS for Past Service Credit under §414(h) of the Internal Revenue Code:

RESOLUTION

Authorization to Pick up the Employees Contribution to VRS for Past Service Credit under § 414(h) of the Internal Revenue Code

WHEREAS, the _Appomattox Town Council___ desires to provide its employees with tax deferral pursuant to § 414 (h) Internal Revenue Code (IRC) with respect to their member contributions to the Virginia Retirement System, the State Police Officers' Retirement System (collectively referred to as VRS) for the permissible purchase of past service credit by picking up member contributions to the VRS; and

WHEREAS, the pick up is authorized under § 51.1-142.2 of the Code of Virginia, as amended from time to time; and

WHEREAS, the VRS keeps track of such picked up member contributions, and is prepared to treat such contributions as employee contributions for all purposes of VRS;

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first pay day on or after the later of ___July 1, 2018____ or the date the member executes a binding and irrevocable salary reduction election relating to the past service permitted to be purchased, the ___Town of Appomattox___ shall pick up all or a portion of the member contributions of its employees to VRS based on the terms of the salary reduction election, and such contributions shall be treated as employer contributions in determining tax treatment under the IRC; and it is further

RESOLVED, the binding salary reduction election to be executed by the member shall include the following: (1) the beginning and ending date of the election, (2) the amount of the salary reduction on a pay period basis, (3) the total amount of contribution expected to be involved, (4) a statement that the member may not receive the contributed amounts instead of having them paid by the ___Town of Appomattox____ to the VRS, and (5) an agreement that the member will not purchase the service credit through a lump sum payment during the period in which the salary reduction election is in effect; and it is further

RESOLVED, the member may revoke the salary reduction election only in the event of an unforeseeable emergency as that phase is used and defined in IRC § 457 and applicable Treasury Regulation and if such a revocation is made, the member may not make a new salary reduction election during his period of employment; and it is further

RESOLVED, that such contributions, although designated as member contributions, are to be made by the ___Town of Appomattox ____ in lieu of member contributions; and it is further

RESOLVED, that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees, and it is further

RESOLVED, that member contribution made by the ____Town of Appomattox___ under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and it is further

RESOLVED, that nothing herein shall be construed as to permit or extend an option to VRS members to receive the pick up contributions made by the ___Town of Appomattox___ directly instead of having them paid to VRS; and it is further

RESOLVED, that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the ___Town of Appomattox___ shall be reduced by the amount of member contributions picked up by the ___Town of Appomattox___ on behalf of such employee pursuant to the foregoing resolutions.

Adopted in _____, Virginia this _____ day of _____, _____.

_____

Printed Authorized Signature Title

_____

Authorized Signature Title

All members present voting aye. Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- Continues to update the contract with the Architect for the Train Depot.
- Jeff Garrett, Chairman, EDA and Mr. Shanaberger have begun visiting with Downtown Businesses and Property Owners regarding the Downtown Revitalization Grant. The business and property owners appear to be grateful for the Town EDA's willingness to help with a portion of the payment. On June 12, 2018 there will be a local business and property owners meeting – possibly at the Train Depot.
- Mr. Shanaberger thanked staff for assisting in getting information to Hurt & Proffitt for the Utility Rate Study.
- He attended the Artisan Festival held at the Courtland Festival Park last weekend.
- It will likely be a couple of more weeks before the bathrooms at the Kiddie Park are open.

Council Concerns:
Mr. Conner questioned if the Town has any AirBnB's? VML sent out something to members and he didn't know if we had any.

Closed Session:
On a motion by Council Member Spiggle, seconded by Council Member Finch, 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 performance and salaries of specific public employees of any public body, specifically Employees A and B.

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Finch and Council by the following recorded vote adopted the motion:

Vote:
Garrett – yes, McDearmon – yes, Spiggle – yes, Finch – yes, Conner – yes, Puckette – yes.

Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to rescind a motion made on April 24, 2018 to give Employees A & B a $10,000 bonus each. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to give a $5,000 bonus and a $5,000 salary increase to Employees A & B. All members present voting aye. Motion carried.

On a motion by Mr. Conner, seconded by Mr. Garrett, Council adjourned at 8:20 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
May 29, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, May 29, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: James Boyce, Jonathan Garrett, Kim Ray, Town Treasurer; Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Mayor Harvey opened the Public Hearing.

The purpose of this public hearing will be to receive public comments concerning the following:

Proposed FY 2019 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2019:

GENERAL FUND EXPENDITURES	2,125,981.00
INTERNAL SERVICE FUND EXPENDITURES	162,700.00
WATER FUND EXPENDITURES	642,742.00
SEWER FUND EXPENDITURES	1,094,876.00
TOTAL EXPENDITURES	**4,026,299.00**
GENERAL FUND REVENUE	2,125,981.00
INTERNAL SERVICE FUND REVENUE	162,700.00
WATER FUND REVENUE	642,742.00
SEWER FUND REVENUE	1,094,876.00
TOTAL REVENUE	**4,026,299.00**

Documentation is available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday. For questions, please contact Gary L. Shanaberger, Town Manager at 434-352-8268.

Staff presentations – None

Comments from the public –
Mr. James Boyce, 177 Cawthorne Street, Appomattox, Virginia – I've never seen numbers come up the same.
Mayor Harvey stated that the Town needs to pass a balanced budget.
Mr. Boyce asked if these were actual revenues and expenditures?
Mayor Harvey assured Mr. Boyce that there was always fluidity in the budget.

There were no other public comments. Mayor Harvey closed the public hearing.

Council Concerns –
Mr. Conner stated that he has received some complaints or concerns of the company conducting the line lateral inflow and infiltration construction driving off the highway and into the yards of homeowners. Mr. Elder and Mr. Shanaberger will investigate this complaint further with the contractor.

Mrs. Puckette would appreciate it if the Town would send Congressman Tom Garrett a thank you letter for his service and wish him the best for his future. Council gave consensus to send Congressman Garrett a thank you letter.

Staff Reports –
Mr. Elder – none - absent

Mrs. Casto reported that there will be a vacancy on the Town Economic Development Authority and the Board of Zoning Appeals as of July 1, 2018. Council members need to consider replacements for both of these boards.

Mrs. Ray provided the April 30, 2018 Financial Report. She is also currently examining Utility debts, Personal Property and Business License delinquencies.

Mrs. Earhart provided training and consultation in the middle of May. She discussed a few of the Town's unique situations and assisted with satisfying several of the auditor's questions. Mrs. Ray thanked the Town for allowing her the opportunity to use Mrs. Earhart.

Mrs. Ray will explore the Virginia Municipal League investment products. She will be looking at other options for the Town's investments.

Mrs. Ray stated that near the end of the summer or early fall, she will be looking into new financial software packages. Mrs. Earhart is also willing to assist with closing out the Town's books in the early fall.

The FY 2017 Annual audit – The auditors have one more question and Mrs. Ray is waiting for some guidance from Mrs. Earhart.

Mr. Shanaberger – none - absent

On a motion by Mr. McDearmon, seconded by Ms. Spiggle, Council voted to adjourn at 6:30 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
June 11, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, June 11, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: James J. Boyce, Sr., Jonathan Garrett, Dan Puckette, Janet Hix, Appomattox County Circuit Court Clerk; Sarah Fleet, Times Virginian Newspaper; Carrie Dungan, News & Advance; Carlton Duck and Derek Norfield, Alive Media TV; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Janet Hix, Appomattox County Circuit Court Clerk administered the Oath of Office to Mayor Harvey and the six (6) Council Members for their 2-year term beginning July 1, 2018.

Scheduled Public Appearances:
None

Mayor's Comments:
Mayor Harvey congratulated the Council on their successful election and is looking forward to working with each of them over the next two (2) years.

Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for June 11, 2018 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. McDearmon, seconded by Ms. Finch, Council voted to adopt the Town of Appomattox FY 2019 Capital Improvement Plan as presented.
Vote: Aye - Garrett, McDearmon, Spiggle, Finch, Conner, Puckette. No – none. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to adopt the Town of Appomattox FY 2019 Annual Budget Resolution:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2018-2019 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 2018-2019 Budget was published on May 9, 2018 and May 16, 2018 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 29, 2018;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 11, 2018, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2018-2019;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	50,700.
Administrative Department	455,725.
Professional	85,000.
Police Department	88,980.
Tourism Department	78,450.
Fire Department	37,000.
Public Works Department	700,126.
Sanitation Department	101,850.
Property Maintenance & Construction	362,800.
Town Shop	37,750.
Donation/Contributions	83,500.
Zoning	1000.
Town Office	43,100.
TOTAL GENERAL FUND EXPENSES	**2,125,981.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.12 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 $.12 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 sitused within the Town commencing January 1, 2018, 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 61.86% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 61.86% 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.

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2018-2019;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	162,000.
Current Taxes – Personal Property	100,000.
Delinquent Taxes	5,000.
Penalties & Interest	5,000.
Public Service Corporation	6,500.
Bank Stock Tax	130,000.
Cigarette Tax	110,000.
Meals Tax	1,000,000.
Lodging Tax	60,000.
Franchise Tax	4,500.
Consumption Tax	7,000.
Vehicle License Tax	27,000.
Business License	150,000.
Zoning	1,000.
Interest	9,000.
Rental of Misc. Property	9,000.
Motor Vehicle Tax	3,500.
Sales Tax	70,000.
Aid to Police Department (HB599)	42,741.

Fire Programs	10,000.
Miscellaneous	1,500.
Town DMV Fees	1,000.
Other Reimbursable	500.
Transfer from Reserve	210,740.
TOTAL GENERAL FUND REVENUES	**2,125,981.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2018-2019;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	642,742.
TOTAL WATER EXPENDITURES	**642,742.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2018-2019;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	320,000.
Connection Fees	10,000.
Penalty Fees	15,000.
Availability Fees	10,500.
Reconnect Fees	8,000.
County Water Line Maintenance	45,000.
Miscellaneous	500.
Interest	4,500.
Credit Card Fees	2,000.
Rental of Misc. Property	8,000.
Intergovernmental Revenue	25,000.
Use of Fund Balance	194,242.
TOTAL WATER REVENUES	**642,742.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2018-2019;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	1,094,876.
TOTAL SEWER EXPENDITURES	**1,094,876.**

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2018-2019;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	800,000.
Connection Fees	2,500.
Availability Fees	5,000.
County Reimbursement SBR & IDA PS	77,000.
Park Service Maintenance	1,800.
Interest	4,000.
Intergovernmental Revenue	1,700.
Use of Beginning Balance	202,876.
TOTAL SEWER REVENUES	**1,094,876.**

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Expenditures for Fiscal Year 2018-2019;

INTERNAL SERVICE FUND; EXPENDITURES BY CATEGORY:

Internal Service Department	162,700.
TOTAL INTERNAL SERVICE FUND EXPENDITURE	**162,700.**

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Revenue estimates for the Fiscal Year 2018-2019;

INTERNAL SERVICE FUND; REVENUE BY CATERGORY:

Reserves	162,700.
TOTAL INTERNAL SERVICE REVENUE	**162,700.**

SECTION XII:
The salaries, wages and allowances set out in said Budget are hereby authorized as per the terms of the town's classification and merit system as approved compensation for officers and employees for services rendered, unless hereafter otherwise provided by ordinance; provided however, that the Town Manager is authorized to make such rearrangement of positions in the several departments named in the Budget, in respect to officers and employees appointed by his/her as may best meet the needs and interests of the Town and after approval by Council.

SECTION XIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2018-2019 Town Budget from time to time pursuant to Section
15.2-2507, Code of Virginia; and,

SECTION XIV:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2018-2019 is hereby adopted, effective July 1, 2018 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, 2018.

Attest:

_____ _____
Roxanne W. Casto, Town Clerk Paul D. Harvey, Mayor

Vote: Aye – Garrett, McDearmon, Spiggle, Finch, Conner and Puckette. No – none.
Motion carried 6-0.

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

1. Consideration to adopt a resolution amending the FY 2019 Operating Budget for the General Fund, Water Fund and Sewer Fund for FY 2018-2019 for the salaries, wages and allowances set out in said Budget as authorized per the terms of the town's classification and merit system as approved compensation for officers and employees for services rendered, unless hereafter otherwise provided by ordinance; provided however, that the Town Manager is authorized to make such rearrangement of positions in the several departments named in the Budget, in respect to officers and employees appointed by his/her as may best meet the needs and interests of the Town and after approval by Council.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time.

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2019 Operating Budget for the General Fund, Water Fund and Sewer Fund for FY 2018-2019 for funding of salaries, wages and allowances set out in said Budget are hereby authorized as per the terms of the town's classification and merit system as approved compensation for officers and employees for services rendered, unless hereafter otherwise provided by ordinance; provided however, that the Town Manager is authorized to make such rearrangement of positions in the several departments named in the Budget, in respect to officers and employees appointed by his/her as may best meet the needs and interests of the Town and after approval by Council.

General Fund Expenditures	
Salaries & Wages	$8,000.
FICA	$ 612.
Net Increase in Budget	$8,612.
General Fund Revenues	
Use of Undesignated Reserve	$8,612.
Net Increase in Budget	$8,612.
Water Fund Expenditures	
Salaries & Wages	$3,665.
FICA	$ 300.
Net Increase in Budget	$3,965.
Water Fund Revenues	
Use of Undesignated Reserve	$3,965.
Net Increase in Budget	$3,965.
Sewer Fund Expenditures	
Salaries & Wages	$1,665.
FICA	$ 128.
Net Increase in Budget	$1,793.
Sewer Fund Revenues	
Use of Undesignated Reserve	$1,793.
Net Increase in Budget	$1,793.

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2019 budget amendments are hereby adopted, 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.
Amended this 11th day of June 2018.

Attest:

_____
Roxanne Casto, Town Clerk

Vote: Aye – Garrett, McDearmon, Spiggle, Finch, Conner and Puckette. No – none.
Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- Anticipates finalizing the contract with the architectural firm for the Historic Structures Report on the Train Depot within the next week.
- The Town Economic Development Authority will be hosting a community meeting for the downtown property owners for possible resubmission of the Downtown Revitalization Grant on Tuesday, June 12, 2018 at 5:00 p.m. at the Visitor Information Center. Craig Wilson, Community Planning Partners and Doug Ellis, Department of Housing and Community Development will be present to answer any program questions.
- The Kiddie Park has been reopened, however the bathrooms remain closed as they are not finished yet.

Council Concerns:
Mrs. Puckette stated there are overgrown hedges on Lee Grant Avenue. Mr. Elder advised Council he would work with the property owner to have the hedges trimmed.

Mr. McDearmon apologized for wearing a hat. He had surgery and it hasn't completely healed yet.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council adjourned at 8:00 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
June 26, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, June 26, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Timothy W. Garrett, C. Lewis McDearmon, Jr., Mary Lou Spiggle, M. Erin Finch, Steven T. Conner and Claudia G. Puckette.

Others present: Noah Harris, Chad Millner, Susan Adams, Jonathan Garrett, Joyce Bennett, Nina Beasley, Carlton Duck, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager; and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Mayor Harvey presented Mr. McDearmon and Ms. Finch with plaques recognizing their service on the Appomattox Town Council.

The Town Council hosted a reception for Mr. McDearmon and Ms. Finch.

Mayor Harvey thanked Frank & Patsy Thomas of the Frozen Food Locker for the wonderful food.

Committee Reports - None

Council Concerns –
Mr. Conner asked for an update on the Kiddie Park. Mr. Shanaberger responded that the bathrooms are now complete and open. The grass has been sowed at the park. Mr. Conner thanked staff and Mr. Jamerson for cleaning and opening the area near the park.

Mr. Shanaberger added that he, Mr. Elder, and Mr. Garrett met with Liberty Baptist Church to discuss creating more park space on the church property near the current Kiddie Park. Mr. Shanaberger received an email from Pastor Rusty Small to meet again on July 26, 2018.

Staff Reports –
Mrs. Ray provided a financial summary as of May 31, 2018.

Mr. Elder reported that the 1st phase of the Inflow and Infiltration project is complete. It is estimated that of the 65% of lines needing Inflow and Infiltration rehabilitation the flow at the plant has been reduced by 50%.

Mrs. Casto reminded Town Council members of the annual Virginia Municipal League Conference in Hampton, Virginia on September 30 – October 2, 2018.

Mr. Shanaberger updated Council on the following items:

- The office received a request for a street light on Court Street. Dominion Virginia Power is estimating the cost for installation at approximately $6,500.00. Several Council

members commented this would be a worthy cause and there is a benefit to placing the light in this area. Council gave consensus to table this item until the July meeting and asked that Mr. Shanaberger check with the adjacent property owners.

- T-Mobile is interested in leasing property at the Town's SBR Treatment Facility on Ethel Street. He received their best offer of $1,200/month, 5-year lease with renewable lease options and $200/month for any additional carriers. Council gave consensus they were not interested at this time.
- The Experience Appomattox Holiday event will be December 1, 2018 from 9:00 a.m. – 4:00 p.m. The Town is being asked to provide road closure and trash removal, approximately $240.00.
- The architectural contract has been signed for the Historic Structures Report for the train depot.
- Updated Council on the community meeting held at the Visitor's Center for the Downtown Revitalization Project on June 12, 2018.
- Informed Council that Mrs. Torrence, Office Manager will be creating "Welcome Packages" for businesses and residents.
- Krikelkay Brewery will be opening soon.

On a motion by Mr. Garrett, seconded by Mr. Conner, Council voted to adjourn at 7:20 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
July 9, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, July 9, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Jeff Elder, Facilities Director; Carlton Duck and Derek Norfield, Alive Media TV; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
None

Mayor's Comments:
Mayor Harvey presented the Standing Committee Assignments of the Appomattox Town Council.

Finance & Planning Committee: Claudia G. Puckette, Chairman, Steven T. Conner and Jonathan D. Garrett.

Physical Development Committee: Timothy W. Garrett, Chairman, Mary Lou Spiggle and James J. Boyce, Sr.

Consent Agenda:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for July 9, 2018 with the addition of NB – 3a – Consideration to appoint a member of Council to the Town of Appomattox Planning Commission. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
Ms. Spiggle nominated Timmy Garrett as Vice Mayor. Mr. Conner seconded the nomination. There were no other nominations.

On a motion by Ms. Spiggle, seconded by Mr. Conner, Council voted to elect Timothy W. Garrett as Vice Mayor of the Appomattox Town Council. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to appoint C. Lewis McDearmon, Jr. as a citizen representative to the Town of Appomattox Economic Development Authority with a term ending December 31, 2021. All members present voting aye. Motion carried 6-0.

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to appoint Claudia G. Puckette as a Town representative to the Town of Appomattox Economic Development Authority with a term ending June 30, 2020. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. J. Garrett, Council voted to appoint James J. Boyce, Sr., as a Town representative on the Town of Appomattox Planning Commission with a term ending June 30, 2020. All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to terminate the contract with Mitchell Stone dated May 1, 2013 and direct the Town Manager to provide notice of such termination to Mr. Stone. All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Mr. Conner, Council voted to deny a request for a cellular tower on a Town owned facility located off Ethel Street. All members voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to approve a street light request on Court Street between Lee Grant Avenue and Linden Street. Vote: T. Garrett – yes, Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – no, Puckette – yes. Motion carried 5-1.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- Dalgliesh Gilpin Paxton Architects will begin evaluating the depot tomorrow, July 10, 2018. DGP recommends a community input session sometime in August. Mr. Conner recommended waiting until September.
- The Downtown Revitalization Grant efforts continue as he is waiting on 3 more property owners. Summit Design and Engineering Services submitted a proposal today however, Gary needs time to review it and should be able to present it to Council by the Workshop meeting.
- Liberty Baptist Church will be hosting a meeting on Thursday, July 26, 2018 at 7:30 p.m. at the church to discuss the expansion plans of their park next to the Town's Kiddie Park.

- Hurt & Proffitt, Inc. will be presenting the rate study findings at the Council Workshop meeting on July 24, 2018.

Council Concerns:
None

On a motion by Mr. Conner, seconded by Mr. J. Garrett, Council adjourned at 7:55 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
July 24, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, July 24, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Bif Johnson, Dennis Amos, Stacie Castro, Nathan Simpson, Jeff Elder, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Presentation & discussion of the Utility Rate Study –

Mr. Bif Johnson introduced Stacie Castro and Dennis Amos to Council. Ms. Castro and Mr. Amos are responsible for compiling the data and creating scenarios for discussion and consideration.

Mr. Johnson used a Power Point presentation to explain the slides and scenarios of no change, flat rate and a tiered rate and what impacts these rates would have on monthly bills for the various types of customers.

Mr. Johnson advised Council that once they have had an opportunity to digest the information he would be willing to come back with scenarios and recommendations to best facilitate the goals of Council.

Mr. Johnson recommended deciding when to implement the new rate and working back into the timeframe.

Council thanked Hurt & Proffitt for all of the information.

Town of Appomattox Sidewalk Improvement Project –

On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to award the Town of Appomattox Sidewalk Improvement Project to Phillip Banton Builders for $41,490.00. Vote: J. Garrett – yes, Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – yes, Puckette – yes. Motion carried 6-0.

Appomattox Community Park – Appomattox County

Mr. Shanaberger brought forth a request from Anne Dixon with Appomattox County Parks and Recreation for consideration to contribute to a fencing project at the Appomattox Community Park.

Mr. Conner stated he thought we helped when we pay our County taxes.

Mr. Garrett said he has questions about the fencing donated by the school system.

There were no other comments to indicate a desire to move the request forward.

Committee Reports – None

Staff Reports –

Mr. Elder – none

Mrs. Casto – none

Mrs. Ray provided the June 2018 Financial Report to Council. She also informed Council that the FY 2017 audit is in the second review. She is currently preparing for the FY 2018 audit and the FY 2019 budget is in full swing.

Other items include:

- The software update scheduled for July 9, 2018 was performed and staff is speaking with the software provider about every other day to resolve issues. Staff was able to print tax bills today, July 24.
- She plans to observe other financial software programs over the fall of 2019.
- She joined the Virginia Treasurer's Association for FY 2019 with the additional benefit of consultation of legal/financial/collection matter for an additional fee of $50.00.
- On August 20, 2018, she and the Office Manager will be meeting with the Town Attorney to discuss the process for preparing delinquent accounts for court proceedings.
- Treasurer's staff is currently working on DMV stops, debt off set implementation and obtaining warrants and judgements as possible avenues to collect delinquent accounts.

Council requested an update on the payment arrangements recently approved. Mrs. Ray advised that 2 of the 3 customers are doing great and the other one (1) she is working to resolve.

Mayor Harvey inquired about the overages at the end of the year (with regards to the budget). Where does this money go?

Mrs. Ray responded that cash didn't get totally expended. Mr. Shanaberger informed Council that he has asked Mary Earhart and the Town's auditors to assist in providing the Town a number to "earmark" that has been audited.

Mrs. Ray informed Council that the number of cut offs (for non-payment) were exceptionally low in July. This was the first month of collecting the full amount due from the prior month.

Mr. Shanaberger briefed Council on the following items:

- The Town of Appomattox Economic Development Authority met on Thursday, July 19, 2018 and voted unanimously to recommend that the Downtown Revitalization Project be approved by the Appomattox Town Council.

  To give Council some perspective of the project, last year 15 facades were identified, and 7 property owners signed up to participate. This year 30 facades have been identified and 20 property owners have signed up to participate. These property owners have only signed participation statements not contracts.

  Craig Wilson, Summit Design & Engineering said this year's numbers are looking good.

  The timeline for this project will include applying to the Department of Housing and Community Development in March 2019 and awards will be announced in summer of 2019. A notice to proceed will likely be given by fall of 2019.

  Summit Design and Engineering has submitted a proposal to manage the grant application. Mr. Shanaberger will be bringing the proposal to Council at the August 13, 2018 Council meeting for consideration.

- The United Way of Lynchburg will be holding a kick off event at the Courtland Festival Park on September 14, 2018. The County has provided permission for food truck vendors to set up in the school board parking lot.

  There was a brief discussion of the need for a food truck ordinance. Council requested staff bring back something simple by the next meeting.

- Continues working diligently on the sign ordinance.
- Reminder of the meeting at Liberty Baptist Church on Thursday, July 26, 2018 at 7:30 p.m. to hear their plans to add to the Town Children's Park.

Council Concerns:
Mayor Harvey informed Council of the packet containing the Performance Evaluation for the Town Manager. Please return them by August 13th and a closed session will be held for discussion. A closed session will also be held with the Manager at the August 24th meeting.

Mr. Conner thanked Mr. T. Garrett for saving the Town $6,500 for a street light on Court Street.

Mayor Harvey reminded everyone of the free movie at the Courtland Festival Park on Thursday, July 26, 2018 at 9:00 p.m. The Appomattox County Library will feature "JAWS".

Mr. Jonathan Garrett spoke with a representative from Senator Mark Peake's office and Senator Peake would be willing to sponsor the Town's Charter change if Council would like to pursue changing to a November election with 4-year staggered terms.

Mayor Harvey passed along a concern from Appomattox County regarding the pass-through rate the County provides to the Town for the cost of water. The Town then bills the County of Appomattox the retail rate for water to the County facilities.

Mr. Conner voiced concerns of a tiered water/sewer rate that benefits the National Park Service. The National Park Service and/or Civil War Preservation Trust is purchasing large acreages in the County and it is affecting the tax base.

Mr. Timothy Garrett would like for the Town to present a Proclamation to the family/fire department for Dalton Elder. Mr. Elder served on the Pamplin Volunteer Fire Department for 50 years, 30 as Chief before his recent death.

Mayor Harvey reminded Council of the Performance Evaluation due by August 13, 2018 for the Town Manager.

On a motion by Mr. Jonathan Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
August 13, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, August 13, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Jeff Elder, Facilities Director; Carlton Duck and Derek Norfield, Alive Media TV; Nathan Simpson, Information Technology Technician; Bob Sayre, Laura Dawson, Anne Dixon, Dana Mayberry, family and friends of Andrew Dalton Elder, Sr., Rev. Jonathan Watson, Susan Adams, Tom Hart, News & Advance; Freelance reporter, Times Virginian; John Redding, Coach Doug Smith, Ken Arpino, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Rev. Jonathan Watson led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
Mayor Harvey presented a "Key to the Town" and plaque of appreciation to Doug Smith, Head Coach of the Appomattox County High School football team for this community service over the last three years. Coach Smith successfully lead the Appomattox Raiders to three (3) consecutive state championships.

Coach Smith thanked the Town Council.

Jonathan D. Garrett and Timothy W. Garrett read and presented a proclamation of appreciation to the family and friends of Andrew Dalton Elder, Sr. for his 50 plus years of service to the Pamplin Volunteer Fire Department.

Dana Mayberry, Appomattox Tourism Committee provided an update on the activities the committee has been working on over the past two (2) years. The committee has increased from 10 partners to 24 partners. The emphasis on advertising has been through social media and the creation of a new website and commercial. Appomattox is a thriving community and they are working diligently to bring people to Appomattox, businesses to Appomattox and promoting events in the community.

The committee requested a donation of $8,000.00 to continue with advertising and marketing initiatives.

Council asked questions of the committee regarding how much has been spent to date? Dana Mayberry and Bob Sayre agreed it was between $35,000-40,000 but would be willing to provide Council with a breakdown of their expenses.

Anne Dixon informed Council that Leisure Media Publishing is responsible for publishing the state travel guide. The state travel guide is the #1 advertisement in the state. It is distributed worldwide.

Bob Sayre advised Council that 14 of the 24 entities meet monthly but talk weekly. The goals of each entity are to keep visitors in Appomattox longer to spend more money. The committee is trying to expand beyond Lynchburg and Farmville to the Roanoke and Petersburg/Richmond areas.

John Redding informed Council of the Appomattox County Chamber of Commerce that will be available soon to assist tourists and travelers.

Mayor Harvey and Council thanked the committee for the presentation, handouts and information. The program (initiative) has grown a lot over the last 2 ½ years.

Mayor's Comments:
The Council will take the request of the Appomattox Tourism Committee for $8,000.00 under advisement.

Consent Agenda:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for August 13, 2018 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to table the purchase of a 2018 Dodge Journey through the State of Virginia Contract (eVA) for a cost not to exceed $30,000 until Mr. Shanaberger can do more research. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to proceed with the Downtown Revitalization project and accept the proposal of $18,700 from Summit Design and Engineering to complete the Downtown Revitalization Grant application. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to write off delinquent accounts having reach the statue of limitations, specifically $98.53 for Real Estate Taxes, $3,508.36 for Personal Property taxes and $1,979.60 for Utility accounts. All member present voting aye. Motion carried 6-0.

There was no action taken regarding the consideration of the Lynchburg Regional Business Alliance 2018 Contribution invoice.

On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to approve an out of town waterline extension with a connection waive and secured easement to the bridge for the Appomattox Christian Academy on Redfield Road. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by T. Garrett, Council voted to approve the following Resolution:

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2018-2019 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

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 sitused within the Town commencing January 1, 2018, 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 62.65% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 62.65% 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.

All members present voting aye. Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- The architecture firm, Dalgliesh, Gilpin, Paxton will be hosting a community meeting on Thursday, September 13, 2018 at 7:00 p.m. at the Appomattox Train Depot (Visitor's Center), 214 Main Street to solicit input regarding the renovations of the train depot. The Town will advertise the event.

- Staff has made significant progress on the food truck ordinance. He has canvassed 6 or 7 other communities.

Council Concerns:
None

On a motion by Council Member Spiggle, seconded by Council Member Puckette, 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 performance and salaries of a specific public employee of any public body, specifically Employee A.

Vote:
J. Garrett – yes, Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member J. Garrett and Council by the following recorded vote adopted the motion:

Vote:
J. Garrett – yes, Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – yes, Puckette – yes.

On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council adjourned at 9:50 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
August 28, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, August 28, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Susan Adams, Carlton Duck, Jeff Elder, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Discussion of the Utility Rate Study –
Mr. Shanaberger requested to move this item to the Finance & Planning Committee for further review and research.

Discussion of the Appomattox Tourism Committee request –
After much discussion, the request will be brought to the September Regular Council meeting for consideration. Mrs. Ray will investigate budget options. Mr. Conner requested to know the options before the September Regular meeting.

Consideration to award the Waterline Replacement Project –
On a motion by Ms. Spiggle, seconded by Mr. T. Garrett, Council voted to award Toney Construction, Inc. the waterline replacement project for Oakleigh Avenue and Cawthorne Street for $92,000.00. Roll call vote: J. Garrett – yes, J. Boyce – yes, M. Spiggle – yes, T. Garrett – yes, S. Conner – yes, C. Puckette – yes. Motion carried 6-0.

Report on the Town Vehicle –
After much research, staff has narrowed down the request to the 2019 Ford Explorer.

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to purchase the 2019 Ford Explorer – Mid-Size – 4WD SUV through the State of Virginia Contract (eVa) for a cost not to exceed $30,000.00. Roll call vote: J. Garrett – yes, J. Boyce – yes, M. Spiggle – yes, T. Garrett – yes, S. Conner – yes, C. Puckette – yes. Motion carried 6-0.

Committee Reports – None

Council Concerns:
Mayor Harvey indicated that the Local Government Council is going to be asking for a name change from Region 2000 back to the Central Virginia Planning District Commission.

Staff Reports –

Mr. Elder – none

Mrs. Casto – none

Mrs. Ray provided the July 2018 Financial Report to Council.

Mr. Shanaberger briefed Council on the following items:

- Attending a meeting in Richmond with Summit Design and Engineering regarding the Downtown Revitalization Grant application.
- Dalgleish, Gilpin and Paxton will be hosting a community meeting on Thursday, September 13, 2018 at 7:00 p.m. at the Train Depot to gain community input of the use of the train depot.

Closed Session:
On a motion by Council Member T. Garrett, seconded by Council Member Puckette, 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 performance and salaries of a specific public employee of any public body, specifically Employee A.

Vote:
J. Garrett – aye, Boyce – aye, Spiggle – aye, T. Garrett – aye, Conner – aye, Puckette – aye.

The meeting was re-opened to the public.

Council Member Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote:
J. Garrett – aye, Boyce – aye, Spiggle – aye, T. Garrett – aye, Conner – aye, Puckette – aye.

On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to adjourn. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
September 10, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, September 10, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Mr. and Mrs. Gary Christie, Executive Director, Region 2000; Jeff Elder, Facilities Director; Carlton Duck and Derek Norfield, Alive Media TV; Nathan Simpson, Information Technology Technician; Bob Sayre, Don Jones, Tom Hart, News & Advance; Freelance reporter, Times Virginian; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
Mr. Gary Christie, Executive Director, Region 2000 Local Government Council thanked the Town for its continued participation and provided an update on activities of Region 2000. There will be a reception on Thursday, October 18, 2018 featuring the Chamber of Commerce from Columbia, SC regarding River Tourism and Economic Development opportunities. The Region 2000 Local Government Council will be seeking a name change – back to its original name, 50 years prior – Central Virginia District Planning Commission. This change will enable them to better brand themselves. They continue to work on the Meadowlark grant, work with Appomattox County regarding the tornado recovery and continue to work with the Town of Pamplin and the water tower refurbishment. The Community Economic Development Plan has been approved at the federal level. The Hazardous Mitigation Plan is on schedule to be completed by 2020. They continue to work with the Soil and Water Conservation District water improvement plan. They have hosted two (2) training opportunities. An investment opportunity with the General Assembly to provide an environmental assessment and rehabilitation for better use of the Central Virginia Training Center property in Amherst County. Finally, Ben Bowman with the Workforce Development office will attend a meeting with you later in the year. He was unable to attend tonight.

There were no questions and Council thanked Mr. Christie for attending and providing the update.

Mayor's Comments:
None

Consent Agenda:
On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to adopt the consent agenda for September 10, 2018 by moving the citizen comment period between Unfinished Business and New Business and tabling NB #4 – Consideration of resolution to amend the FY 2019 Budget for the Town of Appomattox for the carry forward of funding for incomplete FY 2018 projects to the September 25, 2018 Council Workshop meeting. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

Public Comment Period:
Mr. Bill Jamerson spoke to Council regarding NB #3 on the agenda. Mr. Jamerson is in support of the Appomattox Tourism Committee and believes their request for $8,000 from the Town is a modest request. This is a volunteer group working very hard and this is a pretty inexpensive alternative to the tourism department. Also, next year, he would recommend/suggest the Town consider an annual donation of $12,000 - $15,000. Mr. Jamerson also reminded Council they need to realize the income and other benefits of this tourism committee for other businesses.

New Business:

On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to approve the name change request by Region 2000 Local Government Council to Central Virginia Planning District Commission. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to accept the FY 2017 annual audit of the Town of Appomattox by Brown, Edwards & Company, LLP. All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Mr. Conner, Council voted to recommend to the Town of Appomattox Economic Development Authority to fund (pay) the $8,000 request of the Appomattox Tourism Committee, making sure all businesses are included in the marketing initiative. All member present voting aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to award the Plant Drive Sewer Extension project to George E. Jones & Sons for $52,000.00. All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Mrs. Puckette, Council voted to amend the Fats, Oils and Grease Program, specifically the Procedures for Grease Traps that Fail Inspection. All members present voting aye. Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- The Community Meeting planned for Thursday, September 13, 2018 at the Train Depot has been postponed due to the impending weather conditions of Hurricane Florence. One of the primary presenters would have been traveling from Savannah, Georgia. Also, possible pow attendance due to the hurricane is a concern.
- On September 19, 2018 he will be attending a meeting hosted by the Virginia Department of Transportation regarding the Route 24 and 131 Smart Scale project.

Council Concerns:
Mr. T. Garrett advised that first responders participated in flying the Ground Zero Freedom Flag at the Courthouse Square on Monday, September 10, 2018 for 9 minutes and 11 seconds.

Mayor Harvey reminded Council of the September 11, 2018 ceremony at the Courthouse Square at 9:00 a.m.

Mr. J. Garrett would like to host a Town Employee Appreciation Day with a picnic served by the Council for town employees and their families.

Ms. Spiggle expressed her confidence in Mr. Elder and the Public Works employees in preparing for Hurricane Florence.

Mrs. Puckette thanked staff for loading emergency preparedness material to the Town's Facebook page. She encouraged everyone to get prepared for the storm.

Ms. Spiggle thanked the Fire Department, as she knows they are also ready to go.

Mayor Harvey reminded Council of the Free Movie Night at the Courtland Festival Park on Friday, September 14, 2018.

Closed Session:
On a motion by Council Member Boyce, seconded by Council Member T. Garrett, 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 performance and salaries of a specific public employee of any public body, specifically Employee A.

Vote:
J. Garrett – yes, Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Spiggle and Council by the following recorded vote adopted the motion:

Vote:
J. Garrett – yes, Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – yes, Puckette – yes.

On a motion by Mr. Boyce, seconded by Mr. T. Garrett, Council adjourned at 9:05 p.m. All members present voting aye. Motion carried 6-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Special Call Council Meeting
Thursday, September 20, 2018 – 5:30 p.m.

The Appomattox Town Council held a Special Call Council meeting on Thursday, September 20, 2018 at 5:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Jonathan D. Garrett, James Boyce Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner.

Absent: Claudia G. Puckette.

Others present: Gary L. Shanaberger, Town Manager; Sam Vance, Attorney, Overbey, Hawkins & Wright, and Christy Torrence, Office Manager.

Mayor Harvey called the Special Call Council meeting to order and stated the purpose of the Special Call Council meeting as a closed session.

Closed Session
On a motion by Councilmember Garrett, seconded by Councilmember Conner, 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 consultation with legal counsel retained by the Town regarding specific legal matters requiring the provision or legal advice by such counsel, specifically being the claim arising from a sewer backup at 182 Virginia Avenue.

Vote: J. Garrett – aye, Boyce – aye, Spiggle – aye, T. Garrett – aye, Conner – aye, Puckette – absent.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Boyce and Council by the following recorded vote adopted the motion:

Vote: J. Garrett – aye, Boyce – aye, Spiggle – aye, T. Garrett – aye, Conner – aye, Puckette – absent.

With no further business to come before Council, the meeting adjourned at 6:15 p.m.

Christy J. Torrence, Office Manager

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
September 25, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, September 25, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Sara Fleet, Times Virginian; Susan Adams, County Administrator; Nathan Simpson, Patricia Garrett, Rusty Small, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

On a motion by Ms. Spiggle, seconded by Mr. T. Garrett, Council voted to adopt the following resolution:

Consideration to adopt a resolution amending the FY 2019 Operating Budget for the General Fund, Water Fund and Sewer Fund for FY 2018-2019 for the carry forward of funding of incomplete projects from FY 2018

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2019 Operating Budget for the General Fund, Water Fund and Sewer Fund for FY 2018-2019 for the carry forward of funding for incomplete projects

General Fund Expenditures	
10-5000-8000 CDBG/Meadowlark	*$ 346,249*
10-5000-6005 Sidewalk Project	*150,000*
	$ 496,249
Water Fund Expenditures	
30-6000-7092 Cawthorne St. – Change line from 1" to 2"	*$ 57,300*
30-6000-7092 Oakleigh Ave – replace 1 ½" line with 2" – 1,888 LF	*230,000*
30-6000-7092 Bandana, High, Isbell St – upgrade line to 8" – 1400 LF	*137,000*
	$424,300
Sewer Expenditures	
31-7000-6142 I&I Project – Construction	*$1,371,537*
Total Net Increase in Expenditure Budget	*$2,292,086*
General Fund Revenues	
10-3806-0000 CDBG/Meadowlark	*$346,249*
10-3901-0000 Transfer Funds from Reserve	*150,000*
	$496,249

Water Fund Revenues	
30-3901-0000 Use of Fund Balance	*$424,300*
Sewer Fund Revenues	
31-5804-0000 USDA	*$1,371,537*
Total Net Increase in Revenue Budget	*$2,292,086*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2019 budget amendments are hereby adopted, 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.
Amended this 25th day of September 2018.
Attest:

_____
Roxanne Casto, Town Clerk

All members present voting aye. Motion carried 6-0.

Rev. Rusty Small, Pastor of Liberty Baptist church presented the Park Master Plan for the property owned by Liberty Baptist Church next to the Town's current Children's Park. To this point there have only been conversations and no commitments between Liberty Baptist Church or the Town.

Questions/Comments:
Mr. Boyce – Will there by lights at night?
Rev. Small – No, not currently.

Mr. Conner – Stated it will open the area up to everyone, works to hook it all together and it looks like a great plan.

Mayor Harvey – Town Council will refer to the Physical Development Committee after hearing positive responses. The Physical Development Committee will bring back reports to the entire Council.

Mrs. Puckette – One of the components of the Master Plan was to have a space for all ages, in conjunction with the Town. Her concern is to be able provide help with the park if dthe Town is legally able.

Rev. Small advised that the church will be able to say with more certainty a reasonable timeline and funding options within a month. The church is hopeful that the Town may be able to aid in maintenance since it already maintains the water and sewer line easement/right of way.

Town Council thanked Rev. Small for the presentation.

Committee Reports –
Finance and Planning Committee – Mrs. Puckette will schedule a committee meeting soon regarding how to proceed with the Utility Rate Study information.

Physical Development Committee – none

Council Concerns:

Mr. Conner inquired if Council would be willing to change the time of the October Workshop meeting to 7:00 p.m. There were no objections.

Staff Reports –

Mrs. Ray provided the September 2018 Financial Report to Council. The report is for balances through August 31, 2018.

Mr. Elder – none

Mrs. Casto – none

Mr. Shanaberger briefed Council on the following items:

- Experience the Holidays will be held on Saturday, December 1, 2018 in Downtown Appomattox from 8:00 a.m. to 5:00 p.m., with a parade at 3:00 p.m. The Appomattox Tourism Committee is requesting to use Abbitt Park, Train Depot (Visitor's Center), assistance with decorating downtown and cones for the Sheriff's Office to block off the streets.

  Council had no objections with the committee's request and provided consensus of this request.

- Summit Design will be hosting a Downtown Revitalization Committee meeting soon.
- The Train Depot Community Meeting is scheduled for Thursday, October 4, 2018 at 7:00 p.m. at the Train Depot – Visitor's Center.
- The Department of Housing and Community Development (DHCD) will be hosting a two-day retreat at the Appomattox Inn & Suites on October 3 & 4, 2018.
- The Virginia Department of Transportation (VDOT) will be present on October 23, 2018 to present changes to the Smart Scale project.

On a motion by Mr. Boyce, seconded by Mr. J. Garrett, Council voted to adjourn at 6:50 p.m. All members present voting aye. Motion carried 6-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
October 9, 2018

The Appomattox Town Council held a Regular Council meeting on Tuesday, October 9, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck, Alive Media TV; Nathan Simpson, Information Technology Technician; Nick Walton, Mr. Don Wilk, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
None

Mayor's Comments:
Mayor Harvey reminded the audience of the upcoming Appomattox Railroad Festival this weekend, October 13 and 14, 2018. He also mentioned the good turn out for the Depot meeting held on October 4, 2018. Mayor Harvey thanked Mr. Shanaberger and Mr. Boyce for attending the annual Virginia Municipal League Conference.

Consent Agenda:
On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to adopt the consent agenda for October 9, 2018 with the addition of 1B – Consideration to approve $100,000 for Sewer Engineering fees. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
Mr. Shanaberger explained the need for $100,000 for additional engineering fees associated with the Trickling Filter Plant and Water Reclamation Facility improvements. The additional funding is completely reimbursable when the loan is closed. This is merely a function of keeping the project moving.

On a motion by Ms. Spiggle, seconded by Mr. J. Garrett, Council voted to approve $100,000 for engineering fees to complete the Inflow and Infiltration project associated with the Trickling Filter Plant and Water Reclamation Facility Improvements. All members present voting aye. Motion carried.

Standing Committee Reports:
A joint Finance & Planning and Physical Development Committee meeting has been scheduled for Wednesday, October 17, 2018. Mr. J. Garrett reported that he would be unable to attend.

Citizen Comment Period:
Mr. Don Wilk – 1848 Church Street spoke to the following items:

The Town Website does not list all meetings & information and he wanted to know the best option to obtain this information. Mr. Simpson, Information Technology Technician interjected that he would have that information posted as soon as possible and timely moving forward. Mr. Wilk also questioned the maintenance of the Courtland Festival Park. He was advised to speak with Mrs. Adams, County Administrator regarding drainage and landscaping fabric. Lastly, he invited the Council members to 1848 Church Street over the festival weekend to see what's new at the Main Street Market.

Town Manager's Report:
Mr. Shanaberger reported on the following:

- He attended a meeting with VDOT regarding the Smart Scale project on Old Courthouse Road. VDOT will be attending the Town Council Workshop meeting on October 23, 2018 to provide an update of the project.
- He and Mr. Boyce attended the annual Virginia Municipal League Conference in Hampton, Virginia.
- He is also looking forward the Railroad Festival activities this weekend.
- The Facilities (Public Works) Department is holding down the fort while Mr. Elder is recovering.

Council Concerns:

Mr. Boyce expressed concern of the zoning ordinance that does not allow for fencing on a corner lot. Mr. Shanaberger is currently working on this issue with the property owner.

Mr. Boyce also expressed concern of the fence on Church Street near the intersection with Harrell Street. He feels the Town may be ultimately responsible if there is an accident at this intersection because people are unable to see around the fence.

Mr. Boyce truly appreciated the experience of the VML Conference and meeting others from small towns.

Mr. Conner expressed concerns of people blowing grass into the street and not moving trash cans back after the trash has been collected. Mr. Shanaberger advised Council that staff does send out a friendly reminder.

Mr. Boyce asked if the Times Virginian newspaper would be agreeable to putting an ordinance in the paper once a week to educate town residents.

Mr. J. Garrett invited everyone to stop by the Appomattox Volunteer Fire Department on Thursday, October 11, 2018 around 11:30 a.m. as Denver Riggleman would be stopping by on his way from Farmville, Virginia.

Mr. J. Garrett also inquired if a reminder about open burning could be added to a reminder if one was sent to town residents.

Ms. Spiggle reminded everyone of the Appomattox Railroad Festival this weekend.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council adjourned at 8:00 p.m. All members present voting aye. Motion carried 6-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
October 23, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, October 23, 2018 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett and Claudia G. Puckette.

Absent: Steven T. Conner

Others present: Don Austin & Brian Casto, VDOT; Bif Johnson and Stacie Castro, Hurt & Proffitt, Inc.; Nathan Simpson, Nick Walton, Carlton duck, Susan Adams, County Administrator; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Smart Scale Project – Route 131 Roadside Improvements –
Mr. Shanaberger introduced Don Austin and Brian Casto with VDOT to discuss the Smart Scale project – Route 131 Roadside Improvement project.

The costs to the Town will be for maintenance of lighting and location desired and types of landscaping. This information will better aid the Town in knowing how much funding will be needed in the future budget cycles. AECom will offer suggestions for lighting and landscaping for the Town's consideration. Mr. Boyce requested background information for this project. Mr. Casto, VDOT explained that the town submitted an application for the Smart Scale project. The project will be broken into three (3) phases. 1 – This presentation of Route 131, 2 – Roundabout on Confederate Blvd and Old Courthouse Road, 3 – Connector over the Route 24 bridge to tie together bridge with potential trails.

This is a street scape project that was scored based on merits. This project scored high for economic development, safety and pedestrian traffic/trails. The Smart Scale project is completely funded by VDOT. The Town will be responsible for maintenance of lighting and landscaping. There are no matching funds for the project. The town was very fortunate to receive this project. The application was great!

The goal of this meeting was to acknowledge the very early design phase and gain the Town's input on maintenance of landscaping and lighting. VDOT will continue to invite Mr. Shanaberger to each project meeting. The Preliminary Field Inspection is scheduled for early Spring 2019.

Council thanked the VDOT and AECom Representatives for sharing this update.

Utility Rate Study –
Mr. Bif Johnson, Hurt & Proffitt, Inc. discussed with Council the Rate Study scenarios. He presented neighboring community data and discussed the real difference between the flat vs.

tiered structure. The flat structure has the residential customers carrying the burden of the system at a rate of 56%. While the businesses are carrying 32%. The tiered structure would close the gap somewhat. Mr. Johnson also reminded Council that after the first increase, it is only 3% per year.

Mr. Johnson received questions from Council.

Mayor Harvey thanked Mr. Johnson and Ms. Castro for this additional information. This clarified this very well. It makes it more palatable.

Council thanked Mr. Johnson and Ms. Castro for attending the meeting.

Appomattox Magazine –
Mr. John Redding, President, Appomattox County Chamber of Commerce spoke to Council the Appomattox Magazine. The Chamber has distributed nearly all of the 3,200 copies from the first printing. The Chamber would like to apply for a Virginia Tourism Corporation (VTC) grant program. The Chamber would be the lead partner and the County of Appomattox has already agreed to partner and the Town appears to be the obvious choice. The minimum financial contribution is $250.00. The grant application is due November 7, 2018. Mayor Harvey expressed support for $1000 from the Town. Mrs. Puckette and Ms. Spiggle agreed to support the project at $1,000.00. This is a better project than some received.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to partner with Appomattox County and the Appomattox County Chamber of Commerce and provide $1000 for the Appomattox Magazine.
Roll call vote: J. Garrett – yes, Boyce – yes, Spiggle – yes, T. Garrett – yes, Puckette – yes. Motion carried 5-0.

Budget Resolution:
On a motion by Ms. Spiggle, seconded by Mr. J. Garrett, Council voted to adopt a budget resolution amending the FY 2019 Operating Budget for the Sewer Fund for FY 2018-2019 for the carry forward of engineering fees from FY 2018:

1. *Consideration to adopt a resolution amending the FY 2019 Operating Budget for the Sewer Fund for FY 2018-2019 for the carry forward of engineering fees from FY 2018*

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2019 Operating Budget for the Sewer Fund for FY 2018-2019 for the carry forward of funding for incomplete projects

Sewer Expenditures	
31-7000-6141 I&I Project – Engineering	*100,000*
Total Net Increase in Expenditure Budget	*$100,000*
Sewer Fund Revenues	
31-5901-0000 Use of Beginning Balance	*$100,000*
Total Net Increase in Revenue Budget	*$100,000*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2019 budget amendments are hereby adopted, 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.
Amended this 23rd day of October 2018.
Attest:

_____
Roxanne Casto, Town Clerk

All voting aye. Motion carried 5-0.

Committee Reports –
The Finance and Planning Committee and the Physical Development Committee met on October 17, 2018 to discuss the Utility Rate Study and the Liberty Baptist Church Park Master Plan.

Council Concerns:

Mr. Boyce expressed concerns of Downtown Traffic. Would it be possible to change the traffic to one-way on Harrell Street behind Main Street and install a Two-Way Stop Sign at the corner of Church Street and Main Street? Council requested Mr. Shanaberger write a letter to VDOT.

Mr. T. Garrett advised that the Varsity Football game has been moved to Thursday of this week due to weather.

Mr. J. Garrett informed Council of the rescue of a juvenile and parent out of the creek near the Trickling Filter Plant during the recent rain.

Staff Reports –

Mr. Elder – none

Mrs. Casto – none

Mrs. Ray – provided the September 2018 Financial Report. She has also received a demonstration from a financial software company and continues to analyze other companies.

Mr. Shanaberger briefed Council on the following items:

- Continuing to work on the Downtown Revitalization Grant.
- Whitney Burney, WSET Channel 13 will be in Appomattox on Thursday to visit with the architects and Mayor Harvey regarding a story on the Train Depot.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to adjourn at 8:35 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
November 13, 2018

The Appomattox Town Council held a Regular Council meeting on Tuesday, November 13, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck, Alive Media TV; Nathan Simpson, Information Technology Technician; Rev. Paul Michael Raymond, Jane Raymond, Michelle Payne, Times Virginian Newspaper; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
Rev. Paul Michael Raymond appeared before Council to request a tax-exempt status in accordance with 58.1-3651 of the Code of Virginia for possible purchase on the corner of Harrell Street and Church Street.

Mayor's Comments:
Mr. Jeff Elder, Facilities Director is recovering very well and putting in a little time.

Consent Agenda:
On a motion by Ms. Spiggle, seconded by Mr. T. Garrett, Council voted to adopt the consent agenda for November 13, 2018 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to approve the multi-tiered utility rate study and move forward with a public hearing. All members present voting aye. Motion carried 6-0.

New Business:
None

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- Train Depot – Mr. Shanaberger reported that Dalgleish Gilpin Paxton Architects has been working hard on the train depot project. Dalgleish Gilpin Paxton Architects will meet with Council on December 10, 2018 to provide an update on the project as well as an updated timeline.

  Mr. T. Garrett inquired if minutes were taken of the Community meeting held at the train depot? Mr. Shanaberger will ask Dalgleish Gilpin Paxton to provide their worksheets of that meeting to Council.

- Downtown Revitalization Project – There will be a project management team meeting tomorrow, November 14, 2018 at 5:30 p.m. The public hearing is planned for December 10, 2018. The parking on that end of town continues to be explored and the possibility of using a portion of the grant for parking.

- Water & Sewer Backup (Incident) Policy – Staff has been working on an Incident Policy for water and sewer backups. The policy has been reviewed by the Virginia Municipal League Insurance Programs and the Town Attorney. It will be presented to Town Council for consideration to adopt at the next meeting.

- Food Truck Ordinance – The ordinance is nearly complete however he would like to have Council's input on fees and requirements.

- VDOT – 2 way stop – Mr. Elder and Mr. Shanaberger are looking at ways to lower the sidewalk on Harrell Street and Church Street behind Main Street and remove portion of the sidewalk railing. Business owners do not like the idea of one-way traffic on Harrell Street.

Council Concerns:
A possible referendum will be presented in May 2020 for 4-year terms of council members and Mayor. If it passes it would go to the General Assembly in 2021 with an effective date of July 1, 2021.

Ms. Spiggle wished everyone a blessed Thanksgiving with family and friends.

On a motion by Mr. Boyce, seconded by Mr. J. Garrett, Council adjourned at 8:02 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
November 27, 2018

The Appomattox Town Council held a Council Workshop meeting on Tuesday, November 27, 2018 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Michelle Payne, Times-Virginian; Nathan Simpson, Nick Walton, Carlton Duck, Susan Adams, County Administrator; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to amend the agenda to include a Closed Session. All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Ms. M. Spiggle, Council voted to recommend Steven T. Conner to the Board of Zoning Appeals for Appomattox County. All members present voting aye. Motion carried 6-0.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to clarify an effective date of the proposed water and sewer rate increase for the public hearing as early as March 1, 2019 with an effective date of July 1, 2019. All members present voting aye. Motion carried.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to approve and adopt the Incident and Liability Policy. All members present voting aye. Motion carried.

Committee Reports – none

Council Concerns:
Mr. Conner met the Regional Manager of Republic Services who assured him they are working to correct some deficiencies.

Mayor Harvey – Mrs. Susan Adams, County Administrator and Garet Bosiger, Appomattox County EDA Chairman would like to open the dialog about a joint EDA again. They are offering to create a committee to begin discussion.

After a lengthy discussion, Mr. T. Garrett made a motion to table this topic until the January 2019 Workshop Meeting and the minutes of previous meetings can be review. The motion was seconded by Mr. J. Garrett. All members present voting aye. Motion carried.

Mr. Boyce commented on the good job on the water line on Cawthorne Street.

Staff Reports:

Town Treasurer
Mrs. Ray provided the October 2018 Financial report. She continues to evaluate software companies. Mary Earhart will be working with Mrs. Ray on pre-audit services.

Mr. Shanaberger thanked Council again for their willingness to forge this relationship.

Town Manager
Mr. Shanaberger advised Council that Dalgleish Gilpin Paxton Architects would be attending the Physical Development Committee meeting on December 10, 2018 at 6:00 pm.

The Downtown Revitalization Grant application public hearing is scheduled for December 10, 2018 at 7:30 p.m.

Mr. Shanaberger reminded everyone of the Celebrate the Holiday's Downtown event on December 1, 2018.

Closed Session:
On a motion by Council Member Conner, seconded by Council Member J. Garrett, 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 performance of specific public employee, specifically Employee A.

Vote: J. Garrett – yes, J. Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member J. Garrett and Council by the following recorded vote adopted the motion:

Vote: J. Garrett – yes, J. Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – yes, Puckette – yes.

Mr. T. Garrett thanked Mr. Duck for his continued service to the Town of Appomattox.

On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to adjourn at 7:20 p.m. All members present voting aye. Motion carried 6-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Special Call Council Meeting
Thursday, December 6, 2018 – 5:00 p.m.

The Appomattox Town Council held a Special Call Council meeting on Thursday, December 6, 2018 at 5:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Jonathan D. Garrett, Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Absent: James Boyce, Sr.

Others present: Gary L. Shanaberger, Town Manager; Sam Vance, Attorney, Overbey, Hawkins & Wright, and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the Special Call Council meeting to order and stated the purpose of the Special Call Council meeting as a closed session.

Closed Session
On a motion by Councilmember Conner, seconded by Councilmember J. Garrett, 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 retained by the Town regarding specific legal matters requiring the provision or legal advice by such counsel, specifically being the claim arising from a sewer backup at 182 Virginia Avenue.

Vote: J. Garrett – yes, Boyce – absent, Spiggle – yes, T. Garrett – yes, Conner – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member J. Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Conner and Council by the following recorded vote adopted the motion:

Vote: J. Garrett – yes, Boyce – absent, Spiggle – yes, T. Garrett – yes, Conner – yes, Puckette – yes.

On a motion by Council Member Conner, seconded by Council Member J. Garrett, Council voted approving the letter by the Virginia Municipal League Insurance Programs as presented and forwarding the letter to Thomas W. Lawson of Lawson & Beasley, Attorneys at Law. All members present voting aye. Motion carried 5-0.

On a motion by Council Member Conner, seconded by Council Member J. Garrett, Council voted to adjourn at 5:35 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
December 17, 2018

The Appomattox Town Council held a Regular Council meeting on Monday, December 17, 2018 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding. *(This meeting was originally scheduled for Monday, December 10, 2018 however due to inclement weather it was rescheduled).*

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Carlton Duck, Alive Media TV; Nathan Simpson, Information Technology Technician; Nick Walton, Bob Goode, Wayne Simpson, Don Wilk, Cindy Hall, Elizabeth Milton, Christy Torrence, Office Manager; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:
Mayor Harvey opened the public hearing.

Mayor Harvey stated the purpose of the hearing:

The Town of Appomattox will hold a public hearing on Monday, December 17, 2018 at 7:30 p.m. (rescheduled from December 10, 2018 at 7:30 p.m. due to inclement weather) at the Town Municipal Building, 210 Linden Street, Appomattox to solicit public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for a project in our community.

Information on the amount of funding available, the requirements to benefit low- and moderate-income persons and/or eliminate blight, eligible activities, and plans to minimize displacement will be discussed. Citizens will also be given the opportunity to comment on the Town of Appomattox's past and current use of any previous CDBG grants. All interested citizens are urged to attend. For additional information, contact Gary Shanaberger, Town Manager at 434-352-8268.

Comments or complaints can be submitted in writing to Gary Shanaberger, Manager, Town of Appomattox at P.O. Box 705, Appomattox, VA 24522 or at gshanaberger@appomattoxva.gov or by phone at 434-352-8268 until December 10, 2018.

If you plan to attend and have any special needs requirements, please call Mr. Shanaberger at the number listed above.

Mayor Harvey provided the Town of Appomattox Community Development Block Grant History:

This public hearing is being held to solicit input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for a project in the Town of Appomattox, Virginia.

Community Development Block Grant Program Background
The CDBG program is a federal program created by the Housing and Community Development Act of 1974. In Virginia, the Virginia Department of Housing and Community Development (VDHCD) administers the program. The program provides funding for local governments to address and meet community development needs. The stated goals of the CDBG program are to: 1) improve the economic and physical environment in Virginia's communities and neighborhoods with the primary focus on benefiting low- and moderate-income (LMI) households, 2) preventing and eliminating slums and blight, and 3) meeting urgent community development needs posing a serious and immediate threat to the health, safety, and welfare of Virginia citizens.

VDHCD's typical U. S. Department of Housing and Urban Development allocation of CDBG funds is approximately $18 million for any given year. Of that total, $17 million is made available for all categories of Community Improvement Grants (CIG) after subtracting administrative and technical assistance costs and Planning Grant and adding back recaptured funds. After funding the Vibrant Community Initiative, various Open Submission Funds, and Urgent Need Open Submission Projects, $8.5 million is typically made available for the Competitive Grant program. In total there are approximately 300 towns, cities, and counties in Virginia eligible to compete for these funds each year.

A wide range of activities can be pursued with CDBG funds. The six primary project types under the CIG Competitive Grant program are:

1. Housing
2. Comprehensive Community Development
3. Business District Revitalization Project
4. Community Facility (water and sewer)
5. Community Services Facility
6. Economic Development

Town of Appomattox Community Development Block Grant History
The Town of Appomattox applied for, and was awarded, a $30,000 planning grant from the Virginia Department of Housing and Community Development (DHCD) to conduct planning activities to access conditions within the Greater Meadowlark Neighborhood area which included housing, infrastructure and other neighborhood related conditions. Over the course of the subsequent months, staff, with the aid of the Region 2000 Local Government Council, conducted needs assessment studies, surveys of neighborhood residents, and public meetings to determine community development needs. Additionally, housing inspections and preliminary

engineering reports were completed in order to best position the Town's project to qualify for, and ultimately be awarded, a DHCD grant award through their completive grant selection process. As a result of these planning activities, in April 2016, the Town of Appomattox received a multi-year grant award totaling $1,000,000. Multi-Year 1 (MY1 - $700,000) of the grant was initiated to address predominately housing rehabilitations and Multi-Year 2 (MY 2 - $300,000) would be granted upon completion of MY1 activities to address pedestrian safety and stormwater drainage deficiencies.

The Greater Meadowlark Neighborhood Improvement Project has been successful in satisfying the required activities of MY1. In total, 10 owner-occupied housing units and 5 investor-owned housing units have been rehabilitated to the DHCD housing quality standards. Additionally, 2 vacant substandard housing structure were demolished, meeting a CDBG national objective of removing blight. Also, 8 easements have been obtained in order to secure the funding for MY2's pedestrian safety and stormwater drainage activities.

It is important to note that the grant has improved the living conditions of 41 household members, of which 100% of the households were low-income, 2 of the 15 were female head-of-household, 9 of the 15 were elderly head-of-household, and 12 of the 15 were disabled head-of-household.

MY1 activities are fully completed and the grant is expected to close-out in January 2019. Further, with MY1 activities having been successfully completed, DHCD is expected to issue the MY2 award in the amount of $300,000 to complete the determined infrastructure needs of the neighborhood as well as substantial rehabilitate (demolished and rebuild) one additional home. MY2 of the grant is expected to be completed by the December 2019.

Previously, the Town of Appomattox utilized a 2016 CDBG-funded Planning Grant to plan for and submit a CIG Competitive Grant application in March 2017 which was unsuccessful. The Town is currently planning and preparing to submit a CIG Competitive Grant application in March 2019 with the assistance of outside consultants and designers solely funded by Town funds.

Community Development Block Grant Application Submittal for March 2019
The Town of Appomattox is anticipating apply for a CIG Competitive Grant of approximately $700,000 for revitalizing Downtown Appomattox. Anticipated activities include façade improvements to downtown commercial (income producing) property; streetscape improvements along the western portion of Main Street and a portion of Church Street; and the development of an additional parking lot. The Town has been working on this project through a very engaged Project Management Team made of business, community, Town, and County leaders and assisted by Summit Design and Engineering Services which is providing a Project Planning and Management Consultant and an Architect and Balzer and Associates which is providing a Landscape Architect. After this hearing, work will continue on developing the Appomattox Downtown Revitalization Project. Once fully developed, the project will be presented with additional details at a public hearing in March 2019 prior to submitting the grant application.

Upon approval by Town Council, the application will be submitted by the March 2019 CIG Competitive Grant application deadline.

Public Input Requirements
Citizen comments are welcome on:

1. General community development and housing needs.
2. The Town's past use of CDBG funds over the last five years.
3. The Town's proposed CDBG funded project.

Oral and written comments will be accepted. Information related to the Town's past and proposed use of CDBG funds is available to the public prior to and following application submission. The Town will maintain files demonstrating that the public hearings were properly advertised, a list of citizens attending the hearings, and written and/or recorded minutes of the hearings. For additional information on the CDBG program please contact:

Gary Shanaberger, Manager
Town of Appomattox
210 Linden Street
P O Box 705
Appomattox, Virginia 24522
Phone: 434-352-8268
Email: gshanaberger@appomattoxva.gov

Mayor Harvey read the following three (3) emails:

Al Sears – This is a very important project for the downtown area. There has been a tremendous amount of work already completed and I give my full support to try to make this a successful project.

Dr. Jeffrey S. Garrett – The revitalization grant is a great opportunity for our town and historic downtown area. The proceeds from this grant along with contributions from the Town of Appomattox EDA, will be gladly received to help our business owners spruce up and make needed repairs to their buildings. This will coincide with the work we are doing as a community to encourage patrons and visitors to spend a warm, memorable, and inviting time in our wonderful town.

Mrs. Susan Adams – As a member of the committee, please express my enthusiasm in the collaborative business and government efforts to revitalize downtown. Offering businesses the opportunity for façade improvements will enhance the aesthetics of the area as well as create a capital and workforce economic boost. All good wishes.

Staff presentation:
Mr. Shanaberger – Echo the feelings of the three (3) emails you read Mayor Harvey. It is a very worthwhile project and a lot of people are working on it. There is no guarantee we will get the

grant, but it will not be due to a lack of effort. Very excited about it and I do feel good about our changes.

Council Comments:
Ms. Spiggle – This is an amazing opportunity for our town, and we are all in and have worked very hard so far and will continue to work hard in our effort to be granted this wonderful grant. We are very excited. We have the public and business owners and will move forward like a railroad steam train in our effort to get this grant.

Public Comments:
Wayne Simpson, owner of Wilkes Jewelers – 1941 Church Street in Appomattox.
Thank you for the opportunity to come speak tonight – not a public speaker – I guess it's a Christmas gift given to me a few days early – Several years ago, I rode through the Town of Phenix, Virginia and saw the most beautiful decorations, Christmas decorations, on the telephone poles. I said you know for no more people who live in Phenix, VA and Appomattox has two to three times the number of people and Appomattox cannot do something like this. Church Street has not be considered a part of downtown Appomattox. I am 64 years old and when I was a young boy in this town, we had decorations down Main Street and Church Street – all the way to the High School (now Middle School). I would like to see this and it is proposed for the improvement. It is proposed and I think you have seen this. It is proposed for the light post with the brackets that hold the flag like on Main Street. I am in agreement with Gary, I think the light posts would be ten times greater that the poles – but if we cannot get the posts we will go with the poles. Thank you for giving me the opportunity to speak to you and I hope you will endorse this. I serve on the committee as well and proud to serve and look forward to moving this to action and make Church Street a part of downtown Appomattox.

Mr. Bob Goode, resides in Spout Spring, Virginia
I am in full concurrence to the emails and everything that's already been said. I think this is a great asset for the town and a good potential for them.

Mayor Harvey closed the public hearing.

Mayor Harvey commended the hard work of the committee and hopeful we will be able to move this forward in the way we have the vision.

Scheduled Public Appearances:
None

Mayor's Comments:
Mayor Harvey wished everyone a beautiful holiday season.

The signage for the State Championships will be brought back to the Council in the next couple of months. The bids are coming in much higher than anticipated.

Consent Agenda:
On a motion by Mr. J. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for December 17, 2018 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to reappoint Roger Carson, Appomattox Town Planning Commission, term expiring December 31, 2020; Mary Lou Spiggle, Economic Development Authority of the Town of Appomattox, term expiring December 31, 2022; Claudia G. Puckette, Economic Development Authority of the Town of Appomattox, term expiring December 31, 2022. All members present voting aye. Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- Train Depot – Mr. Shanaberger reported that Dalgleish Gilpin Paxton Architects has been working hard on the train depot project. Dalgleish Gilpin Paxton Architects will meet with the Physical Development Committee on January 14, 2019 at 6:00 p.m. to provide an update on the project as well as an updated timeline. Mr. Shanaberger also requested a summary sheet be provided by DGP prior to the meeting so it can be distributed to Council.

- He and Mr. Gillespie met with USDA last week to "get up to speed" on the closing process. He thinks they are in good shape.

- Staff has begun the budget process for FY 2020 and will be distributing sheets to department heads in the next few weeks.

- Anticipates signing a contract with Epitome Networks in the next 30 days to upgrade the Town's phone system.

- Office renovations will start in the next few weeks to create a couple of new offices.

- The ESRI Report is available to the Town again. Mr. Shanaberger spoke of how helpful the report is on the retail side of marketing and the demographical information.

- Reminder of the Utility Rate Study public hearing on January 14, 2019.

- Glad Jeff Elder is back to work!

Council Concerns:
Mr. Boyce had a report from a citizen, who is also a runner, the street light at the corner of Rt. 727 and Church Street is out.

Ms. Spiggle wished everyone a blessed Christmas season.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council adjourned the meeting. All members present voting aye. Motion carried 6-0.

_____ _____

Christy J. Torrence
Office Manager

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
January 22, 2019

The Appomattox Town Council held a Regular Council meeting on Tuesday, January 22, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding. *(This meeting was originally scheduled for Monday, January 14, 2019 however due to inclement weather it was rescheduled).*

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, and Claudia G. Puckette.

Member absent: Steven T. Conner.

Others present: Carlton Duck, Alive Media TV; Nathan Simpson, Information Technology Technician; Nick Walton, Dana Glover, Accounting Specialist; Michelle Payne, Times Virginian; Bif Johnson, Hurt & Proffitt, Inc.; Charles Clusman, Rachel Mahoney, News & Advance; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:
Mayor Harvey opened the public hearing.

Mayor Harvey stated the purpose of the hearing:

The Town of Appomattox will hold a public hearing Tuesday, January 22, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

The purpose of the public hearing is to hear public comments for proposed changes to the Water and Sewer Policy User Charges (including Water and Sewer Rates), Connection and Availability Fees Administrative Policy with an effective date of July 1, 2019.

a) Proposed Multiple Tier Water Rates:

Apartments/Residential Units; Government and School Units	0 – 2000 gallons	Charge per 1000 gallons over 2000	Percent Increase
July 1, 2019	$11.00	$6.00	7.59%
July 1, 2020	$11.30	$6.20	3.00%
July 1, 2021	$11.60	$6.40	3.00%
July 1, 2022	$11.90	$6.60	3.00%

Businesses/Commercial Units	0 – 2000 gallons	Charge per 1000 gallons over 2000	Percent Increase
July 1, 2019	$11.50	$6.25	12.34%
July 1, 2020	$11.80	$6.40	3.00%

July 1, 2021	$12.20	$6.60	3.00%
July 1, 2022	$12.60	$6.80	3.00%

b) Proposed Multiple Tier Sewer Rates:

Apartments/Residential Units; Government and School Units	0 – 2000 gallons	Charge per 1000 gallons over 2000	Percent Increase
July 1, 2019	$30.60	$17.25	4.36%
July 1, 2020	$31.50	$17.80	3.00%
July 1, 2021	$32.40	$18.30	3.00%
July 1, 2022	$33.40	$18.80	3.00%

Businesses/Commercial Units	0 – 2000 gallons	Charge per 1000 gallons over 2000	Percent Increase
July 1, 2019	$32.00	$17.50	7.96%
July 1, 2020	$33.00	$18.00	3.00%
July 1, 2021	$34.00	$18.50	3.00%
July 1, 2022	$35.00	$19.10	3.00%

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq., with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950 as amended. Documentation, including the complete ordinance and other information concerning the documentation for the proposed fee are available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday. If you have any questions, please contact Kimberley W. Ray, Treasurer or Gary L. Shanaberger, Town Manager at 434-352-8268.

Staff Comments:
Mr. Shanaberger – The purpose behind this is an aging infrastructure. It is at the end of its life cycle. If we don't address these issues now, they are only going to get worse and more expensive. Now is the time to address these issues, unfortunately the only real way to address this is through this type of action. We've lost money the last 5 years when you combine our water and sewer operations together – one-year water may turn you a little bit of profit, but we lost money on the sewer system. The last five (5) years through combined operations, we have lost money. That's not a sustainable process. Another important part of all of this in terms of improving our infrastructure is to prove to USDA that we can afford to repay a loan. It is obviously our hope. We've been very successful the last three (3) years to bring in nearly $5.4 million in grant money – if you divide that among the 1,800 town citizens, we have saved each individual nearly $3,000. A family of four (4) – that's nearly $12,000 we've saved that family through grant money. Obviously, that's what we want to do again. But in the process or possibility that we do not get grant money – we have to pay a loan or USDA loan. USDA wants to know that we can repay the loan. That's basically where we are at – we are in a situation where we have infrastructure that needs attention – serious attention. The water lines that need to be repairs and replaced 2" reduced down to ½" due to build up and sediment – the water is

still safe – there is nothing wrong with the water, but it affects fire protection. When the fire department goes to the hydrant then there isn't enough water pressure. These are all important issues and I think now is the time for the Town and the community take a good hard look at it and this staff will do whatever the Town and community recommends. I would like to see something done where we can keep the Town moving forward and taking care of some of these infrastructure problems.

Mayor Harvey – I know I am not staff, but I would like to point out we have not had a water increase since July 2012 and the last sewer increase was July 2015. So, it's been four (4) years on the sewer and seven (7) years on the water with no increase. It is kind of hard when your costs are going up every year to operate and you are keeping your income at a level point.

Mr. Shanaberger – I'd like to add – Bif Johnson with Hurt & Proffitt, Inc., is here tonight and he and his staff did an exhaustive study for the Town - if there are some questions about the study that was done. I feel like just about everything was taken into consideration. I did have several people, handful called me and I've met several people downtown they brought the subject up to me and I think once they understood – this is not something anybody wants but it is one of those things that has to be done. I think once people understood that we have failing sewer lines and water lines that are no longer carrying the flow of water as they should, people understood it.

Mr. Shanaberger – received one handwritten note –
"Our water and sewage bill is already as costly as we can handle".

It is important that you hear this comment. I did not get a chance to talk with this person. This note was left in the drop box outside.

Mayor Harvey – Opened the floor for public comments.

Charles Clusman – owns and operates the Babcock House –
As an entity in Town that uses a lot of water and as a restaurant and a lodging/hospitality provider – we definitely use a good bit of water. This particular increase in our costs – what I'm looking at when I'm doing my small little calculations – you're increasing my average costs 18% over the next 3 years. I understand that there are issues that need to be taken care of and you add them on to an already very slim margin that I am able to make, it's a pretty good burden on myself and I know there are probably other people who have the opinion on the matter as I do. I just want to know – questions – can you quantify the amount of money the Town has lost over the last 5 years?

Mr. Shanaberger – I can – as a matter of fact – I'll be happy to share this with you and anybody else who would like a copy – I'll share it with you. The individual different departments – In year 2017, for the water department we lost $110,000 and then if you come down, we made $82,000 – but that's still a net loss.

Mr. Clusman – Yea, I can read a P&L sheet here – It is all nicely color coordinated. I know you said you were talking to a gentleman here that did the study from the Town? Do you have any recommendations in what the Town should do in this matter? What costs are for that?

Mr. Bif Johnson – Basically, the recommendations the Mayor read are our recommendations.

Mr. Clusman – Well that's just increasing the price point so what is our…

Mayor Harvey interjected – under normal circumstances – you are not allowed to speak to others. You need to direct your comments to Council. If you want to speak with Mr. Johnson…

Mr. Clusman – I'll just direct my questions to you (Mayor).

Mayor – We cannot have a conversation back and forth. We allow you to speak. If you want to come and meet with Mr. Shanaberger you can. The comments/questions between you and the audience is not appropriate.

Mr. Clusman – I understand that now. I apologize. I am trying to get some information because the recommendations are not put out there for public viewing. I'll have to address them appropriately. I'm just trying to figure this out as it's a big impact on my business as well as other businesses. I think that I would urge that the Town Council take that into consideration put more information out there to the residents of the Town, so we have all the information available to us. Before you make a vote – all I can ask is that before you put 17% or more on one utility cost on any business definitely one that's running a pretty slim profit margin. I understand there are things that we need to take care of – I'm not saying we need to put it off – I'm just saying we need to take a real hard look at all the options. I hope you'll be able to get those recommendations out for public viewing. Thank you very much.

Mayor Harvey closed the hearing as there was no one else to speak.

Scheduled Public Appearances:
None

Mayor's Comments:
Mayor Harvey encouraged everyone to become more familiar with the waste transfer station proposed in the County of Appomattox. The revenue is ear marked to renovations to the school. As elected officials be aware. There is a public hearing scheduled for February at the Board of Supervisors session.

Consent Agenda:
On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to adopt the consent agenda for January 22, 2019 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:
On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to adopt the 2019 Town Council meeting schedule as presented. All members present voting aye. Motion carried 5-0.

On a motion by Mr. T. Garrett, seconded by Mrs. Puckette, Council voted to purchase a dump truck with a cost not exceed $95,335.00. All members presented voting aye. Motion carried 5-0.

Standing Committee Reports:
The Physical Development Committee heard an updated on the Historic Structures Report from Dalgleish Gilpin Paxton Architects at the committee meeting tonight prior to the Regular Council meeting.

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- At the January 29, 2019 Workshop meeting, the FY 2020 Town Budget timeline will be presented.
- There will be a compliance review of the CDBG Meadowlark Grant on Thursday, January 24, 2019.
- Will be attending the Rural Caucus Reception with Mr. Conner on January 30, 2019.
- The office renovations are complete.
- The ESRI Marketing reports with great information on Appomattox is available.
- The Downtown Revitalization Grant is moving forward. There will be a second public hearing in March 2019.

Council Concerns:
Ms. Spiggle recently learned of Tony Clifton's resignation from the Historic Appomattox Railroad Festival board. She wanted to extend a warm "thank you" to him for his service. Mayor Harvey concurred.

Mr. Boyce spoke to the water rate increase. Encouraging others to look for offsets – taxes, cost them an extra dollar on fixed incomes. It is incumbent upon each elected official to look at ways other than this to offset their increase.

On a motion by Mr. J. Garrett, seconded by Mrs. Puckette, Council voted to adjourn the meeting at 8:05 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
January 29, 2019 – 6:00 p.m.

The Appomattox Town Council held a Council Workshop meeting on Tuesday, January 29, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, and Claudia G. Puckette.

Members absent: Steven T. Conner

Others present: Michelle Payne, Times-Virginian; Nathan Simpson, Nick Walton, Jeff Elder, Carlton Duck, Beatrice James, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Mrs. Ray introduced Ms. Beatrice James. Ms. James appeared before Council requesting a payment arrangement for one of the rental properties on Court Street.

On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to approve a 12-month payment arrangement for $834.76 equally $69.56 per month plus any new monthly charges. All members present voting aye. Motion carried 5-0.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to approve the following write-offs that have exceeded the statute of limitations: Real Estate - $406.88; Personal Property - $5,944.15 and Utilities - $4,118.91. All members present voting aye. Motion carried 5-0.

On a motion by Mr. J. Garrett, seconded by Ms. Spiggle, Council voted to approve the purchase of a John Deere 5090 E Utility Tractor for $52,268.28 and to allow purchase of bush-hogging equipment. All members present voting aye. Motion carried 5-0.

On a motion by Mr. J. Garrett, seconded by Ms. Spiggle, Council voted to add a Closed Session to the end of the agenda. All members present voting aye. Motion carried 5-0.

Committee Reports – Mr. T. Garrett will set a date for the next Physical Development Committee at the next regular meeting.

Staff Reports:

Town Treasurer
Mrs. Ray provided the December 2018 Financial Report. She continues to review software companies. Mary Earhart will be working with Mrs. Ray on pre-audit services. The pre-audit activities and audit fieldwork are nearing completion. Mrs. Ray and Mrs. Glover attended a training seminar hosted by Brown Edwards in Charlottesville in January 2019.

Town Manager
Mr. Shanaberger reported on the following items:

- The Town received a letter from the Virginia Department of Transportation not recommending the two-way stop Church Street at the corner of Main Street. They did provide two other options – A side road, right turn and speed bump/raised sidewalk on Church Street near Main Street.
- Pino's Pizza had concerns of the Utility Rate increase. Mr. Shanaberger met with Mario and he understands the Town's issues but is hopeful the Town can find other ways to pay for the infrastructure improvements.
- Mr. Shanaberger is waiting for Brown Edwards to respond to questions regarding depreciation and why the Town needs to take it into consideration when adjusting the rates.
- Mr. Shanaberger will be attending the Rural Caucus Reception tomorrow, January 30, 2019 in Richmond, Virginia.

Closed Session:
On a motion by Council Member J. Garrett, seconded by Council Member Spiggle, 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 performance of specific public employee, specifically Employee A.

Vote: J. Garrett – yes, J. Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – absent, Puckette – yes.

The meeting was re-opened to the public.

Council Member J. Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Boyce and Council by the following recorded vote adopted the motion:

Vote: J. Garrett – yes, J. Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – absent, Puckette – yes.

On a motion by Mr. T. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
February 11, 2019

The Appomattox Town Council held a Regular Council meeting on Monday, February 11, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present - Jonathan D. Garrett, Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Member absent - James J. Boyce, Sr.

Others present - Carlton Duck, Alive Media TV; Donnie Simpson, Nathan Simpson, Information Technology Technician; Bill Jamerson, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey reminded Council to consider supporting the Transfer Station to increase revenue for the County. The next meeting is scheduled for February 19, 2019 at 7:00 p.m. with a Public Hearing at the Appomattox County High School.

Citizen Comment Period:
Mr. Bill Jamerson spoke to the proposed increase in water and sewer bills. He understands the need for the increase but requests a smaller increase in the first year.

Also, the Kiddie Park is getting a lot of attention. The sunshine, added equipment and bathrooms has really brought the kids out. It is a great addition to the community.

Council thanked Mr. Jamerson.

Mr. Donnie Simpson – Good evening. I am here to night because I have decided to run for the elected position of Sheriff. Sheriff Letterman will be retiring at the end of the year. The ballot will read DONALD D. SIMPSON. He wanted Council to know he has worked on the budget for the last seven (7) years with Sheriff Letterman. They are very appreciative of the Drug Investigator position. He will maintain an open door policy and work with the Town to solve problems.

Council thanked Mr. Simpson.

Mr. Bill Jamerson – He supports Paul (Mayor) about the trash transfer station. There was an open dump about 5 miles from his house when he was on the Board of Supervisors.

Mr. Conner also stated his support of the trash transfer station.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. T. Garrett, seconded by Mr. Conner, Council voted to adopt the consent agenda for February 11, 2019 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:
None

Standing Committee Reports:
The Physical Development Committee needs a meeting to discuss the Train Station/Depot.

After much discussion, Council agreed to hold the February Workshop on Monday, February 25, 2019 after the public hearing and to have the PDC meeting at 5:45 p.m. prior to the 7:00 p.m. public hearing.

Town Manager's Report:
Mr. Shanaberger reported on the following:

- There will be a second public hearing on February 25, 2019 at 7:00 p.m. for the proposed Utility Rate increase. Mr. Bif Johnson, Hurt & Proffitt, Inc. and Mrs. Mary Earhart, CPA will be present to give more insight to the rate study and depreciation.
- Tomorrow he will be meeting with VDOT regarding the raised crosswalk on Church Street and the speed limit signage.
- The Town EDA will meet tomorrow and discuss the ESRI report, goals & missions for the EDA.
- Wednesday, February 13, 2019, the Downtown Revitalization Grant committee will be meeting at the depot.
- The FY 2020 Budget process for the Town of Appomattox is underway.
- An update to the Town's Zoning Map is necessary to incorporate the west end boundary line adjustment and a few new streets in the Town.

Council Concerns:

Ms. Spiggle has had several citizens speak to her in regard to the speed bump on Church Street. Church Street is a very busy street and they believe this is a terrible idea.

Mr. Conner stated he is not a fan of the speed bump idea.

Ms. Spiggle and Mr. Conner suggested leaving Church Street as it currently is.

Mr. Jonathan Garrett brought forth a motion for consideration to present a proclamation for designating February 16 – 23, 2019 as National FFA Week.

PROCLAMATION
National FFA Week – February 16 – 23, 2019

WHEREAS, FFA and agricultural education provide a strong foundation for the youth of America and the future of the food, fiber and natural resources systems; and

WHEREAS, FFA promotes premier leadership, personal growth and career success among its members; and

WHEREAS, agricultural education and FFA ensure a steady supply of young professionals to meet the growing needs in the science, business and technology of agriculture; and

WHEREAS, the FFA motto – "Learning to Do, Doing to Learn, Earning to Live, Living to Serve" – gives direction of purpose to these students who take an active role in succeeding in agricultural education; and

WHEREAS, FFA promotes citizenship, volunteerism, patriotism and cooperation.

THEREFORE, I, Paul D. Harvey, Mayor of the Town of Appomattox, do hereby proclaim the week of February 16 – 23, 2019, as **National FFA WEEK.**

Mr. Conner seconded the motion and Council members present voted aye. Motion carried 5-0.

Mayor Harvey advised Council that the FLAP (Federal Lands Access Program) project will be discussed over the next several weeks regarding its viability.

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to adjourn the meeting at 8:00 p.m. All members present voting aye. Motion carried 5-0.

_____ _____

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Public Hearing
February 25, 2019

The Appomattox Town Council held a Workshop meeting on Monday, February 25, 2019 following the 7:00 p.m. Public Hearing at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present - Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present - Carlton Duck, Alive Media TV; Bill Gillespie, Dennis Amos, Stacie Castro, Nick Walton, Nathan Simpson, Jeff Elder, Mary Earhart, Rachel Mahoney, Michelle Payne, Daniel Gunter, Charles Clausman, Susan Adams, Christy Torrence, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager; and Roxanne Casto, Clerk of Council.

Mayor Harvey opened the Public Hearing

Mayor Harvey stated the purpose of the hearing:

The Town of Appomattox will hold a public hearing on Monday, February 25, 2019 at 7:00 pm at the Appomattox Municipal Building 210 Linden Street, Appomattox, Virginia

The purpose of the public hearing is to provide professional input regarding the Utility Rate Study, specifically in the areas of engineering, accounting & infrastructure. The public hearing will also provide an opportunity to hear public comments for proposed changes to the Water & Sewer Policy User Charges (including water & sewer rates), connection & availability fees administrative policy with an effective date of July 1, 2019.

a) Proposed Multiple Tier Water Rates:

Apartments/Residential Units; Government and School Units	0 – 2000 gallons	Charge per 1000 gallons over 2000	Percent Increase
July 1, 2019	$11.00	$6.00	7.59%
July 1, 2020	$11.30	$6.20	3.00%
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b) Proposed Multiple Tier Sewer Rates:

Apartments/Residential Units; Government and School Units	0 – 2000 gallons	Charge per 1000 gallons over 2000	Percent Increase
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July 1, 2022	$35.00	$19.10	3.00%

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq, with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950, as amended. Documentation, including the complete ordinance and other information concerning the documentation for the proposed fee are available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 am until 4:30 pm, Monday through Friday. If you have any questions, please call Kimberley W. Ray, Treasurer or Gary L. Shanaberger, Town Manager at 434-352-8268.

Speakers will be allowed five (5) minutes to speak, rather than the normal three (3) minutes. We ask that you speak to the body (Council) and not to the people in the audience. We expect everyone to have proper decorum here, no yelling from the audience or yelling at the speaker as they make their presentation. No debate between the speaker and council. The speaker is to only present his/her views or point of views.

Staff/Consultant presentation:
Mrs. Ray will provide a financial report.
Mr. Gillespie will provide a listing of the long-range projects.
The H&P team will go over the rate study.

Q: Mr. Conner inquired if this hearing was for only water & sewer projects?
A: Mr. Shanaberger-yes, but it is also about the bigger picture. I believe there are some people who would like to use the general fund money for water & sewer projects. I believe it is important for people to know we have other projects other than water & sewer projects.

Mrs. Ray-started by speaking to the Town's long-term debt. The next slide explains the Town's cash accounts; Super Now checking account, Money Market Savings; Certificated of Deposits.

TOWN OF APPOMATTOX

Rate Study Information
February 2019

LONG-TERM DEBT

LENDER	PURPOSE	TERM	INTEREST RATE	ANNUAL PAYMENT AMOUNT	CURRENT PRINCIPAL BALANCES	MATURITY
Virginia Resources Authority	Upgrade and expansion of SBR plant	20 Years	0% Fixed	$80,757 **County Contributes additional $76,573**	$201,893 **County Contributes additional $191,433**	September 1, 2021
Suntrust	Water & Sewer Improvements & General Equipment	15 Years	3.84% Fixed	$57,810	$348,980	December 15, 2025
USDA Anticipated Fall 2019	Permanent Loan for I&I Construction South of Business 460	40 Years	2.125% Fixed	$145,152	$3,780,000	Anticipated Fall 2059

CASH ACCOUNTS

SUPERNOW CHECKING as of January 31, 2019	
General	2,643,043
Water Fund (includes $994,840 Water Tower Lease)	1,272,194
Sewer Fund	(482,137)
ISF Fund	74,190
	$3,507,290
MONEY MARKET SAVINGS as of January 31, 2019	
General Fund	334,858
Water Fund	1,453
Sewer Fund	113,195
	449,506
CD ACCOUNTS as of December 31, 2018	
General Fund	1,264,745
Water Fund	548,754
Sewer Fund	487,916
	$2,301,415
CASH ON HAND	$6,258,211
EXPECTED USDA REIMBURSEMENT for I & I PROJECT DUE TO SUPERNOW SEWER FUND	$727,374

Future Capital Improvement Projects

	Estimated Costs
Waterline Distribution System *4.2 Million w/H&P info, CIP thru Beyond Program Period is 470,106.00*	$4,670,000
I & I Project/Closing TFP *9.4 Million*	$3,780,000
I & I Project/SBR Basin	$2,500,000
Lee Grant Avenue Street Improvement *(widening) Church & Court Street*	$800,000
Train Depot Renovations/Repairs	$2,000,000
Sidewalk Installation/Repairs *YR 2021 / $150,000/ ongoing thru CIP with aged infrastructure*	$150,000
Other -General Fund • PW Equipment/Fleet • Slurry parking areas/streets	$841,000
Total	$14,741,000

General Fund - $3,791,000

Water Fund - $4,670,000

Sewer Fund - $6,280,000

Mr. Gillespie requested to wait until after the presentation by Hurt & Proffitt regarding the rate study and then if anyone has questions for him, he will try to answer.

Ms. Stacie Castro & Dennis Amos-H & P reviewed the rate study. The multi-tiered rate—The expenses are based on prior budgets and included a flat 3% rate increase. The reserve amount is built in to work on the Inflow & Infiltration projects.

What an individual's bill would look like over the next four (4) years.

What a commercial/business would look like over the next four (4) years.

These slides help to see those really large numbers as it would affect each type of customer on a monthly basis.

Ms. Castro asked if there were any other questions?

Mr. Conner requested clarification of the business/commercial accounts as they are today. Ms. Castro said they are the same rates as current residential customers.

Council thanked H & P for the additional information.

Mayor Harvey asked Council if they had any questions for Mr. Gillespie on the CIP.

Hearing none—we will move on to public comments.

Charles Clausman-250 Oakleigh Ave, Appomattox, VA-The Babcock House
Thank you, Mr. Mayor and esteemed members of the Council for giving me the opportunity to speak. As you know from the last time I was here I am in opposition to these water/sewer increased rates. Let me preface all of what I'm about to say by stating that I understand and acknowledge the dire need to improve and maintain our infrastructure systems. No one, least of all me, a business owner who is fully reliant on water as a restaurateur, no one wants their water service to be in jeopardy or anything else, that said, it was or is the Town's position to justify the increased water and sewer rates because of its financial solvency as was stated in the last meeting we had here. The profit and loss sheet that Mr. Shanaberger shared with me at that meeting does state if you only look at the bottom line that the Town is indeed losing money on their water service. What is also shows is the Town is depreciating their water services to the amount of $2.1 million over 2013-2017. Any business owner who understands how to read a profit and loss sheet will tell you that depreciation is a non-cash expense so you write it off the accounting ledger but no money comes out of an account so over that same timeframe, the Town has profited – over $1.72 million timeframe. Again, do the maintenance, do up the upgrades but can't we use some of this windfall this $1.7 million to alleviate some of the costs?

Couple of statistics for you…citydata.com estimates over the last 6 years, in 2016 the per capita income of a resident in the Town of Appomattox is $22,000 and median income well above $32,000, understanding that, there was also a study by Draper Aden & Associates in 2015 where

it ranked Appomattox as having the highest sewer rates in the state. For people consuming 5000 gallons of water would be $78.35 which would be by far the highest. There are two (2) jurisdictions which also were in the $70.00 range. There median income was well over $30,000.

Now according to the proposed budgets of the Town of Appomattox for the last few years, 2016-2017 and 2017-2018 restaurants raised over half the annual revenue through the meals tax. Restaurants undoubtedly use more water than other businesses for obvious reasons. Mostly notably consumption and the needs for sanitation. Now, this increased proposal will hurt by far the business which produce and raise by far the most revenue for the Town. I would like for you all to take this into consideration when deliberating this issue. It's going to be a big boon for me as it is going to be over $1000 in costs for my business which I hate to tell you doesn't make a whole lot of profit each year. That $1000 could be used as a raise to a well deserving employee or offset an expensive cost, I have, a piece of equipment goes down. I know when I was looking at the rates Hurt & Proffitt showed I noticed there are 22 businesses that use over 20,000 gallons a month – I am one of those. Some months 11,000, others 22,000. Also noticed that there we no rates calculated for those businesses and I can assure you that those businesses are my fellow restaurateurs in town who are making most of the money (of the revenues) for the Town. I think its best to help those that are helping the most.

Thanked the Mayor and members of Council for the opportunity to speak.

Mayor Harvey read a written letter into the record:

2/25/2019
Distinguished Council Members –
As a property owner in Downtown Appomattox, I respectfully request Appomattox Town Council to refrain from moving forward with any rate increases to water/sewer rates.

I agree with those who see a rate increase as detrimental to local businesses and am concerned that increased rates will place undue burden on these businesses as well as discourage other from doing/opening business in the Town of Appomattox. I also am concerned about accounting practices. If monies already are available for replacement and/or upgrades to water/sewer system.

Bigger picture is the role of municipal government and individuals, facilities, etc. But that is for another day and I would like to have/continue the dialogue my wife and I have begun with Appomattox residents and visitors.

Thank you,
Don Wilk
Integrity Health Management
1848 Church Street
Appomattox, VA

No other presenters/speakers.

On a motion by Mr. Steven Conner, seconded by Mr. James Boyce, Council voted to close the public hearing. All members present voting aye. Motion carried.

Mayor Harvey called the workshop meeting to order.

On a motion by Mr. Jonathon Garrett, seconded by Mr. Steven Conner, Council voted to recommend James C. Davidson, Jr. to the Appomattox County Board of Zoning Appeals. All members present voting aye. Motion carried.

COMMITTEE REPORTS:

The Physical Development Committee will meet on March 11, 2019 at 5:45 pm at the Train Depot.

STAFF REPORTS:

Mrs. Ray-Town Treasurer presented the Financial Status Report as of January 31, 2019.

Mr. Elder-none

Mrs. Casto-none

Mr. Shanaberger:
-Provided an update on the Smart Scale project for the Route 24 Corridor. VDOT continues to develop the maintenance costs for landscaping & lighting of the path/trail. Mr. Shanaberger provided a handout of the proposed schedule and streetscape. VDOT is very excited about this project. There is no obligation except for maintenance for this project.

-There has been an inquiry to the Appomattox Volunteer Fire Department by an individual interested in purchasing the 1946 Antique Fire Truck.

On a motion by Mr. Steven Conner, seconded by Mrs. Claudia Puckette, Council voted not to sell or donate the 1946 Fire Truck. All members present voting aye. Motion carried.

Mr. Shanaberger reported that staff continues to use the 1997 Chevrolet Malibu for short trips.

Council Concerns: none

On a motion by Mr. Timothy Garrett, seconded by Mr. James Boyce, Council voted to adjourn at 8:00 pm. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
Monday, March 11, 2019

The Appomattox Town Council held a Regular Council meeting on Monday, March 11, 2019, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steve Conner and Claudia G. Puckette.

Member absent: Steven T. Conner.

Others present: Carlton Duck, Alive Media TV; Michelle Payne, Times Virginian; Rachel Mahoney, News & Advance; Sarah Honosky, News & Advance; Kim Ray, Town Treasurer; Jeff Elder; Gary Shanaberger, Town Manager; Roxanne Casto.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor Harvey commented on the Downtown Artisan event planned for April 6, 2019 from 9:00-3:00 at the Courtland Festival Park.

Scheduled Public Appearances-none

Consent Agenda -
On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to adopt the consent agenda for March 11, 2019 as presented. All members present voting aye. Motion carried.

Closed Session -
On a motion by Mr. Conner, seconded by Mrs. Puckette, 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 retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being the claim arising from a sewer backup at 182 Virginia Ave and Section 2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, 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 involving the advertisement requirements of Utility rate proposals and Zoning matters and Section 2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of performance of specific public employee, specifically Employee A.

VOTE: J. Garrett-yes, Boyce-yes, Spiggle-yes, T. Garrett-yes, Conner-yes, Puckette-yes.

The meeting was reopened to the public.

Council Member J. Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Conner and Council by the following recorded vote adopted the motion:

VOTE: J. Garrett-yes, Boyce-yes, Spiggle-yes, T. Garrett-yes, Conner-yes, Puckette-yes
All members present voting aye. Motion carried.

Unfinished Business –
None

New Business -

On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to adopt the Program Income Plan for the greater Meadowlark Community Development Block Grant Project (MY-2) All members present voting aye. Motion carried. 6-0

On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to adopt the Housing Program Design for the Greater Meadowlark Neighborhood Improvement Project (MY-2). All members present voting aye. Motion carried 6-0.

On a motion by Mr. J. Garrett, seconded by Mr. Boyce, Council voted to table the discussion of the Utility Rate Study performed by Hurt & Proffitt, Inc., including Water & Sewer rates until the April council Meeting. All members present voting aye. Motion carried.

Committee Reports –
None

Citizen Comment Period –
None

Town manager's report-
-The building which has been housing the 1946 Fire truck has been rented & the truck will need to be moved within the next 3-4 weeks.

-The Downtown revitalization grant is coming to an end with the final project management team meeting on March 20, and final public hearing on March 26. The application is due on March 29.

-The Planning Commission will be meeting soon to elect officers and begin reviewing the Town's Comprehensive Plan.

-On March 26, the Town Council will hear an update from Robin Snyder, NPS regarding the FLAP grant, the FY2018 Annual Audit report from Brown Edwards & Company & several other speakers with FY2020 budget requests.

Council Concerns –
None

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to adjourn at 9:10 pm. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Council Workshop Meeting
March 26, 2019 – 6:00 p.m.

The Appomattox Town Council held a Council Workshop meeting on Tuesday, March 26, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Michelle Payne, Times-Virginian; Robin Synder: JB Burks; Cory Osborne; Nathan Simpson; Jeff Elder; Carlton Duck; Jacob Poole; Susan Adams; Jeff Garrett; Don Jones; Garrett Rouzer; Greg Jacobs; Chris Murray; Bob Sayre; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Harvey called the meeting to order.

Garet Rouzer, Dalgleish Gilpin Paxton & Greg Jacobs, Landmark Preservation appeared before council to gather input on their prior presentation regarding the Historic Structures Report on the Train Depot.

Council is most interested in the roof, soffits, downspouts, cornice, and gutter repairs first.

Mr. Rouzer stated this would likely be the costliest of the project and would need to be completed all at once for scaffolding purposes.

Council thanked Mr. Rouzer & Mr. Jacobs for attending.

Chris Murray, Brown Edwards & Company, LLP presented the Town's FY2018 annual audit. There has been two years of positive change in the fund balances.

Council thanked Mr. Murray for the report.

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to accept the FY2018 Annual Audit by Brown Edwards & Company LLP. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to accept the following budget amendment:

1. *Consideration to adopt a resolution amending the FY 2019 Operating Budget for the Sewer Fund for FY 2018-2019 for the Reed Bed maintenance and sealing of manholes.*

2. *WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time*

3. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2019 Operating Budget for the Sewer Fund.*

Sewer Fund Expenditures

Capital Maintenance - 31-7000-7090	*$ 27,987.49*
Capital Improvement – 31-7000-7091	*$ 10,000.00*
Net Increase in Budget	*$ 37,987.49*

Sewer Fund Revenues

Use of Undesignated Reserve	*$ 37,987.49*
Net Increase in Budget	*$ 37,987.49*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2019 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2019.

Attest:

_____
Roxanne Casto, Town Clerk

All members present voting aye. Motion carried 6-0.

Budget Requests-

1. Don Jones of the Appomattox Tourism Committee, Inc appeared before Council to request a donation of $15,000 from the town for FY2020 (Letter attached)

2. Robin Snyder, Superintendent, NPS appeared before council to provide an update on the FLAP project. VDOT is ready to begin working on the Memorandum of Agreement which is contingent on support from the Town and County.
Council will consider the appropriation of $72,000 in the FY2020 budget no later than the end of April 2019.

3. JB Burks and Cory Osborne, Appomattox Volunteer Fire Dept requested an additional $10,000 for SCBA equipment.

4. Bob Sayre, American Civil War Museum provided an update on various events at the ACWM. He also spoke to the concept of creating a welcome center at the ACWM in an effort to increase tourism numbers in the Downtown Appomattox area.

Appomattox Town Council
Council Workshop Meeting
March 26, 2019 – 6:00 p.m.

Mr. Shanaberger requested an additional Budget Workshop for April 2, 2019 to discuss these requests as well as the Capital Improvement Plan and overall Town budget.

Council Concerns-

1. Mr. Timothy Garrett is a representative of the Courtland Festival Park board however he would like to step down. The board meets once a month. Is there a council member willing to serve?
2. Ms. Mary Lou Spiggle wished Gary Shanaberger; Town Manager a happy birthday.
3. Reminder of the Artisan Craft Show in Courtland Festival Park on Saturday, April 6th from 9:00 a.m. – 3:00 p.m.
4. Mr. Jonathan Garrett stated he is concerned about traveling embers from recreational/ceremonial burning.
5. Mrs. Puckette requested input from other Council members regarding 2 Council members meeting with 2 Board members to begin discussion of mutual issues and begin formulating a plan of working together.

After much discussion members Mr. James Boyce and Mr. Steven Conner agreed with meeting with the Appomattox County Board of Supervisors; however, Mr. J. Garrett, Ms. Spiggle and Mr. T. Garrett were not.

Staff Reports –
None

On a motion by Mr. Boyce, seconded by Mr. T. Garrett, Council voted to recess the workshop meeting until Thursday, March 28, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia. All members voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Recess and Reconvened Workshop meeting
March 28, 2019

The Appomattox Town Council held a recess and reconvened Council Workshop meeting on Thursday, March 28, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Absent: Jonathan D. Garrett

Others present: Nathan Simpson, Al Sears, John Redding, Bob Dunnam, Marvin Mitchell, Craig Wilson, Daniel Puckette, Kelly Hitchcock, Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk.

Mayor Harvey called the meeting to order.

Public Hearing:
Mayor Harvey opened the public hearing.

Mayor Harvey stated the purpose of the hearing:

The Town of Appomattox will hold a public hearing on Thursday, March 28, 2019 at 6:00 p.m. at the Town Municipal Building, 210 Linden Street, Appomattox, Virginia.

The purpose of the hearing is to solicit input on the proposed Community Development Block Grant (CDBG) proposal to be submitted to the Virginia Department of Housing and Community Development for the Appomattox Downtown Revitalization Project. Residents of the project area are encouraged to attend. The Appomattox Downtown Revitalization Project proposal will include the following activities: façade improvements, installation of additional decorative streetlights, construction of additional parking, and installation of downtown gateway signage in the Downtown Revitalization Project Area. A detailed fact sheet presenting the key activities and eligible benefits of the project will be available at the hearing.

The application fact sheet will be presented for comment along with information on projected beneficiaries, including the number of low- and moderate-income residents to benefit from the proposed project, and plans to minimize displacement. Citizens will also be given the opportunity to comment on the Town of Appomattox's past use of CDBG funds. The fact sheet on the proposed project will be available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia one week prior to the hearing. For additional information, contact Gary L. Shanaberger, Town Manager, Town of Appomattox at 434-352-8268.

Comments and grievances can be submitted in writing to the Gary Shanaberger, Town Manager, Town of Appomattox at P. O. Box 705, Appomattox, Virginia, 24522 or at **gshanaberger@appomattoxva.gov** or by phone at 434-352-8268 until March 27, 2019.

If you plan to attend and have any special needs requirements, please call the number listed above.

Staff presentation:
Mr. Shanaberger expressed gratitude to the downtown property owners and business owners for their willingness to participate in the project. They are all very excited about this project. Mr. Shanaberger also thanked the Town Council and the Town's Economic Development Authority for their willingness to contribute to the project.

Mr. Craig Wilson presented the information regarding a summary of the Appomattox Downtown Revitalization project.

Council Comments:
Mr. Boyce requested clarification of the match/leverage funding for Courtland Field in the summary. Mr. Wilson explained the importance of leverage funds shown in your project. Any funding expended within the last two (2) years can be used in the grant application.

Mr. Conner inquired if every application has to be submitted now?
Mr. Wilson explained that business owners/property owners can submit later.

Public Comments:
The following written comments were submitted:

Mr. Bob Goode, resides in Spout Spring, Virginia-
I am certainly in favor of the revitalization grant for the Town of Appomattox. I think it has the potential for great benefit

Dr. Jeffrey Garrett, Chairman, Town of Appomattox Economic Development Authority-
This is an exciting time to be a part of the leadership team with the Town of Appomattox, what a great opportunity this grant will be to assist in showcasing the gem of a town that we have. Thank you for all your support during this process and while I have been a contributing member of the EDA.

Mayor Harvey opened the floor for public comments:

John Redding – 311 Acorn Drive – This project fits nicely with the work of the Appomattox Chamber of Commerce. It publicizes and incentivizes the downtown businesses. The additional signage is ready to be placed on the bypass also promoting downtown businesses. Thank you.

Bob Dunnam – 2026 Wildway Road – Granny Bee's needs a lot of work and anything would be appreciated. Thank you.

Nathan Simpson – 272 Court Street – Thank you to Council for investing in projects like this. This project is amazing. I am super supportive of this project. Looking forward to seeing this project come to fruition.

Al Sears – 240 Court Street – Thank you to the Town of Appomattox and Economic Development Authority for working on this for Appomattox. I've seen this type of project work well in other communities. This type of project pulls communities together. Very appreciative, thank you.

Mayor Harvey thanked everyone who spoke and closed the public hearing.

Ms. Spiggle thanked Dr. Jeffrey Garrett, Chairman of the Town Economic Development Authority for his hard work with this project.

On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to adopt the following resolution:

RESOLUTION

AUTHORIZING THE PREPARATION AND FILING OF AN APPLICATION FOR COMMUNITY IMPROVEMENT GRANT FUNDS THROUGH THE VIRGINIA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the Town of Appomattox has previously participated in the Small Cities Community Development Block Grant (CDBG) program as administered by the Virginia Department of Housing Community Development (VDHCD) in order to revitalize the Meadowlark community through a CDBG-funded Comprehensive Community Development project; and

WHEREAS, the Town of Appomattox has identified revitalization of Downtown Appomattox as a priority need to be addressed as soon as feasible and has delineated the final project area to include commercial properties along the 100 and 200 blocks of Main Street, the 100 and 200 blocks of Harrell Street, the 1800 and 1900 blocks of Church Street, the 200 and 300 blocks of Court Street, the 100 block of Lee Street, and the 100 block of Atwood Street and Courtland Festival Park; and

WHEREAS, the Town previously applied for and received a FY 2013 CDBG Planning Grant in the amount of $35,000 from VDHCD to undertake a study of Downtown Appomattox and develop an Economic Restructuring Plan to understand market conditions, identify needs, develop a proposed improvement program and budget, identify additional funding resources to implement said program, and compile and submit a 2017 CDBG application for the Appomattox Downtown Revitalization Project, but was unsuccessful in that endeavor; and

WHEREAS, the Town was encouraged by VDHCD to reapply for funding for the Appomattox Downtown Revitalization Project and subsequently chose to utilize local funds to conduct additional planning activities, update the original CDBG application, and submit a 2019 CDBG application for the Appomattox Downtown Revitalization Project in the amount of $700,000 to VDHCD by March 29, 2019; and

WHEREAS, the Town conducted various public meetings, completed a Physical Inventory Survey of Downtown Appomattox; conducted a Business Survey of the businesses within Downtown Appomattox; developed an *Economic Restructuring Plan*; solicited and received Owner Participation Agreements for a Façade Improvement Program from commercial property owners in the final delineated project area; had completed Conceptual Plans for public improvements and a Preliminary Cost Estimate for implementing said improvements in order to enhance economic opportunities, increase downtown visitation, and better link the commercial establishments on Church Street to those on Main Street; and formed and utilized a Project Management Team to assist with the planning of this project and the grant resubmission; and

WHEREAS, said research, public input, and planning efforts identified deteriorating and dilapidated commercial property as a blighting influence in Downtown Appomattox and for certain buildings, an ongoing threat to public health, safety, and welfare and identified the need for additional public amenities and facilities friendly to downtown visitation and tourism as an economic blighting influence; and

WHEREAS, an Appomattox Downtown Revitalization Program for physical improvements has been developed by the Town in cooperation with property owners and related stakeholders pursuant to requirements for funding set forth by VDHCD including the development of a preliminary Façade Improvement Program Design requiring matching private investment by property owners and the development of Conceptual Plans and a Preliminary Cost Estimate for public infrastructure needed to remove physical blight, enhance economic opportunities, and increase downtown visitation; and

WHEREAS, the Town of Appomattox is in receipt of Façade Improvement Program Owner Participation Agreements representing twenty-six (26) buildings to date from owners of commercial property in the final delineated project area and said property owners have indicated that by participating in the Façade Improvement Program they will match the Façade Improvement funds utilized to make improvements to their buildings with recent and/or concurrent improvements to their buildings, either interior or additional exterior improvements, as required by program guidelines and as assisted by the Appomattox Economic Development Authority that is providing $100,000 in matching funds to assist property owners with meeting the match requirement; and

WHEREAS, the Town of Appomattox will commit to the final delineated project area $43,071 in funding for project-related administrative costs and for public improvements including new decorative streetlights in the 1900 block of Church Street, 100 and 200 blocks of Harrell Street, and the 100 block of Main Street, sidewalk and handrail improvements at the northeast corner of the intersection of Church and Harrell Streets, crosswalk improvements at the intersection of Main and Church Streets, gateway signs at the intersection of Church and Atwood Streets with associated concrete replacement and the intersection of Main and Court Streets, and a small parking lot on the parcel at the southeast corner of the intersection of Church and Harrell Streets; and

WHEREAS, the Town contributed $150,000 plus $21,718 in in-kind services, materials, and fee waivers, the County contributed $150,000 plus $118,500 in in-kind services, land, fee waivers, and materials for the LOVE sculpture, and private individuals and businesses contributed $300,000 for the development of the Courtland Festival Park; and

WHEREAS, the Town of Appomattox has properly advertised and conducted public hearings on December 17, 2018 and March 28, 2019 which addressed the CDBG program and the CDBG project application, thereby meeting citizen participation requirements; and

WHEREAS, the stakeholders and property owners in the targeted portion of Downtown Appomattox and the Management Team have requested the Town to proceed post haste in resolving the problems identified in the final delineated project area and in securing necessary funding to carry out the Appomattox Downtown Revitalization Project.

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

1. The Town of Appomattox wishes to apply for a FY 2019 CDBG Community Improvement Grant in the amount of **$700,000** for the Appomattox Downtown Revitalization Project and hereby commits a total of **$43,071** in Town investment for this project combined with a solicited **$250,000** in matching private investment from Façade Improvement Program participants and **$100,000** in Appomattox Economic Development Authority funds for the construction of Façade Improvements, and **$740,218** in Town, County, and private and business investment in the Courtland Festival Park for a total project cost of **$1,833,289** for the purpose of: a) constructing Façade Improvements to twenty (20) downtown properties; b) installing decorative streetlights in the 1900 block of Church Street, 100 and 200 blocks of Harrell Street, and the 100 block of Main Street, c) constructing sidewalk and handrail improvements at the northeast corner of the intersection of Church and Harrell Streets, d) constructing crosswalk improvements at the intersection of Main and Church Streets, e) fabricating and installing gateway signs at the intersection of Church and Atwood Streets with associated concrete replacement and the intersection of Main and Court Streets, f) constructing a small parking lot on the parcel at the southeast corner of the intersection of Church and Harrell Streets, and g) developing a

brand and marketing campaign; all for the ultimate purpose of eliminating blight and blighting influences in the project area; addressing economic blight by providing facilities that encourage and support stronger retail and tourism activity; creating new businesses and strengthening existing ones; and providing additional employment opportunities.

2. The Town hereby authorizes the Town Manager, the Town's chief administrative official, to execute and file all appropriate documents necessary for submission of the Town of Appomattox's 2019 Community Development Block Grant application on or before March 29, 2019 and to provide such additional information as may be required by the Virginia Department of Housing and Community Development.

All members present voting aye. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Mr. T. Garrett, Council adjourned the meeting at 6:25 p.m. All members present voting aye. Motion carried 5-0.

_____ _____

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
April 8, 2019

The Appomattox Town Council held a Regular Council meeting on Monday, April 8, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present - Jonathan D. Garrett, James Boyce, Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present - Carlton Duck, Alive Media TV; Nathan Simpson, Information Technology Technician; Sarah Honosky, News and Advance; Michelle Payne, Times Virginian; Nick Walton Jeff Elder; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager; Roxanne Casto, Clerk of Council.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
None

Scheduled Public Appearances:
None

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to adopt the consent agenda for April 8, 2019 as presented with the addition of NB#2-Closed Session. All members present voting aye. Motion carried.

Unfinished Business:
On a motion by Ms. Spiggle, seconded by Mr. Conner, Council voted to adopt the Flat Rate Structure increase for water and sewer rates for the next four (4) years, effective July 1, 2019. All members present voting aye. Motion carried 6-0.

New Business:
On a motion by Mr. T. Garrett, seconded by Mr. Conner, Council voted to appropriate $72,000 in the FY2020 budget for the Federal Lands Access Program (FLAP) application. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Boyce, seconded by Mr. T. Garrett, Council voted to convene in a Closed Session, pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of performance and salaries of specific public employees of any public body, specifically Employees A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB, CC, DD, EE.

Vote: J. Garrett – aye, Boyce – aye, Spiggle – aye, T. Garrett – aye, Conner – aye, Puckette – aye.

The meeting was re-opened to the public.

Council Member J. Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia aw;

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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote: J. Garrett – aye, Boyce – aye, Spiggle – aye, T. Garrett – aye, Conner – aye, Puckette – aye.

All members present voting aye. Motion carried.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- The 1946 Antique Fire truck has been relocated to the downstairs portion of the Appomattox Municipal Building.
- Commended the Appomattox Volunteer Fire Department for their response to the Railyard restaurant on Sunday.
- Staff has been working hard the last 30-60 days on the FY2020 budget.
- Dalgleish, Gilpin, Paxton continue to work on the budget numbers from Council's direction at the March 26 meeting.

Council Concerns:

Mr. Boyce commented on the markings placed on Church Street by VDOT but believes they should still investigate the visibility concerns. It is incumbent on Council to make this area safer.

Mayor Harvey also commended the Fire Dept for their response to the Railyard Restaurant.

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to adjourn at 8:15 pm. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Joint Public Hearing and Council Workshop
April 23, 2019

The Appomattox Town Council held a Joint Public Hearing and Council Workshop meeting on Tuesday, April 23, 2019 following the 6:00 p.m. Public Hearing at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Members absent: Jonathan Garrett

Others present: Chuck Warner, John Martin, Kiva Preston, James Maddox, Jeff Elder, Nathan Simpson, Nick Walton, Kim Ray; Treasurer, Gary Shanaberger; Town Manager, and Roxanne Casto, Clerk.

Mayor Harvey called the meeting to order.

Mayor Harvey opened the public hearing.

Roger Carson, Vice-Chairman, Town Planning Commission, called the Planning Commission meeting to order.

Mayor Harvey stated the purpose:
To rezone parcels bought within the Town limits of Appomattox during the Voluntary Boundary Line Adjustment in 2013. The tax map identification numbers are 63-2-1, 63-A-49, 63-A-54, 63-A-55, 63-A-53, 63-A-52, 63-A-52A and 63-A-80. If the rezoning is approved, the parcel(s) will be rezoned to B-2, except for 63-A-80 which will be rezoned to M-1. This rezoning will not affect the current use of the property.

Mr. Shanaberger advised in the staff report that the properties are currently considered unclassified.

There were no public comments.

Mayor Harvey closed this hearing.

Mayor Harvey opened the second public hearing and stated the purpose:
Kiva M. Preston does hereby request a rezoning application for tax map identification number 64A6-A26 and 64A6-A-26A. The property is currently zoned R-3 and the proposed zoning is B-2 in order to create continuation of the B-2 business adjacent and across the street from other B-2 properties. This parcel is approximately 1.383 acres in size and is located on 275-277 Lucy Street plus additional unaddressed parcel, Appomattox, Virginia.

Public comments:
Chuck Warner (327 Lucy St) spoke favorably of the application—It is a good spot, natural zoning for this area.

John Martin (agent) spoke favorably of the application. The continuation of B-2 zoning is a good fit for the area. Mr. Martin provided a copy of the plat for the Town Council & Planning Commission to review.

Kiva Preston (applicant-325/327 Lucy Street)-Mr. Preston currently owns an automobile repair shop in the area. He intends to live in the residential dwelling and these parcels allow him to expand his business and provides him a place to live. He hopes to add a few more jobs.

James Maddox (1125 Confederate Blvd) This is great for business.

There were no other comments.

Mayor Harvey closed the second public hearing.

Mayor Harvey opened the third and final public hearing and stated the purpose:

To amend the Code of the Town of Appomattox Chapter 195, Article I, Section 1 thereof, entitled "Definitions," by amending certain definitions in such section, as more particularly set forth herein, and to amend Chapter 195, Article V, Section 38 thereof, entitled "Statement of Intent" as more particularly set forth herein.

Clarifying certain definitions contained in Chapter 195, Article I, Section 1, to read as follows:

Dwelling: Any structure which is designed for use for residential purposes, except hotels, boardinghouses, lodging houses, tourist cabins, automobile trailers, motels, rooming houses, mobile homes, and manufactured homes.

Dwelling, Multiple Family: A dwelling arranged or designed to be occupied by more than one family.

Dwelling, Single-Family: A dwelling arranged or designed to be occupied by one family, the structure having only one dwelling unit.

Amend by deleting and repealing Chapter 195, Article V, Section 38, and replacing it with a section of the same number, to read as follows:

§195-38. Statement of intent.
The R-3 General Residential District is composed of certain medium-to-high concentrations of residential uses, ordinarily located between residential and commercial areas, plus certain open areas where similar development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life composed of an adult population with some children, and to permit certain commercial uses of a character unlikely to develop general concentration of

> traffic, crowds of customers and general outdoor advertising. To these ends, retail activity is sharply limited and this district is protected against encroachment of general commercial or industrial uses. Appropriate residential types of structures for both permanent and transient occupancy and including institutions are permitted, plus structures for commercial uses conforming to the pattern of the district. This residential district is not completely residential as it includes public and semipublic, institutional and other related uses. However, it is basically residential in character and, as such, should not be spotted with commercial and industrial uses.

Staff Comments: Mr. Shanaberger informed Council that this change is a definition clarification.

There were no public comments.

Mayor Harvey closed the third and final hearing of the night.

Mr. Carson, Vice-Chairman of the Planning Commission adjourned the Planning Commission meeting at 6:30 p.m.

Mayor Harvey proceeded with the Council Workshop Agenda items.

Staff presented the FY2020 Capital Improvement Plan for discussion, including items such as the street sweeper and remodeling of the train depot.

<u>Street Sweeper</u>
Mr. Shanaberger informed Council of the Town's need to review its procurement process for used equipment.

-Mr. Garrett - asked if the one street sweeper the Town has now is working.
-Mr. Elder - stated it is in bad shape.
-Mr. Timmy Garrett - suggested leaving the street sweeper out of the CIP until the procurement has been researched.
-Mr. Elder - responded that other localities buy used equipment.
-Mr. Timmy Garrett - Town still needs specs with a right to refusal.
-Mr. Elder - said he could call Mr. Spates with the Town of Farmville.
-Mr. Steven Conner - said Farmville never buys new stuff.
-Mr. Steven Conner - wants it done right but not rushed.
-Mr. Shanaberger informed Council that the VA Public Works Equipment company has a fleet of 35 trucks and they rotate 3 or 4 for sale every 6 months. If not this time, there will be another opportunity.
-Mr. Steven Conner-Mr. Elder is right other places do not buy new equipment.

Consensus was provided by Council to leave the 300,000 in the CIP and work on the Town's procurement process.

Train Depot Remodeling Project
-Mr. Conner - The Town needs to do something with the building because it is going to rot.

-Mr. Shanaberger advised he spoke with Craig Wilson, Summit Design regarding the possibility of putting money in the budget to research grant opportunities.

-Mr. Timmy Garrett - How much for grant research? $20,000?

-Mr. Conner - stated he knew Craig Wilson had helped other localities.

-Mr. Conner - OK with $20,000-$25,000

-Mr. Shanaberger agreed $25,000 is a good number and that Historic Tax Credits were a good avenue for money.

Consensus was provided by Council to include $25,000 in the CIP for grant research on the train depot project.

Mr. Conner inquired if General Fund revenue or reserves could be used for water & sewer projects.

Mr. Shanaberger advised that a letter was received from USDA clearly stating they would rather the Town not do that.

Consensus was provided to advertise the public hearing for the proposed FY2020 budget for the Town of Appomattox.

Committee Reports:
Both the F&P and PDC have been working diligently on the proposed FY2020 budget.

Staff Reports:
Gary Shanaberger recognized the efforts of Kim Ray, Treasurer for working with Brown Edwards & Company, LLP to upload the FY 2018 audit to the Federal Audit Clearinghouse. This was a new requirement because the town has received over $750,000 in federal funding during the FY 2018 audit period.

Kim Ray, Treasurer provided the Financial report for April 2019 for balances ending March 31, 2019.

Jeff Elder, Facilities Director requested the Procurement Sheet signatures for the purchase of the tractor.

Roxanne Casto, Clerk - none

Mr. Shanaberger-
-Grass has been planted at the Children's Park and thanked Public Works
-The food truck ordinance and outdoor burning ordinance revisions are expected to be complete within the next 30 days.

Council Concerns:
-Mr. Timmy Garrett inquired when council is expected to vote on the zoning items from tonight's public hearing
-Mr. Shanaberger responded May 13, 2019.
-Mr. Conner inquired about the status of sidewalk improvements on Lee grant Ave. Mayor Harvey asked if there was any way to move this up? Mr. Shanaberger advised the town staff is still discussing the options. Mr. Elder stated that the little amount of time until July 1, 2019 wouldn't hurt.
-Mayor Harvey reminded Council and visitors of the Courtland Festival park free event April 28, 2019 from 3:00-5:00 pm.

On a motion by Mr. Conner, seconded by Mr. Timmy Garrett, Council voted to adjourn at 7:20 pm. All members present voting aye. Motion carried.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
May 13, 2019

The Appomattox Town Council held a Regular Council meeting on Monday, May 13, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James Boyce, Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Shyann Bankston, Brianna Bolte, Carlton Duck, Alive Media TV; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager; Christy Torrence, Office Manager.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey presented of 2019 Arbor Day proclamation.
On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to approve the 2019 Arbor Day proclamation. All members present voting aye. Motion carried.

Mayor Harvey reminded those in attendance of another free event in the Courtland Festival Park this weekend featuring McKinley Cardwell.

Scheduled Public Appearances:
Brianna Bolte, 1249 Robinson Road and Shyann Bankston, 297 Woodlawn Trail appeared before Council as students from Appomattox County High School and members of the FCCLA Club. As a part of project for the FCCLA Club, they decided to become advocates for spaying and neutering stray dogs and cats. They also advocated for this at the club state competition.
The humane society had advertised that they were full, which led to the adoption of more pets. They advocate for all domestic animals to either be spayed, neutered and purchased outside of the Humane Society or shelters if they are not owned for breeding purposes to help control stray populations and minimize the euthanasia of animals in shelters. It is their hope that an ordinance like this would help the Appomattox Pet Shelter from reaching full capacity and to be a model that other Towns, Cities and Counties.
In Virginia Code section 54.1-3423, the Board of Professional and Occupational Regulations obtains permission from the State Veterinarian to use schedule VI drugs for the purpose of preventing, treating and controlling many communicable diseases that would result in animal populations and to control the animal population is to control the sterilization of domestic animals. A temporary leash law is not going to cut down on the stray population because these animals end up in shelters. The proposed ordinance is intended to have owners animals spayed or neutered which will help curtail stray animal populations in shelters. Stray dogs and cats will not be able to impregnate domesticated dogs and cats with unwanted puppies and kittens if the owners were bound by law to have their animals spayed or neutered.

Thank you.

Consent Agenda:
On a motion by Mr. Timothy Garrett, seconded by Mrs. Puckette, Council voted to adopt the consent agenda for May 13, 2019 as presented. All members present voting aye. Motion carried.

New Business:
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to accept the recommendation of the Appomattox Town Planning Commission to rezone parcels brought within the Town limits of Appomattox during the Voluntary Boundary Line adjustment in 2013. The Tax Map Identification Numbers are 63-2-1, 63-A-49, 63-A-52A, 63-A-52, 63-A-54, 63-A-55, 63-A-58, as B-2 and 63-A-80 as M-1. All members present voting aye. Motion carried.

On a motion by Ms. Spiggle, seconded by Mr. Boyce, Council voted to accept the recommendation of the Appomattox Town Planning Commission to rezone Tax Map Identification Number 64-A6-A-26 and 64-A6-A-26A as B-2.
Vote: J. Garrett – yes, Boyce – yes, Spiggle – yes, T. Garrett – yes, Puckette – yes, Conner – abstain. Motion carried 5-0-1.
Mr. Conner read the following statement:

CONFLICT OF INTEREST
DISCLOSURE STATEMENT
Historical Properties LLC/ Jeffrey T. Carwile
John R. Martin, Authorized Agent for Steven T. Conner Real Estate

I, Steven T. Conner, will abstain from voting or participating in discussion on this petition due to having a personal interest in this transaction. I am disqualified from participating in this transaction pursuant to Subdivision A 1 of Section 2.2-3112 of the Code of Virginia. My interest is that I serve as the real estate agent for the property owner, Historical Properties, LLC/Jeffrey T. Carwile. My real estate business is known as Steven T. Conner Real Estate, 536 Court Street, Appomattox, Virginia.

On a motion by Mr. T. Garrett, seconded by Mrs. Puckette, Council voted to approve payment request #3 of the 4 annual payments that were provided as an Economic Stimulus Grant in the Performance Agreement between the Town of Appomattox, the Town of Appomattox Economic Development Authority and COJANA, a Limited Liability Corporation in the amount of $30,872.08 to COJANA, a Limited Liability Corporation as the owner of the Appomattox Inn and Suite and also consideration in accepting payment #3 that COJANA has met its responsibilities as noted in the Performance Agreement dated March 13, 2015. All members present voting aye. Motion carried.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- The next Council Workshop meeting will consist of the public hearing the FY 2020 budget for the Town of Appomattox, joint public with the Town Planning Commission for the variance application on Crawley Lane, draft burning ordinance and draft food truck ordinance.

Council Concerns:
None

On a motion by Mr. T. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:50 pm. All members present voting aye. Motion carried.

Christy J. Torrence
Office Manager

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
May 28, 2019

The Appomattox Town Council held a Joint Public Hearing and Council Workshop meeting on Tuesday, May 28 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Linda Lipscomb, Marvin Mitchell, S. L. Ferguson, David & Sheila Ferguson, Michelle Payne, Carlton Duck, Bob Sayre, Nathan Simpson, Susan Adams, Jeff Elder, Kim Ray, Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk.

Mayor Harvey called the meeting to order.

Mayor Harvey opened the joint public hearing with the Town Planning Commission.

Marvin Mitchell, Chairman, Town Planning Commission, called the Planning Commission meeting to order.

Mayor Harvey stated the purpose:
David M. Ferguson, 196 Crawley Lane, Appomattox, Virginia, does hereby request a variance application for Tax Map identification Number 64A2-2-9. The property is currently zoned B-2 and the purpose of the request is to rebuild a residence that was destroyed by fire. The residence will be built in the same footprint as the previous home. A variance is needed to allow the home to be rebuilt in a B-2 district in the Town of Appomattox. This parcel is approximately 0.37 acres in size and is located at 196 Crawley Lane, Appomattox, Virginia.

Mr. Shanaberger advised in the staff report that he spoke with the adjacent property owners, who were all in favor of the application. Additionally, there will be no impact on Town resources.

Public comments:
David M. Ferguson, 2161 Trent Hatchery Road (primary residence) – The insurance company will only allow a rebuild in the original footprint of the home.

Mr. Boyce inquired if he could build it any larger?

Mr. Ferguson responded no, that it has to be in the same footprint and there isn't a lot of land for an addition either.

There were no other comments.

Mayor Harvey closed this hearing.

Mr. Mitchell, Chairman of the Planning Commission closed the public hearing.

On a motion by S. L. Ferguson, seconded by Linda Lipscomb, the Town Planning Commission meeting adjourned at 6:05 p.m.

Mayor Harvey opened the second public hearing and stated the purpose.

The purpose of this public hearing will be to receive public comments concerning the following:

Proposed FY 2020 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2020:

GENERAL FUND EXPENDITURES	2,749,128.00
INTERNAL SERVICE FUND EXPENDITURES	133,800.00
WATER FUND EXPENDITURES	976,362.00
SEWER FUND EXPENDITURES	1,017,033.00
TOTAL EXPENDITURES	**4,876,323.00**
GENERAL FUND REVENUE	2,749,128.00
INTERNAL SERVICE FUND REVENUE	133,800.00
WATER FUND REVENUE	976,362.00
SEWER FUND REVENUE	1,017,033.00
TOTAL REVENUE	**4,876,323.00**

Documentation is available during regular business hours in the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia. A copy is also available on the Town of Appomattox website, www.townofappomattox.com, under the tab "Department", "Finance" page.

The public and all interested parties are invited to attend this public hearing to make their views known on the proposed FY 2020 Budget for the Town of Appomattox. Any person needing special accommodations should contact the Town Office no later than the close of business on the day of the hearing at 434-352-8268.

Mr. Shanaberger, Town Manager recommended approval of the budget as presented.

There were no public comments.

Mayor Harvey closed the public hearing at 6:10 p.m.

Workshop Meeting
Mayor Harvey called the Workshop meeting to order.

Bob Sayre, Director of the American Civil War Museum in Appomattox appeared before Council to request $23,842.00 for FY 2020. Mr. Sayre provided a handout detailing the request.

Mr. Elder, Facilities Director provided an update on the Lee Grant Avenue sidewalk project. Hurt & Proffitt, Inc. will begin different design scenarios.

Council reviewed the draft amendment to Chapter 73-5 of the Appomattox Town Code – Exceptions for firefighting, recreational, ceremonial, and safety purposes (new recreational fire ordinance). Council requested the Town Manager review the draft with the Appomattox County Sheriff.

Mr. Shanaberger continues to develop a Mobile Food Truck ordinance.

Committee Reports:

None

Council Concerns:

Mr. Boyce thanked VDOT for painting lines on Church Street however, he remains concerned about parking the ability of cars to pass safely. Mr. Garrett reminded Council that VDOT has the final determination on parking, etc. along Church Street.

Staff Reports:

Mrs. Kim Ray, Town Treasurer provided the May 2019 Financial Report.

Mr. Gary Shanaberger provided updates on the following items:

- Met with the Department of Historic Resources regarding Historic Tax Credit for the train depot.
- Spoke with Craig Wilson of Summit Design to coordinate a meeting with the Department of Housing and Community Development to discuss the train depot within the next 3 days.
- The ROSE Garden can move forward with planning a meeting since gaining a better understanding of the ROSE project from VDOT.
- Work has begun on the Liberty Baptist Church park on Lee Grant Avenue.

Mr. Shanaberger and Council thanked Ms. Adams for the County assisting with the Department of Historic Resources meeting regarding the Historic Tax Credit for the depot project.

On a motion by Mr. Jonathan Garrett, seconded by Mr. Timmy Garrett, Council voted to adjourn at 7:20 pm. All members present voting aye. Motion carried 6-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
June 10, 2019

The Appomattox Town Council held a Regular Council meeting on Monday, June 10, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James Boyce, Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Derek Norfield, Carlton Duck, Alive Media TV; Rachel Mahoney (News & Advance), Michelle Payne (Times Virginian), Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager; Roxanne W. Casto, Clerk.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey reminded those in attendance of another free event in the Courtland Festival Park on June 29, 2019 featuring McKinley Cardwell. Please contact Mayor Harvey or Mrs. Susan Adams if you know of anyone who would be interested in providing entertainment at one of the events.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. Timothy Garrett, seconded by Mr. Jonathan Garrett, Council voted to adopt the consent agenda for June 10, 2019 with the addition of language, specifically "in the amount of $37,500.00" to New Business #4. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Boyce, seconded by Mr. Conner, Council voted to accept the recommendation of the Appomattox Town Planning Commission to approve the variance application for Tax Map Identification Number 64A2 2 9 for David M. Ferguson. The property is currently zoned B-2 and the purpose of the request is to rebuild a residence that was destroyed by fire. The residence will be built in the same footprint as the previous home. A variance is needed to allow the home to be rebuilt in a B-2 district in the Town of Appomattox. This parcel is approximately 0.37 acres in size and is located at 196 Crawley Lane, Appomattox, Virginia. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to adopt the Capital Improvement Plan for the Town of Appomattox for FY 2020 as presented. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to adopt an Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2019-2020 Budget for the Town of Appomattox.

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2019-2020 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 2019-2020 Budget was published on May 8, 2019 and May 15, 2019 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 28, 2019;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 10, 2019, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2019-2020;

GENERAL FUND; EXPENDITURES BY CATEGORY:	
Council	51,500.
Administrative Department	488,170.
Professional	118,000.
Police Department	94,644.
Tourism Department	78,200.
Fire Department	41,000.
Public Works Department	926,193.
Sanitation Department	115,000.
Property Maintenance & Construction	660,571.
Town Shop	38,250.
Donation/Contributions	83,500.
Zoning	27,000.
Town Office	27,100.
TOTAL GENERAL FUND EXPENSES	**2,749,128.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.12 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 $.12 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 sitused within the Town commencing January 1, 2018, 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 61.86% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 61.86% 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.

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2019-2020;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	162,000.
Current Taxes – Personal Property	75,000.
Delinquent Taxes	5,000.
Penalties & Interest	5,000.
Public Service Corporation	7,000.
Bank Stock Tax	130,000.
Cigarette Tax	110,000.
Meals Tax	1,000,000.
Lodging Tax	70,000.
Franchise Tax	4,500.
Consumption Tax	7,000.
Vehicle License Tax	25,000.
Business License	150,000.
Communications Tax	6,500.
Zoning	1,000.
Interest	9,000.
Rental of Misc. Property	9,000.
Motor Vehicle Tax	4,000.
Sales Tax	70,000.
Aid to Police Department (HB599)	44,322.
Fire Programs	10,000.
Personal Prop Tax Relief Act State Funds	23,107.
Visitor Center	400.
Mobile Home Titling Tax	500.
Miscellaneous	1,000.

Town DMV Fees	1,000.
Meadowlark Program Income	4,380.
Other Reimbursable	500.
Transfer from Reserve	813,919.
TOTAL GENERAL FUND REVENUES	**2,749,128.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2019-2020;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	976,362.
TOTAL WATER EXPENDITURES	**976,362.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2019-2020;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	342,400.
Connection Fees	7,500.
Penalty Fees	15,000.
Availability Fees	10,000.
Reconnect Fees	4,000.
County Water Line Maintenance	45,000.
Miscellaneous	500.
Interest	4,000.
Credit Card Fees	2,500.
Rental of Misc. Property	35,000.
Intergovernmental Revenue	25,000.
Use of Fund Balance	485,462.
TOTAL WATER REVENUES	**976,362.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2019-2020;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	1,017,033.
TOTAL SEWER EXPENDITURES	**1,017,033.**

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2019-2020;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	832,000.
Connection Fees	2,500.
Availability Fees	7,500.

County Reimbursement SBR & IDA PS	76,573.
Park Service Maintenance	1,800.
Interest	3,500.
Intergovernmental Revenue	1,000.
Use of Beginning Balance	92,160.
TOTAL SEWER REVENUES	**1,017,033.**

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Expenditures for Fiscal Year 2019-2020;

INTERNAL SERVICE FUND; EXPENDITURES BY CATEGORY:

Internal Service Department	133,800.
TOTAL INTERNAL SERVICE FUND EXPENDITURE	**133,800.**

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Revenue estimates for the Fiscal Year 2019-2020;

INTERNAL SERVICE FUND; REVENUE BY CATERGORY:

Reserves	133,800.
TOTAL INTERNAL SERVICE REVENUE	**133,800.**

SECTION XII:
The salaries, wages and allowances set out in said Budget are hereby authorized as per the terms of the town's classification and merit system as approved compensation for officers and employees for services rendered, unless hereafter otherwise provided by ordinance; provided however, that the Town Manager is authorized to make such rearrangement of positions in the several departments named in the Budget, in respect to officers and employees appointed by his/her as may best meet the needs and interests of the Town and after approval by Council.

SECTION XIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2019-2020 Town Budget from time to time pursuant to Section
15.2-2507, Code of Virginia; and,

SECTION XIV:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2019-2020 is hereby adopted, effective July 1, 2019 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 10th day of June, 2019.

Attest:

_____ _____
Roxanne W. Casto, Town Clerk Paul D. Harvey, Mayor

All members present voting aye. Motion carried 6-0.

On a motion by Mr. Jonathan Garrett, seconded by Ms. Spiggle, Council voted to adopt a resolution amending the FY 2019 Operating Budget for the General Fund for additional funding necessary to complete the purchase of Public Works Equipment identified in the Capital Improvement Plan adopted for FY 2019,

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2019 Operating Budget for the General Fund for funding for Public Works Equipment.

General Fund Expenditures		
10-5000-6001 – Public Works Equipment	$ 37,500	
Total Net Increase in Expenditure Budget		$37,500
General Fund Revenues		
10-3901-0000 Transfer Funds from Reserve	37,500	
Total Net Increase in Revenue Budget		$37,500

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2019 budget amendments are hereby adopted, 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.
Amended this 10th day of June 2019.
Attest:

_____
Roxanne Casto, Town Clerk
All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Jonathan Garrett, Council voted to award the bid for the 33,000 GVWR Cab & Chassis with mounted dump body and snowplow ready according the VDOT specifications to Worldwide Equipment, Inc. as the lowest responsible and responsive bid for a total price of $107,609.00. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Timothy Garrett, seconded by Mrs. Puckette, Council voted to adopt the following resolution:

AN ORDINANCE TO AMEND AND REENACT the Code of the Town of Appomattox, Chapter 75, thereof, entitled Burning, Open, by amending §75-3A Exception for firefighting, recreational, ceremonial and safety purposes.

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

Section 1. Chapter 75, Burning, Open, of the Code of the Town of Appomattox is hereby amended to read as follows:

§75-3 A. Exceptions for firefighting, recreational, ceremonial and safety purposes.

A. Open burning shall be allowed for campfires that do not exceed a 3' x 3' ground area and 2 feet in height. A containment barrier from a non-flammable material such as cinderblock, brick, or stone shall be used for all campfires, and must be adequate to prevent the fire from spreading. Spark arrestors are also required. All campfires shall be maintained a minimum of 25 feet from all structures, combustible materials, and adjoining property boundaries. The campfire shall be constantly attended until it is completely extinguished. Commercial fire pits shall also be permitted, provided all campfire requires are met. Open burning shall be allowed for ceremonial occasions approved in writing by the Town in advance, outdoor noncommercial preparation of food, safety flares, and warming of outdoor workers, provided that there shall be no burning of rubber tires, asphaltic materials, crankcase oil, impregnated wood, or other rubber or petroleum based materials or toxic or hazardous materials or containers of such materials, and provided that appropriate precautions are taken to prevent the fire from spreading.

Section 2. Effective Date.

ENACTED AND ORDAINED THE 10th day of June, 2019. This ordinance shall become effective June 10, 2019.

All members present voting aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. Timothy Garrett, Council voted to adopt the following agreement:

NOTE: The language in this resolution has been approved by VRS Benefits Counsel and is not subject to modification.

Virginia Retirement System

VIRGINIA RETIREMENT SYSTEM
P.O. Box 2500
Richmond, VA 23218-2500

Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program
Employer Adoption Agreement

THIS AGREEMENT (the "Agreement"), executed this [insert date] 10 day of June, 2019, is by and between [insert Locality, School Division, or Other Political Subdivision] Town of Appomattox (the "Employer") and the Virginia Retirement System (the "Plan Sponsor") (hereinafter collectively referred to as the "Parties").

WITNESSETH

WHEREAS, the Commonwealth of Virginia has established, and the Plan Sponsor is responsible for, the Commonwealth of Virginia Voluntary Group Long Term Care Insurance Program (the "Plan") in which employees of local governments, local officers, and teachers, as defined in § 51.1-513.3 of the *Code of Virginia* (the "*Code*"), as amended, may participate; and

WHEREAS, pursuant to the same section of the *Code*, the Employer desires to enter into this Agreement with the Plan Sponsor to permit participation in the Plan by its eligible employees; and

WHEREAS, the official entering into this Agreement is duly authorized on behalf of the Employer's governing body.

NOW, THEREFORE, in consideration of the premises herein, the Parties agree as follows:

1) The Plan Sponsor represents and warrants to the Employer that it will comply with all applicable laws affecting the Plan.

2) The Plan Sponsor represents to the Employer that it will provide sufficient services to administer the Plan and to appropriately respond to inquiries by employees and participants.

3) The Employer acknowledges and agrees to the terms and conditions established in the Plan.

4) The Employer agrees to provide the Plan Sponsor's selected long term care insurance carrier with a mail file of all active employees, in the format provided by the insurance carrier.

Virginia Retirement System

VIRGINIA RETIREMENT SYSTEM
P.O. Box 2500
Richmond, VA 23218-2500

5) When requested by the Plan Sponsor or the insurance carrier, the Employer agrees to permit the Plan Sponsor's selected long term care insurance carrier to conduct group and individual meetings for the purpose of explaining the Plan or enrolling employees on the Employer's premises during normal working hours subject to such reasonable restrictions that the Employer communicates in writing to the Plan Sponsor and that are accepted by the Plan Sponsor.

6) This Agreement may be amended from time to time by written agreement between the Plan Sponsor and the Employer.

7) The term of this Agreement shall be for three years beginning on the date of its execution, and thereafter may be terminated by either party upon 60 days written notice to the other party.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed, intending to be bound thereby.

Employer	**Virginia Retirement System**
By: _____	By: _____
Title: _____	Title: _____
Date: _____, 20__	Date: _____, 20__

All members present voting aye. Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- Continuing to work on Historic Tax Credits on the train depot.
- The annual Virginia Municipal League Conference will be held in Roanoke, Virginia October 6-8, 2019.

Council Concerns:
Mr. Conner inquired if the staff has looked into doing away with the Internal Service Fund?

Mr. Shanaberger stated, not in earnest. Mr. Shanaberger said he would look into it within the next 60 days.

Mr. Boyce asked if there were any updates from VDOT on Church Street and Lee Grant Avenue. Mr. Shanaberger advised that the engagement of the engineering firm would begin after July 1, 2019.

Mr. Conner suggested contacting Boxley or Buckingham Slate about the roof at the depot.

Ms. Spiggle reminded everyone of the Grand Opening/Ribbon Cutting at the new Horizon Behavioral Health Wellness Center on June 25, 2019 from 2:00 – 4:00 p.m. The center is located in the Elite Fitness building on Union Blvd.

Mr. Jonathan Garrett requested Council members pay attention to legislation regarding gun control measures.

Mrs. Puckette stated she was not opposed to sending a letter regarding gun control measures be limited to state buildings, not local buildings.

By consensus, Council recommended contacting local legislators individually, not as a Council, regarding their feelings on any proposed gun control measures.

On a motion by Mr. Boyce, seconded by Mr. Jonathan Garrett, Council voted to adjourn at 8:10 pm. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
June 25, 2019

The Appomattox Town Council held a Workshop meeting on Tuesday, June 25, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Rachel Mahoney, Michelle Payne, Carlton Duck, Bob Sayre, Susan Adams, Jeff Elder, Kim Ray, Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk.

Mayor Harvey called the Workshop meeting to order.

There was a lengthy discussion of the American Civil War Museum funding request for a Welcome Center at the museum. No decision regarding the request was made.

On a motion by Mr. Conner, seconded by Mr. Timothy Garrett, Council voted to award the bid for the pre-owned street sweeper to Virginia Public Works Equipment Co. for $147,000. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Conner, seconded by Mr. Boyce, Council voted to approve write-offs for miscellaneous invoices that have reached the statue of limitations in the amount of $788.11 for the years of 2012-2015. All members present voting aye. Motion carried 6-0.

Committee Reports:
Mr. Timothy Garrett, Chairman of the Physical Development Committee reported that the Town Public Works Department has been cleaning up the brush and cedar trees along the tree line between the Kiddie Park and the lot owned by Liberty Baptist Church for their new park.

Finance & Planning - none

Council Concerns:

Mayor Harvey reminded everyone of the free event at the Courtland Festival Park on June 29, 2019 from 6:00 p.m. – 8:00 p.m.

Staff Reports:
Mrs. Kim Ray, Town Treasurer provided the May 2019 Financial Report.

Mr. Gary Shanaberger provided updates on the following items:

- He and Mrs. Adams have discussed possible dates for a joint Town & County meeting either on August 14 or 15, 2019. Mr. Shanaberger is also looking for feedback for 3 agenda topics.
- Dalgleish, Gilpin and Paxton are willing to assist the Town with Historic Tax Credit for an estimate of $5,000.

Council gave consensus to allow Dalgleish, Gilpin and Pax to proceed with looking for Historic Tax Credits.

- Mr. Shanaberger will be organizing a ROSE garden meeting within the next month. Please let him know if you know anyone who would be interested in serving on the committee.
- Senator Mark Peake requests to meet with Council in July, August or September to assist the Town in reaching their goals. Council gave consensus to meeting with Senator Peake in August or September, prior to a regular Council meeting.
- Mr. Shanaberger advised Council of the ongoing projects:
  - Sewer Inflow & Infiltration – Phase 2
  - Downtown Revitalization Grant
  - Train Depot
  - Lee Grant Avenue sidewalk/roadway project
  - Church Street waterline
  - Meadowlark project
  - Comprehensive Plan
  - Update of zoning maps
  - Recodification of Town Code

On a motion by Mr. Jonathan Garrett, seconded by Mr. Timmy Garrett, Council voted to adjourn at 7:20 pm. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
July 8, 2019

The Appomattox Town Council held a Regular Council meeting on Monday, July 8, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James Boyce, Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Others present: Chris Sams, Sam Carter, Frances Guill, Sarah Honosky (News & Advance), Michelle Payne (Times-Virginian), Bob Sayre, Don Wilk, Matthew Fifth, Linda Fifth, Wayne Simpson, Peggy Simpson, Beth Turner, Batina Dunnam, Marvin Mitchell, Nathan Simpson, Jeff Elder, Carlton Duck, Susan Adams, John Redding, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager; Roxanne W. Casto, Clerk.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey reminded everyone of the "Movie Night" at the Courtland Festival Park on Friday, July 19, 2019.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. Timothy Garrett, seconded by Ms. Mary Lou Spiggle, Council voted to adopt the consent agenda for July 8, 2019 with the change of allowing the Citizen Comment Period before Unfinished Business. All members present voting aye. Motion carried 6-0.

Public Comment Period:
Mr. Jonathan Garrett wanted to preface a little about the welcome center and feels this may be why a lot of you are here tonight and I appreciate all of you coming out. The Town of Appomattox received an unsolicited request for funding to help promote tourism specifically in the downtown area. This request was to tap into an increased number of visitors that the National Park and museum sees that the downtown area does not always attract. The Town Council is simply weighing all options of this matter to promote tourism and the downtown area. The Town fully supports downtown revitalization and in no way intends to have the proposed welcome center take the place of the current downtown visitor's center. The priority of the Council is to do what is in this community's best interest and having a town that prospers. In doing that it is always important to use the facts to do so rather than to speculate. We too also have concerns that must also be addressed and careful thought and consideration to this matter before any approval action will be taken. I have spoken to many business owners in the downtown community and I understand and appreciate and respect each one of their concerns. I too have some concerns I would like to see resolved. I see the good and bad of both sides of this

but ultimately, I want only what is good for this entire town. With all this being said, I feel it most appropriate to have further discussion at a later time to talk with stakeholders about the impact this may have where pro's vs. con's may be discussed. Thank you, Mr. Mayor.

Mayor Harvey – I'd like to back that up too. I agree with that.

Beth Turner – 404 Cedar Cove Lane, Spout Spring, Virginia and current Main Street business owner and have been for about 27 years or more. My concern is over opening and funding another welcome center in a private business. It is my opinion that if you fund this project it will no doubt take away from the existing visitor's center. What a shame. Bob (Sayre) and I had a "agree to disagree" discussion. He admitted this plan was to boost his traffic flow of people and it would help his overall business. Well how about that. Take away from all of our locally owned businesses on Main Street to fund one private business. I as well with many others do not agree with using our local tax dollars to fund his own self-interest – where is the fairness in that?

Yes, I agree the economy has changed and people being so politically correct has changed many view on the history of our county. Consider why you would take away our hometown atmosphere from our visitors. When they stop on Main Street, they can grab a cup of coffee, hot meal, cash from a local bank, get a haircut, browse through local shops, get excited from the passing train and even stroll through the walking tour. As discussed with Mr. Sayre, he promised to send people downtown to the existing visitor's center. Well I explained to him the one stop to get info is all that people will make to get the info that they need. No one will come downtown to this visitor's center to get any info they acquired at the supposed welcome center. What is the fairness to our taxpaying citizens to fund one privately owned business? How will this plan of giving thousands of dollars away affect our revitalization grant? Thank you.

Batina Dunnam – 2026 Wildway Road, Appomattox, Virginia and owner of Granny Bee's Restaurant – First off, we knew nothing about it. I think it was handled the wrong way. I am getting a few more bits and pieces and a little more understanding but how can the Town give this kind of money when we are in the process of working on a grant. You really think this is going to help? I don't think so. Two things I've learned in restaurant business – 1) people complain about prices and taxes – so I think homework needs to be done – 2) my personal opinion – I don't think we need a visitor's center and a welcome center. I think most people are in a hurry today. Lifestyles have everyone on their phones and they are googling information. I'm just really afraid if you were to have a welcome center it would close the visitors center because people wouldn't be using that one. They would have no need to go to that one. I'm sure the Town Council will make the right decision behind all of this to keep Appomattox historically great like it has always been. Thank you.

Sam Carter – 307 Morton Lane, Appomattox, Virginia – Mayor, Town Council and Town Staff – thank you for the opportunity to speak. I became aware of this situation about 2 weeks ago. I, for one, have always been an advocate, just like you are. I don't think there is nobody in this room that will say they wish bad things to come forth on the Town itself, downtown. Everybody knows that as Mr. Garrett pointed out, but to me if you move it and by the way a Welcome Center/Visitor's Center, to me is the same thing. It's no different. If you move the existing

visitor's center to the museum, to me it is synonymous with the bypass. When you put the bypass in small communities, what happens, it folds, it goes dead. We have a prime example 10 miles down the road. Even when we put in our bypass 20 some years ago it hurt the downtown businesses because if you are not directed downtown people are going to the museum and the courthouse and that's where they are going to stay. They aren't coming downtown. I don't see how anybody really cannot see that.

I mean we've always tried to make downtown our #1 project to grow, to bring income in, so to me I'm sure that you all know a whole lot more about it than I do. You all got the paperwork and the information. I would like to see the visitor's center stay intact. Thank you.

Marvin Mitchell – 398 Morton Lane – I am going to look at it from a different perspective – just as a Town resident and I also own a business on Main Street in downtown. I looked on Google, we have 1780 people in Town, in the County 15,400; so what they [ACWM] want is 11% of the county to finance this welcome center, which I totally disagree with. That is not the right scenario from where I am coming from. Thank you.

Bob Sayre – Thank you all very much for the opportunity to speak to you tonight on this topic. Again, this has been up to discussion for the last couple of years and it was an idea presented to Linda Lipscomb when she was Director of the Museum. I've been here since the museum opened in 2012. I work both here and in Richmond for both visitor engagement and retail (front of house) at all three (3) sites. I have a different perspective being associated with two (2) different national park sites – here and in Richmond as well as, the White House of the Confederacy in Richmond which has a national park next to it at Historic Tredegar. The national park here in Appomattox sees about 62,000 visitors a year. As someone mentioned earlier there have been some issues with political correctness. I would just say we have a very complicated history that gets discussed here and nationally. That has led to some downturn in historic sites and historic homes, more specifically recently Thomas Jefferson's Monticello is one of those places. They are part of the community. We are a part of the community and have been. The national park numbers are going down and it affects us, and it affects the Town. The Town's Visitor's Center numbers have dropped in half over the last 10 years. We do spend a lot of time on a daily basis directing people to downtown and we are a part of the community, we all live here. I would like to say that first. It is not just me but a raising tide, the intent is to have all boats rise at the same time not just me but the whole community. We care very deeply about this community.

I had the opportunity to go to Manassas yesterday and to the Welcome Center on Rt. 66 which is funded by the state and I went to the downtown historic visitor's center in the Town of Manassas in a train depot and I went to the national park that is about 5 miles away on the other side of Rt. 66 and I talked to them about this idea because they have a visitor's center and a welcome center and a national park. They thought it was a wonderful idea and they have done very well having all 3 work in concert. We can get more information from them, Virginia Tourism Corporation and look at other places in the state that have a welcome center, visitor's center and national park. The museum is very supportive of this community and the cost is very specific and it is not to bail the museum out as some folks have said. We still pay 95% of all of our expenses. It is a

$1.50 per person to potentially attract another 7,000 – 8,000 visitors of the 50,000 that do not go from the Appomattox Courthouse National Park to the Appomattox Visitor's Center. We are underserved in this community and we have a wonderful downtown. Thank you.

Don Wilk – 1848 Church Street in downtown Appomattox – a little unique because I live and work in Appomattox right in the downtown. I want to see lots of people come to the visitor's center downtown and all the fellow merchants certainly without a doubt to thrive. There seems to be a lot of things to consider though, everybody here has mentioned everyone wants to prosper and do well. That's a consideration, will it take away from one entity for another. That remains to be seen. My wife and I are still trying to contribute to the economy and the community here. We are slow going but feel welcome and part of the downtown. I like the Visitor's Center. I've heard good things about it from people coming by our building even though we aren't open for regular hours. I would hate to see that go away. So, just some of our thoughts. We like the private enterprise doing it too. There are merchants that are like their own welcome center. Go to the hotel and they've got all the brochures out for all the other businesses in Town and they send people elsewhere. Certainly, everyone working together is what we want. However, that is best done – that is the question – to be answered and determined. Thank you.

John Redding – 311 Acorn Drive, Appomattox – Over the years, I've had a lot of citizens communicate with me that a visitor's center on the highway would be much more appropriate than one downtown. I've always supported that downtown needs the Visitor's Center and I agree with that continuum. To me this is a simple request for resources to help the museum market Appomattox. If the Council finds out that the amount spent on those resources will not be compensated by additional revenue then they shouldn't go forward but if you do think this amount, relatively small amount, to help investment and will pay off in additional meals tax, sales tax, and lodging tax, then you should go for it.

Mayor Harvey closed the citizen comment period.

Mayor Harvey suggested doing a little more "homework". He asked those in attendance if they would be willing to come back to a public meeting where the Town could do a little research where these things (welcome centers) are working well and if it provides a flow of people from one place to another.

Ms. Spiggle requested the floor – She stated she visited the museum on Friday. I wasn't going to speak about this publicly, but I visited your museum (to Bob Sayre) and spoke with you. Unfortunately, every interactive exhibit was broken.

Mr. Sayre – no ma'am it was not.

Ms. Spiggle – please don't argue – are we going to argue?

Mr. Sayre – you are misrepresenting what you came in and saw. There were three (3) monitors that needed to be rebooted. I explained it to you then and I knew I would have to answer to you (Ms. Spiggle). There are 12 monitors in the gallery, we got the program today from Virginia

Tech to reboot one skit and there are 2 audios that needs to be rewired completely. I asked Gary Shanaberger today if he knew anyone who could do it. There are 12 monitors in the gallery, three (3) needed to be turned back on. Nathan has replaced five (5) of them in the last three (3) months. Not all these things were out.

After volleying comments between Mr. Sayre and Ms. Spiggle, she requested all the things broken or not working properly be repaired before the Town considers funding the Welcome Center request.

Mr. Conner requested the floor – He stated it is not up to us to run their organization, all we are doing is to see if this helps get business to Appomattox. That's the reason we looked at this and tried to have discussions to help everybody's business. There are more empty buildings on Main Street than there were 5 years ago. There are more empty buildings in this town than there were 10 years ago and all we are trying to do is keep the businesses we got going so we don't get anymore empty buildings and look for ways to promote business to keep the ones we have and get new ones.

But of course, if you add a new one (business), I might sell it and guess that's a conflict – nobody is supposed to gain from anything that happens. If one gains – everybody gains. I think one (Welcome Center) would work better on the highway but they said we should keep both so we will keep both and we are spending right now around $20.00 per citizen to keep the one on Main Street going. We spent $16,000 to get ready for the sesquicentennial and it didn't bring more downtown. This will work and if it doesn't, we will get the money back - $15,000 a year we might get it back in water and sewer from flushing the toilets at the museum.

Mrs. Puckette requested the floor – I tried to speak at the last meeting but was shut down and I would like to just say because all the people are here tonight that there is a real estate principle involved here that I know from my real estate experience. Commercial real estate is very different from residential real estate. Residential real estate is purchased on feeling and emotion. You want were it feels like home. Where momma can cook and daddy can sit in his easy chair but commercial estate is driven by numbers and one of the things if any of you had come to me and said I need a piece of commercial property to put my business on the first thing I'm going to do is find out how visible you need to be. What I mean is will your business do better with a high traffic count or does it really matter to you. If you're an attorney's office, it probably doesn't really matter. But if you're a retail business or a restaurant it means a lot to you. So, I've got 3 lots for example – I've got one on Main Street, Confederate Blvd., and 460 near the museum. Next thing I'm going to do is call the highway department and ask what the traffic count on these 3 roads is. What I'm probably going to hear is these are not precise numbers, but they are close because I've checked this before when we talked about this at earlier dates. Main Street probably has 100-125 cars in a 24-hour period and from my business I know that for every 100 cars that go by I might get 10 people to come into my establishment. My real estate numbers tell me for every 30 people I talked to, I might make one appointment. That's just the statistics for the business. So, if I find a lot on Confederate Blvd. let's say the traffic count is 1000, my opportunity to get people to come in just went up. But then again if you go out to 460, I don't think its quite 10,000 but for the sake for argument, in a 24-hour period. The chances I

would get more people into my business was greatly enhanced. No one wants to hurt anybody here in this community. We've got to figure out a way to get the traffic that is out here on 460 into Town. This is a very cheap way of doing it and one we can pull out of if it doesn't work. All we can do is put up $23,000 and if all else fails we've got a kiosk. If someone has a better idea I'm all ears. I want to do what's right and best for this community. I grew up here. I've lived here almost all my life. I went away for a while. But I love this town. It hurts me to see that when I came back to Town it isn't much different than when I left in the early 80's.

I agree with Steve – we've got more empty buildings than I've ever seen. If this isn't the answer – that's fine but let's find the answer that will work and I think you are going off of a lot of misinformation. I don't think anyone in this room said last week that we wanted to close down the current visitor's center. I did not hear that and I don't know of anybody here who would say we want to close it. I think you've been feed some misinformation. So let's work together and find a solution that will work because if we don't increase our tax base your taxes are going to have to go up. Do I want that? No. I don't want mine to go up anymore than you do yours.

Mr. Boyce – I think there is a lot of misinformation out there and the only way to keep misinformation from spreading is to be here. Come to the meetings, hear what is said. Don't worry about what someone else says. Be here. Hear with your own ears and make up your own mind. If there is misinformation being given out we need to stop it and the only way to stop it is if you, the citizens, come to this Council and say this Council member said this – then we can iron it out. I don't go for fear mongering because I think that's just another way to try to control the masses. The government does it all the time. I've not heard the first thing said about any kind of food tax being raised to support this. That was one of the objections I heard. The food tax is going to go up – that has not been mentioned in this council. I've not heard close the center down – that's not been said. We are not trying to close the center, we are trying to grow the center. The only way to grow the center is to get more people in this town. It's going to be up to us to grow this and we have to find a way to grow it together. With that being said I'd like to make a motion to table this matter until another time.

ACTION ITEM:
On a motion by Mr. Boyce, seconded by Mr. Timothy Garrett, Council voted to table this matter [consideration of adopting a resolution amending the FY 2020 Operating Budget for the Appomattox Welcome Center initiative requested by the American Civil War Museum] until another time. All in favor – yes. Motion carried 6-0.

Mayor Harvey – I am going to go back to my original request to hold a public meeting and I'd like for all of you to come to that. We are going to try to get some better facts and information and try to straighten out some of the misinformation out there. Mr. Shanaberger has suggested bringing someone from the Virginia Tourism Corporation to Appomattox who would be willing to come to a meeting.

Thank you for being here and speaking about your passion regarding this.

Unfinished Business:
None

New Business:
See ACTION ITEM above

Standing Committee Reports:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- Experience Appomattox will be hosting "Experience the Holidays" on Saturday, December 7, 2019 from 9:00 a.m. – 4:00 p.m. as a free community event. The Experience Appomattox committee requested a waiver of the $25.00 fee to use Abbitt Park. Council concurred with the request for the waiver.

- There will be a bid opening on Wednesday, July 10, 2019 for the Meadowlark drainage/streetlight project. If funding allows there may be funds available for additional housing projects.

- There will be a kickoff meeting on August 6, 2019 of the Town Planning Commission to begin work on the Town's Comprehensive Plan.

- Updating of the zoning maps by WW Associates continues.

Council Concerns:
Mr. Jonathan Garrett would like to see the Town fund a firework display for the 4th of July in the future.

Council provided consensus not to let Appomattox fall by the wayside for the 4th of July firework display.

Mr. Jonathan Garrett also thanked the Public Works department for correcting the issues with the slides and park equipment at the Kiddie Park.

Mr. Jim Boyce reported a streetlight is out on Burke Street.

Adjournment:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Timothy Garrett, Council voted to adjourn at 8:12 pm. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
July 23, 2019

The Appomattox Town Council held a Workshop meeting on Tuesday, July 23, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner.

Absent: Claudia G. Puckette.

Others present: Michelle Payne, Kevin & Joy Bagby, Nathan Simpson, Jeff Elder, Susan Adams, Kim Ray, Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk.

Mayor Harvey called the Workshop meeting to order.

VULTURES

Mrs. Joy Bagby, 438 Oakleigh Avenue appeared before Council to discuss the vulture problem in the neighborhood of Oakleigh Avenue, Confederate Blvd, Martha Street and Patricia Anne Lane.

Mrs. Bagby stated that the neighborhood has been experiencing problems with the vultures for at least the last 20 years, mostly what I she sees is black vultures but what also she's also heard is they are turkey vultures as well.

The vultures are doing damage to property, cars, roofs, decks and pools. In general, we have tried everything that is legal and everything that has been suggested to them. We just have not been successful in ridding ourselves of this problem. They come and they go and then they come back. It is at least 40-50 of them. They are not scared by anything we do. So, I started reaching out to find out what we could do – I know they are federally protected, and I understand that. I want to be within the confines of the law, but we just need help. We need assistance. The USDA Wildlife office in Richmond is willing to help us and they have a plan on paper, but it is $2600.00 so we were hoping that our tax dollars could help our community with that expense.

Ms. Spiggle – requested the floor:
My daughter lives at 234 Patricia Anne lane in a townhouse and she has seen the vultures over there and they knock over trash cans to get the garbage, get on the roof, known down the downspouts, but her biggest complaint is they are scratching her car and she showed me so I'm backing you up, this is a serious problem in that area.

Mrs. Bagby – The vultures kill trees. Their excrement is toxic and there are feathers everywhere.

Mr. Timothy Garrett – The plan you speak of for $2600.00 - what does that consist of?

Mr. Shanaberger mentioned that the Town also received an email from Carolyn Steppe on the corner of Plant Drive and Oakleigh Avenue and she sees at least 40 vultures.

Mr. Shanaberger shared the process provided by Chad Forehand, USDA. They would do this for us (Town) for $2,600.00. It is a "process" and a protocol they follow. The first thing they want to do is try to scare them and I think that's been tried for years. But they want to try to scare them and after that they can take more aggressive action which would be to terminate them. But for them to do it, it's $2,600.00. I am not sure to the level of termination they would do – maybe it's only half of them.

Ms. Spiggle – so USDA can kill the vultures, but the Town cannot?

Mr. Shanaberger – Actually, the Town could do it but VML Insurance will not cover us. I've already check with them. VML Insurance will not cover us if there is any kind of incident or accident.

Mr. Jonathan Garrett inquired about the noisemakers?

Mr. Shanaberger stated that the email he received from VML Insurance said no pellet guns or otherwise.

Mr. Conner said nothing with a projectile is probably what they are saying.

Mr. Shanaberger – correct.

Mr. Conner – you use to could get a permit if you were a farmer for $150.00 to shoot them.

Mr. Shanaberger reminded Council that the Town's insurance carrier will not cover the Town for this activity.

Mr. Jonathan Garrett – How does it work if we contract someone to do it for us?

Mr. Shanaberger stated that the Town would have to check on the contractor's insurance.

Mr. Timothy Garrett stated that the buzzards have also been on the water tank.

Mr. Conner – part of the reason the buzzards stay around is because people were dumping food out there.

Mr. Shanaberger advised that Mr. Forehand, USDA mentioned that in his letter. A big part of the problem is by people who feed their pets and are throwing out table scraps.

Ms. Spiggle – To add to the mix there is a feral cat colony on Martha Street. St. Anne's is having the same issues and there's a lady that puts out cat food meaning to feed the cats but wherever there is food – that's where the buzzards are.

Mr. Conner agreed the cats compound the problem. You kill all 40-50 buzzards but if you keep feeding the cats – more are going to come back.

Mr. Bagby – The feral cat problem is being addressed in the area. Controlling the feral cat problem is one of the stipulations for USDA. Eradicating the cats is a priority.

Mrs. Bagby has been in contact with the property owner of the wooded lot and they are trying to get the people who are feeding the cats to cease and desist because it is just exasperating the problem. It is not causing the problem, but it is making it very difficult to eradicate the problem.

Mrs. Bagby thanked Council for their time.

Mayor Harvey inquired about noise poppers? Mr. Shanaberger restated that VML Insurance said no projectiles.

Mr. Jonathan Garrett asked if the $2,600 would be paid to USDA. Mr. Shanaberger replied yes. Mr. Conner inquired if USDA will come to Appomattox and performed the work themselves. Mr. Shanaberger indicated yes, or they may sub it out to someone else who has been trained in doing this.

Mr. Conner said he thinks we need to do it but thinks we need to look into other avenues and see if there is a cheaper solution.

Mayor Harvey – I think we've already heard this has to be the solution and we are not going to be able to shoot them ourselves.

Mr. Conner – but we can contract someone?

Ms. Spiggle – But will the contractor have insurance?

Mr. Conner – USDA may be the cheapest.

Mrs. Bagby – When Chad Forehand came to our home two weeks ago to meet with some of the neighbors, he told us we that they were not just going to stop. It would be him and someone else that would come here for however it takes – 2 weeks – they would ride around the area and make sure those birds don't get comfortable in another location. So, they are going to be the ones to take care of this problem because it is a federally protected animal, so USDA has jurisdiction and I'm not sure if a subcontractor would. Plus they are going to follow up in the community and make sure that remaining birds don't roost in another area of town and make the problem worse for someone else.

Mr. Shanaberger – There is a certain level of protection if the Town uses USDA because of animal rights groups that might would be upset by this.

Mayor Harvey – If you hire a contractor all he is probably going to do is what he was hired for and then leave – the USDA will follow up in 2 weeks.

Mr. Shanaberger assured Council that is the intention of USDA to do as much for the $2,600.00 as possible. If in another 6 months, another flock comes back we may be looking at another $2,600.00.

This plan/budget will not exceed $2,600.00 for harassment/lethal removal.

Mr. Boyce commented that it is a nuisance and a health problem, but it is also incumbent to get rid of the cats.

ACTION ITEM:
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to accept the proposal for $2,600.00 from USDA for the removal of the vultures. All members present voting aye. Motion carried 5-0.

PROPOSED FOOD TRUCK ORDINANCE

Mr. Shanaberger presented a draft of the Mobile Food Truck ordinance. It has been reviewed by the Town Attorney. With the assistance of 5 or 6 other communities having a food truck ordinance, he has tried to draft one tailored to the Town of Appomattox.

There are some compromises in here – most communities are charging $50.00 or less for a food truck permit. The primary aspect of this is the amount of the fee. To give you some background, most communities are charging $50.00 or less a year for a food truck permit. I put in $200.00 a year and then $25.00 for a one-day fee.

Ms. Spiggle asked what the charges are now? Mr. Shanaberger responded that the two (2) business we have now are paying a business license tax. Mr. Conner stated that he would go along with $200.00 per year and $25.00 for a one-day fee but not to prorate the tax.

Mr. Jonathan Garrett requested the average of the two (2) businesses we have now. Mr. Shanaberger advised a little less than $100. Mr. J. Garrett said he didn't see why we are making them pay $200.00 when they are currently paying less than that. Mr. Shanaberger explained that by definition they would now be classified as a mobile food unit. Prior to this ordinance there was no classification.

Mr. Conner commented that $200.00 is fair – regardless of how many times they come into Town.

Mr. Shanaberger – In keeping with the term "mobile" a permanent structure – where things are planted in the ground – you've kind of crossed the line into brick and mortar. I am allowing 2 picnic tables and an umbrella per site. Part of the reason those other communities charge more is being there is more involved because the Town will have to go and inspect and monitor each location.

Mr. Jonathan Garrett – I think it needs to be less than $200.00 – closer to the amount they are already paying.

Mr. Conner and Mr. Boyce shared some of the same concerns that brick and mortar stores pay real estate tax, water and sewer bills, meals tax and business licenses. Mr. Conner inquired if either of the existing food trucks have water access or backflow prevention devices. Mr. Elder stated from the audience that neither food truck has a water connection.

ACTION ITEM:
By consensus of the members present, Council agreed to advertise a public hearing notice with the following fees: $25.00 for a one day only permit and $100 for a one-year permit.

Committee Reports:
None

Council Concerns:
Mayor Harvey reminded Council Members of the Town Code section 5-13 and their right to object. The Mayor shall preserve order and decide all questions of order – any member may appeal any decision of the Mayor or question of order by a majority vote of those present, shall decide the issue.

Staff Reports:
Mrs. Kim Ray, Town Treasurer provided the financial report as of June 30, 2019 pending final entries.

Edmunds GovTech software has acquired the Logics Software. A conversion will be required if the Town stays with the new software company. Funding for a conversion was not included in the FY 2020 budget. Mrs. Ray will continue to work with Edmunds to lower the price to convert. The estimated cost is $55,600 for one system – completely integrated. The yearly maintenance would be $15,000. Mrs. Ray anticipates complete conversion by June 30, 2020.

Pre-audit/audit services:

- On July 3, 2019, Brown Edwards audited the inventory count. She complimented the Public Works department for the clean inventory count audit.
- There is a letter from Brown Edwards outlining their scope of work and fees for your review.
- Mary Earhart started the pre-audit work on July 15 and 16, 2019. Staff is always working in 2 years. Mrs. Earhart will be back September 9 – 12, 2019 and then Brown Edwards will come in September 23 – 27, 2019. It is staff hope to have the audit report for FY 2019 back in December 2019. Then in January, staff will be working on the Capital Improvement Plan and new budget process.

Mr. Jeff Elder, Facilities Manager reported earlier in the year there was a fire at the Railyard Restaurant at which time staff discussed with Council replacing the waterline on Church Street. It is in the Capital Improvement Plan for this year but due to grant opportunities coming open,

I'd like to go ahead with the design of the project so we can see what kind of money is available. In the CIP, there is currently $370,700 for Phase I - what I'd like to do is all the engineering, VDOT permits, the railroad permits for the crossing on Church Street and get it out to discuss with USDA and a couple of others looking to loan us money but I need $103,500 and that will get us through design – bid, inspections, turn key – until it's over. From Patricia Anne Lane to Hunter Street for design, putting it out to bid, permits from VDOT, permits from Norfolk & Southern, getting under the railroad, inspections while the line is being put in, going through the Health Department and any other approvals needed.

Ms. Spiggle commented that the Town should take this next step.

Mr. Elder – and if you take that off, we will still have $267,200 and I'd like to roll that back, we can use for match money or to use to get this going.

ACTION ITEM:
On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to approve $103.500 of additional money for design of the Church Street waterline replacement project. All members present voting aye. Motion carried 5-0.

Mrs. Casto, Clerk – no report

Mr. Gary Shanaberger provided updates on the following items:

- Katie Conner with the Virginia Tourism Corporation has agreed to assist in sorting through the question of the Welcome Center as it relates to the Visitor's Center. She would like to come to Appomattox on Thursday, August 8, 2019 to begin her research. She also suggested that the Virginia Tourism Corporation could assist us with looking at a Comprehensive Tourism Plan. Ms. Conner is planning to have a community meeting at 5:30 p.m. at the Train Depot. She has many resources available to her and people from welcome centers she plans to reach out too as well. Mr. Shanaberger is unsure of how the meeting will be laid out and believes she will arrive earlier in the day to get a layout of the Town and the community. She will try to talk to other businesses and stakeholders on August 8, 2019.

  Mr. Boyce suggested looking at signage going to Downtown Appomattox at the current Visitor's Center.

- Quick update on the Inflow & Infiltration Project:
  The project is moving along but very slow. It looks like we are going to be a year out before we are able to close with USDA, the grant and the loan. We had a line of credit and it expired last month. While the town's in good shape, he did mention to Council to allow staff to advertise another line of credit. Something to have in our back pocket, if we need it. You never know when there will be an emergency. We've already requested proposals for a line of credit and Farmers Bank of Appomattox submitted the lowest proposal of $2.5 million for 12 months with an interest rate of 2.25%. Again, I'd like to have this handy if the Town needs it.

ACTION ITEM:
On a motion by Ms. Spiggle, seconded by Mr. J. Garrett, Council voted to advertise a public hearing for a new line of credit for $2.5 million dollars with Farmers Bank of Appomattox for 12 months at an interest rate of 2.25%. All members present voting aye. Motion carried 5-0.

- He received a letter from the Appomattox Volunteer Fire Department seeking the Town's donation of an enclosed utility trailer. The utility trailer was declared surplus by the Town previously. It is an 8 ½ x 16-foot covered trailer, with a negotiating price of $3,000.

  Mr. J. Garrett and Mr. T. Garrett both requested to abstain from voting on this matter.

  This item will be moved to the next regular meeting.

- Mr. Shanaberger will be organizing a meeting of the ROSE Project, Inc. committee in the next few weeks.

On a motion by Mr. Boyce, seconded by Mr. J. Garrett, Council voted to adjourn at 7:45 pm. All members present voting aye. Motion carried 5-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
August 12, 2019

The Appomattox Town Council held a Regular Council meeting on Monday, August 12, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan D. Garrett, James Boyce, Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner.

Absent: Claudia G. Puckette.

Others present: Michelle Payne (Times-Virginian), Susan Adams, Bob Sayre, Carlton Duck, Jodi Thomas, Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager; Roxanne W. Casto, Clerk.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey commented on the community meeting held at the Visitor's Center on August 8, 2019 regarding the proposed Welcome Center and current Visitor's Center. The Virginia Tourism Corporation will be helping the Town make better informed decisions regarding the topic.

Jammin' in the Park event will be held at the Courtland Festival Park on August 17, 2019 from 6:00 p.m. – 8:00 p.m.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. Timothy Garrett, seconded by Mr. Jonathan Garrett, Council voted to adopt the consent agenda for August 12, 2019 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
Council provided consensus to continue moving forward with the original motion to advertise a public hearing to amend Chapter 126-16 of the Code of the Town of Appomattox on September 9, 2019 for a fee of $100 per year or $25 for a one day only permit for mobile food establishments/units.

On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to donate the enclosed trailer to the Appomattox Volunteer Fire Department. Vote: Boyce – yes, Spiggle – yes, Conner – yes, T. Garrett – abstain, J. Garrett – abstain. Motion carried 3-0-2.

New Business:
None

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- The Appomattox Town Planning Commission met last week to kick off the updating of the Town's comprehensive plan. A survey will be distributed to the community, posted on the Town website and Facebook page. The surveys are due on September 20th.
- The Town Economic Development Authority meeting for August 13, 2019 was cancelled.
- The joint session of the Appomattox Town Council and Appomattox County Board of Supervisors was cancelled due to the lack of limited attendance expected. He and the County Administrator will work on dates for rescheduling the meeting.
- It is not too late to register for the annual VML Conference in October.
- Hurt & Proffitt, Inc. has completed the survey work on Lee Grant Avenue. One concept is complete. Hurt & Proffitt, Inc. is working on another concept.
- There may be some community involvement regarding the vulture problem on/near Oakleigh Avenue. There are a few neighbors assisting with the feral cat colony.

Council Concerns:
Mr. Boyce voiced concerns regarding the amount of traffic on Rt. 727 – Red House Road before and after school. Mayor Harvey voiced concerns regarding traffic at Ferguson Street and Pumping Station Road. Drivers are speeding and not paying attention.

Adjournment:
On a motion by Mr. Timothy Garrett, seconded by Mr. James Boyce, Council voted to adjourn at 8:00 pm. All members present voting aye. Motion carried 5-0.

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Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
August 27, 2019

The Appomattox Town Council held a Workshop meeting on Tuesday, August 27, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: Jonathan Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner.

Absent: Claudia G. Puckette.

Others present: Bruce Drinkard, Michelle Payne, Carlton Duck, Jeff Elder, Kim Ray, Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk.

Mayor Harvey called the Workshop meeting to order.

Mayor Harvey opened the public hearing and stated the purpose:

Notice is hereby given that the Town Council of the Town of Appomattox, Virginia (the "Council") will hold a public hearing to receive public comment and to consider the adoption of: (1) a proposed Resolution (the "Interim Note Authorizing Resolution") authorizing the issuance by the Town of an aggregate not-to-exceed $2,500,000 Town of Appomattox, Virginia Promissory Note (the "Interim Note") to the Farmers Bank of Appomattox (the "Bank"), and (2) a proposed Resolution (the "Bond Authorizing Resolution") authorizing the issuance by the Town of Appomattox, Virginia (the "Town") of an aggregate not-to-exceed $3,780,000 Town of Appomattox, Virginia Sewer Revenue Bond, Series 2017, in one or more series (the "Bond"), to the United States of America, acting through Rural Utilities Service, an Agency of United States Department of Agriculture ("RUS").

The Town shall use the proceeds of the Interim Note and the Bond, together with other monies lawfully available to the Town to pay capital costs in order to provide a portion of the funds needed by the Town to (i) acquire, construct, rehabilitate, and equip various improvements to the Town's sewer system and facilities related thereto, including but not limited to Trickling Filter Sanitary Sewer Basin Rehabilitation – Phase I – Repairs to the sanitary sewer collection system and Phase II – The construction of a sanitary sewer pump station and associated force main and (ii) pay issuance costs in connection with the Interim Note and the Bond (collectively, the "Project").

The Bank has offered to provide interim financing for the Project represented by the Interim Note in an original principal amount up to $2,500,000. The interest on the Interim Note shall be 2.250% per annum for a term up to 12 months. The payment of the principal of and interest on the Interim Note shall be unsecured.

The Bond would be issued by the Town pursuant to the terms of a letter to the Town dated April 29, 2015, amended letter dated July 17, 2018 from RUS (the "Letter of Conditions") and further, the provisions of the Bond Authorizing Resolution and the Form RD 1780-27 Loan Resolution, as required by RUS to set forth the form and details of the Bond to be considered for

approval by the Council on August 27, 2019 during the workshop meeting thereof. The Town will also consider approval of the Form RD 1780-12 Grant Agreement.

As set forth in the Letter of Conditions, RUS has advised that the Project is eligible for permanent, long-term financial assistance which shall consist of a $3,780,000 loan represented by the Bond and a grant in an amount up to $1,879,000, subsequent RD grant not to exceed $3,501,000 for a total funding award for the Project in an amount up to $9,160,000. The interest on the $3,780,000 loan to be represented by the Bond shall be 2.125% per annum for a term up to 40 years. The payment of the principal of and the interest on the Bond shall be secured by a pledge of the revenues of the Town's sewer system on parity with all other obligations of the Town secured by revenues of the Town's sewer system. The Town also shall provide for the establishment and maintenance of reserve accounts in connection with the Bond, as required under the Letter of Conditions.

The public hearing, which may be continued or adjourned, will be held on Tuesday, August 27, 2019 at 6:00 p.m., at the Appomattox Municipal Building, located at 210 Linden Street, Appomattox, Virginia 24522. Any person interested in the Project, the Town's issuances of the Interim Note or the Bond, or any other matters in connection with such total financial assistance to the Town (all as described above) may appear at the hearing and present his or her views. The Council may set time limits on speakers and other rules and procedures for the conduct of this public hearing.

Information regarding the Project, including such total interim and permanent financial assistance, may be inspected by the public at the Appomattox Municipal Building located at the address given above. Written comments may be forwarded to the Council prior to the public hearing in care of the Town Manager at the address given above.

There were no public comments.

Mayor Harvey closed the public hearing.

On a motion by Councilmember Spiggle, seconded by Councilmember J. Garrett, Council adopted a resolution authorizing a $2.5 million-dollar operating line of credit with the Farmers Bank of Appomattox. Town Council authorized any two of the four following individuals to sign any necessary documents associated with this line of credit on behalf of the Town of Appomattox: Paul D. Harvey, Mayor; Timothy W. Garrett, Vice-Mayor; Gary Shanaberger, Town Manager; Kimberley Ray, Town Treasurer.
Vote: J. Garrett – aye, Boyce – aye, Spiggle – aye, T. Garrett – aye, Conner – aye, Puckette – absent. Motion carried 5-0.

<u>Resolution amending the FY 2019 Operating Budget</u>
On a motion by Councilmember Conner, seconded by Councilmember T. Garrett, Council voted to adopt the following budget resolution:

Consideration to adopt a resolution amending the FY 2019 Operating Budget for the Sewer Fund for FY 2018-2019 for the carry forward of funding of incomplete projects from FY 2018

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2019 Operating Budget for the Sewer Fund for FY 2018-2019 for the carry forward of funding for incomplete projects

Sewer Fund Expenditures	
31-7000-6141 I & I Project - Engineering	$205,874.78
Total Net Increase in Expenditure Budget	$205,874.78
Sewer Fund Revenues	
31-5901-0000 Use of Beginning Balances	$205,874.78
Total Net Increase in Revenue Budget	$205,874.78

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2019 budget amendments are hereby adopted, 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.
Amended this 27th day of August 2019.
Vote: J. Garrett – aye, Boyce – aye, Spiggle – aye, T. Garrett – aye, Conner – aye, Puckette – absent. Motion carried 5-0.

Resolution amending the FY 2020 Operating Budget
On a motion by Councilmember T. Garrett, seconded by Councilmember Conner, Council voted to adopt the following budget resolution:

Consideration to adopt a resolution amending the FY 2020 Operating Budget for the General Fund and Sewer Fund for FY 2019-2020 for the carry forward of funding of incomplete projects from FY 2019

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2020 Operating Budget for the General Fund and Sewer Fund for FY 2019-2020 for the carry forward of funding for incomplete projects

General Fund Expenditures	
10-5000-8000 CDBG/Meadowlark	$ 257,767
Sewer Expenditures	
31-7000-6140 I & I Project – Engineering	$ 147,220
31-7000-6142 I&I Project – Construction	$ 758,271
Total Net Increase in Expenditure Budget	$ 1,163,258
General Fund Revenues	
10-3806-0000 CDBG/Meadowlark	$ 257,767
Sewer Fund Revenues	
31-5901-0000 Use of Beginning Balance	$ 147,220
31-5804-0000 USDA	$ 758,271
Total Net Increase in Revenue Budget	$ 1,163,258

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2020 budget amendments are hereby adopted, 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.
Amended this 27th day of August 2019.
Vote: J. Garrett – aye, Boyce – aye, Spiggle – aye, T. Garrett – aye, Conner – aye, Puckette – absent. Motion carried 5-0.

Committee Reports:
On a recommendation by the Finance & Planning Committee, Council voted to approve a payment plan for a utility customer who experience a burst water hose. All members present voting aye. Motion carried 5-0.

Council Concerns:
None

Staff Reports:
Mrs. Kim Ray, Town Treasurer provided the financial report as of July 31, 2019.

Mr. Jeff Elder, Facilities Director – no report

Mrs. Casto, Clerk – Written report provided

Mr. Gary Shanaberger provided updates on the following items:

- He continues to speak with companies about the possibility of fireworks for July 4, 2020. There are several companies no longer coming to Virginia. The Cole's are agreeable to the Town using their field for the demonstration/staging.

- Downtown Revitalization Grant – Staff met with DHCD and has 90 days to get under contract. There is preliminary paperwork to complete within the 90 days. The next committee meeting is scheduled for Wednesday, September 11, 2019 at 5:30 p.m. at the Appomattox Visitor's Center. Mr. Shanaberger acknowledged the work of the committee, EDA, and Town Council for their commitment to the project.
- Vultures – USDA is waiting for the Town to combat the feral cat issue and then they will arrive in Appomattox to contend with the vultures. VRSA awarded a grant to the town in the amount of $2,000. This project will cost the Town $600.00.
- ROSE Project, Inc. – The ROSE garden committee met and will schedule another meeting again in 30 days.
- Meadowlark Project – A contract has been selected for the last phase of work regarding grading and drainage. The project is expected to be complete in December 2019.
- Staff has been working hard with the ongoing projects.

Council provided consensus to move forward with the referendum for November Town Council elections and staggered terms for Council Members. The Town Attorney will draft the necessary documents.

On a motion by Mr. Conner, seconded by Mr. J. Garrett, Council voted to adjourn at 6:40 pm. All members present voting aye. Motion carried 5-0.

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Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
September 9, 2019

The Appomattox Town Council held a Regular Council meeting on Monday, September 9, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Members present: James Boyce, Sr. (arrived at 7:40 p.m.), Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Absent: Jonathan D. Garrett

Others present: Rev. Carlton Duck, Derek Norfield, Bob Sayre, Michelle Payne, Mayor Dwayne Tuggle, Amherst; Mayor Treney Tweedy, Lynchburg; Kim Ray, Town Treasurer; Gary Shanaberger, Town Manager; Roxanne W. Casto, Clerk.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:

Mayor Harvey opened the public hearing and stated the purpose:

> The purpose of this public hearing will be to receive public comments concerning adoption by the Town Council of:
>
> Section 1. Chapter 126 of the Code of the Town of Appomattox is hereby amended to add a new section following 126-16, to be known as Mobile Food Establishment/Unit Ordinance as follows:
>
> The intent of this Ordinance is to establish basic operational standards for mobile food establishments as well as appropriate protections of public health, safety, and welfare for their operation. Mobile food establishments are not by definition permanent fixtures to a specific property. These regulations do not apply to "meals on wheels" program vehicles or food home delivery services. As used in this Ordinance, the term "mobile food establishment" shall mean all mobile food vehicles providing retail sales of food and beverages, including food trucks, food trailers and food carts and any other mobile food devices not affixed to real property.
>
> A complete copy of the proposed ordinance is available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia or by calling Roxanne W. Casto, Clerk of Council at 434-352-8268.

Staff comments:
Mr. Shanaberger, Town Manager confirmed the rates as $25.00 for a one day only permit or $100.00 for a one-year permit. The ordinance is proposed as effective upon passage.

There were no public comments.

Mayor Harvey closed the public hearing.

Mayor's Comments:
Due to the stormy weather, Mayor Harvey deferred his comments.

Scheduled Public Appearances:
Mayor Dwayne Tuggle, Town of Amherst & Mayor Treney Tweedy, City of Lynchburg appeared to invite Council to attend the Central Virginia Planning District Strategic Direction Roundtable 2019. At this strategic meeting, elected officials and local government officials from throughout the region will discuss and decide the next priority initiative for the Central Virginia Planning District Commission.

The Strategic Director Roundtable will be on Thursday, October 17, 2019, at the Lynchburg Regional Business Alliance building, 300 Lucado Street, Lynchburg. Reception at 5:00 p.m. and the meeting starts at 5:30 p.m.

Mayor Tuggle personally requests everyone attend. Mayor Tweedy reminded everyone that your voices will be heard.

Consent Agenda:
On a motion by Ms. Spiggle, seconded by Mr. Timothy Garrett, Council voted to adopt the consent agenda for September 9, 2019 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Boyce, seconded by Mr. Conner, Council voted to amend Chapter 126 of the Code of the Town of Appomattox, by adding a new section following 126-16, to be known as Mobile Food Establishment/Unit Ordinance, effective immediately upon passage:

AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Chapter 126 thereof, entitled Licensing, to add a new section providing for Mobile Food Establishment/Unit Ordinance.

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

Section 1. Chapter 126 of the Code of the Town of Appomattox is hereby amended to add a new section following 126-16, to be known as Mobile Food Establishment/Unit Ordinance as follows:

§126-16.1 Intent

The intent of this Ordinance is to establish basic operational standards for mobile food establishments as well as appropriate protections of public health, safety, and welfare for their operation. Mobile food establishments are not by definition permanent fixtures to a specific property. These regulations do not apply to "meals on wheels" program vehicles or food home delivery services. As used in this Ordinance, the term "mobile food establishment" shall mean all mobile food vehicles providing retail sales of food and beverages, including food trucks, food trailers and food carts and any other mobile food devices not affixed to real property.

§126-16.2 General Requirements.

A. *For the purposes of this Ordinance, the terms "permittee", "operator", and "vendor" all shall mean a licensed mobile food establishment, as defined hereinabove in the preamble to this Ordinance.*

B. *A mobile food establishment permit authorized by the Administrator shall be required prior to the operation of a mobile food establishment on any real property parcel within the town limits.*

C. *Mobile food establishments will be required to pay $25 for a one day only permit or $100 for a one-year permit. A mobile food establishment permit is valid through December 31 of the year upon which the permit was issued. The permit fee may be waived if the mobile food establishment is part of a special event.*

D. *Mobile food establishments are required to collect and remit all applicable sales, meals and other applicable taxes to the appropriate taxing entity. However, meals tax may not be required to be collected during special events such as fairs, festivals, and similar events that are approved by a temporary event permit.*

E. *No permit authorized by this Section and issued by the Administrator shall authorize a mobile food establishment to operate on or from a public street or sidewalk unless it is part of a special event and the street, and sidewalk locations, have been approved by the Administrator*

F. *Mobile food carts for the retail sale of food or beverages are not permitted on sidewalks.*

G. *A mobile food establishment permit may be revoked by the Administrator at any time due to the failure of the permit holder to comply with all requirements of this Ordinance and other applicable federal, state, and local laws. Notice of revocation shall be made in writing to the permit holder.*

§126-16.3 Application Requirements

A. *A valid permit from the Virginia Department of Health stating that the mobile food establishment meets all applicable standards. A valid health permit must be maintained for the duration of the mobile food establishment permit.*

B. The mobile food establishment vendor must secure and provide proof of insurance to protect against liability for personal injury and property damage up to one million dollars (1,000,000). Proof of this insurance shall be maintained in the mobile food establishment and made readily available for inspection by the Administrator.

C. Applicants for a mobile food establishment permit authorizing the operation of the mobile food establishment on private property must provide:

1. *Information identifying the mobile food establishment unit including, its make, model and license plate number, together with a photograph of the mobile food establishment;*
2. *Written permission from the owner(s) of the private properties upon which the permittee will operate;*
3. *Description of the days of the week and hours of operation for proposed mobile food vending at the proposed property.*
4. *A sketch to be approved by the Zoning Administrator, illustrating access to the site, all parking areas, routes for ingress and egress, placement of the mobile food establishment, distance from the property lines, garbage receptacles and any other feature associated with the mobile food establishment;*

D. A permit shall not be required for the location or setup of a mobile food establishment on private property for the catering or providing of food service to a closed private event (such as weddings, birthdays, picnics, etc.). During such an event no public mobile food vending shall be permitted.

E. A permit and fee may not be required for an individual mobile food establishment if the operator is participating in an approved fair, festival, or similar event approved by a temporary event permit pursuant to this Ordinance.

§126-16.4 Grant or Denial of Application

Review and consideration of an application shall be conducted in accordance with principles of due process. Applications may be denied where an applicant fails to demonstrate that he, she or it meets the conditions and requirements of this Ordinance, or where an applicant fails to comply with applicable local, state or federal law. Any false statements, material omissions or substantially misleading information provided in an application or furnished by an applicant in connection with an application shall constitute grounds for any one or combination of the following sanctions: permit denial; refusal to renew a permit; permit revocation; permit suspension; and/or imposition of penalties.

§126-16.5 Location Requirements

A. *Mobile food establishments shall only be permitted in B-1 and B-2 districts that permit a restaurant by-right. In District M-1 Industrial, mobile food establishments may be allowed if approved by the Administrator. For special events, in districts other than B-1 and B-2, mobile food establishments may be allowed if approved by the Administrator.*

B. *All mobile food establishments must be located at the designated location that has been requested on the application and approved by the Administrator. Location "freelancing" and changes of location are not permitted unless approved in writing by the Administrator.*

C. *Mobile food establishments may be located on off-street parking lots in locations that do not block any drive aisles, ingress and egress routes from the property, or designated fire lanes. In no event shall vendors be permitted to operate on grass, dirt or other non-improved parking surfaces unless approved by the Administrator.*

D. *Mobile food establishments and trailers shall be located a minimum distance of 15 feet from the edge of any driveway, utility box or vaults, handicapped ramp, building entrance, exit or emergency access/exit, emergency call box or fire hydrant.*

E. *Mobile food establishments shall not be located within any area of the lot or parcel that impedes, endangers, or interferes with pedestrian or vehicular traffic.*

F. *Mobile food establishment shall not occupy any parking spaces required to fulfill the minimum requirements of the principal business use, unless the principal business' hours of operation do not coincide with those of the mobile food establishment. Nor shall any mobile food establishment occupy parking spaces that may be leased to another business and used to fulfill its minimum parking requirements.*

G. *Mobile food establishments shall not occupy or limit access to any handicap accessible parking space.*

§126-16.5 Operation Requirements

A. No freestanding signage, banners, flags, pennants, or audio amplification shall be permitted as part of the mobile food establishments operations.

B. No mobile food establishment shall use flashing or moving lights as part of its operation. Auxiliary or temporary lighting is not allowed.

C. Two picnic tables with umbrellas with seating capacity of 6 people per table may be set up for patron's use. No tents or additional chairs are permitted.

D. Outside of its regular business hours, the mobile food establishment shall not be stored on the site of its operation unless pre-approved by the Administrator.

E. The vendor is responsible for the proper disposal of waste and trash associated with the operation of the mobile food establishment. Town trash receptacles are not to be used for this purpose. Vendors shall provide portable trash receptacles and remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. The vendor shall keep all areas of the permitted lot free and clean of grease, trash, paper, cups, cans or other materials associated with operation of the mobile food establishment.

F. No liquid waste or grease is to be disposed on the ground, in tree pits, storm drains, on sidewalks, streets, or other public space. Under no circumstances shall grease be released or disposed of in the Town's sanitary sewer system. Failure to comply with this section will result in an immediate revocation of the permit and potential liability for damages and remediation costs.

G. All equipment required for the operation of the mobile food establishment shall be contained within, attached to, or within 20 feet of the mobile food establishment. All food preparation, storage, and sales-distribution shall comply with all applicable Town, State, and Federal Health Department sanitary and other applicable regulations.

H. Only food and non-alcoholic beverages incidental to the permitted vendor shall be sold from the mobile food establishment. Retail sales of merchandise are permitted as an accessory use to the primary use of food sales.

I. Signage:

(1) Signage may be imprinted on the exterior body of a licensed mobile food establishment and include the use of an attached or detached menu board.

(2) Advertisements for businesses other than the mobile food establishment may not be utilized.

J. The operator of a permitted mobile food establishment must conspicuously display all approved permits and licenses for public inspection. Proof of commercial general liability insurance for the mobile food establishment is required to be with the mobile food unit at all times.

K. All required taxes must be collected and paid to the appropriate entities.

L. A three-foot wide clearance area must be maintained around the mobile food establishment.

Section 2. Effective date.

This ordinance shall become effective immediately upon passage.

All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Timothy Garrett, Council voted to authorize execution of the MCSJ contract with Edmunds & Associates, Inc. for computer system software and/or hardware and to further authorize a budget resolution amending the FY 2020 Budget for funding in the amount of $52,443.00.

1. *Consideration to adopt a resolution amending the FY 2020 Operating Budget for the General, Water, and Sewer Fund for the purchase and conversion of financial and utility software and hardware*

WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2020 Operating Budget for the General, Water, and Sewer Fund for Computer Hardware and Software.

General Fund Expenditures		
10-4100-5526 – Computers – Administrative Department	*$42,835*	
Water Fund Expenditures		
30-6000-5526 – Computer Expense – Water Department	*$ 4,804*	
Sewer Fund Expenditures		
31-7000-5526 – Computer Expense – Sewer Department	*$ 4,804*	
Total Net Increase in Expenditure Budget	*$52,443*	
General Fund Revenues		
10-3901-0000 Transfer from Reserves		*$42,835*
Water Fund Revenues		
30-3901-0000 Use of Fund Balance		*$ 4,804*
Sewerl Fund Revenues		
31-5901-0000 Use of Beginning Balance		*$ 4,804*
Total Net Increase in Revenue Budget		*$52,443*

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2020 budget amendments are hereby adopted, 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.
Amended this 9th day of September 2019.

Attest:

_____
Roxanne Casto, Town Clerk

All members present voting aye. Motion carried 5-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following:

- There will be a meeting of the Town and the contractor for the Meadowlark drainage project on Thursday, September 12, 2019. The project should be completed by the end of December 2019.
- Mr. Shanaberger has received one quote for the 4th of July fireworks. Companies charge a premium for fireworks on July 4th. It could cost $20,000 for a 15-20-minute show.
- The necessary paperwork will be submitted to the Department of Historic Resources regarding tax credits for the train depot.
- The final Historic Structures Report and renderings will be submitted to the Town by the middle of November, before Thanksgiving.
- The Appomattox Downtown Revitalization committee will meet on September 11, 2019 at 5:30 p.m. at the Appomattox Train Depot to begin discussing the timeline for the grant project.
- The Town EDA will meet next week, September 17,2 019.
- Mr. Shanaberger will also reach out to Katie Conner with the Virginia Tourism Corporation to expedite the information gathered at the community meeting on August 8, 2019.

Council Concerns:
Mr. Conner stated that Council needs to act on the request to open a Welcome Center at the American Civil War Museum before there is nothing to get. Mayor Harvey concurred state we need to do something to capture the market. We are losing numbers every year. Mrs. Puckette stated the concept is the most economical. The American Civil War Museum is a centralized location.

Mr. Conner would like to see the flagpole painted at the Town Office and the flags taken down nightly.

Mrs. Puckette expressed concerns of the deer population in Town. One of her neighbors in particular is having a problem with them. Mr. Shanaberger will discuss with USDA.

Adjournment:
On a motion by Mr. Conner, seconded by Mr. James Boyce, Council voted to adjourn at 7:55 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
September 24, 2019

The Appomattox Town Council held a Workshop meeting on Tuesday, September 24, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present - James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette. Absent - Jonathan D. Garrett.

Town Planning Commission members present – Marvin Mitchell, Linda Lipscomb, Roger Carson, S. L. Ferguson.

Others present - Carlton Duck, Jeff Elder, Facilities Director, Kim Ray, Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk.

Mayor Harvey called the Workshop meeting to order.

Marvin Mitchell, Chairman of the Planning Commission called the meeting to order.

Mayor Harvey stated the purpose of the Public Hearing:

PLEASE TAKE NOTICE that at its meeting to be held on Tuesday, September 24, 2019, at the hour of 6:00 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Planning Commission will conduct a public hearing on a proposed Ordinance of Vacation, pursuant to VA. CODE ANN. §15.2-2272 to vacate an unopened portion of Rose Lane, identified as "0.122 Ac. Hereby Vacated" and "0.116 Ac. Hereby Vacated," both as shown upon a plat of survey entitled "Plat Showing Street Vacation of a Portion of Rose Lane Being 0.238 Acres, Town of Appomattox, Virginia" made by Russell E. Nixon, L.S., dated August 8, 2019, and to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat"), which area remains an unopened street. The effect of such proposed vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

The parcel identified on the plat of survey as "0.122 Ac. Hereby Vacated" shall be added to T.M. No. 64A3-A-22 owned by Jamerson Real Estate, Inc.;

The parcel identified on the plat of survey as "0.116 Ac. Hereby Vacated" shall be added to T.M. No. 64A3-A-74A owned by John N. Toliver, Jr.;

The Planning Commission will make its recommendation with respect thereto to the Appomattox Town Council for its consideration at its meeting to be held on Tuesday, October 1, 2019 at 6:00 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia.

PLEASE TAKE FURTHER NOTICE that at its meeting to be held on Tuesday, October 15, 2019, at the hour of 7:30 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Council will consider

the recommendations of the Planning Commission with respect to the above-described proposed Ordinance of Vacation, pursuant to VA. CODE ANN. §15.2-2272 to vacate the above-described portion of a plat. The Town Council will have said ordinance proposed to it for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

The entire text of the above-noted Ordinance of Vacation is on file in the Town Office, 210 Linden Street, Appomattox, Virginia, and can be examined there between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

The public is invited to attend and make their views known.

Staff Comments:

Mr. Shanaberger, Town Manager stated the following items for consideration:
There is a map of the parcels of property requested to be vacated. The RED portion is Rose Lane where the state maintenance ends. The GREEN section is to be vacated for Jamerson Real Estate and the ORANGE section for John Toliver. Jamerson Real Estate requested the unopened road be vacated basically between Mr. Toliver and Mr. Jamerson's Real Estate company. This is an unopened street that will never be used by the Town of Appomattox. The reason it is unopened is because when they put the bypass in years ago it created basically a dead-end street, Rose Lane. The property would probably serve the Town better in terms of being vacated to the two people or ends up only being vacated to one of them. It will be on the tax rolls and generate some income to the Town.

To expand a little on the use of the property, Jamerson Real Estate is looking to develop 16 apartments on that parcel. The land to be vacated will have little to no bearing on the development of the apartments. There is enough land there now should we vacate the property it will make the site work and design a little more user-friendly for the development. The 16-apartment complex would be very similar to the ones on Plant Drive. It is a very appropriate size development for that property. The property is zoned R-3. As a side note, one of the goals of the Town's Comprehensive Plan is to promote the availability, diversity and attractiveness of housing in the Town of Appomattox.

Mayor Harvey asked if there were plans to make a connecting road from Plant Drive to Rose Lane. Mr. Shanaberger responded to Mayor Harvey's question by stating that no, that is not part of the plans.

Public Comments:

John Toliver – 280 Plant Drive – owns the property adjacent to the unopened road to be vacated. One of the items, I would like clarification on is that no one has seen plans to connect Rose Lane to Plant Drive but have you seen any of the plans for development of the property? Have those been submitted?

Mr. Shanaberger: It would be premature at this point.

Mr. Toliver – when I spoke to the owner of the property, when he tried to negotiate reasonable conditions to purchase my half of the property to build he said he did indeed have plans to build a road that would obviously towards his property and then to the development and perhaps this goes beyond the purview of this meeting here – it seems to me it would be logical that in building such a development that it would be the intent in such close proximity of roadways to

connect Rose Lane to Plant Drive. It seems illogical to me to assume Plant Drive would be isolated from Rose Lane and that the tenants would not have access to Rose Lane and that there end lies one of our primary concerns.
1 – We already enjoy a sort of quiet, isolated community. One of the worries is the increased traffic flow from the existing complex as well as the proposed one would cause congestion unlike anything we are currently used to.
2 – The current roadway – Rose Lane does not seem to be structurally sound for 2 lanes of traffic. The width of Rose Lane seems to be not wide enough to accommodate or sustain 2 lanes of traffic.
3 – Finally, I have a 15-month-old son and others have children in the neighborhood and increased traffic due to the proposed 16-unit apartment complex and before we adjudicate the matter address these concerns as well as the others raised tonight.

Russ Nixon, Surveyor/Designer – Jamerson Real Estate
To address some of the comments of Mr. Toliver – The street width of Rose Lane is 18 feet in width. 18 feet is the minimum width of a two-lane street in the State of Virginia. Currently, Rose Lane does meet the 25 mph street criteria. My client expects to and wants to have an entrance off of the end of the state maintenance on Rose Lane in his lot. He does not, at this time, want to connect between Plant Drive and Rose Lane. Based on the traffic study and only proposing 16-units to this site their will be minimal impacts to the traffic counts. Morning timeframes, looking at 30 cars per trip and 8:00 – 10:30 a.m. an additional 30 cars traveling on that roadway, after that timeframe, it drops to 27 cars. Just because there will be 16 units, doesn't mean that the traffic will be that bad. Based on historic data we looked at, projects like this could have more units based on the area of the property but Mr. Jamerson wants to put in two 8-unit townhouse complexes.

Vacation of this area will do several things for this project (development). It will help with our stormwater design. Also, it just makes sense, we could own this property and pay taxes on this property, it is being maintained currently by my client and Mr. Toliver. I think this is a win-win for the Town. We do not have a final plan complete yet because obviously I don't want to spend Mr. Jamerson's money without knowing what he owns. Thank you.

Jack Morgan – 259 Rose Lane, Appomattox, Virginia
As we've already heard, the biggest concern is traffic. I don't doubt Mr. Nixon's numbers with the exception of the roadway. We went out and measured it yesterday and can only find a maximum width of 14 feet. It is a little wider as you get closer to Oakleigh Avenue but for the majority of the street, for the 4-5 of us that live on that street, especially at the end of the street, we cannot pass one another going in opposite directions without one of us getting over in someone else's yard. A lot of other questions will be raised once a site plan is designed. One of the biggest questions is, would parking lots be connected to the units off of Rose Lane to the units off of Plant Drive. The road itself once it gets passed his driveway really has deteriorated. Unfortunately, the garbage collection is probably one of the worst things that happen on that road. The garbage truck is so big and so heavy, and I am sure these units are going to have trash collection also which means that heavy truck is going to have to come all the way through the state-maintained portion and then into that complex. We pulled our plats, along with the plat

presented, it calls for a 40-foot easement and if you measure 40 foot from the centerline of the road that takes in ditches, mailboxes, light poles, water meter, etc. Our concerns again are traffic, condition of the roadway, what improvements will be made once this development goes in. As a member of one of the volunteer services in the County, I have had to back a medic unit all the way into the complex on Plant Drive and all the way out. It only gives the impression that the two complexes will connect in the future so that those folks can go either way. Plant Drive has some very poor sight lines coming out into Oakleigh Avenue. Those were his concerns as a neighbor.

Jeff Smith – 253 Rose Lane, Appomattox, Virginia
Not much more to add – I was holding the other end of the tape measure last night. We cannot pass each other right now without going into someone else's yard so when you're talking about 30 more cars – I already have to drive in a yard with 3 cars past me, so adding 16 units to a road that only has 11 houses on it – you're more than doubling the traffic we can barely accommodate now as neighbors at this point. I would love it if all the traffic went out Plant Drive, that would be great for us but if it is going to happen, I think the road is going to have to be addressed. Thank you for your time.

Mayor Harvey closed the public hearing.
Marvin Mitchell, Chairman of the Planning Commission closed their meeting.

Closed Session:

On a motion by Council Member Spiggle, seconded by Council Member T. Garrett, Council voted to convene a Closed Session pursuant to §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 an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being Parcel A associated with the construction of a sanitary sewer pump station and associated force main and pursuant to §2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town regarding a specific legal matter requiring the provision of legal advice by such counsel, such matter specifically being issues pertaining to First Amendment rights under the United States Constitution in the context of a parade and event ordinance.

Vote: J. Garrett – absent, Boyce – aye, Spiggle -aye, T. Garrett – aye, Conner – aye, Puckette – aye.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member T. Garrett and Council by the following recorded vote adopted the motion:

Vote: J. Garrett – absent, Boyce – aye, Spiggle -aye, T. Garrett – aye, Conner – aye, Puckette – aye. Motion carried 5-0.

Mayor Harvey requested to add agenda item 9A – Discussion of setting up a date for the second community meeting regarding the information received from the Virginia Tourism Corporation.

Review of Proposed Town Charter Change Concerning Elections:
Mr. Conner stated he believes the Town should move the elections to November but leave the terms at two-years. No staggered terms. Moving it to November would encourage voter turnout and cost less.

Mr. Shanaberger explained the proposed referendum question #2; as to create continuity among Council by always having at least three (3) seasoned Council members at a time.

Mr. Timothy Garrett expressed his desire for staggered terms.

Mrs. Puckette stated the referendum would allow Council to find out how the Town voters feel about these items.

Mr. Boyce explained that he is currently on this Council because of apathy because it was stated in the newspaper that the Town Council needed write-in candidates. One-third of the Council is made up of write-ins because know one else wanted the job.

Ms. Spiggle agreed to let the people decide by referendum.

Council requested the Town Attorney to amend the wording of the referendum for council terms of four years and the term for Mayor two years. Council will add this item to the agenda of the next regular meeting.

Award of Grant Administration for the Appomattox Downtown Revitalization Project:
On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to award the grant administration of the Appomattox Downtown Revitalization Project to Summit Design and Engineering for $67,000. All members present voting aye. Motion carried 5-0.

Documents for Appomattox Downtown Revitalization Project:
On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to adopt and authorize Mayor Harvey to execute the following documents associated with the Appomattox Downtown Revitalization Project:

a. Town of Appomattox Non-Discrimination Plan
b. Town of Appomattox – Section 3 – Local Business and Employment Plan
c. Town of Appomattox – Fair Housing Certification
d. Town of Appomattox – Section 504 Grievance Procedure
e. Town of Appomattox – Residential Anti-Displacement Plan

All members present voting aye. Motion carried 5-0.

Bank of the James:
On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to adopt a resolution authorizing any two of the four following individuals to sign any necessary documents on behalf of the Town of Appomattox associated with a checking account at the Bank of the James for the USDA Sewer Project: Paul D. Harvey, Mayor; Timothy W. Garrett, Vice-Mayor; Gary Shanaberger, Town Manager; and Kimberley Ray, Town Treasurer. All members present voting aye. Motion carried 5-0.

Fats, Oil & Grease Policy:
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to adopt updates to the Fats, Oil & Grease Policy and Procedures, effective immediately. All members present voting aye. Motion carried 5-0.

Fireworks:
Mr. Shanaberger reported on the quotes received for the fourth of July fireworks. The approximate cost for fireworks on July 4th is $20,000. He did receive quotes for July 3rd (Friday) for $10,000 and another one for $6,980.00. Mr. Shanaberger requested adding funds to this project to cover advertising and traffic control, in the amount of $2,000.

On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to fund fireworks on July 3, 2020 for $9,000 with Virginia Sky Painter. Vote: Boyce – yes, Spiggle – yes, T. Garrett – yes, Conner – no, Puckette – no. Motion carried 3-2.

Tourism Community Meeting:
Mr. Shanaberger suggested meeting on Thursday, October 10, 2019 at the Visitor's Center at 6:00 p.m.

Committee Reports:
None

Council Concerns:

Mr. Timothy Garrett commended the Public Works Department on fixing the water leak on Countryside Drive in a timely manner. It was impressive to watch them repair 8" main at Countryside Drive and Confederate Blvd.

The Town Picnic is Thursday, September 26, 2019 from 5:00 – 7:00 p.m. at Abbitt Park (next to the Library).

The Railroad Festival will be held October 12 and 13, 2019 and Bible Baptist Church will be running a shuttle bus from the Thomasville parking lot to the downtown area.

Staff Reports:
Mrs. Kim Ray, Town Treasurer provided the financial report as of August 31, 2019.

Mr. Jeff Elder, Facilities Director – no report

Mrs. Casto, Clerk shared information from the agenda management software demonstrations and is waiting on the last proposal. A recommendation will follow at the October regular meeting.

Mr. Gary Shanaberger provided updates on the following items:

- A public hearing will be held at the Virginia Department of Transportation office on Ferguson Street on Tuesday, October 8, 2019 from 4:00 – 6:00 p.m. regarding the Smart Scale project.

On a motion by Mr. T. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:55 pm. All members present voting aye. Motion carried 5-0.

_____ _____

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
October 15, 2019

The Appomattox Town Council held a Regular Council meeting on Tuesday, October 15, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff present were Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; Facilities Director, Jeff Elder, and Clerk of Council, Roxanne Casto.

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

Rev. Carlton Duck, Pastor of the Gethsemane Baptist church gave the invocation, and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor Harvey opened the Public Hearing and stated the purpose:

Appomattox Town Council will conduct a public hearing on a proposed Ordinance of Vacation, pursuant to VA. CODE ANN. §15.2-2272 to vacate an unopened portion of Rose Lane, identified as "0.122 Ac. Hereby Vacated" and "0.116 Ac. Hereby Vacated," both as shown upon a plat of survey entitled "Plat Showing Street Vacation of a Portion of Rose Lane Being 0.238 Acres, Town of Appomattox, Virginia" made by Russell E. Nixon, L.S., dated August 8, 2019, and to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat"), which area remains an unopened street. The effect of such proposed vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

The parcel identified on the plat of survey as "0.122 Ac. Hereby Vacated" shall be added to T.M. No. 64A3-A-22 owned by Jamerson Real Estate, Inc.;

The parcel identified on the plat of survey as "0.116 Ac. Hereby Vacated" shall be added to T.M. No. 64A3-A-74A owned by John N. Toliver, Jr.

Staff comments:
Mr. Shanaberger advised that the Appomattox Town Planning Commission meet on October 1, 2019 and recommended approval to vacate the unopened portion of Rose Lane.

There were no public comments.

Mayor Harvey closed the public hearing.

Mayor's Comments:
Mayor Harvey stated the Appomattox Railroad Festival weekend was great. The weather was beautiful. He did express a need for more help next year.

On November 16, 2019, Mayor Harvey will be hosting a Brunswick Stew at his office on Court Street to benefit the "Brothers in Arms" organization.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Timothy Garrett, with all members voting "aye" to adopt the agenda for October 15, 2019 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
On a motion by Mr. Timothy Garrett, seconded by Mr. Jonathan Garrett, Council voted to adopt a resolution amending the FY 2020 Operating Budget for the Appomattox Welcome Center initiative requested by the American Civil War Museum and to continue discussion to compromise between the American Civil War Museum and business owners.
Roll Call vote: J. Garrett – no, Boyce – no, Spiggle – no, T. Garrett – no, Conner -yes, Puckette – no. Motion carried 5-1.

Mrs. Puckette left the meeting at 8:05 p.m.

New Business:
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to appoint the following individuals to the Façade Advisory Board for the Appomattox Downtown Revitalization Grant. Blair Smith, Jeff Garrett, Tom Adams, Gary Shanaberger and Lonny Hamlett. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Boyce, Council voted to adopt the Ordinance of Vacation for the unopened portion of Rose Lane:

Ordinance of Vacation

[Unopened portion of Rose Lane]

WHEREAS, by deed dated May 28, 1952 and recorded in the Appomattox County Circuit Court Clerk's Office in Deed Book 59, page 71, and by a corresponding plat of survey, Willie C. Smith, et. al. dedicated a public road, referred to in such instruments as "New Street," across their respective properties (the "Original Plat"); and,

WHEREAS, a portion of "New Street" was subsequently opened and is currently in use as a street now known as "Rose Lane"; and,

WHEREAS, another portion of "New Street" was never opened or used as a street, such portion being property in the Town of Appomattox more particularly identified as "0.122 Ac. Hereby Vacated" and "0.116 Ac. Hereby Vacated," both as shown upon a plat of survey entitled

"Plat Showing Street Vacation of a Portion of Rose Lane Being 0.238 Acres, Town of Appomattox, Virginia" made by Russell E. Nixon, L.S., dated August 8, 2019, and to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat"), which area remains a unopened street and is referred to herein as the "unopened portion of Rose Lane";

WHEREAS, the unopened portion of Rose Lane has never been opened, and there is no further need for it to be opened;

WHEREAS, it is the desire of the Town of Appomattox, acting by and through its Town Council, to vacate the unopened portion of Rose Lane identified on the New Plat as "0.122 Ac. Hereby Vacated" and "0.116 Ac. Hereby Vacated," by Ordinance of Vacation in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272;

WHEREAS, the effect of such vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened portion of Rose Lane so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

The parcel identified on the plat of survey as "0.122 Ac. Hereby Vacated" shall be added to T.M. No. 64A3-A-22 owned by Jamerson Real Estate, Inc.;

The parcel identified on the plat of survey as "0.116 Ac. Hereby Vacated" shall be added to T.M. No. 64A3-A-74A owned by John N. Toliver, Jr.;

NOW, THEREFORE, BE IT ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272, the unopened portion of Rose Lane identified on the New Plat as "0.122 Ac. Hereby Vacated" and "0.116 Ac. Hereby Vacated," **shall be, and the same hereby is, vacated**, a public hearing thereon having been duly advertised in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2204;

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance of Vacation shall be recorded after the expiration of thirty (30) days from the date hereof, unless appealed to the Circuit Court for the County of Appomattox, Virginia, and thereafter if this Ordinance of Vacation is affirmed by said Court, in the Clerk's Office of the Circuit Court of Appomattox County, Virginia;

BE IT FURTHER ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, the recordation of this Ordinance of Vacation as required in the preceding paragraph shall operate to destroy the force and effect of any previously created boundary lines of that unopened portion of Rose Lane so described above and so vacated and to vest such title as the Town of Appomattox may possess free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

The parcel identified on the plat of survey as "0.122 Ac. Hereby Vacated" shall be added to T.M. No. 64A3-A-22 owned by Jamerson Real Estate, Inc.;

The parcel identified on the plat of survey as "0.116 Ac. Hereby Vacated" shall be added to T.M. No. 64A3-A-74A owned by John N. Toliver, Jr.;

The vote was: Aye: J. Garrett, Boyce, Spiggle, T. Garrett, Conner
Nay: None
Abstain: None

All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. J. Garrett, Council voted to authorize the Town Clerk to negotiate the purchase of meeting and agenda software. All members present voting aye. Motion carried 5-0.

Standing Committee Reports:
On a recommendation of the Physical Development Committee, Council voted to approve an 18-month payment plan for the customer on Morton Lane. All members present voting aye. Motion carried 5-0.

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported that he and Mr. Boyce attended the annual VML Conference in Roanoke, Virginia.

Mr. Shanaberger also congratulated the Railroad Festival on a great weekend.

Council Concerns:
Mr. Boyce inquired about the lack of outdoor lighting at Wal-Mart.

Ms. Spiggle complimented the Railroad Festival committee on the event.

Mr. Conner stated that the Town needs to start working with the county. Regionalism helps everyone.

Adjournment:
On a motion by Mr. J. Garrett, seconded by Mr. Conner, Council voted to adjourn at 8:20 pm. All members present voting aye. Motion carried.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
October 29, 2019

The Appomattox Town Council held a Workshop meeting on Tuesday, October 29, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff members present were Jeff Elder, Facilities Director, Kim Ray, Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk.

Mayor Harvey called the Workshop meeting to order.

Laura Dawson appeared before Council to request assistance with funding for Christmas lighting at the Courtland Festival Park.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to donate $1,000.00 to the Courtland Park Foundation, Inc. for the Christmas lighting project.
Roll Call Vote: J. Garrett – yes, J. Boyce – yes, M. Spiggle – yes, T. Garrett – yes, S. Conner – yes, C. Puckette – yes. All members voting aye. Motion carried.

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to put before the voters of the Town of Appomattox a referendum on the two proposed charter amendments included as part of the agenda packet, and that we authorize the town attorney to obtain a Writ of Election placing such referendum on the ballot for the May 2020 election.

Proposed Charter Amendment – Town of Appomattox
Draft Referendum Language

Shall the Town of Appomattox request the General Assembly to amend its existing charter to provide for the Town to elect its Mayor and Council members at the November general election date in odd-numbered years, and to make associated changes in the charter?

[ ] Yes

[ ] No

Shall the Town of Appomattox request the General Assembly to amend its existing charter to increase the length of terms for its Council members to four years, to stagger future elections of Council members so that three members are elected every two years, and to make associated changes in the charter?

[ ] Yes

[ ] No
All members present voting aye. Motion carried.

On a motion by Mr. Boyce, seconded by Mr. T. Garrett, Council voted to amend the Town of Appomattox Accounts Receivable Policy, specifically the Water/Sewer Bills. All members present voting aye. Motion carried.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to reappoint James C. Davidson, Jr. to the Board of Zoning Appeals for the term beginning January 1, 2020 and ending on December 31, 2024. All members present voting aye. Motion carried.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to adopt the Appomattox Downtown Revitalization Project – Façade Improvement Program Design. All members present voting aye. Motion carried.

Committee Reports:
None

Council Concerns:
Mr. Conner inquired if staff has had an opportunity to investigate discontinuing the Internal Service Fund. Mr. Shanaberger responded that staff has not investigated this matter.

Mayor Harvey thanked the Town for the donation for the Railroad Festival.

Mr. Boyce requested an update on the parking situation on Church Street. Mr. Shanaberger responded that he is waiting on a follow up meeting with VDOT.

Ms. Spiggle wished everyone a Happy Halloween.

Staff Reports:
Mrs. Kim Ray, Town Treasurer provided the financial report as of September 30, 2019. She also advised Council that Brown, Edwards & Company will be attending the December 9, 2019 Regular Council meeting to present the FY 2019 Annual Audit Report. Staff continues to work with Edmunds for the order of programs and the conversion timeline.

Mr. Jeff Elder, Facilities Director reported on the following items:

- He met with the Virginia Department of Transportation this week concerning alternatives for the Lee Grant Avenue improvements.
- The survey work has been completed on the waterline replacement project on Church Street. Once the design phase is complete, the plans will be submitted to the Virginia Department of Health and Department of Environmental Quality for review.
- The USDA Sewer Project continues to move along. Staff intends to bid the project in December 2019.
- Yellow lines have been painted along the curbing on Church Street.

Mrs. Casto, Clerk reported she is currently working with Municode on the agenda management software transition.

Mr. Gary Shanaberger provided updates on the following items:

- The bylaws for the Rose Garden committee are being updated and will address the questions regarding the VDOT regulations.
- Dalgleish, Gilpin and Paxton will be sending the first draft of drawings for the Train Depot in the next week.
- He is hopeful to hear something regarding the Historic Tax Credits next week.
- The Town's Comprehensive Plan is going very well. The next meeting is scheduled for Tuesday, November 5, 2019. It will be one of the most important meetings during the process as the Planning Commission will be reviewing the goals and objectives over the next five year.
- The Downtown Revitalization grant is on schedule with a lot of preliminary paperwork. The Town will be under contract with the Department of Housing and Community Development by November 30, 2019.

Mr. Boyce inquired if there was any funding available for other areas of town? Mr. Shanaberger advised that the EDA is working on a Façade Improvement program.

- The Meadowlark Grant is winding down. There may be enough funding for one more housing project.

On a motion by Mr. Boyce, seconded by Mr. J. Garrett, Council voted to adjourn at 7:10 p.m. All members present voting aye. Motion carried.

_____ _____

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
November 12, 2019

The Appomattox Town Council held a Regular Council meeting on Tuesday, November 12, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were James Boyce, Sr., Mary Lou Spiggle, Steven T. Conner and Claudia G. Puckette. Members absent were Jonathan D. Garrett and Timothy W. Garrett.

Staff present were Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Clerk of Council, Roxanne Casto.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist church gave the invocation, and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey extended an invitation to the public for several events scheduled for the Courtland Festival Park on December 1, 2019 at 5:00 p.m. for a lighting ceremony and then on December 7, 2019 Experience Appomattox will be hosting the Whoville Christmas events in the downtown area along with a Christmas Parade and Santa Village.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. Boyce, seconded by Mrs. Puckette, with all members voting "aye" to adopt the agenda for November 12, 2019 as presented. All members present voting aye. Motion carried 4-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to appoint Chris Simpson to the Town of Appomattox Economic Development Authority to fill the unexpired term of Daniel Richardson, ending December 31, 2019. All members present voting aye. Motion carried 4-0.

On a motion by Mrs. Puckette, seconded by Mr. Boyce, Council voted to appoint the following individuals to the Façade Advisory Board for the Appomattox Downtown Revitalization Grant. Jeff Garrett, Tom Adams, Gary Shanaberger, Lonny Hamlett and Mary Lou Spiggle. All members present voting aye. Motion carried 4-0.

On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to adopt a Resolution Approving the Governing Documents and Authorizing the Execution of All Necessary Contract Documents for the Appomattox Downtown Revitalization Project:

RESOLUTION APPROVING THE GOVERNING DOCUMENTS AND AUTHORIZING THE EXECUTION OF ALL NECESSARY CONTRACT DOCUMENTS FOR THE APPOMATTOX DOWNTOWN REVITALIZATION PROJECT

WHEREAS, the Town applied for and has been awarded a FY 2019 Community Development Block Grant-funded Community Improvement Grant in the amount of $700,000 from the Virginia Department of Housing and Community Development (VDHCD) to undertake a Downtown Revitalization Project as defined by the grant application; and

WHEREAS, VDHCD has entered into negotiations with the Town of Appomattox regarding a contract for a Downtown Revitalization Project grant award of $700,000 as CIG Project #19-17-28;

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

1. The Town of Appomattox hereby approves the following documents that will govern the Appomattox Downtown Revitalization Project:
    a. Façade Improvement Program Design, Appomattox Downtown Revitalization Project.
    b. Program Income Plan, Appomattox Downtown Revitalization Project.
2. The Town hereby authorizes the Town Manager, the Town's chief administrative official, to execute all contracts and other documents necessary for the implementation of the Appomattox Downtown Revitalization Project.
3. The Town hereby appropriates $700,000 in funding awarded to the Town of Appomattox by the VDHCD for the Appomattox Downtown Revitalization Project to the FY2020 General Fund Budget.

All members present voting aye. Motion carried 4-0.

Standing Committee Reports:
The Train Depot renderings will be discussed by the entire Council at the November 26, 2019 Workshop meeting.

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported he and Mr. Elder met with the Department of Game and Inland Fisheries to discuss the deer population in Town.

Council Concerns:
Mr. Conner praised the businesses and individuals who gave the community lighting project at the Courtland Festival Park. Mrs. Puckette and Ms. Spiggle concurred with Mr. Conner.

Mr. Boyce saluted the Veterans, in light of yesterday being Veterans Day. Maybe the Town could offer a proclamation each year for Veterans Day and Memorial Day. Ms. Spiggle concurred and stated that the American Legion in Appomattox holds a celebration every year, which is well attended.

Adjournment:
On a motion by Mr. Conner, seconded by Mr. Boyce, Council voted to adjourn at 7:50 pm. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
November 26, 2019

The Appomattox Town Council held a Workshop meeting on Tuesday, November 26, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff members present were Jeff Elder, Facilities Director, Kim Ray, Treasurer; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk.

Mayor Harvey called the Workshop meeting to order.

Mayor Harvey reminded those present of the Lighting Ceremony at the Courtland Festival Park on Sunday, December 1, 2019 at 5:00 p.m.

On a motion by Mr. Timothy Garrett, seconded by Mr. Boyce, Council voted to add item #2A to the agenda – Discussion and consideration of adopting a Resolution of Support for the Second Amendment of the United States of America. All members present voting aye. Motion carried.

Mr. Garet Rouzer with Dalgleish Gilpin Paxton Architects appeared before Council to discuss the most recent (11.22.2019) drawings of the Appomattox Depot. After much discussion, Mr. Rouzer will work to repair and restore the depot, a phased plan, working on the exterior and then the interior.

On a motion by Mr. Jonathan Garrett, seconded by Ms. Spiggle, Council voted to table the layout of the Appomattox Depot until further discussion at the Council Retreat (date to be determined). All members present voting aye. Motion carried 6-0.

Resolution - Second Amendment Sanctuary

RESOLUTION OF TOWN OF APPOMATTOX TOWN COUNCIL

WHEREAS, *the Second Amendment of the United States Constitution reads: "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed," and,*

WHEREAS, *Article 1, Section 13, of the Constitution of Virginia provides "that a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power;" and,*

WHEREAS, *certain legislation introduced in the 2019 session of the Virginia General Assembly, and certain legislation introduced in the current session of the United States*

Congress could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment of the United States Constitution; and,

WHEREAS, *the current Governor of Virginia has stated that he intends to endorse and pass into law legislation that is unconstitutional as it pertains to the rights enumerated in the US & Virginia Constitution.*

WHEREAS, *the Appomattox Town Council is concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of the Town of Appomattox to keep and bear Arms or could begin a slippery slope of restrictions on the Second Amendment rights of the citizens of The Town of Appomattox, and,*

WHEREAS, *the Appomattox Town Council wishes to express its deep commitment to the rights of all citizens of the Town of Appomattox to keep and bear Arms; and,*

WHEREAS, *the Appomattox Town Council wishes to express opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the citizens of the Town of Appomattox to bear arms; and,*

WHEREAS, *the Appomattox Town Council wish to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitutions of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the right of the citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances, and the direction to the law enforcement and judiciary of the Town of Appomattox to not enforce any unconstitutional law.*

NOW, THEREFORE, BE IT RESOLVED BY THE APPOMATTOX TOWN COUNCIL, APPOMATTOX, VIRGINIA:

That the Appomattox Town Council hereby expresses its intent to uphold the Second Amendment rights of the citizens of the Town of Appomattox, Virginia and its intent that public funds of the Town not be used to restrict Second Amendment rights or to aid in the unnecessary and unconstitutional restriction of the rights under the Second Amendment of the citizens of the Town of Appomattox, Virginia to bear arms; and

That the Town Council hereby declares its intent to oppose unconstitutional restrictions on the right to keep and bear arms through such legal means as may be expedient, including without limitation court action; and,

That the Town Council hereby declares the Town of Appomattox, Virginia, as a "Second Amendment Sanctuary,"

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of Council of the Town of Appomattox, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on November 26, 2019, by the Town Council with the following votes:
Aye: J. Garrett, J. Boyce, M. Spiggle, T. Garrett, S. Conner, C. Puckette.
Nay: None
Abstentions: None
Absent: None
Signed this day of November 26, 2019

_____
Roxanne Casto, Clerk
Appomattox Town Council

Request for Community Funding Assistance
On a motion by Mr. Jonathan Garrett, seconded by Ms. Spiggle, Council voted to adopt the Request for Community Funding Assistance Policy with a deadline for submission of March 1, 2020. All members present voting aye. Motion carried 6-0.

Resolution – Resettlement of Refugees

RESOLUTION OF THE TOWN OF APPOMATTOX TOWN COUNCIL

WHEREAS, *the executive order # 13888 issued by President Donald J. Trump regarding the resettlement of refugees gives states and localities consideration to be respectful of those communities that may not be able to accommodate refugee resettlement; and,*

WHEREAS, *certain legislation introduced in the 2019 session of the Virginia General Assembly, and certain legislation introduced in the current session of the United States Congress could have the effect of financially straining local government, taxpayers, law enforcement, and healthcare facilities; and,*

WHEREAS, *the current Governor of Virginia has stated that he intends to welcome more Refugees into the Commonwealth of Virginia.*

WHEREAS, *the Appomattox Town Council is concerned about the resettlement of refugees in our municipality and any adverse effects that may cause economically in our community; and,*

WHEREAS, *the Appomattox Town Council wishes to express its deep fiscal commitment to the Taxpayers of this Town; and,*

WHEREAS, *the Appomattox Town Council wishes to express opposition to any refugee resettlement; and,*

WHEREAS, *the Appomattox Town Council wishes to express its refusal to become a Refugee Sanctuary locality, within the limits of the Constitutions of the United States.*

NOW, THEREFORE, BE IT RESOLVED BY THE APPOMATTOX TOWN COUNCIL, APPOMATTOX, VIRGINIA:

That the Appomattox Town Council hereby expresses its intent to refuse becoming a Refugee Sanctuary.

CERTIFICATION OF ADOPTION OF RESOLUTION

The undersigned Clerk of Council of the Town of Appomattox, Virginia hereby certifies that the Resolution set forth above was adopted during an open meeting on November 26, 2019, by the Town Council with the following votes:
Aye: J. Garrett, J. Boyce, M. Spiggle, T. Garrett, S. Conner, C. Puckette
Nay:
Abstentions:
Absent:
Signed this day of November 26, 2019

_____
Roxanne Casto, Clerk
Appomattox Town Council

On a motion by Mr. Boyce, seconded by Mr. Conner, Council voted to return the $72,000 originally appropriated for the Federal Lands Access Program (FLAP) project to the FY 2020 Budget for the Town of Appomattox as unspent as the FLAP project will not be moving forward. All members present voting aye. Motion carried 6-0.

Staff Reports:
Mrs. Kim Ray, Town Treasurer provided the financial report as of October 2019.

Mr. Jeff Elder, Facilities Director – None

Mrs. Roxanne Casto, Clerk – None

Mr. Gary Shanaberger requested input from Council regarding a Council Retreat possibly in January or February 2020 and consideration of a Financial Analyst to determine how much debt the Town can carry.

Mr. Shanaberger updated Council on the following:

- Greater Meadowlark CDBG project is nearly complete.
- The Trickling Filter Plant/Force Main project is moving along well now. The project is expected to be advertised in January 2020.
- Design of the Church Street waterline replacement project is nearly complete.
- The Department of Housing and Community Development Grant Workshop was held last week. Mr. Shanaberger and Roxanne Casto attended.

- The Town Planning Commission will meet on Tuesday, December 3, 2019 at 6:00 p.m. to begin finalizing the goals and objectives of the Town Comprehensive Plan with more focus on the infrastructure.
- The ROSE Project, Inc. committee will meet on Monday, December 9, 2019 at 6:00 p.m.
- Mr. Shanaberger and Mr. Boyce will be attending a meeting with the Virginia Department of Transportation and Appomattox County Public Schools regarding school traffic.
- The tree lighting ceremony will take place at the Courtland Festival Park on Sunday, December 1, 2019 at 5:00 p.m.

Committee Reports:
None

Council Concerns:
Mr. Timmy Garrett informed Council of the day of "Community Service" performed by the students at the Appomattox County High School today, November 26, 2019. Mr. Jonathan Garrett further explained the project.

On a motion by Mrs. Puckette, seconded by Mr. Conner, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried.

Roxanne W. Casto, MMC
Clerk of Council

Paul D. Harvey, Mayor

Regular Council Meeting
December 9, 2019

The Appomattox Town Council held a Regular Council meeting on Monday, December 9, 2019 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff present were Town Manager, Gary Shanaberger; Facilities Director, Jeff Elder; Town Treasurer, Kim Ray; and Clerk of Council, Roxanne Casto.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist church gave the invocation, and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey expressed his appreciation for those who attended the lighting event at the Courtland Festival Park on December 1, 2019. A special thank you was extended for all who contributed financially and specifically to Jake Dawson and family for displaying their talent with the lighting of the trees. On Saturday, December 7, Experience Appomattox hosted the Downtown Whoville, Merry Market and Live Nativity by Bible Baptist Church.

Scheduled Public Appearances:
Susan Chapman from Brown, Edwards & Company, LLP appeared before Council to present the FY 2019 Annual Audit for the Town of Appomattox.

Consent Agenda:
On a motion by Mr. J. Garrett, seconded by Ms. Spiggle, with all members voting "aye" to adopt the agenda for December 9, 2019 with the removal of NB#2 – Discussion and consideration to adopt the Special Events Policy and Ordinance and hold the closed session at the end of the meeting. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. J. Garrett, seconded by Mr. Boyce, Council voted to accept the FY 2019 Annual Audit of the Town of Appomattox as presented by Brown, Edwards & Company, LLP. All members present voting aye. Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following items:

- The Appomattox Town Planning Commission met on Tuesday, December 3, 2019 about the comprehensive plan. The Commission will meet again on January 7, 2020.
- The Meadowlark grant project is complete. Staff is wrapping up the paperwork. Matt Perkins with the Central Virginia Planning District Commission will be providing an update to Council in the next few months.
- The Downtown Revitalization Grant committee will meet with participants on Thursday, December 12, 2019 at 6:00 p.m. at the Appomattox Municipal Building. The Town expects to be under contract with the Department of Housing and Community Development with the next week.
- Staff will begin preparing for the FY 2021 budget cycle soon.
- Concurred the holiday events were great and a lot of fun.

Council Concerns:
Mrs. Puckette commended the staff for the Town's financial status. It is most pleasing and is she is appreciative of all the work.

Ms. Spiggle agreed with Mrs. Puckette. The staff has done an excellent job and appreciates all the work on collections.

Mayor Harvey agreed with Mrs. Puckette and Ms. Spiggle.

Mr. Timothy Garrett invited everyone to support the Raider football team at Salem, Virginia on Saturday, December 14, 2019 at 4:30 p.m. for the State Championship title.

Closed Session:
On a motion by Mrs. Puckette, seconded by Mr. Boyce, 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 discussion of the proposal submitted by Appomattox County regarding the waterline from Concord to Appomattox.

Vote:
J. Garrett-aye, Boyce-aye, Spiggle-aye, T. Garrett-aye, Conner-aye, Puckette-aye

The meeting was re-opened to the public.

Mr. J. Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Ms. Spiggle and Council by the following recorded vote adopted the motion:

Vote:
J. Garrett-aye, Boyce-aye, Spiggle-aye, T. Garrett-aye, Conner-aye, Puckette-aye

Motion carried 6-0.

Adjournment:
On a motion by Mr. J. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 9:10 p.m. All members present voting aye. Motion carried 6-0.

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Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Special Call Council Meeting
December 30, 2019

The Appomattox Town Council held a Special Call Council meeting on Monday, December 30, 2019 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff present were Town Manager, Gary Shanaberger; Facilities Director, Jeff Elder; and Clerk of Council, Roxanne Casto.

Mayor Harvey called the meeting to order.

Mayor Harvey called the Special Call meeting to order by reading the purpose of the meeting: In accordance with Code Section 5-47 of the Code of the Town of Appomattox, Virginia, Mayor Paul D. Harvey has a requested a Special Call meeting of the Appomattox Town Council for Consideration of a Closed Session, pursuant to Section 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 discussion of the proposal submitted by Appomattox County regarding the waterline from Concord to Appomattox.

Closed Session:
On a motion by Mr. Conner, seconded by Mr. J. Garrett, 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 discussion of the proposal submitted by Appomattox County regarding the waterline from Concord to Appomattox.

Vote:
J. Garrett-aye, Boyce-aye, Spiggle-aye, T. Garrett-aye, Conner-aye, Puckette-aye.

The meeting was re-opened to the public.

Mr. Conner made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Ms. Spiggle and Council by the following recorded vote adopted the motion:

Vote:
J. Garrett-aye, Boyce-aye, Spiggle-aye, T. Garrett-aye, Conner-aye, Puckette-aye.
Motion carried 6-0.

Action:
On a motion by Mr. Conner, seconded by Ms. Spiggle, Council voted to accept and authorize the Town Manager, Gary Shanaberger to execute the Lease and Sale/Purchase Agreement between the Town of Appomattox and County of Appomattox.

Roll Call Vote:
J. Garrett-aye, Boyce-aye, Spiggle-aye, T. Garrett-aye, Conner-aye, Puckette-aye.
Motion carried 6-0.

Adjournment:
On a motion by Mr. Conner, seconded by Mr. T. Garrett, Council voted to adjourn at 6:25 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
January 13, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, January 13, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff present were Town Manager, Gary Shanaberger; Facilities Director, Jeff Elder; Town Treasurer, Kim Ray; and Office Manager, Christy Torrence.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church gave the invocation, and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey hoped everyone had a special and wonderful holiday season.

Scheduled Public Appearances:
Christy Coleman, CEO of the American Civil War Museum (delayed at the scheduled time). (After new business was complete)
Ms. Coleman appeared before Council to discuss the proposal for a welcome center at the American Civil War Museum site. The proposal of a welcome center was never about replacing the current visitors center in downtown Appomattox, Coleman said.

Ms. Coleman took questions from Council:

Mayor Harvey questioned if there was a possibility of a phone app vs. the digital pad map?
Ms. Coleman responded that a digital app for phones, devices, etc. would be cost prohibitive.

Mr. Jonathan Garrett questioned if Ms. Coleman had talked to any of the businesses in Appomattox to gain support for this?
Ms. Coleman responded yes, she personally had lunch with several people from Appomattox to garner support and share where we they were institutionally. There appears to be support for the museum to stay and be active and folks have also said there is a little nervousness. Will it pull the 6,000 people from downtown? That has never been the intent. The intent is to drive people downtown. The welcome center is a suggestion to connect the visitation from the National Park Service, to the American Civil War Museum to the visitors center downtown.

Mr. Boyce asked if this is a one-time request?
Ms. Coleman responded that this is a one-time request.
Mr. Boyce – So individual businesses can place their brochures there?
Ms. Coleman – yes, it will be organized to focus on what is in the Town and County.

Mrs. Puckette – thanked Ms. Coleman for coming, clarifying and sharing this information. She is also very appreciative of the information proposed on the new signs that give direction to the welcome center and the visitors center.

Mr. Boyce – I think there has been a lot of discussion. A lot of misinformation and to the point it has become a distraction to Council because we are seeing the same thing time after time. It is my intent to make a motion that we vote aye or nay tonight, we are either to do this or we are going to drive it off the map, one of the two.

***
On a motion by Mr. Boyce, to take a vote to support this in the amount of $15,065.00 with the option of going with the second display in the downtown location for the amount of $19,700 (and some change).

Mr. Timothy Garrett, I have a point to make we had a previous motion made to go before the Finance & Planning Committee.

Mr. Boyce – I understand that but this was something that was already in the works before then.

Mayor Harvey restated the motion on the floor:

> *On a motion by Mr. Boyce, to take a vote to support this in the amount of $15,065.00 with the option of going with the second display in the downtown location for the amount of $19,700 (and some change).*
> *The motion was seconded by Mr. Conner.*

Further discussion:
Mr. Conner – I think people need to understand is that this isn't hurting anybody, it can only help. The numbers are out there. You've got to get them to the rest of the Town and County. The town is our concern and we need to get them to the Town and if they go out there and drive on by and don't stop and it's hard to find then they aren't coming. And then everybody is losing not just downtown, everybody is losing. In the old days, we talked about having a welcome center out where the old service station was and now they [American Civil War Museum] are going to give us a building and staff for free – they are giving us a gift. We need to take it.

Mayor Harvey – any other discussion?

Mrs. Puckette – Is this signage and the one time we would be paying to get this off the ground – is this helping the situation from the folks who were so opposed? Is this making them more comfortable with the idea? I think the idea is wonderful, we need this. We need to market ourselves and this is one way of doing it. So, what are some of the other objections now that would be out there that people might have to this.

Mr. Timothy Garrett – I think you need to open it [discussion] to the audience.

Mayor Harvey – we could hold the vote and hear from citizens. I did speak to as many business people as I could today to show them this and I think one of the objections is purchasing the

piece of equipment that is going into the museum and it's not on our town property. The argument is if we can put it in one private business, why can't every private business have one? I think they were a little more satisfied with the sign that it had the downtown center information on there and that the downtown center is not closed or closing.

The [ACWM] removed the personnel (labor) issue out of the proposal which was another area of concern or big problem for the downtown businesses.

Mrs. Puckette – I look at this like we are paying them [ACWM] for a service. If we provide funding to the museum for a service for us to drive people in town, would not be my business.

Mr. Conner – It's not like we are providing a donation to them [ACWM], they are providing a service for us.

Mrs. Puckette – It is our [Town] equipment and if we find that the number of visitors doesn't improve, we can take it out and bring it home.

Mayor Harvey – This is an experiment to see if it is going to work. Mr. Timothy Garrett suggested we open the floor to citizen comments and there are some people here tonight that I spoke with today that may have something they want to say.

Citizen Comment Period – There was no movement to the podium.

Mayor Harvey – I didn't know we were going to vote on this tonight – so it's thrown me a little of a curve ball.

Mr. Timothy Garrett – What we've voted on in the past, any funds given out to the general public would be brought to the Finance Committee and go through the budget process and we've done that at prior meetings.

Mr. Conner – I don't know that we are making a donation here, rather paying for a service. If you remember, and I was against that then, we hired the people that were going to help us with the sesquicentennial and do all this great stuff to get people downtown and we gave them $10,000-15,000 and all I got was a picture of the guy toting a table down the street. The Town went after the Civil War Museum, prior to me being on Council. We made donations and now we've got it here and we have to help it. This will get our numbers up. We have to get something out on the highway. A place where they can park a motorhome or a bus. Not to a place that funnels them to a place they can't park. It's bad enough when you go down Main Street to the bank and can't find a parking place. Nobody wants to walk today. They want to park at the front door. They [ACWM] can tell visitors what the Town and County have to offer. It's just a gift and they took the labor out of it. It's our material to send people to our staff. It would help our hotel. We begged developers to build and promised them. We've wanted it for years and the numbers didn't work. We've got people who stepped up and took a chance with their personal money to help this community and we need to help them. Location means a lot in business.

Mayor Harvey – we have a motion and second on the floor:

ROLL CALL VOTE:
J. Garrett – no, J. Boyce – yes, M. Spiggle – no, T. Garrett – no, S. Conner – yes, C. Puckette – yes.
Mayor Harvey – I don't like this position. I knew I was going to be put in this position.

Mr. Jonathan Garrett – we were supposed to discuss this at the retreat, and it hasn't gotten here yet.

Mayor Harvey – I know, and I didn't know we were going to be taking a vote on this.

Mrs. Puckette – can we table this?

Mayor Harvey – Not now. The motion is on the floor and the vote has already been taken.

Mayor Harvey – I've supported this idea from the beginning and some of the problems that came up at the community meeting, I backed up because I thought the points made by Town businesses were correct. I feel like what they [ACWM] has brought back has corrected the issues that I heard there other than this piece of equipment and I think if we buy the piece of equipment and put one in the visitors center it solves that issue too. I am going to vote – YES.

Motion carried 4-3, with the Mayor breaking the tie.

Mayor Harvey – Again, I think we've done this improperly.

Mr. Jonathan Garrett requested to be excused to attend a structure fire call with the Appomattox Volunteer Fire Department. All present agreed.
***

Consent Agenda:
On a motion by Mr. Timothy Garrett, seconded by Mr. Boyce, Council voted to adopt the consent agenda for Monday, January 13, 2020 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Jonathan Garrett, seconded by Mrs. Puckette, Council voted to adopt the 2020 Appomattox Town Council meeting schedule as presented. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Conner, Council voted to re-appoint Chris Simpson to the Town of Appomattox Economic Development Authority, term ending December 31, 2023. All members present voting aye. Motion carried 6-0.

Ms. Spiggle requested to begin discussion of repairs to the outside of the Visitors Center on Main Street. The architects are still working on plans for the inside, but we need to repair the outside. We are starting the downtown revitalization grant and we need to be proud of this building.

Mrs. Puckette – do we have specifications?
Mr. Timothy Garrett – my intentions are to put it back the way it is now.
Mayor Harvey – I didn't realize we were to turn this over to Mr. Elder as an in-house thing. I thought we were going to use an outside person to write the bids.
Mr. Shanaberger – We will follow the Council's lead on this. If it is Council's desire for staff to do it in house, we will do the best we can with it.
Mr. Conner – I think maybe we should get two of the people in the back row to help us with that.
Mr. Timothy Garrett – There are people who would do this work everyday who can come give you a price on it – just like the roof here at this building.
Mr. Shanaberger – Do we want to bid the roof as a replacement or repair?
Mr. Timothy Garrett – get 2 bids – one for each; replacement with slate.

On a motion by Mr. Timothy Garrett, seconded by Mr. Jonathan Garrett, Council moved to authorize Jeff Elder, Facilities Director to obtain bids on all exterior work, except landscaping of the Visitors Center on Main Street and to suspend the services of Dalgleish, Gilpin Paxton until further notice. All members present voting aye. Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following items:

- The Planning Commission is still moving ahead on the Comprehensive Plan. The process is moving smoothly.
- The Economic Development Authority is scheduled to meet tomorrow night and we plan to swear in Chris Simpson as our new member. Also, hopeful to set a date for a trip to Marion, Virginia to visit their award-winning downtown.
- Continuing to move forward on inflow and infiltration projects and closing the Trickling Filter Plant. Those projects are still moving along at a nice pace.
- The Church Street waterline project is moving at a good pace.
- The Lee Grant Avenue project is going to take a little more time.
- Finally, the staff is already working on the 2020-2021 Town budget.

Council Concerns:
Mr. Timothy Garrett stated the Town needs to own the board [equipment] because the software can be out of date in six (6) months

Adjournment:
On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to adjourn. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
January 28, 2020

The Appomattox Town Council held a Workshop meeting on Tuesday, January 28, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff present were Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Town Clerk, Roxanne Casto.

Mayor Harvey called the meeting to order.

On a motion by Mrs. Puckette, seconded by Mr. Conner, Council voted to write off accounts; Personal Property taxes - $6,895.04; Real Estate taxes $143.85; Utility invoices - $1,800.83; Miscellaneous Accounts Receivable (bankruptcy) - $13,895.86 for a total of $22,735.58 that have reached the statute of limitations for collection. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Jonathan Garrett, seconded by Mr. Timothy Garrett, Council voted on the following resolution:

1. Consideration to adopt a resolution amending the FY 2020 Operating Budget for the General Fund for fireworks

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2020 Operating Budget for the General Fund.

General Fund Expenditures		
10-5200-6014	Special Events Promo	$ 9,000.00
Net Increase in Budget		$ 9,000.00
General Fund Revenues		
Use of Undesignated Reserve		$ 9,000.00
Net Increase in Budget		$ 9,000.00

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2020 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2020.

Attest:

_____
Roxanne Casto, Town Clerk

Roll Call Vote: J. Garrett – yes, J. Boyce – yes, M. Spiggle – yes, T. Garrett – yes, S. Conner – yes, C. Puckette – yes. Motion carried 6-0.

On a motion by Mr. Boyce, seconded by Mr. Conner, Council voted to approve the money to be given to the American Civil War Museum based on their proposal of $10,440.00 and $4,625.00 for a digital pad map to be installed at the Visitor's Center on Main Street.
Vote: J. Garrett – no, J. Boyce – yes, M. Spiggle – no, T. Garrett – no, S. Conner – yes, C. Puckette – yes. Mayor Harvey voted yes to break the tie. Motion carried 4-3.

On a motion by Mr. Boyce, seconded by Mr. Conner, Council voted on the following resolution:

1. Consideration to adopt a resolution amending the FY 2020 Operating Budget for the General Fund for donation to the American Civil War Museum and installation of a digital pad map at the Visitors Center on Main Street

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2020 Operating Budget for the General Fund.

General Fund Expenditures		
10-4500-9011	American Civil War Museum	$ 10,440.00
10-4500-7095	Equipment	$ 4,625.00
Net Increase in Budget		$ 15,065.00

General Fund Revenues	
Use of Undesignated Reserve	$ 15,065.00
Net Increase in Budget	$ 15,065.00

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2020 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2020.

Attest:

_____
Roxanne Casto, Town Clerk

Roll Call vote: J. Garrett – no, J. Boyce – yes, M. Spiggle – no, T. Garrett – no, S. Conner – yes, C. Puckette – yes. Mayor Harvey voted yes to break the tie. Motion carried 4-3.

Council Standing Committee Reports – None

Council Comments – None

Town Staff Reports:
Mrs. Ray presented the Treasurer's Report for December 2019.

Mr. Elder – not present – none

Mrs. Casto – none

Mr. Shanaberger reported on the following items:

- Staff continues to work on multiple projects.
- The Inflow & Infiltration (I&I) project is expected to be placed out to bid in the next two (2) months.
- Design of the waterline replacement on Church Street is in progress. The Town is hopeful to have plans by June 1st.
- The Downtown Revitalization project is on-going.
- The Town is expecting Lee Grant Avenue drawings any day.
- Staff has started the FY 2021 annual budget preparations.
- The EDA and Mr. Shanaberger are planning to travel to Marion, Virginia on Friday, March 27, 2020 to discuss their Main Street renovations and pop up program.
- The Council Retreat scheduled for Friday, February 7, 2020 may need to be rescheduled due to a scheduling conflict. More information will be forthcoming.

Adjournment:
On a motion by Mr. Boyce, seconded by Mr. Timothy Garrett, Council voted to adjourn at 6:45 p.m. All members present voting aye. Motion carried 5-0.

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Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
February 10, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, February 10, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, and Steven T. Conner.

Town Council member absent: Claudia G. Puckette.

Staff present were Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Clerk of Council, Roxanne Casto.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church gave the invocation, and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey stated he was changing "hats" for a moment and as President of the Railroad Festival he would be solicitating an annual donation from the Town for FY 2021. The official request was provided to Mrs. Ray, Town Treasurer. Also, his family is making a stew for the Pamplin Eastern Star on Saturday, February 22, 2020 beginning at 8:00 a.m. and invited everyone to support this.

Scheduled Public Appearances:
None

Consent Agenda:
On a motion by Mr. Timothy Garrett, seconded by Mr. Jonathan Garrett, Council voted to adopt the consent agenda for Monday, February 10, 2020 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Conner, seconded by Mr. Timothy Garrett, Council voted to adopt an ordinance to revise a portion of the Code of the Town of Appomattox, in Chapter 185, Article I – General Provisions. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Jonathan Garrett, seconded by Mr. Timothy Garrett, Council voted to approve the payment request #4 of the 4 annual payments that were provided as an Economic Stimulus Grant in the Performance Agreement between the Town of Appomattox, the Town of Appomattox Economic Development Authority and COJANA, a Limited Liability Corporation in the amount of $26,100.60 to COJANA, a Limited Liability Corporation as the owner of the

Appomattox Inn & Suite and also consideration in accepting payment request #4 that COJANA has met its responsibilities as noted in the Performance Agreement dated March 13, 2015. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Jonathan Garrett, seconded by Ms. Spiggle, Council voted to appoint Kenny Gobble to the Town of Appomattox Economic Development Authority, term ending December 31, 2023. All members present voting aye. Motion carried 5-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following items:

- The Town EDA will meet on Tuesday, February 11, 2020 at 6:00 p.m. The EDA is planning a trip to Marion, Virginia on Friday, March 27, 2020.
- The Appomattox Downtown Revitalization Project Management Team will be meeting on Wednesday, February 12, 2020.
- The Town Council Retreat has been rescheduled for Thursday, February 20, 2020.
- The Planning Commission did not meet in February.

Council Concerns:
Mr. Conner inquired as to how many businesses have currently signed up to participate in the Downtown Revitalization project. Mr. Shanaberger indicated eight (8) so far.
The first four (4) businesses selected will be meeting with the architect this week.

Mr. Jonathan Garrett reported on several changes at the Appomattox Sheriff's Office. Mr. Shanaberger will reach out to Sheriff Simpson for a report to Council in the next several months.

Mr. Timothy Garrett said the Appomattox Volunteer Fire Department has been doing a great job.

Adjournment:
On a motion by Mr. Conner, seconded by Mr. Boyce, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
February 25, 2020

The Appomattox Town Council held a Workshop meeting on Tuesday, February 25, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff present were Sheriff Donald Simpson, Major Robby Richardson, Daniel Puckette, Christy Torrence, Facilities Director, Jeff Elder; Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Town Clerk, Roxanne Casto.

Mayor Harvey called the meeting to order.

The Appomattox Town Council received an updated from Sheriff Donald Simpson of a few of the changes made within the department since his term began January 1, 2020.

Council Standing Committee Reports – None

Council Comments:
Mr. Boyce thanked mayor Harvey for his service as Mayor of the Town of Appomattox.

Mr. Conner stated that the Town is getting blamed for things it is not responsible for.

Mr. Jonathan Garrett advised that the training conducted by the Appomattox Volunteer Fire Department on Saturday, February 22, 2020 was attended by 5 different agencies and 60 members of those departments/agencies.

Mayor Harvey requested Mr. Shanaberger contact Don Jones and/or Laura Dawson regarding the Friday, July 3, 2020 Fireworks/Independence Day events.

Town Staff Reports:
Mrs. Ray presented the Treasurer's Report for January 2020. She also reminded everyone in attendance of the March 1, 2020 deadline for complete the Community Funding Assistance form.

Mr. Elder – none

Mrs. Casto – none

Mr. Shanaberger reported on the following items:

- Sam Vance, Town Attorney has received all the information needed to complete the Title Opinion for USDA. The Town is hopeful it will be able to close on the loan in the next few weeks.
- The Virginia Department of Transportation (VDOT) will be hosting an update of the Smart Scale project on March 3, 2020.

- The Planning Commission will meet on March 3, 2020 to continue review of the comprehensive plan.
- Mr. Shanaberger and Dr. Jeff Garrett will be meeting this week to discuss a training academy in Appomattox.

Adjournment:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Timothy Garrett, Council voted to adjourn at 6:40 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
March 9, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, March 9, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff present were Facilities Director, Jeff Elder; Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Clerk of Council, Roxanne Casto.

Others present were Robin Snyder, Daniel Puckette, Nathan Simpson, Richard Conner and Carlton Duck.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church gave the invocation, and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
The Appomattox Railroad Festival Scholarship Committee will host a Brunswick Stew on Saturday, March 21, 2020 beginning at 8:00 a.m. at 569-A Court Street, Appomattox, Virginia. Pre-orders are available by calling 434-352-9525. Cost is $8.00 per quart.

Scheduled Public Appearances:
Robin Snyder, Superintendent, Appomattox Court House National Historical Park appeared before Council to provide updates at the park. She also thanked Council for their consistent commitment to the FLAP (Federal Lands Access Program) project. Although the project was not successful, she is hopeful the application can be resubmitted some time in the future. She explained trail system improvements and special events planned over the next several months at the park.

Ms. Snyder has been serving as the Superintendent at the Booker T. Washington National Park in addition to the Appomattox Court House National Historical Park since June 1, 2019. The Appomattox Court House National Historical Park will be addressing accessibility issues from the parking lot to the McLean House. Boundary adjustment are planned by the Civil War Preservation Trust & Battlefield Protection Trust.

The National Park Service will be replacing the sewer force main and pump station in the next 18 months. The National Park Service will be paying for the replacement. In the future, the utility service agreement will need to be revised.

Mr. Conner thanked Ms. Snyder for all she is doing at the park.

Consent Agenda:
On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for Monday, March 9, 2020 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Conner, Council voted to adopt the following resolution:

RESOLUTION

A RESOLUTION REQUESTING THE ROUTE F1013 BE ABANDONDED FROM THE STATE SYSTEM OF PRIMARY ROADS

Whereas, PURSUANT TO Section 33.2-902 Code of Virginia, the Commissioner of the Virginia Department of Transportation has provided this Board with its notice to abandon from the primary System of State Highways a 0.02 mile section of Route F1013 located in the Courthouse voting district, as described on the attached form, fully incorporated by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Appomattox County, and

WHEREAS, the Resident Administrator for the Virginia Department of Transportation has advised the council that the abandonment of F1013 only serves one property owner, and is a portion of Right -Of-Way in the State System of Primary Roads and

WHEREAS, the Council opened up at least Thirty (30) day period of review on **January 29, 2020** for the public to determine if a public necessity exists, and

NOW, THEREFORE, BE IT RESOLVED, this Council supports Virginia Department of Transportation proving no public necessity exists to abandon F-1013, and

NOW, THEREFORE, BE IT RESOLVED, that this Council supports Virginia Department of Transportation's action to abandon from the Primary System of the State Highways F-1013 pursuant to section 33.2-902 of the Code of Virginia, and

BE IT FURTHER RESOLVED that a certified copied of the resolution be forwarded to the Resident Administration for the Virginia Department of Transportation.

The Vote was: Aye: J. Garrett, J. Boyce, M. Spiggle, T. Garrett, S. Conner and C. Puckette.

Nay: none

Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following activities:

- On March 3, 2020, he met with the Virginia Department of Transportation (VDOT) to discuss the possibility of a Smart Scale project for the Lee Grant Avenue street improvements. Mr. Shanaberger explained the application process for the Smart Scale program.

  Mr. Shanaberger requested Council consider appropriating $5,000 for Hurt & Proffitt, Inc. to assist with application from the General Fund Engineering budget.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to put a $1,000,000 to a potential Smart Scale project to be funded over four (4) years into a designated fund ($250,000 per year) and also designate $5,000 for Hurt & Proffitt, Inc. to help with the application process. All members present voting aye. Motion carried 6-0.

Mayor Harvey left the meeting at 8:10 p.m. Vice-Mayor, Timothy Garrett, presiding.

- US Cellular applied for a zoning permit to allow a cell tower on the Thomasville property and will be performing a balloon test on March 21, 2020 with an alternate weather date of March 22, 2020. The zoning matter will require a joint public hearing of the Town Council and Planning Commission, tentatively scheduled for Tuesday, April 28, 2020.
- Matt Perkins with the Central Virginia Planning District Commission continues to look for a project with the remaining CDBG Greater Meadowlark project funding.
- Mr. Shanaberger, Sheriff Simpson, Rev. Small and Mr. Jonathan Garrett met to discuss the July 3rd festivities.
- The Appomattox Town Planning Commission met on March 3, 2020 to review the comprehensive plan. The changes and updates from the retreat have been incorporated.
- The Town Economic Development Authority met on March 10, 2020.
- The Façade Advisory Board and the Project Management Team for the Appomattox Downtown Revitalization project met on March 11, 2020.

Council Concerns:
Mr. Jonathan Garrett met with Sheriff Simpson and Major Richardson this evening and they had a made a request to the County Board of Supervisors for raises for the law enforcement officers. There is a chance that the state may come through and fund an increase for them, but I would like to see the Town match whatever the County does for the two (2) Town positions. It would be $4,340 for each position. It is contingent upon the state not following through and the County funding the request.

Mrs. Puckette agreed with Mr. Jonathan Garrett.

Mr. Jonathan Garrett – The Appomattox Sheriff's Office would be competitive with adjoining localities.

Mr. Timothy Garrett will get with Gary and Jeff regarding some neglected cemeteries. He would like for the Town to go out and revitalize these cemeteries and get money donated to put fences up around them. One is in the middle of town and the other one is near the bypass.

Adjournment:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Boyce, Council voted to adjourn at 8:20 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
March 9, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, March 9, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette.

Staff present were Facilities Director, Jeff Elder; Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Clerk of Council, Roxanne Casto.

Others present were Robin Snyder, Daniel Puckette, Nathan Simpson, Richard Conner and Carlton Duck.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church gave the invocation, and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
The Appomattox Railroad Festival Scholarship Committee will host a Brunswick Stew on Saturday, March 21, 2020 beginning at 8:00 a.m. at 569-A Court Street, Appomattox, Virginia. Pre-orders are available by calling 434-352-9525. Cost is $8.00 per quart.

Scheduled Public Appearances:
Robin Snyder, Superintendent, Appomattox Court House National Historical Park appeared before Council to provide updates at the park. She also thanked Council for their consistent commitment to the FLAP (Federal Lands Access Program) project. Although the project was not successful, she is hopeful the application can be resubmitted some time in the future. She explained trail system improvements and special events planned over the next several months at the park.

Ms. Snyder has been serving as the Superintendent at the Booker T. Washington National Park in addition to the Appomattox Court House National Historical Park since June 1, 2019. The Appomattox Court House National Historical Park will be addressing accessibility issues from the parking lot to the McLean House. Boundary adjustment are planned by the Civil War Preservation Trust & Battlefield Protection Trust.

The National Park Service will be replacing the sewer force main and pump station in the next 18 months. The National Park Service will be paying for the replacement. In the future, the utility service agreement will need to be revised.

Mr. Conner thanked Ms. Snyder for all she is doing at the park.

Consent Agenda:
On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for Monday, March 9, 2020 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Conner, Council voted to adopt the following resolution:

RESOLUTION

A RESOLUTION REQUESTING THE ROUTE F1013 BE ABANDONDED FROM THE STATE SYSTEM OF PRIMARY ROADS

Whereas, PURSUANT TO Section 33.2-902 Code of Virginia, the Commissioner of the Virginia Department of Transportation has provided this Board with its notice to abandon from the primary System of State Highways a 0.02 mile section of Route F1013 located in the Courthouse voting district, as described on the attached form, fully incorporated by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Appomattox County, and

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WHEREAS, the Council opened up at least Thirty (30) day period of review on **January 29, 2020** for the public to determine if a public necessity exists, and

NOW, THEREFORE, BE IT RESOLVED, this Council supports Virginia Department of Transportation proving no public necessity exists to abandon F-1013, and

NOW, THEREFORE, BE IT RESOLVED, that this Council supports Virginia Department of Transportation's action to abandon from the Primary System of the State Highways F-1013 pursuant to section 33.2-902 of the Code of Virginia, and

BE IT FURTHER RESOLVED that a certified copied of the resolution be forwarded to the Resident Administration for the Virginia Department of Transportation.

The Vote was: Aye: J. Garrett, J. Boyce, M. Spiggle, T. Garrett, S. Conner and C. Puckette.

Nay: none

Motion carried 6-0.

Standing Committee Reports:
None

Citizen Comment Period:
None

Town Manager's Report:
Mr. Shanaberger reported on the following activities:

- On March 3, 2020, he met with the Virginia Department of Transportation (VDOT) to discuss the possibility of a Smart Scale project for the Lee Grant Avenue street improvements. Mr. Shanaberger explained the application process for the Smart Scale program.

  Mr. Shanaberger requested Council consider appropriating $5,000 for Hurt & Proffitt, Inc. to assist with application from the General Fund Engineering budget.

On a motion by Mr. Conner, seconded by Mrs. Puckette, Council voted to put a $1,000,000 to a potential Smart Scale project to be funded over four (4) years into a designated fund ($250,000 per year and also designate $5,000 for Hurt & Proffitt, Inc. to help with the application process. All members present voting aye. Motion carried 6-0.

Mayor Harvey left the meeting at 8:10 p.m. Vice-Mayor, Timothy Garrett, presiding.

- US Cellular applied for a zoning permit and allow a cell tower on the Thomasville property and will be performing a balloon test on March 21, 2020 with an alternate weather date of March 22, 2020. The zoning matter will require a joint public hearing of the Town Council and Planning Commission, tentatively scheduled for Tuesday, April 28, 2020.
- Matt Perkins with the Central Virginia Planning District Commission continues to look for a project with the remaining CDBG Greater Meadowlark project funding.
- Mr. Shanaberger, Sheriff Simpson, Rev. Small and Mr. Jonathan Garrett met to discuss the July 3rd festivities.
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- The Façade Advisory Board and the Project Management Team for the Appomattox Downtown Revitalization project met on March 11, 2020.

Council Concerns:
Mr. Jonathan Garrett met with Sheriff Simpson and Major Richardson this evening and they had a made a request to the County Board of Supervisors for raises for the law enforcement officers. There is a chance that the state may come through and fund an increase for them, but I would like to see the Town match whatever the County does for the two (2) Town positions. It would be $4,340 for each position. It is contingent upon the state not following through and the County funding the request.

Mrs. Puckette agreed with Mr. Jonathan Garrett.

Mr. Jonathan Garrett – The Appomattox Sheriff's Office would be competitive with adjoining localities.

Mr. Timothy Garrett will get with Gary and Jeff regarding some neglected cemeteries. He would like for the Town to go out and revitalize these cemeteries and get money donated to put fences up around them. One is in the middle of town and the other one is near the bypass.

Adjournment:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Boyce, Council voted to adjourn at 8:20 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
April 13, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, April 13, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, and Steven T. Conner.

Absent: Claudia G. Puckette.

Staff present were Town Manager, Gary Shanaberger and Clerk of Council, Roxanne Casto.

Others present were Carlton Duck.

In accordance with §2.2-3708.2 of the Code of Virginia, the Appomattox Town Council met for the following purposes:
1. Consideration to ratify the Mayor's Declaration of Emergency
2. Consideration to adopt an Ordinance authorizing electronic meetings for continuity of government.

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page.

On a motion by Mr. Conner, seconded Mr. Jonathan Garrett, Council voted to ratify the Mayor's Declaration of Emergency:

PROCLAMATION TO DECLARE A LOCAL EMERGENCY

WHEREAS, due to the outbreak of COVID-19 the Town of Appomattox is facing conditions of extreme peril to the lives, health, and safety of residents, which necessitates the proclamation of the existence of an emergency; and,

WHEREAS, Section 44-146.21 of the Code of Virginia provides for the declaration of a local emergency; and,

WHEREAS, Section 10-7 of the Code of the Town of Appomattox provides for the emergency proclamation by the Mayor; and

WHEREAS, the Town of Appomattox operates under the County of Appomattox's approved Emergency Operations Plan.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the Town of Appomattox, Virginia does consent to the declaration of a local emergency. This declaration will be presented for confirmation by the Town Council at the Council's next regularly scheduled meeting or at a special meeting within 45 days of the declaration, whatever occurs first.

BE IT FURTHER RESOLVED that during the existence of said emergency the powers, functions, duties of the Director of Emergency Services for the County of Appomattox and other Town and County officers and employees having emergency responsibilities shall be those prescribed by the Plan and all applicable State and Federal law; and

BE IT FURTHER RESOLVED that this proclamation is effective this date and shall remain in effect until rescinded by the Town of Appomattox as provided by law.

Adopted this 19th day of March 2020.

_____
Paul D. Harvey, Mayor

_____
Roxanne W. Casto, MMC
Town Clerk

All members present voting aye. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mr. Boyce, Council voted to adopt the following ordinance:

AN ORDINANCE TO ESTABLISH EMERGENCY PROCEDURES FOR THE CONTINUITY AND OPERATION OF THE GOVERNMENT OF THE TOWN OF APPOMATTOX FOR THE DURATION OF THE COVID-19 PANDEMIC

WHEREAS, on March 12, 2020, the Governor of the Commonwealth of Virginia, in Executive Order Number Fifty-One declared a state of emergency and disaster within the Commonwealth of Virginia pursuant to Code of Virginia Section 44-146.16 of the Code of Virginia; and,

WHEREAS, on March 19, 2020, the Mayor of the Town of Appomattox declared a local emergency; and,

WHEREAS, on April 13, 2020, the Appomattox Town Council met electronically, pursuant to Section 2.2-3708.2 of the Code of Virginia, and adopted a resolution ratifying the emergency declaration, and therein made a finding that due to the severe existing and likely impact of the COVID-19 pandemic on the Town of Appomattox, there now exists a disaster in the Town of Appomattox; and,

WHEREAS, the impacts to public health, the Town's economy, and the operation of the Town government are likely to be protracted, lasting potentially several months; and,

WHEREAS, there are actions which must be taken by the Town of Appomattox in the next several months which will, by law, require the action of the Town Council, and currently it is unsafe for physical meetings to occur in order to conduct normal, required business operations; and,

WHEREAS, Section 15.2-1413 of the Code of Virginia (1950) as amended, provides that "*notwithstanding any contrary provision of law, general or special*, any locality, may, by ordinance, provide a method to assure continuity in its government, in the event of an enemy attack *or other disaster*. Such ordinance shall be limited in its effect to a period not exceeding six months after any such enemy attack or disaster and shall provide for a method for the resumption of normal governmental authority by the end of the six-month period (*emphasis added*)"; and,

WHEREAS, Section 2.2-3708.2 of the Code of Virginia provides for electronic meetings in the event of an emergency but does not currently extend the authority for electronic meetings to issues not involving the emergency. Given the likely duration of this disaster, meetings of the Town Council and other Authorities, Boards, and Commissions must be held in the interim for the continuity and continuing operation of the functions of the Town's government, including but not limited to the adoption of the Town's budget; and,

WHEREAS, give the severe limitations on the gathering of people during the COVID-19 pandemic, which gathering is necessary and required for many essential tasks of the Town government, as well as to fulfill the necessary obligations of the Town to its residents and businesses, the Town Council finds it necessary to provide, by ordinance, a method of transacting necessary public business during the disaster without the physical attendance or gathering of people during the duration of the COVID-19 disaster.

THEREFORE, it is hereby ORDAINED pursuant to Section 15.2-1413 of the Code of Virginia; the following emergency measures are ADOPTED by the Appomattox Town Council:

1. The Appomattox Town Council shall meet electronically until such time as it is safe for the public to physically attend meetings and the Town's public buildings are reopened, as evidenced by a declaration of the Governor of Virginia that the emergency in the Commonwealth of Virginia has ended. A quorum of Town Council must participate in the electronic meeting in order to conduct business. Meetings shall be conducted in an electronic format which allows and enables citizens to both observe and participate in said meetings electronically. Due to the closure of public buildings, meeting notices and agendas shall be posted on the Town's website only. All other meeting requirements of the Virginia Freedom of Information Act shall be met. Instructions regarding how citizens may observe and participate in meetings shall be maintained on the Town's website; and,

2. Other Town Authorities, Boards, and Commissions may meet electronically as necessary pursuant to the requirements of Section 1 above. A quorum must participate in the electronic meeting to conduct business.

3. Public hearings may be conducted electronically, provided the meeting meets the requirements of Section 1 above. Public hearing notices shall be published in a newspaper with general local circulation as required by the Code of Virginia, and information regarding electronic participation shall be provided in the notice. The Town Manager shall have the sole discretion to proceed with a public hearing pursuant to this Section 3 or a public meeting pursuant to Section 4 or postpone the action until the emergency declaration is lifted.

4. Any other public meeting which is required pursuant to law, including but not limited to the Virginia Public Procurement Act, or any other law of the Commonwealth of Virginia, or the Code of the Town of Appomattox, shall be held electronically, and meeting participants shall be provided direction for how to participate in the meeting prior to the start of the meeting. The provisions of this ordinance shall expire upon declaration by the Governor of Virginia that the emergency in the Commonwealth is ended, or October 13, 2020, whichever is earlier.

This ordinance shall take effect immediately upon its adoption.

Adopted: _____ _____
Mayor

Attest: _____
Clerk

Adjournment:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Boyce, Council voted to adjourn at 8:20 p.m. All members present voting aye. Motion carried 6-0.

_____ _____
Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
April 28, 2020

The Appomattox Town Council held a Workshop meeting on Tuesday, April 28, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner and Claudia G. Puckette (via phone).

Staff present were Facilities Director, Jeff Elder (via phone); Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Town Clerk, Roxanne Casto.

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and allowed public phone participation through FreeConferenceCall.com.

Mayor Harvey called the meeting to order.

Mayor Harvey called for the non-profit organizations for donations/contributions for FY 2021 to make their presentations. Mr. Redding and Mr. Jones made their presentations via a phone conference call.

Appomattox County Chamber of Commerce

Mr. John Redding, President, Appomattox County Chamber of Commerce presented a proposal to join the efforts of the Visitors Center and the Chamber of Commerce. Minimal space is requested in the Visitor's Center for required Chamber specific functions. The outlined benefits to the Town would be the presence of the Chamber Administrator within the Visitor's Center which could result in a reduction of Visitor's Center payroll, extended hours of operation or to just provide the convenience of having an available fill-in receptionist during the prime tourist season. The benefits to the Chamber include the hours the Visitor's Center is operational is beyond what the Chamber currently offers, therefore a personal touch is added to those attempting to contact the Chamber. The elimination of the current Chamber office, office maintenance expenses would be reduced, freeing up more resources for Chamber services within the community. Consolidating the repository of pamphlets and community information would be beneficial. The location of the established visitor's center would aid in the presence of the Chamber to the community.

Mr. Timothy Garrett inquired if the space Mr. Simpson had been using would be adequate? Mr. Redding seemed to think that would be enough.

Experience Appomattox

Mr. Don Jones, Chairman, Experience Appomattox committee presented a request for $8,000 of funding for FY 2021 to continue with campaigning for Experience Appomattox activities. Council thanked Mr. Jones for sharing the success of these events.

On a motion by Mr. Jonathan Garrett, seconded by Mr. Timothy Garrett, Council voted to amend the law enforcement agreement to reflect approval of continuing to fund the stipend to the Appomattox County Sheriff, effective with his term beginning January 1, 2020. All members voting aye. Motion carried 6-0.

FY 2021 Budget Discussions:
The Appomattox Town Council discussed the upcoming fiscal year 2021 budget cycle, capital improvement plan, special projects and employee cost of living increases.

Council concurred with including the following items in the FY 2021 budget:

- $8,000 for Experience Appomattox
- An MOU agreement with the Appomattox County Chamber of Commerce for office space at the visitor's center on Main Street.
- $10,00 for the annual Appomattox Railroad Festival
- $240,000 for the Appomattox Volunteer Fire Department for truck replacement.

Mrs. Ray will make the changes discussed and present the proposed FY 2021 budget.

On a motion by Mr. Timothy Garrett, seconded by Mr. Steve Conner, Council voted to ratify reduction of the utility rates by 25% for the April and May 2020 billing periods. All members voting aye. Motion carried 6-0.

Staff Reports:
Kim Ray, Town Treasurer presented the Treasurer's Report for March 2020.

Roxanne Casto, Clerk – none

Jeff Elder, Facilities Director – none

Gary Shanaberger, Town Manager reported that he is expecting to hear from USDA on the sewer rehabilitation project any day. The July 3 Fireworks event will be planned for only fireworks due to COVID-19.

Council Comments:
Mr. Jonathan Garrett thanked the EMS, Dispatchers, and Law Enforcement providers during the COVID-19 pandemic.

Mr. Boyce commented that the curbside trash service is awful.

Mr. Timothy Garrett thanked Town Staff.

Adjournment:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Timothy Garrett, Council voted to adjourn at 7:25 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
May 11, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, May 11, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, and Steven T. Conner.

Absent: Claudia G. Puckette.

Staff present were Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Clerk of Council, Roxanne Casto.

Others present were Carlton Duck.

Mayor Harvey called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church gave the invocation, and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Harvey thanked the first responders and those on the front lines during the COVID-19 pandemic.

Scheduled Public Appearances – none

Consent Agenda –
On a motion by Mr. Boyce, seconded by Mr. Timothy Garrett, Council voted to adopt the consent agenda with the amendment of NB#3 – Consideration to advertise a public hearing for the FY 2021 Budget for the Town of Appomattox to include and set the Real Estate tax rate at $0.11/$100 of the assessed value creating an equalized rate due to reassessments for 2020 and NB#4 – Consideration to adopt a resolution to apply for VDH funding. All members present voting aye. Motion carried 5-0.

Old Business – none

New Business –
On a motion by Mr. Conner, seconded by Mr. Timothy Garrett, Council voted to adopt a budget amendment resolution:

1. Consideration to adopt a resolution amending the FY 2020 Operating Budget for the General Fund for the Settlement of BB&T Bank Stock Taxes paid to the Town of Appomattox from 2012 through 2014.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2020 Operating Budget for the General Fund.

General Fund Expenditures	
BB&T Settlement Agreement	$ 12,503.00
Net Increase in Budget	$ 12,503.00
General Fund Revenues	
Use of Undesignated Reserve	$ 12,503.00
Net Increase in Budget	$ 12,503.00

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2020 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2020.
All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Jonathan Garrett, Council voted to advertise the FY 2021 annual proposed budget for a public hearing on June 8, 2020 and to set the Real Estate Tax Rate at an equalized rate of $0.11/$100 of assessed value. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Conner, seconded by Mr. Timothy Garrett, Council voted to approve the following resolution:

RESOLUTION
of the Council of the Town of Appomattox
Town of Appomattox, Virginia

VDH - Office of Drinking Water Funding

May 11, 2020

WHEREAS, the Town of Appomattox is interested in seeking funding opportunities for the Town of Appomattox Water Source Project;

WHEREAS, the Virginia Department of Health, Office of Drinking Water (ODW) manages funding sources under the Financial and Construction Assistance Program (FCAP);

WHEREAS, the Town Manager has reviewed the project planning material and found that the pre-requirements have been met for submitting a funding application;

THEREFORE, BE IT RESOLVED, that the Town Manager immediately begin to process a funding application for this project and be authorized to sign any and all documents for said funding application contingent upon review and concurrence by the Town Attorney.

Motion by:_____

Seconded by:_____

Ayes_____ Nays_____ Absent_____

This 11th day of May 2020.
All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports – none

Citizen Comments – none

Town Manager's Report –
Mr. Shanaberger reported that staff spoke with the Department of Housing and Community Development regarding an application for a grant opportunity for the Church Street waterline replacement project.

Staff will provide the Virginia Department of Health Resolution to Hurt & Proffitt, Inc. to submit the water source application with a due date of Friday, May 15, 2020.

The fireworks for July 3, 2020 are still planned. No other events are planned at this time due to COVID-91.

An Appomattox Downtown Revitalization meeting will be held next week.

Council Comments – none

Adjournment:
On a motion by Mr. Jonathan Garrett, seconded by Mr. Timothy Garrett, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
May 26, 2020

The Appomattox Town Council held a Workshop meeting on Tuesday, May 26, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, and Steven T. Conner.

Town Council members absent were Claudia G. Puckette.

Staff present were Facilities Director, Jeff Elder (via phone); Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Town Clerk, Roxanne Casto.

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and allowed public phone participation through FreeConferenceCall.com.

Mayor Harvey called the meeting to order.

On a motion by Mr. J. Garrett, seconded by Mr. Boyce, Council voted to adopt the following resolution of the Proposed Charter Amendment:

RESOLUTION

Whereas, the Appomattox Town Council met on the 26th day of May, 2020 and hereby requests by resolution of the General Assembly of the Commonwealth of Virginia to amend the Town's Charter as follows:

Proposed Charter Amendment, Town of Appomattox

These changes are to take effect on July 1, 2021, if approved by the Town voters at the special election in May 2020, and subsequently approved by the General Assembly.

§ 1 **Election and appointment of officers, etc.**

There shall be elected by the qualified voters of said town~~, every two years, on the first Tuesday in May of every even-numbered year,~~ one elector thereof, who shall be denominated the mayor, and six electors, who shall be denominated the councilmen of said town.~~;~~ The mayor and six councilmen shall constitute the council of said town. The town council ~~may appoint a treasurer, commissioner of revenue and~~ shall have the authority to appoint or employ a town clerk, a treasurer, a commissioner of revenue, a town manager, ~~and the same person may serve in one or more of such capacities, and whenever deemed wise~~ a health or sanitary officer, and such other officers as it may deem ~~wise and necessary~~ appropriate for the proper conduct of ~~the~~ government of the ~~said~~ town.~~, and appoint committees and boards, and prescribe and fix their duties, and shall have power to fix the salary and compensation of said treasurer, town clerk, town~~

~~manager and such other officers, necessary, but such compensation shall be fixed by said council before the officer chosen shall assume the duties of his office;~~ The same person may serve in one or more of such capacities. The town council shall have the power to fix the salary and compensation of said employees and appointees as necessary, but such compensation shall be fixed by said council before the individual chosen shall assume the duties of office. The town council may also appoint committees and boards, and prescribe and fix their duties.

§ 4 **Terms of office; vacancies and how filled.**

The mayor and members of council ~~shall enter upon the duties of their office on the first day of July, next succeeding their election, and shall continue in the office until their terms have expired, and their successors shall have been elected and qualified.~~ in office on July 1, 2021 shall continue in office until the expiration of the terms for which they were elected or until their successors are elected and qualified. At the next election of members to the town council held on the first Tuesday in May 2022, the three council candidates receiving the greatest number of votes shall be elected for three and one-half year terms, and the three council candidates receiving the next greatest number of votes and the mayor shall be elected for one and one-half year terms. Thereafter, the council members shall be elected for terms of four years, and the mayor shall be elected for terms of two years, or until their successors are elected and qualified. An election shall be held on the Tuesday following the first Monday in November 2023 for the three council seats first expiring and for the mayor, and on the Tuesday following the first Monday in November 2025 for the three council seats next expiring. Elections thereafter shall be held every two years on the Tuesday following the first Monday in November. The term of each person elected under this section at a November election shall begin on January 1 next following the election. In case of a vacancy in the office of mayor, or councilmen, elected by the electors of said town, caused by death, resignation or otherwise, such vacancy shall be filled by a majority vote of the town council from the electors of the town for the unexpired term.

Roll Call Vote: J. Garrett – yes, Boyce – yes, Spiggle – yes, T. Garrett – yes, S. Conner – no. This Resolution was adopted by a majority vote of the Appomattox Town Council at its May 26, 2020 meeting.

_____
Paul D. Harvey, Mayor

Attest: _____
Roxanne W. Casto, Clerk

Council Standing Committee Reports:
None

Staff Reports:
Kim Ray, Town Treasurer presented the Treasurer's Report for April 2020.

Roxanne Casto, Clerk – none

Jeff Elder, Facilities Director – none

Gary Shanaberger, Town Manager reported on the following activities:

- Thank you and congratulations to staff for completing the water research grant application in one week.
- A decision regarding the curbside trash bids is expected in the next week.
- The vultures appear to be under control.
- The comprehensive plan update will be ready for review in July.
- Fireworks are still planned for Friday, July 3, 2020.
- The History Channel will be airing an Appomattox mini-series about Ulysses S. Grant.

Council Comments:
Ms. Spiggle thanked those Town citizens that voted in the recent Town election.

Mr. J. Garrett would like for Council to recognize Ms. Sabrina Smith at the Council meeting on June 8, 2020.

Anne Dixon, Appomattox County Parks, Recreation and Tourism will be invited to attend and explain the shop local discount program to Council on June 8, 2020.

Town Council discussed the reduced water and sewer rates provided during April and May 2020 due to COVID-19. They were agreeable to returning the regular rates into effect for the June billing period and restarting the penalty for late payments but continue with no cutoffs for non-payments.

Town Council discussed the Business License Stimulus (tax refund) program for Town businesses that were in operation in October 2019; and having purchased a 2020 business license. The refund is up to $500, based on the amount paid.

Adjournment:
On a motion by Mr. S. Conner, seconded by Mr. T. Garrett, Council voted to adjourn at 7:05 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
June 8, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, June 8, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Steven T. Conner, and Claudia G. Puckette.

Staff present were Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Clerk of Council, Roxanne Casto.

Others present were Carlton Duck, Mindy Conner, Richard Conner, Don Jones, John Hinkle, Michelle Payne, and Susan Adams.

Mayor Harvey called the meeting to order.

Public Hearing

Mayor Harvey opened the public hearing and stated the purpose:

The purpose of this public hearing will be to receive public comments concerning the following:

Proposed FY 2021 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2021:

GENERAL FUND EXPENDITURES	3,325,783.00
INTERNAL SERVICE FUND EXPENDITURES	138,700.00
WATER FUND EXPENDITURES	623,277.00
SEWER FUND EXPENDITURES	1,032,689.00
TOTAL EXPENDITURES	**5,120,449.00**
GENERAL FUND REVENUE	3,325,783.00
INTERNAL SERVICE FUND REVENUE	138,700.00
WATER FUND REVENUE	623,277.00
SEWER FUND REVENUE	1,032,689.00
TOTAL REVENUE	**5,120,449.00**

Documentation is available during regular business hours in the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia. A copy is also available on the Town of Appomattox website, www.townofappomattox.com, under the tab "Department", "Finance" page.

The meeting will be open to the public, but with only limited seating available in order to promote social distancing as established by Executive Order #55 issued by the Governor of the Commonwealth of Virginia (March 30, 2020) and the Center for Disease Control and Prevention (CDC).

Citizens will have the opportunity to participate in the meeting in the following ways:

- Dial-in number (US): **1 + (339) 207-6609**. Please mute your call. Those calling in will be able to speak during the scheduled period.
- Join the online meeting: https://join.freeconferencecall.com/appomattoxtown and using Online meeting ID: appomattoxtown. Please mute your online call.
- Facebook: https://www.facebook.com/townofappomattox/ and using the option to watch the live video of the meeting in progress.

The public and all interested parties are invited to attend this public hearing to make their views known on the proposed FY 2021 Budget for the Town of Appomattox. Any person needing special accommodations should contact the Town Office no later than the close of business on the day of the hearing at 434-352-8268.

Staff Reports – Mr. Shanaberger commented that this is a straightforward budget.

Public Comments – None

Mayor Harvey closed the public hearing.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church gave the invocation, and led the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
The event held on Sunday for the Black Lives Matters was conducted very well and very peaceably. The young ladies that put that on did a very good job organizing it. We should say kudos to Sheriff Simpson and his department for being present and making sure everything was quiet and protected.

Scheduled Public Appearances:

The Appomattox Town Council presented the following certificate of appreciation and recognition of service to Mrs. Sabrina Smith:

TOWN OF APPOMATTOX
CERTIFICATE OF APPRECIATION

This evidence of commendation and appreciation is hereby bestowed upon Mrs. Sabrina Smith for her dedication to public service since February of 1984 as an Assistant and August of 1992, specifically as General Registrar/Director of Elections, in the County of Appomattox.

Her services have been held in high regard, and it is our wish on behalf of all the residents of this community, that she will enjoy a long and healthy retirement.

Witness my hand and seal of the Town of Appomattox this June 8, 2020.

_____

Paul D. Harvey, Mayor

Mrs. Smith expressed her appreciation of the recognition and having served the Town Council in running their town elections.

Mr. Don Jones appeared before the Appomattox Town Council to explain the Community Gift Certificate Program originally created/sponsored by Mecklenburg County and the three (3) major Towns located in the County. The program is called Chambers in Action (CIA).

It is simply a program for small, privately owned, retail stores and businesses owners who are non-franchised and are not large retail stores. The CIA broke it down into categories, they did not have to be chamber members.

The program consisted of Mecklenburg County, the three (3) Town and the Chamber. The funding sponsors were the County and the 3 towns. The Chamber ran the program. All the businesses throughout Mecklenburg County were eligible if they met the criteria. The Chamber put together a credit card/voucher type program. There was $24,000 available from a combination of the County, the 3 towns and a few private donors. The program was opened with a credit card/voucher that was numbered. It was eligible to be used in any of the businesses that signed up to use the program. They were all listed on the tourism website. It was a very simple program. A person could pay $20.00 and it suddenly became $40.00 to the business. $24,000 worth of the vouchers were sold out within the first two and a half hours of being available.

It is a participant program. $20 turns into $40 to the business immediately.

Funding for the program came from the Mecklenburg County Board of Supervisors, the 3 Town Councils, and a few private individuals. This amount was $24,000 and when the vouchers were all sold it turned into $48,000.

Other ways to build an economic stimulus plan:
I sit on the Board of Trustees for the Shenandoah Valley Battlefield Foundation. We looked for ways to help museums from Lexington to Winchester. We sent out a donor letter and in less than 30 days raised $40,000. We took $40,000 and sent grant applications to all the museums in the valley and there were 28 responses. The grant request gave us a synopsis of what the museum was about, what they did, what they wanted the money for, how much money they needed, if they had an estimate (send that estimate). We funded all 28 grant requests. We could do the same thing here, just in a different manner.

Mr. Don Jones thanked the Council.
Consent Agenda –

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to adopt the consent agenda for June 8, 2020 as presented. All members present voting aye. Motion carried 6-0.

Old Business – none

New Business –
On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to approve payment of $43,457.37 to the Town of Appomattox Economic Development Authority to provide an economic stimulus to businesses located within the Town of Appomattox conducting business as of October 1, 2019 and having paid for a 2020 Business License on or before June 1, 2020. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports – none

Citizen Comments – none

Town Manager's Report –
Mr. Shanaberger provided the following updates:

- A conference call is planned for tomorrow, June 9 regarding the USDA Sewer project closing process.
- A conference call is planned for tomorrow afternoon, June 9, regarding the Hazardous Mitigation Plan.
- The Town should be receiving a proposal from Hurt & Proffitt, Inc. to apply for and manage a grant application for the Church Street waterline replacement project. The Town is looking at 2 funding options, Rural Development and the Department of Housing and Community Development.
- The Appomattox County Chamber of Commerce would be agreeable to the terms we discussed as far as the in-kind donation to the chamber and the 30-day month-to-month lease for office space at the train depot.
- There will be a Town of Appomattox Economic Development Authority meeting on June 9, 2020 at 6:00 p.m.
- The Downtown Revitalization meeting for June has been cancelled due to a lack of action items.

Mayor Harvey inquired if Abbitt Park has been reopened or if a date to reopen has been discussed. Mr. Shanaberger stated that staff would be having a meeting tomorrow, June 9.

Mayor Harvey also inquired if any money remained from the USDA project after the bids were received would the Town be able to use those. Mr. Shanaberger said the funding from USDA is only for that project.

Council Comments – none

<u>Adjournment:</u>

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to adjourn. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Workshop Meeting
June 23, 2020

The Appomattox Town Council held a Workshop meeting on Tuesday, June 23, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey, presiding.

Town Council members present were Jonathan D. Garrett, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, and Claudia G. Puckette.

Town Council members absent were Steven T. Conner.

Staff present were Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Town Clerk, Roxanne Casto.

Other guests present: Honorable Janet Hix, Sam Vance, Richard Conner and special guests, Tracy Shaw, Bif Johnson, Susan Adams, Don Jones, and Carlton Duck.

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and allowed public phone participation through FreeConferenceCall.com.

Mayor Harvey called the meeting to order and welcomed the guests present.

The Honorable Janet A. Hix, Appomattox County Circuit Court Clerk was present to administer the oath of offices to the Mayor, Richard C. Conner and Council Members Claudia Puckette, Mary Lou Spiggle, Paul Harvey, Timothy Garrett & Jonathan Garrett. Mr. Nathan Simpson was not present however, he is able to stop by the Circuit Court Clerks office anytime before June 30, 2020 to be sworn in.

Mr. Timothy W. Garrett, Vice-Mayor presented Plaques of Recognition of Service to Paul Harvey for his service as Mayor from July 1, 2008 to June 30, 2020 and to Mr. James J. Boyce, Sr., for his service as Council Member from July 1, 2018 to June 30, 2020. Mr. Steven Conner was unable to attend to receive his plaque, however, he will be recognized at a future meeting.

Public Hearing:

Mayor Harvey opened the public hearing and stated the purpose:

To hear citizen comments regarding Notice of Public Hearing under Section 15.2-2606 Code of Virginia of Proposed Issuance of Town of Appomattox $3,780,000 Wastewater System Improvement Revenue Bond, Series 2020.

There were no public comments.

Mayor Harvey closed the hearing.

Action Items:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council adopted a Resolution authorizing the issuance, sale, and award of an up to $3,780,000 Wastewater System Improvement Revenue Bond, Series 2020, and providing the form, details, and payment thereof:

A RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND AWARD OF AN UP TO $3,780,000.00 WASTEWATER SYSTEM IMPROVEMENT REVENUE BOND, SERIES 2020 AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Town of Appomattox, Virginia (the "Town"), is a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925; and

WHEREAS, the Town has determined to acquire, construct and improve its wastewater reclamation facility on Ethel Street in the Town and to finance such in part through the issuance of its revenue bond (the "Project");

WHEREAS, the United States of America acting through the Rural Utilities Service (the "Government"), has offered to purchase the Town's up to $3,780,000.00 Wastewater System Improvement Revenue Bond, Series 2020, bearing interest at the rate and on the terms and conditions otherwise described in Section 2.2 below (the "Bond") and to further provide Rural Development Grants not to exceed $1,879,000 and $3,501,000 (the "Grants") on the terms described in a Letter of Conditions, dated April 29, 2015, as amended July 17, 2018, attached hereto as Exhibit A (the "Letter of Conditions") for a total project cost of $9,160,000; and

WHEREAS, the Town has determined to satisfy the terms of the Letter of Conditions and award the Bond to the Government, and to accept the Grants;

NOW, THEREFORE, BE IT RESOLVED BY TOWN COUNCIL OF THE TOWN OF APPOMATTOX, VIRGINIA:

ARTICLE 1)
AUTHORIZATION OF PROJECT

Section a) The Project: In order to improve the Town's waste water reclamation facility located in Ethel Street serving the citizens of the Town, the acquisition, construction and improvement of the Project has been duly authorized by Loan Resolution (RUS Bulletin 1780-27) of the Town Council, dated August 10, 2015, a copy of which is attached hereto as Exhibit B and which is hereby ratified, confirmed and approved. The Town hereby ratifies confirms and approves the RUS Grant Agreements (RUS Bulletin 1780-12), a copies of which are on file with the Town.

ARTICLE 2)
AUTHORIZATION, FORM, EXECUTION, DELIVERY,

REGISTRATION AND PREPAYMENT OF BONDS

Section a) Authorization of Bond; Acceptance of Grants: There is hereby authorized to be issued the revenue bond of the Town in the principal amount of up to $3,780,000.00 to provide funds to finance the Project. The Bond shall be designated "Town of Appomattox, Virginia $3,780,000.00 Wastewater System Improvement Revenue Bond, Series 2020" and shall be sold to the Government upon the terms set forth in the Letter of Conditions. The acceptance of the Grants is hereby approved. The proceeds from the issuance and sale of the Bond and the Grants shall be used to pay the costs of the Project.

Section b) Details of Bond: The Bond shall be issued as follows:

(a) A single fully registered bond without coupons in the denomination of $3,780,000.00, registered in the name of United States of America, Rural Utilities Service, which shall be numbered R-1, shall be dated the date upon which the Bond is delivered to the Government upon payment of the purchase price (the "Closing Date") and shall bear interest at the rate not to exceed Two and One Eighth (2.125%) Per Cent per year on the unpaid principal balance; provided, however, that should the Government offer a lower rate of interest on the Bond, such lower rate shall be conclusively accepted by the Town, including the associated lower installment amount for payment thereof, it being the intent of the Town to obtain to lowest cost of borrowed funds for the permanent financing for the Project. The Bond shall be in substantially the form set forth on Exhibit C hereto.

(b) Interest only shall be payable during the first twenty-four (24) months thereof and shall be payable annually on the first and second anniversary dates thereof. Thereafter the Bond shall provide for monthly payment of combined principal and interest beginning twenty five (25) months following the Closing Date and continuing each month thereafter for a period of 455 months until paid. If not sooner paid, the final installment shall be due and payable 480 months from the Closing Date. The payment of every installment shall be applied first to interest accrued to the payment date and then to principal. In the event the Closing Date occurs on the 29th, 30th or 31st day of a month, the installment payment date shall be the 28th day of the month.

(c) Installments shall be payable in lawful money of the United States of America in accordance with the Preauthorized Debit System described in the Letter of Conditions at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender of the Bond at the office of the Registrar.

Section c) Execution of Bond: The Bond shall be signed by the Mayor of the Town and countersigned by its Clerk and its seal shall be affixed thereto. The Mayor is expressly authorized and directed to finally determine and approve the details of the Bond except that (a) the maximum principal shall not exceed $3,708,000 (b) the maximum interest rate shall not exceed 2.125% per annum and (c) the final maturity date shall be a date no later than forty (40) years from the date of issuance. Such determination and the execution and delivery of the Bond on the closing date and delivery to the Government shall constitute conclusive evidence of approval and no further action by the Town shall be required.

Section d) Registration and Exchange of Bond: The Treasurer of the Town is hereby appointed Registrar. Transfer of the Bond may be registered upon books maintained for that purpose at the office of the Registrar. The initial address of the registered owner of the Bond shall be Finance Office, USDA Rural Development, 1520 Market Street, St. Louis, Missouri 63103-2696. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner. The Bond shall initially be registered in the name of Rural Utilities Service with an address of 1520 Market Street, St. Louis, Missouri 63103-2696.

Section e) Delivery of Bond: The Mayor and the Clerk are hereby authorized and directed to take all proper steps to have the Bond prepared and executed in accordance with its terms and to deliver the Bond to the Government upon payment therefor. The Mayor and the Clerk are further authorized and directed to agree to and comply with, on behalf of the Town, any and all further conditions and requirements of the Government not inconsistent with this resolution in connection with its purchase of the Bond.

Section f) Prepayment of Bond: Installments of principal due on the Bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (and if in part in inverse order of their maturities), without premium, from any source. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided in Section 2.2.

ARTICLE 3)
REVENUES AND FUNDS; BOND PROCEEDS; RESERVE

Section 3.1 Revenue Fund: All rates, fees and other charges or other revenue derived from the ownership or operation of the Town's wastewater system (the "System") shall be collected and, so far as may be practicable, deposited not less frequently than weekly in a special account designated the Revenue Fund. Moneys on deposit in the Revenue Fund shall be used only in the manner and priority set out below.

Section 3.2 Rates and Charges: The Town covenants that it shall establish and collect rates and charges with respect to the System sufficient to pay the principal of and interest on the Bond. Further, as required under the Letter of Conditions, the Town hereby approves and confirms that a Ten Percent (10%) penalty shall be assessed on all user accounts with respect to the System that are not paid, in full, within twenty (20) days from the date of billing therefor. To the fullest extent allowed under Virginia law, the Town shall discontinue service to any user if such billing invoice is not paid within sixty (60) days after the due date thereof, and further, such service shall not be restored until all past charges have been paid and all accrued penalties, including a reconnection charge, have been paid to the Town, in full.

Section 3.3 Debt Service Fund: Each month the Town shall transfer from the Revenue Fund to a separate account designated the Debt Service Fund an amount equal to the installments of interest, or principal and interest, as the case may be, coming due on the Bond that

month. If there should be insufficient moneys in the Revenue Fund for this purpose, the deficit shall be added to the required payment for the month or months next ensuing until such deficit is eliminated. When the balance in the Debt Service Fund equals the principal of and interest on the Bond then outstanding to its maturity, no further transfers to the Debt Service Fund shall be required. The Town shall pay installments of principal and interest on the Bond as the same become due from the Debt Service Fund.

Section 3.4. Debt Service Reserve Fund: Following the transfer required in Section 3.3 above, each month, beginning with the month of the first payment of principal and interest on the Bond, the Town shall transfer from the Revenue Fund to a separate account designated the Debt Service Reserve Fund, as a reserve against the payment of principal and interest on the Bond and operation and maintenance of the Project, an amount equal to Ten Percent (10%) of the amount of the monthly installment of principal and interest coming due that month. Thereafter, so long as the Debt Service Reserve Fund maintains a balance of at least an amount that is equal to the maximum annual debt service on the Bond that shall be due and payable by the Town, and additional reserve deposits shall be established and maintained as required under the Letter of Conditions, such monies may be used by the Town from time to time upon notice to and consent therefore by the Government, which consent shall not be unreasonably withheld.

Section 3.5 Balance in Revenue Fund: Any balance remaining in the Revenue Fund each month, after making the transfers required by Section 3.3 and 3.4 may be used by the Town for any lawful purpose.

Section 3.6 Pledge of Revenues:

(a) All revenues and receipts derived by the Town from the use of and services furnished by the System (the "Revenues") and all moneys in the Revenue Fund, the Debt Service Fund and Debt Service Reserve Fund are hereby pledged to the payment and performance of the Town's obligations on the Bond, subject to the rights of the Town to use the Revenues for the operation and maintenance expenses of the System, as provided herein.

(b) The pledge of Revenues pursuant to this Resolution with respect to the Bond and shall be valid and binding from and after the Closing Date. The Revenues, as received by the Town, shall be immediately subject to the lien of such pledge without any physical delivery of them or further act. Such pledge of the Revenues to secure the payment and performance of the Town's obligations under the Bond shall have priority over all obligations and liabilities of the Town. The lien of this pledge of the Revenues with respect to the Bond shall be valid and binding against all parties having claims against the Town regardless of whether such parties have notice thereof.

NONE OF THE TOWN, THE COMMONWEALTH OF VIRGINIA, NOR THE COUNTY OF APPOMATTOX NOR ANY OTHER POLITICAL SUBDIVISION OF THE COMMONWEALTH OF VIRGINIA, SHALL BE OBLIGATED TO PAY THE PRINCIPAL OF OR INTEREST ON THE BOND OR ANY OTHER COSTS INCIDENT THERETO OR TO FUND THE DEBT SERVICE RESERVE FUND, INCLUDING ANY OTHER ADDITIONAL PAYMENTS UNDER THE LETTER OF CONDITIONS, IF ANY, EXCEPT FROM THE REVENUES AND OTHER SECURITY PLEDGED THEREFOR BY THE TOWN, AND

NEITHER THE FAITH AND CREDIT NOR THE TAXING POWER OF THE COMMONWEALTH OF VIRGINIA OR ANY POLITICAL SUBDIVISION THEREOF SHALL BE PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THE BOND OR OTHER COSTS INCIDENT THERETO OR TO FUND THE DEBT SERVICE RESERVE FUND, INCLUDING ANY OTHER ADDITIONAL PAYMENTS UNDER THE LETTER OF CONDITIONS, IF ANY. NEITHER THE BOND NOR THE OBLIGATIONS OF THE TOWN UNDER THE LETTER OF CONDITIONS OR THIS BOND RESOLUTION CONSTITUTE A DEBT OR A PLEDGE OF THE FAITH AND CREDIT OF THE COMMONWEALTH OF VIRGINIA, THE TOWN, OR ANY OTHER POLITICAL SUBDIVISION OF THE COMMONWEALTH OF VIRIGNIA.

Section 3.7 Construction Fund; Account Pledge: All amounts from the proceeds of the Bond shall be deposited in a separate account with a qualifying depository designated the Construction Account and shall be used solely for the purpose of paying authorized costs of the Project. All amounts in the Construction Fund are hereby pledged to secure the payment of principal and interest on the Bond.

ARTICLE 4)
SECURITY FOR DEPOSITS AND INVESTMENT OF FUNDS

Section a) Security for Deposits: All moneys on deposit with any bank or trust company shall be secured for the benefit of the Town and the holder of the Bond in the manner required by the Virginia Security for Public Deposits Act (Chapter 44, Title 2.2, Code of Virginia of 1950, as amended) or any successor provision of law.

ARTICLE 5)
MISCELLANEOUS

Section a) Contract with Bondholder: The provisions of this resolution shall constitute a contract between the Town and the holder of the Bond for so long as the Bond and interest thereon are outstanding.

Section b) Town Officers and Agents: The officers and agents of the Town shall do all acts and things required of them by this resolution, the Bond and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) for the complete and punctual performance of all the terms, covenants and agreements contained therein.

Section c) Limitation of Rights: Nothing expressed or mentioned in or to be implied from this resolution or the Bond is intended or shall be construed to give to any person or company other than the parties hereto and the holder of the Bond any legal or equitable right, remedy or claim under or in respect to this resolution or any covenants, conditions and agreements herein contained; this resolution and all of the covenants, conditions and agreements hereof being intended to be and being for the sole and exclusive benefit of the parties hereto and the holder of the Bond as herein provided.

Section d) Limitation of Liability of Officials of Town: No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of a present or future member, officer, employee or agent of the Town in his individual capacity, and neither the members of the Town Council nor any officer thereof executing the Bond shall be liable personally on the Bond or be subject to any personal liability or accountability by reason of the issuance thereof. No member, officer, employee or agent of the Town shall incur any personal liability with respect to any other action taken by him pursuant to this resolution or the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended), provided he acts in good faith.

Section e) Conditions Precedent: Upon the issuance of any Bond all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia or this resolution to have happened, exist and to have been performed precedent to or in the issuance of such Bond shall have happened, exist and have been performed.

Section 5.6 Series Designation: In the event the Bond are not issued during calendar year 2020, the Mayor and Clerk of the Town are hereby authorized and directed to change the series designation to such other year as may be appropriate at the time of their issuance. Thereafter all references in this resolution to the Bond shall be deemed to refer to the revenue Bond issued pursuant to Article 3 under their new series.

Section 5.7 Repeal of Resolutions in Conflict: All other resolutions, or parts thereof, in conflict with this resolution are hereby repealed except for such resolutions as may have been adopted by the Town at the specific request of the Government as a condition to its purchase of the Bond.

Section 5.8. Reserves; Audit Requirements, Accounts and Records. The establishment, funding and maintenance of reserves as required by the Government as described in the Letter of Conditions are hereby authorized and approved. The Mayor and Clerk are hereby authorized and directed to coordinate with the Town's outside auditors in order for the Town to satisfy (and otherwise comply with) the audit requirements and any other accounting and financial reporting terms and conditions as set forth in the Letter of Conditions.

Section 5.9 Successors and Assigns: All the covenants, stipulations, promises and agreements of the Town contained in this resolution shall bind and inure to the benefit of its successors and assigns, whether so expressed or not.

Section 5.10 Headings: Any headings in this resolution are solely for convenience of reference and shall not constitute a part of the resolution nor shall they affect its meaning, construction or effect.

Section 5.11 Severability: If any court of competent jurisdiction shall hold any provision of this resolution to be invalid and unenforceable, such holding shall not invalidate any other provision hereof.

Section 5.12 Filing of Bond Resolution. The Mayor or Clerk Council, either of whom may act, any other appropriate representative or agent of the Town, is hereby authorized and directed to see to the filing of a certified copy of this resolution in the Office of the Clerk of the Circuit Court of the County of Appomattox.

Section 5.13 Effective Date: This resolution shall take effect immediately. The Clerk of the Town is hereby authorized and directed to file a certified copy of this resolution in the office of the Town.

This Resolution was passed by a vote of the Appomattox Town Council on the 23rd day of June, 2020.

_____
Mayor, Town of Appomattox

(SEAL)

ATTEST:

_____
Clerk of Council

Exhibit A: Letter of Conditions
Exhibit B: RUS Bulletin 1780-27, Loan Resolution
Exhibit C: Form of Bond

CERTIFICATE OF VOTES

The undersigned hereby certifies that the foregoing constitutes a true and correct copy of the foregoing Bond Resolution, duly adopted by the members of the Appomattox Town Council by a roll call vote at a regular meeting duly held and called on the date hereof, as follows:

Name	Aye	Nay	Abstain	Absent

EXHIBIT A
LETTER OF CONDITIONS

EXHIBIT B
LOAN RESOLUTION
RUS 1780-27

EXHIBIT C TO RESOLUTION OF
TOWN OF APPOMATTOX
Dated _____, 2020

No. R-1

$3,780,000.00

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
TOWN OF APPOMATTOX
WASTEWATER SYSTEM IMPROVEMENT REVENUE BOND,
SERIES 2020

The Town of Appomattox (the "Town"), a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925, for value received, hereby promises to pay to the United States of America, Rural Utilities Service, (the "Government"), or registered assigns, the principal sum of

THREE MILLION SEVEN HUNDRED AND EIGHTY THOUSAND DOLLARS
($3,780,000.00)

and to pay to the registered owner hereof interest on the unpaid principal from the date hereof until payment of the entire principal sum at the rate of Two and One Eighth Percent (2.125 %) per year. Interest only shall be payable during the first twenty-four (24) months hereof and shall be payable annually on the first and second anniversary dates hereof. Thereafter monthly payments of combined principal and interest of Twelve Thousand Ninety Six ($12,096.00) Dollars and No Cents shall be payable beginning on the twenty fifth (25th) month from the date hereof and continuing monthly thereafter for Four Hundred Fifty Five (455) consecutive months thereafter until the principal of this bond is paid in full, each installment to be applied first to interest accrued to such payment date and then to principal. The final installment, if not sooner paid, of all amounts owed hereunder shall be due and payable Four Hundred Eighty (480) months from the date hereof. Such installments shall be payable in lawful money of the United States of America by pre-authorized electronic debit for the account of the registered owner of the Bond at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

Amounts shall be advanced against this bond as requested by the Town and approved by the Government and the Town agrees to use the proceeds of advances solely for the purposes authorized by the Government.

This bond has been authorized by a resolution adopted by the Town Council on June 23, 2020 (the "Bond Resolution"), and is issued pursuant to the Charter and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) to provide funds to finance improvements to the Town's wastewater system. A copy of the Bond Resolution is on file at the Town Hall, Appomattox, Virginia. Reference is hereby made to the Bond Resolution and any amendments thereto for the provisions, among others, describing the pledge and covenants securing the bond, the nature and extent of the security, the terms and conditions upon which the bond is issued, the rights and obligations of the Town and the rights of the bondholder.

All revenues derived by the Town from its wastewater system are hereby pledged to the payment of the principal of and interest on the bond.

Installments of principal due on this bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided above.

This bond is fully registered as to both principal and interest. Transfer of this bond may be registered upon books maintained for that purpose by the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Any amount expended or advanced by the Government for the collection hereof or to protect any security therefor, at the option of the Government, shall become a part of and bear interest at the same rate as the principal hereof and be immediately due and payable by the Town to the Government without demand.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed.

IN WITNESS WHEREOF, the Town has caused this bond to be signed by its Mayor, to be countersigned by its Clerk, its seal to be affixed hereto and this bond to be dated _____ 2020.

(CORPORATE SEAL)

ATTEST:

TOWN OF APPOMATTOX,
VIRGINIA

_____
Clerk, Town of Appomattox

_____
Mayor, Town of Appomattox

TRANSFER OF BOND

Transfer of this bond may be registered by the registered owner or his duly authorized attorney upon presentation hereof to the Registrar who shall make note of such transfer in books kept by the Registrar for that purpose and in the registration blank below.

Date of Registration	**Name of Registered Owner**	**Signature of Registrar**
	United States of America	
_____2020	Rural Utilities Service	_____

RECORD OF ADVANCES

AMOUNT	DATE	AMOUNT	DATE

Roll Call Vote: J. Garrett – yes, T. Garrett – yes, M. Spiggle – yes, C. Puckette – yes, J. Boyce – yes, Conner – absent. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to adopt an Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2020-2021 Budget for the Town of Appomattox, Virginia:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2020-2021 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 2020-2021 Budget was published on May 27, 2020 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 8, 2020;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Workshop Session on June 23, 2020, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2020-2021;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	44,700.
Administrative Department	516,404.
Professional	118,000.
Police Department	94,644.
Tourism Department	75,700.
Fire Department	281,000.
Public Works Department	934,312.
Sanitation Department	150,000.
Property Maintenance & Construction	1,030,673.
Town Shop	36,250.
Donation/Contributions	10,000.
Zoning	7,000.
Town Office	27,100.
TOTAL GENERAL FUND EXPENSES	**3,325,783.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.11 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 $.11 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 sitused within the Town commencing January 1, 2020, 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 56.25% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 56.25% 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.

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2020-2021;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	155,000.
Current Taxes – Personal Property	70,000.
Delinquent Taxes	3,000.
Penalties & Interest	5,000.
Public Service Corporation	6,000.
Bank Stock Tax	140,000.
Cigarette Tax	130,000.
Meals Tax	770,000.
Lodging Tax	40,000.
Franchise Tax	3,000.
Consumption Tax	6,000.
Vehicle License Tax	25,000.
Business License	150,000.
Communications Tax	6,500.
Zoning	1,000.
Interest	10,000.
Rental of Misc. Property	9,000.
Motor Vehicle Tax	3,500.
Sales Tax	60,000.

Aid to Police Department (HB599)	44,000.
Fire Programs	10,000.
Personal Prop Tax Relief Act State Funds	23,107.
Visitor Center	400.
Mobile Home Titling Tax	500.
Miscellaneous	1,000.
Grants	700,000.
Town DMV Fees	3,000.
Meadowlark Program Grant Revenue	53,473.
Meadowlark Program Income	2,920.
Other Reimbursable	500.
Transfer from Reserve	893,883.
TOTAL GENERAL FUND REVENUES	**3,325,783.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2020-2021;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	623,277.
TOTAL WATER EXPENDITURES	**623,277.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2020-2021;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	350,000.
Connection Fees	7,500.
Penalty Fees	15,000.
Availability Fees	10,000.
Reconnect Fees	4,000.
Miscellaneous	500.
Interest	4,000.
Credit Card Fees	3,000.
Rental of Misc. Property	35,000.
Intergovernmental Revenue	25,000.
Use of Fund Balance	169,277.
TOTAL WATER REVENUES	**623,277.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2020-2021;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	1,032,689.
TOTAL SEWER EXPENDITURES	**1,032,689.**

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2020-2021;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	850,000.
Connection Fees	2,500.
Availability Fees	7,500.
County Reimbursement SBR & IDA PS	76,573.
Park Service Maintenance	1,800.
Interest	3,500.
Intergovernmental Revenue	1,700.
Use of Beginning Balance	89,116.
TOTAL SEWER REVENUES	**1,032,689.**

SECTION X:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Expenditures for Fiscal Year 2020-2021;

INTERNAL SERVICE FUND; EXPENDITURES BY CATEGORY:

Internal Service Department	138,700.
TOTAL INTERNAL SERVICE FUND EXPENDITURE	**138,700.**

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Internal Service Fund Revenue estimates for the Fiscal Year 2020-2021;

INTERNAL SERVICE FUND; REVENUE BY CATERGORY:

Reserves	138,700.
TOTAL INTERNAL SERVICE REVENUE	**138,700.**

SECTION XII:
The salaries, wages and allowances set out in said Budget are hereby authorized as per the terms of the town's classification and merit system as approved compensation for officers and employees for services rendered, unless hereafter otherwise provided by ordinance; provided however, that the Town Manager is authorized to make such rearrangement of positions in the several departments named in the Budget, in respect to officers and employees appointed by his/her as may best meet the needs and interests of the Town and after approval by Council.

SECTION XIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2020-2021 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XIV:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2020-2021 is hereby adopted, effective July 1, 2020 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 23rd day of June, 2020.

Attest:

_____ _____
Roxanne W. Casto, Town Clerk Paul D. Harvey, Mayor

All members present voting aye. Motion carried 5-0.

Church Street Waterline Replacement Project
Mr. Bif Johnson appeared before Council to explain the proposal for the grant application assistance for CDBG and Rural Development. The CDBG maximum amount is $650,000. The project is estimated to cost $1.5 million dollars. He suggested applying for both grants.

Rural Development would like for the Town to close out the current grant opportunity for the sewer project before applying for the funding for the Church Street waterline replacement project.

On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to accept the proposal by Hurt & Proffitt, Inc. to manage the grant application for the Church Street Water Replacement Project. All members present voting aye. Motion carried 5-0.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to adopt a Resolution Amending the FY 2020 Operating Budget for payment to the Economic Development Authority for the 2020 Business License Stimulus Refund:

1. Consideration to adopt a resolution amending the FY 2020 Operating Budget for payment to the Economic Development Authority for the 2020 Business License Stimulus Refund.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2020 Operating Budget for the General Fund.

General Fund Expenditures	
Business License Stimulus Refund to EDA	$ 43,457.37
Net Increase in Budget	$ 43,457.37

General Fund Revenues	
Use of Undesignated Reserve	$ 43,457.37
Net Increase in Budget	$ 43,457.37

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2020 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2020.

Attest:

_____
Roxanne Casto, Town Clerk

Roll Call Vote: J. Garrett – yes, T. Garrett – yes, M. Spiggle – yes, C. Puckette – yes, J. Boyce – yes. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Mr. T. Garrett, Council voted to adopt a Resolution amend the FY 2020 Operating Budget for the General Fund to subsidize the reduction of the utility rates by 25% for the April and May 2020 billing periods.

1. Consideration to adopt a resolution amending the FY 2020 for the General Fund to Subsidize the reduction of the utility rates by 25% for the April and May 2020 billing periods.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2020 Operating Budget for the General Fund.

General Fund Expenditures	
Transfer to Water	$ 26,461.56
Transfer to Sewer	$ 16,463.82
General Fund Revenue	
Use of Undesignated Reserve	$ 42,925.38
Water Fund Revenue	
Transfer from General	$ 26,461.56
Water Sales	$ (26,461.56)
	0.00
Sewer Fund Revenue	
Transfer from General	$ 16,463.82
Sewer Sales	$ (16,463.82)
	0.00

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2020 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2020.

Attest:

_____
Roxanne Casto, Town Clerk

Roll Call Vote: J. Garrett – yes, T. Garrett – yes, M. Spiggle – yes, C. Puckette – yes, J. Boyce – yes. Motion carried 5-0.

On a motion by Mr. J. Garrett, seconded by Mrs. Puckette, Council voted to amend and re-enact the Code of the town of Appomattox, by adding thereto a new section numbered 10-9, relating to the declaration of curfews in times of emergency.

AN ORDINANCE TO AMEND AND RE-ENACT THE CODE OF THE TOWN OF APPOMATTOX, BY ADDING THERETO A NEW SECTION NUMBERED 10-9, RELATING TO THE DECLARATION OF CURFEWS IN TIMES OF EMERGENCY. BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF APPOMATTOX:

1. That the Code of the Town of Appomattox be and the same is hereby amended and re-enacted by adding thereto Section 10-9 as follows:

*§ 10-9. **Curfews after declaration of emergency**. (a) Pursuant to the police powers granted to the town by its charter and by Virginia Code § 15.2-1102, and in the interest of promoting public safety, the Director of Emergency Services or his designee (collectively referred to in this section as the "Director") is hereby authorized to impose a curfew after the declaration of an emergency, in accordance with the provisions of this section. (b) As used in this section, "curfew" means an order issued by the Director prohibiting persons from being present on any street, road, alley, avenue, park or other public place in the town or any portion thereof designated by such Director during specified times of the day or night; (c) The Director may declare a curfew if he deems such action necessary for the preservation of life or property, the implementation of emergency mitigation, preparedness, response actions or recovery actions anticipated or resulting from the dangers caused by the condition leading to the emergency declaration, pursuant to the following procedure: (1) The authority conferred upon the Director by this section shall arise only after either the state or the town declares an emergency in accordance with the provisions of Virginia Code § 44-146.19 or 44-146.21 for a geographical area located within the town; (2) The curfew shall be announced in such manner as is reasonably calculated to provide notice to the public of the imposition of the curfew. Termination of curfew shall be in like manner; (3) The declaration of a curfew, circumstances justifying its imposition, time and areas of the town in which the curfew is in effect, and the means and time of the public announcement of the curfew shall be recorded in a written document signed by the Director and maintained in the records of the town; (4) No curfew shall be imposed except in areas and at times that can be justified as necessary for the public safety. (5) The action of the Director in imposing a curfew during an emergency declaration shall be ratified by the town council at its next regularly scheduled meeting. (d) After the declaration and public announcement of a curfew, it shall be unlawful for: (1) Any person, after having been warned by a law-enforcement officer, to remain on any street, road, alley, avenue, park or other public place in the town, or in any vehicle operating or parked thereon, in any portion of the town designated by the Director; and (2) The owner or proprietor of any retail, wholesale or eating and drinking establishment, entertainment venue or similar establishment, or other person in control of such establishment, to allow any person to remain on the premises without the express written permission of the Director; provided, however, that this prohibition shall not apply to lodging establishments serving registered guests. (e) The following persons shall be exempt from the provisions of this section while on duty or traveling to and from work: (1) Persons traveling to and from home, work, or places of worship; (2) Hospital personnel; (3) Members of the press; (4) State, Appomattox County, and Town of Appomattox employees and volunteers; (5) Military personnel including but not limited to national guard troops; (6) Employees of public utility companies; (7) Private emergency medical transport workers; and (8) Other emergency workers as authorized by the Director. (f) Nothing in this section shall be*

construed to prohibit or restrict travel to a hospital in the event of a medical emergency, nor shall such travel be considered in violation of this section. (g) A violation of this section shall be punishable as a Class 1 misdemeanor.

2. That this ordinance shall become effective upon its adoption.

Adopted: _____

Certified: _____ Clerk of Council

All members present voting aye. Motion carried 5-0.

Proposed Lease Agreement – Appomattox County Chamber of Commerce
Discussion of re-opening of the Visitor's Center is under review.

Mr. Boyce made a motion to authorize the Mayor to execute the proposed Lease Agreement with the Appomattox County Chamber of Commerce for office space in the train department at 214 Main Street. The motion died for a lack of a second.

Council Comments:
Mr. J. Garrett reminded everyone of the fireworks demonstration on Friday, July 3, 2020 at dark (9:30 p.m.) at the Appomattox County High School parking lot area.

Ms. Spiggle reminded everyone that Abbitt Park and the Kiddie Park are now open to the public. She also welcomed Mayor-elect Conner to the group.

Mayor Harvey expressed his appreciation to Council and staff over the past 12 years. A lot of good things have been accomplished. He appreciates all the cooperation of all the Town Managers.

Staff Reports

Kim Ray, Town Treasurer presented the Treasurer's Report for May 2020 for the General, Water and Sewer Fund.

Roxanne Casto, Clerk – none

Jeff Elder, Facilities Director – none

Gary Shanaberger, Town Manager reported on the following activities:

- The fireworks are planned for Friday, July 3, 2020.
- Staff has been working hard on various projects.
- Thanked Mayor Harvey, Mr. Boyce, Mr. Conner for their service.
- Looking forward to working with Mr. Richard Conner and Mr. Simpson.

Mayor Harvey also congratulated Mr. Conner and Mr. Simpson. The Town has good staff and Council to work with.

Adjournment:
On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to adjourn at 7:00 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, Clerk of Council

Paul D. Harvey, Mayor

Appomattox Town Council
Regular Council Meeting
July 13, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, July 13, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present - Jonathan D. Garrett, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Paul D. Harvey, and Claudia G. Puckette.

Staff members present – Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Thank you for all coming out tonight. I hope we can do good things for this community.

Scheduled Public Appearances:
Mr. Steven T. Conner was presented a plaque for his service on the Appomattox Town Council for July 1, 2010 through June 30, 2020.

Adoption of the Consent Agenda:
On a motion by Mr. T. Garrett, seconded by Mr. P. Harvey, Council voted to adopt the consent agenda for July 13, 2020 as presented. All members present voting aye. Motion carried 6-0.

Old Business:
None

New Business:
Mary Lou Spiggle nominated Timothy W. Garrett as Vice-Mayor. Nominations were closed by Mayor Conner. All those in favor of Mr. Timothy W. Garrett as Vice-Mayor – all members voting aye. Motion carried 6-0.

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to amend the signature cards at Farmers Bank of Appomattox and Branch Banking & Trust (BB&T) for all accounts with the following authorized signers:
Mayor – Richard C. Conner
Vice-Mayor – Timothy W. Garrett
Town Manager – Gary L. Shanaberger
Town Treasurer – Kimberley W. Ray
All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to appoint Paul D. Harvey to the Town of Appomattox Planning Commission and Mary L. Spiggle and Claudia G. Puckette to the Town of Appomattox Economic Development Authority with terms expiring June 30, 2022. All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council voted to appoint Mayor Conner to serve on the Central Virginia District Planning Commission. All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Ms. M. Spiggle, Council voted to declare the following items for the Public Works Department as surplus:
98 Dodge 250 D VIN# 3B7KF26Z5WM243267
92 International 4600 VIN# HT5AZRN4PH478798
90 GMC Top Kick VIN# 1GDM7D1Y9LU508993
All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Ms. M. Spiggle, Council voted to award the 2020 Curbside Garbage Collection Contract to County Waste for $404,529 for 3 years (annually $134,843) with an option of $11,760 annually for bulk waste services. All members present voting aye. Motion carried 6-0.

On a motion by Mr. T. Garrett, seconded by Mr. J. Garrett, Council adopted the following FY 2021 Budget Amendment 2021-001:

1. Consideration to adopt a resolution amending the FY 2021 General Funding Operating Budget for the Virginia Department of Criminal Justice Services FY 2021 599 funding.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2020 Operating Budget for the General Fund.

General Fund Revenues	
10-3604-0000 Aid to Police Dept.	$ 2,051.00
10-3901-0000 Transfer from Reserve	$ 1,407.00
Net Increase in Budget	$ 3,458.00
General Fund Expenditures	
10-4400-8070 Police Agreement	$ 3,458.00
Net Increase in Budget	$ 3,458.00

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2020 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2020.

Attest:

_____
Roxanne Casto, Town Clerk

VOTE: J. Garrett – yes, N. Simpson – abstain (relationship – father is Sheriff), T. Garrett – yes, M. Spiggle – yes, P. Harvey – yes, C. Puckette – yes. Motion carried 5-0-1.

Council Standing Committee Reports:
Mayor Conner announced the Standing Committee appointments effective July 1, 2020:
Finance & Planning Committee – C. Puckette, Chair; J. Garrett and P. Harvey
Physical Development Committee – T. Garrett, Chair; N. Simpson and M. Simpson
On a motion by Mr. P. Harvey, seconded J. Garrett, Council voted to accept the Mayor's Standing Committee member appointments effective July 1, 2020. All members present voting aye. Motion carried 6-0.

Citizen Comments:
None

Town Manager's Report:
Mr. Shanaberger provided the following updates:

- He participated in a conference call with the Central Virginia Transportation Technical Committee. During that meeting the Lee Grant Avenue Improvement project was voted on and endorsed by the committee.
- There is a bid opening tomorrow, July 14, 2020 on the Inflow and Infiltration aspect of the sewer project. There is a bid opening next Tuesday, July 21, 2020 on the Force Main potion and then the last bids will be opened on July 28, 2020 for the equalization tank.
- He has received many favorable comments regarding the stimulus provided to businesses.
- He has also received many favorable/great comments about the fireworks display on July 3, 2020.

Closed Session:
On a motion by Council Member Spiggle, seconded by Council Member T. Garrett, 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 identified by Tax Map # 64A5 A 200.

Vote: J. Garrett – aye, P. Harvey – aye, M. Spiggle – aye, T. Garrett – aye, N. Simpson – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Harvey and Council by the following recorded vote adopted the motion:

Vote: J. Garrett – aye, P. Harvey – aye, M. Spiggle – aye, T. Garrett – aye, N. Simpson – yes, Puckette – yes.
Motion carried 6-0.

Council Comments:
Mr. J. Garrett said it was one of the largest crowds for the fireworks.

Ms. Spiggle welcomed Mayor Conner.

Adjournment:
On a motion by Mr. T. Garrett, seconded by Mr. N. Simpson, Council voted to adjourn at 8:40 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
July 28, 2020

The Appomattox Town Council held a Workshop meeting on Tuesday, July 28, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Town Council members present were Jonathan D. Garrett, Nathan A. Simpson, Timothy W. Garrett, and Paul D. Harvey. Mary Lou Spiggle and Claudia G. Puckette joined via phone conference call.

Staff present were Jeff Elder, Facilities Director; Town Manager, Gary Shanaberger; Town Treasurer, Kim Ray; and Town Clerk, Roxanne Casto.

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and allowed public phone participation through FreeConferenceCall.com.

Mayor Conner called the meeting to order.

Mayor Conner asked if Council had any items they would like to discuss?

Mr. Paul Harvey asked if the wastewater bids came in today. Mr. Shanaberger responded that they did however, the engineers need to review the bids. Mr. Elder explained the Inflow and Infiltration Rehabilitation project expected to be completed as a result of the bids.

Council Comments:
Mr. Harvey – Inquired about the change of contractors for the curbside garbage contractor and how the exchange of cans went today, July 28? Mr. Shanaberger responded it went as well as could be expected. There will be several weeks of transition to contend with, but the Public Works Department will resolve the issues.

Mr. Jonathan Garrett – The Town had originally agreed to work with the County on the fire truck purchase and the County has agreed to fund $250,000 for 5 years. The Town's agreement was to fund 40% if the County funded 60%. The way it will work now, is the AVFD will need to fundraise $110,000. Regardless of the contingency, the AVFD would like to verify the Town's commitment of $240,000 as soon as possible. The AVFD will secure the loan under their name.

Mayor Conner is the Town representative on the Central Virginia Planning District Commission. There are a couple of things going on he would like to advise Council of:

1 – There will be a proposed by-law amendment to allow for consecutive terms of service for the PDC Chair. The reason is to create continuity in situations where the next chairman may lose his election or retire. At the next regional meeting, Mr. Shanaberger and Mr. Conner will be participating and the PDC plans to bring this issue to a vote with the membership.

2 - The PDC voted to release up to $134,000 over two fiscal years from the PDC reserves to the Central Virginia Community College as a match for a "GO Virginia" grant that would hire two staff members for the Career and Technical Education Center

Council Standing Committee Reports – none

Staff Reports
Roxanne Casto, Clerk – none

Jeff Elder, Facilities Director – none

Kim Ray, Town Treasurer presented the Treasurer's Report for June 2020 for the General, Water and Sewer Fund. There are currently two (2) financial systems open, Logic & Edmunds. Some of this information may change as the year is finalized.

The software conversion is on-going.

The Town Auditors are due in September 2020.

Mr. Harvey asked if the Town would still be considering investment options other than CD's in the future? Mr. Shanaberger and Mrs. Ray said yes, after the conversion and audits are complete.

Gary Shanaberger, Town Manager reported on the following activities:

> He has been working on a mixed-use zoning ordinance with the Town Attorney. This would allow mixed use zoning in the B-1 and B-2 districts. People want to be able to have loft apartments above retail space. A lot of communities have mixed-use ordinances. The ordinance addresses parking requirements for the units upstairs. It would be one parking spot per bedroom. The building inspector suggested because you will have residential above business, architectural/certified drawings should be required for the residential part. Fire escape type situations need to be drawn into the plans. There are several properties that could benefit from this.
>
> Mr. Harvey asked if this needs to be an ordinance, not handled through a conditional use permit? Mr. Shanaberger responded that it needs to be an ordinance.
>
> He also asked if newer buildings would need sprinkler systems? Mr. Shanaberger said all of this would be in the ordinance for state building codes.
>
> Mr. Simpson asked if they would need to submit a draft parking plan? Mr. Shanaberger said yes, and the parking spot has to be within 500 feet and has to be deeded – cannot be rented.

Mr. Shanaberger stated there is enthusiasm for this in Town.

The Downtown Revitalization Project:
The first 8 bids are due in August and the next set could go out in the following 60 days.

The Town Attorney, Frank Wright, Jr., has forwarded the necessary paperwork to Delegate Farris and Senator Peake regarding the Town Charter Referendum from the May election.

Staff will be having a conference call tomorrow regarding grant funding for the Church Street Waterline project.

The Smart Scale sidewalk application is due August 17, 2020. Council will need to pass a resolution in September 2020. We should know the status of the project in January or February 2021.

Staff is performing at a very high level right now and really multi-tasking.

Adjournment:
On a motion by Mr. J. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 6:40 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
August 10, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, August 10, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present - Jonathan D. Garrett, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Paul D. Harvey and Claudia G. Puckette.

Staff members present –Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
None

Scheduled Public Appearances:
None

Public Comments:
Laura Dawson – 151 Burke Street

Thank you for adding us to your agenda tonight as we know you are busy making important decisions for our town. We are here to discuss an ordinance that was passed in 1997, well over 20 years ago. This ordinance was brought to my attention this past Wednesday when one of my son's friends said the police are talking to Matthew. So the boys went outside to see what all the fuss was and they came back in with a piece of paper, which is the first piece of paper you have in the packet you were given this evening along with officers business card. The paper states all the rules for Chapter 166:

§ 166-7. Skating and skateboards on streets, sidewalks, and parking areas of the Town. [Amended 7-14-1997]

A. The purpose of this section is to promote the health, safety and welfare of visitors and citizens throughout the Town. The combination of roller skate, in-line skates, scooters and skateboard traffic with automobile and pedestrian traffic poses an unreasonable risk of harm on the Town streets. Likewise, the combination of bicycle traffic with the pedestrians using sidewalks poses an unreasonable risk of harm.

B. No person shall use roller skates, in-line skates, scooters, or skateboards on any street or sidewalk of theTown.

C. No person shall use scooters or bicycles on the sidewalks of any street.

D. No person shall use roller skates, scooters, in-line skates or skateboards on any public parking lot or parking area owned, leased, or operated by the Town.

E. Any person violating this section shall be guilty of a class 4 misdemeanor.

Needless to say, the boys were very upset and emotional about this. You see the boys were not friends before COVID-19 reared its ugly head here in 2020. These boys did not even know each other. Throughout quarantine when schools shut down, sports ended, church and youth groups closed down, traditional birthday parties and hanging out with friends came to a slamming halt. You see I have 3 teenagers. I would often say go set out in the sun, go get some sun on your face because I could tell their moods were shifting even more than a normal 13, 15 or 17 year old would on any given day. Soon after March when our local world stopped, like literally in March we were told to say in our homes and basically hunker down with our children but we were actually encouraged to go outside and spend some time in the sunshine and fresh air. The children started riding bikes, scooters, and skateboards all over the Town to pass the time, to get exercise, to do something other than watching TV or looking at a computer screen all day. This led to a few others joining in and led to friendships being formed that did not exist before. This was actually fun and felt normal, independent, and felt like kids again instead of prisoners in their own homes' dues to COVID and the quarantine. This all came to a screeching halt this week, as we know some sort of complaint was made and we want the children to be safe as well as the pedestrians and others on bikes, scooters, and skateboards. We feel there is a happy compromise we can come together to achieve this. These kids are not perfect, but they are good kids. They need some reminders about riding safely. I spoke with Officer Richardson at the Sheriff's Office about hosting a bicycle safety class in the park and he agreed to do so. As of now, the only riding they can do legally in the Town is the street, observing all traffic laws. That is it – no scooters, skateboards, or skates to be ridden in our town on streets or sidewalks. I have spoken to many community leaders and police officers that think some new safety measures need to be implemented and that riding bikes in the road as the only choice is not the safest our children. And I am sure many of you would agree. There are limited activities provided by our Town for older kids to enjoy. There are no skateparks, bike lanes, or shared walking/bike paths. In all reality all ages would benefit from a bike lane or a path and a skatepark would provide a safe place for our kids to skateboard or scooter. Lynchburg, Farmville and Bedford, our neighboring locales that have skateparks. Our kids beg us to take them to these skateparks all the time. They are all at the minimum 30 mins away from where we live. How nice would it be to give our youth such a great activity that does not require a team sport, which most seasons are cancelled or played on a very limited basis. The bottom line is biking, skateboarding or scooters on the streets or sidewalks should not be a crime. We would love to work together with law enforcement, you (the Town Council) and leaders of our community to amend this ordinance in a safe way so we could live in harmony for the sake of our youth. Thank you.

And the packet I have given you is just the ordinance that is current, the pages after it are some Virginia resources that pretty much implemented throughout the state. I have starred some of the highlights. If you look further in the packet there are some pictures of Bedford, Lynchburg and Farmville skateparks just so you can get an idea of what they have and the last sheet are some ideas of things we could come together and discuss for possible changes to the ordinance.

Thank you for listening.

Ashley Sandman – member of the Appomattox Community and also serves as the CSA Coordinator for Appomattox County and with that I am tasked with assessing the needs of families and youth in our community from mental health to physical health to safety, food, and well being to basic needs of all children. So, I am coming to speak on behalf of that position as well as being a parent. Laura wrapped it up well with some of the concerns and solution focused ideas as a community we could lean toward. I did want to bring to light a few other minor concerns that contribute to this issue. I walk all over town, many of you have seen me. One of my concerns is that this ordinance clearly tries to protect the condition of the sidewalks, the sidewalks are in pretty terrible shape throughout the community and there are issues with a portion of Lee-Grant Avenue. I know you are aware of this area. Also, over on Highland Avenue and Oakleigh Avenue with the unevenness of the sidewalk makes it safer to walk in the street and this past year a co-worker in my office walking down the sidewalk and the sidewalk ended and the street continued and she ended up falling and broke her foot there. Last year my daughter and I were running down Oakleigh Avenue and my daughter tripped over an uneven section of the sidewalk and feel and rather than finish our run, I was carrying my 8 year old back to the car with bloody knees. There are several issues with the condition of the sidewalks that make them unsafe. The other issue is the lack of crosswalks. I work at the County Office and there is no crosswalk from the Courthouse Square over to the School Board Office and we conduct a lot of business there and it is literally like a game of frogger to get across Court Street. One of the other areas that desperately needs a crosswalk is Church Street and Confederate Avenue. We have children that walk to school and this is a really busy intersection. This is an area we need a push button to stop traffic type crosswalk to allow people to cross through there. It is very frustrating as a walker to navigate how to get around town. In addition, I would like to talk about the mental health concerns of isolating our youth and not making them fee like they are part of the community. When events like this happen to our kids, they are spoken to by authority figures, that can be pretty traumatizing to a kid, especially to kids that are not used to getting in trouble, or even those that are. If that had happened to me, I would still have feelings about that. So, I can imagine that was probably hard for some of our youth and their family members. And not to blame the officers because they are enforcing the law but there has to be a better way we can deal with these things. We also in a space where we are isolating kids from their friends for safety reasons and this need is important so that kids feel like they are part of our community. When we take away bikes and skateboards from our youth, we are also talking about the scooter of my 4 year old and in order to do that safely we drive to Lynchburg, where we went to Peaks View Park this weekend to ride bikes for 3 hours, we spent money there to get lunch, we went shopping afterwards. That is money we are not capturing in our tow when families have to drive elsewhere. If we had the opportunity of a shared space for people to ride their bikes, to say in town, we all benefit from that and experience wellness and safety. We could push a safety campaign to encourage people to wear their helmets, wear safety pads, follow the traffic laws, post signs and post on social media. Lastly, when I see kids around town in groups that's a reminder for me as a parent that we are very luck to live in a community that our kids are safe enough to get out and be in the community and I feel we are a very blessed community to have that to exist.

Elliott Milton – I am one of the kids that skates around. Thanks for having us out. When I first

heard that skating had been banned, I was surprised. In the seven (7) months that I've been skating around the Town of Appomattox, I've never been asked to leave a spot or been talked to by a property owner or citizen who didn't like what I was doing. The people of Appomattox seem to be okay with skateboarding. The skaters of this town are polite, respectful young men and women that love to skate. For many skating is their main form of transportation. To the young men, Cameron and Matthew do yardwork for many people around town. Both are not old enough to drive and both have no way to get their jobs except by skating there. The sidewalks are in no condition for us to skate on and if we are not allowed to skate in the street or parking area then please consider building us a designated place to skate. The skate scene of Appomattox is really growing, and I think we would really benefit from that. Thank you very much.

Julian Dawson – Thank you for listening. Skateboarding, scootering, and biking are primary fun and healthy activities to participate in outside. There is a movie called Footloose. I am sure you have seen it but in case you have not, it is a about a Town that banned dancing. That seems dumb, right? Well, I think banning skateboards, scooters and bikes is just as ridiculous. I will admit that some people do not have common decency and will or have pulled out in front of moving vehicles, but you should not punish every citizen in this town for their actions. Now, I am not only here to complain but to create a solution. Perhaps we could have a bike lane for people to bike and skate in or you could help us building a proper skatepark in the empty field next to the Kiddie Park or fix up the sidewalks for it to be suitable for citizens to safely ride on them. I and my friends love riding around the Town. Please consider changing the ordinance so we can continue to enjoy it safely. Thank you for your time.

Jaime Martin – Good evening. I would like to go against what other speakers are saying. We also have children and they do not skateboard right now, but they do ride their bikes a lot and I am an active walker. I walk in the evenings. I have seen these children skateboarding and they are not doing anything wrong. To be honest it is really hard to tell my child to ride their bike in the road and not on the sidewalk but the sidewalks are dangerous and drivers are not paying attention now a days, not like they use to and on their phones. I feel a bike lane like they have in Lynchburg on Rivermont Avenue you know you are safe and maybe some education on how to ride a bike properly as well. Sidewalks are an issue, I agree with that also, the skateboarders need a skatepark. Something they can call their won. The emotional part of this COVID-19, kids need to ban together, they need to be together. They can be outside which is better than on video games. The children need this. I do not have a solution, but I am willing to be part of the solution and put my voice out there. I have been out walking at 10:00 p.m. and they come flying by me. It scares me to death, but they are not doing anything wrong. There is no vandalism. A Class 4 misdemeanor is a little much I feel for a 12-15-year-old. Anything I can do, I will. Thank you.

Carrington Moore – read by Laura Dawson
Hi, I am Carrington Moore and today I will be arguing against 166 – which states a number of things about skates, skateboarding on sidewalks and parking areas of the Town. A statement that this ordinance makes is that no person shall use roller skates, in-line skates, scooters, or skateboards on any street or sidewalk of the Town. It also states that no person shall use scooters or bicycles on the sidewalks of any street. No person shall use roller skates, scooters, in-line

skates or skateboards on any public parking lot or parking are owned, leased, or operated by the Town. Many of us kids love skateboarding and are very disappointed to acknowledge this edict because of COVID-19, there is not much to do. Skateboarding is one of the ways for us kids to have fun and still be safe from the virus. I have many friends who skate around town because they love it and have so much fun doing it. It is also a way of transportation for kids who are not able to drive yet. It is very easy for some to just get out there skateboard instead of nagging their parents to take them. I understand that some kids that some kids will be wild and rebellious but its not fair to punish all kids by taking away their rights to skate. If you have a problem with the simple activity of skateboarding then give us a place to skate, like a skatepark. We have plenty of space here in Town to build one. We will do whatever it takes to get one. We can fundraise for money and even help in the building process if needed. Many kids have been waiting for a skatepark in Appomattox for years and would also be so much more convenient for everyone because the kids wouldn't have to drive 30 minutes to the skatepark and kids would not be on the sidewalks or streets of town. That brings me to the next point that states that no personal shall use scooters or bikes on any sidewalk or street while also stating that the purpose of this section is to promote health, safety and welfare of visitors and citizens throughout the Town. We are told we are not allowed to ride bikes on the sidewalks, but we are told we are only allowed to ride bikes on the road, this does not make sense at all. I personally think riding on the road is riskier than riding a bike on the sidewalk for many reasons. The main one is that there are many people who are not cautions while driving. The other day, I went for a bike ride with one of my friends and we had to ride in the middle of the road. We were both paranoid the whole time that someone was going to run us over. It would have been more enjoyable if we would have had a sidewalk to ride on. As I said before, if you have a problem with people riding bicycles on the sidewalks then make a place for them to ride such as a bike lane. It might be a lot of work, but it would be worth it because it would reduce the possibility of accidents or wrecks. Personally, I love going on a simple bike ride with my friends or family. I know of many people who would also agree with that but according to the law we are not allowed to go for a refreshing bike ride on the sidewalk. Sometimes it can be hard for parents to get the kids engaged in physical exercise or activities, so they resort to bike rides. It has actually been proven that bike rides can improve your cardiovascular health, boost fitness, and improve your mood. Like skateboarding biking is a form of transportation. Maybe you just want to meet up with a friend, but you cannot drive so you simply ride your bike. That is a lot easier then begging your parents to take you. Biking is not just a hobby for kids but its for adults too. I am certain that many people of ages are disappointed or frustrated about finding out about this edict. Which brings me to my last point – This ordinance was passed in 1997 but for years there have been many kids and adults riding bikes and skateboarding on sidewalks. There has never been a problem, and nothing was said to them about the ordinance, why all of a sudden is it such a big deal? With all the crazy things going on in our world, it is important that kids and adults are able to do the simple and fun things that they enjoy. The activities we can do are limited now, our right to skate or bike around should not be taken away. All we want to do is ride bikes and skate on the sidewalks like normal kids do. Hopefully, you get my point and take it into consideration. Thank you so much for taking the time to listen to me.

Jeff Martin – I have two kids, a 12 and 14 year old and one of children has mental health problems and if you've ever had any dealings with that – to get them to even do anything,

exercise is hard and to finally getting them out to ride their bikes, wherever it is. We live on High Street and it is a racetrack through there and everyone of you have seen it. I am not good with asking my kids to ride their bikes in the road. We are worried about giving a kid a Class 4 misdemeanor. That's just ridiculous and if that's something you really want us to do – have kids ride in the street and one of them get hit – I'm sure a Class 4 misdemeanor is the last thing you'll have to worry about. I love seeing the kids ride by the house, having fun so get the speeding down and does everyone want a kid riding down the street on a scooter or bike – is that what everyone wants? No. I understand if it is Granny Bee's or the stores on Main Street but if you are in front of the Methodist Church or anywhere like that, I think you should be on the sidewalk. I will pay my son's Class 4 misdemeanor. They are not going to ride in the road – I am sorry – that is how I feel. It is way bigger fish to fry than kids riding skateboard on sidewalks. You should be happy they are not inside playing video games and not robbing people and half the stuff you see the world doing. They are just having fun. Thank you.

Scotty Johnson – I skated all through high school and it was terrible then. To see what these kids have to go through now is terrible. Kids should be able to go outside, enjoy themselves without having to worry about a misdemeanor. That is just the bottom line. Build them a skatepark. Give them somewhere to go. If you all are complaining about them being in the road – then give them somewhere to go. That is all. Thank you.

The Appomattox Town Council members thanked everyone who attended.

Adoption of the Consent Agenda:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to accept the adoption of the consent agenda for Monday, August 10, 2020 as presented. All members present voting aye. Motion carried 6-0.

Old Business:
On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to approve the $240,000 expenditure to the Appomattox Volunteer fire Department for the purchase of the new fire truck. Vote: Simpson – aye, Spiggle – aye, Harvey – aye, Puckette – aye. T. Garrett and J. Garrett abstained due to affiliation with the Appomattox Volunteer Fire Department. Motion carried 4-0-2.

New Business:
Mr. Shanaberger informed Council that the Town Planning Commission reviewed the 20-year Comprehensive Plan and has recommended it come to Council for your review so it can be advertised for a joint public hearing. A lot of work has gone into the Comprehensive Plan. The Comprehensive Plan really reflects the survey that went out to the community and what the community is looking for. Some of the items we just heard about are in our Comprehensive Plan, such as bike trails and those types of things. It is a 20-year plan and truly a compliment to Council as many of the bullet points that were in the last Comprehensive Plan have been completed or addressed. I know from our retreat we have added some more. Phillip Gabathuler, Central Virginia Planning District Commission led the project. Hopefully, you have had a chance to review it.

Ms. Spiggle – In looking at the Comprehensive Plan, I think it is one of the best yet. I am very pleased with it. She thanked Mr. Gabathuler and the members of the Planning Commission.

Mr. Shanaberger thanked Mrs. Christy Torrence for her work on the plan as well.

On a motion by Mr. Harvey, seconded by Mr. T. Garrett, Council voted to advertise a joint public hearing on Tuesday, August 25, 2020 at 6:00 p.m. to hear citizen input on the 2040 Comprehensive Plan. All members present voting aye. Motion carried 6-0.

Mr. Shanaberger informed Council of the draft mixed-use ordinance over the past several months. The Town has received several calls over the last few months from owners and developers asking if the Town has a mixed-use ordinance. Currently, the Town does not but I believe in the past it had been accommodated through special use exceptions/permits. But from my understanding in order for it to be effective we really need an ordinance. Its is designed to go into B-1 and B-2 districts and there are conditions that have to be met. The two (2) primary conditions are: 1) designated parking spot for each bedroom and 2) the plans for the residential part have to be submitted by an architect or engineer. That way the Town will know that all state requirements have been met.

Ms. Spiggle – correct me if I'm wrong but don't we already have this mixed use for the Thomasville property?

Mr. Shanaberger stated he would have to check to be sure. That property is zoned M-1 (Industrial). Mr. Harvey said the Thomasville property was a conditional use permit for just that property.

Mr. Simpson asked if this would allow for the 1st floor as residential in the business zone? Mr. Shanaberger said no, it would have to be the 2nd floor.

On a motion by Mr. J. Garrett, seconded by Mr. Simpson, Council voted to advertise a joint public hearing for Tuesday, August 25, 2020 at 6:00 p.m. to hear citizen comments regarding the proposed Mixed-Use Zoning Ordinance. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:
None

Town Manager's Report:
Mr. Shanaberger provided the following updates:

- Work continues on the Smart Scale VDOT application for Lee Grant Avenue. It is due on Friday, August 14, 2020. It is a very competitive process.
- The Virginia Municipal League Annual Conference will be a virtual event this year, October 7 and 8, 2020. There is a $95.00 registration fee.

Council Comments:
Mrs. Puckette would like to place Ms. Joetricia Humbles with Appomattox for Equality on a future agenda.

Mr. Simpson commented that based on the showing tonight, we should have a discussion of the skateboarding, biking issue at a future meeting. What are other localities doing? Looking at the smaller Towns, how are they paying for these things. He would like to open the discussion.

Mr. Harvey agreed with Mr. Simpson. Mr. Shanaberger has suggested created a citizen's meeting. Mr. Harvey also said he has been asked Mr. Redding with the Appomattox County Chamber Commerce when they could move into the depot. Mr. Harvey stated he knew the motion died for the lack of a second but wasn't sure why – maybe because so many other things were going on. He would like for Council to address that at a future meeting.

Closed Session:
On a motion by Council Member Puckette, seconded by Council Member T. Garrett, 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 identified by Tax Map # 64A5 A 200.

Vote: J. Garrett – aye, P. Harvey – aye, M. Spiggle – aye, T. Garrett – aye, N. Simpson – yes, Puckette – yes.

The meeting was re-opened to the public.

Council Member T. Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member J. Garrett and Council by the following recorded vote adopted the motion:

Vote: J. Garrett – aye, P. Harvey – aye, M. Spiggle – aye, T. Garrett – aye, N. Simpson – yes, Puckette – yes.
Motion carried 6-0.

Adjournment:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 9:00 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
August 25, 2020

The Appomattox Town Council held a Workshop meeting on Tuesday, August 25, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Jonathan D. Garrett, Nathan A. Simpson, Timothy W. Garrett, Paul D. Harvey, Mary Lou Spiggle.

Absent: Claudia G. Puckette.

Town Planning Commission present: Linda Lipscomb, Marvin Mitchell, S. L. Ferguson, and Roger Carson.

Others present: Don Wilk, Christy Torrence, Philipp Gabathuler, Megan Lucas, Michelle Payne, Carlton Duck, Sarah Conner, Kim Ray, Treasurer, Gary Shanaberger, Manager and Roxanne Casto, Clerk.

Mayor Conner called to order the Council Workshop meeting including a public hearing with the Appomattox Town Planning Commission.

Mr. Mitchell called the Planning Commission to order.

Mayor Conner stated the purpose of the public hearing.

The purpose of the joint public hearing is to consider adopting the Town of Appomattox Comprehensive Plan.

The purpose of the Comprehensive Plan shall be "guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants" of the Town of Appomattox.

The full Comprehensive Plan may be examined at the Appomattox Municipal Building located at 210 Linden Street, Appomattox, Virginia 24522 during normal business hours, Monday through Friday, 8:30 a.m. to 4:30 p.m. Any person needing special accommodations should contact the Town Office at 434-352-8268 no later than the close of business the day prior to the public hearing.

Questions may be directed to Gary L. Shanaberger, Town Manager/Zoning Administrator at 434-352-8268.

Mr. Shanaberger thanked the members of the Planning Commission and Mr. Gabathuler for their hard work on this plan.

Mr. Gabathuler stated that this process kicked off last summer. In July we started off with the survey process to gain a better understanding from citizens as they saw the Town's Strengths, Weaknesses, Opportunities and Threats and then used this as a spring board to start the process of this update. The Central Virginia Planning District Commission completed the last comprehensive plan for the Town which was the first written plan for the Town. Prior to that the Town was just included in the County's Comprehensive Plan.

The purpose of the plan, other than the reason Mayor Conner expressed is, because it is state mandated. There is a very good reason for that. Transportation funding is a huge part of why the plan is maintained. Some of the recommendations of the plan could possibly be funded by one of the state's sources. The Town is currently applying for Smart Scale funding through the Virginia Department of Transportation for the Lee Grant Avenue widening project.

Mr. Gabathuler thanked the Planning Commission members, Town staff and citizens for all their efforts on the plan. It is just a little later than expected due to COVID-19. Mr. Gabathuler went over the chapters of the plan and took questions at the end.

The Goals and Objectives were updated from 2015. The Future Land Use Map is what the Town is expected to look like in 20 years. The Transportation portion is very important. The Community Facilities and Resources section is also very important. What services are provided for taxes paid.

Councilman Simpson asked if there was any movement in the House on the Trans Dominion Express? Mr. Gabathuler responded that the last he saw there was a map of it, and it is in the works. It depends a lot of how much transient funding is available. There appears to be more focus on bus routes at the state level.

Councilwoman Spiggle stated the community responses were good. Mr. Gabathuler and Mr. Shanaberger were mainly responsible for those. I know you worked hard on it. It is important.

Public Comments:

Don Wilk – 1848 Church Street – My wife and I own the venue at 1848 Church Street. Our company is called Church & Main. We call it a family business ministry restoring to the family the responsibilities God has given us. I just want to make a few comments regarding the plan. Speaking to the purpose, participants, the property, promoting of health, safety, morals, order, convenience, prosperity and general welfare of our town, citizens and families is a good thing. Our belief is that this is primarily the responsibility of the family. So, my focus and my wife's focus is going to be with families. The participants of the plan, people responded to the survey that they are content and happy here and that's a good thing. How do we make changes or move forward if the people like it the way it is?

I would encourage everyone here and myself included to work within our families to become more involved in the day to day activities of living here. There is a part in there about the land

use – We believe the earth is the Lord's – I would encourage families and Council to work towards no tax on that land and restoring to the family that responsibility. One of the things we really like about this area is the multi-generational aspect of people are still here. They don't up and leave. Regardless of whether they are out on farmland or in town, they are still here and that's the way it is supposed to be. That speaks to exercising dominion. Thank you.

There were no other public comments.

Mayor Conner closed the public hearing.

Mr. Mitchell adjourned the Planning Commission meeting.

Councilman Harvey requested the addition of items under the discussion portion of the agenda:
1 – Whether the Appomattox County Chamber of Commerce will be allowed to move into the depot.
2 – A discussion of ideas for the skateboarders.

Discussion Items:
Lynchburg Regional Business Alliance:
Megan Lucas, CEO, Lynchburg Regional Business Alliance appeared before Council to provide an update on the Regional Chamber of Commerce and Economic Development office. The Chamber side is an advocacy for business and the Economic Development side is responsible for growing companies and why they should come into the region. The Economic Development side is funded in two keyways – a capital campaign directed to the private sector. At the same time, each year we ally with our municipal partners. These municipalities that want to be a part of this initiative pay $1.25/capita. The Economic Development Director in each locality, which participates, meets monthly and that is the group the alliance works with. Mrs. Lucas explained an overview of the process of how the Business Alliance fulfills requests for proposals for information on property within the locality. The core responsibility of the Alliance is to create jobs for the region.

The Town was a former investor in the former Region 2000 Economic Development organization from 2012-2016. In 2016, the Town chose to no longer be an investor. The fees are based on $1.25/capita. We market and showcase the region, the entire region. The difference between being an investor and a municipality is when we get prospects through VEDP (Virginia Economic Development Partnership) we share them with everyone but when I travel across the country with site consultants, those dollars are sued for that and when we generate interest and leads the people that get those leads are the partners. With that said, if I am meeting with a client and you have what they need, that is not neglected. We realize that the core is jobs and capital investments.

The Town of Amherst, Amherst County, City of Lynchburg, Campbell County, Town of Altavista and Bedford County are members of the Business Alliance.

Mrs. Lucas explained that the lack of pad ready sites in the region is the biggest hurdle in getting businesses to locate in Central Virginia.

Council thanked Mrs. Lucas for the update.

Appomattox County Chamber of Commerce:
Councilman Harvey stated that the Town owes the Chamber of Commerce a response to their request to occupy office space in the Visitor's Center. After discussion, Mr. Harvey said he would convey the concerns to deny the request to Mr. Redding, President of the Chamber.

Skateboarding Ideas:
Councilman Harvey said one idea pitched to him was to allow skateboarding on Harrell Street and Main Street at night. Mr. Harvey agrees this idea needs to go through a committee.

Action Items:
Councilman J. Garrett requested staff explore the current FY 2021 budget to fund the Town's portion of the dues to join the Lynchburg Regional Business Alliance. Mr. Shanaberger recommended requesting the Town's EDA to pay the membership dues on behalf of the Town.

On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to instruct the Town EDA to pay the FY 2021 dues to the Lynchburg Regional Business Alliance. Vote: J. Garrett – yes, N. Simpson – yes, T. Garrett – yes, M. Spiggle – yes, P. Harvey – no. Motion carried 4-1.

On a motion by Mr. T. Garrett, seconded by Mr. N. Simpson, Council voted to advertise for two weeks the Council vacancy being created by Jonathan Garrett's resignation. All members present voting aye. Motion carried 5-0.

Council Comments:
Mrs. Spiggle expressed her condolences to the family of Dr. Larry Smith.

Mayor Conner reported that he has formed a committee to study the skateboarding issue and see what opportunities are available. Members will be Paul Harvey and Nathan Simpson from Council, 2 other community members selected by Mr. Harvey and Mr. Simpson, possibly Laura Dawson and Elizabeth Milton. Richard Conner will serve as an ex-officio member. The purpose of the committee will be exploring solutions to skateboarding in Town.

Mayor Conner will contact the Chairman of the Board of Supervisors to see if they have board members willing to serve.

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for July 2020. The financial conversion took 60 days for taxes (real estate, personal property) and utility billing. Pre-audit work will begin tomorrow.

Mr. Shanaberger provided an update on fireworks for July 2021.

On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to fund fireworks on July 3, 2021 with a budget of $10,000. All members present voting aye. Motion carried 5-0.

The Smart Scale Grant application has been submitted to VDOT. Council will need to pass a resolution at the September 14, 2020 Council meeting.

COVID-19 training has been completed and staff is making a good faith effort to adhere to the guidelines.

The Virginia Municipal League conference is virtual October 7 and 8, 2020.

Closed Session
On a motion by Council Member P. Harvey, seconded by Council Member J. Garrett, 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 discussion of the possible purchase of a small parcel of real property located in the Town of Appomattox.

Vote:
J. Garrett – yes, P. Harvey – yes, M. Spiggle – yes, T. Garrett – yes, N. Simpson – yes.
Puckette – absent.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member N. Simpson and Council by the following recorded vote adopted the motion:

J. Garrett – yes, P. Harvey – yes, M. Spiggle – yes, T. Garrett – yes, N. Simpson – yes. Puckette – absent. Motion carried 5-0.

Adjournment:
On a motion by Mr. J. Garrett, seconded by Mr. T. Garrett, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried 5-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
September 14, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, September 14, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present: Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Paul D. Harvey and Claudia G. Puckette (via phone).

Staff members present: Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

Others present: Carlton Duck, Michelle Murch, Sarah Conner, Jim Boyce, Susan Adams, Bill Gillespie, Jeff Elder, Don Wilk, Aaron Tilton and Joetricia Humbles.

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
None

Scheduled Public Appearances:
Ms. Joetricia Humbles appeared before Council to introduce the group Appomattox For Equality. It is a non-profit group designed to bridge the gap to repair social equality. Council thanked Ms. Humbles for attending.

Adoption of the Consent Agenda:
On a motion by Ms. Spiggle, seconded by Mr. T. Garrett, Council voted to accept the adoption of the consent agenda for Monday, September 14, 2020 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:
On a motion by Mr. N. Simpson, seconded by Ms. Spiggle, Council voted to fund the shortfall of approximately $200,000 for the Sanitary Sewer Improvement project. Roll Call vote: Simpson – yes, Spiggle – yes, T. Garrett – yes, Harvey – yes, Puckette – yes. Motion carried 5-0.

On a motion by Mr. Harvey, seconded by Ms. Spiggle, Council voted to recommend to the United States Department of Agriculture/Rural Development the award of the following Sanitary

Sewer Improvement Projects, having been advertised and competitively bid, to H. G. Reynolds Company, Inc:

1 – 2020 Trickling Filter Sanitary Sewer Basin Rehabilitation – Phase II for the sum total of $699,000.00.

2 – New Sanitary Sewer Force Main – for the sum total of $1,438,435.00.

3 – New Equalization Tank & Pump Station – for the sum total of $3,234,400.00.

Roll Call Vote: Simpson – yes, Spiggle – yes, T. Garrett – yes, Harvey – yes, Puckette – yes. Motion carried 5-0.

On a motion by Mr. T. Garrett, seconded by Mr. Harvey, Council voted to adopt the 2040 Town of Appomattox Comprehensive Plan. All members voting aye. Motion carried 5-0.

On a motion by Mr. N. Simpson, seconded by Mr. Harvey, Council voted to adopt a Resolution of Support for the Lee Grant Avenue Smart Scale project. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to advertise a joint public hearing to be held on September 29, 2020 to receive public comments regarding an ordinance to revise a portion of the Code of the Town of Appomattox, in Chapter 195, Article VII "Business District, Less Intense Use, General, B-1" and Article VIII "B-2 Business District". All members present voting aye. Motion carried 5-0.

On a motion by Mr. T. Garrett, seconded Ms. Spiggle, Council voted to revise a portion of the Code of the Town of Appomattox, in Chapter 166 Article I "General Provisions". Vote: Spiggle – yes, T. Garrett – yes, Harvey – yes, Puckette yes, Simpson – no. Motion carried 4-1.

On a motion by Mr. T. Garrett, seconded by Mr. Harvey, Council voted to re-act an Ordinance to Establish Emergency Procedures ending April 13, 2021. All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports:
None

Town Manager's Report:
Mr. Shanaberger provided the following updates:

- The Advisory Board of the Downtown Revitalization project only received one bid for the project. Because of that, they think it would be a good idea to rebid the first round.
- There will be a public hearing for the Church Street Waterline project on September 16, 2020; the second public hearing will be September 29, 2020 and then followed by a resolution of support.

Council Comments:
Ms. Spiggle thanked Joetricia Humbles for attending the Council meeting.

Mr. Garrett expressed his concern to Ms. Puckette during her husband's illness.

Adjournment:
On a motion by Ms. Spiggle, seconded by Mr. T. Garrett, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Special Call Council Meeting
September 16, 2020

The Appomattox Town Council held a Special Call Council meeting on Wednesday, September 16, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council members present were Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, Paul D. Harvey and Claudia G. Puckette (via phone).

Others present were Michelle Payne, Don Wilk, Jim Boyce, Bif Johnson, Hurt & Proffitt, Inc., Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager and Roxanne Casto, Clerk of Council.

Mayor Conner called the Special Call meeting to order by reading the purpose of the meeting:
The purpose of the meeting is:

- Public Hearing:

  The purpose of the hearing is to solicit input on the proposed Community Development Block Grant (CDBG) proposal to be submitted to the Virginia Department of Housing and Community Development for the Appomattox Church Street Waterline Replacement Project. Residents and owners of properties in the project area are encouraged to attend. The Appomattox Church Street Waterline Replacement Project proposal will include the following activities: Replacement of approximately 6,225 linear feet of 4" water line with 8" water line, including fire hydrants in entire project area, within the rights-of-way of Church Street, Confederate Boulevard, Red House Road, and Morris Avenue. The alignments are within existing rights-of-way and are routed to avoid existing utilities, sidewalks, etc. as much as possible.

  A detailed fact sheet presenting the key activities and benefits of the project will be presented for comment at the hearing. Citizens will also be given the opportunity to comment on the Town of Appomattox's past use of CDBG funds.

- Consideration of a Closed Session, Pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of prospective candidates for appointment for the council vacancy created by the resignation of Councilman Jonathan D. Garrett on August 27, 2020.
- Closed Session Certification
- Consideration of action from the Closed Session
- Adjournment

Public Hearing
Mayor Conner opened the public hearing and stated the purpose:
The purpose of the hearing is to solicit input on the proposed Community Development Block Grant (CDBG) proposal to be submitted to the Virginia Department of Housing and Community Development for the Appomattox Church Street Waterline Replacement Project. Residents and owners of properties in the project area are encouraged to attend. The Appomattox Church

Street Waterline Replacement Project proposal will include the following activities: Replacement of approximately 6,225 linear feet of 4" water line with 8" water line, including fire hydrants in entire project area, within the rights-of-way of Church Street, Confederate Boulevard, Red House Road, and Morris Avenue. The alignments are within existing rights-of-way and are routed to avoid existing utilities, sidewalks, etc. as much as possible.

Presentation:
Mr. Bif Johnson, Hurt & Proffitt, Inc. provided an overview of the Church Street Waterline Replacement Project.

PROJECT TITLE: Appomattox Church Street Waterline Replacement Project

PROJECT GRANTEE: Town of Appomattox
210 Linden Street
Appomattox, Virginia
434-352-8268

AVAILABLE PROGRAM FUNDING:
The Department of Housing and Community Development (DHCD) **Community Development Block Grant (CDBG) Construction-Ready Water and Sewer Fund (CRWSF)** program supports the construction of community facility projects providing public water or sewer service to communities made up of at least 60 percent low- to moderate-income (LMI) households or a locality-wide project serving at least 55 percent LMI households. Appomattox is designated as an LMI community in HUD's definition at approximately 55% so it qualifies to participate in this program. The maximum amount of grant that can be requested under this program is $650,000.

AVAILABLE PROGRAM ACTIVITIES:
CDBG assistance for community facilities is targeted to projects involving water and wastewater improvements.

PROJECT DESCRIPTION:
The Appomattox Church Street Waterline Replacement Project proposal will include the following activities: Replacement of approximately 6,225 linear feet of 4" water line with 8" water line, including fire hydrants in entire project area, within the rights-of-way of Church Street, Confederate Boulevard, Red House Road, and Morris Avenue. The alignments are within existing rights-of-way and are routed to avoid existing utilities, sidewalks, etc. as much as possible.

PROJECT BENEFITS:
The project provides the following benefits:

- Eliminating dead end water line routes
  - Dead ends could cause water quality issues (do not currently have any)
  - Provide redundancy in the system in case of water line breaks/outages
  - Provides better system pressures (meet VDH regulations) during high water flow conditions, including during fire flow events
- Existing water line has reached its life expectancy
  - Interior pipe size reduced due to tuberculation
  - Tuberculation causes water line capacity issues
  - Tuberculation can cause water quality issues (none at this time)

CDBG OUTPUT/OUTCOME:

- Provision of safe, adequate, and reliable drinking water for the Town

TOWN'S PAST/OTHER USE OF CDBG FUNDS:
$30,000 Planning Grant - Greater Meadowlark Community Improvement Project
$1,000,000 Construction Grant - Greater Meadowlark Community Improvement Project
$35,000 Planning Grant – Appomattox Downtown Revitalization Project
$700,000 Construction Grant - Appomattox Downtown Revitalization Project

Public Comments:
Mr. Jim Boyce – 177 Cawthorne Street – Will additional fire hydrants be installed along the route and what type of waterline pipe will be used?

Mr. Johnson responded to the hydrant placement criteria of the project and that ductile and PVC pipe would be priced for the project.

Mr. Don Wilk – 1848 Church Street – Will the pressure be increased into the property and how will the increased pressure be handled?

Mr. Elder explained the change in line size from a 4" to an 8" line and if pressure increases above 80 psi, the Town will install pressure reducing units at those locations.

There were no other comments.

Mayor Conner closed the public hearing.

Closed Session:
On a motion by Mr. Harvey, seconded by Mr. T. Garrett, 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 prospective candidates for appointment for the council vacancy created by the resignation of Councilman Jonathan D. Garrett on August 27, 2020.

Vote:
Spiggle-aye, T. Garrett-aye, Simpson – aye, Puckette-aye, Harvey – aye. Motion carried 5-0.

The meeting was re-opened to the public.

Ms. Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Mr. T. Garrett and Council by the following recorded vote adopted the motion:
Vote:
Spiggle-aye, T. Garrett-aye, Simpson – aye, Puckette-aye, Harvey – aye. Motion carried 5-0.

Adjournment:
On a motion by Mr. T. Garrett, seconded by Mr. Simpson, Council voted to adjourn the meeting. All members present voting aye. Motion carried 5-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Special Call Council Meeting
September 21, 2020

The Appomattox Town Council held a Special Call Council meeting on Monday, September 21, 2020 at 7:45 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council members present were Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson (via phone), and Claudia G. Puckette (via phone). Absent: Paul D. Harvey.

Staff present were Town Manager, Gary Shanaberger; and Clerk of Council, Roxanne Casto.

Mayor Conner called the Special Call meeting to order by reading the purpose of the meeting: Consideration of a Closed Session, Pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of prospective candidates for appointment for the council vacancy created by the resignation of Councilman Jonathan D. Garrett on August 27, 2020.

Closed Session:
On a motion by Ms. Spiggle, seconded by Mr. T. Garrett, 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 prospective candidates for appointment for the council vacancy created by the resignation of Councilman Jonathan D. Garrett on August 27, 2020.

Vote:
Spiggle-aye, T. Garrett-aye, Simpson – aye, Puckette-aye. Motion carried 4-0.

The meeting was re-opened to the public.

Ms. Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Mr. Simpson and Council by the following recorded vote adopted the motion:
Vote:
Spiggle-aye, T. Garrett-aye, Simpson – aye, Puckette-aye. Motion carried 4-0.

Action:
On a motion by Ms. Spiggle, seconded by Mr. T. Garrett, Council voted to appoint Aaron Tilton to fill the unexpired term of Mr. Jonathan D. Garrett until the next Town Council General Election of May 3, 2022.

Roll Call Vote:
Spiggle-aye, T. Garrett-aye, Simpson – aye, Puckette-aye. Motion carried 4-0.

Adjournment:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Workshop Meeting
Tuesday, September 29, 2020

The Appomattox Town Council held a workshop meeting on Tuesday, September 29, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Town Council members present: Aaron Tilton, Timothy W. Garrett, Mary Lou Spiggle, Nathan A. Simpson (via phone), Paul D. Harvey and Claudia G. Puckette (via phone).

Staff members present: Christy Torrence, Jeff Elder (via phone), Kim Ray, Gary Shanaberger and Roxanne Casto (via phone).

Planning Commission members present: Marvin Mitchell, Roger Carson, Linda Lipscomb.

Mayor Conner called the meeting order.

Joint Public Hearing - Mixed-Use Ordinance

Mayor Conner opened the joint public hearing for the Town Council. Mr. Mitchell, Chairman of the Planning Commission opened the joint public hearing for the Planning Commission.

The purpose of this joint public hearing will be to receive public comments concerning adoption by the Town Council of:

AN ORDINANCE TO REVISE a portion of the Code of the Town of Appomattox, in Chapter 195, Article VII "Business District, Less Intense Use, General, B-1" and Article VIII "B-2 Business District."

Mr. Shanaberger provided an overview of the draft ordinance.

Public Comments:

Mr. Bill Jamerson spoke in favor of the change to the ordinance but expressed concerns of the square footage. The ordinance is worth considering for adoption.

Mr. Gary Mantiply spoke on behalf of the Poole family that owns the building where US Cellular is located. Basically, the assessment values this year increased, and we would like to utilize all the space of our building. This ordinance will definitely improve our options. The are in support of this as well.

Mr. Bill Collins, Citizens Bank, Blackstone, Virginia owns the property at 1850 Church Street. The building is 21,000 square feet and they recently spent $53,000 on a roof. The more opportunities we have in the Town, the more successful we will be in occupying the building. They were very successful in locating businesses in spaces they have owned. As the owner, we support the ordinance change.

Questions from Council – None

Questions from the Planning Commission – None

Mayor Conner closed the joint public hearing. Mr. Mitchell, Chairman of the Planning Commission also closed the joint public hearing.

Public Hearing - 2nd hearing for CDBG Church Street Waterline Replacement Project
Mayor Conner opened the public hearing and stated the purpose:
The purpose of the hearing is to solicit input on the proposed Community Development Block Grant (CDBG) proposal to be submitted to the Virginia Department of Housing and Community Development for the Appomattox Church Street Waterline Replacement Project. Residents and owners of properties in the project area are encouraged to attend. The Appomattox Church Street Waterline Replacement Project proposal will include the following activities: Replacement of approximately 6,225 linear feet of 4" water line with 8" water line, including fire hydrants in entire project area, within the rights-of-way of Church Street, Confederate Boulevard, Red House Road, and Morris Avenue. The alignments are within existing rights-of-way and are routed to avoid existing utilities, sidewalks, etc. as much as possible.

Project area information, maps, and cost estimates will be presented for comment along with information on projected beneficiaries including Low-to-Moderate income residents. A detailed fact sheet presenting the key activities and benefits of the project will be presented for comment at the hearing. Citizens will also be given the opportunity to comment on the Town of Appomattox's past use of CDBG funds.

Mr. Shanaberger, Town Manager and Ms. Jessica Littlejohn with Hurt & Proffitt, Inc. provided an overview of the project.

There were no questions from the Town Council. There were no public comments during this public hearing.

Mayor Conner closed the public hearing.

Discussion/Consideration items:

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to adopt the following resolution:

A RESOLUTION FOR APPLICATION TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE CHURCH STREET WA TERLJNE REPLACEMENT PROJECT

WHEREAS, pursuant to two public hearings, The Town of Appomattox (Town) wishes to apply for $650,000 of Virginia Community Development Block Grant funds for the Church Street Water Line Replacement (Project).

WHEREAS, the Town has committed $184,983 toward the Project for Engineering Services and the Town intends to apply for the remainder of the required funding ($1 ,421 ,482) as a grant from the USDA Rural Development.

WHEREAS, it is projected that 2,080 beneficiaries (persons within the Town of Appomattox) will result from the implementation of this project, of which 1,145 will be low-and moderate-income persons.

NOW THEREFORE BE IT RESOLVED, that Gary Shanaberger, Town Manager is hereby authorized to sign and submit the appropriate documents for the Community Development Block Grant Application, as well as, all appropriate documents associated with the implementation of the Project; and

BE IT FURTHER RESOLVED, that the project will provide safe, adequate, and reliable drinking water for the Town.

Adopted the _____, 2020.

By: Richard C. Conner, Mayor

ATTEST:
By: Roxanne W. Casto, Clerk

All Council members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt the following resolution:

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2020-2021 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

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 situses within the Town commencing January 1, 2020, 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 60.00% tax relief;*
- *Personal use vehicles valued at $20,001 or more shall only receive 60.00% 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.*

Attest:

_____ _____
Roxanne W. Casto, MMC, Town Clerk *Date*

Roll Call Vote: Tilton – aye, Spiggle – aye, Garrett – aye, Harvey – aye, Puckette – aye, Simpson – aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt the following resolution:

RESOLUTION

A RESOLUTION REQUESTING THE ROUTE FR-1013 BE ABANDONDED FROM THE STATE SYSTEM OF PRIMARY ROADS

Whereas, PURSUANT TO Section 33.2-902 Code of Virginia, the Commissioner of the Virginia Department of Transportation has provided this Board with its notice to abandon from the primary System of State Highways a 0.02 mile section of Route FR-1013 located in the Courthouse voting district, as described on the attached form, fully incorporated by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Appomattox County, and

WHEREAS, the Resident Administrator for the Virginia Department of Transportation has advised the Council that the abandonment of FR-1013 only serves one property owner, and is a portion of Right -Of-Way in the State System of Primary Roads and

WHEREAS, the Council opened up at least Thirty (30) day period of review on ***July 22, 2020*** *for the public to determine if a public necessity exists, and*

NOW, THEREFORE, BE IT RESOLVED, this Council supports Virginia Department of Transportation proving no public necessity exists to abandon FR-1013, and

NOW, THEREFORE, BE IT RESOLVED, that this Council supports Virginia Department of Transportation's action to abandon from the Primary System of the State Highways FR-1013 pursuant to section 33.2-902 of the Code of Virginia, and

BE IT FURTHER RESOLVED that a certified copied of the resolution be forwarded to the Resident Administration for the Virginia Department of Transportation.

All Council members present voting aye. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mrs. Puckette, Council voted to adopt the following budget amendment:

1. *Consideration to adopt a resolution amending the FY 2021 Operating Budget for the General Fund for FY 2020-2021 for carry forward of funding on incomplete projects from FY2020.*

2. *WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time*

3. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2021 Operating Budget for the General Fund.*

General Fund Expenditures

10-5300-4150	*Contracted Services*	*4,568.00*
Net Increase in Budget		*$ 4,568.00*

General Fund Revenues

Use of Undesignated Reserve	*$ 4,568.00*
Net Increase in Budget	*$ 4,568.00*

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2021 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2020.

Attest:

_____
Roxanne Casto, Town Clerk

Roll Call Vote: Tilton – aye, Spiggle – aye, Garrett – aye, Harvey – aye, Puckette – aye, Simpson – aye. Motion carried 6-0.

Mr. Simpson inquired about Town WI-FI coverage. The Coronavirus has affected a lot of us and would like to know more about the cost feasibility of moving forward with this initiative. Mr. Shanaberger said staff could begin working on this item in January or February. Mr. Harvey will reach out to Appomattox County and find out the status of County coverage. Mr. Simpson suggested possibly an information workshop meeting with the school as well.

Mr. Simpson inquired about the status of the Architectural Review of the Train Depot. What are the major repair issues, what are the cost estimates? Mr. Harvey agreed with Mr. Simpson. Mrs. Puckette stated that the Town's auditors have cautioned the Town of how/when to move forward regarding overspending. The Town has pending financial obligations that should be considered before obligating potential debt for the depot repairs.

Council comments:
Council thanked staff for all the hard work being performed on the grant applications and current projects.

Staff Reports:
Mrs. Ray provided the Treasurer's Report for August 2020 and an update on the financial conversion process.

Mr. Shanaberger – none

Mr. Elder – none

Mrs. Casto – none

On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to adjourn at 7:00 p.m. All present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
October 13, 2020

The Appomattox Town Council held a Regular Council meeting on Tuesday, October 13, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Paul D. Harvey and Claudia G. Puckette (via phone).

Staff members present –Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

Others present – Carlton Duck, Michelle Murch, Sarah Conner, Bill Gillespie, Susan Adams, Bruce Boone, Brian Goldman, Emilee Lauer, Deborah Williams & staff from Blue Ridge Medical Center.

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
None

Scheduled Public Appearances:
Ms. Deborah Williams introduced some of the staff of the Blue Ridge Medical Center. There will be a center in Appomattox starting in November 2020. They will be offering family practice of children through elderly and may add dental at a later time. Council thanked Blue Ridge Medical for filling a large void in the community.

Adoption of the Consent Agenda:
On a motion by Ms. Spiggle, seconded by Mr. P. Harvey, Council voted to accept the adoption of the consent agenda for Tuesday, October 13, 2020 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
On a motion by Mr. N. Simpson, seconded by Mr. P. Harvey, Council voted to accept the recommendation of the Appomattox Town Planning Commission to approve an ordinance to revise a portion of the Code of the Town of Appomattox, in Chapter 195, Article VII, "Business District, Lee Intense Use, General, B-1", Article VIII, "B-2 Business District". All members present voting aye. Motion carried 6-0.

New Business:
On a motion by Mr. P. Harvey, seconded by Mr. T. Garrett, Council voted to advertise a joint public hearing with the Appomattox Town Planning Commission to be held on October 27, 2020 at 6:00 p.m. for a rezoning application submitted by Bruce s. Boone for 929 Confederate Blvd. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Tilton, Council voted to advertise a joint public hearing with the Appomattox Town Planning Commission to be held on October 27, 2020 at 6:00 p.m. for a zoning request to install a cell tower on the former Thomasville property. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:
None

Citizens Comment Period:
None

Town Manager's Report:
Mr. Shanaberger provided the following updates:

- Paperwork for the Inflow and Infiltration project at the sewer plants continues to be processed. The construction contracts have arrived and will be reviewed and signed.
- The Department of Housing and Community Development has received the grant application for the Church Street Waterline Replacement Project. Progress continues on the grant application for Rural Development for the same project. Hurt & Proffitt, Inc. continues to work on the Environment Review reports.

Council Comments:
Mr. P. Harvey:
Skateboarding/Biking topic:
Mr. P. Harvey and Nathan Simpson met with citizens about the skating issues. He reported they talked about not having an ordinance in the Town and going by the State Code to be the standard. Mr. Harvey spoke with Mr. Wright concerning this and he said we would not really have anything enforceable without an ordinance in the Town. Bikers are to follow the traffic laws. We just don't want them on the sidewalks. It's already in the state code that bikes are not allowed on sidewalks, so that will need to be in there. Basically, the state code leaves it up to the localities what – how you want to state it.

Mr. Harvey said they also talked about the Town Council providing some type of designated skate areas after business hours. It would give them (skaters) something to possibly use. Robby Richardson has agreed to have a training session with the bikers and skaters and to do an hour-long presentation. We also talked about having some form of certification that they have attended the class. Younger kids coming in later would be mentored by the older kids to take the class. Hopefully, the parents would step up and encourage their kids to take the class.

Liberty Baptist Church has purchased additional property near the planned park on Lee Grant Avenue. Mr. Harvey spoke with Mr. Simpson about leasing or donating property for a skatepark. There may be some private funding available for building a skatepark. If the Town assumes all risks, it will solve potential problems since the Town has sovereign immunity. More research is needed. The location on Lee Grant Avenue would be ideal.

Mr. Simpson commented the Town would only be a liability vehicle. The Town would not be putting any money into it. The Church could be more easily sued versus the Town.

Mr. Harvey said he believes the Town could put a little bit of money into the skatepark to help build it or at least look at grant opportunities.

Mr. Garrett asked about the Town's legal position/exposure.

Mr. Frank Wright, Town Attorney responded that the Town does have sovereign immunity, but it does not mean the Town is incapable of being sued.

Internet/WI-FI options in Town:
Mr. Harvey offered to talk to Warren Kane, CEO of B2X Online. He has agreed to make a presentation to Council at the Workshop meeting on October 27, 2020.

Financial Analysis:
Mr. Harvey also inquired about pursuing a financial analysis of the Town after the audit is complete. We need to use other people's money to get some of this stuff done. The way the meals tax is going, he would like Council put aside some of that money for the depot renovations.

Mr. T. Garrett – none

Mr. Tilton – none

Mr. Simpson – none

Ms. Spiggle – none

Mrs. Puckette – none

Closed Session:
On a motion by Council Member Simpson, seconded by Council Member Harvey, 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 prospective candidates for employment, specifically Candidate A.

Vote: Tilton – yes, Simpson – yes, Spiggle – yes, T. Garrett – yes, Puckette – yes, Harvey – yes.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLOVED 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.

The motion was seconded by Council Member Simpson and Council by the following recorded vote adopted the motion:

Vote: Tilton – yes, Simpson – yes, Spiggle – yes, T. Garrett – yes, Puckette – left the closed session at 9:10 p.m., Harvey – yes.
Motion carried 5-0.

Adjournment:
On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to adjourn at 9:20 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
October 27, 2020

The Appomattox Town Council held a Workshop meeting on Tuesday, October 27, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, Mary Lou Spiggle and Claudia G. Puckette.

Town Planning Commission present: Linda Lipscomb, Marvin Mitchell, S. L. Ferguson, and Roger Carson.

Others present: Carlton Duck, Alive Media TV; Jeff Elder, Facilities Director; Warren Kane, B2X Online; Christy Torrence, Office Manager; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; Frank Wright, Town Attorney; Bruce Boone, Brian Goldman, Julia Vaughan, Emilee Lauer, Sarah Conner and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page.

Mayor Conner called to order the Council Workshop meeting including a public hearing with the Appomattox Town Planning Commission.

Mr. Mitchell called the Planning Commission to order.

Mayor Conner stated the purpose of the public hearing:
The Appomattox Town Planning Commission and the Appomattox Town Council will conduct a joint public hearing on Tuesday, October 27, 2020 at 6:00 p.m. to consider the following petition:

Property Owner: Bill Jamerson
Applicant Name: Bruce S. Boone
Authorized Agent: Bruce S. Boone

Bruce S. Boone does hereby request a rezoning application for Tax Map Identification Number 64A6 1 B 19A, 64A6 1 A 7, 64A6 1 A 6, 64A6 1 A 5, 64A6 1 A 4, 64A6 1 A 3, 64A6 1 A 2. The property is currently zoned R-2 and the proposed zoning is R-3 in order to create continuation of the R-3 General Residential adjacent to other R-3 properties. This parcel is approximately 9 acres in size and is located at 929 Confederate Boulevard, Appomattox, Virginia.

The joint public hearing will be held in the Appomattox Town Council Chambers located at 210 Linden Street, Appomattox, Virginia. A copy of the petition is on file in the Town Office, 210 Linden Street, Appomattox, Virginia. Any person needing special accommodations should contact the Town Office at 434-352-8268 no later than the close of business the day prior to the public hearing.

Mr. Shanaberger explained the primary purpose of the request to rezone from R-2 to R-3 is for a school to be located within the house on the property. The R-3 zoning request follows the Town's Comprehensive Plan. There will be no impact to local resources and/or services.

Mr. Boone addressed the Town Council and the Planning Commission stating the Appomattox Christian Academy is entering its 15th year in operation. In 2015, ACA began renting space at Liberty Baptist Church however, due to the pandemic, there is a need to have all students located on ACA property.

Brian Goldman, Goldman Architects, stated he looked at the building for the proposed use and using current building code guidelines, the structure can easily be upgraded.

Julia Vaughan, Dean of Admissions, oversees recruitment and safety and has been charged with COVID compliance. The greatest hurdle has been social distancing. This added building will enable all elements of social distancing to occur. Currently, ACA has an enrollment of 86 students. The house would hold grades 9-12.

Mr. Boone assured Council and the Planning Commission that no children would be walking back and forth from the house to the main campus and there would be no bus traffic at the house.

Mayor Conner asked for questions from the Planning Commission. There were none. He then asked if there were questions from the Council, there were also none.
Mayor Conner asked if the structure would be ADA compliant and Mr. Goldman assured him it would be. Mayor Conner also asked if VDOT was contact and Mr. Goldman said they are working to set up a meeting with them.

Mayor Conner asked for Public Comments. There were none.

Mayor Conner then stated the purpose of the next public hearing:
The Appomattox Town Planning Commission and the Appomattox Town Council will conduct a joint public hearing on Tuesday, October 27, 2020 at 6:00 p.m. to consider the following petition:

Applicant: Tower Engineering Professionals, on behalf of U.S. Cellular Corporation
Property Address: Armstrong Lane, west-northwest of the intersection of Ferguson Street and Virginia Avenue.
Tax Map # 64A1-A-3

Tower Engineering Professionals, on behalf of U.S. Cellular Corporation, is requesting to install a tower, per the Town of Appomattox Wireless Telecommunications Facilities Ordinance for a

proposed 155-ft AGL (159-ft overall) monopole communications tower to be located southwest of a portion of Armstrong Lane, west-northwest of the intersection of Ferguson Street and Virginia Avenue, in Appomattox, Virginia (Appomattox County Tax ID #64A1-A-3).

The joint public hearing will be held in the Appomattox Town Council Chambers located at 210 Linden Street, Appomattox, Virginia. A copy of the petition is on file in the Town Office, 210 Linden Street, Appomattox, Virginia. Any person needing special accommodations should contact the Town Office at 434-352-8268 no later than the close of business the day prior to the public hearing.

Emilee Lauer, Old Dominion Professional Services, Inc. appeared before the Town Planning Commission to provide an overview of the request by US Cellular to construct a wireless telecommunication tower in the Town of Appomattox upon which US Cellular will be the anchor tenant. The proposal is a 155-ft AGL (159-ft AGL with appurtenances) monopole communication tower, a proposed 100 ft x100 ft tower compound lease area containing a 50 ft x 50 ft chain link fence compound and a 20 ft x 50 ft turnaround area, and an approximately 30 ft wide by 429.73 ft access and utility easement. The site has been chosen to be near users.

Mayor Conner asked for questions from the Planning Commission. There were none. He then asked if there were questions from the Council, there were also none.

Mayor Conner asked for Public Comments. There were none.

Mayor Conner closed the joint public hearings.

Mr. Mitchell closed the Planning Commission meeting.

Rev. Carlton Duck provided a prayer for the Council and citizens as the Town moves forward in light of the untimely passing of Dr. Paul D. Harvey and the passing of Councilwoman Puckett's husband, Dan in the recent week.

Scheduled Public Appearances:

Warren Kane of B2X Online appeared before Council to discuss how B2X will be assisting Appomattox County residents as a recipient of CARES Act funding provided by Appomattox County. The coverage area (by way of the map) shown to Council appears to cover all of the Town of Appomattox. If the Town knows of residents needing internet coverage, Mr. Kane recommended providing them information on B2X. Mr. Kane would need to know how the Town would like to move forward for residents. The service being provided by the Council should start no later than December 15, 2020, but possibly as early as in 2 weeks. Council thanked Mr. Kane for the information.

Discussion Items:

Mayor Conner stated that with the recent passing of Mr. Harvey, a vacancy now exists on the Planning Commission. Nathan Simpson agreed to fill the unexpired term until June 30, 2022 on the Town Planning Commission.

Mayor's Comments:
None

Council Comments:
Mrs. Puckette thanked the Council and staff for their thoughts and prayers during her husbands cancer diagnosis and recent passing.

Ms. Spiggle – none

Mr. T. Garrett – none

Mr. Simpson commented that the Town Attorney had been present at the last two (2) meetings and asked if that was standard protocol. Mr. Shanaberger responded that this was due to the technical issues of the Planning Commission public hearing matters.

Mr. Tilton – none

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for October 2020.

Ms. Casto, Clerk of Council discussed filling the vacancy for the seat on Town Council created by the passing of Dr. Harvey.

Mr. Elder discussed creating a policy for residents desiring an additional roll out cart. Mr. Garrett instructed staff to research other localities and bring back more information to Council.

Mr. Shanaberger provided an updated on the following items:

- The Town Office has received a few phone calls in regards to Halloween. The Town is encouraging citizens to follow guidelines from the Virginia Department of Health (VDH) and the Center for Disease Control (CDC).
- The Meadowlark CDBG Housing project ended in June 2020. Mr. Shanaberger has requested Mr. Matt Perkins, with the Central Virginia Planning District Commission to provide an update on this project at the following meeting.
- The Appomattox Christmas Parade is scheduled for Saturday, December 5, 2020.
- The Downtown Revitalization Project is ongoing. He met with the first two property owners regarding their contracts. He will be able to measure the process using these two contracts.
- A pre-construction meeting of the sewer project is scheduled for Thursday, October 29, 2020. There is one contractor for the 3-phase contract. The Town is anxiously awaiting the USDA closing on this project.

- The Church Street waterline replacement project DHCD grant application has been submitted. In about 10 days, the Rural Development application will be submitted.
- He has reached out to Delegate Farris and Senator Peake regarding the Town's referendums for the charter change.

Mr. Garrett inquired if anything has changed with the Downtown project? Mr. Shanaberger said that everyone has been very patient. The next group of properties is expected to go out for bid in the next 2-3 weeks.
Ms. Spiggle commended on the Façade Improvement Project at the Triangle Plaza. The private property owner is doing a complete façade makeover.

Adjournment:
On a motion by Mr. T. Garrett, seconded by Mr. A. Tilton, the Council voted to adjourn at 7:22 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
November 9, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, November 9, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, and Claudia G. Puckette (via phone).

Staff members present – Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council (via phone), Christy Torrence, Office Manager; Jeff Elder, Facilities Director.

Others present – Carlton Duck and Frank A. Wright, Jr.

Public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
At this time, I want to formally recognize that we have lost a member of our community and Town Council. Dr. Paul Harvey served as Mayor of the Town for 12 years and was currently serving on the Town Council. This is a gentleman that we will be very hard pressed to fill his shoes. I feel as a team we will try to accomplish many of the goals he was trying to accomplish for the community. We will surely miss him and am not sure what we can do to honor him and bring and the community closer together.

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to accept the adoption of the consent agenda for Monday, November 9, 2020 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
Mr. Shanaberger informed the Town Council that the Town Planning Commission met on November 4, 2020 and voted to recommend approval of the rezoning request for 929 Confederate Boulevard. Mr. Shanaberger did bring to the Council's attention a letter received today from the Virginia Department of Transportation. This has to do with the question received concerning the driveway. Per the letter, VDOT advised the northern driveway is too small. It will need to be upgraded. The southern driveway is sufficient. Ms. McMahan with VDOT requested Brian Goldman provide her sight distance measurements to determine the entrance which should be in the ingress and egress. Other than the upgrading of the entrances, she

(McMahan) does not have any other issues at this time. Mr. Shanaberger has spoken with Mr. Wright and this can be built into the motion and these two (2) items need to be addressed before they get an occupancy permit. Mr. Shanaberger advised that Council could vote on this tonight with those conditions. Mr. Shanaberger said he has spoken with Mr. Boone and he is agreeable to the conditions.

On a motion by Mr. Tilton, seconded by Mr. Simpson, Council voted to accept the approval recommendation of the Appomattox Town Planning Commission for the application request to rezone 929 Confederate Boulevard also identified as Tax Map #'s – 64A6 A B 19A, 64A6 1 A 7, 64A6 1 A 6, 64A6 1 A 5, 64A6 1 A 4, 64A6 1 A 3, 64A6 1 A 2 from R-2 (Limited Residential, Village Homes) to R-3 (General Residential) with the conditions of the driveway and sight distance measurements be addressed with the Virginia Department of Transportation before an occupancy permit is issued. All members present voting aye. Motion carried 5-0.

Mayor Conner transferred presiding privileges to Vice-Mayor Garrett at this time of the meeting.

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to accept the recommendation of the Appomattox Town Planning Commission to approve the zoning request to install a cellular tower on Armstrong Lane by United States Cellular. All members present voting aye. Motion carried 5-0.

Vice-Mayor Garrett transferred presiding privileges to Mayor Conner at this time of the meeting.

New Business:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to declare the following items from the Public Works Department as surplus and proceed with a seal bid advertisement for disposal: 6" F-250 Pickup Bed; Acr 175 Air Compressor; Sabre 42" Cut 17.5hp Riding Mower; 345 John Deere 54" Cut 20.0 Hp Riding Mower; Case International 595 Tractor With 2255 Loader Pin # JJE0029276; Playground Equipment: 1 6x6 Sand Box
All members present voting aye. Motion carried 5-0.

Mr. Shanaberger provided a brief overview of the Hazardous Mitigation Plan. In late November this will go the FEMA office for review. It will come back to the Town around the first of the year for final approval.

Council Standing Committee Reports:
None

Citizens Comment Period:
None

Town Manager's Report:
Mr. Shanaberger provided the following updates:

- Matt Perkins with Central Virginia Planning District Commission will be at November Workshop meeting to provide an update on the closeout of the Meadowlark project.

- The closing process continues regarding the Inflow and Infiltration Sewer Project with Rural Development.

Council Comments:
Mrs. Puckette – none

Mr. Simpson – First, I think it would be good to have either a workshop session or retreat to learn more about the state of utilities. I think it could help us all establish a common language as we move forward. How are our water and sewer systems doing? What is our 10-15-20 year outlook? What stuff is not on the Capital Improvement Plan at this point that we need to start looking at for 10 years from now. Just making sure we have a long-term vision.

Secondly, 2020 has been an insane year and I wanted to see if we could open up a discussion of how to compensate our Town Staff a cost of living adjustments and a one-time bonus would be great thankful to our staff but unsure of where the funds would come from.

Ms. Spiggle – Before COVID hit, that was our plan in our FY 21 budget but after COVID and there was a reduction in revenue then we readjusted the budget to eliminate the cost of living adjustments. In years past, we [Town} has given bonuses, cost of living adjustments – but these are trying times.

Mr. Simpson – I do not think the budget was as doom and gloom as we thought it would be. We are in a spot, better than we thought. We also have good people and want to keep them.

Ms. Spiggle – We do but we also have these projects that we need to complete. I think that is fiscally responsible.

Mr. Simpson – I think it is fiscally irresponsible to ask people to work for less than they did last year.

Mr. T. Garrett – none

Mr. Tilton – none

Ms. Spiggle – none

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried 5-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
November 24, 2020

The Appomattox Town Council held a Workshop meeting on Tuesday, November 24, 2020 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, Mary Lou Spiggle and Claudia G. Puckette.

Others present: Matt Perkins, Michelle Murch, Jim Boyce, Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; Frank Wright, Town Attorney; and Roxanne Casto, Clerk

Mayor Conner called to order the Council Workshop meeting.

Greater Meadowlark Community Development Block Grant Update:
Matt Perkins, Central Virginia Planning District Commission provided an update on the Greater Meadowlark Housing Grant project. The Town of Appomattox was awarded a $1,000,000 multi-year grant, $700,000 1st phase (housing rehabilitation) and $300,000 2nd phase (infrastructure improvements). The goals of the project are to create safe, sanitary, and secure conditions. There were housing rehabilitations completed on 10 owner occupied dwellings and 5 investor owned dwellings. Easements were secured for 10 streetlights along Patterson Street. There were two (2) structures removed due to blight. A total of 89 individuals were assisted by this project. Several stormwater drainage issues were addressed along with the drainage ditch expansion on Patterson Street.

Council thanked Mr. Perkins for providing the update.

Budget Amendment Resolution 2020-005:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt budget amendment 2020-005:

1. *Consideration to adopt a resolution amending the FY 2021 Operating Budget for the General Fund, Water Fund, and Sewer Fund for funding of a bonus for employees; specifically $1000 for each full time employee and $500.00 for each part-time employee for the budget year for FY 2021.*

2. *WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time*

3. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2021 Operating Budget for the General Fund, Water Fund, and Sewer Fund*

General Fund Expenditures

10-4100-1010	*Administration Salaries*	*$*	*5,500.00*
10-4100-2010	*FICA*	*$*	*420.75*

10-4500-1010	*Tourism Salaries*	*$*	*1,500.00*
10-4500-2010	*FICA*	*$*	*114.75*
10-4700-1010	*Public Works Salaries*	*$*	*10,500.00*
10-4700-2010	*FICA*	*$*	*803.25*
Net Increase in Budget		*$*	*18,838.75*

General Fund Revenues

Use of Undesignated Reserve		*$*	*18,838.00*
Net Increase in Budget		*$*	*18,838.00*

Water Fund Expenditures

30-6000-1010	*Water Salaries*	*$*	*2000.00*
30-6000-2010	*FICA*	*$*	*153.00*
Net Increase in Budget		*$*	*2,153.00*

Water Fund Revenues

Use of Undesignated Reserve		*$*	*2,153.00*
Net Increase in Budget		*$*	*2,153.00*

Sewer Fund Expenditures

31-7000-1010	*Sewer Salaries*	*$*	*2,000.00*
31-7000-2010	*FICA*	*$*	*153.00*
Net Increase in Budget		*$*	*2,153.00*

Sewer Fund Revenues

Use of Undesignated Reserve		*$*	*2,153.00*
Net Increase in Budget		*$*	*2,153.00*

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2021 budget amendments are hereby adopted, 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.

Amended this ____ day of _____ 2020.

Attest:

_____
Roxanne Casto, Town Clerk

Roll Call Vote: Tilton – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 5-0.

Budget Amendment Resolution 2020-004:
On a motion by Mr. Simpson, seconded by Mr. Tilton, Council voted to adopt budget amendment 2020-004:

1. *Consideration to adopt a resolution amending the FY 2021 Operating Budget for the General Fund, Water Fund, and Sewer Fund for funding of a 2% cost of living adjustment increase for the remaining 7 months of the budget year for FY 2021.*

2. *WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time*

3. *NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2021 Operating Budget for the General Fund, Water Fund, and Sewer Fund*

General Fund Expenditures

10-4100-1010	*Administration Salaries*	*$*	*3,300.00*
10-4100-2010	*FICA*	*$*	*260.00*
10-4100-2020	*VRS*	*$*	*200.00*
10-4100-2040	*Life Ins.*	*$*	*45.00*
10-4500-1010	*Tourism Salaries*	*$*	*350.00*
10-4500-2010	*FICA*	*$*	*30.00*
10-4700-1010	*Public Works Salaries*	*$*	*5,500.00*
10-4700-2010	*FICA*	*$*	*425.00*
10-4700-2020	*VRS*	*$*	*275.00*
10-4700-2040	*Life Ins.*	*$*	*60.00*
Net Increase in Budget		*$*	*10,445.00*

General Fund Revenues

Use of Undesignated Reserve	*$*	*10,445.00*
Net Increase in Budget	*$*	*10,445.00*

Water Fund Expenditures

30-6000-1010	*Water Salaries*	*$*	*800.00*
30-6000-2010	*FICA*	*$*	*65.00*
30-6000-2020	*VRS*	*$*	*50.00*
30-6000-2040	*Life Ins.*	*$*	*15.00*
Net Increase in Budget		*$*	*930.00*

Water Fund Revenues

Use of Undesignated Reserve	*$*	*930.00*
Net Increase in Budget	*$*	*930.00*

Sewer Fund Expenditures

31-7000-1010	*Sewer Salaries*	*$*	*1,275.00*
31-7000-2010	*FICA*	*$*	*100.00*
31-7000-2020	*VRS*	*$*	*80.00*
31-7000-2040	*Life Ins.*	*$*	*20.00*
Net Increase in Budget		*$*	*1,475.00*

Sewer Fund Revenues		
Use of Undesignated Reserve	*$*	*1,475.00*
Net Increase in Budget	*$*	*1,475.00*

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2021 budget amendments are hereby adopted, 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.

Amended this ____ day of _____ 2020.

Attest:

_____

Roxanne Casto, Town Clerk

Roll Call Vote: Tilton – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 5-0.

Closed Session:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, 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 prospective candidates for appointment for the council vacancy created by the death of Councilman Paul D. Harvey on October 19, 2020 and pursuant to Section 2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being legal issues related to the Appomattox Christmas Parade application issued by the Virginia Department of Transportation as it relates to the Governor's Covid-19 orders.
Vote: Tilton – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 5-0.

The meeting was reopened to the public.

Council Member Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:
Vote: Tilton – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 5-0.

Action from Closed Session:
On a motion by Ms. Spiggle, seconded by Mr. Simpson, Council voted to appoint James J. Boyce to fill the unexpired term of Mr. Paul D. Harvey until the next Town Council General Election on May 3, 2022.
Roll Call Vote: Tilton – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 5-0.

Council Comments:
Mrs. Puckette wished everyone a Happy Thanksgiving.

Ms. Spiggle – none

Mr. T. Garrett – none

Mr. Simpson expressed his excitement with Council's action of passing a 2% cost of living adjustment and bonus for employees working through COVID.

Mr. Tilton inquired on the policy of the extra additional trash carts per residence. Mr. Shanaberger and Mr. Elder continue to work on creating this policy.

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though October 2020.

Ms. Casto, Clerk of Council - none.

Mr. Elder, Facilities Director – none.

Mr. Shanaberger provided an update on the following items:

- The grant application for the water research project was submitted and there is no grant funding available at this time. However, a low interest loan is available.
- The sewer improvement project groundbreaking was held on Tuesday, November 17, 2020.

- The Rural Development – USDA grant application for the Church Street Waterline Replacement project has been submitted. Review could take 60-90 days.
- The Town received a new USDA Field Representative Rob Wilson, from the Lexington office.
- The Appomattox Downtown Revitalization has 2 structures under contract and 3 more are expected next week. The 2nd phase of the project is expected to go out to bid in the next 2 weeks.
- A Council Retreat is being planned for a Friday in January or February.

Adjournment:
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
December 14, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, December 14, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – James J. Boyce, Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, and Claudia G. Puckette (via phone).

Staff members present – Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council; and Jeff Elder, Facilities Director.

Others present – Susan Chapman, Brown, Edwards & Company, Carlton Duck, Alive Media, Michelle Murch, Times Virginian newspaper and Christian Raymond.

The meeting was also broadcast Live on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
May the blessings of a safe holiday season be upon all of you.

Scheduled Public Appearances:
Susan Chapman, CPA with Brown Edwards & Company, LLP presented the fiscal year 2020 Annual Audit report for the Town of Appomattox and answered questions of the Town Council.

Adoption of the Consent Agenda:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to approve the consent agenda for December 14, 2020 with the addition of New Business #3 – Consideration of bonuses for Town funded deputies of the Appomattox County Sheriff's Office. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to accept the FY 2020 Annual Audit for the Town of Appomattox from Brown, Edwards & Company, LLP. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to adopt the following budget amendment resolutions:

2021-006

1. Consideration to adopt a resolution amending the FY 2020 Operating Budget for the Sewer Fund for an additional filter installation at the SBR Plant.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2021 Operating Budget for the Sewer Fund.

Sewer Fund Expenditures

31-7000-6140	SBR O&M (additional filter)	53,000.00
Net Increase in Budget		$ 53,000.00

Sewer Fund Revenues

31-5901-0000	Beginning Balance	$ 53,000.00
Net Increase in Budget		$ 53,000.00

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2021 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2020.

Attest:

_____
Roxanne Casto, Town Clerk

2021-007

1. Consideration to adopt a resolution amending the FY 2020 Operating Budget for the Sewer Fund for road repair at the SBR Plant.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2021 Operating Budget for the Sewer Fund.

Sewer Fund Expenditures

31-7000-7091	Capital Improvements (road repair)	$ 34,000.00
Net Increase in Budget		$ 34,000.00

Sewer Fund Revenues

31-5901-0000	Beginning Balance	$ 34,000.00
Net Increase in Budget		$ 34,000.00

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2021 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2020.

Attest:

_____
Roxanne Casto, Town Clerk

All members present voting aye. Motion carried.

On a motion by Mr. Boyce, seconded by Mr. Tilton, Council voted to fund a request of $10,000 plus FICA for the two Town assigned deputies of the Appomattox County Sheriff's Office. Roll call vote: Tilton – yes, Spiggle – yes, Boyce – yes, Garrett – yes, Puckette – yes, Simpson – abstained. Motion carried 5-0.

Council Standing Committee Reports:
None

Citizens Comment Period:
Christian Raymond, P O Box 2882, Appomattox, Virginia appeared before Council as Chairman of the Appomattox Republican Committee to state the position the committee is taking to the recent news of former Governor McAuliffe's announcement to run for Governor of Virginia in 2021.

Town Manager's Report:
Mr. Shanaberger provided the following updates:

- The Request for Proposals for a Financial Analysis will begin soon.
- Church Street Waterline – The Town continues to work with Hurt & Proffitt to answer questions from Rural Development.
- Appomattox Downtown Revitalization Project: 3 more properties are under contract and is expecting 3 more this week.
- Phase II includes 11 properties and bids are due December 22, 2020.
- A lot of construction should start in late January, early February 2021.
- Thanked staff and Council & Merry Christmas.

Council Comments:
Mrs. Puckette – Thanked Kim Ray for completing a nearly impossible task.

Mr. Simpson – Wished a Happy Hanukkah, Happy Kwanzaa and Merry Christmas to everyone.

`Mr. Simpson also inquired about the closure of Harrell Street behind Farmers Bank. Mr. Elder explained it is part of the Inflow and Infiltration project. The I & I project is also on Isabell Street.

Mr. Boyce – Thanked Council for allowing him the opportunity to serve again, looking forward to it and the challenges of it.

Ms. Spiggle – Wished everyone a Merry Christmas.

Mr. T. Garrett – There is a letter from the Appomattox Volunteer Fire Department to keep the Town up to date on the purchase of the new fire truck. The order has been placed for the truck.

Mr. Tilton – none

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 8:35 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
December 14, 2020

The Appomattox Town Council held a Regular Council meeting on Monday, December 14, 2020 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – James J. Boyce, Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, and Claudia G. Puckette (via phone).

Staff members present – Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council; and Jeff Elder, Facilities Director.

Others present – Susan Chapman, Brown, Edwards & Company, Carlton Duck, Alive Media, Michelle Murch, Times Virginian newspaper and Christian Raymond.

The meeting was also broadcast Live on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
May the blessings of a safe holiday season be upon all of you.

Scheduled Public Appearances:
Susan Chapman, CPA with Brown Edwards & Company, LLP presented the fiscal year 2020 Annual Audit report for the Town of Appomattox and answered questions of the Town Council.

Adoption of the Consent Agenda:
On a motion by Mr. T. Garrett, seconded by Ms. Spiggle, Council voted to approve the consent agenda for December 14, 2020 with the addition of New Business #3 – Consideration of bonuses for Town funded deputies of the Appomattox County Sheriff's Office. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to accept the FY 2020 Annual Audit for the Town of Appomattox from Brown, Edwards & Company, LLP. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to adopt the following budget amendment resolutions:

Council Standing Committee Reports:
None

Citizens Comment Period:
None

Town Manager's Report:
Mr. Shanaberger provided the following updates:

- Matt Perkins with Central Virginia Planning District Commission will be at November Workshop meeting to provide an update on the closeout of the Meadowlark project.
- The closing process continues regarding the Inflow and Infiltration Sewer Project with Rural Development.

Council Comments:
Mrs. Puckette – none

Mr. Simpson – First, I think it would be good to have either a workshop session or retreat to learn more about the state of utilities. I think it could help us all establish a common language as we move forward. How are our water and sewer systems doing? What is our 10-15-20 year outlook? What stuff is not on the Capital Improvement Plan at this point that we need to start looking at for 10 years from now. Just making sure we have a long-term vision.

Secondly, 2020 has been an insane year and I wanted to see if we could open a discussion of how to compensate our Town Staff a cost-of-living adjustments and a one-time bonus would be great thankful to our staff but unsure of where the funds would come from.

Ms. Spiggle – Before COVID hit, that was our plan in our FY 21 budget but after COVID and there was a reduction in revenue then we readjusted the budget to eliminate the cost-of-living adjustments. In years past, we [Town} has given bonuses, cost of living adjustments – but these are trying times.

Mr. Simpson – I do not think the budget was as doom and gloom as we thought it would be. We are in a spot, better than we thought. We also have good people and want to keep them.

Ms. Spiggle – We do but we also have these projects that we need to complete. I think that is fiscally responsible.

Mr. Simpson – I think it is fiscally irresponsible to ask people to work for less than they did last year.

Mr. T. Garrett – none

Mr. Tilton – none

Ms. Spiggle – none

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
January 11, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, January 11, 2021 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson (phone), Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette (phone) and James J. Boyce.

Staff members present – Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

Others present – Carlton Duck and Michelle Murch.

The meeting was also broadcast Live on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Scheduled Public Appearances:
None

Mayor's Comments:
Mayor Conner welcomed everyone in attendance and stated the community continues to thrive and heal during the COVID pandemic.

Adoption of the Consent Agenda:
There were no changes to the agenda for Monday, January 11, 2021.

Unfinished Business:
None

New Business:
None

Council Standing Committee Reports:
None

Citizens Comment Period:
None

Town Manager's Report:
Mr. Shanaberger provided the following updates:

- Church Street Waterline Replacement project and grant applications
- Appomattox Downtown Revitalization project
- July 3, 2021 Fireworks Display
- Town Charter amendment heading to the Virginia General Assembly session
- The Council Retreat date will be set in several months due to the COVID-19 concerns and awaiting the Town's Financial Analysis project.

Council Comments:
Mrs. Puckette – none

Mr. Simpson – none

Ms. Spiggle – none

Mr. T. Garrett – none

Mr. Tilton – none

Mr. Boyce inquired if any progress had been made on the parking problems along Church Street. Mr. Shanaberger replied that some research has been conducted over the last several months and with the proposed waterline replacement project on the horizon, the parking will be addressed.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
January 26, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, January 26, 2021 at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle (phone) and Claudia G. Puckette (phone).

Others present: Sam Vance, Town Attorney; Michelle Murch, Carlton Duck, Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; Frank Wright, Town Attorney; and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called to order the Council Workshop meeting.

Closed Session:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to convene in Closed Session pursuant to §2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, to discuss an application received for a water connection beyond the corporate limits of the Town of Appomattox. Nothing in this subdivision shall be construed to permit the closure of the meeting because an attorney representing the public body is in attendance or is consulted on the matter. Vote: Tilton – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes, Boyce – yes. Motion carried 6-0.

The meeting was reopened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Boyce and Council by the following recorded vote adopted the motion:

Vote: Tilton – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes, Boyce – yes. Motion carried 6-0.

Action from Closed Session:
On a motion by Mr. Simpson, seconded by Mr. Tilton, Council voted to direct the Town Manager to draft a moratorium regarding new out of town utility connections and present to Council for a vote as soon as possible. All members present voting aye. Motion carried 6-0.

Council Comments:
Mrs. Puckette - none

Ms. Spiggle – none

Mr. T. Garrett – none

Mr. Tilton – none

Mr. Simpson – none

Mr. Boyce – Thanked staff for all the hard work on the grant projects.

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though December 2020.

Ms. Casto, Clerk of Council – written report provided for January 2021.

Mr. Elder, Facilities Director – provided an update on the current sewer project for the Inflow & Infiltration/Trickling Filter Plant.

Mr. Shanaberger provided an update on the grant award from the Department of Housing & Community Development for $650,000 for the Church Street Waterline Replacement project and the USDA/Rural Development application is expected to be submitted in the next several weeks.

Adjournment:
On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
February 8, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, February 8, 2021 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette (phone) and James J. Boyce.

Others present – Kelly Hitchcock, Central Virginia Planning District Commission; Bill Jamerson, Sam E. Carter, Michelle Murch, Times Virginian; Jeff Elder, Facilities Director; Sam Vance, Town Attorney; Carlton Duck, Alive Media TV; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Public Hearing

Mayor Conner opened the public hearing and stated the following purpose for the public hearing: To receive public comments concerning the following:

1. **Amendment to the FY 2021 Budget for the Town of Appomattox** - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2021:

General Fund Expenditures Amendments	37,309.75
Water Fund Expenditures Amendments	3,083.00
Sewer Fund Expenditures Amendments	290,628.00
Total Expenditures Amendments	**331,020.75**
General Fund Revenue Amendments	37,309.75
Water Fund Revenue Amendments	3,083.00
Sewer Fund Revenue Amendments	290,628.00
Total Revenue Amendments	**331,020.75**

Documentation is available at the Town Office on Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact Gary Shanaberger, Town Manager at 434-352-8268.

Staff Comments: Mrs. Ray, Town Treasurer provided a listing of the amendments.

There were no public comments.

Mayor Conner closed the public hearing.

Scheduled Public Appearances:
Kelly Hitchcock, Central Virginia Planning District Commission appeared before Council to make a presentation of the Hazardous Mitigation Plan – 2020 Update.

Town Council thanked Mrs. Hitchcock for the presentation and information.

Closed Session:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to convene in a Closed Session, pursuant to Section 2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel employed or retained by a public body specific legal matters requiring the provision of legal advice by such counsel; specifically, to discuss an application received for a water connection beyond the corporate limits of the Town of Appomattox. Nothing in this subdivision shall be construed to permit the closure of the meeting because an attorney representing the public body is in attendance or is consulted on a matter.
Vote: Boyce – yes, Tilton – yes, Simpson – yes, Spiggle – yes, Garrett – yes, Puckette – yes.
Motion carried 6-0.

The meeting was re-opened to the public.

Mr. Boyce made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Mr. Garrett and Council by the following recorded vote adopted the motion:
Vote: Boyce – yes, Tilton – yes, Simpson – yes, Spiggle – yes, Garrett – yes, Puckette – yes.
Motion carried 6-0.

Action from Closed Session:
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to direct Town staff to discontinue the research and further work on a moratorium on out-of-town water connections. All members voting aye. Motion carried 6-0.

On a motion by Mr. Tilton, seconded by Mr. Garrett, Council voted to approve a request by Mr. Ryan Atkins on obtaining a connection to the waterline coming out of Concord. All members voting aye. Motion carried 6-0.

Mayor's Comments:
None

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to approve the consent agenda for February 8, 2021 as presented. All members voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Ms. Spiggle, seconded by Mr. Tilton, Council voted to adopt An Appropriations Resolution of the Appomattox Town Council Adopting an Amendment to the Fiscal Year 2020-2021 Budget for the Town of Appomattox, Virginia:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING AN AMENDMENT TO THE FISCAL YEAR 2020-2021 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

SECTION I:
WHEREAS, that the Appomattox Town Council may amend the Fiscal Year 2020-2021 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 2020-2021 Budget was published on January 27, 2021 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, February 8, 2021;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Regular Council Meeting on February 8, 2021, does hereby approve the following Amendment to the General Fund Expenditures by Category for Fiscal Year 2020-2021;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Administrative Department	9,725.75
Police Department	3,458.00
Tourism	1,994.75
Public Works Department	17,563.25
Zoning	4,568.00
TOTAL GENERAL FUND EXPENSES	**37,309.75**

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 2020-2021;

GENERAL FUND; REVENUES BY CATEGORY:

Aid to Police Department	2,051.00
Transfer from Reserve	1,407.00
Use of undesignated reserve	33,851.75
TOTAL GENERAL FUND REVENUES	**37,309.75**

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Amendment to the Water Fund Expenditures for Fiscal Year 2020-2021;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	3,083.00
TOTAL WATER EXPENDITURES	**3,083.00**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Amendment to the Water Fund Revenue estimates for Fiscal Year 2020-2021;

WATER FUND; REVENUES BY CATEGORY:

Use of Undesignated reserve	3,083.00
TOTAL WATER REVENUES	**3,083.00**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Amendment to the Sewer Fund Expenditures for Fiscal Year 2020-2021;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	290,628.00
TOTAL SEWER EXPENDITURES	**290,628.00**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Amendment to the Sewer Fund Revenue estimates for the Fiscal Year 2020-2021;

SEWER FUND; REVENUES BY CATEGORY:

Use of Beginning Balance	287,000.00
Use of undesignated reserve	3,628.00
TOTAL SEWER REVENUES	**290,628.00**

SECTION IX:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Amendments to the Fiscal Year Budget for 2020-2021 is hereby adopted, effective February 8, 2021 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 _____ day of February, 2021.

Attest:

Roxanne W. Casto, Town Clerk

Richard C. Conner, Mayor

All members voting aye. Motion carried 6-0.

On a motion by Mr. Tilton, seconded by Mr. Simpson, Council voted to adopt a Resolution of the Town of Appomattox Authorizing the Adoption of the Central Virginia Planning District Commission Hazard Mitigation Plan – Update 2020:

A Resolution of The Town of Appomattox
Authorizing the Adoption of the
Central Virginia Planning District Commission Hazard Mitigation Plan – 2020 Update

WHEREAS, the Town of Appomattox and the entire Central Virginia Planning District region have exposure to natural hazards that can affect the safety to life, property, businesses, and local economy; and

WHEREAS, pro-active mitigation, or actions, before a disaster even can lessen or eliminate long-term risk and impacts of hazards to life and property; and

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-228, as amended), Title 44 of the Code of Federal Regulations (CFR), as amended by the Disaster Mitigation Act of 2000 (Public Law 106-390), requires development of pre-disaster mitigation plan as a requirement for eligibility for federal pre- and post-disaster hazard mitigation funding; and

WHEREAS, the Central Virginia Planning District Hazard Mitigation Technical Advisory Committee, comprised of a coalition of local, regional, state, business, and citizen stakeholders,

that included dedicated Town of Appomattox representation and representation of each of the ten (10) Central Virginia Planning District localities, lead a pre-disaster planning process according to FEMA regulations; and

WHEREAS, the planning team completed a planning process that engaged the public, assessed the risk and vulnerability to the impacts of natural hazards, developed mitigation strategies consistent with a set of uniform goals and objectives, and includes an evaluation, maintenance, and revision process; and

WHEREAS, the Federal Emergency Management Agency (FEMA) have reviewed, and on January 22, 2021 Approved Pending Adoption (APA) was granted to the Central Virginia Planning District Commission Hazard Mitigation Plan – 2020 Update;

NOW, THEREFORE, BE IT RESOLVED by the Appomattox Town Council that the Central Virginia Planning District Commission Hazard Mitigation Plan – 2020 Update is hereby approved and adopted for the Town of Appomattox.

Passed and adopted on this 8th, day of February 2021, by the following vote:

AYES: 6
NOES: 0
ABSENT: 0
ABSTAIN: 0

All members voting aye. Motion carried 6-0.

Council Standing Committee Reports:
None

Citizens Comment Period:
None

Town Manager's Report:
Mr. Shanaberger provided the following updates:

- Appomattox Downtown Revitalization project will be moving into the second phase of the project in the next two (2) months. This phase will include landscaping and streetlights.
- FY 2022 budget preparations are underway.
- Thank you to Kelly Hitchcock with the Central Virginia Planning District Commission for coming out tonight to make the presentation on the Hazard Mitigation Plan – Update 2020.

Council Comments:

Mr. T. Garrett – none

Ms. Spiggle – Thankful to be moving forward with water connection solutions.

Mr. Simpson – Would like to see what staff can do to make the meetings more digitally accessible for others to participate. Mr. Conner concurred that a consult with IT to provide viable solutions for council members without providing additional costs and/or license agreements.

Mr. Tilton – none

Mr. Boyce – none

Mrs. Puckette – Would love to attend the meetings in person, if everyone would wear their masks and stay 6 feet apart.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 9:05 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
February 23, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, February 23, 2021 at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle and Claudia G. Puckette (phone).

Others present: Sam Vance, Town Attorney; Carlton Duck, Alive Media TV; Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called to order the Council Workshop meeting.

Closed Session:
On a motion by Mr. Garrett, seconded by Mr. Simpson, 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 retained by the town regarding specific legal matters requiring the provision of legal advice by such counsel, specifically being the claim arising from a sewer backup at 182 Virginia Avenue.
Vote: Tilton – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes, Boyce – yes. Motion carried 6-0.

The meeting was reopened to the public.

Council Member Boyce made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Vote: Tilton – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes, Boyce – yes. Motion carried 6-0.

Action from Closed Session:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to proceed with legal advice in this matter [closed session subject]. All members present voting aye. Motion carried 6-0.

Council Comments:
Mrs. Puckette – Thanked Mayor Conner for all he is doing as Mayor.

Ms. Spiggle – none

Mr. T. Garrett – none

Mr. Tilton – none

Mr. Simpson – none

Mr. Boyce – none

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though January 2021.

Ms. Casto, Clerk of Council – written report provided for February 2021.

Mr. Elder, Facilities Director – provided an update on the current sewer project for the Inflow & Infiltration/Trickling Filter Plant.

Mr. Shanaberger provided an update on a request by Iceland's (ice cream food truck) for an additional four (4) picnic tables at their recently purchased property on Old Courthouse Road. After a lengthy discussion, Council directed staff to conduct research of other localities and to possibly solicit input on the matter. Staff will follow up with more information at a later date.

Mr. Shanaberger also thanked the Public Works department for their efforts during the recent ice storms.

Adjournment:
On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
March 8, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, March 8, 2021 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette (phone) and James J. Boyce.

Others present – Carlton Duck, Alive Media TV; Michelle Murch, Times Virginian Newspaper; Robin Snyder, Superintendent, National Park Service; Alan and Laura Briceland, Talia Clusman, Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called the meeting to order.

Public Hearing
Mayor Conner opened the public hearing and stated the following purpose for the public hearing: To receive public comments concerning the following:

1. **Amendment to the FY 2021 Budget for the Town of Appomattox -** In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2021:

Water Fund Expenditures Amendments	1,450.29
Sewer Fund Expenditures Amendments	7,055,433.57
Total Expenditures Amendments	**7,056,883.86**
Water Fund Revenue Amendments	1,450.29
Sewer Fund Revenue Amendments	7,055,433.57
Total Revenue Amendments	**7,056,883.86**

Documentation is available at the Town Office on Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact Gary Shanaberger, Town Manager at 434-352-8268.

Staff Comments: Mrs. Ray, Town Treasurer explained the purpose of the budget amendments.

There were no public comments.

Mayor Conner closed the public hearing.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
None

Scheduled Public Appearances:
Robin Snyder, Superintendent, National Park Service appeared before Council to provide an update on the recent concerns of the wastewater problems at the National Park Service. The National Park Service has provided full funding to repair the sewer line. The construction is expected to be complete in November 2021. Robin Snyder thanked Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager and the Town Council for their patience with the National Park Service.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to approve the consent agenda for March 8, 2021 as presented. All members voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt An Appropriations Resolution of the Appomattox Town Council Adopting an Amendment to the Fiscal Year 2020-2021 Budget for the Town of Appomattox, Virginia:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING AN AMENDMENT TO THE FISCAL YEAR 2020-2021 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

SECTION I:
WHEREAS, that the Appomattox Town Council may amend the Fiscal Year 2020-2021 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 2020-2021 Budget was published on February 24, 2021 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, March 8, 2021;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Regular Council Meeting on March 8, 2021, that the Appomattox Town Council does hereby approve the following Amendment to the Water Fund Expenditures for Fiscal Year 2020-2021;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department – DHCD Utility Grant - Water	1,450.29
TOTAL WATER EXPENDITURES	**1,450.29**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Amendment to the Water Fund Revenue estimates for Fiscal Year 2020-2021;

WATER FUND; REVENUES BY CATEGORY:

DHCD Utility Grant – Water	1,450.29
TOTAL WATER REVENUES	**1,450.29**

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Amendment to the Sewer Fund Expenditures for Fiscal Year 2020-2021;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	7,055,433.57
TOTAL SEWER EXPENDITURES	**7,055,433.57**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Amendment to the Sewer Fund Revenue estimates for the Fiscal Year 2020-2021;

SEWER FUND; REVENUES BY CATEGORY:

USDA Proceeds	7,052,813.67
DHCD Utility Grant – Sewer	2,619.90
TOTAL SEWER REVENUES	**7,055,433.57**

SECTION VII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Amendments to the Fiscal Year Budget for 2020-2021 is hereby adopted, effective March 8, 2021 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 _____ day of March, 2021.

Attest:

_____ _____
Roxanne W. Casto, Town Clerk Richard C. Conner, Mayor

All members voting aye. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to accept the Request for Proposal from Davenport & Company for the General Fund Financial Review and Capital Funding Strategies. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:
The Finance & Planning and Physical Development Committees met today to begin working on the FY 2022 Budget for the Town of Appomattox.

Citizens Comment Period:
Talia Clusman, the Babcock House spoke in favor of Iceland's, an industry peer being allowed to have the requested six (6) picnic tables. Stating she believes a business owner should be able to determine what is safe and appropriate for their guests. I believe their success and growth can not only benefit the Town through revenue but offering a much-needed variety to our business landscape, not to mention their own personal success. I hope to see them grow this season and, in the years to come, and I hope you will wisely consider their request.

Alan Briceland – My wife, Laura and I own Iceland's. As you know last year was our first season and I think it went really good. We rented space from the Wilbun's last year. In October 2020, we purchased a lot from Dr. Smith on Old Courthouse Road. It is approximately 2.5 acres. In the Town you are only allowed 2 picnic tables per food truck/trailer. We have requested a total of 6. Our parking lot is approximately 150' x 150' which gives more than ample space for tables, in the grass. I know this was brought up as a safety issue. Last year at the Wilbun's parking lot we had kids in the parking lot with traffic, so in our opinion it is safer for them to be behind the picnic tables out of traffic. If children are sitting down, it is much easier to control them than if they are running around. Our plan is to build, but we are the epitome of small business. It is just my wife and I, but it is going to take some time. There are advantages to brick-and-mortar businesses and there are advantages to our type of business. We have had a lot of people, like the Babcock House reach out to us, other food trucks, 11-12,000 Facebook views to their post and overwhelming support. The other concern I recall is what are other food trucks in neighboring communities doing? We have become friends and acquaintances with a lot of them. To our knowledge there is only one other food truck that owns their own lot and they have a ton of tables. I do not believe Lynchburg or Bedford have a table allowance for people. To my knowledge Appomattox is the only locality like this. Is there a date when a decision is going to be made because we are planning to open on Friday, March 12, 2021?

Mr. Shanaberger responded to Council that he has had no chance to look into this.

Mr. Tilton – What is the process to make this happen?

Mr. Shanaberger – I can do research on this, but I will have to put what I think is more important off to the side. I don't want to hold anyone up - so 2 weeks to a month to do respectable research.

Mr. Briceland – Not to step on any toes here but we approached you (Gary) in October when we purchased the property. Knowing this was going to take some time and here we are – ready to open – and this still isn't resolved. I know government moves slower and commercial stuff is new to us.

Mr. Tilton – Is this a code requirement change – is a public hearing necessary? Can we take action today if we wanted to? What is the process?

Mr. Shanaberger – You would want this in writing so it would have to be presented, the language and you would definitely want the attorney to review it. There is process to it.

Mrs. Briceland – Can we just get an exception? We have only been asking for six (6) months. We are investing in the Town and we are asking for support for 6 picnic tables. More jobs, more food taxes, more revenue and honestly, we are just looking for that support back. Honestly, we are the only ones who own our property nearly 2.25 acres. We've looked at the safety. We are completely insured. Iceland's is insured.

Mr. Tilton – They made the point that we are the only locality in the area that has a limit – would it be viable to remove the restriction to allow them to move forward and then we (Council) can revisit after we have had some time to put together some language? Just strike that line from the code?

Mr. Simpson – I think anything is possible but I think it is important to do your homework.

Mr. Simpson – Thank you for coming to our meeting. Like I said at our last meeting, we need input from our businesses because it is a fork in the road. If we move one direction or the other, it is difficult to come back from that. I think we just need some time to evaluate what direction the community wants to go forward with and to hear from more people and we don't want to inhibit entrepreneurship. I personally love your story. I want to see you succeed. But I don't think it would be appropriate for us to act on anything tonight. I think we need to give Gary an opportunity to explore what other localities are doing, just learn more about the situation. I am attempting to do research and I encourage everyone to do the same and then meet back on this topic to create a conclusion.

Mrs. Briceland – I feel like we have reached a majority of the people in the Appomattox Community through social media and received nothing but positive comments.

Talia Clusman – My question would be – if they came to the Town back in October, why has it taken so long? You say it takes time, but you've had a lot of time.

Mayor Conner – Did you address us in October about your request?

Mr. Briceland – In October when we purchased the property we walked over here (Town Office) and met with Mr. Shanaberger and asked what do we need to do to get an exception, we own our property and have ample room.

Mrs. Briceland – If I recall, while we were meeting with Gary, you (Mayor) came in.

Mr. Simpson – I appreciate all of you being here, what is the procedure for back-and-forth discussion format for this meeting? Is it to hear from businesses and citizens and then

deliberate? I don't know the appropriateness of back-and-forth dialogue at a meeting. I have been seen it happen before.

Mr. Briceland – Frustration over the length of time.

Mayor Conner – This issue was brought to Council recently. I understand your concern on that, we could possibly make a decision by the second Monday meeting in April. We are sorry for the delay and appreciate your comments for tonight. We will try to get this resolved by the second Monday in April.

Town Manager Updates –
Mr. Shanaberger – The USDA application for the Church Street Waterline Replacement project is still in process. The Town Charter amendment was passed by the Virginia Senate and House of Delegates. It is awaiting a signature by the Governor of Virginia. The Request for Proposals for Design of Branding and Marketing Materials should be ready for advertising in the next 10 days. Lastly, the sewer work on Morton Lane should be complete within the next week or two.

Council Comments –

Mrs. Puckette – none

Mr. Tilton – Thanked Robin Snyder, Jeff Elder and Gary Shanaberger for the progress report on the sewer project at the National Park Service. He also thanked the Briceland's and the Babcock House for requesting to expand the seating/picnic tables for mobile food establishments.

Mr. Simpson – none

Ms. Spiggle – none

Mr. Boyce – read Proverbs 29:18 – Challenges other Council members and himself to find the vision.

Mr. Garrett – agreed with Mr. Boyce on moving forward.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn the meeting. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
March 23, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, March 23, 2021 at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Vice-Mayor Garrett, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle and Claudia G. Puckette (phone).

Others present: Carlton Duck, Alive Media TV; Alan Briceland, Laura Briceland, Crissy Sampier, Matthew Sampier, Charles Clusman, Talia Clusman, Noel Henderson, Katharine Bloodworth, Bobbie Jean Mullins, Jeffrey Westbrook, Times Virginian Newspaper; Christy Torrence, Office Manager; Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Vice-Mayor Garrett called to order the Council Workshop meeting.

Presentations of Requests for Community Agency funding for FY 2022:
1. Experience Appomattox – Don Jones appeared on behalf of the Appomattox Tourism Committee requesting funding for Experience Appomattox for FY 2022 in the amount of $8,000.

2. Appomattox County Chamber of Commerce – John Redding appeared to request funding in the amount of $3,000 for FY 2022.

3. Appomattox Railroad Festival – Noel Henderson appeared to request funding for FY 2022 in the amount of $10,000 plus additional funding if the Town sees appropriate since the Railroad Festival was not held in 2020. The committee stressed a real need for volunteers.

The Appomattox Town Council thanked each organization for their request.

Consideration of Write-Offs:
There was a lengthy discussion of the miscellaneous accounts receivable for past due meals tax.

On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to write off the 2015 Personal Property taxes - $4,226.76; 2000 Real Estate taxes - $736.55 and 2017 Water and Sewer Invoices - $6,757.05 which have exceeded the statute of limitations for collections. All members present voting aye. Motion carried 6-0.

FY 2022 Budget Discussions:
The handout remains the same as the last budget meeting. There are no changes to the Capital Improvement Plan. Located in the large packet (handout) includes $650,000 for the Church Street waterline replacement project funding by the Department of Housing and Community Development and $10,000 for the Central Virginia Planning District Commission to perform grant services for the project.

Agenda items 4 & 5 were moved to Council Comments.

Mr. Simpson requested the above-mentioned items:
Food Trucks – Picnic Tables:
It was the consensus of Council to add to the agenda on April 12, 2021, language to allow 6 picnic tables to the ordinance if the food truck owner also owns the same property.

Out of Town Water Rates:
Mr. Simpson requested the Utility Director (Elder) to speak with Hurt and Proffitt to start determining the appropriate out of town water rates before the next workshop meeting. Mr. Shanaberger advised that the rate study review and breakeven analysis will be ready in approximately 2 weeks. The consensus of Council was to add this item to the scope of services for Hurt & Proffitt.

Mrs. Puckette – none

Ms. Spiggle – none

Mr. T. Garrett – none

Mr. Tilton – none

Mr. Boyce – none

Council Standing Committee Reports:
The Physical Development Committee reported it met earlier today to approve a request for a utility payment plan for a customer.

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though February 2021.

Mr. Shanaberger provided an update on the following items:

- Town Charter – Governor Northam signed the Town's request for a Charter change. A step-by-step timeline was provided to Council.
- At this moment, the Town is expected to receive approximately 1.6 million in funding from the American Rescue Plan. The first payment of funding will be specifically for COVID related items. The second payment can be used for infrastructure improvements.
- Staff participated in a conference call with Davenport. They will be attending the April 12th meeting to meet Council and review the scope of services.
- Rob Wilson, USDA had a few more questions regarding the Church Street Waterline application.
- Hurt & Proffitt will be preparing the rate study and breakeven analysis.

Mr. Boyce inquired if any progress had been made to get a joint meeting with the Appomattox County Board of Supervisors set up?

Mr. Shanaberger responded that would be a question for the Mayor.

Mr. Simpson responded that the County has received the Town's letter.

Adjournment:
On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to adjourn at 7:30 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Timothy W. Garrett, Vice-Mayor

Appomattox Town Council
Regular Council Meeting
April 12, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, April 12, 2021 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette and James J. Boyce.

Others present – Carlton Duck, Alive Media TV; Robin Snyder, Superintendent, National Park Service; Alan and Laura Briceland, Charles and Talia Clusman, George Huffman, Matt Sampier, Crissy Sampier, Louis Scicli, Donnie Simpson, Jonathan Garrett, Sarah Conner, JT Conner, Sharon Conner, Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

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

Public Hearing
Mayor Conner opened the public hearing by reading the purpose:

The purpose of this hearing is to give notice of the Town of Appomattox's intent to apply for USDA Rural Development funds to assist in the replacement of approximately 6,225 linear feet of 4" water line and 8" water line along Church Street, Confederate Boulevard, Red House Road, and Morris Avenue. Additionally, the Appomattox Town Council will consider a Resolution of Governing Body support for the above-mentioned project. Comments regarding economic and environmental impacts, service area, alternatives to the project issues are encouraged.

All interested citizens of the Town of Appomattox are encouraged to attend should they have comments they would like to present to the Town Council regarding their intent to apply for USDA funding assistance. For additional information please contact Gary L. Shanaberger at 434-352-8268 or gshanaberger@appomattoxva.gov.

There were no public comments.

Mayor Conner closed the public hearing.

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Conner took a moment to remember his father Thomas Conner as his birthday would have been April 15th. Mr. Conner served on the Appomattox Town Council as did the Mayor's brother, Steve Conner.

Mayor Conner also read the following Arbor Day Proclamation:

TOWN OF APPOMATTOX
ARBOR DAY PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperate, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fire and countless other wood products, and

WHEREAS, trees increase property values, enhance the economic vitality of business areas, and beautify communities, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Richard C. Conner, Mayor of the Town of Appomattox, do hereby recognize the 30th day of April 2021 (the last Friday in April) as our Annual Arbor Day celebration and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this _____ day of _____

Mayor _____

Scheduled Public Appearances:
Louis Scicli, candidate for the House of Delegates, 59th District, appeared before Council to introduce himself and his candidacy.

Honorable Donald Simpson, Sheriff, Appomattox County appeared before Council to provide a quarterly update of the activities of the Sheriff's Office.

Jonathan Garrett appeared before Council to provide an update on the 4th of July fireworks (July 3rd) activities. Along with the support of Liberty Baptist Church, a touch-a-truck event with mobile food vendors in being planned on the park property owned by Liberty Baptist Church on Lee Grant Avenue near the Town's Kiddie Park. Mr. Garrett requested consideration of the Town to waive the Mobile Food Truck free for the non-profit event.

Crissy Sampier, owner of Blended Soul appeared before Council to request revisiting the Town Code section in general for Food Truck establishments.

Adoption of the Consent Agenda:
On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to approve the consent agenda for April 12, 2021 as presented. All members voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
Mr. Dave Douglas, Viewpoint Project called into the meeting to provide a brief presentation to the Council regarding the potential filming of a segment on Appomattox for public TV at a cost of approximately $27,900. After a brief exchange of dialogue, the Council directed Mr. Douglas to contact Experience Appomattox for possible involvement in the project.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to approve a Loan Resolution – RUS Bulletin 1780-27 Church Street Waterline Replacement project:

RUS BULLETIN 1780-27

APPROVED
OMB. No. 0572-0121

LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE Town Council

OF THE Appomattox, Town of

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

Water System

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Appomattox, Town of
(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

One million six hundred fifty thousand dollars

pursuant to the provisions of Code of Virginia; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of $10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed $ 1,650,000

under the terms offered by the Government; that the Town Manager

and _____ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

The vote was: Yeas _____ Nays _____ Absent _____

IN WITNESS WHEREOF, the _____ of the

Appomattox, Town of has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this _____, _____ day of _____

_____

(SEAL) By _____

Attest: Title _____

_____

Title _____

All members presenting voting aye. Motion carried 6-0.

On a motion by Mrs. Puckette, seconded by Mr. Tilton, Council voted to adopt a Resolution of Governing Body of the Town of Appomattox authorizing the Town Manager to execute agreements for the United States Department of Agriculture (USDA) for the Church Street Waterline Replacement project:

RESOLUTION OF GOVERNING BODY OF

The Town of Appomattox

The governing body of The Town of Appomattox consisting of _____ members, in a duly called meeting held on the _____ day of _____, 20___, at which a quorum was present RESOLVED as follows:

BE IT HEREBY RESOLVED that, in order to facilitate obtaining financial assistance from the United States of America, acting by and through the Rural Housing Service, an agency of the United States Department of Agriculture, (the Government), the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the Town Manager be authorized to execute on behalf of the Board Members the above-referenced agreements and to execute such other documents including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance.

This Resolution, along with a copy of the above-referenced documents, is hereby entered into the permanent minutes of the meetings of this Board.

The Town of Appomattox.

Attest:

_____ By _____

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Board Members of The Town of Appomattox in a duly assembled meeting on the _____ day of _____, 20___.

_____
Secretary/Clerk

All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adopt an Ordinance to Amend and Reenact the Code of the Town of Appomattox, Chapter 126, thereof, entitled Licensing, by amending §126-16 F (3) Operation requirements:

AN ORDINANCE TO AMEND AND REENACT the Code of the Town of Appomattox, Chapter 126, thereof, entitled Licensing, by amending §126-16 F (3) Operation requirements.

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

Section 1. Chapter 126-16 F (3) - Operation requirement, of the Code of the Town of Appomattox is hereby amended to read as follows:

§126-16 – Licensing

F. Operation requirements.

(3) Two picnic tables with umbrellas with seating capacity of six people per table may be set up for patrons' use. No tents or additional chairs are permitted. *With approval of the Administrator, Mobile Food Units that are owned and operated on private property, when such real property is owned by the mobile food unit operator, may have additional tables, not to exceed 6.*

Section 2. Effective Date.

ENACTED AND ORDAINED THE _____ day of _____, 2021. This ordinance shall become effective _____.

All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to re-enact an Ordinance to Establish Emergency Procedures ending October 13, 2021:

AN ORDINANCE TO *RE-ENACT* THE ESTABLISHMENT OF EMERGENCY PROCEDURES FOR THE CONTINUITY AND OPERATION OF THE GOVERNMENT OF THE TOWN OF APPOMATTOX FOR THE DURATION OF THE COVID-19 PANDEMIC

WHEREAS, on March 12, 2020, the Governor of the Commonwealth of Virginia, in Executive Order Number Fifty-One declared a state of emergency and disaster within the Commonwealth of Virginia pursuant to Code of Virginia Section 44-146.16 of the Code of Virginia; and,

WHEREAS, on March 19, 2020, the Mayor of the Town of Appomattox declared a local emergency; and,

WHEREAS, on April 13, 2020; September 14, 2020 and *April 12, 2021*, the Appomattox Town Council met electronically, pursuant to Section 2.2-3708.2 of the Code of Virginia, and adopted a resolution ratifying the emergency declaration, and therein made a finding that due to the severe existing and likely impact of the COVID-19 pandemic on the Town of Appomattox, there now exists a disaster in the Town of Appomattox; and,

WHEREAS, the impacts to public health, the Town's economy, and the operation of the Town government are likely to be protracted, lasting potentially several months; and,

WHEREAS, there are actions which must be taken by the Town of Appomattox in the next several months which will, by law, require the action of the Town Council, and currently it is unsafe for physical meetings to occur in order to conduct normal, required business operations; and,

WHEREAS, Section 15.2-1413 of the Code of Virginia (1950) as amended, provides that "*notwithstanding any contrary provision of law, general or special*, any locality, may, by ordinance, provide a method to assure continuity in its government, in the event of an enemy attack *or other disaster*. Such ordinance shall be limited in its effect to a period not exceeding six months after any such enemy attack or disaster and shall provide for a method for the resumption of normal governmental authority by the end of the six-month period (*emphasis added*)"; and,

WHEREAS, Section 2.2-3708.2 of the Code of Virginia provides for electronic meetings in the event of an emergency but does not currently extend the authority for electronic meetings to issues not involving the emergency. Given the likely duration of this disaster, meetings of the Town Council and other Authorities, Boards, and Commissions must be held in the interim for the continuity and continuing operation of the functions of the Town's government, including but not limited to the adoption of the Town's budget; and,

WHEREAS, give the severe limitations on the gathering of people during the COVID-19 pandemic, which gathering is necessary and required for many essential tasks of the Town government, as well as to fulfill the necessary obligations of the Town to its residents and businesses, the Town Council finds it necessary to provide, by ordinance, a method of transacting necessary public business during the disaster without the physical attendance or gathering of people during the duration of the COVID-19 disaster.

THEREFORE, it is hereby ORDAINED pursuant to Section 15.2-1413 of the Code of Virginia; the following emergency measures are ADOPTED by the Appomattox Town Council:

1. The Appomattox Town Council shall meet electronically until such time as it is safe for the public to physically attend meetings and the Town's public buildings are reopened, as evidenced by a declaration of the Governor of Virginia that the emergency in the Commonwealth of Virginia has ended. A quorum of Town Council must participate in the electronic meeting in order to conduct business. Meetings shall be conducted in an electronic format which allows and enables citizens to both observe and participate in said meetings electronically. Due to the

closure of public buildings, meeting notices and agendas shall be posted on the Town's website only. All other meeting requirements of the Virginia Freedom of Information Act shall be met. Instructions regarding how citizens may observe and participate in meetings shall be maintained on the Town's website; and,

2. Other Town Authorities, Boards, and Commissions may meet electronically as necessary pursuant to the requirements of Section 1 above. A quorum must participate in the electronic meeting to conduct business.

3. Public hearings may be conducted electronically, provided the meeting meets the requirements of Section 1 above. Public hearing notices shall be published in a newspaper with general local circulation as required by the Code of Virginia, and information regarding electronic participation shall be provided in the notice. The Town Manager shall have the sole discretion to proceed with a public hearing pursuant to this Section 3 or a public meeting pursuant to Section 4 or postpone the action until the emergency declaration is lifted.

4. Any other public meeting which is required pursuant to law, including but not limited to the Virginia Public Procurement Act, or any other law of the Commonwealth of Virginia, or the Code of the Town of Appomattox, shall be held electronically, and meeting participants shall be provided direction for how to participate in the meeting prior to the start of the meeting. The provisions of this ordinance shall expire upon declaration by the Governor of Virginia that the emergency in the Commonwealth is ended, or *October 13, 2021*, whichever is earlier.

This ordinance shall take effect immediately upon its adoption.

Adopted: _____ _____
Mayor

Attest: _____
Clerk

All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:
Council received a letter from Sara Conner for consideration/discussion of an ordinance to allow chickens in Town. Council provided consensus to add this item to the April 27, 2021 Workshop Agenda for discussion.

Mr. Boyce thanked Miss Conner for coming out tonight.

Ms. Spiggle reported that the Physical Development Committee and Finance & Planning Committee of the Town Council met jointly today to continue the FY 2022 Budget discussions.

On a recommendation by Ms. Spiggle, Council voted to approve an increase in funding for Rev. Duck, Alive Media TV from $575.00 per month to $750.00 per month beginning with the FY 2022 budget.
All members present voting aye. Motion carried 6-0.

Citizens Comment Period:
Laura Briceland, Iceland's – Thank you for allowing/approving additional picnic tables for Mobile Food Establishments. The fireworks on July 3rd, 2020 was a significant day for us. She would like for council to consider small businesses and not waive the food truck fees for the one-day event.

Crissy Sampier – Inquired about food truck vendors for the Railroad Festival as she has applied but has not heard back from anyone. Council directed Ms. Sampier to the Railroad Festival Board of Directors, as the Town only provides a yearly donation to the event.

Town Manager Updates –
Mr. Shanaberger provided an update on the following activities:

- Appomattox Downtown Revitalization project continues and he is hopeful to have everyone under contract within the next 30-60 days. The branding and marketing request for proposals (RFP) are due April 13, 2021.
- United States (US) Cellular will begin construction on the cell tower in May-June 2021. The cell tower will be located on Founders Lane.

Council Comments –
Mrs. Puckette has a list but would like to yield until the financial analyst is complete. She would like to put $1,000,000 from savings to the depot repairs. She thanked the Public Works department for the gutter repairs. There is a lot of rot on the back side of the depot.

Mr. Tilton – Thanked everyone who came out today. Citizen input and participation is how you get things done. Keep bringing all your friends and family.

Ms. Spiggle – Agreed with Mr. Tilton. In Lynchburg, the Small Business Alliance, is a group that businesses belong to and the SBA goes to City Council with business concerns. She also agrees with Mrs. Puckette. She is on the committee for the downtown project and the depot needs our attention. It is sturdy and sound but it needs to be work on.

Mr. Boyce – none

Mr. Garrett – none

Mr. Simpson – Agrees with Ms. Spiggle and Mrs. Puckette about the depot. Fast forward, the video front, could we send this item to the Appomattox Tourism Committee? Next, the Courtland Festival Park was recently stone slurred on the walking path. Lastly, can the Town plant a tree in honor of Arbor Day?

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn the meeting at 9:20 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
April 27, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, April 27, 2021 at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle and Claudia G. Puckette.

Others present: Sara Conner, Carlton Duck, Alive Media TV; Michelle Murch, Times Virginian Newspaper; Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called to order the Council Workshop meeting.

Out of Town Water Connection Request:
Mr. Garrett made a motion to approve the out-of-town water request for 148 Snapps Mill Road, Spout Spring, Virginia, Mr. Simpson seconded the motion.
After some discussion, Mr. Simpson made a motion to amend the previous motion to accept an email from Mr. Calvin Mitchell on April 13th and approve the ¾' water tap, and the application will fill the administrative need. Ms. Spiggle seconded the amended motion. All members voting aye on the amended motion. Motion carried 6-0.
All members voting aye on the main (original) motion. Motion carried 6-0.

Continued discussion of the FY 2022 Budget:
Council provided consensus for the Town Treasurer to move forward with advertising a public hearing for the proposed FY 2022 Budget for the Town of Appomattox.

Discussion of Poultry (Chicken) Ordinance:
Council provided consensus for the Town Clerk to move forward with advertising a public hearing for Chapter 117 and 195 of the Town Code.

Closed Session:
On a motion by Mr. Tilton, seconded by Mr. Boyce, 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 performance of a specific public employee of any public body, specifically Employee A.

Vote: Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes, Tilton – yes. Motion carried 6-0.

The meeting was re-opened to the public.

Council Member Tilton made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Spiggle and Council by the following recorded vote adopted the motion:

Vote: Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes, Tilton – yes. Motion carried 6-0.

Council Comments:
Mrs. Puckette – none

Ms. Spiggle – none

Mr. T. Garrett reminded Council that the Appomattox County High School Raider football team will play Stuarts Draft on Saturday, May 1, 2021 for the State Championship.

Mr. Tilton – none

Mr. Boyce – none

Mr. Simpson - none

Council Standing Committee Reports:
The Physical Development Committee and Finance & Planning Committee provided consensus to advertise the FY 2022 Budget for the Town of Appomattox.

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though April 2021.

Mr. Jeff Elder, Facilities Director provided an update on the sewer inflow and infiltration project.

Mr. Shanaberger provided an update on the following items:
The Hurt and Proffitt Rate Study, Davenport Financial Analysis, and the first round of funding from the America Rescue Plan. Mikula Harris has been selected by the Appomattox Downtown Revitalization Grant management team to perform marketing and branding services. A Rose program meeting is being planned and a Council Retreat is being considered for September or the first week of October.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
May 10, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, May 10, 2021 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette and James J. Boyce.

Others present – Carlton Duck, Alive Media TV; Laura Briceland, Sarah Conner, Sharon Conner, Chad Hodges, Hurt & Proffitt, Inc.; Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer (via phone); and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

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

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Conner read the following proclamation:

A PROCLAMATION HONORING
THE APPOMATTOX COUNTY HIGH SCHOOL
2020 STATE CHAMPIONSHIP FOOTBALL TEAM

WHEREAS, the hard work, dedication, sportsmanship, talent and exceptional team chemistry of the 2020 Appomattox Raiders Football Team has enabled these student athletes to earn a fifth State Championship title since 2015; and

WHEREAS, the 2020 Appomattox Raiders Football team completed the season with a perfect record; and

WHEREAS, the 2020 Appomattox Raiders Football team won the Virginia High School League Group 2A Football Championship with a 48-41 victory over Stuarts Draft; and

WHEREAS, Head Coach Doug Smith, Interim Coach Stephen Castello, and the entire coaching staff, team member parents, faculty and student body at Appomattox County High School were integral in guiding the team to victory through their unwavering support during the season;

NOW, THEREFORE, BE IT RESOLVED, that I, Richard C. Conner, Mayor of the Town of Appomattox along with my fellow Councilmembers, do hereby proclaim May 10, 2021 as "2020 Appomattox Raider Football Team Day" in honor of the 2020 State Champion Appomattox County Varsity Football Team's outstanding accomplishments.

FURTHER, I urge all citizens of Appomattox County to join me in recognizing and celebrating the team's achievement and wish the members of the team continued success.

_____
Richard C. Conner, Mayor
Town of Appomattox

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to approve the consent agenda for April 12, 2021 as presented. All members voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to declare the following items surplus:

- Quincy 5hp air compressors, Quantity 2
- 96 gallon roll out trash cans, Quantity 205

All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:
None

Citizens Comment Period:
None

Town Manager Updates –
Mr. Shanaberger provided an update on the following activities:

- The Town responded to additional questions from USDA regarding the Church Street waterline replacement project.
- Hurt & Proffitt, Inc. will present the findings of the water and sewer rate study and breakeven analysis at the May 25th Workshop meeting.
- Hurt & Proffitt, Inc. will also forward the findings to Davenport.
- Davenport will attend the June 29th Workshop meeting to present the general fund financial analysis.
- A public hearing for the proposed FY 2022 Budget and the Poultry Ordinance are scheduled for 6:00 p.m. on May 25, 2021.
- Requested Council review their calendars for a retreat on September 17, 2021.

Council Comments –
Mrs. Puckette extended an invitation to the June 19th – Juneteenth Celebration at the Courtland Festival Park from 11:00 a.m. – 3:00 p.m.

Mr. Tilton – None

Ms. Spiggle – None

Mr. Boyce – None

Mr. Garrett – None

Mr. Simpson – Thanked the owner of the Triangle Plaza for the façade improvements. It looks great and he is excited about business development in the community.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn the meeting at 7:45 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
May 25, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, May 25, 2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle and Claudia G. Puckette. Absent: Aaron Tilton.

Others present: Chad Hodges, Sharon Conner, Sara Conner, Carlton Duck, Alive Media TV; Michelle Murch, Times Virginian Newspaper; Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called to order the Council Workshop meeting.

Mayor Conner opened the public hearing to hear citizen input on the following:

1) Proposed FY 2022 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2022:

GENERAL FUND EXPENDITURES	2,973,203.00
INTERNAL SERVICE FUND EXPENDITURES	0.00
WATER FUND EXPENDITURES	1,279,183.00
SEWER FUND EXPENDITURES	6,653,937.00
TOTAL EXPENDITURES	**10,906,323.00**
GENERAL FUND REVENUE	2,973,203.00
INTERNAL SERVICE FUND REVENUE	0.00
WATER FUND REVENUE	1,279,183.00
SEWER FUND REVENUE	6,653,937.00
TOTAL REVENUE	**10,906,323.00**

There were no public comments.

2) The purpose of this public hearing will be to receive public comments concerning adoption by the Town Council of:

1. To amend Chapter 117 of the Code of the Town of Appomattox, Chapter 117, to add Article V and to add the following provision which shall become Section 117-28 through 117-30 thereof, entitled “Regulation of Residential Chicken Keeping”.

2. To amend Chapter 195 of the Code of the Town of Appomattox, thereof, entitled Zoning, Article I, entitled "General Provisions", to incorporate the following definitions into the existing definitions of this section.

3. To amend Chapter 195 of the Code of the Town of Appomattox, thereof, entitled Zoning, to add a new article providing for Article XVII, entitled "General Provisions", Section 195-163, entitled "Residential Chicken Keeping".

There were no public comments.

Mayor Conner closed the public hearings.

Discussion Items:
Hurt & Proffitt, Inc. will present the Utility Study Update at the June 14, 2021, meeting.

Council Comments:
Mrs. Puckette mentioned she has received complaints regarding truck reviving loudly between the hours of 11:00 p.m. – 1:00 a.m. Mr. Shanaberger said he will reach out the Town Attorney.

Mr. Sipson advised he attended a meeting of the Appomattox Tourism Committee at the American Civil War Museum this morning. A new TV ad/commercial is airing now.

Mr. Boyce is concerned about the social media attacks on Council and Town Staff. He encourages those who have an issue with business procedures to come work it out, but not through Facebook. We are all adults, lets talk about it.

Ms. Spiggle agreed with Mr. Boyce 100%. The Town has excellent staff, and we can iron out the issues.

Mr. Garrett - none

Council Standing Committee Reports:
None

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though April 30, 2021.

Mr. Jeff Elder, Facilities Director provided an update on the sewer inflow and infiltration project.

Mrs. Puckette inquired about the funding to repair the outside of the depot on Main Street. The Physical Development Committee will set up a meeting for June 14th prior to the Regular Council meeting.

Mr. Simpson inquired if the Town had consulted with any financial partners to protect ourselves with the large cash accounts balance. Mrs. Ray said hopefully Davenport will be able to assist with diversifying the Town's portfolio.

Mr. Shanaberger thanked Mr. Elder and the Public Works Department for wearing so many hats and managing the Inflow and Infiltration project.

Mr. Shanaberger provided an update on the following items:

- The Town has been awarded a USDA/RD grant of $1.1 million; a low interest loan for $500,000 for the Church Street waterline. The Town has also received $650,000 from DHCD. The Town is trying to schedule a kick of meeting with each agency.
- David Mikula of Mikla Harris introduced himself and firm to the Project Management Teach of the Appomattox Downtown Revitalization project.
- Staff continues to wait for guidance regarding the American Rescue Plan Act funding.
- Suggested Friday, September 17, 2021 for the Council Retreat.

Mr. Boyce also suggested attendance to the annual VML Conference in October 2021.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 6:42 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
June 14, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, June 14, 2021 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette and James J. Boyce. Absent – Aaron Tilton.

Others present – Carlton Duck, Alive Media TV; Chad Hodges and Bif Johnson, Hurt & Proffitt, Inc.; Jeff Elder, Facilities Director; Frank Wright, Town Attorney; Sarah Conner, Joetricia Humbles, Shronda Mosley, Jeff Westbrook, Times Virginian; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

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

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
It looks like we are finally coming out of the other side of COVID, and this is a great thing.

Scheduled Public Appearances:
Joetricia Humbles, Appomattox for Equality appeared before Council – Thank you for allowing Appomattox for Equality an opportunity to speak to you regarding the importance (of) Juneteenth not only to African Americans in our community, but it(s) historical significance for Appomattox. Juneteenth has been around for over 150 years but for many people who are hearing about it for the first time it seems brand new. If July 4th, Independence Day, is about the beginning of our freedom, Juneteenth is about fulfilling the promise in the Declaration of Independence that all people are created equal and that all people have rights.

As I heard in a speech given by Dr. Tomika Ferguson, she stated that Roscoe Simmons, who is the nephew of Booker T. Washington, was a columnist for the historical Black newspaper Chicago Tribune wrote in 1924 that slavery began and ended in Virginia, and viewed Appomattox as a place of salvation for African-Americans. This salvation was created by the surrender at Appomattox County (Court) House on April 9th 1865 which is also known as Freedom Day for African Americans, which provided them with emancipation, freedom, and pride. However, not all enslaved people were aware of their freedom like the enslaved people of Appomattox. The enslaved people of Texas did not receive this announcement until June 19th, 1865. So, on Juneteenth we are not just remembering the announcement of Emancipation in Galveston Texas, but the end of slavery as an institution in the United States. On June 19th, freedom for all was finally acknowledged, even if it though it has not been fully fulfilled. The first celebration of Freedom Day in 1866 was organized by the formerly enslaved people of Galveston, which has led to the idea it was only about them. It is a day that all of us are part of

because it is the day the struggle for freedom was joined by the struggle for equality. While Juneteenth may be a new holiday for some, it is a day for all people. It reminds us of the hard history of where we have been, it reminds us of what we still need to learn, and it challenges us to live up to the promise of what we can and should be. Learning about the history of enslavement and the long struggle for true freedom and equality that followed emancipation is not easy. It is a complicated and discomforting story. But in the words of Frederick Douglas history has shown us that "Without struggle, there is not progress" and it has also shown us that without discomfort there is no change.

I would like to invite you to join us at our 2nd Juneteenth Celebration to gain more insight in the importance of Juneteenth. If anyone has any questions or concerns regarding Appomattox for Equality, please feel free to reach out to us via Facebook, our website, or any of our board members which are myself, Joetricia Humbles, Laquil Humbles, Shronda Mosley, Tyresha McCoy, Emily Wheeler, Dustin Williams, and Ken Arpino. Once again, we would like to thank you for this opportunity to speak.

Bif Johnson, Hurt & Proffitt, Inc. updated Council on the water and sewer review for 2021. The review covers a 3% annual rate increase for water and sewer through fiscal year 2023, already approved by Town Council. A new waterline loan for $500,000 added in late FY 2022. The sewer VRA loan will end FY 2022. A new sewer USDA loan will start in FY 2022. The review also looked into the effects on revenue if the out-of-town users were increased by 1.5 times the current rates. Also, what effect would revenue have if there were an increase to water and sewer usage.

Council thanked Hurt & Proffitt, Inc. for the updated information. Hurt & Proffitt, Inc. thanked Town Staff for their assistance.

Adoption of the Consent Agenda:
On a motion by Ms. Spiggle, seconded by Mr. Boyce, Council voted to add New Business Item – Closed Session, pursuant to Section 2.2-3711(A) 5 of the Code of Virginia, for the purpose of discussion, concerning the expansion of an existing business where no previous announcement has been made of the business' interest in expanding its facilities in the community, specifically being Business A's possible expansion. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Boyce, Council voted to approve the consent agenda with the addition of the New Business Item – Closed Session. All members present voting aye. Motion caried 5-0.

Unfinished Business:
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to approve the write offs for Clifton's - $4,692.05 and Prospect Diner - $2,044.80 as the statute of limitations has passed for collection. All members present voting aye. Motion carried 5-0.

New Business:
On a motion by Ms. Spiggle, seconded by Mr. Boyce, Council voted to convene in Closed Session, pursuant to Section 2.2-3711 (A) 5 of the Code of Virginia, 1950, for the purpose of discussion concerning the expansion of an existing business where no previous announcement has been made of the business interest in expanding its facilities in the community, specifically being Business A's possible expansion.
Vote: Boyce – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye, Tilton – absent. Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

Whereas, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by Town council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Puckette, and Council by the following recorded vote adopted the motion.
Vote: Boyce – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye, Tilton – absent. Motion carried 5-0.

On a motion by Mr. Simpson, seconded by Mrs. Puckette, Council voted to approve the Capital Improvement Plan for FY 2022. Roll Call Vote – Boyce – aye, Garrett – aye, Puckette – aye, Simpson – aye, Spiggle – aye. Tilton – absent. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt an Appropriations Resolution of the Appomattox Town Council Adopting the Fiscal Year 2021-2022 Budget for the Town of Appomattox, Virginia.

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2021-2022 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 2021-2022 Budget was published on May 5, 2021 and May 12, 2021 in the *Times-Virginian*, Appomattox, Virginia, pursuant to Section 15.2-2506, Code of Virginia, and public hearing was subsequently held on the proposed budget on Tuesday, May 25, 2021;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Regular Council Meeting on Monday, June 14, 2021, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2021-2022;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	49,800.
Administrative Department	546,094.
Professional	123,000.
Police Department	106,050.
Tourism Department	77,250.
Fire Department	41,000.
Public Works Department	946,326.
Sanitation Department	150,000.
Property Maintenance & Construction	800,283.
Town Shop	33,300.
Donation/Contributions	20,000.
Zoning	51,000.
Town Office	29,100.
TOTAL GENERAL FUND EXPENSES	2,973,203.

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.11 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 $.11 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 situsedwithin the Town commencing January 1, 2020, 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 56.25% tax relief;

- Personal use vehicles valued at $20,001 or more shall only receive 56.25% 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.

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2021-2022;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	160,000.
Current Taxes – Personal Property	68,000.
Delinquent Taxes	2,500.
Penalties & Interest	5,000.
Public Service Corporation	6,500.
Bank Stock Tax	190,000.
Cigarette Tax	130,000.
Meals Tax	1,175,000.
Lodging Tax	60,000.
Franchise Tax	500.
Consumption Tax	6,000.
Vehicle License Tax	23,000.
Business License	180,000.
Communications Tax	4,000.
Zoning	1,000.
Interest	10,000.
Rental of Misc. Property	6,000.
Rolling Stock Tax	3,000.
Sales Tax	80,000.
Aid to Police Department (HB599)	46,000.
Fire Programs	10,000.
Personal Prop Tax Relief Act State Funds	23,107.
Visitor Center	0.
Mobile Home Titling Tax	200.
Miscellaneous	1,000.
Town DMV Fees	2,000.
Meadowlark Program Income	4,380.
Downtown Revitalization Grant	680,000.
Other Reimbursable	500.
Transfer from Reserve	95,516.
TOTAL GENERAL FUND REVENUES	2,973,203.

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2021-2022;

WATER FUND; EXPENDITURES BY CATEGORY:

Water Department	1,279,183.
TOTAL WATER EXPENDITURES	1,279,183.

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2021-2022;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	360,000.
Connection Fees	7,500.
Penalty Fees	15,000.
Availability Fees	10,000.
Reconnect Fees	0.
Miscellaneous	500.
Interest	4,000.
Rental of Misc. Property	35,000.
Intergovernmental Revenue	30,000.
Use of Fund Balance	167,060.
DHCD Utility Grant Proceeds	123.
Church Street Waterline Grant – DHCD	650,000.
TOTAL WATER REVENUES	1,279,183.

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2021-2022;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	6,653,937.
TOTAL SEWER EXPENDITURES	6,653,937.

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2021-2022;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	860,000.
Connection Fees	2,500.
Availability Fees	7,500.
County Reimbursement SBR & IDA PS	38,286.
Park Service Maintenance	20,000.
Interest	3,500.
Intergovernmental Revenue	1,700.
Use of Beginning Balance	140,101.
USDA Grant Proceeds 1	1,879,000.
USDA Grant Proceeds 2	3,501,000.
Loan Proceeds	200,001.

DHCD Utility Grant Proceeds	349.
TOTAL SEWER REVENUES	6,653,937.

SECTION X:
The salaries, wages and allowances set out in said Budget are hereby authorized as per the terms of the town's classification and merit system as approved compensation for officers and employees for services rendered, unless hereafter otherwise provided by ordinance; provided however, that the Town Manager is authorized to make such rearrangement of positions in the several departments named in the Budget, in respect to officers and employees appointed by his/her as may best meet the needs and interests of the Town and after approval by Council.

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2021-2022 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2021-2022 is hereby adopted, effective July 1, 2021 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 14th day of June, 2021.

Attest:

_____ _____
Roxanne W. Casto, Town Clerk Richard C. Conner, Mayor

Roll Call Vote: Boyce – aye, Garrett – aye, Puckette – aye, Simpson – aye, Spiggle – aye. Tilton – absent. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to adopt the following:

An Ordinance to Amend Chapter 117 of the Code of the Town of Appomattox, Chapter 117, to add Article V and to add the following provision which shall become Section 117-28 through 117-30 thereof, entitled "Regulation of Residential Chicken Keeping".

An Ordinance to Amend Chapter 195 of the Code of the Town of Appomattox, Chapter 195, Article I, entitled "General Provisions", to incorporate the following definitions into the existing definitions of this section.

An Ordinance to Amend Chapter 195 of the Code of the Town of Appomattox, thereof, entitled Zoning, to add a new article providing for Article XVII, entitled "General Provisions", Section 195-163, entitled "Residential Chicken Keeping".

Roll Call Vote: Boyce – aye, Garrett – aye, Puckette – no, Simpson – aye, Spiggle – aye. Tilton – absent. Motion carried 4-1.

On a motion by Mr. Boyce, seconded by Mr. Simpson, Council voted to approve the request to fund ½ of the cost of SCBA equipment for the Appomattox Volunteer Fire Department in the amount of $31,050, provided the Town receives American Rescue Plan Act funding. Roll call vote: Boyce – aye, Spiggle – aye, Simpson – aye, Garrett – abstained, Puckette – no. Motion carried 3-1-1.

Ms. Spiggle requested resending the letter to Appomattox County requesting a meeting to discuss the items identified in the letter dated March 16, 2021, including having the Town and County Attorney's present.

Council Standing Committee Reports:
The Physical Development Committee met today, June 14, 2021, to gather information on the train depot repairs.

Citizens Comment Period:
None

Town Manager Updates –
Mr. Shanaberger provided an update on the following activities:

- Expanded on the American Rescue Plan Act. He suggested a 2-person council committee, specifically the Chairperson of each standing committee, Mr. T. Garrett and Mrs. C. Puckette.
- Appomattox County reimbursed the Town approximately $2,500 for COVID cleaning supplies from CARES Act funding.
- Appomattox County assisted the Town through a MOU for grant funding through DHCD for utility relief to customers affected by COVID.
- Appomattox County denied the Town's request for CARES Act funding for the funds reimbursed to businesses. The County perceived the stimulus to businesses as reimbursements.
- The Church Street Waterline Replacement project may be able to close in the next 90 days. Hurt and Proffitt, Inc. is working with the Town and USDA on this project.
- Reminder of the July 3rd fireworks event.

Council Comments –
Mr. Boyce inquired about the flow of traffic on Church Street. Mr. Shanaberger advised VDOT is working on an alternate truck route and reviewing crosswalks in Town. Mr. Boyce also commented on the speeding on Church Street.

Mayor Conner thanked Public Works for their assistance during the heavy rains the week before.

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn the meeting at 9:35 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
June 29, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, June 29, 2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle and Claudia G. Puckette.

Others present: Chad Hodges, Carlton Duck, Alive Media TV; Jeff Westbrook, Times Virginian Newspaper; Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called to order the Council Workshop meeting.

Discussion Items:
Mr. Simpson requested the discussion of water capacity and feasibility of expanding capacity using existing Town wells.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to hold a public hearing to amend the FY 2022 Water Fund budget for the Town of Appomattox by increasing expenditures by $150,000. All members present voting aye. Motion carried 6-0.

Note: Mr. Boyce left the meeting at 6:55 p.m.

Council requested an action item on the July 12, 2021, Council Agenda to discuss holding a public hearing on out-of-town water rates.

Council Comments:

Ms. Spiggle reminded everyone of the July 3 Fireman and Fireworks event.

Council Standing Committee Reports:
None

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though May 31, 2021.

Mrs. Casto, Clerk reminded Council of the Virginia Municipal League Conference planned for October 3 – 5, 2021 in Leesburg, Virginia.

Mr. Jeff Elder, Facilities Director reported that the Public Works crew would be working 7:00 a.m. – 3:30 p.m. the remainder of the week due to the extreme heat.

Mr. Shanaberger provided an update on the following items:

- The Town is expecting to receive the American Rescue Plan funding tomorrow and there is a webinar tomorrow, June 30 as well. Staff expects to learn more about the opportunities to spend these funds.
- Work by staff continues on the USDA loan/grant for the Church Street Waterline Replacement Project.
- Staff expects completion of the Request for Qualifications for the engineering and project management services of the Town Depot exterior renovations.
- The July 3rd Fireworks are set for 9:30 p.m. near the Appomattox County High School.
- Mr. Fowler begins on July 1 as the part-time Zoning Administrator.

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 7:15 p.m. All members present voting aye. Motion carried 5-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
July 12, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, July 12, 2021, 2021 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette and James J. Boyce.

Others present – Members of the Appomattox County High School Softball Team and FFA Chapter, Carlton Duck, Alive Media TV; Chad Hodges, Hurt & Proffitt, Inc.; Jeff Elder, Facilities Director; Courtney Mendenhall, Times Virginian; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

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

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
None

Scheduled Public Appearances:
Mayor Conner read the following proclamation honoring the 2021 State Championship Softball Team:

A PROCLAMATION HONORING
THE APPOMATTOX COUNTY HIGH SCHOOL
2021 STATE CHAMPIONSHIP SOFTBALL TEAM

WHEREAS, the Appomattox County High School Softball Team won the 2021 VHSL Softball State Tournament (Virginia) Class 2; and

WHEREAS, the Appomattox County High School Softball record was 16-0; and

WHEREAS, the team batting average was 363, with 3 players hitting over 500 and 4 hitting over 300; and

WHEREAS, there were 11 home runs, 49 stolen bases, fielding average 981, ERA 0.23, 211 strikeouts, 4 perfect games thrown, including 2 in the playoffs, scoring 139 runs giving up only 10; and

WHEREAS, Head Coach Janet Rawes, along with assistant coaches J. Hackett and T. VanEngen, team members, team member parents, faculty and student body at Appomattox County High School were integral in guiding the team to victory during the season;

NOW, THEREFORE, BE IT RESOLVED, that I, Richard C. Conner, Mayor of the Town of Appomattox along with my fellow Councilmembers, do hereby proclaim July 12, 2021, as "2021 Appomattox Raider Softball Team Day" in honor of the 2021 State Champion Softball Team.

FURTHER, I urge all citizens of Appomattox County to join me in recognizing and celebrating the team's achievement and wish the members of the team continued success.

_____
Richard C. Conner, Mayor, Town of Appomattox

Mayor Conner read the following proclamation honoring the 2020-2021 FFA Chapter:

A PROCLAMATION HONORING

THE APPOMATTOX COUNTY HIGH SCHOOL
2020-2021 FFA CHAPTER

WHEREAS, the Appomattox Sr. FFA received top honors at the 95th Virginia FFA Convention; and

WHEREAS, a hybrid 3 day virtual and 1 day in person convention took place in Rockingham County; and

WHEREAS, the Appomattox Chapter placed first in the National Chapter Award contest, out of 186 chapters and 9,901 FFA members across the Commonwealth; and

WHEREAS, the National Chapter Award contest is grounded in three divisions, Growing Leaders, Building Leaders, and Strengthening Agriculture; and

WHEREAS, Appomattox was selected for its extensive program of activities, notably during the 2020-2021 school year were its livestock stock team, degree recognition event, harvest bag agricultural education kits, and its dynamic relationship with the Appomattox FFA Alumni Association; and

WHEREAS, this milestone was accomplished under the direction of the 2020-2021 Chapter FFA officer team.

THEREFORE, I, Richard C. Conner, Mayor of the Town of Appomattox, do hereby proclaim July 12, 2021, as "2020-2021 Appomattox FFA Chapter Day" in honor of the State Champion Veterinary Science Team and Top FFA Chapter in Virginia.

FURTHER, I urge all citizens of Appomattox County to join me in recognizing and celebrating the chapter's achievement and wish the members of the chapter continued success.

_____
Richard C. Conner, Mayor, Town of Appomattox

Adoption of the Consent Agenda:
On a motion by Mr. Boyce, seconded by Mr. Simpson, Council voted to adopt the consent agenda with the addition of New Business #2 – Discussion of the letter received by Mr. Shanaberger from Appomattox County Administrator, Susan Adams. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to set a public hearing regarding an increase of 1.5 times crease for water rates for out-of-town customers with an effective date of October 1, 2021. All members present voting aye. Motion carried 6-0.

The Clerk noted the public hearing will be scheduled for Monday, August 9, 2021.

On a motion by Mr. Boyce, seconded by Mr. Simpson, Council discussed setting a date, agenda items and arrangements. Mr. Boyce rescinded the motion as stated, Mr. Simpson also rescinded his second. Council directed Mr. Shanaberger to work on the arrangements of setting up a joint meeting with the Appomattox County Board of Supervisors.

Council Standing Committee Reports:
Mrs. Puckette stated she understands from Mrs. Ray, Town Treasurer that the Town has received the first level of funding from the American Rescue Plan Act (ARPA). Mrs. Puckette and MR. Garrett will be meeting on Wednesday afternoon, July 14th to discuss the number of possibilities to use the funding for and return to the workshop meeting on July 27th with options.

Citizens Comment Period:
None

Town Manager Updates –
Mr. Shanaberger provided an update on the following activities:

- In old news, the state of emergency in Virginia due to COVID-19 ended on June 30, 2021. The General Assembly had included in their Appropriations Act of 2021 – utility disconnects could resume 60 days after the stated end of the emergency. Basically, the Town can continue its normal way of business including disconnections on those accounts that need to be disconnected on September 1, 2021. Mrs. Ray and staff are

going to send reminders to customers for the next 2 months and with the next 2 billings to let people know that disconnections for non-payments will resume on September 1. Hopefully, that will encourage those that need help and assistance with payment plans will contact the Town.

- The Appomattox Downtown Revitalization Project has two more properties under contract. Mikula Harris received great feedback from the first group of interviews.
- Davenport will be attending the July 27, 2021, Workshop meeting to provide an update on the financial analysis.
- The Fireworks on July 3rd went well. The Town received lot of compliments.
- The cell tower construction on Founders Lane by US Cellular is expected to start within the next week to 10 days. Construction is expected to take 30 days.

Council Comments –
Tilton – none
Boyce – none
Spiggle – none
Garrett – none
Simpson – none

Puckette – In light of what has happened this week, it would be beneficial to the Council if we went back for the last 10-12 years and wrote a letter to our town citizens and give it to the newspaper outlining the accomplishments. We need to stand up for ourselves and why the Town needs to exist.

On Sunday, she started greeting at church (Liberty Baptist Church) and there is a lot of traffic on Lee Grant Avenue. Perhaps we could ask Sheriff Simpson to place the machine there to assist in slowing people down. It just isn't safe.

After the last meeting, Mr. Elder was telling me about contracts for water and I looked into that a little further and I understand, and we all need to know this going forward. A contract for water is not like a real estate contract. Most of them are not set for 20 years, some are, some are less, some until further notice. If we do get the opportunity to negotiate that (water contract) we try to lengthen this to get the investment back. If you negotiate time, we could negotiate rates. Believes the 20-year contract is a little on the low side.

Mayor Conner commented also on the closeness of the passing of the school buses on Lee Grant Avenue.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 8:05 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
July 27, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, July 27, 2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle (via phone) and Claudia G. Puckette.

Others present: Jimmy Sanderson, Davenport & Company; Chad Hodges, Carlton Duck, Alive Media TV; Rob Fowler, Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called to order the Council Workshop meeting.

Discussion Items:
Jimmy Sanderson, Davenport & Company presented the Comprehensive Financial Review for the Town of Appomattox. Mr. Sanderson presented recommendations to Council regarding the unassigned fund balance policy. The debt capacity recommendation is between $5.2-6.1 million. Council thanked Mr. Sanderson for the report. Council will take some time to read and study the report.

Council Comments:
Mrs. Puckette – none

Mr. Simpson reported that he attended the newly elected officials conference hosted by the Virginia Municipal League and found it to be incredibly informative.

Mr. Garrett – none

Mr. Boyce – none

Mr. Tilton – none

Ms. Spiggle is very happy to have this report from Davenport & Company.

Council Standing Committee Reports:

American Rescue Plan Act (ARPA)
Mrs. Puckette provided a handout of funds requested by Mr. Elder. The handout primarily contains water and sewer infrastructure projects. Mr. Garrett and Mrs. Puckette will be meeting again as the guidelines continue to be developed.

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures through June 30, 2021, noting that these numbers are preliminary numbers and still need to be audited and may change some.

Utility disconnects are scheduled to resume after September 1, 2021. Those customers with a balance of less than $500 will be given a 6-month payment plan. Those with a balance of more than $1,00 will be given a 12-month payment plan.

Mr. Shanaberger provided an update on the following items:

- Staff participated in a meeting concerning the Church Street Waterline Replacement project. Mr. Boyce and Mrs. Puckette agreed to serve on the Programmatic Management Council/Board.
- VDOT issued a permit for 929 Confederate Blvd. therefore, the zoning approval has also been provided.
- Site work has begun at the former Thomasville property by United States Cellular. The work should be complete in the next 30-45 days.
- The Virginia Municipal League Annual Conference is scheduled for October 3-5, 2021 in Leesburg, Virginia.
- Mr. Fowler, Part-time Zoning Administrator began employment earlier this month.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
August 9, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, August 9, 2021, 2021 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette and James J. Boyce.

Others present – Carlton Duck, Alive Media TV; Chad Hodges, Hurt & Proffitt, Inc.; Mr. and Mrs. Gary Christie, Executive Director, Central Virginia Planning District Commission, Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page.

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

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:
Mayor Conner opened the public hearing and stated the purpose:

The purpose of the public hearing is to hear public comments for proposed changes to the Water and Sewer Policy User Charges (including Water and Sewer Rates), Connection and Availability Fees Administrative Policy with an effective date of October 1, 2021.

c) Proposed Out of Town Water Rates:

	0 – 2000 gallons	Charge per 1000 gallons over 2000
October 1, 2021	$17.40	$9.60
July 1, 2022	$17.85	$9.90

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq., with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950 as amended. Documentation, including the complete ordinance and other information concerning the documentation for the proposed fee are available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday. If you have any questions, please contact Kimberley W. Ray, Treasurer or Gary L. Shanaberger, Town Manager at 434-352-8268.

Public Comments – none

Mayor Conner closed the hearing.

Mayor's Comments:
Mayor Conner said he hoped this Council was doing the work they were elected to do. He also appreciates working with this team of elected officials and professional staff at the Town Office.

Scheduled Public Appearances:
Mr. Gary Christie, Executive Director, Central Virginia Planning District Commission appeared to present Mayor Conner with a plaque of appreciation for service to the Planning District Commission over the last year serving as Chairman.

Mr. Christie also provided an update on activities performed by the Central Virginia Planning District Commission during the last year.

Adoption of the Consent Agenda:
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt the consent agenda for Monday, August 9, 2021, as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to amend the Town of Appomattox Water and Sewer Policy to include User Charges, Connection and Availability Fee, Administrative Policy by increasing the out-of-town water rates effective October 1, 2021, and thereafter with a multiplier factor of 1.5. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mr. Tilton, Council voted to approve an Amendment to the Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2021-2022 Budget for the Town of Appomattox, Virginia to set the Personal Property Tax Relief rate for FY 2022.

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2021-2022 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

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 situses

within the Town commencing January 1, 2021, 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 50.93% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 50.93% 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.

Attest:

_____ _____
Roxanne W. Casto, MMC, Town Clerk Date

All members present voting aye. Motion carried 6-0.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to amend the Fund Balance Policy for the Town of Appomattox. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to advertise a joint public hearing for Tuesday, August 24, 2021, at 6:00 p.m. for an Ordinance of Vacation for an unopened street by Blue Ridge Medical on Jones Street. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:
American Rescue Plan Act – Mrs. Puckette reported she and Mr. Garrett have not met since the last Workshop meeting to discuss possibilities of funding activities with the American Rescue Plan Act funding. They would like input from other Council members. Mr. Simpson mentioned exploring options to abate blighted buildings and supporting local food banks. Mr. Garrett will also gather information on the cost of indoor air quality equipment for Town buildings.

Citizens Comment Period:
None

Town Manager Updates –
Mr. Shanaberger provided an update on the following activities:

- Church Street Waterline Replacement project – Staff is working with USDA and DHCD to finalize the closing process. He is hopeful the project will be going out for bid in 90 days.
- The Public Works Department has been managing the fieldwork for the Inflow and Infiltration (SBR) project. Approximately $6 million has been spent on this project.

- The Request for Proposals for engineering and project management services has been advertised and RFP's are due on September 15, 2021.
- Attended a meeting with Jonathan Garrett and Rusty Small and all agreed to hold the fireworks on Saturday, July 2, 2022.
- The Town EDA meeting is scheduled for Tuesday, August 10, 2021 at 6:00 p.m.

Council Comments –
Puckette – none
Tilton – none
Simpson – inquired about the possibility of installing "No Parking" signs at the corner of Oakleigh Avenue at Church Street. Mr. Shanaberger said he would talk with VDOT. Mrs. Puckette inquired about the truck route. Mr. Shanaberger advised that VDOT is still conducting research for the study.
Spiggle – none
Garrett – none
Boyce – invited everyone to attend the Ball Brothers concert at the Courtland Festival Park on Sunday, August 22, 2021, at 3:00 p.m. In the case of rain, the event will be held at Bible Baptist Church

Adjournment:
On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
August 24, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, August 25, 2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle (via phone) and Claudia G. Puckette.

Appomattox Town Planning Commission present: Marvin Mitchell, S. L. Ferguson, Roger Carson and Nathan Simpson.

Others present: Frank A. Wright, Jr., Town Attorney; Carlton Duck, Alive Media TV; Jeff Elder, Facilities Director; Christy Torrence, Office Manager; Rob Fowler, Director of Community Development and Planning; Jeff Westbrook, Times Virginian; Brian McChesney and Randy Pirtle, Blue Ridge Medical Center; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

Mayor Conner called to order the Council Workshop meeting.

Chairman Mitchell called the Planning Commission meeting to order for the purpose of the following public hearing:

> **PLEASE TAKE NOTICE** that at its meeting to be held on Tuesday, August 24, 2021, at the hour of 6:00 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Planning Commission will conduct a public hearing on a proposed Ordinance of Vacation, pursuant to Virginia Code Ann. Sec. 15.2-2272 to vacate an unopened portion of Second Street, depicted as "Second Street 50 ft. R/W (Not Open)" on a plat dated June 3, 2021, entitled "Resurvey of Lots 166-183 Lee Grant Addition See D.B. 187 p. 724 . . . 2.583 Acres Surveyed for: High Rise Holdings LLC," such plat or an updated version thereof to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat"), such unopened portion being 50 feet in width and extending 250 feet northwest from a parcel owned by the Civil War Preservation Trust and identified as T.M. No. 64A2-4-3A (the "Unopened Portion of Second Street.") The effect of such proposed vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:
>
> a) The southwestern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-161 owned by Freddie R. Jones, or his successor in interest;
>
> b) The northeastern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-166 owned by High Rise Holdings LLC, or its successor in interest;

The Planning Commission will make its recommendation with respect thereto to the Appomattox Town Council for its consideration at its meeting to be held on Tuesday, September 7, 2021.

PLEASE TAKE FURTHER NOTICE that at its meeting to be held on Monday, September 13, 2021, at the hour of 7:30 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Council will consider the recommendations of the Planning Commission with respect to the above-described proposed Ordinance of Vacation, pursuant to Virginia Code Ann. Sec. 15.2-2272 to vacate the above-described portion of a plat. The Town Council will have said ordinance proposed to it for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

The entire text of the above-noted Ordinance of Vacation is on file in the Town Office, 210 Linden Street, Appomattox, Virginia, and can be examined there between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

The public is invited to attend and make their views known.

Mr. Fowler provided a brief staff presentation with the request to close an unopened road off of Jones Street.

There were no questions from the Planning Commission members.

There were no public citizen comments.

Chairman Mitchell closed the public hearing and the Planning Commission meeting.

Discussion Items:
Mr. Frank A. Wright, Jr., Town Attorney appeared before Council to provide a brief update on the Town Council & Mayor elections originally scheduled for May 2022. Since the General Assembly also moved all Town elections from May to November, he will need to continue to research options for the current Town Council and the next steps involved in the election process.

Town Council provided consensus for Mr. Wright to return to Council later with options to achieve the next Town election.

Council Comments:
Mr. Boyce shared a complaint he received regarding the lack of visibility exiting Harrell Street to Church Street due to the fence/railing. Mr. Shanaberger will bring back to Council options to consider.

Mrs. Puckette – none

Mr. Simpson - none

Mr. Garrett – none

Mr. Tilton – none

Ms. Spiggle- none

Council Standing Committee Reports:
None

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though July 1, 2021.

Mrs. Casto, Clerk of Council – none

Mr. Elder, Facilities Director explained the urgency in replacing 345' of a 4" cast iron waterline under 2 businesses on Court Street. The approximate cost is $17,000 to replace the line. Mr. Elder will work within his FY 2022 water budget, and if a budget amendment is needed, it can be done later in the fiscal year.

Mr. Shanaberger provided an update on the following items:

- Church Street Waterline Replacement Project – Staff continues to work towards the closings with USDA and DHCD, possibly within the next 60 days.
- Appomattox Downtown Revitalization Grant – Staff will be closing on 3 contracts tomorrow, August 25, 2021. The marketing survey has been extended and will be available on the Town website until September 10, 2021.
- The Request for Proposals (RFP) for Engineering and Project Services for the Train Depot are due September 15, 2021. The project area has been shown to 2 interested firms.
- The Town Council Retreat is scheduled for Friday, September 17, 2021 at the Frozen Food Locker.
- The Annual Virginia Municipal League Conference is still planned for October 3-5, 2021 in Leesburg, Virginia.
- The cell tower on the Thomasville property is about 75% complete.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 7:00 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
September 13, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, September 13, 2021, at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette and James J. Boyce.

Absent – Aaron Tilton

Others present – Carlton Duck, Alive Media TV; Brian McChesney, Blue Ridge Medical; Steve Conner, Rob Fowler, Jeff Westbrook, Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page.

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

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:
Mayor Conner opened the public hearing and stated the purpose:

To receive public comments concerning the following:
Amendment to the FY 2021 Budget for the Town of Appomattox – In accordance with Section 15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY2021 for the purpose of one-time additional funding received for the Appomattox Volunteer Fire Department via the Virginia Department of Fire Programs on June 24, 2021:

General Fund Expenditures Amendment	$5,000.00
Total Expenditures Amendment	$5,000.00
General Fund Revenue Amendment	$5,000.00
Total Revenue Amendment	$5,000.00

Amendment to the FY 2022 Budget for the Town of Appomattox – In accordance with Section 15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2022 for the purpose of Water Fund – Church Street USDA Grant/Loan, Sewer Fund – Carry forward from FY 2021 for SCADA System ordered in June 2021 and ARPA funds – American Rescue Plant Act grant fund proceeds:

Water Fund Expenditures Amendment	$1,645,000.00
Sewer Fund Expenditures Amendment	$129,080.00
ARPA Fund Expenditures Amendment	$930,652.00
Total Expenditures Amendments	$2,704,732.00

Water fund Revenue Amendment	$1,645,000.00
Sewer Fund Revenue Amendment	$129,080.00
ARPA Fund Revenue Amendment	$930,652.00
Total Revenue Amendment	$2,704,732.00

Documentation was available at the Town Office on 210 Linden Street from 8:30 a.m. – 4:30 p.m.; Monday through Friday.

There were no public comments made.

Mayor Conner closed the hearing.

Mayor Conner opened the second public hearing by stating the purpose:

PLEASE TAKE NOTICE that at its meeting to be held on Tuesday, August 24, 2021, at the hour of 6:00 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Planning Commission will conduct a public hearing on a proposed Ordinance of Vacation, pursuant to Virginia Code Ann. Sec. 15.2-2272 to vacate an unopened portion of Second Street, depicted as "Second Street 50 ft. R/W (Not Open)" on a plat dated June 3, 2021, entitled "Resurvey of Lots 166-183 Lee Grant Addition See D.B. 187 p. 724 . . . 2.583 Acres Surveyed for: High Rise Holdings LLC," such plat or an updated version thereof to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat"), such unopened portion being 50 feet in width and extending 250 feet northwest from a parcel owned by the Civil War Preservation Trust and identified as T.M. No. 64A2-4-3A (the "Unopened Portion of Second Street.") The effect of such proposed vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

a) The southwestern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-161 owned by Freddie R. Jones, or his successor in interest;

b) The northeastern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-166 owned by High Rise Holdings LLC, or its successor in interest;

The Planning Commission will make its recommendation with respect thereto to the Appomattox Town Council for its consideration at its meeting to be held on Tuesday, September 7, 2021.

PLEASE TAKE FURTHER NOTICE that at its meeting to be held on Monday, September 13, 2021, at the hour of 7:30 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Council will consider the recommendations of the Planning Commission with respect to the above-described proposed Ordinance of Vacation, pursuant to Virginia Code Ann. Sec. 15.2-2272 to vacate the above-described portion of a plat. The Town Council will have said ordinance proposed to it for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

The entire text of the above-noted Ordinance of Vacation is on file in the Town Office, 210 Linden Street, Appomattox, Virginia, and can be examined there between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

The public is invited to attend and make their views known.

There were no public comments made.

Mayor Conner closed the hearing.

Mayor's Comments:
Mayor Conner said it is great to see everyone out tonight.

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adopt the consent agenda for Monday, September 13, 2021, as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:
On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to adopt a Budget Amendment Resolution for FY 2021:

1. Consideration to adopt a resolution amending the FY 2021 Operating Budget for the General Fund to appropriate the one-time additional funding received for the Appomattox Volunteer Fire Department via the Virginia Department of Fire Programs on June 24, 2021.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2021 Operating Budget for the General Fund.

General Fund Expenditures Amendments

Net Increase in Budget	$ 5,000.00

General Fund Revenue Amendments

Net Increase in Budget	$ 5,000.00

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2021 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2021.

Attest:

_____
Roxanne Casto, Town Clerk

All members voting aye. Motion carried 5-0.

On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to adopt a Budget Amendment Resolution for FY 2022:

1. Consideration to adopt a resolution amending the FY 2022 Operating Budget for the Water Fund, Sewer Fund, and ARPA Fund for the purpose of Water Fund – Church Street USDA Grant/Loan, Sewer Fund-Carry Forward from FY 20921 for SCADA System ordered in June 2021 and ARPA Fund – American Rescue Plan Act grant fund proceeds.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2022 Operating Budget for the Water Fund, Sewer Fund and ARPA Fund.

Water Fund Expenditures Amendment	$1,645,000.00
Sewer Fund Expenditures Amendment	$129,080.00
ARPA Fund Expenditures Amendment	$930,652.00
Total Expenditures Amendment	**$2,704,732.00**

Water Fund Revenue Amendment	$1,645,000.00
Sewer Fund Revenue Amendment	$129,080.00
ARPA Fund Revenue Amendment	$930,652.00
Total Revenue Amendment	**$2,704,732.00**

SECTION XIII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2022 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2021.

Attest:

_____
Roxanne Casto, Town Clerk

All members voting aye. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to accept the recommendation of the Town Planning Commission and adopt an Ordinance of Vacation – unopened portion of Second Street.

Ordinance of Vacation

[Unopened portion of Second Street]

WHEREAS, by plat dated October 15, 1948, entitled "Plat of Lee-Grant Addition, Appomattox, VA, Durham & Higginbotham, Owners," and recorded in the Appomattox County Circuit Court Clerk's Office in Deed Book 50, page 388, certain streets were created, including a street to be known as "Second Street" as shown upon such plat (the "Original Plat"); and,

WHEREAS, a currently unopened portion of Second Street is depicted as "Second Street 50 ft. R/W (Not Open)" on a plat dated June 3, 2021, entitled "Resurvey of Lots 166-183 Lee Grant Addition See D.B. 187 p. 724 . . . 2.583 Acres Surveyed for: High Rise Holdings LLC," such plat or an updated version thereof to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat"), such unopened portion being 50 feet in width and extending 250 feet northwest from a parcel owned by the Civil War Preservation Trust and identified as T.M. No. 64A2-4-3A (the "Unopened Portion of Second Street"); and,

WHEREAS, the Unopened Portion of Second Street has never been opened, and there is no further need for it to be opened; and,

WHEREAS, it is the desire of the Town of Appomattox, acting by and through its Town Council, to vacate the Unopened Portion of Second Street by Ordinance of Vacation in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272;

WHEREAS, the effect of such vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

a) The southwestern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-161 owned by Freddie R. Jones, or his successor in interest;

b) The northeastern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-166 owned by High Rise Holdings LLC, or its successor in interest;

NOW, THEREFORE, BE IT ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272 the Unopened Portion of Second Street **shall be, and the same hereby is, vacated**, a public hearing thereon having been duly advertised in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2204;

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance of Vacation shall be recorded after the expiration of thirty (30) days from the date hereof, unless appealed to the Circuit Court for the County of Appomattox, Virginia, and thereafter if this Ordinance of Vacation is affirmed by said Court, in the Clerk's Office of the Circuit Court of Appomattox County, Virginia;

BE IT FURTHER ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, the recordation of this Ordinance of Vacation as required in the preceding paragraph shall operate to destroy the force and effect of any previously created boundary lines of that portion of the unnamed and unopened street so described above and so vacated and to vest such title as the Town of Appomattox may possess free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

a) The southwestern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-161 owned by Freddie R. Jones, or his successor in interest;

b) The northeastern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-166 owned by High Rise Holdings LLC, or its successor in interest.

The vote was: Aye: 5
Nay: 0
Abstain: 0

Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt the following resolutions for the Department of Housing and Community Development Grant reference the Church Street Waterline Replacement Project:

Residential Anti-Displacement Plan
Non-discrimination Policy
Business & Employment Plan
Environmental Review Adoption

All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports:
None

Citizens Comment Period:
None

Town Manager Updates –
Mr. Shanaberger provided an update on the following activities:

- Church Street Waterline Replacement project
- Downtown Revitalization Project
- He and Mr. Elder met with Hurt & Proffitt to discuss the preliminary findings of the Church Street sidewalk
- The Request for Proposals for engineering and project management services RFP's are due on September 15, 2021.
- The Town EDA meeting is scheduled for Tuesday, September 14, 2021 at 6:00 p.m.

Council Comments –
Puckette – reported she met with Mr. Shanaberger and would like for the Town to produce a Fact Sheet to promote the Town's accomplishments. She would like to inform citizens when they may incur inconveniences. She is also volunteering Ms. Spiggle to assist her with this project.

Simpson – requested to reschedule the Council Retreat as soon as possible.

Boyce – inquired if the Church Street (Downtown Revitalization Project) included a provision for traffic calming. Mr. Shanaberger replied that he would review the request. Mr. Simpson asked if reclassifying the road/route as primary could create a solution to the traffic problem.

Spiggle – none

Garrett – none

Tilton – absent

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 7:55 p.m. All members present voting aye. Motion carried 5-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
September 28, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, September 28, 2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle and Claudia G. Puckette.

Others present: Frank A. Wright, Jr., Town Attorney; Jonathan Garrett, Appomattox Volunteer Fire Department; Carlton Duck, Alive Media TV; Jeff Elder, Facilities Director; Christy Torrence, Office Manager; Gary Shanaberger, Town Manager and Kim Ray, Treasurer.

Mayor Conner called to order the Council Workshop meeting.

Discussion Items:
Mr. Frank A. Wright, Jr., Town Attorney appeared before Council to discuss Town Council election options. Mr. Wright suggested even years. Council provided consensus for Mr. Wright to move forward with charter and ordinance language to support even year elections.

Mr. Shanaberger provided an update of the vacancies on the Board of Zoning Appeals and the Appomattox Town Planning Commission. Mr. Shanaberger requested help finding a replacement for each of these vacancies. If Council members have recommendations or suggestions, Mr. Shanaberger will reach out to them.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to approve an updated quote of $41,550.00 for the Air Packs for the Appomattox Volunteer Fire Department from the American Rescue Plan Act (ARPA) funding.
Roll Call vote: Tilton – aye, Boyce – aye, Spiggle – aye, Garrett – abstain, Simpson – aye, Puckette – aye. Motion carried 5-0-1.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to approve the Public Works request of $1,381.70 from the ARPA funding.
Roll Call vote: Tilton – aye, Boyce – aye, Spiggle – aye, Garrett – aye, Simpson – aye, Puckette – aye. Motion carried 6-0.

Council Comments:
None

Council Standing Committee Reports:
None

Staff Reports:
Mr. Elder, Facilities Director - None

Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though August 31, 2021. Mr. Boyce requested the monthly report to include the exact expenses for ARPA funding.

Mr. Shanaberger provided an update on the following items:

- Church Street Waterline Replacement Project – Staff continues to work towards the closings with USDA and DHCD.
- The Request for Proposals (RFP) for Engineering and Project Services for the Train Depot have been received. Requests the Physical Development Committee review the proposals and hold a meeting.
- Hurt & Proffitt, Inc. continues working on the Church Street sidewalk evaluation.
- The Town EDA has begun review its own façade program to be used throughout the Town.
- Mrs. Casto is working to reschedule the retreat – possibly either October 29th or November 5th.

Closed Session:
On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to convene in a Closed Session, pursuant to §2.2-3711(A)5 of the Code of Virginia, 1950, as amended, for the purpose of discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.
Vote: Boyce – aye, Tilton – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye. Motion carried 6-0.

The meeting was re-opened to the public.

Council Member Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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 certification 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.

The motion was seconded by Council Member Spiggle and Council by the following recorded vote adopted the motion.

Vote: Boyce – aye, Tilton – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye. Motion carried 6-0.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Tilton, Council voted to adjourn. All members present voting aye. Motion carried 6-0.

Christy Torrence
Office Manager

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
September 28, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, September 28, 2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle and Claudia G. Puckette.

Others present: Frank A. Wright, Jr., Town Attorney; Jonathan Garrett, Appomattox Volunteer Fire Department; Carlton Duck, Alive Media TV; Jeff Elder, Facilities Director; Christy Torrence, Office Manager; Gary Shanaberger, Town Manager and Kim Ray, Treasurer.

Mayor Conner called to order the Council Workshop meeting.

Discussion Items:
Mr. Frank A. Wright, Jr., Town Attorney appeared before Council to discuss Town Council election options. Mr. Wright suggested even years. Council provided consensus for Mr. Wright to move forward with charter and ordinance language to support even year elections.

Mr. Shanaberger provided an update of the vacancies on the Board of Zoning Appeals and the Appomattox Town Planning Commission. Mr. Shanaberger requested help finding a replacement for each of these vacancies. If Council members have recommendations or suggestions, Mr. Shanaberger will reach out to them.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to approve an updated quote of $41,550.00 for the Air Packs for the Appomattox Volunteer Fire Department from the American Rescue Plan Act (ARPA) funding.
Roll Call vote: Tilton – aye, Boyce – aye, Spiggle – aye, Garrett – abstain, Simpson – aye, Puckette – aye. Motion carried 5-0-1.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to approve the Public Works request of $1,381.70 from the ARPA funding.
Roll Call vote: Tilton – aye, Boyce – aye, Spiggle – aye, Garrett – aye, Simpson – aye, Puckette – aye. Motion carried 6-0.

Council Comments:
None

Council Standing Committee Reports:
None

Staff Reports:
Mr. Elder, Facilities Director - None

DRAFT

Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures though August 31, 2021. Mr. Boyce requested the monthly report to include the exact expenses for ARPA funding.

Mr. Shanaberger provided an update on the following items:

- Church Street Waterline Replacement Project – Staff continues to work towards the closings with USDA and DHCD.
- The Request for Proposals (RFP) for Engineering and Project Services for the Train Depot have been received. Requests the Physical Development Committee review the proposals and hold a meeting.
- Hurt & Proffitt, Inc. continues working on the Church Street sidewalk evaluation.
- The Town EDA has begun review its own façade program to be used throughout the Town.
- Mrs. Casto is working to reschedule the retreat – possibly either October 29th or November 5th.

Closed Session:
On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to convene in a Closed Session, pursuant to §2.2-3711(A)5 of the Code of Virginia, 1950, as amended, for the purpose of discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.
Vote: Boyce – aye, Tilton – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye. Motion carried 6-0.

The meeting was re-opened to the public.

Council Member Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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 certification 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.

The motion was seconded by Council Member Spiggle and Council by the following recorded vote adopted the motion.

DRAFT

Vote: Boyce – aye, Tilton – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye. Motion carried 6-0.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Tilton, Council voted to adjourn. All members present voting aye. Motion carried 6-0.

Christy Torrence
Office Manager

Richard C. Conner, Mayor

DRAFT

Appomattox Town Council
Regular Council Meeting
October 12, 2021

The Appomattox Town Council held a Regular Council meeting on Tuesday, October 12, 2021, at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette and James J. Boyce.

Absent – Nathan Simpson

Others present – Carlton Duck, Alive Media TV; Chad Hodges, Hurt & Proffitt, Inc.; Jeff Westbrook, Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page.

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

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Conner commented on the success of this year's Appomattox Railroad Festival.

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for Tuesday, October 12, 2021, as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:
None

Council Standing Committee Reports:
None

Citizens Comment Period:
None

Town Manager Updates –
Mr. Shanaberger provided an update on the following activities:

- The Inflow and Infiltration Sewer project is on schedule.
- The Church Street Water Line Replacement project should be ready for the bidding process in December or sooner.
- The Council Retreat is scheduled for November 5, 2021, at the Frozen Food Locker.
- The Town EDA meeting is scheduled for tomorrow, October 13, 2021, at 6:00 p.m.
- Continues to seek appointments for the Board of Zoning Appeals and the Town Planning Commission.
- The October 26, 2021, Workshop meeting is going to be a busy night with two (2) public hearings.
- Commented the Appomattox Railroad Festival appeared to be very successful.

Council Comments –
Spiggle – none

Garrett – none

Boyce – none

Tilton – none

Puckette – The Harvey family dedicated a bench to the Courtland Festival Park on Friday, October 8, 2021. What a wonderful gesture.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
October 26, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, October 26, 2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Vice-Mayor Garrett, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle and Claudia G. Puckette.

Others present: Tracey Shaw, Bond Counsel; Sam Vance, Town Attorney; Kyle Lerner, Wastewater Manager; Carlton Duck, Alive Media TV; Jeff Elder, Facilities Director; Chad Hodges, Hurt & Proffitt, Inc.; Jeff Westbrook, Times Virginian; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page.

Vice-Mayor Garrett called to order the Council Workshop meeting.

$500,000 Water System Improvement General Obligation Bond, Series 2021
Vice-Mayor Garrett opened the public hearing.

Roxanne Casto, Town Clerk stated the purpose:

NOTICE is hereby given of a public hearing before Town Council on the issuance of the Town's $500,000 Water System Improvement General Obligation Bond, Series 2021 to be held at the Town Hall, 210 Linden St., Appomattox, Virginia on October 26, 2021 at 6:00 PM. Interested persons may attend and express their views.

Public Comments: None

Vice-Mayor Garrett closed the hearing.

Proposed Amendment to the Town's Charter
Vice-Mayor Garrett opened the next public hearing.

Roxanne Casto, Town Clerk stated the purpose:

TO THE CITIZENS OF THE TOWN OF APPOMATTOX

PLEASE TAKE NOTICE that at its meeting to be held on Tuesday, October 26, 2021 at the hour of 6:00 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Council, pursuant to Va. Code Ann. §15.2-202, will conduct a public hearing on a proposed amendment to the Town's Charter, which is more particularly set forth as follows:

§ 1 **Election and appointment of officers, etc.** shall be amended to read:

There shall be elected by the qualified voters of said town one elector thereof who shall be denominated the mayor, and six electors, who shall be denominated the councilmen of said town. The mayor and six councilmen shall constitute the council of said town. The town council shall have the authority to appoint or employ a town clerk, a treasurer, a commissioner of revenue, a town manager, a health or sanitary officer, and such other officers as it may deem appropriate for the proper conduct of government of the town. The same person may serve in one or more of such capacities. The town council shall have the power to fix the salaries and compensation of said employees and appointees as necessary, but such compensation shall be fixed by said council before the individual chosen shall assume the duties of office. The town council may also appoint committees and boards and prescribe and fix their duties.

§ 4 **Terms of office - vacancy and how filled** shall be amended to read:

The mayor and members of council in office on July 1, 2021 shall continue in office until the expiration of the terms for which they were elected or until their successors are elected and qualified. At the next election of members to the town council held on the Tuesday following the first Monday in November 2022, the three council candidates receiving the greatest number of votes shall be elected for four year terms, and the three council candidates receiving the next greatest number of votes and the mayor shall be elected for two year terms. Thereafter, the council members shall be elected for terms of four years, and the mayor shall be elected for a term of two years, or until their successors are elected and qualified. An election shall be held on the Tuesday following the first Monday in November 2024 for the three council seats first expiring and for the mayor, and on the Tuesday following the first Monday in November 2026 for the three council seats next expiring and for the mayor. Elections thereafter shall be held every two years on the Tuesday following the first Monday in November. The term of each person elected under this section at a November election shall begin on January 1 next following the election. In case of a vacancy in the office of mayor, or councilmen, elected by the electors of said town, caused by death, resignation or otherwise, such vacancy shall be filled by a majority vote of the town council from the electors of the town for the unexpired term.

The public is invited to attend and make their views known.

Public Comments – None

Vice-Mayor Garrett closed the hearing.

Discussion Items:

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to adopt A Resolution Authorizing the Issuance, Sale and Award of an up to $500,000.00 Water System Improvement General Obligation Bond Series 2021 and Providing for the Form, Details and Payment Thereof.

A RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND AWARD OF AN UP TO $500,000.00 WATER SYSTEM IMPROVEMENT GENERAL OBLIGATION BOND, SERIES 2021 AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Town of Appomattox, Virginia (the "Town"), is a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925; and

WHEREAS, the Town has determined to replace certain of its water lines on Church Street in the Town and to finance such in part through the issuance of its general obligation bond (the "Project");

WHEREAS, the United States of America acting through the Rural Utilities Service (the "Government"), has offered to purchase the Town's up to $500,000.00 Water System Improvement General Obligation Bond, Series 2021, bearing interest at the rate and on the terms and conditions otherwise described in Section 2.2 below (the "Bond") and to further provide a Rural Development Grant not to exceed $1,125,000 (the "RUS Grant"), which together with a Community Development Block Grant of $650,000 (the "CDBG Grant") (together the "Grants") on the terms described in a Letter of Conditions, dated May 20, 2021, attached hereto as Exhibit A (the "Letter of Conditions") will result in a total project cost of $2,275,000; and

WHEREAS, the Town has determined to satisfy the terms of the Letter of Conditions and award the Bond to the Government, and to accept the Grants;

NOW, THEREFORE, BE IT RESOLVED BY TOWN COUNCIL OF THE TOWN OF APPOMATTOX, VIRGINIA:

ARTICLE 1)
AUTHORIZATION OF PROJECT

Section a) The Project: In order to improve the Town's water lines on Church Street serving the citizens of the Town, the Project has been duly authorized by Loan Resolution (RUS Bulletin 1780-27) of the Town Council, dated April 6, 2021, a copy of which is attached hereto as Exhibit B and which is hereby ratified, confirmed and approved. The Town hereby ratifies confirms

and approves the RUS Grant Agreement (RUS Bulletin 1780-12), a copies of which are on file with the Town.

ARTICLE 2)
AUTHORIZATION, FORM, EXECUTION, DELIVERY,
REGISTRATION AND PREPAYMENT OF BOND

Section a) Authorization of Bond; Acceptance of Grants: There is hereby authorized to be issued the general obligation bond of the Town in the principal amount of up to $500,000.00 to provide funds to finance the Project. The Bond shall be designated "Town of Appomattox, Virginia $500,000.00 Water System Improvement General Obligation Bond, Series 2021" and shall be sold to the Government upon the terms set forth in the Letter of Conditions. The acceptance of the Grants is hereby approved. The proceeds from the issuance and sale of the Bond and the Grants shall be used to pay the costs of the Project.

Section b) Details of Bond: The Bond shall be issued as follows:

(a) A single fully registered bond without coupons in the denomination of $500,000.00, registered in the name of United States of America, Rural Utilities Service, which shall be numbered R-1, shall be dated the date upon which the Bond is delivered to the Government upon payment of the purchase price (the "Closing Date") and shall bear interest at the rate not to exceed One and Three Eighths (1.375%) Per Cent per year on the unpaid principal balance; provided, however, that should the Government offer a lower rate of interest on the Bond, such lower rate shall be conclusively accepted by the Town, including the associated lower installment amount for payment thereof, it being the intent of the Town to obtain to lowest cost of borrowed funds for the permanent financing for the Project. The Bond shall be in substantially the form set forth on Exhibit C hereto.

(b) The Bond shall provide for monthly payment of combined principal and interest beginning one month following the Closing Date and continuing each month thereafter for a period of 479 months until paid. If not sooner paid, the final installment shall be due and payable 480 months from the Closing Date. The payment of every installment shall be applied first to interest accrued to the payment date and then to principal. In the event the Closing Date occurs on the 29th, 30th or 31st day of a month, the installment payment date shall be the 28th day of the month.

(c) Installments shall be payable in lawful money of the United States of America in accordance with the Preauthorized Debit System described in the Letter of Conditions at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender of the Bond at the office of the Registrar.

Section c) Execution of Bond: The Bond shall be signed by the Mayor of the Town and countersigned by its Clerk and its seal shall be affixed thereto. The Mayor is expressly authorized and directed to finally determine and approve the details of the Bond except that (a) the maximum principal shall not exceed $500,000 (b) the maximum interest rate shall not exceed 1.375% per annum and (c) the final maturity date shall be a date no later than forty (40) years from the date of issuance. Such determination and the execution and delivery of the Bond on the closing date and

delivery to the Government shall constitute conclusive evidence of approval and no further action by the Town shall be required.

Section d) Registration and Exchange of Bond: The Treasurer of the Town is hereby appointed Registrar. Transfer of the Bond may be registered upon books maintained for that purpose at the office of the Registrar. The initial address of the registered owner of the Bond shall be Finance Office, USDA Rural Development, 1520 Market Street, St. Louis, Missouri 63103-2696. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner. The Bond shall initially be registered in the name of Rural Utilities Service with an address of 1520 Market Street, St. Louis, Missouri 63103-2696.

Section e) Delivery of Bond: The Mayor and the Clerk are hereby authorized and directed to take all proper steps to have the Bond prepared and executed in accordance with its terms and to deliver the Bond to the Government upon payment therefor. The Mayor and the Clerk are further authorized and directed to agree to and comply with, on behalf of the Town, any and all further conditions and requirements of the Government not inconsistent with this resolution in connection with its purchase of the Bond.

Section f) Prepayment of Bond: Installments of principal due on the Bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (and if in part in inverse order of their maturities), without premium, from any source. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided in Section 2.2.

ARTICLE 3)
REVENUES AND FUNDS; BOND PROCEEDS; RESERVE

Section 3.1 Revenue Fund: All rates, fees and other charges or other revenue derived from the ownership or operation of the Town's water utility system (the "System") shall be collected and, so far as may be practicable, deposited not less frequently than weekly in a special account designated the Revenue Fund. Moneys on deposit in the Revenue Fund shall be used only in the manner and priority set out below.

Section 3.2 Rates and Charges: The Town covenants that it shall establish and collect rates and charges with respect to the System sufficient to pay the principal of and interest on the Bond. Further, as required under the Letter of Conditions, the Town hereby approves and confirms that a Ten Percent (10%) penalty shall be assessed on all user accounts with respect to the System that are not paid, in full, within twenty (20) days from the date of billing therefor. To the fullest extent allowed under Virginia law, the Town shall discontinue service to any user if such billing invoice is not paid within sixty (60) days after the due date thereof, and further, such service shall not be restored until all past charges have been paid and all accrued penalties, including a reconnection charge, have been paid to the Town, in full.

Section 3.3 Debt Service Fund: Each month the Town shall transfer from the Revenue Fund to a separate account designated the Debt Service Fund an amount equal to the installments of interest, or principal and interest, as the case may be, coming due on the Bond that month. If there should be insufficient moneys in the Revenue Fund for this purpose, the deficit shall be added to the required payment for the month or months next ensuing until such deficit is eliminated. When the balance in the Debt Service Fund equals the principal of and interest on the Bond then outstanding to its maturity, no further transfers to the Debt Service Fund shall be required. The Town shall pay installments of principal and interest on the Bond as the same become due from the Debt Service Fund.

Section 3.4 Balance in Revenue Fund: Any balance remaining in the Revenue Fund each month, after making the transfers required by Section 3.3 may be used by the Town for any lawful purpose.

Section 3.5 Pledge of Revenues:

(a) All revenues and receipts derived by the Town from the use of and services furnished by the System (the "Revenues") and all moneys in the Revenue Fund and the Debt Service Fund are hereby pledged to the payment and performance of the Town's obligations on the Bond, such pledge to be on a par with all prior pledges of revenue from the System securing indebtedness incurred for improvement of the System, subject to the rights of the Town to use the Revenues for the operation and maintenance expenses of the System, as provided herein.

(b) The pledge of Revenues pursuant to this Resolution with respect to the Bond and shall be valid and binding from and after the Closing Date. The Revenues, as received by the Town, shall be immediately subject to the lien of such pledge without any physical delivery of them or further act. Such pledge of the Revenues to secure the payment and performance of the Town's obligations under the Bond shall be on a par with all prior pledges of revenue from the System securing indebtedness incurred for improvement of the System, and have priority over all obligations and liabilities of the Town. The lien of this pledge of the Revenues with respect to the Bond shall be valid and binding against all parties having claims against the Town regardless of whether such parties have notice thereof.

NEITHER THE BOND NOR THE OBLIGATIONS OF THE TOWN UNDER THE LETTER OF CONDITIONS OR THIS BOND RESOLUTION CONSTITUTE A DEBT OR A PLEDGE OF THE FAITH AND CREDIT OF THE COMMONWEALTH OF VIRGINIA OR ANY OTHER POLITICAL SUBDIVISION OF THE COMMONWEALTH OF VIRIGNIA.

Section 3.7 Construction Fund; Account Pledge: All amounts from the proceeds of the Bond shall be deposited in a separate account with a qualifying depository designated the Construction Account and shall be used solely for the purpose of paying authorized costs of the Project. All amounts in the Construction Fund are hereby pledged to secure the payment of principal and interest on the Bond.

ARTICLE 4)
SECURITY FOR DEPOSITS AND INVESTMENT OF FUNDS

Section a) Security for Deposits: All moneys on deposit with any bank or trust company shall be secured for the benefit of the Town and the holder of the Bond in the manner required by the Virginia Security for Public Deposits Act (Chapter 44, Title 2.2, Code of Virginia of 1950, as amended) or any successor provision of law.

ARTICLE 5)
MISCELLANEOUS

Section a) Contract with Bondholder: The provisions of this resolution shall constitute a contract between the Town and the holder of the Bond for so long as the Bond and interest thereon are outstanding.

Section b) Town Officers and Agents: The officers and agents of the Town shall do all acts and things required of them by this resolution, the Bond and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) for the complete and punctual performance of all the terms, covenants and agreements contained therein.

Section c) Limitation of Rights: Nothing expressed or mentioned in or to be implied from this resolution or the Bond is intended or shall be construed to give to any person or company other than the parties hereto and the holder of the Bond any legal or equitable right, remedy or claim under or in respect to this resolution or any covenants, conditions and agreements herein contained; this resolution and all of the covenants, conditions and agreements hereof being intended to be and being for the sole and exclusive benefit of the parties hereto and the holder of the Bond as herein provided.

Section d) Limitation of Liability of Officials of Town: No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of a present or future member, officer, employee or agent of the Town in his individual capacity, and neither the members of the Town Council nor any officer thereof executing the Bond shall be liable personally on the Bond or be subject to any personal liability or accountability by reason of the issuance thereof. No member, officer, employee or agent of the Town shall incur any personal liability with respect to any other action taken by him pursuant to this resolution or the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended), provided he acts in good faith.

Section e) Conditions Precedent: Upon the issuance of any Bond all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia or this resolution to have happened, exist and to have been performed precedent to or in the issuance of such Bond shall have happened, exist and have been performed.

Section 5.6 Series Designation: In the event the Bond is not issued during calendar year 2021, the Mayor and Clerk of the Town are hereby authorized and directed to change the series designation to such other year as may be appropriate at the time of their issuance. Thereafter all references in this resolution to the Bond shall be deemed to refer to the general obligation Bond issued pursuant to Article 3 under their new series.

Section 5.7 Repeal of Resolutions in Conflict: All other resolutions, or parts thereof, in conflict with this resolution are hereby repealed except for such resolutions as may have been adopted by the Town at the specific request of the Government as a condition to its purchase of the Bond.

Section 5.8. Reserves; Audit Requirements, Accounts and Records. The establishment, funding and maintenance of reserves as required by the Government as described in the Letter of Conditions are hereby authorized and approved. The Mayor and Clerk are hereby authorized and directed to coordinate with the Town's outside auditors in order for the Town to satisfy (and otherwise comply with) the audit requirements and any other accounting and financial reporting terms and conditions as set forth in the Letter of Conditions.

Section 5.9 Successors and Assigns: All the covenants, stipulations, promises and agreements of the Town contained in this resolution shall bind and inure to the benefit of its successors and assigns, whether so expressed or not.

Section 5.10 Headings: Any headings in this resolution are solely for convenience of reference and shall not constitute a part of the resolution nor shall they affect its meaning, construction or effect.

Section 5.11 Severability: If any court of competent jurisdiction shall hold any provision of this resolution to be invalid and unenforceable, such holding shall not invalidate any other provision hereof.

Section 5.12 Filing of Bond Resolution. The Mayor or Clerk Council, either of whom may act, any other appropriate representative or agent of the Town, is hereby authorized and directed to see to the filing of a certified copy of this resolution in the Office of the Clerk of the Circuit Court of the County of Appomattox.

Section 5.13 Effective Date: This resolution shall take effect immediately. The Clerk of the Town is hereby authorized and directed to file a certified copy of this resolution in the office of the Town.

This Resolution was passed by a vote of the Appomattox Town Council on the [ ] day of October, 2021.

_____
Mayor, Town of Appomattox

(SEAL)

ATTEST:

_____
Clerk of Council

Exhibit A: Letter of Conditions
Exhibit B: RUS Bulletin 1780-27, Loan Resolution
Exhibit C: Form of Bond

CERTIFICATE OF VOTES

The undersigned hereby certifies that the foregoing constitutes a true and correct copy of the foregoing Bond Resolution, duly adopted by the members of the Appomattox Town Council by a roll call vote at a regular meeting duly held and called on the date hereof, as follows:

Name	Aye	Nay	Abstain	Absent
James J. Boyce, Sr				
Timothy W. Garrett				
Claudia G. Puckette				
Nathan A. Simpson				
Mary Lou Spiggle				
Aaron M. Tilton				

(SEAL)

ATTEST:

_____
Roxanne Casto
Clerk of Council

EXHIBIT A
LETTER OF CONDITIONS

EXHIBIT B
LOAN RESOLUTION
RUS 1780-27

EXHIBIT C TO RESOLUTION OF
TOWN OF APPOMATTOX
Dated _____, 2021

No. R-1

$500,000.00

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
TOWN OF APPOMATTOX
WATER SYSTEM IMPROVEMENT GENERAL OBLIGATION BOND,
SERIES 2021

The Town of Appomattox (the "Town"), a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925, for value received, hereby promises to pay to the United States of America, Rural Utilities Service, (the "Government"), or registered assigns, the principal sum of

FIVE HUNDRED THOUSAND DOLLARS
($500,000.00)

and to pay to the registered owner hereof interest on the unpaid principal from the date hereof until payment of the entire principal sum at the rate of One and Three Eighths Percent (1.375 %) per year in monthly payments of combined principal and interest of One Thousand Three Hundred Fifty-five ($1,355.00) Dollars and No Cents beginning on the first (1st) monthly anniversary of the date hereof and continuing monthly thereafter for Four Hundred Seventy Nine (479) consecutive months until the principal of this bond is paid in full, each installment to be applied first to interest accrued to such payment date and then to principal. The final installment, if not sooner paid, of all amounts owed hereunder shall be due and payable Four Hundred Eighty (480) months from the date hereof. Such installments shall be payable in lawful money of the United States of America by pre-authorized electronic debit for the account of the registered owner of the Bond at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

This bond has been authorized by a resolution adopted by the Town Council on [ ], 2021 (the "Bond Resolution"), and is issued pursuant to the Charter and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) to provide funds to finance improvements to the Town's water utility system. A copy of the Bond Resolution is on file at the Town Hall, Appomattox, Virginia. Reference is hereby made to the Bond Resolution and any amendments thereto for the provisions, among others, describing the pledge and covenants securing the bond, the nature and extent of the security, the terms and conditions upon which the bond is issued, the rights and obligations of the Town and the rights of the bondholder.

All revenues derived by the Town from its water utility system are hereby pledged to the payment of the principal of and interest on the bond.

Installments of principal due on this bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided above.

This bond is fully registered as to both principal and interest. Transfer of this bond may be registered upon books maintained for that purpose by the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Any amount expended or advanced by the Government for the collection hereof or to protect any security therefor, at the option of the Government, shall become a part of and bear interest at the same rate as the principal hereof and be immediately due and payable by the Town to the Government without demand.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed.

IN WITNESS WHEREOF, the Town has caused this bond to be signed by its Mayor, to be countersigned by its Clerk, its seal to be affixed hereto and this bond to be dated _____ 2021.

(CORPORATE SEAL)

ATTEST:

TOWN OF APPOMATTOX, VIRGINIA

_____
Clerk, Town of Appomattox

_____
Mayor, Town of Appomattox

TRANSFER OF BOND

Transfer of this bond may be registered by the registered owner or his duly authorized attorney upon presentation hereof to the Registrar who shall make note of such transfer in books kept by the Registrar for that purpose and in the registration blank below.

Date of Registration	**Name of Registered Owner**	**Signature of Registrar**
	United States of America	
_____2021	Rural Utilities Service	_____

Roll Call Vote: Boyce – aye, Garrett – aye, Puckette – aye, Simpson – aye, Simpson – aye, Tilton – aye. Motion carried 6-0.

At this time Vice-Mayor Garrett turned the meeting over to Mayor Conner.

On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to adopt a Resolution to the General Assembly of the Commonwealth of Virginia to amend the Town's Charter.

RESOLUTION

Whereas, the Appomattox Town Council met on the _____ day of _____, 2021 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 shall remain in force and effect.**

2. **Section 1 - Election and appointment of officers, etc.** shall be amended to read:

   There shall be elected by the qualified voters of said town one elector thereof who shall be denominated the mayor, and six electors, who shall be denominated the councilmen of said town. The mayor and six councilmen shall constitute the council of said town. The town council shall have the authority to appoint or employ a town clerk, a treasurer, a commissioner of revenue, a town manager, a health or sanitary officer, and such other officers as it may deem appropriate for the proper conduct of government of the town. The same person may serve in one or more of such capacities. The town council shall have the power to fix the salaries and compensation of said employees and appointees as necessary, but such compensation shall be fixed by said council before the individual chosen shall assume the duties of office. The town council may also appoint committees and boards and prescribe and fix their duties.

   Section 4 – Terms of office; vacancy and how filled is amended to read:

   The mayor and members of council in office on July 1, 2021 shall continue in office until the expiration of the terms for which they were elected or until their successors are elected and qualified. At the next election of members to the town council held on the Tuesday following the first Monday in November 2022, the three council candidates receiving the greatest number of votes shall be elected for four year terms, and the three council candidates receiving the next greatest number of votes and the mayor shall be elected for two year terms. Thereafter, the council members shall be elected for terms of four years, and the mayor shall be elected for a term of two years, or until their successors are elected and qualified. An election shall be held on the Tuesday following the first Monday in November 2024 for the three council seats first expiring and for the mayor, and on the Tuesday following the first Monday in November 2026 for the three

council seats next expiring and for the mayor. Elections thereafter shall be held every two years on the Tuesday following the first Monday in November. The term of each person elected under this section at a November election shall begin on January 1 next following the election. In case of a vacancy in the office of mayor, or councilmen, elected by the electors of said town, caused by death, resignation or otherwise, such vacancy shall be filled by a majority vote of the town council from the electors of the town for the unexpired term.

This Resolution was adopted by a majority vote of the Appomattox Town Council at its _____, 2021 meeting.

_____
Richard C. Conner, Mayor

Attest: _____
Roxanne W. Casto, Clerk

Roll Call Vote: Boyce – aye, Garrett – aye, Puckette – aye, Simpson – aye, Spiggle – aye, Tilton – no. Motion carried 5-1.

On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to adopt An Ordinance to Revise a Portion of the Code of the Town of Appomattox, in Chapter 16 – Elections.

AN ORDINANCE TO REVISE a portion of the Code of the Town of Appomattox, in Chapter 16 – Elections.

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

Section 1. Chapter 16, Section 2 shall be enacted as follows:

§ 16-2 **Election of Council Members and the Mayor.**

Pursuant to Senate Bill 1157 enacted during the 2021 General Assembly and notwithstanding any provisions of the Town Charter, the mayor and members of council in office on July 1, 2021 shall continue in office until the expiration of the terms for which they were elected or until their successors are elected and qualified. The next election for town offices shall occur on the Tuesday following the first Monday in November 2022. At such election, the three council candidates receiving the greatest number of votes shall be elected for four year terms, and the three council candidates receiving the next greatest number of votes and the mayor shall be elected for two year terms. Thereafter, the council members shall be elected for terms of four years, and the mayor shall be elected for a term of two years, or until their successors are elected and qualified. An election shall be held on the Tuesday following the first Monday in November 2024 for the three council seats first expiring and for the mayor, and on the

> Tuesday following the first Monday in November 2026 for the three council seats next expiring and for the mayor. Elections thereafter shall be held every two years on the Tuesday following the first Monday in November. The term of each person elected under this section at a November election shall begin on January 1 next following the election. In case of a vacancy in the office of mayor, or councilmen, elected by the electors of said town, caused by death, resignation or otherwise, such vacancy shall be filled by a majority vote of the town council from the electors of the town for the unexpired term.

Section 2. This section shall become effective upon its passage.

Roll Call Vote: Boyce – aye, Garrett – aye, Puckette – aye, Simpson – aye, Spiggle – aye, Tilton – no. Motion carried 5-1.

On a motion by Ms. Spiggle, seconded by Mr. Tilton, Council voted to allow on out-of-town water connection at 236 Somerset Drive, Appomattox.
Vote: Aye – 5
No – 0
Abstain – 1 (Garrett)
Motion carried 5-0-1.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to amend the Fats, Oil & Grease Program for the Town of Appomattox. All members present voting aye. Motion carried 6-0.

Council Comments:
Mr. Simpson – Updated Council for the need to update the pad map at the Visitors Center. He will work with the Tourism Committee, Bob Sayre, Anne Dixon and the staff at the Visitors Center for up-to-date material. It should be ready going into the next budget cycle FY 2023 or late 2nd quarter of FY 2022.

Mrs. Puckette – none

Mr. Garrett – none

Mr. Tilton – none

Ms. Spiggle – Wished Mr. Garrett a Happy Birthday

Mr. Boyce - none

Council Standing Committee Reports:
None

Staff Reports:
Mrs. Kim Ray, Treasurer provided the Treasurer's Report as of September 30, 2021.

Mr. Elder, Facilities Director provided an update:

- On the recent purchase of picnic tables, benches, and trash cans for the parks.
- The Inflow and Infiltration (I&I) Force Main will be pressure tested soon. The project continues to move along at a great pace.
- Robin Snyder, Superintendent of the Appomattox Court House National Park Service will be attending the November 2021 Council Workshop meeting to provide an update on sewer repairs at the park.
- Work/Plans continue on the Church Street Sidewalk.

Mrs. Casto, Clerk of Council provided an update to Council on the Request for Proposals to be advertised for codification services of the Town Code of the Town of Appomattox, Virginia. The RFP's will be due November 30, 2021.

Mr. Shanaberger provided an update on the following items:

- Anticipates having a VDOT Representative attend a future meeting to discuss the Smartscale project & truck route.
- The Church Street water line is moving along. The USDA representative is impressed with how quickly this project is moving along.
- The Appomattox Downtown Revitalization project is reaching a deadline with the façade portion of the project. After November 30th the project will move into the streetscape portion of the project.
- Still looking for Town residents to serve on the Town Planning Commission and Board of Zoning Appeals.
- The Town EDA will be starting its own façade program for the entire town. The program may be ready within the next year.
- Reminder of Town Council Retreat – Friday, November 5, 2021 at 9:00 a.m.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 7:10 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
November 8, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, November 8, 2021 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – James J. Boyce, Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou Spiggle and Aaron M. Tilton.

Others present – Carlton Duck, Alive Media TV; Chad Hodges, Hurt & Proffitt, Inc.; Jeff Westbrook, Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
We are almost halfway through the year, and I know this makes our staff very happy. I am very appreciative, and I think the whole Council is of the presentations made at the retreat. I think it was well worth our time and very productive. We have a better look at what the future will bring us, as the Town Council representing the Town of Appomattox.

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adopt the consent agenda for Monday, November 8, 2021 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to revise the Town of Appomattox Water and Sewer Policy, specifically the Connection Charges to add a Companion Water Meter for Irrigation Service. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:
Mrs. Puckette reported that she and Mr. Garrett plan to meet in the next few weeks to prioritize the list of American Rescue Plan projects.

Mr. Garrett would like to hold a Physical Development Committee meeting before the Workshop meeting on November 23, 2021 at 5:00 p.m.

Citizens Comment Period:
None

Town Manager Updates –
Mr. Shanaberger provided an update on the following activities:

- Church Street Waterline – Staff is focusing right now with working with DHCD and Rural Development to allow us to pre-order the materials for the project. We learned today that the lead time on the materials is 24 weeks. We will know more in the next few days. Rural Development is open to us going ahead and ordering the materials.
- Met today at the Church Street Sidewalk project with Chad Hodges from Hurt & Proffitt and VDOT. VDOT's initial response was favorable but needed the needed to run it by the traffic department. Hopefully we will know more in a month or so.
- The Town is still accepting recommendations for the Planning Commission and the Board of Zoning Appeals. Two (2) recommendations have been received.
- At the November 23, 2021 Workshop meeting, Robin Snyder will be providing an update on wastewater system project at the National Park. Anthony Revell with VDOT will also provide an updated on the Smart Scale project. The Physical Development Committee will meet prior the workshop meeting at 5:00 p.m.

Council Comments –
Mr. Simpson informed the other council members of equipment, less than $900.00 to allow the meetings to be more accessible to the public. It is two (2) small pieces of equipment to increase the volume and picture quality for LIVE streaming of Facebook or YouTube. After much discussion, the item will be added to the Workshop meeting agenda for discussion.

Spiggle – none

Garrett – none

Puckette - none

Tilton – none

Boyce – Hunting season is in and encouraged the Times Virginian newspaper to make a public announcement to wear blaze orange.

Closed Session:
On a motion by Mrs. Puckette, seconded by Mr. Garrett, 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 performance and salaries of a specific public employee of any public body, specifically Employee A.
Roll call vote: Boyce – aye, Garrett – aye, Puckette – aye, Simpson – aye, Spiggle – aye, Tilton – aye. Motion carried 6-0.

The meeting was reopened to the public.

Ms. Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Mrs. Puckette, and Council by the following recorded vote adopted the motion:
Roll call vote: Boyce – aye, Garrett – aye, Puckette – aye, Simpson – aye, Spiggle – aye, Tilton – aye. Motion carried 6-0.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to increase the salary of the current Town Manager to $100,000.00 effective November 15, 2021.
Roll call vote: Boyce – aye, Garrett – aye, Puckette – aye, Simpson – aye, Spiggle – aye, Tilton – aye. Motion carried 6-0.

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 8:30 p.m. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Special Call Council Meeting
November 15, 2021

The Appomattox Town Council held a Special Call Council meeting on Monday, November 15, 2021 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council members present were Aaron Tilton, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan Simpson, and Claudia G. Puckette.

Others present were Kim Ray, Treasurer, Gary Shanaberger, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the Special Call meeting to order.

There was much discussion concerning the hiring of an outside professional firm to handle the advertising, recruitment and vetting of applicants for the position of Town Manager. Council provided consensus for staff to obtain more information including general pricing of such services.

Mr. Shanaberger's last day is January 10, 2022.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 7:05 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Workshop Meeting
November 23, 2021

The Appomattox Town Council held a Workshop meeting on Tuesday, November 23,2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, James Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, and Claudia G. Puckette.

Others present: Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

Mayor Conner called the meeting to order.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to amend the agenda to add a closed session. All members present voting aye. Motion carried 6-0.

Scheduled Public Appearances:
Robin Snyder, Superintendent of the Appomattox Court House National Historical Park appeared before Council to provide an update on the sewer line replacement project from the park to the Town's pump station. Ms. Snyder reported the project contract amount is $777,768.00 and contains manholes, lift station and 8,300 LF of sewer force main. She expressed much thanks and appreciation to Jeff Elder and the Town for their support.

Discussion Items:
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to appoint Jacob Ranson to fill the unexpired term of S. L. Ferguson until December 31, 2021 on the Appomattox Town Planning Commission. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mr. Tilton, Council voted to accept the Garbage Collection Policy as presented with an effective date of April 1, 2022, with the provision to refund Town customers if they so desire the amount of their purchased can.
Vote: Tilton – yes, Boyce – no, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 5-1.

On a motion by Mr. Simpson, seconded by Mr. Tilton, Council voted to authorize allocation up to $1,000.00, utilizing the advice of Rev. Carlton Duck to modernize livestreaming of Council meetings, possibly using ARPA funds.
Vote: Tilton – yes, Boyce – yes, Simpson – yes, Spiggle – no, Garrett – no, Puckette – no, Conner – yes. Motion carried 4-3.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to purchase the proposed flag poles and signage at the Town Hall. All members present voting aye. Motion carried 6-0.

Council provided consensus to add amendments 190-121 and 190-122 of the Appomattox Town Code to the December 13, 2021 agenda for consideration.

Council Comments:
None

Council Standing Committee Reports:
Physical Development Committee met today, November 23 and identified the top 3 projects for the exterior of the depot to talk to contractors for estimates.

Finance and Planning Committee – none

ARPA Committee – none

Staff Reports:
Mrs. Ray, Treasurer was unable to attend the meeting. Mr. Shanaberger explained the Financial Report for October 2021.

Mr. Elder, Facilities Director advised the Public Works department and Hurt & Proffitt met with the Virginia Department of Transportation last week to discuss the Church Street Sidewalk Project.

Mrs. Casto, Clerk of Council - none

Mr. Shanaberger provided an update on the following items:

- Mr. Anthony Revell with the Virginia Department of Transportation will attend a future meeting to provide a broader report on the Smart Scale project.
- Staff recommends purchasing materials for Church Street water line project in advance. The consent is pending approval of agencies to purchase ahead of the construction and installation.
- The sudden number of resignations in the Public Works department is concerning. Council requested for staff to determine the cost of a 6% cost of living increase across the board for all employees.
- He will also gather information from other localities compensation of other elected officials and planning commission members.

Mr. Shanaberger wished everyone a Happy Thanksgiving and reminded everyone of the Holiday events on November 28, 2021 at the Courtland Festival Park.

Closed Session:
On a motion by Council Member Garrett, seconded by Council Member Simpson, Council voted to convene in a 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 discussion of utilizing a consulting firm regarding the recruitment of a Town Manager.

Vote: Boyce – aye, Tilton – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye.

The meeting was re-opened to the public.

Council Member Boyce made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Spiggle and Council by the following recorded vote adopted the motion:

Vote: Boyce – aye, Tilton – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye.

All members present voting aye. Motion carried 6-0.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Tilton, Council voted to adjourn at 8:05 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
December 13, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, December 13, 2021 at 7:15 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, and Claudia G. Puckette.

Others present –Chad Hodges, Hurt & Proffitt, Inc.; Robin Snyder, Superintendent, Appomattox Court House National Historical Park; Jeff Elder, Facilities Director; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

Public Hearing:
Mayor Conner opened the public hearing and stated the purpose:

The purpose of the public hearing is to hear public comments for proposed changes to the Water and Sewer Policy User Charges (including Water and Sewer Rates), Connection and Availability Fees Administrative Policy with an effective billing date of January 1, 2022.

c) Proposed Out of Town Water Rates:

	0 – 2000 gallons	Charge per 1000 gallons over 2000
January 1, 2022	$17.40	$9.60
July 1, 2022	$17.85	$9.90

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq., with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950 as amended. Documentation, including the complete ordinance and other information concerning the documentation for the proposed fee are available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday. If you have any questions, please contact Kimberley W. Ray, Treasurer or Gary L. Shanaberger, Town Manager at 434-352-8268.

Public Comments – none

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to refer this item to the December 13, 2021 agenda for consideration. All members present voting aye. Motion carried 6-0.

Mayor Conner closed the hearing.

Mayor Conner called the regular meeting to order and welcomed the visitors.

Ms. Spiggle led the prayer and Mayor Conner the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Conner welcomed everyone to this festive season.

Scheduled Public Appearances:
Robin Snyder, Superintendent of the Appomattox Court House National Historical Park appeared before Council to provide an annual update on activities at the National Park.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for Monday, December 13, 2021, as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Simpson, seconded by Mrs. Puckette, Council voted to amend the Town of Appomattox Water and Sewer Policy to include User Charges, Connection and Availability Fee, Administrative Policy by increasing the out-of-town water rates with an effective billing date of January 1, 2022, and thereafter with a multiplier factor of 1.5. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mrs. Puckette, Council voted to reappoint Marvin H. Mitchell and Jacob Ranson to Town of Appomattox Planning Commission effective January 1, 2022 with a term expiring December 31, 2026. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to reappoint Dr. Jeff Garrett to the Economic Development Authority of the Town of Appomattox, Virginia effective January 1, 2022 with a term expiring December 31, 2026. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adopt the following Resolution authorizing the Town Manager to execute documents to receive the $670,000.00 in funding:

Town of Appomattox
Resolution

Approval of Award and Execution of a
Virginia Department of Housing and Community Development
Community Development Block Grant

Whereas, the Town of Appomattox ("Town") intends to accept that certain Community Development Block Grant 20-20-44 from the Virginia Department of Housing and Community Development ("DHCD") to contribute to the execution of the Church Street Water Line Project ("Project").

Whereas, Council in the Town has adopted and approved policies and documents under state and federal policy, to carry out the Project; and

Whereas, Council did adopt and approve project certification documents at its September 13, 2021 meeting.

Be It Resolved by the Town Council of the Town of Appomattox, Virginia, that the follow actions are hereby authorized and directed:

- The Town Manager, or his designee or designees, is authorized and directed to carry out and execute, or cause to be carried out and executed, those tasks and documents required to enter into a contract with DHCD, up to and including contract documents.

- The Town hereby appropriates $670,000 in funding awarded to the Town of Appomattox by the VDHCD for the Church Street Water Line Project to the FY 2022 General Fund Budget.

Duly adopted by the Council of the Town of Appomattox at its regular meeting on this 13th day of December 2021.

DATE: TOWN OF APPOMATTOX

_____ _____
Richard C. Conner, Mayor

ATTEST:

_____
Roxanne Casto, Clerk of Council

All members present voting aye. Motion carried 6-0.

On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to adopt the 2022 Town Council meeting schedule.
On a secondary motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to amend the primary motion to amend the February 14, 2022 meeting to Monday, February 7, 2022 and noting a discussion in the third (3rd) quarter discussion to plan a Fall 2022 Council Retreat.
All members present voting aye to the secondary motion. Motion carried 6-0.
All members present voting aye to the primary motion. Motion carried 6-0.

Council Standing Committee Reports:
None

Citizens Comment Period:
None

Town Manager Updates:
Mr. Shanaberger was unable to attend the meeting. Mayor Conner presented the staff findings of the Council's request for totals of providing a 6% cost of living increase to all Town employees.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to add to the agenda – Consideration of providing a 6% cost of living increase to all Town employees and adjustments to alleviate compression. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Tilton, Council voted to authorize the 6% cost of living increases and adjustment to alleviate compression for a one-month period January 1, 2022 – January 31, 2022. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to authorize the advertising of a Public Hearing for a budget amendment for the remainder of the FY 2022 (February 2022 – June 2022) for a 6% cost of living increases and adjustment to alleviate compression. All members present voting aye. Motion carried 6-0.

Mayor Conner also reported the findings of elected officials and planning commission members annual compensation from neighboring localities. No action was taken at this time but to use this information for a FY 2023 budgeting tool.

Council Comments:
Puckette – Rev. Duck needs our prayers.
Tilton – none
Simpson – Every year or six months there appears an effort by citizens to discuss a Town and County merger of government. The pros vastly outweigh the cons of remaining separate entities. An objective study may be a possibility.
Spiggle – Wished Mayor Conner a Happy Birthday. She is glad Mr. Boyce is feeling better.
Garrett – none
Boyce – none

Mayor Conner advised that the County of Appomattox Board of Supervisors is requesting a joint meeting. Mr. Simpson requested a copy of the request from the County. Mr. Simpson also suggested the January Regular or Workshop meetings but propose specific agenda items for discussion.

There were no other comments from Council.

Closed Session:
On a motion by Council Member Boyce, seconded by Council Member Puckette, Council voted to convene in a Closed Session for the following purposes: (1) Discussion of the potential appointment of a specific public employee of the Town, being Employee A, pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia, and (2) Consultation with legal counsel, retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel, specifically involving legal issues relating to the hiring of a new Town Manager, pursuant to Section 2.2-3711 (A) 8 of the Code of Virginia.

Vote: Boyce – aye, Tilton – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye.

The meeting was re-opened to the public.

Council Member Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Tilton and Council by the following recorded vote adopted the motion:

Vote: Boyce – aye, Tilton – aye, Simpson – aye, Spiggle – aye, Garrett – aye, Puckette – aye.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to approve the contract to appoint Roxanne Casto as Interim Town Manager. All members present voting aye. Motion carried 6-0.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 9:30 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Special Call Council Meeting
December 21, 2021

The Appomattox Town Council held a Special Call Council meeting on Monday, December 21, 2021 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council members present were James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette.

Others present were Chad Hodges, Hurt & Proffitt, Inc., Jeff Elder, Facilities Director, Kim Ray, Treasurer and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the Special Call meeting to order.

Chad Hodges, Hurt & Proffitt, Inc. appeared before Council to update them on the bids received on Monday, December 20, 2021 regarding the Church Street Water Line Replacement (Materials Only) Project.

Action:
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted the approval and award of the Town of Appomattox Church Street Water Line Replacement (Materials Only) Project, having been advertised and competitively bid to Core & Main for $400,088.60, contingent upon approval by Rural Development.

Roll Call Vote:
Boyce – aye, Spiggle-aye, Garrett-aye, Puckette– aye. Motion carried 4-0.

Adjournment:
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adjourn at 6:55 p.m. All members present voting aye. Motion carried 4-0.

_____ _____

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Regular Council Meeting
January 10, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, January 10, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, Aaron M. Tilton.

Others: Carlton Duck, Drew Dearing, Alive Media TV; Charles Conrad, Times Virginian; Frank A. Wright, Jr., Town Attorney; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Christy Torrence, Office Manager; and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

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

Mayor Conner opened the public hearing.

The purpose of this public hearing was to receive public comments concerning the following: **Amendment to the FY 2022 Budget for the Town of Appomattox** - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2022:

General Fund Expenditures Amendments	57,288.00
Water Fund Expenditures Amendments	6,100.00
Sewer Fund Expenditures Amendments	9,650.00
Total Expenditures Amendments	**73,038.00**
General Fund Revenue Amendments	57,288.00
Water Fund Revenue Amendments	6,100.00
Sewer Fund Revenue Amendments	9,650.00
Total Revenue Amendments	**73,038.00**

Documentation is available at the Appomattox Municipal Building, Town Office, 210 Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact Roxanne W. Casto, Interim Town Manager at 434-352-8268.

Staff presentation: Mrs. Casto stated the amendment is to accommodate the cost of living and to alleviate any compression issues.

Questions from Council Members: None

Council discussion:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to place the matter on a future agenda for action. All members present voting aye. Motion carried 6-0.

Mayor Conner closed the public hearing.

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Welcome everyone. The Governor is calling for a 30-day extension to the emergency order for the Commonwealth. We will be adhering to the order. The Town has continued its operations despite the health of some in our community.

Scheduled Public Appearances - none

Adoption of the Consent Agenda:
On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to adopt the consent agenda for Monday, January 10, 2022 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business – none

New Business:

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt a FY 2022 Budget Amendment Resolution 2022-002:

1. Consideration to adopt a resolution amending the FY 2022 Operating Budget for the General Fund, Water Fund, and Sewer Fund for funding of a 6% cost of living adjustment increase along with adjustments within the pay structure to alleviate compression for the remainder of FY 2022.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2022 Operating Budget for the General Fund, Water Fund, and Sewer Fund.

General Fund Expenditures

10-4100-1010	Administration Salaries	$	17,550.00
10-4100-2010	FICA	$	1,200.00
10-4100-2020	VRS	$	750.00
10-4100-2040	Life Ins.	$	200.00
10-4500-1010	Tourism Salaries	$	1,463.00
10-4500-2010	FICA	$	250.00
10-4700-1010	Public Works Salaries	$	31,625.00
10-4700-2010	FICA	$	2,250.00
10-4700-2020	VRS	$	1,500.00

10-4700-2040	Life Ins.	$	500.00
Net Increase in Budget		$	57,288.00

General Fund Revenues

Use of Undesignated Reserve		$	57,288.00
Net Increase in Budget		$	57,288.00

Water Fund Expenditures

30-6000-1010	Water Salaries	$	5,200.00
30-6000-2010	FICA	$	650.00
30-6000-2020	VRS	$	200.00
30-6000-2040	Life Ins.	$	50.00
Net Increase in Budget		$	6,100.00

Water Fund Revenues

Use of Undesignated Reserve		$	6,100.00
Net Increase in Budget		$	6,100.00

Sewer Fund Expenditures

31-7000-1010	Sewer Salaries	$	8,500.00
31-7000-2010	FICA	$	900.00
31-7000-2020	VRS	$	200.00
31-7000-2040	Life Ins.	$	50.00
Net Increase in Budget		$	9,650.00

Sewer Fund Revenues

Use of Undesignated Reserve		$	9,650.00
Net Increase in Budget		$	9,650.00

SECTION XIII: BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2022 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2022.

Attest:

_____
Roxanne Casto, Town Clerk

Roll Call Vote: Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes, Tilton – yes. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to reappoint Linda Lipscomb to the Town of Appomattox Planning Commission, effective immediately with a term ending December 31, 2026. All members present voting aye. Motion carried 6-0.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to amend the Code of the Town of Appomattox, Chapter 190, thereof, entitled Water and Sewer, Article V – Wastewater Treatment, specifically 190-121 Restricted Discharges. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to amend the Code of the Town of Appomattox – Chapter 190, thereof, entitled Water and Sewer, Article V – Wastewater Treatment, specifically 190-122 Categorical Pretreatment Standards. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:
Finance & Planning Committee - None
Physical Development Committee - None
ARPA Committee - None

Citizen Comment:
None

Town Manager's Report:
Mrs. Casto reported on the following item:

- The Town of Appomattox Economic Development Authority has a vacancy. The vacancy will be posted and applicants for consideration will be presented at the February 7, 2022 Council meeting.
- A Town vacancy still exists on the Board of Zoning Appeals. If you know of a Town resident willing to fulfill this vacancy, please let me know.
- Mayor Conner, Mrs. Puckette, Mr. Garrett, Ms. Spiggle, and I attended the dedication ceremony of Engine 1 by the Appomattox Volunteer Fire Department on Saturday, January 8, 2022.

Council Comment:
Tilton – None

Boyce – None

Garrett – Our thoughts and prayers are for Rev. Duck and his family over the next few weeks.

Spiggle – Agreed with Mr. Garrett.

Simpson – None

Puckette – None

Closed Session:
On a motion by Garrett, seconded by Puckette, Council voted to convene in Closed Session for consultation with legal counsel retained by the Town of Appomattox regarding specific legal matters requiring the provision of legal advice by such counsel, specifically involving legal issues relating to the hiring of a new Town Manager, pursuant to Section 2.2-3711 (A) 8 of the Code of Virginia.

Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

The meeting as reopened to the public.

Closed Session Certification:
Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

Adjournment:
On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
January 25, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, January 25, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, Aaron M. Tilton.

Others: Anthony Revelle and Brian Casto, Virginia Department of Transportation (VDOT), Sherry Nourse, Times Virginian; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Christy Torrence, Office Manager; and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

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

Scheduled Public Appearances – Mr. Anthony Revelle and Mr. Brian Casto of the Virginia Department of Transportation (VDOT) appeared before Council to present an update on the Old Courthouse Road Smart Scale project. Mr. Revelle provided an overview of the lanes of traffic, utilities including pole placement, streetlights, walking paths and maintenance plans of the path.

Town Council thanked Mr. Revelle and Mr. Casto for the update as they are very excited about the project.

Discussion Items:
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to amend the Town of Appomattox Garbage Policy to allow businesses two (2) 96-gallon carts at no charge effective April 1, 2022.
Vote: Boyce – no, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes, Tilton – yes. Motion carried 5-1.

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to approve American Rescue Plant Act (ARPA) funding to replace the water line on Lilac Lane not to exceed a cost of $10,500.00
Roll Call Vote: Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes, Tilton – yes. Motion carried 6-0.

Council Comment:
Puckette – Mrs. Puckette has been reviewing the guidance for the American Rescue Plan Act (ARPA) funding and it looks like it will be best used for water and sewer projects. Mr. Garrett and Mrs. Puckette will review the list of projects presented by Mr. Elder.

Simpson – None

Garrett – Please continue to pray for Rev. Duck as his surgery has been rescheduled for February 9, 2022.

Spiggle – Shared the same concern as Mr. Garrett.

Boyce – There is no need to rush the hiring process of the next Town Manager.

Tilton – None

Council Standing Committee Reports:
Finance and Planning Committee – none
Physical Development Committee – Is excited about the Smart Scale project on Old Courthouse Road moving forward.
American Rescue Plan Act (ARPA) Committee – Mr. Garrett and Mrs. Puckette will be meeting soon.

Staff Reports:
Mr. Elder, Facilities Director provided information on the following:

- CHA Engineering is not recommending increasing capacity at the Water Reclamation Facility (SBR plant) due to the new rules enacted by the Department of Environmental Quality (DEQ). However, Mr. Elder would like to start an Inflow and Infiltration (I&I) study on the other side of Town (North side). The Trickling Filter Plant side of Town has seen a reduction of flow by 75% since the I&I correction project.
- Church Street Sidewalk – VDOT answered all the Town's questions and now has a few questions for the Town. The Town is preparing a response.
- USDA Sewer Project – I&I Project: Mr. Garrett inquired about the punch list for the project. Mr. Elder responded that the Town has given the contractor two (2) weeks to complete the punch list.
- The pump station at the Trickling Filter Plant is expected to be online by early spring.

Mrs. Ray, Town Treasurer presented the financial report as of December 31, 2021. Mr. Boyce asked how many utility customers on average are affected by the minimum bill amount without using the minimum 2000 gallons of water and sewer. Staff will research this question.

Mrs. Casto, Interim Town Manager/Clerk of Council provided an update on the following items:

- Board of Zoning Appeals
  A vacancy remains on the Board of Zoning Appeals. The vacancy can be filled by an elected official (Mayor or Council Member) or a resident of the Town of Appomattox. The Town Council can submit a name to Appomattox County and the Circuit Court of Appomattox will appoint the individual.

- Town Economic Development Authority
  The vacancy on the Town of Appomattox Economic Development Authority was advertised in the Times Virginian newspaper and posted on the Town's website. If you know of a Town or County resident with an interest in serving encourage them to call our office for an application. The deadline for applications is Tuesday, February 1, 2022 by

4:30 p.m. in hopes of having someone for the Council to appoint at the February 7, 2022 Regular Council meeting.

- Grants
  The project management team of the Appomattox Downtown Revitalization Grant is tomorrow, Wednesday, January 26, 2022 at 5:30 p.m. – here at the Town Hall.
  David Mikula with Mikula I Harris will be presenting the preliminary finds of the Branding and Marketing Study. He will be presenting the final report at a future Council meeting.
  All façade contracts are fully executed. Construction on the final two (2) properties should begin in the next couple of months.
  The Town has received the easements for the streetscaping portion of the project. I will be working with property owners to have those fully executed.

- Tree City USA
  The Virginia Department of Forestry has approved the 2021 Tree City USA application for 2021, at the state level. Final approval by the Arbor Day Foundation is expected in early February.

- Virginia Municipal League
  The 2022 Virginia Municipal League Legislative Program has been provided to you along with information for Local Government Day, which is planned for Thursday, February 3, 2022 from noon – 7 p.m. in Richmond, Virginia. If you would like to attend, please let me know and I can send in your registration, etc.

Closed Session:
On a motion by Garrett, seconded by Puckette, Council voted to convene in Closed Session the purpose of discussion of prospective candidates for employment, specifically being applicants for the position of Town Manager, pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia.

Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

The meeting as reopened to the public.

Certification of Closed Session:
Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Tilton and Council by the following recorded vote adopted the motion:
Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

Mayor Conner read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

Adjournment:
On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to adjourn at 8:45 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
February 7, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, February 7, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, Aaron M. Tilton.

Absent: Timothy W. Garrett

Others: Charles Conrad, Times Virginian; Tommy Lawson, Mike Scott, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Christy Torrence, Office Manager; and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

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

Nathan Simpson led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
The nationwide pandemic is ending. Businesses are opening back up.

Scheduled Public Appearances:
Mr. Tommy Lawson and Mr. Mike Scott appeared before Council to request parking spaces on Court Street be marked by the Virginia Department of Transportation or the Town of Appomattox. With the addition of the dentists in the office, there are a lot more people using the parking lot. Mr. Lawson said he knows that parking is allowed now on Court Street, but people do not do it. He believes that marking lines on both sides of the road would help.

Mr. Scott said he has spoken to some of the Council members, Mr. Shanaberger (before he left) and to Mr. Brown at VDOT. Mr. Brown advised that all the streets in Town except for a few are owned and maintained by VDOT. Mr. Brown told him the machines to draw lines is in storage but as soon as the weather breaks, they will get the equipment out and get it done. According to Mr. Scott, the older generation is scared to park on the street without lines. He thinks Court Street is more suitable than Church Street for parking. Mr. Scott said he spoke to about 90% of the people and businesses and they are not opposed to the parking request.

Council thanked them for attending.

Adoption of the Consent Agenda:
On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for Monday, February 7, 2022 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business – none

New Business – Staff was directed to approach the Virginia Department of Transportation (VDOT) to acquire more information regarding the request for parking spaces on Court Street.

Council Standing Committee Reports:
Finance & Planning Committee – Mrs. Puckette is hoping to have a meeting soon with Mr. Garrett regarding the American Rescue Plan Act (ARPA) funding projects.
Physical Development Committee - None
ARPA Committee - None

Citizen Comment:
None

Town Manager's Report:
Mrs. Casto reported on the following item:

Several questions were asked at the last meeting, and I wanted to provide a response to those:

- Mr. Boyce asked how many residential customers are affected on average by the minimum only water bill, i.e. those using 2000 or less gallons per month. According to the 2019 water study performed by Hurt & Proffitt, Inc., of 787 total customers, 271 customers are affected on average.

- Mr. Garrett asked what the ongoing maintenance costs were going to be once the Smart Scale project is complete. The Virginia Department of Transportation (VDOT) provided the handouts located with your agenda material.

- Lastly, for the last few months or more, Mr. Shanaberger had been working with the Virginia Department of Transportation (VDOT) concerning an alternate truck route. The Traffic Engineering Review of an alternate truck route has been conducted to determine if an alternate route for trucks could be established. Traffic Engineering concurs with the Residency recommendation to have trucks use an alternate Truck Route. The route will require the installation of new signs. The signs have been ordered and will be installed upon arrival. A copy of the report is located with your agenda material.

Town Economic Development Authority

- Just a reminder of the vacancy on the Town of Appomattox Economic Development Authority. If you know of anyone who has expressed interest to you, please direct them to the Town's website or let me know and I can contact them.

- The February 2022 meeting was cancelled due to the lack of agenda items.

Planning Commission
Will meet tomorrow for a rescheduled meeting, February 8, 2022 at 6:00 p.m.

Grants

- A meeting of project management team of the Appomattox Downtown Revitalization Grant is scheduled for Thursday, February 17, 2022 at 5:30 p.m. – here at the Town Hall.

- The Church Street Water Line Replacement Project is moving along. The materials only portion of the project has been approved by Rural Development. The installation portion of the project is estimated for bid advertising on April 10, 2022, with a pre-mid meeting on April 22, Bid opening on May 6th and Town Council approval on May 9th.

  In the meantime, the Town will be working with Rural Development to finalize the closing of the loan.

Virginia Municipal League
Local Government Day was last Thursday, February 3, 2022 and was attended by Mayor Conner and Councilmember Spiggle. They may have additional information to share.

Trash Collection Policy
Surveys to Town residents/businesses should be arriving this week in the mail concerning additional trash cans.

February Workshop Meeting
Council Workshop meeting is Tuesday, February 22, 2022 at 6:30 p.m.

Council Comment:
Tilton – None

Boyce – None

Spiggle – The VML – Local Government Day in Richmond last week was very informative.

Simpson – None

Puckette – Continue to pray for Rev. Carlton Duck as his surgery is scheduled for February 9, 2022.

Closed Session:
On a motion by Mrs. Puckette, seconded by Mr. Simpson, Council voted to convene in Closed Session for the purpose of discussion of prospective candidates for employment, specifically being applicants for the position of Town Manager, pursuant to Section 2.2-3711 (A) 1 of the Code of Virginia.

Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Simpson – yes, Puckette – yes. Motion carried 5-0.

The meeting as reopened to the public.

Closed Session Certification:
Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Boyce and Council by the following recorded vote adopted the motion:

Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Simpson – yes, Puckette – yes. Motion carried 5-0.

Mayor Conner read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

Adjournment:
On a motion by Ms. Spiggle, seconded by Mr. Simpson, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Meeting
February 16, 2022

The Appomattox Town Council held a meeting on February 16, 2022 at 5:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Aaron Tilton (arrived at 6:35pm), James Boyce, Mary Lou Spiggle, Timmy Garrett, Nathan Simpson, Claudia Puckette, Mayor Richard Conner, Christy Torrence.

Mayor Conner called the meeting to order.

Closed Session
On a motion by Councilmember Claudia Puckette, seconded by Councilmember Timmy Garrett, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidates A, B, and C.

Vote:
J. Boyce-aye
M. Spiggle-aye
T. Garrett-aye
N. Simpson-aye
C. Puckette-aye

Council Member Aaron Tilton made the following motion:
WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member James Boyce and Council by the following recorded vote adopted the motion:

Vote:
A. Tilton-yes
J. Boyce-yes
M. Spiggle-yes
T. Garrett-yes

N. Simpson-yes
C. Puckette-yes

Mayor Conner read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

On a motion by Aaron Tilton, seconded by James Boyce, Council voted to adjourn at 8:30. All members present voting aye. Motion carried.

Christy J. Torrence
Office Manager

Richard C. Conner
Mayor

Appomattox Town Council
Meeting
February 18, 2022

The Appomattox Town Council held a meeting on February 18, 2022 at 5:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Present: Aaron Tilton, James Boyce, Mary Lou Spiggle, Timmy Garrett, Nathan Simpson, Claudia Puckette, Mayor Richard Conner, Christy Torrence.

Mayor Conner called the meeting to order.

Closed Session
On a motion by Councilmember James Boyce, seconded by Councilmember Timmy Garrett, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidates D, and E.

Vote:
A. Tilton-aye
J. Boyce-aye
M. Spiggle-aye
T. Garrett-aye
N. Simpson-aye
C. Puckette-aye

Council Member Claudia Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Timmy Garrett and Council by the following recorded vote adopted the motion:

Vote:
A. Tilton-yes
J. Boyce-yes
M. Spiggle-yes
T. Garrett-yes
N. Simpson-yes
C. Puckette-yes

Mayor Conner read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

On a motion by Timmy Garrett, seconded by Aaron Tilton, Council voted to adjourn at 8:20. All members present voting aye. Motion carried.

Christy J. Torrence
Office Manager

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
February 22, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, February 22, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle, Aaron M. Tilton.

Absent: Nathan A. Simpson

Others: Courtney Mendenhall, Times-Virginian; Susan Chapman, CPA and Hailey Fox, CPA, Brown Edwards & Co; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Christy Torrence, Office Manager; and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

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

Scheduled Public Appearances – Susan Chapman, CPA, Director with Brown Edwards & Company, LLP presented the FY 2021 Annual Audit for the Town of Appomattox. She also introduced Hailey Fox, CPA who was responsible for much of the field work for the Town audit. Overall, the FY 2021 went well. There are no outstanding issues. This was the Town's first year for a single audit because the Town received over $750,000 in federal funding. The cash balances are back up due to the closing of the USDA grant/load for the sewer project. The fund balances are also still healthy. There are 28 months of expenses in reserves and that is healthy.

Mrs. Chapman said there were no new comments in the report this year. The management responses will be in the final report. New next year will be the standards for leases. The amount (number) of journal entries for year end are much less than prior years. The Town has come a long way since Brown Edwards started auditing the Town in 2010. Water and Sewer funds are finally paying for themselves.

The Appomattox Town Council thanked Mrs. Chapman and Ms. Fox for the report.

Discussion Items:
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to accept the FY 2021 Audit for the Town of Appomattox as presented by Brown Edwards and Company, LLP. Boyce – aye, Garrett – aye, Puckette – aye, Spiggle – aye, Tilton – aye. Motion carried 5-0.

Council Comment:
None

Council Standing Committee Reports:
American Rescue Plan Act (ARPA) Committee –
Mrs. Puckette provided an updated list compiled by Mr. Elder and the committee (Garrett & Puckette).

Staff Reports:
Mr. Elder, Facilities Director provided information on the following:

- USDA Sewer Project – I&I Project: The punch list is in progress on the project.
- The department repaired a couple of water leaks and sewer backups.

Mrs. Ray, Town Treasurer presented the financial report as of January 31, 2022, also stating that the 2022 Business License is due by March 1st and the FY 2023 Budget preparation are underway.

Mrs. Casto, Interim Town Manager/Clerk of Council provided an update on the following items:

- There will be a joint public hearing on Tuesday, March 1, 2022 at 6:00 p.m. of the Town Planning Commission and Town Council to hear citizen input on (2) zoning amendments to the Appomattox Town Code. Council was encouraged to bring any questions or concerns to the meeting.
- The Town Council provided consensus to begin the budget work sessions at 5:45 p.m. on the nights of Regular and Workshop meetings.

Closed Session:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, 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, specifically property identified as Tax Map #64A5-13-9.

Vote: Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes, Tilton - yes. Motion carried 5-0.

The meeting was reopened to the public.

Certification of Closed Session:
Council Member Tilton made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Vote: Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes, Tilton - yes. Motion carried 5-0.

Mayor Conner read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

Adjournment:
On a motion by Councilmember Garrett, seconded by Councilmember Puckette, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Meeting
February 28, 2022

The Appomattox Town Council held a meeting on February 28, 2022 at 5:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Present: Aaron Tilton, James Boyce, Mary Lou Spiggle, Timmy Garrett, Nathan Simpson, Claudia Puckette, Mayor Richard Conner, Christy Torrence.

Absent: none

Mayor Conner called the meeting to order.

Closed Session
On a motion by Councilmember Nathan Simpson, seconded by Councilmember Timmy Garrett, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidates A, and G.

Vote:
A. Tilton-aye
J. Boyce-aye
M. Spiggle-aye
T. Garrett-aye
N. Simpson-aye
C. Puckette-aye

Council Member Mary Lou Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Aaron Tilton and Council by the following recorded vote adopted the motion:

Vote:
A. Tilton-yes
J. Boyce-yes
M. Spiggle-yes
T. Garrett-yes
N. Simpson-yes
C. Puckette-yes

Mayor Conner read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

On a motion by Timmy Garrett, seconded by Mary Lou Spiggle, Council voted to adjourn at 8:48. All members present voting aye. Motion carried.

Christy J. Torrence
Office Manager

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
March 14, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, March 14, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, Aaron M. Tilton.

Others: Charles Conrad, Times Virginian; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Christy Torrence, Office Manager; and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

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

Nathan Simpson led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Thanked everyone for keeping Rev. Carlton Duck in your prayers.

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adopt the consent agenda for Monday, March 14, 2022 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business – none

New Business
On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to award the Upland Lane water line extension to Toney Construction in the amount of $91,000 from the Sewer Fund Project Contingency.
Roll call vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mrs. Puckette, Council voted to appoint the Town Manager or Town Clerk, a Public Works employee, Councilman Garrett, and a Town Citizen to the Housing Oversight Board for the Greater Meadowlark Housing Program. All members voting aye. Motion carried 6-0.

Council Standing Committee Reports:
American Rescue Plan Act (ARPA) Committee is finalizing the list of projects. Currently waiting on the estimates for the generators.

Citizen Comment:
None

Town Manager's Report:
Mrs. Casto reminded the Town Council of the Public Hearing at 6:30 p.m. on Tuesday, March 29, 2022 regarding the short-term rental ordinance.

Council Comment:

Mr. Simpson – thanked staff for all the extra work over the last few months.

Ms. Spiggle – stated she is pleased, proud and grateful for the Town staff.

Closed Session:
On a motion by Mr. Tilton, seconded by Mrs. Puckette, 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 prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being prospective candidates A and G.

Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

The meeting as reopened to the public.

Closed Session Certification:
Council Member Tilton made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

Mayor Conner read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Meeting
March 22, 2022

The Appomattox Town Council held a meeting on Tuesday, March 22, 2022 at 5:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, Aaron M. Tilton, Mayor Richard Conner, Christy Torrence.

On a motion by Councilmember Nathan Simpson, seconded by Councilmember Aaron Tilton, 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 interviewing prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being candidates A and G.

Vote: A. Tilton-aye, J. Boyce-aye, M. Spiggle-aye, T. Garrett-aye, N. Simpson-aye, C. Puckette-aye.

Council Member James Boyce made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Claudia Puckette and Council by the following recorded vote adopted the motion:

Vote: A. Tilton-aye, J. Boyce-aye, M. Spiggle-aye, T. Garrett-aye, N. Simpson-aye, C. Puckette-aye.

Mayor Conner read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

On a motion by Timmy Garrett, seconded by Mary Lou Spiggle, Council voted to adjourn at 8:00 pm. All members present voting aye. Motion carried.

Christy J. Torrence
Office Manager

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
March 29, 2022

The Appomattox Town Council held a Public Hearing and Workshop meeting on Tuesday, March 29, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, and Aaron M. Tilton.

Others: Kenny gobble, Robert Fowler, David Mikula, Laura Dawson, Susan Walton, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Christy Torrence, Office Manager; and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

Mayor Conner called the meeting to order and opened the public hearing by stating the purpose. The purpose of this public hearing will be to receive public comments concerning the adoption by the Town Council of:

AN ORDINANCE TO AMEND Chapter 195 of the Code of the Town of Appomattox, Chapter 195, Article I, entitled "General Provisions", to incorporate the following definitions into the existing definitions of this section.

AN ORDINANCE TO AMEND a portion of the Code of the Town of Appomattox, in Chapter 195, Article III "Residential District, Limited, R-1" and Article V "Residential District, General, R-3".

Mayor Conner opened the floor for comments/questions from Town Council:

Mr. Simpson asked why the draft ordinances excluded R-2?
Mr. Fowler, Director of Community Development and Zoning Administrator responded that R-2 zones were small lots, approximately 4,500 square feet with deed restrictions.

Mr. Garrett asked about the definition of Short-Term Rentals.
Mr. Fowler gave the definition of a short-term rental as the primary, accessory or secondary use of a residential dwelling unit or a portion thereof by the owner or a host to provide room or space that is intended to be occupied for a period of fewer than thirty consecutive days.

Mr. Fowler reported speaking with Sheriff Simpson about other Airbnb's or Short-Term Rentals in the County. Sheriff Simpson said their office had not received any complaints or calls for service. He would treat this issue as they do any other. Fire Chief Jonathan Garrett said he would like to see the property owners install a "Knox Box" for safety reason. The definition of Bed & Breakfast was added to the definitions to clean up the code.

Public comments:

Susan Walton, 209 Highland Avenue (location of proposed Airbnb):

Guests are not just coming to Appomattox. Tourists do other things. There is a pre-screening of guests and hosts. There are also significant rules to be followed.

She raised a question of "traveling nurses" and if they rented the property for more than 30 days would they be subject to lodging tax?

Laura Dawson – 151 Burke Street:
Has anyone ever traveled and used an Airbnb for lodging? She has remodeled the small cottage next to her home (one of the oldest structures in Town). Before doing so, she spoke with Mr. Shanaberger to make sure hosting would be a green light. It appears out of the blue, there is some push back. Understands the concerns of disorderly conduct, which would be a rare occurrence. The Airbnb program has checks and balances. The location is rated, and the renters are also rated. Please consider this as a plus for our community.

Kenny Gobble – RE Max Realtor, lives at 170 Woodlawn Trail:
If the property owner is continually improving the property, why tax them? It could discourage others from buying property in Town to renovate or upgrade.

Mayor Conner closed the hearing.

Mayor Conner moved item #2 on the agenda ahead of #1.

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to approve an Ordinance to Amend Chapter 195 of the Code of the Town of Appomattox, Chapter 195, Article I General Provisions and Chapter 195, Article III Residential District, Limited, R-1 and Article V Residential District, General, R-3.
Vote: Boyce – aye, Spiggle – aye, Garrett – aye, Simpson – aye, Puckette – aye, Tilton – no. Motion carried 5-1.

Mr. David Mikula of Mikula Harris presented the Branding and Marketing components of the study performed because of the Appomattox Downtown Revitalization Program. Mr. Mikula explained how the logo and marketing material came to existence and how this can be used for all Town activities, tourism, economic development, newsletters, website, etc. He explained how beneficial it would be if Experience Appomattox or the Appomattox Tourism Committee would use the same products particularly for media/advertising. A presentation to the Appomattox Tourism Committee is planned for April 26, 2022. Council thanked Mr. Mikula for the information.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to approve the purchase of a 2022 Ford F-150 Super Cab 4WD in the amount of $41,463.30 and a 2022 Ford F250 Super Crew 4WD in the amount of $45,521.80 as were identified in the FY 2022 Capital Improvement Plan.
Roll Call Vote: Puckette – yes, Simpson – yes, Garrett – yes, Spiggle – yes, Tilton – yes, Boyce – yes. Motion carried 6-0.

Standing Committee Reports:
None

Council Comment:
Mr. Simpson – The Town hires the experts, and we should listen to them. Thanked staff and other staff for all the extra work during the last few months.

Mr. Boyce – Airbnb (short-term rentals) should be treated as a business and should pay a business license and lodging tax.

Mr. Tilton – If we are going to tax short-term why not on long-term rentals?

Staff Reports:
Mr. Elder - none

Mrs. Ray, Town Treasurer presented the financial report as of February 28, 2022 along with information on the funding of Church Street Waterline replacement project. The Town's FY 2022 annual audit has been posted on the federal portal. The Town will be returning approximately $200 to Appomattox County for the Utility Grant Funding. All accounts that qualified for the relief were less than the funding we received. The Town has one customer on a payment plan.

Mrs. Casto, Interim Town Manager/Clerk of Council provided an update on the following items:

- A draft Educational Assistance Policy will be presented at the next meeting for consideration or discussion.

Closed Session:
On a motion by Mr. Boyce, seconded by Mr. Tilton, 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 prospective candidates for the position of Town Manager with the Town of Appomattox, specifically being candidates A and G.

Vote: Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes, Tilton – yes, Simpson – yes. Motion carried 6-0.

The meeting was reopened to the public.

Certification of Closed Session:
Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

Vote: Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes, Tilton – yes, Simpson - yes. Motion carried 6-0.

Mayor Conner read the following statement:
The Town Council, as authorized by Virginia Code §2.2-3712(B), within fifteen (15) days of said announcement, will be interviewing potential Town Manager candidate(s), in Closed Session, at undisclosed time(s) and location(s). Following such interview(s), the Council will certify the same at its next regular schedule meeting.

Adjournment:
On a motion by Councilmember Garrett, seconded by Councilmember Simpson, Council voted to adjourn at 9:15 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
April 11, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, April 11, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, Aaron M. Tilton.

Others: Don Jones, Mr. McGhee, Drew and Tiffany Dearing, Carlton Duck (via phone), Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Christy Torrence, Office Manager; and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Conner reported he will serve as Vice Chair of the Central Virginia Planning District Commission for FY 2022-2023.

Scheduled Public Appearances:
Don Jones – Chairman of the Appomattox Tourism Committee appeared before Council to provide an annual update of the activities of the Appomattox Tourism Committee and thank the Town for all their support during the last year.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept the consent agenda as presented for April 11, 2022. All members present voting aye. Motion carried 6-0.

Unfinished Business:
On a motion by Mr. Simpson, seconded by Mrs. Puckette, Council voted to advertise a Request for Proposals for Engineering/Project Management Services for the Train Depot, specifically for the renovations of the roof, dormers and trim, soffits, and downspouts. All members present voting aye. Motion carried 6-0.

New Business
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to approve the list of projects for the American Rescue Plan (ARPA) funding. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to amend the Employee Handbook – Chapter 10; specifically Educational Assistance. All members present voting aye. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to amend a motion to purchase a 2022 Ford F-250 Super Crew 4WD in the amount of $45,521.80 as identified in the FY 2022 Capital Improvement Plan by striking out 2022 Ford F-250 Super Crew 4WD in the amount of $45,521.80 and inserting 2022 – 2025 Dodge Tradesman Crew Cab 4x4 in the amount of $51,010. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:
American Rescue Plan Act (ARPA) Committee reporting everything is moving forward.

Citizen Comment:
None

Town Manager's Report:
Staff continues its work on the FY 2023 Annual Town Budget.

Council Comment:
Mrs. Puckette – none
Mr. Simpson – none
Mr. Garrett – none
Mr. Boyce – none
Mr. Tilton – none
Ms. Spiggle – Thank you to the town staff.

Closed Session:
On a motion by Mr. Garrett, seconded by Mrs. Spiggle, 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, being candidate A and Section 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 discussion of a proposed contract for the employment of a Town Manager.
Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

The meeting as reopened to the public.

Closed Session Certification:
Council Member Mr. Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Ms. Spiggle and Council by the following recorded vote adopted the motion:
Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

On a motion by Claudia Puckette, seconded by Mary Lou Spiggle, Council voted to hire Richard Terry McGhee, effective May 1, 2022 as the Appomattox Town Manager. Council further agrees to exercise the contract and authorizes Mayor Conner to execute on behalf of the Town.
Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
April 26, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, April 26, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, and Aaron M. Tilton.

Others: Carlton Duck, David Mikula, Drew and Tiffany Dearing, Charles Conrad, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; Christy Torrence, Office Manager; and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

Mayor Conner called the meeting to order.

Discussion Items:
Mr. David Mikula of Mikula Harris appeared before Council to unveil the new branding image and logo for the Town of Appomattox.

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to approve an out-of-town water connection for 135 Eldon Road. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to appoint a local contractor, Mr. Simpson, and Mrs. Spiggle to serve on a Property Maintenance Investigation Board as allowed by the Town Code. All members present voting aye. Motion carried 6-0.

Standing Committee Reports:
Finance & Planning Committee – Reported out that the Council and staff have completed the FY 2023 proposed budget.
On a recommendation by Chair, Mrs. Puckette, the Council voted to advertise the proposed FY 2023 budget for a public hearing on May 24, 2022 and adoption on June 13, 2022. All members present voting aye. Motion carried.

Council Comment:
Ms. Spiggle – She is so glad to see Carlton here tonight.
Mr. Garrett – He concurred.
Mrs. Puckette – It is wonderful to see you (Rev. Duck).
Mr. Simpson – He shared with the Town Clerk the dates he would be out of town.
Mr. Boyce – Pleased to see the preacher. You have been on my heart and mind.
Mr. Tilton - none

Staff Reports:
Mr. Elder – The pump station at the Trickling Filter Plant will be online in two (2) weeks. The force main is complete. Staff and the contractor are reviewing the punch list now. The entire system should be complete and online in the next 2-3 weeks.

Mrs. Ray, Town Treasurer presented the financial report as of March 31, 2022.

Mrs. Casto, Interim Town Manager/Clerk of Council reported on the following items:

- Church Street Waterline Replacement Project

USDA provided review comments to Hurt & Proffitt, Inc. H&P will be responding to those soon. The project timeline is still undetermined at this time.

- Smart Scale Project

VDOT Smart Scale project – The work order has been created with Dominion Power regarding the relocation and change out to LED lights of the current streetlights on Old Courthouse Road and the installation of lights on the other side of Old CH Road.

- Request for Proposals – Train Depot

The revised RFP's were distributed on April 15, 2022. Questions are due to the Town by Monday, May 2, 2022 and the RFP's are due by May 20, 2022. (The RFP is attached).

- Downtown Revitalization Grant

This project is ongoing with finalizing contractor paperwork for façade improvements, obtaining the easements for streetlights and public parking opportunities.

- Proposed FY 2023 Budget

Final draft presented April 26, 2022

- Open enrollment for Health Insurance

Open enrollment for employee health insurance will begin on Monday, May 2, 2022 and close on Monday, May 16, 2022. The window for employee changes is much shorter this year. Normally it was for 30 days.

- Vacancies/Employment – Public Works Department

A lead equipment operator and facilities technician I positions (2) remain vacant but advertised. The part-time seasonal position has been filled beginning May 31, 2022 through July 29, 2022.

Mr. McGhee's first day will be Monday, May 2, 2022.

Adjournment:

On a motion by Councilmember Simpson, seconded by Councilmember Garrett, Council voted to adjourn at 7:30 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
May 9, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, May 9, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, Aaron M. Tilton. Absent: James J. Boyce, Sr.

Others: Donald Simpson, Sheriff; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Interim Town Manager/Clerk of Council.

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

Mr. McGhee led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Welcomed the new Town Manager, R. Terry McGhee.

Scheduled Public Appearances:
Donald D. Simpson, Sheriff – Appomattox County appeared before Council to provide an update on various activities in the Town.

- One of the largest impacts on the Sheriff's Office is the mental health response and the amount of time a deputy is sitting with patients. The Governor of Virginia has appointed a new Director of the Department of Behavioral Health. The Sheriff is hopeful there will be changes soon.
- Speeding on Church Street continues to be a problem. VDOT is working on signage and his office is working on enforcement.
- The General Assembly changed the law regarding "squatted trucks," however loud trucks/exhausts are not as easily enforceable. The noise from the truck must reach a certain decibel level.
- Homelessness has increased in the past year. They are willing to take anyone to a location for housing assistance.
- The State Budget has yet to pass however, he is expecting a raise and bonus for deputies.

Council thanked Sheriff Simpson for the update.

Adoption of the Consent Agenda:
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to accept the consent agenda as presented for May 9, 2022. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business:
On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to amend the signature cards at Farmers Bank of Appomattox and the Bank of the James for all accounts with the following authorized signers: Mayor, Richard C. Conner; Vice-Mayor, Timothy W. Garrett; Town Manager, R. Terry McGhee; Town Treasurer, Kimberley Ray. All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports:
None

Citizen Comment:
None

Town Manager's Report:
Mr. McGhee provided to Council with road mapping ideas for moving forward with the train depot development.

Council Comment:
Mrs. Puckette – Based on the Sheriff's comments should be budget money for a review of the Town Code? Mrs. Casto explained there was funding in the budget as this is due to be awarded after July 1, 2022. The review will be a multi-year process.
Mr. Simpson – none
Mr. Garrett – none
Mr. Tilton – none
Ms. Spiggle – none

Adjournment:
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adjourn at 7:20 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
May 24, 2022

The Appomattox Town Council met for Public Hearing and Workshop meeting on Tuesday, May 24, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, and Aaron M. Tilton.

Absent: James J. Boyce, Sr.

Others: Jamie Gillespie, Jonathon Garrett, Sharon Walker, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Public Hearing:
Mayor Conner opened the public hearing by stating the purpose:
The Appomattox Town Council will hold a public hearing on Tuesday, May 24, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street. The purpose of this public hearing will be to receive public comments concerning the following:

Proposed FY 2023 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2023:

GENERAL FUND EXPENDITURES	$2,894,409.00
WATER FUND EXPENDITURES	$2,965,297.00
SEWER FUND EXPENDITURES	$2,862,145.00
TOTAL EXPENDITURES	**$8,721,851.00**
GENERAL FUND REVENUE	$2,894,409.00
WATER FUND REVENUE	$2,965,297.00
SEWER FUND REVENUE	$2,862,145.00
TOTAL REVENUE	**$8,721,851.00**

Documentation is available during regular business hours in the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia. A copy is also available on the Town of Appomattox website, www.townofappomattox.com.

The public and all interested parties are invited to attend this public hearing to make their views known on the proposed FY 2023 Budget for the Town of Appomattox. Any person needing special accommodations should contact the Town Office no later than the close of business on the day of the hearing at 434-352-8268.

Staff presentations – none
Public comments – none
Council discussion – The proposed FY 2023 Budget for the Town of Appomattox will be moved to the June 13, 2022 Regular agenda for consideration.
Mayor Conner closed the public hearing.

Closed Session:
On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to convene in Closed Session pursuant to §2.2-3711(A) 5 of the Code of Virginia, 1950, as amended, for the purpose of discussion concerning a prospective business or industry or the existing business or industry where no previous announcement has been made of the business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, specifically Business H.
Roll call vote: Tilton – yes, Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes. Simpson – absent. Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Boyce made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Virginia law;

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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

Roll call vote: Tilton – yes, Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes. Simpson – absent. Motion carried 5-0.

Discussion Items:
Jonathan Garrett, Chief, Appomattox Volunteer Fire Department appeared before Council to request a waiver of food truck permit fees and Meals Tax by said food trucks for the July 2, 2022 fireworks event and September 10th event at the Courtland Festival Park.

On a motion by Ms. Spiggle, seconded by Mr. Boyce, Council voted to waive the permit fees and meals tax associated with the July 2, 2022 and September 10, 2022 events benefitting the Appomattox Volunteer Fire Department.
Vote aye – Tilton, Boyce, Spiggle, Puckette.
Abstaining – Garrett – citing he is an officer with the AVFD.
Absent – Simpson.
Motion carried 4-0-1.

Council requested the Clerk discuss with Mikula Harris adding the "Town of" to the logo and then request the Town Attorney to research trademarking for each logo.

On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to write off the following amounts which have reached the statute of limitations for collection; 2010 delinquent Real Estate tax $192.10; 2016 delinquent Personal Property tax $4,679.36; 2018 delinquent Utility accounts $2,494.86 and miscellaneous invoices for $100.00. All members presenting voting aye. Motion carried 5-0.

Standing Committee Reports:
None

Council Comment:
Ms. Spiggle – seconded Mr. Boyce's comment.
Mr. Garrett – none
Mrs. Puckette – Appreciates all the work by staff concerning the trouble at the parks lately.
Mr. Boyce – Thanked staff for all you are doing.
Mr. Tilton - none
Mayor Conner – Also appreciates all the staff.

Staff Reports:
Mr. Elder – none

Mrs. Ray, Town Treasurer presented the financial report as of April 30, 2022. She also noted that the water fund is currently paying for the materials only portion of the Church Street waterline project. Staff is investigating the possibility of paperless billing.

Mrs. Casto - none

Mr. McGhee, Town Manager reported on the VDOT Smart Scale lighting project on Old Courthouse Road. The train depot proposals have been received but not reviewed by staff. He attended a meeting of the Appomattox Downtown Revitalization project. The owner of the former Thomasville plant/property has hired a new property maintenance company. Mr. Fowler is drafting a proposed ordinance for signs in Public Use spaces. He also met with the Appomattox County Public Schools Superintendent.

Adjournment:
On a motion by Councilmember Garrett, seconded by Councilmember Puckette, Council voted to adjourn at 7:20 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
June 13, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, June 13, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson (via phone), Mary Lou G. Spiggle, Aaron M. Tilton.

Others: Drew and Tiffany Dearing, Carlton Duck, Rob Fowler, Zoning Administrator; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Summertime has come in with a vengeance. Congratulations to the Appomattox County High School softball and baseball teams on winning the 2C State Championship over the weekend.

Public Hearing:
Mayor Conner opened the public hearing and stated the purpose:

The Appomattox Town Council will consider the recommendations of the Planning Commission with respect to the above-described AN ORDINANCE TO REVISE Chapter 117 of the Code of the Town of Appomattox, Chapter 117, Section 117-29 thereof, entitled "Standards for Residential Chicken Keeping". The Town Council will have said ordinance proposed to it for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

The entire text of the above-noted revision is on file in the Town Office, 210 Linden Street, Appomattox, Virginia, and can be examined there between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

Mr. Fowler, Zoning Administrator explained the purpose of the proposed change to remove "The property shall be 30,000 square feet or greater in size". Rarely will residential property owners in the Town have this minimum amount of property. The 30,000 square foot requirement makes it difficult for most residential property to have chickens. It is likely when Council adopted the ordinance originally this square footage requirement was overlooked. This amendment will "clean up" the ordinance.

There were no public comments.

Mayor Conner closed the hearing.

Scheduled Public Appearances:
Robin Synder will be present at the June 28, 2022 Workshop meeting.

Carver Price withdrew their request at this time.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to accept the consent agenda as presented for June 13, 2022. All members present voting aye. Motion carried 6-0.

Unfinished Business:
None

New Business
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt An Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2022-2023 Budget for the Town of Appomattox:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2022-2023 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 2022-2023 Budget was published on May 4, 2022 and May 11, 2022 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, 2022;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Regular Council Meeting on Monday, June 13, 2022, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2022-2023;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	60,915.
Administrative Department	580,880.
Professional	150,000.
Police Department	125,775.
Tourism Department	80,060.
Fire Department	46,000.
Public Works Department	1,037,929.

Sanitation Department	150,000.
Property Maintenance & Construction	508,700.
Town Shop	36,800.
Donation/Contributions	25,000.
Zoning	57,850.
Town Office	34,500.
TOTAL GENERAL FUND EXPENSES	**2,894,409.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.11 per $100.00 of assessed value for real estate, $.45 per $100.00 of assessed value for personal property, $.45 per $100.00 of assessed value for machinery and tools, and $.11 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 sitused within the Town commencing January 1, 2022, 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 56.25% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 56.25% 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.

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2022-2023;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	165,000.
Current Taxes – Personal Property	85,000.
Delinquent Taxes	1,000.
Penalties & Interest	5,000.
Public Service Corporation	7,000.
Bank Stock Tax	190,000.
Cigarette Tax	140,000.
Meals Tax	1,200,000.
Lodging Tax	65,000.
Franchise Tax	500.
Consumption Tax	6,000.

Vehicle License Tax	25,000.
Business License	200,000.
Communications Tax	3,500.
Zoning	1,000.
Interest	10,000.
Rental of Misc. Property	6,000.
Rolling Stock Tax	3,000.
Sales Tax	80,000.
Aid to Police Department (HB599)	46,000.
Fire Programs	15,000.
Personal Prop Tax Relief Act State Funds	23,107.
Visitor Center	0.
Mobile Home Titling Tax	200.
Trash Can Fees	4,500.
Miscellaneous	1,000.
State DMV Fees	2,500.
Town DMV Fees	2,000.
Downtown Revitalization Grant	390,000.
Other Reimbursable	500.
Transfer from Reserve	217,102.
TOTAL GENERAL FUND REVENUES	**2,894,409.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2022-2023;

WATER FUND; EXPENDITURES BY CATEGORY:	
Water Department	2,965,297.
TOTAL WATER EXPENDITURES	**2,965,297.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2022-2023;

WATER FUND; REVENUES BY CATEGORY:	
Water Sales	370,000.
Connection Fees	7,500.
Penalty Fees	15,000.
Availability Fees	10,000.
Reconnect Fees	0.
Miscellaneous	500.
Interest	4,000.
Rental of Misc. Property	35,000.
Intergovernmental Revenue	35,000.
Use of Fund Balance	193,297.

Church Street Waterline Grant – DHCD	670,000.
Church Street Grant Proceeds – Rural Dev.	1,125,000.
Church Street Loan Proceeds – Rural Dev.	500,000.
TOTAL WATER REVENUES	**2,965,297.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2022-2023;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	2,862,145.
TOTAL SEWER EXPENDITURES	**2,862,145.**

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2022-2023;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	870,000.
Connection Fees	2,500.
Availability Fees	7,500.
Park Service Maintenance	20,000.
Interest	5,000.
Intergovernmental Revenue	2,500.
Use of Beginning Balance	285,618.
USDA Grant Proceeds 1	1,669,027.
TOTAL SEWER REVENUES	**2,862,145.**

SECTION X:
The salaries, wages and allowances set out in said Budget are hereby authorized as per the terms of the town's classification and merit system as approved compensation for officers and employees for services rendered, unless hereafter otherwise provided by ordinance; provided however, that the Town Manager is authorized to make such rearrangement of positions in the several departments named in the Budget, in respect to officers and employees appointed by his/her as may best meet the needs and interests of the Town and after approval by Council.

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2022-2023 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2022-2023 is hereby adopted, effective July 1, 2022 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 day of June, 2022.

Attest:

_____ _____

Roxanne W. Casto, Town Clerk Richard C. Conner, Mayor

ROLL CALL VOTE: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to adopt an Ordinance to Revise Chapter, Section 117-29 of the Appomattox Town Code, thereof, entitled "Standards for Residential Chicken Keeping". All members present voting aye. Motion carried 6-0.

Request for parking on Court Street:
Mrs. Casto provided an updated - Virginia Department of Transportation (VDOT) in Appomattox encourages the Town Council, if you desire, to make a request for parking along Court Street and he will send the request to the traffic and engineering department in Lynchburg. The request will be studied and if the width allows VDOT will mark the lines parallel to the sidewalks and designate the "No Parking Here to the Corner" locations. The Town will be responsible for placing the horizontal lines for each parking space.

Council tabled this item until Mr. Elder could study the options of the Town performing these services and for Mrs. Casto to determine if the Town can hold a public hearing on the matter to determine the interest of all citizens.

Request for a Resolution of Support:
Mr. John Redding, President of the Appomattox Chamber of Commerce requested the Appomattox Town Council adopt a statement of support for their production of the 2022-2023 edition of the Appomattox Magazine.

After much discussion, Council recommended sending the Chamber a letter explaining the Town is not in the business of endorsing other entities to make money.

Council Standing Committee Reports:
Finance & Planning – Mrs. Puckette reported the FY 2022-2023 Budget was adopted by the Town Council tonight.

Physical Development Committee – no report.

Citizen Comment:
None

Town Manager's Report:
Mr. McGhee reported on the following items:

- The economic development prospects are on course.
- The train depot – request for proposals for engineering/project management services was awarded to Dominion Seven Architects.
- Responded to a citizen request concerning buzzards.
- Currently reviewing and analyzing operating expenses.
- Will be presenting a new calendar system over the next few months.

Council Comment:
Mrs. Puckette – none
Mr. Simpson – from Texas it is 97 degrees
Mr. Garrett – none
Mr. Boyce – none
Mr. Tilton – none
Ms. Spiggle – none

Closed Session:
On a motion by Mrs. Puckette, seconded by Mr. Tilton, 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 discussing performance of specific public employees, being a total of 26 employees.
Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

The meeting was reopened to the public.

Closed Session Certification:
Council Member Ms. Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Mr. Garrett and Council by the following recorded vote adopted the motion:
Vote: Tilton – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to send a letter to each Town employee thanking them during these tough economic times and hoping the 2% cost of living increase will improve the situation for everyone. All members present voting aye. Motion carried 6-0.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:40 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
June 28, 2022

The Appomattox Town Council met for Public Hearing and Workshop meeting on Tuesday, June 28, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, Mary Lou G. Spiggle, and Aaron M. Tilton.

Others: Robin Snyder, Sharon Walker, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Public Hearing:
Mayor Conner opened the public hearing and stated the purpose:
The Appomattox Town Council will hold a public hearing on Tuesday, June 28, 2022 at 6:30 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia.

Amendment to the FY 2022 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2022:

General Fund Expenditures Amendments	25,800.00
Water Fund Expenditures Amendments	5,361.00
Sewer Fund Expenditures Amendments	7,335.00
Total Expenditures Amendments	**38,496.00**
General Fund Revenue Amendments	25,800.00
Water Fund Revenue Amendments	5,361.00
Sewer Fund Revenue Amendments	7,335.00
Total Revenue Amendments	**38,496.00**

Documentation is available at the Appomattox Municipal Building, Town Office, 210 Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact R. Terry McGhee, Town Manager at 434-352-8268.

Staff presentations – Mrs. Ray, Treasurer explained the purpose of the amendment.
Public comments – none
Mayor Conner closed the public hearing.

Appearances:
Robin Snyder, Superintendent, Appomattox Court House National Park appeared before Council to provide an update on the sewer system replacement project being nearly complete. She also thanked them for the professional and personal support of her since returning to Appomattox in

2015. She will be leaving soon for a position at the Cape Hatteras National Park Service in North Carolina.
Council thanked Robin for all she has done during her time at the park, stating she will be missed.

Discussion Items:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the following resolution:

1. Consideration to adopt a resolution amending the FY 2022 Operating Budget for the General Fund, Water Fund, and Sewer Fund for an increase received from the Virginia Department of Fire Programs, Litter Grant from Appomattox County, balance to BB&T settlement, increased cost of financial analysis report, trash can refund, DHCD Utility Grant proceeds.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2022 Operating Budget for the General Fund, Water Fund, and Sewer Fund.

General Fund Expenditures

10-4100-9030	BB&T Settlement	$	2,065.00
10-4200-7410	Audit/Accounting	$	15,939.00
10-4600-9060	Fire Programs	$	5,000.00
10-4800-6201	Trash can refund	$	1,400.00
10-4800-6300	Litter Grant	$	1,396.00
Net Increase in Budget		$	25,800.00

General Fund Revenues

10-3605-0000	Fire Programs	$	5,000.00
10-3610-0000	Trash Cans	$	1,200.00
10-3811-0000	Litter Grant	$	1,396.00
10-3901-0000	Use of Undesignated Reserve	$	18,204.00
Net Increase in Budget		$	25,800.00

Water Fund Expenditures

30-6000-6150	DHCD Utility Grant Proceeds	$	5,361.00
Net Increase in Budget		$	5,361.00

Water Fund Revenues

30-3802-0000	DHCD Utility Grant Proceeds	$	5,361.00
Net Increase in Budget		$	5,361.00

Sewer Fund Expenditures

31-7000-6159	DHCD Utility Grant Proceeds	$	7,335.00

Net Increase in Budget	$	7,335.00

Sewer Fund Revenues

31-7000-6159	DHCD Utility Grant Proceeds	$	7,335.00
Net Increase in Budget		$	7,335.00

SECTION XIII: BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2022 budget amendments are hereby adopted, 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.

Amended this ____ day of _____ 2022.

Attest:

_____

Roxanne Casto, Town Clerk

Roll Call Vote: Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes, Tilton – yes. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mr. Tilton, Council voted to terminate the Water Tank Maintenance Contracts for 1187 Patricia Anne Lane and 899 Tower Hill Road and authorized three (3) council members – Mrs. Puckette, Ms. Spiggle, and Mr. Garrett to sign the letters. All members present voting aye. Motion carried 6-0.

Standing Committee Reports:
None

Council Comment:
Mrs. Puckette – none

Mr. Tilton – none

Mr. Simpson received an email from Mrs. Abbitt concerning a sign on Court Street and Main Street being a violation of the sign ordinance. Mr. Simpson would like to have the Town Attorney review/research if the Town can suspend/revoke a business license or what language could be added to the Town Code to enable Council to suspend/revoke a Business License. Lastly, Mr. Simpson has been approached by a resident who would like to build a separate structure and rent it out in the R-2 zone as an Airbnb.

Mr. Boyce is concerned of setting a precedence of signage on Town property.

Mr. Simpson may add the item to the July 11 agenda. Can the Town check the corner lot boundaries for political signs being posted?

Mr. Garrett reminded everyone of the July 2 fireworks near the Appomattox County High School. The Appomattox Volunteer Fire Department will be having a fireman's competition and Liberty Baptist Church is hosting a BMX demonstration.

Ms. Spiggle said she had the same reminder of those events.

Mr. Boyce freedom is not free. Encourages the support of veterans and for those that did not come back.

Mayor Conner hopes everyone has a safe and prosperous 4th of July. Encourages the community to be safe.

Staff Reports:
Mr. Elder – provided a Power Point presentation of photographs of the current updates at the Trickling Filter Plant. Council thanked Jeff for the information.

Mrs. Ray, Town Treasurer presented the financial report as of May 31, 2022. The Trickling Filter Plant while it is nearly complete it is "still on the paperwork." Upcoming projects include:

- Only July 1, 2022 the Town will implement the final rate increase identified.
- A paperless billing option may be available with the August billing.
- Tax preparation has begun for the 2022 Real Estate and Personal Property taxes.
- Staff will begin working with firms on the June 30, 2022 audit for the Town.

Mr. Simpson inquired about funding options for future CIP projects. Should the Town consider a bond sale vs. traditional loans.

Mrs. Ray suggests asking Davenport for their advice.

Council gave consensus for Public Works to move forward with the engineering plans for Redfield Road and Lee Grant Avenue from ARPA funding.

Mr. McGhee, Town Manager updated the Town Council on the following items:

- Staff will be converting to a web-based calendar system near the end of July.
- Dominion Energy (Power) has identified 260 streetlights and 40 with LED lights. He will have more information next month.
- The tall grass has been mowed on Annie Street.
- The LED lights for Old Courthouse Road have been chosen.
- Three (3) business referrals have been received from Appomattox County.

Adjournment:
On a motion by Mr. Simpson, seconded by Mr. Simpson, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
July 11, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, July 11, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle, Aaron M. Tilton.

Absent: Nathan A. Simpson.

Others: Drew and Tiffany Dearing, Carlton Duck, Charles Conrad, Rob Fowler, Zoning Administrator; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:
Mayor Conner opened the hearing and stated the purpose. The Appomattox Town Council will consider the recommendations of the Planning Commission with respect to the above-described – An Ordinance to Amend the Code of the Town of Appomattox, Chapter 195 thereof, entitled Zoning, to add a new section to Article XVI entitled Signs providing for Public Use Districts. The Town Council will have said ordinance proposed to it for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

Mr. Fowler reported the Appomattox Town Planning Commission met on July 5, 2022 and approved the request to amend.

Public comments – none

Mayor Conner closed the hearing.

Mayor's Comments:
Half of the year is gone. The staff is helping move forward the Council.

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept the consent agenda as presented for July 11, 2022. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business

On a motion by Mr. Boyce, seconded by Mr. Tilton, Council voted to adopt An Ordinance to Amend the Code of the Town of Appomattox, Chapter 195 thereof, entitled Zoning, to add a new section in Article XVI entitled Signs providing for Public Use Districts. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to adopt a Resolution requesting the Appomattox County Board of Supervisors initiate the process to request the Virginia Department of Transportation abandon the portion of Hunter Street in the Children's Park. All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports:
Finance & Planning – no report.

Physical Development Committee – no report.

Citizen Comment:
None

Town Manager's Report:
Mr. McGhee reported on the following items:

- A six-month extension was approved by the Department of Housing and Community Development for the Appomattox Downtown Revitalization project.
- The Town will be developing a communication plan with the cell companies for the maintenance and painting of the water tower.
- The project manager is developing a new schedule for the Smartscale project on Old Courthouse Road.
- The contract with Dominion Seven Architects is being reviewed. Bids for work are anticipated in September – October 2022.
- Internet domains have caused a few communication issues, which are being resolved.

Council Comment:
Mrs. Puckette – would like to explore ideas to extend a filing/storage/records room for the Town Office.

Mr. McGhee offered his expertise in this area. Council provided consensus for Mr. Elder to work on this.

Mr. Garrett – reminded everyone of the fireworks on July 2, 2022.
Mr. Boyce – would like for council members/staff to review their calendars for a retreat in September.
Mr. Tilton – none
Ms. Spiggle – thanked everyone who had extended sympathies to her during the loss of her brother.
Mr. Simpson – absent

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Tilton, Council voted to adjourn at 7:05 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
July 26, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, July 26, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Aaron M. Tilton, James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson – via phone from Richardson, Texas – out of town for personal reasons.

Absent: Mary Lou G. Spiggle.

Others: Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Discussion Items:
Council discussed amending the rate of a Residential Companion Water Meter for Irrigation Service. Council requested to have this item placed on the August 8, 2022 agenda.

Council discussed the edits prepared by Councilman Simpson to the logo. Council requested to have this item placed on the August 8, 2022 agenda.

Council discussed dates for a Council Retreat to be held on September 23, 2022 or September 30, 2022.
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to hold a Council Retreat on Friday, September 23, 2022. All members present voting aye. Motion carried 5-0.

Council received an update from Mr. McGhee on the LED Streetlight Replacement project. Council requested Mrs. Ray research how the project could be funded. Council requested to have this item placed on the August 8, 2022 agenda.

Council Standing Committee Reports:
None

Council Comment:
Mrs. Puckette stated her concern that the Town Office appears to need a dedicated file/storage room. Mr. Elder stated he received an estimate of $65,000 to create an additional room over the lean-to extension on the parking lot side of the building. An additional $12,000 would be needed for cabinet reconfiguration in the main office.

Mr. McGhee is willing to investigate vendors for e-records.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to move forward with obtaining bids for the build out. All members present voting aye. Motion carried 5-0.

Mr. Simpson – none

Mr. Garrett – none

Mr. Tilton - none

Mr. Boyce inquired about the vulgar sign on Church Street. Mr. McGhee reported on his conversation with the Town Attorney and the sign/banner is protected under the Freedom of Speech. The town is unable to require the sign be removed.

Staff Reports:
Mr. Elder reported the Request for Proposals for the I&I Study on the SBR side of Town would be advertised on Sunday or Monday (July 31 or August 1). The study is appropriated in the ARPA fund for $325,000. The pump station at the TFP will be 100% complete soon.

The Church Street Waterline Replacement Project (Material Only) portion of the project has a deadline of August 5, 2022 for 100% of the materials to be delivered to the Town.

Mrs. Ray, Town Treasurer presented the financial report as of June 30, 2022, citing all information is currently unaudited.

Mr. McGhee, Town Manager updated the Town Council on the following items:

- Participated in a demonstration of a video conferencing product. The "Owl" could also be used for council meetings.
- Attended the Appomattox County Board of Supervisors meeting on July 18, 2022 to answer any questions regarding the Town's request for an easement in front of the library to install a streetlight and the request to close a portion of Hunter Street near the Appomattox Children's Park.

  At the Board of Supervisors meeting, he was asked to investigate the overgrown grass and vegetation at Walmart on the access road. He was also asked to seek a remedy to cars turning right near the exit of Wendy's. It has become a dangerous area.
- Downtown Revitalization Grant – Jeff Elder and Chad Hodges are working with Craig Wilson to address the streetscape portion of the project.
- Train Depot Roof Renovations – The contract is currently under review with the Town Attorney.

(Mr. Simpson left the meeting)

Closed Session:
On a motion by Mr. Garrett, seconded by Mr. Tilton, Council voted to convene in a Closed Session pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussing the performance of a specific public employee, being Employees A.

ROLL CALL VOTE: Tilton – yes, Garrett – yes, Puckette – yes, Boyce – yes. Absent – Simpson and Spiggle. Motion carried 4-0.

The meeting was re-opened to the public.

Council Member Boyce made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Tilton – yes, Garrett – yes, Puckette – yes, Boyce – yes. Absent – Simpson and Spiggle. Motion carried 4-0.

Statement from the Closed Session: Mayor Conner reported that by unanimous consent, the Appomattox Town Council accepts the transition of Mrs. Casto from Interim Town Manager back to her full-time position of Town Clerk, effective August 1, 2022.

Adjournment:
On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
August 8, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, August 8, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle.

Absent: Aaron M. Tilton and Nathan A. Simpson.

Others: Alec Brebner, Executive Director, Central Virginia Planning District Commission; Steve Conner, Adam Wooten, Viper Investments; Charles Conrad, Times Virginian; Rob Fowler, Zoning Administrator; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Mr. Boyce led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:

Mayor Conner opened the public hearing and stated the purpose:

Viper Investments, LLC does hereby request a rezoning application for Tax Map Identification Number 64A6-A-26 and 64A6-A-26A. The property is currently zoned B-2 (Intense Business), and the proposed zoning is R-3 (General Residential) to allow the property to be properly maintained and provide needed housing opportunities.

Staff comments: Mr. Fowler reported the Planning Commission held a public hearing on August 2, 2022 and there were no public comments. The R-3 district would be the best use of the property. The site plan will need VDOT approval.

Applicant comments: Mr. Conner spoke to the needed residential needs in the Town of Appomattox.

Public comments: None

Mayor Conner closed the public hearing.

Mayor's Comments:

Mayor Conner welcomed everyone to the meeting. He is hopeful that this Council is moving forward with the wishes of the community.

Scheduled Public Appearances:

Alec Brebner, Executive Director, Central Virginia Planning District Commission introduced himself and provided his background experiences. The Town Manager provided him with a tour today. He has relocated to Lynchburg in the last few months. He encouraged Council to call him anytime.

Adoption of the Consent Agenda:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept the consent agenda as presented for August 8, 2022. All members present voting aye. Motion carried 4-0.

Unfinished Business:

None

New Business

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to rezone Tax Map 64A6-A-26 and 64A-6-A-26A from B-2 to R-3 for Viper Investments, LLC. All members present voting aye. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle Council voted to approve an out-of-town water connection at 3890 Pumping Station Road.
Mayor Conner called for any discussion: Mrs. Puckette stated the Town needs to discuss the water situation. Where is the cut off? Wants to make sure the Town does not extend to too many customers. Mr. Elder explained that the Town has on average 50,000 gallons per day of unused capacity.
All members present voting aye. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to declare surplus the Chevrolet Colorado – VIN # 1GCCS148X48148113. Mr. Garrett and Mr. Boyce amended the motion to include a second Chevrolet Colorado – VIN #1GCCS148948193608. All members present voting aye. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to amend the rate of a Residential Companion Water Meter for Irrigation Services. All members present voting aye. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to proceed with the LED streetlight replacement project, at a not to exceed cost of $36,000. All members present voting aye. Motion carried 4-0.

Council gave consensus to table the adoption of the Town of Appomattox USA logo and register as a trademark to the August Workshop agenda.

Council Standing Committee Reports:

Finance & Planning – no report.
Physical Development Committee – no report.

Citizen Comment:

None

Town Manager's Report:

Mr. McGhee reported on the following items:

- Received a visit from the Virginia Rural Water Association on Friday, August 5, 2022 to express how well the Towns water and sewer system is managed.
- The contract with Dominion Seven Architects for the project management of the train depot repairs has been executed.
- The Old Courthouse Road Smart Scale project has a bid opening date of January 19, 2023.
- Downtown Revitalization project update includes all façade improvements are complete additional parking, sidewalk and streetlights are all expected to be complete by December 2022.
- The Appomattox County Board of Supervisors inquired about the lack of maintenance to the grass and shrubbery along the access road. The Town will be sending Walmart a letter to clean up the area or the Town will perform the work and bill Walmart for reimbursement.
- The Council Retreat is scheduled for September 23, 2022 at the Appomattox Inn and Suites.
- He and the Town Clerk viewed the VDOT Safety presentation. It is a systemic approach to increase safety in the areas of crosswalks, sidewalks, and roads.

Council Comment:

Mrs. Puckette – Requested the build out room at the Town Office be advertised next week or at least this month.
Mr. Garrett – Inquired why the Old Courthouse Road Smart Scale project was reduced from 13 million to 11.5 million? Mr. McGhee advised the scope was reduced.
Mr. Boyce – none
Ms. Spiggle – none
Mr. Tilton – absent
Mr. Simpson – absent

Closed Session:
On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to convene in a Closed Session pursuant to Pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussing the performance of a specific public employee, being Employee A.

ROLL CALL VOTE: Spiggle – yes, Garrett – yes, Boyce – yes, Puckette – yes. Motion carried 4-0.

The meeting was re-opened to the public.

Council Member Mrs. Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Boyce and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Spiggle – yes, Garrett – yes, Boyce – yes, Puckette – yes. Motion carried 4-0.

Other matters:

Mr. Elder, Facilities Director requested to explain the invoice sent to the Appomattox Railroad Festival for the October 2021 Railroad Festival event. Council was provided a copy of the invoice and minutes of the meeting. Mr. Elder explained he and Mrs. Rothgeb met with Mrs. Adams and Mr. Charles Garrett prior to the event last year to gain a better understanding of the activities to be performed by the Town and those that would be taken care of by the Railroad Festival Committee. Mr. Elder explained he used the word “donate” during the meeting and he knows that was the wrong word to use.

Council suggested sending the Railroad Festival committee a letter explaining the “misunderstanding” and that Mr. Elder does not have the authority to “donate” Town services.

A request for payment was sent in April 2022 to the Railroad Festival committee. Mrs. Ray commented she will need Council authorization to change this from an invoice to a donation.

Council provided consensus that this is an invoice. The donation of $10,000 for the 2021 Railroad Festival was provided by the Town.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 8:20 p.m. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
August 23, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, August 23, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Aaron M. Tilton, James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, and Mary Lou Spiggle.

Others: Sharon Walker, Times Virginian; Drew and Tiffany Dearing, Carlton Duck, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Discussion Items:

On a motion by Ms. Spiggle, seconded by Mr. Boyce, Council voted to adopt the following resolution:

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2022-2023 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

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 situses within the Town commencing January 1, 2022, 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 44.1% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 44.1% 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.

Attest:

_____ _____
Roxanne W. Casto, MMC, Town Clerk Date
All members present voting aye. Motion carried 6-0.

Council discussed a logo for the Town of Appomattox. Mr. Simpson will return to the September 12, 2022 Council meeting with a couple of modified versions for discussion.

Mr. McGhee explained the process of Document Disposition Planning and Destruction. He has secured services which could take approximately 5-8 days. Once it is determined what items can be destroyed, per the guidelines of the Library of Virginia, shredding will begin by a company from Lynchburg, Virginia. The services to inventory are $20.00 per hour and the shredding is $7 per box.

Council Comment:
Mr. Tilton advised he was resigning from the Appomattox Town Council effective at the end of the meeting tonight, August 23, 2022. He sold his home and is moving to Lynchburg.

Mr. Boyce thanked Mr. Tilton for his willingness to serve. A lot is taken for granted by serving on Council.

Ms. Spiggle seconded Mr. Boyce's comments. Very few people are willing to serve. It is a big job to be dedicated to the community. She expressed her happiness for what the future holds for Mr. Tilton.

Mr. Garrett – none

Mr. Simpson stated he is glad to be back in Town and is excited for the retreat on Friday, September 23, 2022.

Mrs. Puckette thanked Mr. Tilton for all he has done serving on Council. She also thanked Mr. McGhee for getting her up to speed.

Mayor Conner also expressed his thanks to Mr. Tilton for serving. We will miss you.

Council Standing Committee Reports:
None

Staff Reports:

Mr. Elder, Facilities Director informed Council the USDA sewer project should be complete by September 29, 2022. The contractor is currently working through the punch list.

Mrs. Ray, Town Treasurer presented the financial report as of July 31, 2022.

Mr. McGhee, Town Manager updated the Town Council on the following items:

- The Lynchburg Regional Business Alliance reports a lease for space at the Thomasville building has been signed. A new option has opened for the business owner. He may be able to apply for an incentive from Appomattox County. The County requested permission from the Town before getting involved.

On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to offer in the affirmative to allow Appomattox County to offer incentives for only Project Hanover at the Thomasville property. All members present voting aye. Motion carried 6-0.

It will be at least two (2) more weeks before releasing any information on the business.

Adjournment:
On a motion by Mr. Tilton, seconded by Mr. Garrett, Council voted to adjourn at 7:12 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
September 12, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, September 12, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle, and Nathan A. Simpson.

Others: Carlton Duck, Alive Media TV; Drew and Tiffany Dearing, Janice Goude, Sharon Walker, Rob Fowler, Zoning Administrator; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck stated he is grateful to be standing here with you tonight. Rev Duck led the prayer and Pledge of Allegiance to the flag of the United States of America.

Mayor's Comments:
Mayor Conner remembered those who have fallen because of September 11, 2001. He encouraged everyone to remain vigilant. Especially honoring those who serve in the Armed Forces and fight terrorism.

Scheduled Public Appearances:
Gwen Olivarri, 402 Jones Street appeared before Council to request consideration to rezone her property from B-2 to R-3. In 2013 a mobile home on her property burned due to arson. She desires to replace the mobile home. She has been living there for 47 years. Her parents bought the property with the intent to live on it.

Mr. Fowler explained to Council the property at 402 Jones Street has been zoned B-2 for quite a while. The Town and Ms. Olivarri have previously been to court for replacing the trailer once before. In April 2022, another trailer was brought to the property which is a violation of the zoning ordinance.

Mr. Fowler stated he spoke with the Town Attorney, however more time is requested for discussion.

Council will review the request with legal counsel and reply to Ms. Olivarri's request. She thanked Council for their time.

Adoption of the Consent Agenda:

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to accept the consent agenda as presented for September 12, 2022. All members present voting aye. Motion carried 5-0.

Unfinished Business:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt Option #4 (attached) as is for the Town of Appomattox logo. All members present voting aye. Motion carried 5-0.

New Business

Council gave consensus to approve the water connection for Lot #9 at Woodchase Subdivision.

Council Standing Committee Reports:

Finance & Planning – no report.
Physical Development Committee – no report.

Citizen Comment:

None

Town Manager's Report:

Mr. McGhee reported on the following items:

- The Council Retreat is scheduled for September 23, 2022 at the Appomattox Inn and Suites.
- The overgrown grass along the access road between Walmart and the Shoppes of Appomattox has been cut.
- The first phase of the document disposition has been completed. Nearly 200 boxes were identified for destruction.
- The Train Depot renovation project for construction is expected to be advertised next month.
- The first set of LED streetlights will be ordered tomorrow.
- The Chamber of Commerce requested space at the train depot.

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to deny the request by the Chamber of Commerce for space at the train depot. All members present voting aye. Motion carried 5-0.

Council Comment:

Mrs. Puckette – none
Mr. Boyce – Freedom in not free; be vigilant, proud of who we are.
Mr. Simpson asked several questions of Mr. McGhee – 1) Any update on the AV system for Council Chambers? Mr. McGhee indicated he should have more information in the next two weeks.
2) Which staff members will be attending the retreat? Mr. McGhee said Jeff Elder, Kim Ray, Roxanne Casto and Rob Fowler.

3) Any update on the R-2 zoning classification for short term rentals and definitions of village homes and residential primary structures? According to Mr. McGhee the Town Attorney is drafting an ordinance for Town Council to consider.
4) Train depot project – Mr. McGhee advised that Dominion Seven Architects will be visiting the site on Thursday morning and the project is expected to be placed out to bid by the end of October.
5) Trailer restrictions – replace a non-conforming use as defined in the state code. Mr. McGhee indicated that no matter the use – trailers are not allowed in the business district.
Ms. Spiggle – none
Mr. Garrett – none

Adjournment:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:30 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
September 27, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, August 23, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, and Mary Lou Spiggle.

Others: Drew and Tiffany Dearing, Carlton Duck, Jeff Elder, Facilities Director; Rob Fowler, Zoning Administrator; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order and opened the public hearing.

Public Hearing
The purpose of this public hearing will be to receive public comments concerning the following:

1. **Amendment to the FY 2023 Budget for the Town of Appomattox -** In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2023:

General Fund Expenditures Amendments	66,739,40
Water Fund Expenditures Amendments	30,739.40
Sewer Fund Expenditures Amendments	30,739.40
ARPA Fund Expenditures Amendments	930,652.00
Total Expenditures Amendments	**1,058,870.20**
General Fund Revenue Amendments	66,739.40
Water Fund Revenue Amendments	30,739.40
Sewer Fund Revenue Amendments	30,739.40
ARPA Fund Revenue Amendments	930.652.00
Total Revenue Amendments	**1,058,870.20**

There were no public comments received during this public hearing.

Mayor Conner closed the public hearing.

Discussion Items:

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt the following budget amendment resolution:

1. Consideration to adopt a resolution amending the FY 2023 Operating Budget for the General Fund, Water Fund, Sewer Fund, and the ARPA Fund for an increase for the Street LED Bulb

Replacement project, carry forwards from FY 2022 for projects in progress and the increase in ARPA proceeds.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2023 Operating Budget for the General Fund, Water Fund, Sewer Fund, and the ARPA Fund.

General Fund Expenditures			
10-4700-3010	Electricity	$	36,000.00
10-5000-6001	CIP – Public Works	$	30,739.40
Net Increase in Budget		$	66,739.40
General Fund Revenues			
10-3901-0000	Use of Undesignated Reserve	$	66,739.40
Net Increase in Budget		$	66,739.40
Water Fund Expenditures			
30-6000-7092	CIP – Water	$	30,739.40
Net Increase in Budget		$	30,739.40
Water Fund Revenues			
30-3901-7091	Use of Fund Balance	$	30,739.40
Net Increase in Budget		$	30,739.40
Sewer Fund Expenditures			
31-7000-7091	CIP – Sewer	$	30,739.40
Net Increase in Budget		$	30,739.40
Sewer Fund Revenues			
31-5901-0000	Use of Undesignated Funds	$	30,739.40
Net Increase in Budget		$	30,739.40

ARPA Fund Expenditures

20-5000-0010	ARPA General Expense	$	100,000.00
20-5000-0030	ARPA Water Expense	$	415,326.00
20-5000-0031	ARPA Sewer Expense	$	415,326.00
Net Increase in Budget		$	930,652.00

ARPA Fund Revenues

20-3802-0000	ARPA Grant Funds	$	930,652.00
Net Increase in Budget		$	930,652.00

SECTION XIII: BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2023 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2022.

Attest:

_____
Roxanne Casto, Town Clerk

Roll call vote: Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to approve a water connection and availability waiver request for the Carver Price Legacy Museum on Confederate Boulevard. Vote: Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes. Spiggle – abstained because she is an executive board member of the Carver Price Legacy Museum. Motion carried 4-0-1.

Mr. Fowler presented a draft zoning ordinance for an amendment to the R-2 Zoning District to clarify short term rentals, home occupations, village homes and primary residential dwellings. The sign ordinance will need a little more attention before distributing a draft for Council review.

Mr. McGhee provided feedback by summarizing the handouts from the Council retreat.

Mr. McGhee discussed with Council updating the Town website. After much discussion, Council provided a consensus to seek a contract vendor for the project and allow Mr. McGhee to manage the project.

Council Comment:
Mrs. Puckette expressed her concern for the drug problem in this community. She requested the Council write letters to the Senators and Congressman. She would also like for Council to consider participating in the Railroad Festival with the Sheriff's Office to help educate about dangers of drug use.

Mr. Garrett encouraged everyone to do their own research about the drugs in this country.

Mr. Boyce appreciates the concern this Council is showing for other people. We were elected to make sure this community is safe and secure.

Mr. Simpson expressed his appreciation for the Council retreat. Hands down it was an engaging format.

Ms. Spiggle agreed to put in effort for the drug problem and make them aware of the dangers.

Mayor Conner thanked staff for the information shared at the Council retreat.

Council Standing Committee Reports:
None

Staff Reports:
Mr. Elder - none

Mrs. Ray, Town Treasurer presented the financial report as of August 31, 2022.

Mr. McGhee, Town Manager updated the Town Council on the following items:

- The relationships between the public and health professionals can be accomplished in an organized manner regarding the drug problem.
- The Town's involvement with the 2022 Railroad Festival is being discussed and minimized this year.

Mrs. Puckette asked what part of the County revenue comes from Town citizens? Mrs. Ray will work on this information for a future meeting.

Adjournment:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:50 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
October 11, 2022

The Appomattox Town Council held a Regular Council meeting on Tuesday, October 11, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Vice-Mayor Garrett presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle, and Nathan A. Simpson.

Others: Carlton Duck, Alive Media TV; Drew and Tiffany Dearing, Garrett Braun, Christi Taylor, Brittani Edwards, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Vice-Mayor Garrett called the meeting to order and welcomed the visitors.

Rev. Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
None

Scheduled Public Appearances:
Mr. Garrett Braun, Ms. Christi Taylor and Ms. Brittani Edwards from Dominion Energy appeared before Council to discuss an amendment needed to allow them to lay fiber for internet service in the Town. Essentially, Dominion Energy would be the "middle" man.

The representatives explained the process in detail. Ms. Christi Taylor explained how the franchise agreement written in the 80's does not have the rights needed to move forward with this project. Dominion Energy has offered a Memorandum of Understanding to add language to further the broadband project. Dominion Energy is already in a construction stage and is expected to be complete by the end of the first quarter of 2023. If the Town chooses not to sign the MOU, it kills the project. Dominion Energy would like to have a signed amendment by the end of 2022.

Council thanked the individuals for attending and sharing this information.

Adoption of the Consent Agenda:
On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to accept the consent agenda as presented for October 11, 2022. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business
None

Council Standing Committee Reports:
None

Citizen Comment:
None

Town Manager's Report:
Mr. McGhee reported on the following items:

- He has reached out to vendors, SWaM vendors, regarding the Town website.
- Dominion Energy has completed the work order request for the LED streetlights. Installation of the first 50 lights should begin soon.
- VDOT is asking to replace pipe on Old Courthouse Road for the streetscape project.
- He met with Rev. Small and law enforcement regarding fentanyl. In a coordinated effort the Town should consider creating a fact sheet, in person education, social media development and multi-level education.

Mr. McGhee thanked those who got engaged with the drug education at the Railroad Festival over the weekend.

Council Comment:
Mr. Boyce – none

Ms. Spiggle requested the Town reach out to Horizon Behavioral Health to get the word out about fentanyl and drug use.

Mr. Simpson asked Mr. McGhee where the Town was with the generator bids. He responded that Mr. Elder had a couple of questions for the vendor. Mr. Simpson asked for an updated on the train depot. Mr. McGhee responded he is expecting the project to be advertised by the end of October. Mr. Simpson asked if the documents were ready to be destroyed. Mr. McGhee explained this was an on-going project.

Mr. Simpson provided an update on the old Elementary school as he has spoken with the County Administrator regarding the lease to won space by Mr. Boone for a welding booth.

Ms. Puckette thanked the members of Council for signing letters to Congressman Good, Senator Warner and Senator Kaine regarding the drug problem in our country. She also thanked Mr. Boyce for stopping by the booth at the Railroad Festival. She also thanked staff for getting the banner on short notice.

Adjournment:
On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to adjourn at 7:05 p.m. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
October 25, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, October 25, 2022 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr, Claudia G. Puckette, Nathan A. Simpson, and Mary Lou Spiggle.

Absent: Timothy W. Garrett

Others present: Sharon Walker, Times Virginian; Jeff Elder; Facilities Director; Drew Dearing, Carlton Duck; Alive Media TV; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order and opening the public hearing by stating the purpose:

PUBLIC NOTICE OF A PUBLIC HEARING

The Appomattox Town Council will hold a public hearing on Tuesday, October 25, 2022 at 6:30 p.m. in the Council Chambers of the Appomattox Town Hall building, located at 210 Linden Street, Appomattox, Virginia.

The purpose of this public hearing will be to receive public comments concerning the proposed purchase of real property located in the Town of Appomattox, more particularly identified as 0.225 acres, Appomattox County tax identification number 64A513-9, currently owned by Anne A. Kerr, Watkins Abbitt, Jr., and Corrine A. Hynes, for the price of $10,000. Documents relating to the proposed purchase, including a plat of survey, are available for review at the Appomattox Town Hall, 210 Linden Street, Appomattox, Virginia, Monday through Friday, 8:30 a.m. – 4:30 p.m. or by calling 434-352-8268.

There were no comments received from the public.

Mayor Conner closed the public hearing.

Discussion Items:

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to adopt the following resolution:

RESOLUTION AUTHORIZING THE PURCHASE OF LAND

Whereas, the Appomattox Town Council held a public hearing on Tuesday, October 25, 2022 in the Council Chambers of the Appomattox Town Hall, 210 Linden Street, Appomattox, Virginia to receive citizen comments regarding the purchase of land in the Town of Appomattox for the purpose of a proposed parking area; and

Whereas, the land is located in the Town of Appomattox, and is described as follows:

> All that certain lot or parcel of land, together with the buildings and improvements thereon, and the privileges and appurtenances, thereunto belonging, situate, lying and being in the Town and County of Appomattox, Virginia, fronting on Atwood Street (Route No. T.1058), containing 0.225 acres, more or less, as shown on a plat of survey entitled, "Boundary Survey 0.225 acres, Surveyed for Town of Appomattox…" made by Michael Ray Goin, Land Surveyor, dated June 28, 2022, which said plat is attached hereto and is recorded contemporaneously with this deed.
>
> This being a portion of the property conveyed unto Anne A. Kerr, Watkins Abbitt, Jr., and Corinne A. Hynes, by Deed of Gift dated November 10, 1994 from W. M. Abbitt, widower, recorded in the Clerk's Office of the Circuit Court of Appomattox County in Deed Book 215, page 257.
>
> The grantors reserve unto themselves and to the survivor of them an easement for parking on the property hereby conveyed to serve the reasonable needs of the business located in the adjoining property, being identified as Parcel I. D. #64A5-13-12. This easement shall terminate upon the death of the last surviving of the grantors.; and,

Whereas, the Town Council wishes to purchase such property for $10,000.00 subject to the aforesaid easement; and,

Now, therefore, be it resolved, that the Appomattox Town Council authorizes the Town Manager, on behalf of the Town, to purchase such property for $10,000.00, and to take all actions and execute all documents necessary to effectuate such purchase.

The Appomattox Town Council does hereby adopt this resolution on October 25, 2022 at a duly called workshop meeting.

_____
Roxanne W. Casto, Clerk of Council

Boyce-aye, Spiggle-aye, Simpson-aye, Puckette-aye. Motion carried 4-0.

DOMINION ENERGY AMENDMENT

The Council discussed the desire for Dominion to have a last mile provider for the fiber installed before signing the amendment. After discussion, the Council provided consensus for the Town Manger to obtain additional information from Dominion and report back to Council.

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

RESOLUTION
DESIGNATING THE TOWN MANAGER AS THE SIGNATORY FOR FUNDING AGREEMENTS WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the Town of Appomattox is a recipient of Virginia Department of Transportation funds under various grant programs for transportation-related projects; and,

WHEREAS, VDOT has developed a Standard Project Administration Agreement that establishes the terms and conditions of the funding with local governments; and,

WHEREAS, as part of that Agreement, the Town must provide VDOT with formal documentation that indicates who within the Town has the authority to enter into such Agreements.

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council hereby authorizes the Town Manager and/or his/her designees to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

The Appomattox Town Council does hereby adopt this resolution on October 25, 2022 at a duly called workshop meeting.

_____
Roxanne W. Casto, Clerk of Council

All members present voting aye, motion carried 4-0.

The Town Council requested the Town Manager to communicate any agreements with VDOT before signing them.

Council Comments:

Mr. Boyce requested the American flags on Main Street either be taken down or replaced.

Mrs. Puckette wanted the other council members to know that one of the local businesses expressed their appreciation to the Town Public Works employees and Appomattox Volunteer Fire Dept for cleaning up from the vehicle fire on Friday, October 7, 2022.

Ms. Spiggle expressed her sincere condolences and sympathy to Mr. Garrett in the loss of his mother-in-law.

Mr. Simpson requested an update on the Town website and Train Depot.

Mr. McGhee responded to the question of the website, stating he is waiting on a response from vendors.
Mr. McGhee said he was planning to address the Train Depot in his Manager's Report.

Council Standing Committee Reports:
None

Staff Reports:

Mr. Elder, Facilities Director, reported the Trickling Filter Plant sewer project is complete. The punch list for the force main is still in progress. The Town is still waiting for USDA to approve the plans for the Church Street Waterline project.

Mrs. Ray, Town Treasurer presented the financial report as of September 30, 2022.

Mrs. Puckette inquired about the bids received for the generator project from ARPA funding. Mr. Elder requested to meet with her and Mr. Garrett before providing a staff recommendation.

Mr. Simpson asked if the IT system equipment had been purchased? Mr. McGhee responded no- this does need to be looked into as it is hard to find grant money for these items. It may be a great use of ARPA funding.

Mrs. Ray also shared some of her research into the Town and County taxation issues.
Council thanked Mrs. Ray for her research.

Mr. McGhee, Town Manager updated the Town Council on the following items:

-The County is requesting assistance on 10-28-2022 with decorating of the Courtland Festival Park for Christmas. Mr. Elder advised the Public Works Department has its hands full with day to day activities. Mr. McGhee volunteered to assist. Mr. Simpson suggested Mr. McGhee contact Mr. McCann at ACHS to see if the FFA students may be able to help.

-Mr. McGhee met with Sheriff Simpson to discuss Council's idea of a new drug dog to help combat the rise in fentanyl cases. Also, Horizon Behavioral Health is willing to attend a future council meeting.

-VDOT will be using ductile pipe on the Old Courthouse Road Smartscale project.

-The project manual for the Train Depot roof and decking renovations was received this week. The project is expected to be advertised on October 28, 2022; a pre-bid meeting to be held on November 15, 2022 and bids due on December 6, 2022.

-Lastly, requested permission to change the order of preference to those that can sign A/P and payroll checks to the Town Manager and Treasurer.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, the Council voted to approve the Town Manager and Treasurer to begin signing A/P and Payroll checks on a regular basis, effective immediately. All members present voting aye. Motion carried 4-0.

Adjournment:
On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to adjourn at 7:45 p.m. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
November 14, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, November 14, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Vice-Mayor Garrett presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle.

Absent: Nathan A. Simpson

Others: Melissa Lucy; Daniel Kutessa; Frank Wright; Drew Dearing; Charles Conrad; Jane Thomas Allen; Scotty Allen; Rob Fowler, Zoning Administrator; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Councilman Boyce led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments:
Mayor Conner said he was thinking of everyone in our community, Lynchburg and Charlottesville in light of the recent violence.

Scheduled Public Appearances:
Daniel Kutessa, Vice mayor-Abaitababiri, Uganda appeared before Council to encourage a strategic partnership. Their challenges include health, education and sanitation. They also do not have a modern way to handle garbage. He wanted to encourage exchange visits or partnerships. Mayor Conner stated hopefully we could work out the logistics.

Melissa Lucy, Chief Executive Officer, Horizon Behavioral Health appeared before Council and provided a Powerpoint presentation of their services (mission), fentanyl overdoses, treatment and prevention services.

After an exchange of questions and answers, Council thanked Ms. Lucy for attending and providing this information.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept the consent agenda as presented on November 14, 2022. All members present voting aye. Motion carried 4-0.

Unfinished Business:
On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to execute the Memorandum of Understanding with Dominion Energy for the Rural Broadband project. All members present voting aye. Motion carried 4-0.
*Mr. McGhee noted that the ISP would be Firefly.

New Business
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to award the contract for seal coating of town owned parking lots to DuraSeal, Inc. for a total bid of $42,585. All members present voting aye. Motion carried 4-0.

Council Standing Committee Reports:
ARPA-After discussion of the Town's procurement policy, the council concurred to cancel the bids.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to reject the bids received for the generator project. All members present voting aye. Motion carried 4-0.

Citizen Comment:
None

Town Manager's Report:
Mr. McGhee reported on the following items:

- He received a call from Don Jones commenting how nice all the Christmas lights look in Downtown Appomattox.
- Continues working on the idea of a K-9 dog for the Appomattox County Sheriff's Office.
- Virginia Metal Fab will be hosting an open house on December 9, 2022 with formal ceremonies starting at 10:00 am. VMF revised the job projection for the first 3 years.
- Met with CIVICPLUS regarding a new Town Website.
- Is working on project portfolios for a better picture of meeting strategic objectives.
- Applied for an Alternate Transportation Grant-Virginia Ready, Set, Go.

Mayor Conner transferred presiding duties to the Vice-Mayor.

Council Comment:
Mr. Boyce is concerned about the former Courtland Manufacturing Building on Confederate Blvd. Something needs to be done. Staff will speak with the Building Inspector/Official to see if any of the concerns are nuisances. Mr. McGhee said there is a grant available for the area however the owner has to agree.

Closed Session:

On a motion Ms. Spiggle and a second Mrs. Puckette for a Closed Session, pursuant to §2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town regarding a specific legal matter requiring the provision of legal advice by such counsel, such matter specifically being issues pertaining to enforcement of the Town's zoning ordinance in the context of a potentially nonconforming property.

ROLL CALL VOTE: Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried 4-0.

The meeting was re-opened to the public.

Council Member Boyce made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Puckette-aye, Boyce-aye, Spiggle-aye, Garrett-aye. Motion carried 4-0.

Adjournment:
On a motion by Ms. Puckette, seconded by Mr. Boyce, Council voted to adjourn. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
November 29, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, November 29, 2022 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr, Claudia G. Puckette, Mr. Timothy W. Garrett, and Mary Lou Spiggle, Nathan Simpson

Others present: Jeff Elder; Facilities Director; Drew and Tiffany Dearing, Carlton Duck; Alive Media TV; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Media Improvements

Carlton Duck explained the proposed upgrades to the computer (AV) equipment for the Council Chambers. He would also like to change the days of the week the meetings will air on the Shentel channel. Lastly, he discussed with Council expanding the information platform through a 3-to-5-minute segment, explaining projects or grants related to the Town government.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, the Council voted to approve the media improvements for the Council Chambers in the amount of $10,000. All members present voting aye. Motion carried 5-0.

Town EDA

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, the Council voted to appoint Ronald M. Coleman, Jr. to the Town of Appomattox Economic Development Authority with a term expiring December 31, 2025. All members present voting aye. Motion carried 5-0.

Council Comments:

Mayor Conner-Congressman Good responded to the Town's letter regarding Fentanyl. A copy will be provided to each Council member.

Mr. Simpson-none
Mr. Boyce-none

Mrs. Puckette- Requested an update regarding the CCUSA-Campbell Co/Appomattox Co litigation as the Town has spent $14,000 and another $66,000 is appropriated for research and work on the ground water wells. Mr. Elder really needs to know for ARPA funding purposes.

Ms. Spiggle-commented the Town cannot wait until 2030 to find out about the Town's water supply.

Mr. Elder responded that the $66,000 remaining is for a SCADA system to be installed to monitor the wells. He recommends that the Town not spend the ARPA funding on a SCADA system for the wells until we know we will be using them. The wells can be used without the SCADA system.

Mr. McGhee added that the town could set its own yellow and red lines for dates that we will have to make the call not to wait any longer for a resolution to the water purchase contract. Mr. McGhee said that he and Roxanne Casto attended a meeting recently explaining there is a lot of money available for water related items.

Mr. Simpson- requested to place this item on hold for 12 months and revisit this topic collectively as a Council. Mr. Simpson also commented that to use ARPA funding for water related items like a SCADA system would be a poor decision as water funding opportunities are always available.

Ms. Puckette-so we could put $66,000 into contingency/non-committed funding?
There was no objection to this option.

Mr. McGhee-asked if anyone knew what SCADA stands for? Supervisory Controls and Data Acquisition. It means you can run things from afar.

Mrs. Puckette-we discussed at the last meeting the possibility of increasing our limits for the bidding process. Roxanne looked up the regulations—she talked to Frank Wright and more information will be available at the next meeting.

Mr. Garrett-none

Ms. Spiggle-none

Council Standing Committee Reports:

Finance and Planning-None

Physical Development Committee-None

ARPA-On a committee recommendation, Council voted to approve $205,000 to CHA for the I & I study on the SBR side of Town.

Roll call vote: Boyce-yes, Spiggle-yes, Simpson-yes, Garrett-yes, Puckette-yes. Motion carried 5-0.

Staff Reports:

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to approve the following transactions to the existing Sewer Savings Account: add $144,261.62 to the balance as of 10-31-2022 to sewer savings of $10,934.38 for a total of $125,196.00. This amount will be the restricted balance in sewer savings until 11-4-2060 or upon full repayment of the loan. All members present voting aye. Motion carried 5-0.

Mr. Elder reported on issues at the TFP with hydrogen peroxide and the smell of sewage at the SBR facility. He also met with Doug Hudgins to discuss left over funding in the I & I/TFP project. USDA is thinking of allowing the Town to use the balance of funds for a sewer vac truck, 300 ft of sewer line and 50 additional laterals in Town. Two additional Public Work's employees have been hired (last week & 12/12/2022 start dates).

Mrs. Ray provided a report of the Town's financials as of 10-31-2022. Council provided consensus of Mrs. Ray's format of the ARPA funding. Roxanne Casto assisted with the Worker's Comp Audit on 11-29-2022. Brown Edwards audit firm will be present on December 12, 2022 to provide the FY 22 audit report.

Ms. Spiggle reported that Don Jones complimented the Town for all the Christmas decorations at Abbitt Park and the Depot.

Mr. McGhee reported on the following:

- The Appomattox County Sheriff's Office delivered the letter to Mrs. Olivarri. Not much has changed with this situation.
- The Town will have access to a grant to study the old garment factory beginning in January 2023.
- He had a conversation with the Town Attorney regarding liabilities issues with funding a drug dog for the Sheriff's Office.
- Civic Plus (website) provided the Town with a quote for web services.
- Virginia Metal Fab, the Lynchburg Regional Business Alliance along with Ron Martin were performing a walk through in advance of the Governor's visit.

Mrs. Casto reminded Council of the Public Hearing planned for December 12, 2022 for amendments to the R-2 zoning district.

CLOSED SESSION

On a motion by Mrs. Puckette, seconded by Mr. Simpson, 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 discussing the performance of a specific public employee, specifically being Employee A.

ROLL CALL VOTE: Simpson-aye; Puckette-aye; Garrett-aye; Boyce-aye; Spiggle-aye

The meeting was re-opened to the public.

Council Member Mr. Boyce made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Ms. Spiggle and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Boyce-yes; Spiggle-yes; Puckette-yes; Garrett-yes (Simpson left during closed session) Motion carried 4-0.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 9:12 p.m. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
December 12, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, December 12, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle.

Absent: Nathan A. Simpson

Others: Jeff Elder; Blair Smith; Jane and Scotty Allen; Drew and Tiffany Dearing; Carlton Duck; Janet Hix; Hailey Fox; Susan Chapman; Kim Ray, Treasurer; Dana Glover; Rob Fowler; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Public Hearing

TO THE CITIZENS OF THE TOWN OF APPOMATTOX
NOTICE OF PUBLIC HEARINGS

PLEASE TAKE NOTICE that at its meeting to be held on Tuesday, December 6, 2022, at the hour of 6:00 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Planning Commission will conduct a public hearing on AN ORDINANCE TO AMEND the Code of the Town of Appomattox by deleting and repealing Chapter 195, Zoning, Article IV to be entitled Residential District, Limited, R-2 (Village Homes) and replacing it with a new Chapter 195, Article IV to be entitled Residential District, Limited, R-2.

The Planning Commission will make its recommendation with respect thereto to the Appomattox Town Council for its consideration at its meeting to be held on Tuesday, December 6, 2022 at 6:00 p.m.

PLEASE TAKE FURTHER NOTICE that at its meeting to be held on Monday, December 12, 2022, at the hour of 6:30 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Council will consider the recommendations of the Planning Commission with respect to the above described AN ORDINANCE TO AMEND the Code of the Town of Appomattox by deleting and repealing Chapter 195, Zoning, Article IV to be entitled Residential District, Limited, R-2 (Village Homes) and replacing it with a new Chapter 195, Article IV to be entitled Residential District, Limited, R-2. The Town Council will have said ordinance proposed to it for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

The entire text of the above-noted revision is on file in the Town Office, 210 Linden Street, Appomattox, Virginia, and can be examined there between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

The public is invited to attend and make their views known.

Staff presentation-Mr. Fowler explained this amendment is intended to redefine R-2 and include short term rentals. The process for permitted uses will remain the same. The Planning Commission approved the amendment at their meeting on December 6, 2022.

Council Comments-none
Public Comments-none

Mayor Conner closed the hearing.

Action Item:
On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to approve AN ORDINANCE TO AMEND the Code of the Town of Appomattox by deleting and repealing Chapter 195, Zoning, Article IV to be entitled Residential District, Limited, R-2 (Village Homes) and replacing it with a new Chapter 195, Zoning, Article IV to be entitled Residential District, Limited, R-2;

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

Section 1. The Code of the Town of Appomattox is hereby amended by deleting and repealing Chapter 195, Zoning, Article IV, Residential District, Limited, R-2 (Village Homes) and

Section 2. The Code of the Town of Appomattox is hereby amending by adding thereto a new Chapter to replace Chapter 195, Zoning, Article IV hereinabove repealed, to be Chapter 195, Zoning, Article IV, Residential District, Limited, R-2 to read as follows:

§ 195-32.1. Statement of Intent.
§ 195-32.2. Permitted Uses.
§ 195-32.3. Lot size; yard regulations.
§ 195-32.4. Uses by Special Use Permit (Development Standards).
§ 195-32.5. Height regulations.
§ 195-32.6. Square footage requirements.
§ 195-32.7. Landscaping requirements.

~~**§ 195-32. Statement of intent.**~~

~~This district covers that portion of the community intended for single-family residences as distinguished by smaller area regulations. This type of residence requires the special landscaping or architectural treatment set forth in this article. The standards contained herein are designed to reduce noise transmission between residences, reduce visual intrusion and decrease the impact of smaller area requirements on adjacent properties. Village homes can only be constructed in specified Residential Districts R-2. A special use permit is required.~~

~~§ 195-33. Uses permitted.~~

~~Village homes are permitted in R-2 Residential Districts subject to the approval of a tentative site plan including the location of all proposed structures, exterior views, and preliminary landscaping proposals showing the location, quantity and type of plant materials.~~

~~§ 195-34. Lot size; yard regulations.~~

~~A. Lot area. The minimum lot area shall be 4,500 square feet.~~

~~B. Lot width. The minimum lot width shall be 45 feet measured at the point of required setback line.~~

~~C. Lot depth. The minimum lot depth shall be 75 feet.~~

~~D. Front depth. The minimum depth of the front yard shall be 25 feet.~~

~~E. Rear yard. All dwellings shall have a minimum rear yard of 15 feet. Unattached buildings of accessory use shall not be located closer to any rear lot line than five feet.~~

~~F. Side yard. Side yards abutting a public street shall have a setback of not less than 20 feet; however, side yards not abutting on a public street may be reduced or eliminated, provided that:~~

~~(1) At least 50% of the side yard reduced by this procedure is made up on the opposite side of the site;~~

~~(2) Where a reduced side yard is used, the abutting site must be held under the same ownership at the time of issuance of the building permit;~~

~~(3) Unless a zero side yard is used, the side yard shall not be less than five feet;~~

~~(4) The wall of any structure constructed along a common property line shall be solid masonry material or other materials approved by the statewide building code that would provide the appropriate fire rating;~~

~~(5) Finished grade of any proposed residence at the common property line shall not exceed finished grade on the abutting property by more than four feet in height.~~

~~§ 195-35. Height regulations.~~

~~No dwelling shall exceed three stories or 35 feet in height whichever is less. Accessory buildings shall not exceed 15 feet in height.~~

~~§ 195-36. Square footage requirements.~~

~~A. Dwellings shall have a minimum of 1,200 square feet exclusive of porches and garages. Additionally, multistory dwellings must contain at least 800 square feet on~~

~~the main level, and below-ground levels cannot be used to meet the required minimum area of 1,200 square feet.~~

~~B. In addition to the requirements of Subsection A, all dwellings shall have 100 square feet of enclosed storage space. The storage space may be an integral part of the dwelling, or it may be in the form of an accessory building meeting the requirements of this chapter and all other applicable laws.~~

~~**§ 195-37. Landscaping requirements.**~~

~~A. The yards of Village homes shall be landscaped and shall include, at a minimum, the installation of one shade tree and three evergreen shrubs or decorative trees and at least one of the following three landscaping or architectural treatments:~~

~~(1) A front yard raised above the grade of the sidewalk by at least three inches and four flowering or evergreen shrubs.~~

~~(2) Two decorative trees, a hedge consisting of at least 20 plants, and 10 flowering or evergreen shrubs or alternatively 20 flowering or evergreen shrubs.~~

~~(3) A berm or earth mound averaging 18 inches above the average grade of the rest of the yard and covering 20% of the lot not covered by the dwelling or other structures. The berm or earth mound shall be covered with grass or ground cover and must be planted with at least four decorative trees or evergreen shrubs.~~

~~B. Standards. The requirements of "landscaping requirements" shall be met prior to issuance of an occupancy permit for any dwellings permitted under this chapter.~~

§ 195-32.1 Statement of intent.

This district covers that portion of the community intended for single-family residences as distinguished by smaller lot area regulations. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life where there are children, and to prohibit all activities of a commercial nature.

§ 195-32.2 Permitted uses.

A. Single-family dwellings.

B. Short Term Rentals.

C. Home occupations, as defined in this chapter, conducted by the occupant.

§ 195-32.3. Lot size; yard regulations.

A. Lot area. The minimum lot area shall be 4,500 square feet.

B. Lot width. The minimum lot width shall be 45 feet measured at the point of required setback line.

C. Lot depth. The minimum lot depth shall be 75 feet.

D. Front depth. The minimum depth of the front yard shall be 25 feet.

E. Side yard. The minimum setback of the side yard shall be at least five feet.

F. Rear yard. All dwellings shall have a minimum rear yard of 15 feet. Unattached buildings of accessory use shall not be located closer to any rear lot line than five feet.

§ 195-32.4. Uses by Special Use Permit. (Development Standards)

A. Village homes are permitted in R-2 Residential Districts subject to the approval of a tentative site plan including the location of all proposed structures, exterior views, and preliminary landscaping proposals showing the location, quantity, and type of plant materials.

B. Lot area. The minimum lot area shall be 4,500 square feet.

C. Lot width. The minimum lot width shall be 45 feet measured at the point of required setback line.

D. Lot depth. The minimum lot depth shall be 75 feet.

E. Front depth. The minimum depth of the front yard shall be 25 feet.

F. Side yard. Side yards abutting a public street shall have a setback of not less than 20 feet; however, side yards not abutting on a public street may be reduced or eliminated, provided that:

(1) At least 50% of the side yard reduced by this procedure is made up on the opposite side of the site;

(2) Where a reduced side yard is used, the abutting site must be held under the same ownership at the time of issuance of the building permit;

(3) Unless a zero-side yard is used, the side yard shall not be less than five feet;

(4) The wall of any structure constructed along a common property line shall be solid masonry material or other materials approved by the statewide building code that would provide the appropriate fire rating;

(5) Finished grade of any proposed residence at the common property line shall not exceed finished grade on the abutting property by more than four feet in height.

G. Rear yard. All dwellings shall have a minimum rear yard of 15 feet. Unattached buildings of accessory use shall not be located closer to any rear lot line than five feet.

§ 195-32.5. Height regulations.

No dwelling shall exceed three stories or 35 feet in height whichever is less. Accessory buildings shall not exceed 15 feet in height.

§ 195-32.6. Square footage requirements.

A. Dwellings shall have a minimum of 1,200 square feet exclusive of porches and garages. Additionally, multistory dwellings must contain at least 800 square feet on the main level, and below-ground levels cannot be used to meet the required minimum area of 1,200 square feet.

B. In addition to the requirements of Subsection A, all dwellings shall have 100 square feet of enclosed storage space. The storage space may be an integral part of the dwelling, or it may be in the form of an accessory building meeting the requirements of this chapter and all other applicable laws.

§ 195-32.7. Landscaping requirements.

A. The yards of Village homes shall be landscaped and shall include, at a minimum, the installation of one shade tree and three evergreen shrubs or decorative trees and at least one of the following three landscaping or architectural treatments:

(1) A front yard raised above the grade of the sidewalk by at least three inches and four flowering or evergreen shrubs.

(2) Two decorative trees, a hedge consisting of at least 20 plants, and 10 flowering or evergreen shrubs or alternatively 20 flowering or evergreen shrubs.

(3) A berm or earth mound averaging 18 inches above the average grade of the rest of the yard and covering 20% of the lot not covered by the dwelling or other structures. The berm or earth mound shall be covered with grass or ground cover and must be planted with at least four decorative trees or evergreen shrubs.

B. Standards. The requirements of "landscaping requirements" shall be met prior to issuance of an occupancy permit for any dwellings permitted under this chapter.

Section 3. Effective date.

This ordinance shall become effective on December 12, 2022.

All members present voting aye. Motion carried 4-0.

Reverend Duck led the Prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments: none

Scheduled Public Appearances:

1. Honorable Janet A. Hix-Appomattox County Circuit Court Clerk administered the oath of office to the Mayor and each council member.
   Mayor Richard Conner-2-year term-January 1, 2023 to December 31, 2024.

   Council members Mary Lou Spiggle and Timothy W. Garrett-4-year term-January 1, 2023 to December 31, 2026.

   Council members Claudia Puckette, James Boyce, Sr, Jane T. Allen-2-year term-January 1, 2023 to December 31, 2024.

   Mr. Nathan Simpson was absent and will appear in Mrs. Hix's office for his oath to be administered.

2. Hailey Fox and Susan Chapman with Brown Edwards appeared before Council to present the FY 2022 Audit Report. The FY 2022 audit received a clear unmodified audit opinion. The FY 2022 audit required another single audit due to the amount of federal funding received. There were no findings or audit issues for the single audit.

   Council thanked Ms. Fox and Ms. Chapman for the update/report.

3. Blair Smith with Dominion Seven Architects appeared before Council to provide an update on the bid received for the train depot renovations. Jamerson-Lewis Construction was the only bidder for the project.

Action Item:
On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to accept the base bid of $485,500 and alternate #3-standing Seam Copper for $120,000, making a total of $605,500 from Jamerson-Lewis Construction for the train depot roofing renovations.
Roll call vote: Boyce-yes, Spiggle-yes, Garrett-yes, Puckette-yes. Motion carried 4-0.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to approve the consent agenda for December 12, 2022 as presented. All members present voting aye. Motion carried 4-0.

Unfinished Business: none

New Business
Item #1-action taken immediately following the public hearing.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to amend the Utility Policy for filling of swimming pools, portable tanks, etc. All members present voting aye. Motion carried 4-0.

Mayors Comments
Friday, December 9, 2022 was a grand day in Appomattox as Virginia Metal Fabrication held their grand opening and open house. He expressed his excitement of the regrowth of manufacturing in our community.

He is making it an initiative for Made in America, USA-Made in Hometown, Appomattox. There was a great deal of publicity for the open house event with representatives from the federal, state, Town, Lynchburg Regional Business Alliance, and the Virginia Economic Development Partnership.

Council Standing Committee Reports:
Physical Development Committee-Mr. Garrett reported Council voted to proceed with Depot renovations.

Finance and Planning Committee: none

ARPA: none

Citizen Comment: none

Town Manager's Report:
Mr. McGhee supplied Council with a written manager's report however, he added that Council should wait until a future meeting to decide on whether to move forward with a drug dog for Appomattox County.

Council Comment:
Mrs. Puckette-Congratulated Jane Allen Council member-elect.

Mr. Boyce-Approached by a citizen for the Town to have a conversation with VDOT for a handicap space on Main Street.
There is a pothole on Cawthorne Street near the intersection with Red House Road.

Ms. Spiggle-none

Mr. Garrett-Would like for the Town to consider writing a letter to Centra Health requesting a walk-in clinic in Appomattox. The Appomattox community has a real need for medical services.

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 7:40 pm. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
January 9, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, January 9, 2023 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle.

Absent: Nathan A. Simpson

Others: Steven Boyer, President, Appomattox County Chamber of Commerce; Don Wilk, Rev. Carlton Duck, Calvin Poteat, D'Michael Jordan, Frank A. Wright, Jr., Town Attorney; Kim Ray, Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Reverend Duck led the Prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments: Welcomed the beginning of a new year in Appomattox. A new company, Virginia Metal Fab was welcomed to Town at the end of 2022 and he is proud of the products being made in our hometown.

Scheduled Public Appearances:

1. Mr. Calvin Poteat and Mr. D'Michael Jordan appeared before Council to request approval for opening a skilled gaming facility in the Triangle Plaza shopping center. The skilled gaming machines are like those already located in gas stations. The difference between his request and the machines located in the gas stations/convenience stores is that the machines are secondary to their main business. The skilled gaming machines Mr. Poteat is proposing would be the primary business. The Town Code does not allow this type of activity as the primary business.

   Town Council thanked Mr. Poteat and Mr. Jordan for the presentation of the request. Mr. McGhee will follow up with Mr. Poteat and Mr. Jordan.

2. Mr. Steven Boyer, President, Appomattox County Chamber of Commerce appeared before Council to introduce himself. In this next year, he plans to revamp the tools, resources, and training opportunities.

   Mayor Conner asked how many businesses are Chamber members? Mr. Boyer replied 97 businesses. Mr. Boyer also mentioned that the Chamber Office is currently located at his home and the home of Whitney Napier, Office Manager.

Adoption of the Consent Agenda:
On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to approve the consent agenda for January 9, 2023 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business: none

New Business
Ms. Spiggle nominated Mr. Garrett as Vice-Mayor of the Town Council. Mayor Conner closed the nominations as no other nominations were received. Mayor Conner called for the vote. All members present voting aye. Motion carried 5-0.

On a motion by Ms. Puckette, seconded by Mr. Garrett, Council voted to adopt the 2023 Town Council meeting schedule. All members present voting aye. Motion carried 5-0.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to appoint Jim Boyce to the Town of Appomattox Planning Commission and Mary Lou Spiggle and Claudia G. Puckette to the Town of Appomattox Economic Development Authority with terms coinciding with their terms on Council. All members present voting aye. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to reappoint Mr. C. Lewis McDearmon, Jr. to the Town of Appomattox Economic Development Authority with a term expiring December 31, 2026. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to adopt a resolution to set the monthly compensation for the Mayor, Vice-Mayor, and Council members effective January 1, 2023. All members present voting aye. Motion carried 5-0.

RESOLUTION

WHEREAS, the Appomattox Town Council desires to compensate the Mayor, Vice-Mayor, and each Council Member for their service to the Town and its citizens, and

WHEREAS, the Appomattox Town Council sets the monthly compensation rate at $300.00 (Three hundred dollars) for each Council Member, $400 (Four hundred dollars) for the Vice-Mayor and $500.00 (Five hundred dollars) for the Mayor, and

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council authorizes this action to begin on January 1, 2023.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt the resolution to set the monthly compensation for the Town of Appomattox Planning Commission members effective January 1, 2023. All members present voting aye. Motion carried 5-0.

RESOLUTION

WHEREAS, the Appomattox Town Council desires to compensate the members of the Appomattox Planning Commission for their service to the Town and its citizens, and

WHEREAS, the Appomattox Town Council sets the compensation rate at $100.00 (One hundred dollars) a month, and

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council authorizes this action to begin on January 1, 2023.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to purchase (through eVA) a 2023 Ram 1500 Regular Cab 4x4 truck for $41,000 from Hall Automotive. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. Garrett, seconded by Ms. Spiggle, Council voted to approve the FY 2023 write-off request due to the statute of limitations for collection – Unpaid 2017 Personal Property taxes in the amount of $3,234.48 and unpaid 2019 Utilities in the amount of $563.85. All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports: none

Finance and Planning Committee: none

ARPA: none

Citizen Comment: none

Town Manager's Report:
Mr. McGhee provided a written report and updated on the following items:

- Staff will begin producing the FY 2024 budget. A schedule was provided.
- The first fifty (50) LED streetlights should be installed soon.
- The recommendation letter for a medical provider to locate in the Appomattox area may need to come from the Town of Appomattox Economic Development Authority.
- The contract phase of the depot is rolling along. There were a few modifications that needed to be added to the contract with Jamerson-Lewis.
- The pre-bid meeting for the Downtown project will be held on January 11, 2023. Bids are due January 26, 2023.
- The Virginia Municipal League held a newly elected officials conference with included information on the Freedom of Information Act and Conflicts of Interest. Mayor Conner, Ms. Spiggle, Ms. Puckette, and Mr. McGhee attended virtually.

Council Comment:

Mrs. Allen – none

Mr. Boyce – With a new year, 2023, comes new hopes of getting more things done.

Mrs. Puckette – none

Ms. Spiggle – Reiterated Mr. Boyce's comments.

Mr. Garrett - none

Closed Session:
On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to convene in Closed Session, pursuant to Section 2.2-3711(A)8, for the purpose of consultation with legal counsel retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel, specifically pertaining to skilled game businesses.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:45 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
January 24, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, January 24, 2023 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, and Claudia G. Puckette.

Others present: Sharon Walker, Times Virginian; Carlton Duck, Jeff Elder; Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

DISCUSSION ITEMS:

Mr. Simpson led the discussion regarding the Historic Appomattox.org/com website which was rebuilt in 2018. An explanation of the various organizations advertising /informing individuals of Appomattox varies. The Virginia Tourism Corporation expresses that the responsibility of the Tourism website for Appomattox should be the Destination Marketing Organization, which is the Town of Appomattox. Mr. Simpson agrees CivicPlus or Granicus may be an option for the Town website, he would like Council to consider advertising locally a Request for Proposal with the published maximum budget to see if any local firms are willing to submit a proposal.

Mr. McGhee displayed his research of all the Appomattox related websites.

Mr. Simpson explained Experience Appomattox has the most up to date information, but it is a pay to play environment of the Appomattox Tourism Committee.

Council agreed that all businesses need to be promoted. Council further encouraged Mr. McGhee to request the Appomattox Tourism Committee allow him to attend a meeting and express the Town's concerns.

COUNCIL COMMENTS:

Mayor Conner - went to the Virginia Municipal League Local Government Day in Richmond, VA.

Jane T. Allen - none

James J. Boyce –

> Well, the eye sore on Confederate Blvd continues to have siding blowing across the street anytime there is a windy event. We must do something with that building. Ms. Spiggle said the building inspector says the structure is sound but agrees it is a safety issue. Mr. Simpson said the value of the land will never exceed the cost to tear it down. Mr.

McGhee continues to discuss options with the Central Virginia Planning District Commission regarding Brownfield funds. It is "study" money and may be able to tell us what it might cost to remove the structure. The Town has something to start with. If there were some public funds available the property owners seemed open to it.
All council members were agreeable with investigating the options for the building.

Mary Lou Spiggle - wished Claudia G. Puckette a happy birthday today!

Timothy W. Garrett - none

Nathan A Simpson – had several items:

Performance Evaluation - It is a new year and the Town's four (4) key leadership positions—Town Manager, Treasurer, Clerk & Utilities Director need executed performance reviews.

Generators – Mr. Simpson inquired as to the status of the generator project. Mr. McGhee said staff is ready to put it out for advertisement. Mr. McGhee also stated he is expecting a 6–12-month lead time on equipment. Currently he has spoken with six (6) vendors.

Memorandum of Understanding - Mr. Simpson inquired if the Memorandum of Understanding with Virginia Dominion Energy regarding the fiber has been signed/executed. Mr. McGhee advised he did sign on behalf of the town and he would check with Virginia Dominion Energy for an update.

Retreat - Mr. Simpson requested an agenda item for the June 2023 meeting reference the Annual Council Retreat.

Sheriff's Office Agreement - Mr. Simpson would like to see an increase in the Sheriff's stipend with a new agreement on January 1, 2024, in the FY 2024 budget.

Claudia G. Puckette - none

STANDING COMMITTEE REPORTS:

American Rescue Plan Act - Council provided consensus to spend $10,000 for Council room equipment upgrades. The item was once proposed to be funded by the General Fund.

Mr. Elder suggests removing the wet vacuum and the Court-Main-Lee St waterline project from the uncommitted funds, roughly $600,000 total.

Mr. McGhee commented that the ARPA funds can be used on a lot of things. Grant opportunities exist for funding of water and sewer projects.

STAFF REPORTS:

Jeff Elder - presented changing the benches on Main Street. The Appomattox Downtown Revitalization grant project has four (4) benches in the design. The maintenance of the current benches is extensive. Staff recommends using the allocated funds for replanting shrubbery downtown to fund $5,513.10 (approximately) to replace the current benches. The shrubbery replacement will be moved out until the outside depot renovations are complete.

Kim Ray - presented the financial report as of 12-31-2022, 6 months into the FY 2023 budget.

Mr. Terry McGhee - presented his written manager's report outlining the following items:

- Train Depot renovations
- Written request received by the Appomattox Civil War Museum for $15,000 each year for 5 years=$75,000
- Leaf collection is extended until the end of January 2023
- 100th year anniversary of the Town of Appomattox
- Website design

Mr. Simpson expressed his desire for a town cookout in August or September for FY 2024

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Mr. Nathan A. Simpson, Council voted to adjourn at 8:00 pm. All council members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
February 13, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, February 13, 2023 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, and Nathan A. Simpson.

Absent: Timothy W. Garrett

Others: Jeff Elder, Facilities Director Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council.

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

Mayor's Comments: Mayor Conner stated the Council is conducting the matters of the public.

Scheduled Public Appearances:

1. Honorable Donald D. Simpson, Sheriff, Appomattox County appeared before Council to thank Council for all they have done for him and his office. The office has 20 full-time positions and 7 part-time positions. Two (2) of the full-time positions are funded by the Town of Appomattox. Sheriff Simpson presented Council with the funding obligations needed for adding a drug canine. The purchase of the canine, training and housing for 4-6 weeks is $12,500. The goal is to have an officer start the training in June 2023. This would not be an attack dog, but a drug dog, specifically for narcotics, heroin, and meth. There is an additional one-time expense of approximately $5000 for a good kennel and concrete pad, $1,500 for a partition for the police vehicle and yearly maintenance for food and vet expenses of $5,600. This would provide an additional tool to combat drugs. There is nothing better than a well-trained dog, said Sheriff Simpson. The time frame for a good working dog is 5-7 years.

   Sheriff Simpson also requested the Town consider funding a new vehicle for their fleet. The approximate cost is $52,000-55,000. This vehicle would be used in the patrol fleet.

   Town Council thanked the Sheriff and his office for all they are doing for the community.

2. Dr. Rob Havers, Appomattox Civil War Museum, President and CEO introduced himself to Council and provided a handout including a letter and budget. The financial request of the Town of Appomattox to the Appomattox Civil War Museum is $15,000 per year for 5 years=$75,000.

   Mr. Bill Jamerson thanked the Council for the opportunity to speak on behalf of the advisory committee for Appomattox Civil War Museum. Dr. Havers, Appomattox Civil War Museum President and CEO has been with the museum for about two (2) years and is a true asset. Over three (3) years ago Dr. Paul Harvey tried to get more interest and

support for the museum. Appomattox needed a voice. About 15-16 local citizens created a local advisory board who started having activities and a campaign to raise money.

Adoption of the Consent Agenda:
On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to add NB#6-Consideration to recommend Jacob Ranson to the Joint Board of Zoning Appeals. All members present voting aye. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mr. Simpson, Council voted to add NB#7-Council discussion of the process for the managerial evaluation. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to adopt the consent agenda for Monday, February 13, 2023 as presented with the addition of NB#6-Consideration to recommend Jacob Ranson to the Joint Board of Zoning Appeals and NB#7-Council discussion of the process for the managerial evaluation. All members present voting aye. Motion carried 5-0.

Unfinished Business: none

New Business
Mr. Elder, Facilities Director, advised Council there are two (2) sewer pumps needing to be replaced for a cost not to exceed $10,000 in the FY2023 budget. Council informed Mr. Elder that if the fund appears to be low near the end of the fiscal year a budget amendment may be needed. Otherwise, based on historical data, the fund should be able to absorb this expense.

On a motion by Mr. Simpson, seconded by Mrs. Puckette, Council voted to recommend Jacob Ranson to the Joint Board of Zoning Appeals with a term expiring December 31, 2024. All members present voting aye. Motion carried 5-0.

Ms. Spiggle recommended Mr. Simpson lead the evaluation process of the Town Manager. Mr. Simpson, Ms. Spiggle, and Mr. Boyce will serve on the evaluation committee. Council provided consensus as no vote was needed.

Council Standing Committee Reports:

Mrs. Puckette commented staff is learning more about American Rescue Plan Act funding and will be putting forth a list.

Finance and Planning Committee: none

Physical Development Committee: none

Citizen Comment:
None

Town Manager's Report:

Mr. McGhee provided a written report and updated on the following items:

- He attended a meeting of the Appomattox Tourism Committee
- FY2024 budget developments are well underway.
- He and Mrs. Puckette met with the owners of the Courtland Manufacturing building to address safety concerns.
- He will be attending the Appomattox County Board of Supervisors meeting on February 21, 2023 to request a waiver of the building permit fees for the depot.
- He will begin retrieving the Town data for Lee Grant Avenue improvement. Mr. Elder will provide the Hurt & Proffitt study to Mr. McGhee.
- The company inquiring to open a business for skilled gaming is considering adding Appomattox as an area for a restaurant and bar as a primary business.
- Mr. McGhee also provided an update on the Train Depot renovations.

Council Comment:

Mrs. Puckette – none

Mr. Simpson-asked Mr. McGhee to obtain an executed copy of the agreement with Dominion Virginia Energy for the Internet Service Provider. Also, he would like the Town to execute the contract for a new website.

Mrs. Allen – none

Mr. Boyce – none

Ms. Spiggle – Happy Valentine's Day tomorrow to everyone.

Adjournment:

On a motion by Mrs. Allen, seconded by Ms. Spiggle, Council voted to adjourn at 7:45 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
February 28, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, February 28, 2023 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, and Claudia G. Puckette.

Others present: Carlton Duck, Chad Hodges, Jeff Elder; Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Mayor Conner opened the public hearing and the stated the purpose:

PUBLIC NOTICE OF A PUBLIC HEARING

The Appomattox Town Council will hold a public hearing on Tuesday, February 28, 2023 at 6:30 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia.

The purpose of this public hearing will be to receive public comments concerning the following:

1. **Amendment to the FY 2023 Budget for the Town of Appomattox** - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2023:

General Fund Expenditures Amendments	607,438.00
Total Expenditures Amendments	**607,438.00**
General Fund Revenue Amendments	607,438.00
Total Revenue Amendments	**607,438.00**

   Documentation is available at the Appomattox Municipal Building, Town Office, 210 Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact R. Terry McGhee, Town Manager at 434-352-8268.

Staff presentation - Ms. Casto explained the amendment as a FY23 Operating Budget for the General Fund for the depot renovation construction and a litter grant.

Public Comments - none

Mayor Conner closed the public hearing.

DISCUSSION/ACTION ITEMS:

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to adopt a Resolution amending the FY 2023 Operating Budget for the General Fund-Resolution #2023-002. ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to award the Church Street Water Line Replacement project to the low bidder, Toney Construction in the amount of $2,689,000. ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, Council voted to award the Downtown Improvement project to the low bidder, Toney Construction in the amount of $755,580. ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Boyce, Council voted to appropriate $500,000 from the FY2023 General Fund undesignated reserve for the Downtown Improvement Project. ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to approve three (3) out of town water connections for Tax Map #'s 63-8-10, 63-8-5, 63-8-11. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to approve $24,600 for a drug canine for the Appomattox County Sherriff's Office in FY 2023. ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to authorize the Town Manger to execute the contract with Civic Plus for a new Town website in the amount of $4,325 (annually) for FY 2023. ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

Performance Reviews

Mr. Simpson provided Council with a handout outlining his evaluation plan for the Senior Leadership of the Town of Appomattox. Mr. Simpson provided the following timeline:

March 10 - The committee will provide the Town Manager with a self-assessment for completion. He will begin to prep the self-assessment.

March17 - The Town Manager will submit the self-assessment and individual performance reviews of the Clerk, Treasurer, and Utilities Director for review by the committee.

March 20-24 - The committee chair will meet with each council member or council members can submit written comments to the chair.

March 28 - The chair will present a draft evaluation to Council for review in closed session.

April 10 - The committee will meet with the Town Manager to discuss all evaluations.

COUNCIL COMMENTS:

Claudia G. Puckette - thanked Council for voting to fund the drug dog.

Nathan A. Simpson - inquired about the signage for the truck route around Church Street, the Governors Press Release for Brownfield Grant awards, and the probability of Firefly not being available in the Town for at least 3 more years.

Timothy W. Garrett - none

Mary Lou Spiggle - thanked Council for the additional funding for the downtown project.

James J. Boyce - none

Jane T. Allen - commented it has been a nice two (2) months on Council. Everything done tonight is really exciting.

Mayor Conner - offered two suggestions for consideration in the FY2024 budget. The first is to fund an additional deputy for the Sheriff's office, contingent upon the County also funding one. The second item is to fund the vehicle requested by the Sheriff's office in the FY2023 budget and then to assign a certain amount of funding each year over a 5-year period for replacement of the vehicle.

STANDING COMMITTEE REPORTS:

Finance and Planning-none
Physical Development-none
ARPA-none

STAFF REPORTS:

Kim Ray-presented the financial report as of January 31, 2023. She also reported that 14% of the Personal Property taxes billed remained unpaid and received DMV stops. There were 192 stops for the 2022 taxes.

Roxanne Casto-reminded Council that budget meetings would start with the next meeting on March 13, 2023 at 5:45 pm.

Mr. McGhee-provided an update on the same items identified in his email on February 27, 2023.

Reverend Duck provided Council with a better understanding of the process for the town's infomercials.

On a motion by Claudia G. Puckette seconded by Mary Lou Spiggle, Council voted to procure the first five (5) programs at a total cost of $2500 plus $1000 for mileage expenses. ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

Lastly, James J Boyce, Sr. invited the Town Council to the 70th Anniversary celebration of Bible Baptist Church on Sunday, March 5, 2023.

ADJOURNMENT:

On a motion by Timothy W. Garrett, seconded by Mr. Nathan A. Simpson, Council voted to adjourn at 8:37 pm. All council members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Budget Work Session
March 13, 2023

The Appomattox Town Council held a Budget work session on Monday, March 13, 2023, at 5:45 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, and Mayor Richard Conner

Absent: Nathan A. Simpson

Others present: Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the budget work session to order.

Mrs. Ray and Mr. McGhee provided the first draft of the FY 2024 budget for the Town of Appomattox. They requested Council review the draft and bring any questions to the next meeting on March 28, 2023 or visit the Town Office.

The Community Funding requests will be heard at the March 28, 2023 Workshop meeting. Once Council reaches a consensus those amounts will be added to the draft budget.

ADJOURNMENT:

The budget work session adjourned at 6:15 pm.

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Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
March 13, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, March 13, 2023 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, and Timothy W. Garrett

Absent: Nathan A. Simpson

Others: Drew and Tiffany Dearing, Don Wilk, Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council.

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

Councilman Boyce led the Prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments: Mayor Conner reported the Council started the FY2024 budget process tonight.

Scheduled Public Appearances: none

Adoption of the Consent Agenda:
On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to adopt the consent agenda with the removal of New Business 2-Consideration to award the Generator project to the low bidder. All members present voting aye. Motion carried 5-0.

Unfinished Business: none

New Business
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to approve the FY2023-2024 Local Health Insurance Rates. All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports:

Finance and Planning Committee: none

Physical Development Committee: none

Town Council provided consensus 5-0 to reallocate the CIP FY2023 General Fund project - Slurry streets to the Atwood Street parking lot upgrade/construction (not an ARPA project) for $41,500.

The Slurry streets project will be funded through ARPA funding for $41,500.

Citizen Comment: none

Town Council also provided consensus 5-0 to fund the drug canine with ARPA funding for FY2023.

Town Manager's Report:
Mr. McGhee provided an update on the following projects:

- The renovations have begun on the train depot. The workers have not found a lot of damage so far. He provided an update on the Town purchasing material for this project.
- The Appomattox County Board of Supervisors request to discuss the transfer of the waterline is still on hold until the litigation is finalized for Appomattox County.
- There was an email hacked in December 2022 and there are some recommendations that have already been implemented.
- The Public Works department has experienced 3 resignations in the last month. Mr. McGhee met with Mr. Elder and Mrs. Rothgeb to discuss suggestions to retain employees longer.

Council Comment: none

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 7:30 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Budget Work Session
March 28, 2023

The Appomattox Town Council held a Budget work session on Tuesday, March 28, 2023, at 5:45 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, and Claudia G. Puckette, Mayor Richard Conner

Others present: Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the budget work session to order.

A brief discussion by Council consisted of how to handle the community funding presenters during the 6:30 workshop meeting. The Council agreed to provide the Town Manager with any questions, and he will research any of the matters and provide responses.

Mrs. Ray explained the changes on a coversheet from the last meeting on March 13, 2023.

Mr. Simpson requested a discussion concerning the Appomattox County Sheriff's stipend. The current stipend is $6000 per year and has been since at least 2013. Mr. Simpson would like to see Council consider raising the stipend to $8000 per year beginning with the term beginning January 1, 2024.

Mrs. Ray also spoke about the personal property values falling slightly for FY2024. Mr. Simpson and Mr. Boyce expressed interest in leaving the rate at the current $0.45 per $100 for FY2024 and revisiting the values in FY2025.

ADJOURNMENT:

The budget work session adjourned at 6:15 pm.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
March 28, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, March 28, 2023 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, and Claudia G. Puckette.

Others present: Charles Conrad; Carlton Duck; Jonathon Garrett; Don Jones; Dana Mayberry; Kia Scott; Stacy Castro; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Presentations for FY2024-Request for Community Funding:

Kia Scott, Secretary-Appomattox Railroad Festival
Ms. Scott appeared before Council to request $10,000 for the 51st Annual Railroad Festival scheduled for the second full weekend in October. The Appomattox Railroad Festival is a 501(C)3 organization responsible for planning the event. Last year (2022), was considered the largest parade and highest overall attendance for the 3-day event. The committee strives to improve each year.

Don Jones, Appomattox Tourism Committee-Experience Appomattox
Mr. Jones appeared before Town Council to request $10,000 for FY2024 to promote Experience Appomattox. He expressed appreciation for the past funding, provided an annual report of activities and explained that the committee is in the process of revamping the rack cards placed in visitor centers throughout the state. Mr. Jones also informed Council of the TV commercial that would be appearing on WSET next week April 5,6,7 in preparation of the 158th anniversary events. There will be a massive number of events happening in Town.

Jonathon Garrett, Chief-Appomattox Volunteer Fire Department
Mr. Garrett appeared before Council to provide an update for 2022. The fire department responded to 381 calls for service with 100% volunteer firefighters. He also thanked Council for the annual donation of $27,000. He requested use of the Town's ARPA funding to replace the 20-year-old air compressor.

Stacey Castro, Hurt and Proffitt, Inc.
Ms. Castro provided an update to the Utility Rate Study. A 3% increase yearly for water is recommended. A 3% increase every third year is recommended for sewer.

On a motion by Ms. Spiggle, seconded by Mr. Simpson, Council voted to fund the vehicle request from ARPA funds ($52,000).
ROLL CALL VOTE: Allen – yes, Boyce – yes, Garrett – yes, Puckette – yes, Simpson-yes, Spiggle – yes, Motion carried 6-0.

On a motion by Ms. Spiggle, seconded by Mr. Boyce, Council voted to fund the Appomattox Volunteer Fire Department's request to replace the air compressor from ARPA funds ($82,680). ROLL CALL VOTE: Allen – yes, Boyce – yes, Garrett – abstained, Puckette – yes, Simpson-yes; Spiggle – yes. Motion carried 5-0-1.

Dana Mayberry, General Manager-Appomattox Inn and Suites
Ms. Mayberry appeared before Council on behalf of the American Civil War Museum. She supports the American Civil War Museum's funding campaign and hopes Council will also. The American Civil War Museum is vital to the Appomattox Inn and Suites and Bed and Breakfasts in Appomattox. This summer, July 26-27, Appomattox will be hosting the mid-summer retreat of the board of directors for the American Civil War Museum.

COUNCIL COMMENTS:

Timothy W. Garrett – inquired about the status of the depot renovations. (Manager's Report)

Mary Lou Spiggle-none

Nathan A. Simpson – inquired about the status of the Old Courthouse Smart Scale project. Mr. McGhee indicated it would be November 2023 before construction begins.

James J. Boyce - none

Jane T. Allen - none

Claudia G. Puckette - none

STANDING COMMITTEE REPORTS:

Finance and Planning-none
Physical Development-none
ARPA-funding was approved for the Sheriff's Office vehicle and the air compressor at the Appomattox Volunteer Fire Department.

Mr. Garrett would like to look at the Real Estate Tax rate again and offset the difference with Meals Tax funding.

STAFF REPORTS:

Kim Ray-gave the finance report as of February 2023.

Mr. McGhee-discussed his update from March 28, 2023:

- Mr. McGhee will research prices for a study to attract a "walk-in" medical care facility.
- Mr. Elder is working on a policy proposal to address the treatment of rainwater. It should be ready for review in May 2023.
- Garment Factory-Mr. Lawson indicates Mr. Gobble on the Town's EDA is researching options and outcomes for him.
- Staff will have a website meeting on April 4, 2023.
- Update on the Train Depot.
- Mr. McGhee would like Council to entertain a Utilization and Renovation Study for the Town Hall building including media upgrades at the Public Works building.

Mr. Simpson asked Council to consider the old Gallery building at the end of Main Street. It is bank owned, 15,000 sq ft and tearing down a portion in the back would provide 15-20 parking spaces.

Mr. Boyce asked Council to consider no sewer increases and only a water increase in FY2024 and FY2025.

ADJOURNMENT:

On a motion by Timothy W. Garrett, seconded by Mrs. Claudia Puckette, Council voted to adjourn at 8:05 pm. All council members present voting aye. Motion carried 6-0.

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Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Budget Work Session
April 10, 2023

The Appomattox Town Council held a Budget work session on Monday, April 10, 2023, at 5:45 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, and Claudia G. Puckette, Mayor Richard Conner

Others present: Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the budget work session to order.

Discussion/Topics:

1. Mr. McGhee discussed with Council the possibility of conducting an Architectural and Engineering Study of the Town Office building. The study will take a complete look at the entire building—HVAC, windows, and the possibility of an elevator and expanding office/space downstairs. The estimated cost is $23,500. There is the possibility of using ARPA funding.

   Town Council wants input after a study is completed. Mr. Garrett stated an elevator could cost $400-500,000. Nathan Simpson would like Council to consider other options of buildings.

2. Additional Deputy-Mrs. Ray explained she needs direction from Council if they would like to include the funding in the FY2024 budget or use ARPA funding. After much discussion, Council agreed to take the next 6 months to meet with the County of Appomattox and come up with 5-year plan (CIP) for emergency (Public Safety) services.

   The Council reached consensus to table the topic of an additional deputy and consider a budget amendment at a later date, if necessary.

3. Mr. McGhee explained how difficult it has become to give merit raises. Mrs. Casto explained the methodology for suggesting a 7% Cost of Living Adjustment increase for Town employees/positions. Mr. Simpson stated his concurrence with 7% but indicated a desire to look at the compensation for the Public Works Department. Mr. Garrett stated a desire to see a 9% scenario. Staff will prepare a scenario for 9%, look at public works with starting hourly rate of $19/hour and address any compression issues that might arise.

   Jane T. Allen, Mary Lou Spiggle, Timothy W. Garrett, and Claudia G. Puckette were all ok with 9% and minimum $19/hr.

4. DONATIONS
   Mrs. Ray discussed with Council the Community Funding requests received for FY2024 and advised she needed input for budgeting purposes $10,000 Railroad Festival; $10,000 Experience Appomattox and $15,000 American Civil War Museum

   The American Civil War Museum requests $15,000 per year for five (5) years. The Historical Society sent in a letter of support for the American Civil War Museum.

   The Council discussed their views regarding whether the American Civil War Museum is a business or non-profit organization. Mrs. Ray advised that the American Civil War Museum is considered a non-profit 501(c)3 organization. The American Civil War Museum charges admission and has a gift shop. Providing the funding for the museum could open the town up to future donations to all the other non-profit organizations in the town.

   The Council also discussed the need to raise the amount of funds needed for Christmas decorations. Mr. Elder explained due to the downtown revitalization project, more lighting poles would need to be decorated.

   The Council discussed a joint effort between The Town and the Appomattox Tourism Committee to revamp the tourism website. Mr. Simpson explained this would only be contingent if the Appomattox Tourism committee agrees to take the lead on the project.

   The Council also held a brief discussion of creating a methodology (a percentage of the budget) for donations. The Council recognizes the Fourth of July Fireworks and Christmas decorations as community donations. All other requests would be charitable donations.

   Council discussed at length their views on fiscal responsibility, the number of current town projects and those on the horizon. They also discussed the term double taxation and the Town and County each funding/donating the same amount to the same organizations.

   The consensus of Council appears to be to continue funding the Appomattox Railroad Festival at $10,000; the Appomattox Tourism Committee—Experience Appomattox, as the Town's marketing campaign for $10,000; and $3,500 contingent upon a joint agreement to revamp the tourism website. These amounts will be considered charitable donations for FY2024.

5. Tax Rates/Water and Sewer Rates-The Council discussed the Town's real estate tax rate currently $0.11/$100 of the assessed value. To reduce the tax rate by .01 (penny) the Town's revenue would decrease by $15,000. Council discussed lowering the tax rate as a way to encourage people to move into the Town and to incentivize growth. Mrs. Ray, Treasurer, explained the new reassessment is scheduled for 2026. The Town will need to

consider those reassessments and choose to lower, equalize or raise the real estate tax rate.

The personal property tax rate of $0.45/$100 of the assessed value will reduce the Town's anticipated revenue for FY2024 by $3,000. If the rate were raised by $0.01 (penny) it is anticipated the Town would lose only $400.

Council also discussed the water and sewer rates proposed by the recent study performed by Hurt & Proffitt.

The consensus of Council appears to be leaving the real estate tax rate at $0.11/$100 of the assessed value; the personal property rate at $0.45/$100 of the assessed value; increasing the water rate by 3% every 3 years, beginning July 1, 2025.

The next meeting will be the final budget meeting.

There was a discussion regarding a quorum for April 25, 2023.Several members have medical conflicts and out of town engagements. Council gave consensus to hold the April Workshop on April 18, 2023 at 5:45 pm and 6:30 pm instead of April 25, 2023.

With no further business the budget work session was adjourned.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
April 10, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, April 10, 2023 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, Timothy W. Garrett, Nathan A. Simpson

Others: Reverend Carlton Duck, Charles Conrad, Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council.

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

Reverend Duck led the Prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments: Mayor Conner reported the Council has held several productive budget meetings. The council is doing serious work of the people.

Scheduled Public Appearances: none.

Adoption of the Consent Agenda:
On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to approve the April 10, 2023 agenda as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business: none

New Business
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to approve the purchase of a sewer camera identified in the Sewer Capital Improvement Plan for FY2023 for $65,560.00; $60,000 from the CIP, $5,560 from the operating sewer budget. Roll call vote: Allen-yes, Boyce-yes, Garrett-yes, Puckette-yes, Simpson-yes, Spiggle-yes. Motion carried 6-0.

Council Standing Committee Reports:

Finance and Planning Committee: Mrs. Puckette reported excellent progress on the budget process.

Physical Development Committee: Mr. Garrett reported Mr. McGhee will give an update on the renovations at the depot during his manager's report.

Citizen Comment: none

Town Manager's Report:

Mr. McGhee reported on several items from his written Manager's Report dated April 7, 2023:

- Continued to research the type of data needed to encourage a walk-in/medical care center in Appomattox.
- Town is still waiting on USDA/RD approval of the Church Street waterline.
- Spoke to Council about writing a letter of support for the Vo Tech Center for the ACA's welding and other programs. The council came to consensus for Mr. McGhee to write the letter of support.
- Staff held a kick-off meeting for the new Town website.
- The progress on the train depot has slowed due to matching soffit patterns. The Town is researching ADA complaint ramps so that the depot can remain open during the replacement of the TREX decking.
- Mr. Fowler is working with a few owners along Confederate Ave to "sweep" their properties.

Council Comment: none

Closed Session:

On a motion by Council Member Spiggle, seconded by Council Member Garrett, Council voted to convene in Closed Session pursuant to §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 an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically such property being located on 1771 South Church Street.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes.

The meeting was re-opened to the public.

Council Member Garrett made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

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.

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Allen – yes, Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes.

Mayor Conner reminded the public/council members of the date change for the Workshop meeting from April 25, 2023 to April 18, 2023 at the same time.

Adjournment:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 8:10 pm. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Budget Work Session
April 18, 2023

The Appomattox Town Council held a Budget work session on Tuesday April 18, 2023, at 5:45 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia, with Mayor Conner, presiding. (late arriving)

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson (late arriving), and Claudia G. Puckette

Others present: Mr. Bill Jamerson, Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mr. Garrett, Vice-Mayor called the budget work session to order.

Mrs. Ray provided a one sheet document exhibiting all the changes thus far. She explained the overall General Fund increases and amounts needed from savings/revenue. The biggest differences are in the General Fund due to the renovation of the depot. Some of the expenses will be before June 30, 2023 and some will be after June 30, 2023.

The Water Fund proposed use of undesignated funds for FY2024 is less than FY2023.

The Sewer Fund proposed use of undesignated funds for FY2024 is less than FY2023.

The water and sewer rates will also be advertised for a public hearing before an effective date of July 1, 2023.

Mrs. Ray needs to know if there are any other items to be considered for the proposed FY2024 budget.

The Council discussed alcohol related activities at events which received town funding/sponsorship. Council agreed the only approach for the Town at this time would be to address the special event permit for any future events.

Council had a general discussion of the total budgeted amounts in the General fund, Water fund, and Sewer fund. Mr. McGhee explained the cost-of-living allowance covers all employees. The funding proposed also addressed any compression issues created in the public works department by addressing the minimum hourly rate and the proposed budget will increase the hourly rate to $15.00 per hour for part-time employees.

Mrs. Casto explained the timeline for the public hearing, scheduled for May 23, 2023. The informative packets of the proposed FY 2024 annual budget for the Town of Appomattox will be available on May 3, 2023. Adoption of the FY 2024 budget is scheduled for June 12, 2023.

The Town Council thanked Mrs. Ray and staff for their hard work on the budget.

Mayor Conner asked Mr. Bill Jamerson if he would like to speak to Council.

Mr. Bill Jamerson said he came here hoping to address the Mayor and Council. Several weeks ago, I was told that you'd be having a meeting tonight at 5:45 pm. I asked Mr. McGhee when Council would be discussing the museum and was informed it had been voted down at the last meeting. That kinda knocked me down a little bit. How was it voted? 5-1, 3-2 or what? Has anyone bothered to call Dr. Havens in Richmond to let him know his formal request had been denied? Have those things happened? Was it taken to a vote? By consensus? What happened to it since it was a formal request?

Mr. McGhee said the request has not been responded to and we do not notify requestors until the budget is approved.

Mrs. Ray explained that tonight, the Town Council is still in the planning process.

Mr. Jamerson further said whether it has been voted on, consensus or not, was it even talked about? I take that personal-of all the volunteers that have spent countless hours over the last 3 ½ years trying to get the organization back to where it use to be. I think the people that have given $200,000-600,000, it's a real kick in the teeth and that the Council to not do something. For a pledge of 15 years or 5 years, it's a non-profit. To not do anything is just horrible. I ask you to reconsider even if it is $5,000 for a one-year commitment. People in this town and community have committed $600,000 and for the town not to even give a $1. I have talked to some of you about how important this is to the community, and nobody operates on the income that comes in the door. It's individuals, businesses, and corporations that support these things. I just think/beg you to find $5000 somewhere to make some commitment to the museum. It's just terrible. It's terrible. I am hurt personally and for all the people who have put time in this. I go back to when Dr. Paul Harvey started this. I've spent hours and hours and it seems like there is no appreciation for it. It hurts. I beg you to find at least $5,000.

Mayor Conner thanked Mr. Jamerson for his comments.

Mr. McGhee asked Council if they had any additional items for staff?

Mr. Simpson asked if "we" (council) wants to give the American Civil War Museum $5,000 for a year? There was not a motion or a second to Mr. Simpson's request.

Council discussed Mr. Jamerson's request. Questions were asked regarding ways to determine the impact of the American Civil War Museum on the meals tax, lodging tax, and other taxes. Staff explained that it is very difficult to know the impact of those sources of revenue because of one location. Council discussed the "Welcome Center" initiative taken around three (3) years ago to help encourage tourists to visit downtown. At the conclusion of that initiative, the Council expressed their support of the welcome center.

Again, Council discussed donations to the organizations also funded by the County for the same amount, funding for public safety, and the term double-taxation, when it is using revenue generated by separate governing bodies for the same charitable organizations. At the conclusion of the final budget meeting, there was not a consensus by Council to budget funds for the American Civil War Museum for FY 2024.

Mrs. Puckette called for the point of order. Mr. Simpson made a motion, seconded by Mrs. Puckette, Council voted to close the budget meeting. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
April 18, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, April 18, 2023 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, and Claudia G. Puckette.

Others present: Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

DISCUSSION:

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to advertise a public hearing notice for the FY2024 Annual Budget for the Town of Appomattox on Tuesday, May 23, 2023 at 6:30 pm, with a planned adoption on June 12, 2023.
All members present voting aye. Motion carried 6-0.

COUNCIL COMMENTS:

Timothy W. Garrett – Reminded Council of our Vision & Mission Statements. We need to be reminded of that. We are going to disagree about things, but we need to stick together and move our town forward.

Mary Lou Spiggle-none

Nathan A. Simpson – none

James J. Boyce – Thanks for the prayers and concerns for surgery on Thursday, April 20, 2023.

Jane T. Allen - none

Claudia G. Puckette - none

STANDING COMMITTEE REPORTS:

Finance and Planning-Mrs. Puckette reports the FY2024 Annual Budget is headed to public hearing.

Physical Development-Mr. Garrett is getting a few phone calls regarding the amount of time the Jamerson-Lewis contractor is spending in the truck.

Mr. McGhee raised this issue with the contractor and the architect. It is a great observation by the public. We are trying to get things back on track. There were a few miscommunications regarding the soffits not matching up. The resolution is to run entire lengths for the soffits.

Mr. Conner had a request to put a rail-cam on the depot. I referred them to Mr. McGhee.

ARPA-none

STAFF REPORTS:

Mr. Elder had one item but could not attend tonight. Mr. McGhee will cover the item in his report.

Kim Ray-She provided the March 2023 financial report-75% of the year. The General Fund is running about $400,000 ahead of projected revenues. The Water Fund is still waiting for the Church St Waterline project to close with USDA/Rural Development. The Sewer Fund is also healthy and there are about $200,000 in projects to do before June 30, 2023.

Mrs. Ray explained the ARPA funding worksheet - Captured everything at the top of the sheet. The Sheriff's Office is moving along with the purchase of the vehicle. The dates are December 31, 2024 for obligation of projects and December 31, 2026 for all projects to be paid.

On behalf of Mr. Elder, Mr. McGhee said as far as the real estate acquisition, he has spoken with the manager about asking price and the survey should be done this week. Rob was asked about the decals on the tanks and indicated it was not a sign. Also, know that a sign that has been sitting for 2 years is basically grandfathered in. If it is moved, you lose the grandfathering clause.

Mr. McGhee also reported on the following items:

- Christy and Rob received a request for a trailer at Iceland's. Mrs. Briceland isn't happy with him or Rob currently. She explained that the Town allowed this to occur during the Railroad Festival. Mr. McGhee explained there is a difference between 3 days and 6 months. Mrs. Allen agreed, she understands that all campgrounds are full at this time.

- The Church Street Waterline is slowly moving. It is still in the Atlanta office for approval.

- The train depot floor joists all need to be replaced on the back side of the depot at the cost of $36,000 including the material and labor. The roofer still needs to work on mockups, and they are due to the architect. Yesterday, the Town received the Historical paint analysis. It goes back to 1923. It had 4 colors in 1923. The same colors as now would be no charge. If the Town wants to go back to the 4 original colors, there will be a price change. He asked them to put together a price/quote for that.

- The Architectural/Engineering study for the Town Office building does qualify for ARPA funding-price is around $23,500.

- Jeff has requested $65,000 - $75,000 in additional ARPA funds for a mobile generator through EVA.

- Just a heads up-the Appomattox Chamber of Commerce is without a head/leader currently. They are in a very difficult spot at this moment.

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:10 pm. All council members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
May 8, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, May 8, 2023 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, Timothy W. Garrett, Nathan A. Simpson

Others: Reverend Carlton Duck; Jeff Elder, Facilities Director; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Reverend Duck led the Prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments: Mayor Conner stated the Council has been going through the budget process to make our Town better for employees and citizens.

Scheduled Public Appearances: none.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adopt the consent agenda for May 8, 2023 as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business: none

New Business: none

Council Standing Committee Reports:

American Rescue Plan Act (ARPA)-

On a motion by Mrs. Puckette, seconded by Mr. Simpson, Council considered the Scope of Work for approving a Town Hall Feasibility Study for $23,500.

Mrs. Puckette withdrew her motion.

Council agreed to table the subject until the end of the meeting.

Finance and Planning Committee-none

Physical Development Committee- none

Town Manager's Report:

Mr. McGhee reviewed with Council his email dated May 8, 2023.

- Mr. Vance will be attending a future council meeting for a closed session item related to the water purchase contract update.
- He and Dr. Jeff Garrett toured the new welding and fabricating-emergency services facility at the Carver Price School. Mr. McGhee and Dr. Jeff Garrett will be working together to prepare the requested letters of support for the facility.
- Virginia Department of Transportation (VDOT) is replacing/repairing the sidewalks on Church Street at Harrell Street. The town is supplying the bricks and mortar.
- The Church Street waterline is awaiting final review from the Atlanta and Lexington-USDA/Rural Development offices.
- The recreational vehicle moved from the Iceland's lot on Old Courthouse Rd location.
- The Original Italian Pizza (OIP) will be locating in the previous Hackett's location at Triangle Plaza.
- The train depot renovations continue with the back decking complete. The decking and skirting installation has begun. The roofing material should arrive this week and installation should begin in the next 15 days. The cost to repaint the train depot back to the original historical colors is $21,696.95. Dominion 7 is contesting the price. More information to follow.
- Mr. McGhee met with Dr. Brose from Central Virginia Family Physicians to discuss the possibility of adding a "walk-in" feature at their current office. Dr. Brose will follow up after discussing with the Board of Directors.
- Mr. McGhee met with Cheryl Microutsicous of Wow! Graphics to discuss maintaining the historicappomattox.com for a fee of $119/mo. CIVICPLUS will be re-vamping the Town's townofappomattox.com website.
- The owners of the old garment factory are hesitant to proceed with Phase I of an environmental study. The Central Virginia Planning District Commission (CVPDC) will advise of the next steps.
- His self-assessment was given to Mr. Simpson. Mr. Simpson would like the committee (Simpson, Spiggle, Boyce) to meet in the next two weeks.

Mr. Simpson questioned if the proposed GIS system could be funded with American Rescue Plan Act (ARPA). Mrs. Ray will research the request and reply to Mr. Simpson.

On a motion by Mr. Simpson, seconded by Mrs. Spiggle, Council voted to approve $23,500 from American Rescue Plan Act (ARPA) funding for the Town Hall Feasibility Study. All members present voting aye. Motion carried 6-0.

Council Comment:

Allen-none
Boyce-Thanked everyone for their thoughts and prayers.

Spiggle-none
Garrett-none
Puckette-none
Simpson-Spoke with John Redding recently and the Appomattox County Chamber of Commerce is actively looking for a president. Spoke with Susan Adams and each body needs to arrive at a ratio for public safety. We need to sit down and figure this out.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:15 pm. All members present voting aye. Motion carried 6-0.

_____ _____

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
May 23, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, May 23, 2023 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Nathan A. Simpson, and Claudia G. Puckette.

Others present: Carlton Duck; Sam Vance; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order and opened the public hearings.

Public Hearing #1:
The purpose of the public hearing will be to provide an opportunity to hear public comments for proposed changes to the Water and Sewer Policy User Charges (including Water and Sewer Rates), Connection and Availability Fees Administrative Policy with an effective date of July 1, 2023.

5-YEAR PROPOSED *In-Town* WATER RATES						
FY Year	**Effective Date**	**0-2000 gallons**	**Increase**		**Per 1000 gallons over 2000**	**Increase**
2024	July 1, 2023	$12.26	$0.36		$6.80	$0.20
2025	July 1, 2024	$12.62	$0.36		$7.00	$0.20
2026	July 1, 2025	$13.00	$0.38		$7.21	$0.21
2027	July 1, 2026	$13.39	$0.39		$7.43	$0.22
2028	July 1, 2027	$13.80	$0.41		$7.65	$0.22
		Total for 5 Years	**$1.90**		**Total for 5 Years**	**$1.05**

5-YEAR PROPOSED *Out- of Town* WATER RATES						
FY Year	**Effective Date**	**0-2000 gallons**	**Increase**		**Per 1000 gallons over 2000**	**Increase**
2024	July 1, 2023	$18.39	$0.54		$10.20	$0.30
2025	July 1, 2024	$18.94	$0.55		$10.50	$0.30
2026	July 1, 2025	$19.51	$0.57		$10.82	$0.32
2027	July 1, 2026	$20.09	$0.58		$11.14	$0.32
2028	July 1, 2027	$20.69	$0.60		$11.48	$0.34
		Total for 5 Years	**$2.84**		**Total for 5 Years**	**$1.58**

5-YEAR PROPOSED SEWER RATES						
FY Year	**Effective Date**	**0-2000 gallons**	**Increase**		**Per 1000 gallons over 2000**	**Increase**
2024	July 1, 2023	$33.40	$0.00		$18.85	$0.00
2025	July 1, 2024	$33.40	$0.00		$18.85	$0.00
2026	July 1, 2025	$34.40	$1.00		$19.42	$0.57
2027	July 1, 2026	$34.40	$0.00		$19.42	$0.00
2028	July 1, 2027	$34.40	$0.00		$19.42	$0.00
		Total for 5 Years	**$1.00**		**Total for 5 Years**	**$0.57**

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq., with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950 as amended. Documentation, including the complete ordinance and other information concerning the documentation for the proposed fee are available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday. If you have any questions, please contact Kimberley W. Ray, Treasurer or R. Terry McGhee, Town Manager at 434-352-8268.

There were no comments received from the public.

Mayor Conner closed the first public hearing and opened the second public hearing.

Public Hearing #2:
The purpose of this public hearing will be to receive public comments concerning the following:

Proposed FY 2024 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget proposed by the Town of Appomattox for FY 2024:

GENERAL FUND EXPENDITURES	$3,153,394.00
WATER FUND EXPENDITURES	$2,937,927.00
SEWER FUND EXPENDITURES	$1,851,803.00
TOTAL EXPENDITURES	**$7,943,124.00**
GENERAL FUND REVENUE	$3,153,394.00
WATER FUND REVENUE	$2,937,927.00
SEWER FUND REVENUE	$1,851,803.00
TOTAL REVENUE	**$7,943,124.00**

Documentation is available during regular business hours in the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia. A copy is also available on the Town of Appomattox website, www.townofappomattox.com.

The public and all interested parties are invited to attend this public hearing to make their views known on the proposed FY 2024 Budget for the Town of Appomattox. Any person needing special accommodation should contact the Town Office no later than the close of business on the day of the hearing at 434-352-8268.

There were no comments received from the public.

Mayor Conner closed the second public hearing.

CLOSED SESSION:
On a motion by Mary Lou Spiggle, seconded by Timmy Garrett, Council voted to convene in Closed Session for consultation with legal counsel to discuss potential acquisition by the Town of certain water infrastructure and assets from Appomattox County, pursuant to Virginia Code Section 2.2-3711(A)(8).

Roll Call Vote: Jane Allen-yes, Jim Boyce-yes, Mary Lou Spiggle-yes, Timmy Garrett-yes, Nathan Simpson-yes, and Claudia Puckette-yes.

The meeting was re-opened to the public.

Jim Boyce made the following motion:

To the best of each member's knowledge, the only subjects just discussed or considered in the preceding closed meeting were those: (i) lawfully exempted from the FOIA Act's open-meeting requirements and (ii) properly identified in the motion that convened the closed meeting, pursuant to Virginia Code Section 2.2-3712(D).

The motion was seconded by Timmy Garrett, and Council by the following recorded vote adopted the motion:

Roll Call Vote: Jane Allen-yes, Jim Boyce-yes, Mary Lou Spiggle-yes, Timmy Garrett-yes, Nathan Simpson-yes, and Claudia Puckette-yes.

DISCUSSION:

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adopt the Utility Water and Sewer Rate structure with an effective date of July 1, 2023. All members present voting aye. Motion carried 6-0.

COUNCIL COMMENTS:

Mayor Conner-Daughter graduated and is looking for jobs.

Mary Lou Spiggle-Wished everyone a happy and safe Memorial Day weekend.

Claudia G. Puckette – She was approached again by Mr. Jamerson regarding the donation to the American Civil War Museum. Is there anyone interested in doing this?

Mr. Simpson made a motion to give a one-time donation of $5,000 to the American Civil War Museum. Motion died for lack of a second.

Mr. Simpson asked Mrs. Puckette what was her point? Mrs. Puckette stated she promised Mr. Jamerson she would bring it up.

Nathan A. Simpson – Asked about the status of the slate roof at the Train Depot to which Mr. McGhee replied that it is halfway complete.

James J. Boyce – Be attentive to a veteran. All gave some, some gave all. His son was in Iraq and nephew in Kuwait. Thoughts are with the kids whose dad never made it back.

Jane T. Allen - none

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA-$60,000 for GPS/GIS can be paid from ARPA funds.

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to reallocate funding for GPS/GIS from the FY2024 proposed budget to ARPA and Council by the following recorded vote adopted the motion:

Roll Call Vote: Jane Allen-yes, Jim Boyce-yes, Mary Lou Spiggle-yes, Timmy Garrett-yes, Nathan Simpson-yes, and Claudia Puckette-yes.

Physical Development-none

STAFF REPORTS:

Mr. Elder-none

Kim Ray-Provided the April 2023 financial report, which is 10 months into the fiscal year.

Mr. McGhee also reported on the following items:

1. Jeff Elder dropped off the contract for the land to Tiger Fuel.
2. Train depot update-the back deck is complete, entry deck is halfway complete, roofers separated the roof into six sections, and they have completed the removal of old material from one section.
3. To paint the building back to the historic colors would be between $19,000-23,000. We will probably need to vote on this at the next meeting.

4. We received three generator bids. The low bidder didn't include a required item. They have been sent a notification that they may be a non-responsive bidder and given 10 days for rebuttal.
5. The Church St waterline project is still in limbo with the US Department of Agriculture. We are waiting for the acceptance of BABA (Build America, Buy America) program. It is likely they will provide us with an additional $500,000 in grant money. Another loan is also a possibility.
6. A letter has been drafted for Urgent Care. Dr. Jeff Garrett has approved the letter and sent it to three regional urgent care facilities and the top ten national urgent care facilities.
7. Kim has called other localities asking how they handle external agency donations. Sample guidelines have been provided in the manager's report.
8. All projects are being tracked including all ARPA money spent.

Claudia G. Puckette-asked if there were any updates on the renovation of the Town Hall building. Mr. McGhee stated that Dominion 7 was here earlier today taking measurements. They will return to measure downstairs.

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 8:12 pm. All council members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
June 12, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, June 12, 2023, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, and Timothy W. Garrett.

Absent - Nathan A. Simpson

Others present: Reverend Carlton Duck, Charles Conrad, Michelle Romanac, Kenny Ford, Jeff Elder, Facilities Director; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Public Hearing: Mayor Conner opened the public hearing by reading the purpose:

The purpose of this public hearing will be to receive public comments concerning the following:

Amendment to the FY 2023 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2023:

General Fund Expenditures Amendments	$501,311.00
Total Expenditures Amendments	**$501,311.00**
General Fund Revenue Amendments	$501,311.00
Total Revenue Amendments	**$501,311.00**

Documentation is available at the Appomattox Municipal Building, Town Office, 210 Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact R. Terry McGhee, Town Manager at 434-352-8268.

There were no public comments made or received during the public comment period.

Mayor Conner closed the public hearing.

Reverend Duck led the Prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments: "Welcome everyone and one note, Wednesday, June 14, 2023, is Flag Day. The Flag of the United States represents our country, our commonwealth, and our community and all that we have achieved and all that we stand for. May we as a body do more to improve each aspect of our lives in our community, commonwealth, country."

Scheduled Public Appearances:
Michelle Romanac, 219 North Avenue, Appomattox – Citing she has lived at the address listed since she was 18 years old. She had repairs done last year (to her pool) and it wasn't done properly. She had hired a new company this year. It is a very large pool, and she averages about 9 pool fillings per year. She is requesting an amendment to the policy for repairs, etc. She also cited confusion in the mail delivery as there is 219 North Avenue and 219 Plant Drive. The sewer bill is over $600.00. Citing she is single, works hard, cannot afford $600 for sewer.

Mrs. Puckette asked for clarification on the policy. Mr. McGhee responded that the sewer charges were adjusted for the first three (3) fillings. Mr. Elder suggested an irrigation meter for the pool filings. The connection would require a meter, backflow, and RPZ device.

Ms. Romanac thanked Council for their time. Mayor Conner will advise of a future decision.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adopt the consent agenda for June 12, 2023 as presented. All members present voting aye. Motion carried 5-0.

Unfinished Business: none

New Business:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt Resolution 2023-003 to amend the FY 2023 Budget for the Town of Appomattox.

1. Consideration to adopt a resolution amending the FY 2023 Operating Budget for the General Fund for the Church Street Sidewalk project, litter grant, VRSA grant, and Aid to the Police Department.

2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time.

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2023 Operating Budget for the General Fund:

General Fund Expenditures

10-5000-7091	Capital Improvements – General	$	500,000.00
10-4800-6300	Litter Grant	$	-264.00
10-4700-7081	VRSA Grant	$	1,575.00
Net Increase in Budget		$	501,311.00

General Fund Revenues

10-3901-0000	Use of Undesignated Revenue	$	495,369.00
10-3811-0000	Litter Grant	$	-264.00
10-3812-0000	VRSA Grant	$	1,575.00
10-3604-0000	Aid to Police Grant	$	4,631.00
Net Increase in Budget		$	501,311.00

SECTION XIII: BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2023 budget amendments are hereby adopted, 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.
Amended this ____ day of _____ 2023.

Attest:

_____
Roxanne Casto, Town Clerk

Roll Call Vote: Garrett – yes, Spiggle – yes, Puckette – yes, Boyce – yes, Allen – yes. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Ms. Puckette, Council voted to adopt a Resolution adopting the FY 2024 Budget for the Town of Appomattox:

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2023-2024 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 2023-2024 Budget was published on May 3, 2023 and May 10, 2023 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 23, 2023;

SECTION III:
NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in a Regular Council Meeting on Monday, June 12, 2023, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2023-2024;

GENERAL FUND; EXPENDITURES BY CATEGORY:

Council	58,925.
Administrative & Town Office	649,830.
Professional	150,000.
Police	126,985.
Tourism	87,500.
Fire Department	46,000.
Public Works & Town Shop	1,180,643.
Sanitation	159,000.
Property Maintenance & Construction	611,361.
Town Shop	0.
Events & Contributions	25,000.
Zoning	58,150.
Town Office	0.
TOTAL GENERAL FUND EXPENSES	**3,153,394.**

SECTION IV:
BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at $.11 per $100.00 of assessed value for real estate, $.45 per $100.00 of assessed value for personal property, $.45 per $100.00 of assessed value for machinery and tools, and $.11 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 situsedwithin the Town commencing January 1, 2023, 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 44.1% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 44.1% 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.

SECTION V:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2023-2024;

GENERAL FUND; REVENUES BY CATEGORY:	
Current Taxes – Real Estate	165,000.
Current Taxes – Personal Property	85,000.
Delinquent Taxes	1,000.
Penalties & Interest	5,000.
Public Service Corporation	7,000.
Bank Stock Tax	190,000.
Meals Tax	1,300,000.
Lodging Tax	70,000.
Consumption Tax	7,000.
Cigarette Tax	140,000.
Vehicle License Tax	25,000.
Business License	200,000.
Zoning	1,000.
Communications Tax	4,000.
Interest	10,000.
Rental of Misc. Property	6,000.
Rolling Stock Tax	3,000.
Sales Tax	90,000.
Aid to Police Department (HB599)	50,631.
Fire Programs	15,000.
Personal Prop Tax Relief Act State Funds	23,107.
Visitor Center	0.
Mobile Home Titling Tax	200.
Trash Can Fees	4,500.
Miscellaneous	1,000.
State DMV Fees	2,500.
Town DMV Fees	2,000.
Downtown Revitalization Grant	380,161.
Litter Grant	1,500.
Transfer from Reserve	363,295.
Other Reimbursable	500.
TOTAL GENERAL FUND REVENUES	**3,153,394.**

SECTION VI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2023-2024;

WATER FUND; EXPENDITURES BY CATEGORY:	
Water Department	2,937,927.
TOTAL WATER EXPENDITURES	**2,937,927.**

SECTION VII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2023-2024;

WATER FUND; REVENUES BY CATEGORY:

Water Sales	380,000.
Connection Fees	8,000.
Penalty Fees	20,000.
Availability Fees	10,000.
Reconnect Fees	0.
Miscellaneous	500.
Interest	4,000.
Interest Revenue (GASB87)	8,700.
Lease Revenue (GASB87)	8,800.
Rental of Misc. Property	20,000.
Intergovernmental Revenue	35,000.
Use of Undesignated Fund Balance	147,927.
Church Street Waterline Grant – DHCD	670,000.
Church Street Grant Proceeds – Rural Dev.	1,125,000.
Church Street Loan Proceeds – Rural Dev.	500,000.
TOTAL WATER REVENUES	**2,937,927.**

SECTION VIII:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2023-2024;

SEWER FUND; EXPENDITURES BY CATEGORY:

Sewer Department	1,851,803.
TOTAL SEWER EXPENDITURES	**1,851,803.**

SECTION IX:
BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2023-2024;

SEWER FUND; REVENUES BY CATEGORY:

Sewer Sales	880,000.
Connection Fees	2,500.
Availability Fees	7,500.
Interest	5,000.
Intergovernmental Revenue	2,500.
Use of Undesignated Funds	84,304.
USDA Grant Proceeds 1	869,999.
TOTAL SEWER REVENUES	**1,851,803.**

SECTION X:
The salaries, wages and allowances set out in said Budget are hereby authorized as per the terms of the town's classification and merit system as approved compensation for officers and employees for services rendered, unless hereafter otherwise provided by ordinance; provided however, that the Town Manager is authorized to make such rearrangement of positions in the several departments named in the Budget, in respect to officers and employees appointed by his/her as may best meet the needs and interests of the Town and after approval by Council.

SECTION XI:
BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2023-2024 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XII:
BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2023-2024 is hereby adopted, effective July 1, 2023 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 12th day of June, 2023.

Attest:

_____ _____
Roxanne W. Casto, Town Clerk Richard C. Conner, Mayor

Roll Call Vote: Garrett – yes, Spiggle – yes, Puckette – yes, Boyce – yes, Allen – yes. Motion carried 5-0.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, Council voted to award the 2023 Contract for Grass Mowing to RSG Landscaping, LLC for $43,788.22 for the FY 2024.
Roll Call Vote: Garrett – yes, Spiggle – yes, Puckette – yes, Boyce – yes, Allen – yes. Motion carried 5-0.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to proceed with the exterior historic paint colors of the Appomattox Train Depot in the amount of $21,696.95.
Roll Call Vote: Garrett – yes, Spiggle – yes, Puckette – yes, Boyce – yes, Allen – yes. Motion carried 5-0.

<u>Council Standing Committee Reports:</u>
American Rescue Plan Act (ARPA):
On a recommendation of the American Rescue Plan Act committee, Council voted to award the generators for the Town Office and Town Shop to Woodridge Heating & Air, Inc., and the propane tanks to Foster Fuels. Roll Call Vote: Garrett – yes, Spiggle – yes, Puckette – yes, Boyce – yes, Allen – yes. Motion carried 5-0.

Finance and Planning Committee - none

Physical Development Committee – none

Town Manager's Report:
Mr. McGhee provided an update on the following items:

- A complete copy of his self-assessment was provided to all Council members. The first portion is his self-assessment, and the remainder is a planning tool.
- Dominion Seven is progressing on the Town Hall Feasibility Study.
- Tiger Fuel accepted the Town's offer to purchase land adjacent to the Public Works property.
- The remainder of the funding needed for the Church Street Waterline will be in the form of a low interest loan from Rural Development.
- Employees and Visitors are back to using the regular entrances at the depot. The roof, decking and soffits are all either complete or nearly complete.
- June 13 – 15, he will be attending a Brownfield Conference in Danville, VA.
- Twelve letters for an urgent care provider were mailed on June 7, 2023.

Council Comment:
Mrs. Allen inquired about a Goodwill location returning to Appomattox or a donation box for residents for unwanted clothing.

Mr. Boyce - none

Ms. Spiggle reminded everyone of the event on July 1, 2023. The Appomattox Volunteer Fire Department and Liberty Baptist Church will be holding events at Liberty Field on Lee Grant Avenue from 5:30 p.m. – 10:00 p.m. Fireworks will be displayed at 9:30 p.m.

Mr. Garrett - none

Mrs. Puckette stated the Town is in a good place with the Church Street Waterline and Depot projects. The Town will be celebrating its 100-year anniversary on June 2, 2025.

Mr. McGhee commented on the need to schedule the Town picnic in Abbitt Park.

Adjournment:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:18 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
June 27, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, May 23, 2023 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, and Nathan A. Simpson (via phone).

Others present: Carlton Duck; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

DISCUSSION:

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to approve an out-of-town water connection at 460 Somerset Drive in Woodchase Subdivision. All members present voting aye. Motion carried 6-0.

Staff discussed with Council the request for a sewer connection at 117 Sunrise Street. By the consensus of Council, Staff will continue to price and research the project for the customer.

COUNCIL COMMENTS:

Jane T. Allen wished everyone a happy 4th of July – Be safe!

James J. Boyce is so glad to see the fence disappearing on Church Street. In light of the action by the Appomattox County Board of Supervisors, it would be incumbent upon this Town Council to adopt a resolution of support.

Timothy W. Garrett – none

Claudia G. Puckette commented that the depot is looking fantastic.

Nathan A. Simpson – none

Mary Lou Spiggle – invited the public to the July 1, 2023 events sponsored by the Appomattox Volunteer Fire Department and Liberty Baptist Church beginning at 5:30 p.m. at the Liberty Field on Lee Grant Avenue. Fireworks will begin at 9:30 p.m.

Mayor Conner commented if you see any bears in the Town, please get in touch with the game warden.

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA – None

STAFF REPORTS:

Mr. Elder-none

Kim Ray-Provided the May 2023 financial report. The truck identified in the Captial Improvement Plan arrived yesterday. The new water rate increases are effective July 1, 2023. The ACH option for vendors may be available in the 2nd quarter of FY 2024. An inventory audit is scheduled for July 5, 2023.

Mr. McGhee also reported on the following items:

- On July 10, 2023, Town Council will hold a public hearing and pass a resolution to borrow funds at a low interest rate for the Church Street Waterline project.
- Downtown Revitalization Grant is ongoing. The Town is receiving many compliments from residents regarding how friendly the contractors are being.
- The historical paint colors of the Town Depot will begin once all the other work is complete.
- Spoke with the Superintendent of the National Park Service and no agreement is in effect to take care of the historical outlook along the connector road at Walmart.
- Four responses have been received from the letters sent to urgent care providers.
- Provided an update on the Virginia Brownfield Conference held in Danville, Virginia.
- Received a request from Bruce Boone for $7,000 for streetlights in front of the old elementary school. Council asked who would own the lights and who would provide maintenance. Mr. McGhee will seek answers to those questions.

CLOSED SESSION:

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, the 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 the performance of a specific public appointee of the Town, specifically being Appointee A.

Roll call vote: Boyce – yes, Simpson – yes, Spiggle – yes, Allen – yes, Puckette – yes, Garrett – yes. Motion carried 6-0.

The meeting was reopened to the public.

Certification:
To the best of each member's knowledge, the only subjects just discussed or considered in the preceding closed meeting were those: (i) lawfully exempted from the FOIA Act's open-meeting requirements and (ii) properly identified in the motion that convened the closed meeting, pursuant to the Virginia Code Section 2.2-3712 (D).

Roll call vote: Boyce – yes, Simpson – yes, Spiggle – yes, Allen – yes, Puckette – yes, Garrett – yes. Motion carried 6-0.

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:50 p.m. All council members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
July 10, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, July 10, 2023, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, Timothy W. Garrett, and Nathan A. Simpson.

Others: Reverend Carlton Duck; Mr. Tracey Shaw, Bond Counsel; Chad Hodges, Hurt & Proffitt, Inc.; Jeff Elder, Facilities Director; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order and welcome visitors.

Public Hearing: Mayor Conner opened the public hearing by stating the purpose:

NOTICE is hereby given of a public hearing before Town Council on the issuance of the Town's $1,156,000 Water System Improvement General Obligation Bond, Series 2023 to be held at the Town Hall, 210 Linden St., Appomattox, Virginia on July 10, 2023, at 6:30 PM. This is the second in a series of Water System Improvement General Obligation Bonds issued for improvements to the Town's Church Street water distribution system. The first bond in the series was approved by Town Council on October 26, 2021. Interested persons may attend and express their views.

There were no public comments.

Mayor Conner closed the Public Hearing.

Reverend Duck led the Prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor's Comments: Welcomed everyone again to the meeting. The fiscal year began on July 1, 2023, with very good projects and more improvements are still to be completed.

Scheduled Public Appearances: none.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms, Spiggle, Council voted to adopt the consent agenda for July 10, 2023, as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business: none

New Business:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt A Resolution Authorizing the Issuance, Sale, and Award of an up to $1,156,000.00 Water System Improvement General Obligations Bond, Series 2023B and Providing for the Form, Details and Payment Thereof,

A RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND AWARD OF AN UP TO $1,156,000.00 WATER SYSTEM IMPROVEMENT GENERAL OBLIGATION BOND, SERIES 2023B AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Town of Appomattox, Virginia (the "Town"), is a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925; and

WHEREAS, the Town has determined to replace certain of its water lines on Church Street in the Town and to finance such in part through the issuance of its general obligation bonds (the "Project");

WHEREAS, by Resolution, dated October 26, 2021, (the "2021 Resolution") the Town Council authorized to be issued the Town's up to $500,000 Water System Improvement General Obligation Bond, Series 2021 ("Series 2021 Bond") to finance the Project;

WHEREAS according to the 2021 Resolution the Town Council hereby changes the series designation on the Series 2021 Bond to the "Town of Appomattox $500,000 Water System Improvement General Obligation Bond, Series 2023A" (the "Series 2023A Bond");

WHEREAS, the United States of America acting through the Rural Utilities Service (the "Government"), has offered to purchase the Town's up to $1,156,000.00 Water System Improvement General Obligation Bond, Series 2023B Bond, bearing interest at the rate and on the terms and conditions otherwise described in Section 2.2 below, to purchase the Series 2023A Bond, to further provide a Rural Development Grant not to exceed $1,125,000 (the "RUS Grant"), which together with a Community Development Block Grant of $650,000 (the "CDBG Grant") (together the "Grants") on the terms described in a Letter of Conditions, dated May 20, 2021, as amended by a Letter of Conditions, dated June 20, 2023, attached hereto as Exhibit A (the "Letter of Conditions") will result in a total project financing of $3,431,000.00; and

WHEREAS, the Town has determined to satisfy the terms of the Letter of Conditions and award the bonds to the Government, and to accept the Grants;

NOW, THEREFORE, BE IT RESOLVED BY TOWN COUNCIL OF THE TOWN OF APPOMATTOX, VIRGINIA:

ARTICLE 1
AUTHORIZATION OF PROJECT

Section 1.1 The Project: In order to improve the Town's water lines on Church Street serving the citizens of the Town, the Project has been duly authorized by Loan Resolutions (RUS Bulletin 1780-27) of the Town Council, dated April 6, 2021 and July 10, 2023 copies of which are attached hereto as Exhibit B and which are hereby ratified, confirmed and approved. The Town hereby ratifies confirms and approves the RUS Grant Agreement (RUS Bulletin 1780-12), a copy of which are on file with the Town, and the CDBG Grant.

ARTICLE 2
AUTHORIZATION, FORM, EXECUTION, DELIVERY,
REGISTRATION AND PREPAYMENT OF BOND

Section 2.1 Authorization of Bond; Acceptance of Grants: There is hereby authorized to be issued the general obligation bond of the Town in the principal amount of up to $1,156,000.00 to provide funds to finance the Project. The bond shall be designated "Town of Appomattox, Virginia $1,156,000.00 Water System Improvement General Obligation Bond, Series 2023B" (the "Series 2023B Bond") and shall be sold to the Government upon the terms set forth in the Letter of Conditions. The acceptance of the Grants is hereby approved. The proceeds from the issuance and sale of the Series 2023B Bond and the Grants shall be used to pay the costs of the Project.

Section 2.2 Details of Series 2023B Bond: The Series 2023B Bond shall be issued as follows:

(a) A single fully registered Series 2023B Bond without coupons in the denomination of $1,156,000.00, registered in the name of United States of America, Rural Utilities Service, which shall be numbered R-1, shall be dated the date upon which the Series 2023B Bond is delivered to the Government upon payment of the purchase price (the "Closing Date") and shall bear interest at the rate not to exceed Two and One Quarter (2.25%) Per Cent per year on the unpaid principal balance; provided, however, that should the Government offer a lower rate of interest on the Series 2023B Bond, such lower rate shall be conclusively accepted by the Town, including the associated lower installment amount for payment thereof, it being the intent of the Town to obtain to lowest cost of borrowed funds for the permanent financing for the Project. The Series 2023B Bond shall be in substantially the form set forth on Exhibit C hereto.

(b) The Series 2023B Bond shall provide for monthly payment of combined principal and interest beginning one month following the Closing Date and continuing each

month thereafter for a period of 479 months until paid. If not sooner paid, the final installment shall be due and payable 480 months from the Closing Date. The payment of every installment shall be applied first to interest accrued to the payment date and then to principal. In the event the Closing Date occurs on the 29th, 30th or 31st day of a month, the installment payment date shall be the 28th day of the month.

(c) Installments shall be payable in lawful money of the United States of America in accordance with the Preauthorized Debit System described in the Letter of Conditions at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender of the Series 2023B Bond at the office of the Registrar.

Section 2.3 Execution of Series 2023B Bond: The Series 2023B Bond shall be signed by the Mayor of the Town and countersigned by its Clerk and its seal shall be affixed thereto. The Mayor is expressly authorized and directed to finally determine and approve the details of the Series 2023B Bond except that (a) the maximum principal shall not exceed $1,156,000,000 (b) the maximum interest rate shall not exceed Two and One Quarter Per Cent (2.25%) per annum and (c) the final maturity date shall be a date no later than forty (40) years from the date of issuance. Such determination and the execution and delivery of the Series 2023B Bond on the closing date and delivery to the Government shall constitute conclusive evidence of approval and no further action by the Town shall be required.

Section 2.4 Registration and Exchange of Series 2023B Bond: The Treasurer of the Town is hereby appointed Registrar. Transfer of the Series 2023B Bond may be registered upon books maintained for that purpose at the office of the Registrar. The initial address of the registered owner of the Series 2023B Bond shall be Finance Office, USDA Rural Development, 1520 Market Street, St. Louis, Missouri 63103-2696. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner. The Series 2023B Bond shall initially be registered in the name of Rural Utilities Service with an address of 1520 Market Street, St. Louis, Missouri 63103-2696.

Section 2.5 Delivery of Series 2023B Bond: The Mayor and the Clerk are hereby authorized and directed to take all proper steps to have the Series 2023B Bond prepared and executed in accordance with its terms and to deliver the Series 2023B Bond to the Government upon payment therefor. The Mayor and the Clerk are further authorized and directed to agree to and comply with, on behalf of the Town, all further conditions, and requirements of the Government not inconsistent with this resolution in connection with its purchase of the Series 2023B Bond.

Section 2.6 Prepayment of Series 2023B Bond: Installments of principal due on the Series 2023B Bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (and if in part in inverse order of their maturities), without premium, from any

source. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided in Section 2.2.

Section 2.7. Form of the Series 2023A Bond: The form of the Series 2023A Bond is attached hereto as Exhibit D.

ARTICLE 3
REVENUES AND FUNDS; BOND PROCEEDS; RESERVE

Section 3.1 Revenue Fund: All rates, fees and other charges or other revenue derived from the ownership or operation of the Town's water utility system (the "System") shall be collected and so far as may be practicable, deposited not less frequently than weekly in a special account designated the Revenue Fund. Moneys on deposit in the Revenue Fund shall be used only in the manner and priority set out below.

Section 3.2 Rates and Charges: The Town covenants that it shall establish and collect rates and charges with respect to the System sufficient to pay the principal of and interest on the Series 2023A Bond and Series 2023B Bond (together the "Bonds"). Further, as required under the Letter of Conditions, the Town hereby approves and confirms that a Ten Percent (10%) penalty shall be assessed on all user accounts with respect to the System that are not paid, in full, within twenty (20) days from the date of billing therefor. To the fullest extent allowed under Virginia law, the Town shall discontinue service to any user if such billing invoice is not paid within sixty (60) days after the due date thereof, and further, such service shall not be restored until all past charges have been paid and all accrued penalties, including a reconnection charge, have been paid to the Town, in full.

Section 3.3 Debt Service Fund: Each month the Town shall transfer from the Revenue Fund to a separate account designated the Debt Service Fund an amount equal to the installments of interest, or principal and interest coming due on the Bonds that month. If there should be insufficient moneys in the Revenue Fund for this purpose, the deficit shall be added to the required payment for the month or months next ensuing until such deficit is eliminated. When the balance in the Debt Service Fund equals the principal of and interest on the Bonds then outstanding to maturity, no further transfers to the Debt Service Fund shall be required. The Town shall pay installments of principal and interest on the Bonds as the same become due from the Debt Service Fund.

Section 3.4 Balance in Revenue Fund: Any balance remaining in the Revenue Fund each month, after making the transfers required by Section 3.3 may be used by the Town for any lawful purpose.

Section 3.5 Pledge of Revenues:

(a) All revenues and receipts derived by the Town from the use of and services furnished by the System (the "Revenues") and all moneys in the Revenue Fund and the Debt Service Fund are hereby pledged to the payment and performance of the Town's obligations on the Bonds, such pledge to be on a par with all prior pledges of revenue from the System securing indebtedness incurred for improvement of the System, subject to the rights of the Town to use the Revenues for the operation and maintenance expenses of the System, as provided herein.

(b) The pledge of Revenues pursuant to this Resolution with respect to the Bonds shall be valid and binding from and after the Closing Date. The Revenues, as received by the Town, shall be immediately subject to the lien of such pledge without any physical delivery of them or further act. Such pledge of the Revenues to secure the payment and performance of the Town's obligations under the Bonds shall be on a par with all prior pledges of revenue from the System securing indebtedness incurred for improvement of the System and have priority over all obligations and liabilities of the Town. The lien of this pledge of the Revenues with respect to the Bonds shall be valid and binding against all parties having claims against the Town regardless of whether such parties have notice thereof.

NEITHER THE BONDS NOR THE OBLIGATIONS OF THE TOWN UNDER THE LETTER OF CONDITIONS OR THIS BOND RESOLUTION CONSTITUTE A DEBT OR A PLEDGE OF THE FAITH AND CREDIT OF THE COMMONWEALTH OF VIRGINIA OR ANY OTHER POLITICAL SUBDIVISION OF THE COMMONWEALTH OF VIRIGNIA.

Section 3.7 Construction Fund; Account Pledge: All amounts from the proceeds of the Bonds shall be deposited in a separate account with a qualifying depository designated the Construction Account and shall be used solely for the purpose of paying authorized costs of the Project. All amounts in the Construction Fund are hereby pledged to secure the payment of principal and interest on the Bonds.

ARTICLE 4
SECURITY FOR DEPOSITS AND INVESTMENT OF FUNDS

Section 4.1 Security for Deposits: All moneys on deposit with any bank or trust company shall be secured for the benefit of the Town and the holder of the Bonds in the manner required by the Virginia Security for Public Deposits Act (Chapter 44, Title 2.2, Code of Virginia of 1950, as amended) or any successor provision of law.

ARTICLE 5
MISCELLANEOUS

Section 5.1 Contract with Bondholder: The provisions of this resolution shall constitute a contract between the Town and the holder of the Bonds for so long as the Bonds and interest thereon are outstanding.

Section 5.2 Town Officers and Agents: The officers and agents of the Town shall do all acts and things required of them by this resolution, the Bonds and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) for the complete and punctual performance of all the terms, covenants and agreements contained therein.

Section 5.3 Limitation of Rights: Nothing expressed or mentioned in or to be implied from this resolution or the Bonds is intended or shall be construed to give to any person or company other than the parties hereto and the holder of the Bonds any legal or equitable right, remedy or claim under or in respect to this resolution or any covenants, conditions and agreements herein contained; this resolution and all of the covenants, conditions and agreements hereof being intended to be and being for the sole and exclusive benefit of the parties hereto and the holder of the Bonds as herein provided.

Section 5.4 Limitation of Liability of Officials of Town: No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of a present or future member, officer, employee or agent of the Town in his individual capacity, and neither the members of the Town Council nor any officer thereof executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof. No member, officer, employee, or agent of the Town shall incur any personal liability with respect to any other action taken by him pursuant to this resolution or the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended), provided he acts in good faith.

Section 5.5 Conditions Precedent: Upon the issuance of the Bonds all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia or this resolution to have happened, exist and to have been performed precedent to or in the issuance of such Bonds shall have happened, exist and have been performed.

Section 5.6 Series Designation: In the event the Bonds are not issued during calendar year 2023, the Mayor and Clerk of the Town are hereby authorized and directed to change the series designation to such other year as may be appropriate at the time of their issuance. Thereafter all references in this resolution to the Bonds shall be deemed to refer to the general obligation Bonds issued pursuant to Article 3 under their new series.

Section 5.7 Repeal of Resolutions in Conflict: All other resolutions, or parts thereof, in conflict with this resolution or the 2021 Resolution are hereby repealed except for such resolutions as may have been adopted by the Town at the specific request of the Government as a condition to its purchase of the Bonds.

Section 5.8. Reserves; Audit Requirements, Accounts and Records. The establishment, funding and maintenance of reserves as required by the Government as described in the Letter of Conditions are hereby authorized and approved. The Mayor and Clerk are hereby authorized and directed to coordinate with the Town's outside auditors for the Town to satisfy (and otherwise comply with) the audit requirements and any other accounting and financial reporting terms and conditions as set forth in the Letter of Conditions.

Section 5.9 Successors and Assigns: All the covenants, stipulations, promises and agreements of the Town contained in this resolution shall bind and inure to the benefit of its successors and assigns, whether so expressed or not.

Section 5.10 Headings: Any headings in this resolution are solely for convenience of reference and shall not constitute a part of the resolution nor shall they affect its meaning, construction, or effect.

Section 5.11 Severability: If any court of competent jurisdiction shall hold any provision of this resolution to be invalid and unenforceable, such holding shall not invalidate any other provision hereof.

Section 5.12 Filing of Bond Resolution. The Mayor or Clerk Council, either of whom may act, any other appropriate representative or agent of the Town, is hereby authorized and directed to see to the filing of a certified copy of this resolution in the Office of the Clerk of the Circuit Court of the County of Appomattox.

Section 5.13 Effective Date: This resolution shall take effect immediately. The Clerk of the Town is hereby authorized and directed to file a certified copy of this resolution in the office of the Town.

This Resolution was passed by a vote of the Appomattox Town Council on the 10th day of July, 2023.

_____
Mayor, Town of Appomattox

(SEAL)

ATTEST:

_____
Clerk of Council

{3080947-4, 705417-00008-07}

Exhibit A: Letter of Conditions
Exhibit B: RUS Bulletin 1780-27, Loan Resolution
Exhibit C: Form of Bond

CERTIFICATE OF VOTES

The undersigned hereby certifies that the foregoing constitutes a true and correct copy of the foregoing Bond Resolution, duly adopted by the members of the Appomattox Town Council by a roll call vote at a regular meeting duly held and called on the date hereof, as follows:

Name	Aye	Nay	Abstain	Absent
James J. Boyce, Sr				
Jane T. Allen				
Timothy W. Garrett				
Claudia G. Puckette				
Mary Lou Spiggle				
Nathan A. Simpson				

(SEAL)

ATTEST:

_____
Roxanne Casto
Clerk of Council

EXHIBIT A
LETTER OF CONDITIONS

EXHIBIT B
LOAN RESOLUTION
RUS 1780-27

EXHIBIT C TO RESOLUTION OF
TOWN OF APPOMATTOX
Dated July 10, 2023

No. R-1

$1,156,000.00

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
TOWN OF APPOMATTOX
WATER SYSTEM IMPROVEMENT GENERAL OBLIGATION BOND,
SERIES 2023B

The Town of Appomattox (the "Town"), a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925, for value received, hereby promises to pay to the United States of America, Rural Utilities Service, (the "Government"), or registered assigns, the principal sum of

ONE MILLION ONE HUNDRED FIFTY-SIX THOUSAND DOLLARS
($1,156,000.00)

and to pay to the registered owner hereof interest on the unpaid principal from the date hereof until payment of the entire principal sum at the rate of Two and One Quarter Percent (2.25 %) per year in monthly payments of combined principal and interest of Three Thousand Six Hundred Sixty-five ($3,665.00) Dollars and No Cents beginning on the first (1st) monthly anniversary of the date hereof and continuing monthly thereafter for Four Hundred Seventy Nine (479) consecutive months until the principal of this bond is paid in full, each installment to be applied first to interest accrued to such payment date and then to principal. The final installment, if not sooner paid, of all amounts owed hereunder shall be due and payable Four Hundred Eighty (480) months from the date hereof. Such installments shall be payable in lawful money of the United States of America by pre-authorized electronic debit for the account of the registered owner of the bond at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

This bond has been authorized by a resolution adopted by the Town Council on July 10, 2023 (the "Bond Resolution") and is issued pursuant to the Charter and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) to provide funds to finance improvements to the Town's water utility system. A copy of the Bond Resolution is on file at the Town Hall, Appomattox, Virginia. Reference is hereby made to the Bond Resolution and any amendments thereto for the provisions, among others, describing the pledge and covenants securing the bond, the nature and extent of the security, the terms, and conditions upon which the bond is issued, the rights and obligations of the Town and the rights of the bondholder.

All taxable property in the territory of the Issuer is subject to ad valorem taxation without limitation regarding rate or amount to pay the bond. All revenues derived by the Town from its water utility system are hereby pledged to the payment of the principal of and interest on the bond.

Installments of principal due on this bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided above.

This bond is fully registered as to both principal and interest. Transfer of this bond may be registered upon books maintained for that purpose by the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Any amount expended or advanced by the Government for the collection hereof or to protect any security therefor, at the option of the Government, shall become a part of and bear interest at the same rate as the principal hereof and be immediately due and payable by the Town to the Government without demand.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist, or be performed precedent to and in the issuance of this bond have happened, exist and have been performed.

IN WITNESS WHEREOF, the Town has caused this bond to be signed by its Mayor, to be countersigned by its Clerk, its seal to be affixed hereto and this bond to be dated July [ ] 2023.

(CORPORATE SEAL)

ATTEST:

TOWN OF APPOMATTOX, VIRGINIA

_____
Clerk, Town of Appomattox

_____
Mayor, Town of Appomattox

{3080947-4, 705417-00008-07}

TRANSFER OF BOND

Transfer of this bond may be registered by the registered owner or his duly authorized attorney upon presentation hereof to the Registrar who shall make note of such transfer in books kept by the Registrar for that purpose and in the registration blank below.

Date of Registration	**Name of Registered Owner**	**Signature of Registrar**
_____2023	United States of America Rural Utilities Service	_____

EXHIBIT D TO RESOLUTION OF
TOWN OF APPOMATTOX
Dated July 10, 2023

No. R-1

$500,000.00

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
TOWN OF APPOMATTOX
WATER SYSTEM IMPROVEMENT GENERAL OBLIGATION BOND,
SERIES 2023A

The Town of Appomattox (the "Town"), a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925, for value received, hereby promises to pay to the United States of America, Rural Utilities Service, (the "Government"), or registered assigns, the principal sum of

FIVE HUNDRED THOUSAND DOLLARS
($500,000.00)

and to pay to the registered owner hereof interest on the unpaid principal from the date hereof until payment of the entire principal sum at the rate of One and Three Eighths Percent (1.375 %) per year in monthly payments of combined principal and interest of One Thousand Three Hundred Fifty-five ($1,355.00) Dollars and No Cents beginning on the first (1st) monthly anniversary of the date hereof and continuing monthly thereafter for Four Hundred Seventy Nine (479) consecutive months until the principal of this bond is paid in full, each installment to be applied first to interest accrued to such payment date and then to principal. The final installment, if not sooner paid, of all amounts owed hereunder shall be due and payable Four Hundred Eighty (480) months from the date hereof. Such installments shall be payable in lawful money of the United States of America by pre-authorized electronic debit for the account of the registered owner of the bond at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

This bond has been authorized by a resolution adopted by the Town Council on October 26, 2021 (the "Bond Resolution") and is issued pursuant to the Charter and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) to provide funds to finance improvements to the Town's water utility system. A copy of the Bond Resolution is on file at the Town Hall, Appomattox, Virginia. Reference is hereby made to the Bond Resolution and any amendments thereto for the provisions, among others, describing the pledge and covenants securing the bond, the nature and extent of the security, the terms, and conditions upon which the bond is issued, the rights and obligations of the Town and the rights of the bondholder.

All taxable property in the territory of the Issuer is subject to ad valorem taxation without limitation regarding rate or amount to pay the bond. All revenues derived by the Town from its water utility system are hereby pledged to the payment of the principal of and interest on the bond.

Installments of principal due on this bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided above.

This bond is fully registered as to both principal and interest. Transfer of this bond may be registered upon books maintained for that purpose by the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Any amount expended or advanced by the Government for the collection hereof or to protect any security therefor, at the option of the Government, shall become a part of and bear interest at the same rate as the principal hereof and be immediately due and payable by the Town to the Government without demand.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist, or be performed precedent to and in the issuance of this bond have happened, exist and have been performed.

IN WITNESS WHEREOF, the Town has caused this bond to be signed by its Mayor, to be countersigned by its Clerk, its seal to be affixed hereto and this bond to be dated _____ 2023.

(CORPORATE SEAL)

ATTEST:

TOWN OF APPOMATTOX, VIRGINIA

_____
Clerk, Town of Appomattox

_____
Mayor, Town of Appomattox

{3080947-4, 705417-00008-07}

TRANSFER OF BOND

Transfer of this bond may be registered by the registered owner or his duly authorized attorney upon presentation hereof to the Registrar who shall make note of such transfer in books kept by the Registrar for that purpose and in the registration blank below.

Date of Registration	**Name of Registered Owner**	**Signature of Registrar**
_____2023	United States of America Rural Utilities Service	_____

Roll Call Vote: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Simpson – yes, Puckette – yes. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to cancel the July 25, 2023, Workshop meeting due to vacation schedules. All members voting aye. Motion carried 6-0.

Council Standing Committee Reports:

American Rescue Plan Act (ARPA)-none

Finance and Planning Committee-none

Physical Development Committee- none

Town Manager's Report:
Mr. McGhee reviewed with Council his email dated July 7, 2023.

- ACA will own, operate, and maintain the streetlights on Confederate Blvd.
- The Train Depot renovation project is ongoing. The roofers estimate 15 more workdays and painting will begin once the roof is completed. Soffits near completion all carpentry related work is likely to be completed soon.
- Church Street Waterline
- Raised sidewalk on Church Street has nearly all been removed.
- Engineers will be at the Town Office this week to look at the structural issues.
- The electrical panels have been changed out and upgraded in preparation for the generator installation.
- Urgent Care/Same Day Care:
  Met with Blue Ridge and CVFP. An outside firm is also interested.

Council Comment:
Allen - none

Boyce - none

Spiggle - none

Garrett - none

Puckette - none

Simpson – Asked Mr. McGhee how the Town's website is progressing. Mr. McGhee thinks it will be nearly complete by the end of the month.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 7:05 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

{3080947-4, 705417-00008-07}

Appomattox Town Council
Regular Council Meeting
August 14, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, August 14, 2023 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, Timothy W. Garrett, Nathan A. Simpson

Others: Mr. Tracey Shaw; Mr. Sam Vance; Jeff Elder, Facilities Director; Carlton Duck, Alive Media; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council.

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

Mayor Conner opened the public hearing and stated the purpose:

NOTICE OF PUBLIC HEARING UNDER SECTION 15.2-2606 CODE OF VIRGINIA OF PROPOSED ISSUANCE OF TOWN OF APPOMATTOX $1,156,00,000 WATER SYSTEM IMPROVEMENT GENERAL OBLIGATION BOND, SERIES 2023B

NOTICE is hereby given of a public hearing before Town Council on the issuance of the Town's $1,156,000 Water System Improvement General Obligation Bond, Series 2023B to be held at the Town Hall, 210 Linden St., Appomattox, Virginia on **August 14, 2023, at 6:30 PM.** This is the second in a series of Water System Improvement General Obligation Bonds issued for improvements to the Town's Church Street water distribution system. The first bond in the series was approved by Town Council on October 26, 2021. Interested persons may attend and express their views.

Public comments-none

Mayor Conner closed the public hearing.

Reverend Duck led the Prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor Conner welcomed everyone to the meeting and stated the Town Council has made many endeavors to improve the Town community.

Scheduled Public Appearances: none

Adoption of the Consent Agenda:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt the consent agenda as presented on August 14, 2023. All members present voting aye. Motion carried 6-0.

Unfinished Business: none

New Business
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to adopt A Resolution Authorizing the Issuance, Sale and Award of the TOA up to $1,156,000-Water System Improvement General Obligation, Bond Series 2023B.

A RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND AWARD OF AN UP TO $1,156,000.00 WATER SYSTEM IMPROVEMENT GENERAL OBLIGATION BOND, SERIES 2023B AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

WHEREAS, the Town of Appomattox, Virginia (the "Town"), is a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925; and

WHEREAS, the Town has determined to replace certain of its water lines on Church Street in the Town and to finance such in part through the issuance of its general obligation bonds (the "Project");

WHEREAS, by Resolution, dated October 26, 2021, (the "2021 Resolution") the Town Council authorized to be issued the Town's up to $500,000 Water System Improvement General Obligation Bond, Series 2021 ("Series 2021 Bond") to finance the Project;

WHEREAS according to the 2021 Resolution the Town Council hereby changes the series designation on the Series 2021 Bond to the "Town of Appomattox $500,000 Water System Improvement General Obligation Bond, Series 2023A" (the "Series 2023A Bond");

WHEREAS, the United States of America acting through the Rural Utilities Service (the "Government"), has offered to purchase the Town's up to $1,156,000.00 Water System Improvement General Obligation Bond, Series 2023B Bond, bearing interest at the rate and on the terms and conditions otherwise described in Section 2.2 below, to purchase the Series 2023A Bond, to further provide a Rural Development Grant not to exceed $1,125,000 (the "RUS Grant"), which together with a Community Development Block Grant of $650,000 (the "CDBG Grant") (together the "Grants") on the terms described in a Letter of Conditions, dated May 20, 2021, as amended by a Letter of Conditions, dated June 20, 2023, attached hereto as Exhibit A (the "Letter of Conditions") will result in a total project financing of $3,431,000.00; and

WHEREAS, the Town has determined to satisfy the terms of the Letter of Conditions and award the bonds to the Government, and to accept the Grants;

NOW, THEREFORE, BE IT RESOLVED BY TOWN COUNCIL OF THE TOWN OF APPOMATTOX, VIRGINIA:

ARTICLE 1)
AUTHORIZATION OF PROJECT

Section a) The Project: In order to improve the Town's water lines on Church Street serving the citizens of the Town, the Project has been duly authorized by Loan Resolutions (RUS Bulletin 1780-27) of the Town Council, dated April 6, 2021 and July 10, 2023 copies of which are attached hereto as Exhibit B and which are hereby ratified, confirmed and approved. The Town hereby ratifies confirms and approves the RUS Grant Agreement (RUS Bulletin 1780-12), a copy of which are on file with the Town, and the CDBG Grant.

ARTICLE 2)
AUTHORIZATION, FORM, EXECUTION, DELIVERY,
REGISTRATION AND PREPAYMENT OF BOND

Section a) Authorization of Bond; Acceptance of Grants: There is hereby authorized to be issued the general obligation bond of the Town in the principal amount of up to $1,156,000.00 to provide funds to finance the Project. The bond shall be designated "Town of Appomattox, Virginia $1,156,000.00 Water System Improvement General Obligation Bond, Series 2023B" (the "Series 2023B Bond") and shall be sold to the Government upon the terms set forth in the Letter of Conditions. The acceptance of the Grants is hereby approved. The proceeds from the issuance and sale of the Series 2023B Bond and the Grants shall be used to pay the costs of the Project.

Section b) Details of Series 2023B Bond: The Series 2023B Bond shall be issued as follows:

(a) A single fully registered Series 2023B Bond without coupons in the denomination of $1,156,000.00, registered in the name of United States of America, Rural Utilities Service, which shall be numbered R-1, shall be dated the date upon which the Series 2023B Bond is delivered to the Government upon payment of the purchase price (the "Closing Date") and shall bear interest at the rate not to exceed Two and One Quarter (2.25%) Per Cent per year on the unpaid principal balance; provided, however, that should the Government offer a lower rate of interest on the Series 2023B Bond, such lower rate shall be conclusively accepted by the Town, including the associated lower installment amount for payment thereof, it being the intent of the Town to obtain to lowest cost of borrowed funds for the permanent financing for the Project. The Series 2023B Bond shall be in substantially the form set forth on Exhibit C hereto.

(b) The Series 2023B Bond shall provide for monthly payment of combined principal and interest beginning one month following the Closing Date and continuing each month thereafter for a period of 479 months until paid. If not sooner paid, the final installment shall be due and payable 480 months from the Closing Date. The payment of every installment shall be applied first to interest accrued to the payment date and then to principal. In the event the Closing Date occurs on the 29th, 30th or 31st day of a month, the installment payment date shall be the 28th day of the month.

(c) Installments shall be payable in lawful money of the United States of America in accordance with the Preauthorized Debit System described in the Letter of Conditions at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender of the Series 2023B Bond at the office of the Registrar.

Section c) Execution of Series 2023B Bond: The Series 2023B Bond shall be signed by the Mayor of the Town and countersigned by its Clerk and its seal shall be affixed thereto. The Mayor is expressly authorized and directed to finally determine and approve the details of the Series 2023B Bond except that (a) the maximum principal shall not exceed $1,156,000,000 (b) the maximum interest rate shall not exceed Two and One Quarter Per Cent (2.25%) per annum and (c) the final maturity date shall be a date no later than forty (40) years from the date of issuance. Such determination and the execution and delivery of the Series 2023B Bond on the closing date and delivery to the Government shall constitute conclusive evidence of approval and no further action by the Town shall be required.

Section d) Registration and Exchange of Series 2023B Bond: The Treasurer of the Town is hereby appointed Registrar. Transfer of the Series 2023B Bond may be registered upon books maintained for that purpose at the office of the Registrar. The initial address of the registered owner of the Series 2023B Bond shall be Finance Office, USDA Rural Development, 1520 Market Street, St. Louis, Missouri 63103-2696. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner. The Series 2023B Bond shall initially be registered in the name of Rural Utilities Service with an address of 1520 Market Street, St. Louis, Missouri 63103-2696.

Section e) Delivery of Series 2023B Bond: The Mayor and the Clerk are hereby authorized and directed to take all proper steps to have the Series 2023B Bond prepared and executed in accordance with its terms and to deliver the Series 2023B Bond to the Government upon payment therefor. The Mayor and the Clerk are further authorized and directed to agree to and comply with, on behalf of the Town, all further conditions, and requirements of the Government not inconsistent with this resolution in connection with its purchase of the Series 2023B Bond.

Section f) Prepayment of Series 2023B Bond: Installments of principal due on the Series 2023B Bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (and if in part in inverse order of their maturities), without premium, from any source. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided in Section 2.2.

Section 2.7. Form of the Series 2023A Bond: The form of the Series 2023A Bond is attached hereto as Exhibit D.

ARTICLE 3)
REVENUES AND FUNDS; BOND PROCEEDS; RESERVE

Section 3.1 Revenue Fund: All rates, fees and other charges or other revenue derived from the ownership or operation of the Town's water utility system (the "System") shall be collected and so far as may be practicable, deposited not less frequently than weekly in a special account designated the Revenue Fund. Moneys on deposit in the Revenue Fund shall be used only in the manner and priority set out below.

Section 3.2 Rates and Charges: The Town covenants that it shall establish and collect rates and charges with respect to the System sufficient to pay the principal of and interest on the Series 2023A Bond and Series 2023B Bond (together the "Bonds"). Further, as required under the Letter of Conditions, the Town hereby approves and confirms that a Ten Percent (10%) penalty shall be assessed on all user accounts with respect to the System that are not paid, in full, within twenty (20) days from the date of billing therefor. To the fullest extent allowed under Virginia law, the Town shall discontinue service to any user if such billing invoice is not paid within sixty (60) days after the due date thereof, and further, such service shall not be restored until all past charges have been paid and all accrued penalties, including a reconnection charge, have been paid to the Town, in full.

Section 3.3 Debt Service Fund: Each month the Town shall transfer from the Revenue Fund to a separate account designated the Debt Service Fund an amount equal to the installments of interest, or principal and interest coming due on the Bonds that month. If there should be insufficient moneys in the Revenue Fund for this purpose, the deficit shall be added to the required payment for the month or months next ensuing until such deficit is eliminated. When the balance in the Debt Service Fund equals the principal of and interest on the Bonds then outstanding to maturity, no further transfers to the Debt Service Fund shall be required. The Town shall pay installments of principal and interest on the Bonds as the same become due from the Debt Service Fund.

Section 3.4 Balance in Revenue Fund: Any balance remaining in the Revenue Fund each month, after making the transfers required by Section 3.3 may be used by the Town for any lawful purpose.

Section 3.5 Pledge of Revenues:

(a) All revenues and receipts derived by the Town from the use of and services furnished by the System (the "Revenues") and all moneys in the Revenue Fund and the Debt Service Fund are hereby pledged to the payment and performance of the Town's obligations on the Bonds, such pledge to be on a par with all prior pledges of revenue from the System securing indebtedness incurred for improvement of the System, subject to the rights of the Town to use the Revenues for the operation and maintenance expenses of the System, as provided herein.

(b) The pledge of Revenues pursuant to this Resolution with respect to the Bonds shall be valid and binding from and after the Closing Date. The Revenues, as received by the Town, shall be immediately subject to the lien of such pledge without any physical delivery of them or further act. Such pledge of the Revenues to secure the payment and performance of the Town's obligations under the Bonds shall be on a par with all prior pledges of revenue from the System securing indebtedness incurred for improvement of the System and have priority over all obligations and liabilities of the Town. The lien of this pledge of the Revenues with respect to the Bonds shall be valid and binding against all parties having claims against the Town regardless of whether such parties have notice thereof.

NEITHER THE BONDS NOR THE OBLIGATIONS OF THE TOWN UNDER THE LETTER OF CONDITIONS OR THIS BOND RESOLUTION CONSTITUTE A DEBT OR A PLEDGE OF THE FAITH AND CREDIT OF THE COMMONWEALTH OF VIRGINIA OR ANY OTHER POLITICAL SUBDIVISION OF THE COMMONWEALTH OF VIRIGNIA.

Section 3.7 Construction Fund; Account Pledge: All amounts from the proceeds of the Bonds shall be deposited in a separate account with a qualifying depository designated the Construction Account and shall be used solely for the purpose of paying authorized costs of the Project. All amounts in the Construction Fund are hereby pledged to secure the payment of principal and interest on the Bonds.

ARTICLE 4)
SECURITY FOR DEPOSITS AND INVESTMENT OF FUNDS

Section a) Security for Deposits: All moneys on deposit with any bank or trust company shall be secured for the benefit of the Town and the holder of the Bonds in the manner required by the Virginia Security for Public Deposits Act (Chapter 44, Title 2.2, Code of Virginia of 1950, as amended) or any successor provision of law.

ARTICLE 5)
MISCELLANEOUS

Section a) Contract with Bondholder: The provisions of this resolution shall constitute a contract between the Town and the holder of the Bonds for so long as the Bonds and interest thereon are outstanding.

Section b) Town Officers and Agents: The officers and agents of the Town shall do all acts and things required of them by this resolution, the Bonds and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) for the complete and punctual performance of all the terms, covenants and agreements contained therein.

Section c) Limitation of Rights: Nothing expressed or mentioned in or to be implied from this resolution or the Bonds is intended or shall be construed to give to any person or company other than the parties hereto and the holder of the Bonds any legal or equitable right, remedy or claim under or in respect to this resolution or any covenants, conditions and agreements herein contained; this resolution and all of the covenants, conditions and agreements hereof being intended to be and being for the sole and exclusive benefit of the parties hereto and the holder of the Bonds as herein provided.

Section d) Limitation of Liability of Officials of Town: No covenant, condition or agreement contained herein shall be deemed to be a covenant, agreement or obligation of a present or future member, officer, employee or agent of the Town in his individual capacity, and neither the members of the Town Council nor any officer thereof executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof. No member, officer, employee, or agent of the Town shall incur any personal liability with respect to any other action taken by him pursuant to this resolution or the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended), provided he acts in good faith.

Section e) Conditions Precedent: Upon the issuance of the Bonds all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia or this resolution to have happened, exist and to have been performed precedent to or in the issuance of such Bonds shall have happened, exist and have been performed.

Section 5.6 Series Designation: In the event the Bonds are not issued during calendar year 2023, the Mayor and Clerk of the Town are hereby authorized and directed to change the series designation to such other year as may be appropriate at the time of their issuance. Thereafter all references in this resolution to the Bonds shall be deemed to refer to the general obligation Bonds issued pursuant to Article 3 under their new series.

Section 5.7 Repeal of Resolutions in Conflict: All other resolutions, or parts thereof, in conflict with this resolution or the 2021 Resolution are hereby repealed except for such resolutions as may have been adopted by the Town at the specific request of the Government as a condition to its purchase of the Bonds.

Section 5.8. Reserves; Audit Requirements, Accounts and Records. The establishment, funding and maintenance of reserves as required by the Government as described in the Letter of Conditions are hereby authorized and approved. The Mayor and Clerk are hereby authorized and directed to coordinate with the Town's outside auditors for the Town to satisfy (and otherwise comply with) the audit requirements and any other accounting and financial reporting terms and conditions as set forth in the Letter of Conditions.

Section 5.9 Successors and Assigns: All the covenants, stipulations, promises and agreements of the Town contained in this resolution shall bind and inure to the benefit of its successors and assigns, whether so expressed or not.

Section 5.10 Headings: Any headings in this resolution are solely for convenience of reference and shall not constitute a part of the resolution nor shall they affect its meaning, construction, or effect.

Section 5.11 Severability: If any court of competent jurisdiction shall hold any provision of this resolution to be invalid and unenforceable, such holding shall not invalidate any other provision hereof.

Section 5.12 Filing of Bond Resolution. The Mayor or Clerk Council, either of whom may act, any other appropriate representative or agent of the Town, is hereby authorized and directed to see to the filing of a certified copy of this resolution in the Office of the Clerk of the Circuit Court of the County of Appomattox.

Section 5.13 Effective Date: This resolution shall take effect immediately. The Clerk of the Town is hereby authorized and directed to file a certified copy of this resolution in the office of the Town.

This Resolution was passed by a vote of the Appomattox Town Council on the 10th day of July, 2023.

_____
Mayor, Town of Appomattox

(SEAL)

ATTEST:

_____
Clerk of Council

Exhibit A: Letter of Conditions
Exhibit B: RUS Bulletin 1780-27, Loan Resolution
Exhibit C: Form of Bond

CERTIFICATE OF VOTES

The undersigned hereby certifies that the foregoing constitutes a true and correct copy of the foregoing Bond Resolution, duly adopted by the members of the Appomattox Town Council by a roll call vote at a regular meeting duly held and called on the date hereof, as follows:

Name	Aye	Nay	Abstain	Absent
James J. Boyce, Sr				
Jane T. Allen				
Timothy W. Garrett				
Claudia G. Puckette				
Mary Lou Spiggle				
Nathan A. Simpson				

(SEAL)

ATTEST:

_____

Roxanne Casto
Clerk of Council

EXHIBIT A
LETTER OF CONDITIONS

EXHIBIT B
LOAN RESOLUTION
RUS 1780-27

EXHIBIT C TO RESOLUTION OF
TOWN OF APPOMATTOX
Dated July 10, 2023

No. R-1

$1,156,000.00

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
TOWN OF APPOMATTOX
WATER SYSTEM IMPROVEMENT GENERAL OBLIGATION BOND,
SERIES 2023B

The Town of Appomattox (the "Town"), a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925, for value received, hereby promises to pay to the United States of America, Rural Utilities Service, (the "Government"), or registered assigns, the principal sum of

ONE MILLION ONE HUNDRED FIFTY-SIX THOUSAND DOLLARS
($1,156,000.00)

and to pay to the registered owner hereof interest on the unpaid principal from the date hereof until payment of the entire principal sum at the rate of Two and One Quarter Percent (2.25 %) per year in monthly payments of combined principal and interest of Three Thousand Six Hundred Sixty-five ($3,665.00) Dollars and No Cents beginning on the first (1st) monthly anniversary of the date hereof and continuing monthly thereafter for Four Hundred Seventy Nine (479) consecutive months until the principal of this bond is paid in full, each installment to be applied first to interest accrued to such payment date and then to principal. The final installment, if not sooner paid, of all amounts owed hereunder shall be due and payable Four Hundred Eighty (480) months from the date hereof. Such installments shall be payable in lawful money of the United States of America by pre-authorized electronic debit for the account of the registered owner of the bond at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

This bond has been authorized by a resolution adopted by the Town Council on July 10, 2023 (the "Bond Resolution") and is issued pursuant to the Charter and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) to provide funds to finance improvements to the Town's water utility system. A copy of the Bond Resolution is on file at the Town Hall, Appomattox, Virginia. Reference is hereby made to the Bond Resolution and any amendments thereto for the provisions, among others, describing the pledge and covenants securing the bond, the nature and extent of the security, the terms, and conditions upon which the bond is issued, the rights and obligations of the Town and the rights of the bondholder.

All taxable property in the territory of the Issuer is subject to ad valorem taxation without limitation regarding rate or amount to pay the bond. All revenues derived by the Town from its water utility system are hereby pledged to the payment of the principal of and interest on the bond.

Installments of principal due on this bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided above.

This bond is fully registered as to both principal and interest. Transfer of this bond may be registered upon books maintained for that purpose by the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Any amount expended or advanced by the Government for the collection hereof or to protect any security therefor, at the option of the Government, shall become a part of and bear interest at the same rate as the principal hereof and be immediately due and payable by the Town to the Government without demand.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist, or be performed precedent to and in the issuance of this bond have happened, exist and have been performed.

IN WITNESS WHEREOF, the Town has caused this bond to be signed by its Mayor, to be countersigned by its Clerk, its seal to be affixed hereto and this bond to be dated July [ ] 2023.

(CORPORATE SEAL)

ATTEST:

TOWN OF APPOMATTOX,
VIRGINIA

_____
Clerk, Town of Appomattox

_____
Mayor, Town of Appomattox

TRANSFER OF BOND

Transfer of this bond may be registered by the registered owner or his duly authorized attorney upon presentation hereof to the Registrar who shall make note of such transfer in books kept by the Registrar for that purpose and in the registration blank below.

Date of Registration	**Name of Registered Owner**	**Signature of Registrar**
_____2023	United States of America Rural Utilities Service	_____

EXHIBIT D TO RESOLUTION OF
TOWN OF APPOMATTOX
Dated July 10, 2023

No. R-1

$500,000.00

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
TOWN OF APPOMATTOX
WATER SYSTEM IMPROVEMENT GENERAL OBLIGATION BOND,
SERIES 2023A

The Town of Appomattox (the "Town"), a public body politic and corporate of the Commonwealth of Virginia duly created under charter by Order of the Circuit Court of Appomattox County, Virginia, dated June 2, 1925, for value received, hereby promises to pay to the United States of America, Rural Utilities Service, (the "Government"), or registered assigns, the principal sum of

FIVE HUNDRED THOUSAND DOLLARS
($500,000.00)

and to pay to the registered owner hereof interest on the unpaid principal from the date hereof until payment of the entire principal sum at the rate of One and Three Eighths Percent (1.375 %) per year in monthly payments of combined principal and interest of One Thousand Three Hundred Fifty-five ($1,355.00) Dollars and No Cents beginning on the first (1st) monthly anniversary of the date hereof and continuing monthly thereafter for Four Hundred Seventy Nine (479) consecutive months until the principal of this bond is paid in full, each installment to be applied first to interest accrued to such payment date and then to principal. The final installment, if not sooner paid, of all amounts owed hereunder shall be due and payable Four Hundred Eighty (480) months from the date hereof. Such installments shall be payable in lawful money of the United States of America by pre-authorized electronic debit for the account of the registered owner of the bond at such address as shall be provided from time to time by the registered owner, except that the final installment shall be payable upon presentation and surrender hereof at the office of the Registrar.

This bond has been authorized by a resolution adopted by the Town Council on October 26, 2021 (the "Bond Resolution") and is issued pursuant to the Charter and the Virginia Public Finance Act (Chapter 26, Title 15.2, Code of Virginia of 1950, as amended) to provide funds to finance improvements to the Town's water utility system. A copy of the Bond Resolution is on file at the Town Hall, Appomattox, Virginia. Reference is hereby made to the Bond Resolution and any amendments thereto for the provisions, among others, describing the pledge and covenants securing the bond, the nature and extent of the security, the terms, and conditions upon which the bond is issued, the rights and obligations of the Town and the rights of the bondholder.

All taxable property in the territory of the Issuer is subject to ad valorem taxation without limitation regarding rate or amount to pay the bond. All revenues derived by the Town from its water utility system are hereby pledged to the payment of the principal of and interest on the bond.

Installments of principal due on this bond may be prepaid at the option of the Town at any time as a whole or in part from time to time (but if in part, in inverse order of their maturities), without premium. Prepayments of installments of principal shall not affect the obligation of the Town to pay the remaining installments payable as provided above.

This bond is fully registered as to both principal and interest. Transfer of this bond may be registered upon books maintained for that purpose by the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

Any amount expended or advanced by the Government for the collection hereof or to protect any security therefor, at the option of the Government, shall become a part of and bear interest at the same rate as the principal hereof and be immediately due and payable by the Town to the Government without demand.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist, or be performed precedent to and in the issuance of this bond have happened, exist and have been performed.

IN WITNESS WHEREOF, the Town has caused this bond to be signed by its Mayor, to be countersigned by its Clerk, its seal to be affixed hereto and this bond to be dated _____ 2023.

(CORPORATE SEAL)

ATTEST:

TOWN OF APPOMATTOX,
VIRGINIA

_____
Clerk, Town of Appomattox

_____
Mayor, Town of Appomattox

TRANSFER OF BOND

Transfer of this bond may be registered by the registered owner or his duly authorized attorney upon presentation hereof to the Registrar who shall make note of such transfer in books kept by the Registrar for that purpose and in the registration blank below.

Date of Registration	**Name of Registered Owner**	**Signature of Registrar**
	United States of America	
_____2023	Rural Utilities Service	_____

Roll call vote: Allen-yes, Boyce-yes, Garrett-yes, Puckette-yes, Simpson-yes, Spiggle-yes. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt an AMENDMENT to the Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2023-2024 Budget for the Town of Appomattox.

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2023-2024 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

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 situses within the Town commencing January 1, 2023, 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 47.3% tax relief;
- Personal use vehicles valued at $20,001 or more shall only receive 47.3% 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.

Attest:

_____ _____
Roxanne W. Casto, MMC, Town Clerk Date

Roll call vote: Allen-yes, Boyce-yes, Garrett-yes, Puckette-yes, Simpson-yes, Spiggle-yes. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to authorize purchase of a Backhoe Cat Model 416-07 AC Loader for $121,044.00 as identified in the FY2024 Capital Improvement Plan. Roll call vote: Allen-yes, Boyce-yes, Garrett-yes, Puckette-yes, Simpson-yes, Spiggle-yes. Motion carried 6-0.

On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to authorize purchase of a Bomag BW-900-50 Double Drum Vibrating Roller for $23,550.00 as identified in the FY2024 Capital Improvement Plan. Roll call vote: Allen-yes, Boyce-yes, Garrett-yes, Puckette-yes, Simpson-yes, Spiggle-yes. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adopt amendments to the Town of Appomattox Water and Sewer Policy to include User Charges, Connection & Availability Fee Administrative Policy. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to authorize advertising a public hearing to amend Ch 185-19 of the Code of the Town of Appomattox, Va. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:

Finance and Planning Committee: none

Physical Development Committee: none

ARPA:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to purchase a bullet proof vest for $3300.00 for the new drug dog. All members present voting aye. Motion carried 6-0.

Citizen Comment: none

Town Manager's Report:
Mr. McGhee highlighted his emailed Manager's Report from August 11, 2023:

- The trash service has experienced a few missed streets and cans in the last several weeks. Staff is addressing this issue with County Waste (GFL). Mr. Simpson requested an "in-house" look into trash services by the Town of Appomattox instead of a contractor.
- The new Town website should be available for staff to review the week of August 21.
- The Train Depot project is expected to be complete by September 29.
- The Appomattox National Park superintendent James Bailey met with Town staff and is looking forward to working with the Town.
- There are two (2) new businesses opening soon. OIP (Original Italian Pizza) is hoping to open late August or September and Papa John's is planning to open in September or October.

Council Comment:

Ms. Allen: commented on the two (2) projects receiving positive publicity for the Town,1. K-9 Conor for the Appomattox County Sheriff's Office and 2. The Appomattox Volunteer Fire Department received the air compressor. Both of these items were purchased through the Town's American Rescue Plan Act funding.

Mr. Simpson: advised the other council members he emailed the Clerk to determine the possibility of the Town writing their own "NO Parking" tickets.

Mr. Boyce: reminded others that the Town provides two (2) deputies and requested the Sheriff appear before Council to explain (update) to Council what the deputies are doing at least quarterly.

Mr. Garrett: none

Ms. Spiggle: nothing other than she agrees to asking the sheriff for an update.

Ms. Puckette: none

Mr. Elder thanked Town Council for their positive actions for the Appomattox Community and Town Staff.

Adjournment:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to adjourn at 7:40 pm. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
August 29, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, August 29, 2023 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, and Nathan A. Simpson.

Others present: Carlton Duck; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

DISCUSSION:

Mr. Simpson requested Council's input regarding the installation of automatic cameras in work zones and school zones. After much discussion, Council provided consensus for the Town Manager to review options for future considerations and options for the Town to keep the funds from the tickets issued.

On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to approve the out-of-town water connection for 3909 Richmond Highway. All members present voting aye. Motion carried 6-0.

Mr. McGhee spoke on behalf of Mr. Nathan Harbin regarding a presentation on exterior hardscape and landscape plans for the train depot. Mr. Harbin was unable to attend tonight. Mr. Harbin's proposal is for $5,700 for detailed plans to include placement of benches, tables, trash cans, bike racks and low-profile plants. The work would begin after the completion of the exterior train depot renovations.

On a motion by Mr. Boyce, seconded by Mr. Simpson, Council voted to release $5,700 for Nathan Harbin to provide the scope of work outlined for the exterior hardscaping and landscaping plans for the train depot.
Roll Call Vote: Allen – yes, Boyce – yes, Garrett – yes, Puckette – yes, Simpson – yes, Spiggle – yes. Motion carried 6-0.

Additionally, Mr. Simpson requested Council consider forming a short-lived (3 month) advisory committee to come up with ideas for what to do with the train depot. Council by consensus agreed to bring back a name of someone at the next Workshop meeting.

COUNCIL COMMENTS:
Puckette – none
Simpson – none
Garrett – none
Boyce – none
Allen – none

Ms. Spiggle has had more than one person ask her why the council meetings are not accessible through Facebook Live or YouTube. Those asking do not have cable TV. Reverend Duck put together several options for the Town's consideration. He suggests allowing the Town to get their website launched and proceed with posting the video after the completion of the new website. Reverend Duck also suggested not placing the workshop meeting online. Allow the workshop meeting to be for development. The regular meeting would be what is projected to the community.

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA – None

Physical Development Committee - None

STAFF REPORTS:

Kim Ray, Treasurer provided the July 2023 financial report and an update on ARPA projects and funding. In other financial matters she reported real estate and personal property taxes were mailed on August 15, 2023. The staff is collaborating with the consultant regarding the internal audit.

[Mr. Simpson left the meeting at 7:30 p.m.]

Mr. Elder, Facilities Director requested Council consider purchasing a different Cat model backhoe for $154,157 instead of the model presented at the August 14, 2023 meeting for $121,044. Mr. Elder explained he later learned the lesser amount model did not meet the specifications.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to purchase the Cat Model Backhoe for $154,157 instead of $121,044.
Roll Call Vote: Allen – yes, Boyce – yes, Garrett – yes, Puckette – yes, Spiggle – yes. Motion carried 5-0.

Mr. Elder also reported the contractor for the Smart Scale project on Old Courthouse Road has started moving the waterline. The contractor will be installing the streetlights and pavers, etc. for the downtown revitalization project soon. Lastly, smoke testing will begin on September 5, 2023.

Mr. McGhee also reported on the following items:

- The Original Italian Pizza (OIP) is planning to open in several weeks. The owner of the Triangle Plaza is not selling the property.
- The new town website is scheduled to be released on September 8, 2023.
- The Sheriff is planning to attend the September 11, 2023 meeting.
- The train depot renovations are slow but ending soon.

- Dr. Jeff Garrett and Mr. McGhee met with the Central Virginia Family Practice associates.
- The Regional State Manager for GFL stopped by for a visit recently and Mr. McGhee shared the over two hundred stops missed by GFL during the last week.
- The brownfield discussions with the Central Virginia Planning District Commission and their consultant should start next month.
- The Request for Proposals for a Town Water Source Study has been released. The due date is Thursday, September 28, 2023 at 2:00 p.m.
- The loan closure has occurred for the Church Street Waterline project.

Council members inquired about the date for the retreat. Mr. Boyce cited he would not be available after September 28th. Mr. McGhee will schedule the event prior to September 28th.

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 7:55 p.m. All council members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
September 11, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, September 11, 2023, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, Timothy W. Garrett, Nathan A. Simpson

Others: Robby Richardson and Sheriff Donald Simpson, Appomattox County Sheriff's Office; Rob Fowler; Jeff Elder, Facilities Director; Carlton Duck, Alive Media; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council.

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

Reverend Duck led the group in a moment of silence in remembrance of September 11, 2001. He also led the group in a prayer and pledge of allegiance to the flag of the United States of America.

Mayor Conner opened the public hearing and stated the purpose:

PLEASE TAKE NOTICE that at its meeting to be held on Monday, September 11, 2023, at the hour of 6:30 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Council will consider the recommendations of the Planning Commission with respect to the described AN ORDINANCE TO AMEND the Code of the Town of Appomattox Chapter 195, Zoning, to add the minimum road frontage in Chapter 195-28 in the R-1, Limited Residential District, and Chapter 195-43 in the R-3, General Residential. The Town Council will have said ordinance proposed to it for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

The entire text of the above-noted revision is on file in the Town Office, 210 Linden Street, Appomattox, Virginia, and can be examined there between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

The public is invited to attend and make their views known.

Public comments-none

Mayor Conner closed the public hearing.

Mayor's comments-Twenty-two years ago, our nation was under attack. Bringing our nation back together is not new to Appomattox.

Scheduled Public Appearances:
Sheriff Simpson, Appomattox County appeared before Council to provide an update. First, he started by applauding the Council for continuing to recognize September 11, 2001. 75 million or half the population were not alive and have no memory of the events. Local government is the

foundation of this country. He explained he plans to begin teaching after retirement. It's a new goal and changing gears a little bit, beginning February 2024.

Update on a few things:
The K-9s are working every day. One has assisted in locating a 12-year-old child and the other a heroin bust. He is pleased with the progress. The Appomattox County Sheriff's Office is part of a mutual aid agreement.

Since 2021, the number of summonses are going up (rising). Higher numbers mean better enforcement.
Mr. Simpson (Councilman) asked Sheriff Simpson about automated speed cameras for school zones. Sheriff Simpson stated—fundamentally—a human/person needs to be involved in the process. He is uncomfortable supporting just a camera system. Another option may be a "speed box." They currently do not have one and they are relatively expensive.

Mrs. Puckette asked for any suggestions. 1. The key to reducing speed is enforcement. 2. Traffic designs long term.

Sheriff Simpson is turning things over to the new sheriff on December 31, 2023—very capable and well-seasoned.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, the Council voted to adopt the consent agenda as presented for September 11, 2023. All members present voting aye. Motion carried 6-0.

Unfinished Business: none

New Business
On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to amend the Code of Town of Appomattox, Chapter 195 thereof, entitled Zoning, to add the minimum road frontage.

AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Chapter 195 thereof, entitled Zoning, to add the minimum road frontage.

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

Section 1. Chapter 195-28 of Chapter 195, Zoning, of the Code of the Town of Appomattox, is hereby amended to add the minimum road frontage as follows:

§ 195-28. Lot width.

A. In the R-1 District, the minimum road footage shall be 100 feet.

B. In the R-1 District, the minimum lot width at the building line shall be 100 feet.

Section 2. Chapter 195-43 of Chapter 195, Zoning, of the Code of the Town of Appomattox, is hereby amended to add the minimum road frontage as follows:

§ 195-43. Lot width.

A. For permitted uses in the Residential District R-3, the minimum road frontage shall be 80 feet, and for each additional permitted use in Residential District R-3, there shall be 10 feet of additional road frontage.

B. For permitted uses in Residential District R-3, the minimum lot width at the building line shall be 80 feet or more, and for each additional permitted use in Residential District R-3, there shall be at least 10 feet of additional lot width at the building line.

Section 3. Effective date.

This ordinance shall become effective upon passage.

All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mr. Simpson, the Council voted to cancel the September 26, 2023 Council Workshop meeting. All members present voting aye. Motion carried 6-0.

Because of the cancellation of the workshop meeting, Council members are encouraged to email the Town Manager with the name of "your person" for the Train Depot Advisory Committee. The Council will vote on these individuals at the October 10, 2023 Council meeting. The committee could meet in November 2023.

Council Standing Committee Reports:

American Rescue Plan Act (ARPA): The committee received a request from the Facilities Director for 3 AED devices and 10 First Aid kits for a total of $5838.97.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, the Council voted to approve the purchase of 3 AEDs and 10 first aid kits. All members present voting aye. Motion carried 6-0.

Finance and Planning Committee: none

Physical Development Committee: none

Citizen Comment: none

Town Manager's Report:
Mr. McGhee provided a written report on September 8, 2023. In addition to those items, he provided an update on the Olivarri case, the Church St waterline start date of 10/1/2023, the Appomattox Downtown Revitalization Project, the Train Depot exterior renovation, Old Courthouse Rd smart scale project, possible locations for the CVFP emergency care, Brownfield Grant, OIP opening, new Town website, and sewer smoke testing.

Council Comment:

Ms. Allen: commented that the Church St sidewalk looks good.

Mr. Simpson: What is the status of the lot behind Railyard Grill? Mr. Elder responded construction is ongoing.

Mr. Boyce: reminded everyone to never forget the events of 9/11, especially in Pennsylvania.

Mr. Garrett: none

Ms. Spiggle: September is Firefighter Appreciation Month. She specifically wanted to recognize the AVFD—our hometown heroes.

Ms. Puckette: none

Adjournment:
On a motion by Mr. Simpson, seconded by Mr. Garrett, Council voted to adjourn at 7:45 pm. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
October 10, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, October 10, 2023, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, Timothy W. Garrett

Absent: Nathan A. Simpson

Others: Nathan Harbin; Charles Conrad; Jeff Elder, Facilities Director; Carlton Duck, Alive Media; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council

Mayor Conner called the meeting to order and welcomed everyone to the meeting.

Reverend Duck led the prayer and pledge of allegiance to the flag of the United States of America.

Mayor Conner opened the public hearings and stated the purpose:

Public Hearing 1:
AN ORDINANCE TO AMEND AND REENACT Section 185-185-19 of the Code of the Town of Appomattox, Chapter 185, Article III, Section 19, entitled "Parking in conformity with signs; yellow curb markings".

Public comments-none

Public Hearing 2:
Amendment to the FY 2024 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2024:

General Fund Expenditure Amendments	$1,108,793.00
Water Fund Expenditure Amendments	$1,200,956.00
Sewer Fund Expenditure Amendments	$ 689,788.00
ARPA Fund Expenditure Amendments	$1,574,994.00
Total Expenditures Amendments	$4,574,531.00

General Fund Revenue Amendments	$1,108,793.00
Water Fund Revenue Amendments	$1,200,956.00
Sewer Fund Revenue Amendments	$ 689,788.00
ARPA Fund Revenue Amendments	$1,574,994.00
Total Revenue Amendments	$4,574,531.00

Public comments-none

Mayor Conner closed the public hearings.

Mayor Conner welcomed everyone to the meeting and reminded them of a celebratory event of the Railroad Festival. He hopes for a safe time for everyone.

Scheduled Public Appearances:
Nathan Harbin, Harbin Consulting provided a power point of hardscape and landscape solutions for the newly renovated exterior at the Train Depot.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Council voted to adopt the consent agenda as presented for October 10, 2023. All members present voting aye. Motion carried 5-0.

Unfinished Business:
Train Depot Advisory Committee-Mary Lou requested the appointment of Kia Scott, Madeline Abbitt, and Mike Kirk. Claudia Puckette requested the appointment of Deborah Addair. Jane Thomas Allen requested the appointment of Stanley Cobbs. Lastly, Mr. McGhee advised Nathan Simpson submitted Terry Jamerson for the appointment.

Mr. McGhee will gather the contact information for those listed above.

Mr. Garrett asked if any rules or guidelines had been set up for the committee. What does the Council want the depot to be used for?

Mrs. Puckette commented that the Council does not know what it could be.

Mr. McGhee stated he could create some guidelines for the advisory committee to consider such as parking, budget, and use of alcohol within the facilities (or not).

Ms. Spiggle stated she thinks the Council should be involved with all the meetings.

By consensus, the Council agreed to table further discussion until the October 24, 2023 workshop meeting.

New Business
On a motion by Mr. Boyce, seconded by Mr. Garrett, the Council voted to adopt an Ordinance to Amend and reenact Section 185-19 of the Code of the Town of Appomattox.

AN ORDINANCE TO AMEND AND REENACT Section 185-185-19 of the Code of the Town of Appomattox, Chapter 185, Article III, Section 19, entitled "Parking in conformity with signs; yellow curb markings".

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

Section 1. *Section 1 of the Code of the Town of Appomattox shall appear as follows:*

Chapter 185: Vehicles and Traffic

Article III. Stopping, Standing, and Parking

§ 185-19. Parking in conformity with signs; yellow curb markings.

A. *No motor vehicle or other vehicle shall be parked on any of the streets or alleys of the Town at any time except in strict conformity with the signs or markings controlling such parking. Yellow curb marking means "no parking allowed."*

B. *Any person violating the provisions of this section shall be fined $50. Any vehicle violating the provisions of this section will be towed away at the expense of the owner thereof.*

Section 2. *Effective Date.*

This ordinance shall become effective October 10, 2023.

All members present voting aye. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. Boyce, the Council voted to adopt a Resolution 2024-001 amending the FY2024 Operating Budget for the Town of Appomattox:

1. *Consideration to adopt a resolution amending the FY 2024 Operating Budget for the General Fund, Water Fund, Sewer Fund, and ARPA Fund for an increase in the depot painting and landscaping, purchase of property, outsourcing of grass cutting, an additional USDA loan and carry forwards from FY 2023 for projects in progress.*

2. *WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time,*

3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2024 Operating Budget for the General Fund, Water Fund, Sewer Fund, and ARPA Fund.

General Fund Expenditures		
Downtown Revitalization	*319,821*	*Multi-year grant remaining balance*
Depot	*21,697*	*Additional for historical paint*

Depot	*5,700*	*Landscape Plan*
Depot	*219,469*	*Carryforward for Depot Construction*
LED Street Light Replacement	*29,674*	*Carryforward for LED Street Light Replacement Project*
CIP - Backhoe	*3,000*	*Overage for purchase of Backhoe*
CIP - Pavement Reseal/Reline	*30,000*	*Carryforward for work contracted in FY23-reline and reseal pavement*
Contract for Grass (RSG)	*14,596*	*Outsourced Grass Cutting Contract with RSG*
Land Purchase	*17,864*	*Purchase of Land*
Downtown Revitalization	*446,972*	*Carryforward Downtown Rev. Town Portion*
TOTAL	*1,108,793*	
General Fund Revenues		
Use of Undesignated Reserve	*1,108,793*	
Net Increase in Budget	*1,108,793*	
Water Fund Expenditures		
Church St. Waterline (Loan #61)	*1,156,000*	*Additional USDA Loan required for cost of project*
CIP - 1M Gallon Tank	*30,000*	*Carryforward 1M Gallon Tank Valve, Vault Replacement, & Altitude Valve*
Contract for Grass (RSG)	*14,956*	*Outsourced Grass Cutting Contract with RSG*
TOTAL	*1,200,956*	
Water Fund Revenues		
Use of Fund Balance	*1,200,956*	
Net Increase in Budget	*1,200,956*	
Sewer Fund Expenditures		
USDA - I&I Project	*641,192*	*Multi-year grant balance remaining after YE per July spreadsheet*
CIP - Basin Influent Valve	*19,000*	*Carryforward for Basin influent Valve (backordered)*
CIP - Reseal pavement - SBR Plant	*15,000*	*Carryforward for work contracted in FY23 - reline and reseal pavement*
Contract for Grass (RSG)	*14,596*	*Outsourced Grass Cutting Contract with RSG*
TOTAL	*689,788*	
Sewer Fund Revenues		
Use of Undesignated Fund	*689,788*	
Net Increase in Budget	*689,788*	
ARPA Fund Expenditures		
ARPA - General	*157,499*	*10% of remaining funds as of 6-30-2023*
ARPA - Water	*708,747*	*45% of remaining funds as of 6-30-2023*

ARPA - Sewer	*708,748*	*45% of remaining funds as of 6-30-2023*
TOTAL	*1,574,994*	

ARPA Fund Revenues	
ARPA Grant Funds	*1,574,994*
Net Increase in Budget	*1,574,994*

SECTION XIII: *BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2024 budget amendments are hereby adopted, 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.*

Amended this ____ day of _____ 2023.

Attest:

_____

Roxanne Casto, Town Clerk

ROLL CALL VOTE:
Allen-yes, Boyce-yes, Spiggle-yes, Garrett-yes, Puckette-yes. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, the Council voted to select the firm, CHA Consulting, for the development of the Town of Appomattox water study. All members present voting aye. Motion carried 5-0.

Mr. McGhee explained that several Council members have expressed the need to add handicapped park equipment at Kiddie Park. He is planning to meet with a park equipment vendor next week. The council provided consensus for the Town Manager to gather more information.

Council Standing Committee Reports:

ARPA: none

Finance and Planning Committee: none

Physical Development Committee: a firm was chosen tonight to perform the water study

Citizen Comment: none

Town Manager's Report:

Mr. McGhee outlined his written report from October 10, 2023, specifically speaking to the Brownfield Corridor Study and the Town Hall renovations.

Other Staff Reports:
Mr. Elder explained the issues of a waterline on the Old Courthouse Road-Smart Scale Project. He anticipates it will cost approximately $60,000 to correct.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Council voted to appropriate $60,000 from water fund undesignated funds.

ROLL CALL VOTE:
Allen-yes, Boyce-yes, Spiggle-yes, Garrett-yes, Puckette-yes. Motion carried 5-0.

Council Comment:

Ms. Allen: The newer streetlights (LED) look nice. She also reminded everyone of the Domestic Violence Vigil (next week).

Mr. Boyce: Expressed his appreciation and unity of this Council. This small-town thing makes things so much easier. He also appreciates all the prayers, concerns, and phone calls.

Mr. Garrett: none

Ms. Spiggle: none

Ms. Puckette: none

Adjournment:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to adjourn at 8:10 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Workshop Meeting
October 24, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, October 24, 2023, at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Claudia G. Puckette, and Nathan A. Simpson.

Absent: Timothy W. Garrett

Others present: Blair Smith, Carlton Duck, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

The Appomattox Town Council provided consensus to add the following items to the agenda:

1. Presentation by Blair Smith, Dominion Seven Architects – Town Office Building renovations.

2. Consideration of approving an out-of-town water request for 7854 Stage Road.

DISCUSSION:
On a motion by Mr. Simpson, seconded by Mr. Boyce, the Council voted to table the discussion and consideration of appointment individuals to the "Train Depot Advisory Committee" to the November 13, 2023, Regular Council meeting. All members present voting aye. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mr. Simpson, the Council voted to approve the out-of-town water request for Eldon Road, a property owned by Clark Campbell. All members present voting aye. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mr. Boyce, the Council voted to approve the out-of-town water request for 7854 Stage Road, Concord. Vote: 4 – ayes, 1 – absent, 1 – abstain. Mr. Simpson abstained from voting citing a conflict of interest as the property owner is his client. Motion carried 4-0-1.

TOWN OFFICE BUILDING RENOVATIONS:
Blair Smith, Dominion Seven Architects presented the Town Office Renovations in a PowerPoint presentation to the Town Council. Mr. Smith also presented a timeline of 15-18 months from start to finish with an estimated cost of 2.3 million dollars.

Mr. Simpson asked what major needs should be addressed in the renovation first. Mr. Smith explained the heating and cooling system and the electrical system will need to be upgraded. The heating and cooling system is currently residential and should be changed to commercial.

Mr. McGhee will be receiving quotes for temporary office space in the next week.

Mr. Boyce stated his desire for a one-level, street-level building without an elevator.

Mrs. Ray reminded the Council of the 1.1 million dollars available in ARPA funding. Also, stating with the current revenue trends, in 9-12 months you would never know this happened.

Mr. McGhee stated architecturally this is a major change. The change is very unassuming, and the appearance of the building fits the community.

The council suggested staff prepare a Request for Proposal for architectural firms and add it to the November 13, 2023, Regular meeting agenda for consideration to advertise.

COUNCIL COMMENTS:
Puckette – The depot looks awesome. It is just beautiful.

Simpson – He had a few residents mention to him that the depot needs an outdoor camera system, especially since the installation of the copper gutters.

Mr. McGhee asked Mr. Harbin to include a security system in his proposal for the exterior hardscaping. The Town is looking into the same type of system as the school system.

Boyce – Looking outside of Appomattox, this world needs prayer. Prayers for Appomattox, Richmond, Washington, DC, and Israel.

Allen – none

Spiggle – none

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA – None

Physical Development Committee - None

STAFF REPORTS:

Mr. Elder provided updates on the following items:

- Downtown Revitalization Project – all items are nearly complete except the brick at the sign at the corner of Atwood and Church Street. The handrails on Church Street and the grading and blacktop of the parking lot on Atwood Street. The parking lot is expected to be computed by the end of December 2023.
- The Old Courthouse Road waterline repair is complete.

- The Church Street waterline replacement project is underway. The crew began on Morris Avenue.
- The grinder pump went out at the SBR plant, and a new pump has been ordered. It will take approximately six to eight weeks to arrive.

Kim Ray, Treasurer provided the September 2023 financial report. She also stated the FY 2023 audit is ongoing.

Mr. McGhee also reported on the following items:

- The first of three videos with Rev. Duck is complete.
- Ms. Barbara Perguson has expressed an interest in having "Hometown Hero" banners hung on the light poles/posts downtown. The council is supportive of the idea but would rather see a non-profit and/or civic organization take charge of the banners. The Town could hang the banners.
- The Appomattox Railroad Festival committee is searching for a long-term area for equipment storage and meeting space. Mrs. Allen suggested the J. E. Sears building for a storage unit that is climate-controlled. Mr. Simpson requested to know their short- and long-term goals. Is the donation given by the Town being used for "storage"?
- Mr. McGhee also spoke of broadcasting Council meetings. A live broadcast is not recommended by security authorities. Mr. Simpson maintains he is still a proponent of live streaming.
- The legality of skilled gaming in Virginia after November 15, 2023, has been determined to be enforceable.
- Tomorrow Mr. McGhee and Roxanne Casto will attend a virtual meeting with Kelly Hitchcock, CVPDC, and the consultants hired to perform the Brownfield Study on the Courtland Manufacturing Building on Confederate Blvd.

ADJOURNMENT:

On a motion by Mrs. Allen, seconded by Mr. Simpson, the Council voted to adjourn at 8:10 p.m. All council members present voting aye. Motion carried 5-0.

_____ _____

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
November 13, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, November 13, 2023, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, Nathan Simpson, Timothy W. Garrett, and Mayor Richard Conner (6:50 p.m.).

Others: Anna Leisher, SGA; Amy Baade, SGA; Lydia Work, Environmental Standards; Kelly Hitchcock, CVPDC; Gunner Gowell and family, Charles Conrad, Carlton Duck, Alive Media; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council

Vice-Mayor Garrett the meeting to order at 6:45 p.m.

Reverend Duck led the prayer and pledge of allegiance to the flag of the United States of America.

Vice-Mayor Garrett turned the meeting over to Mayor Conner.

Mayor Conner welcomed everyone to the meeting. He commended the elected officials and town staff for the progress of the many projects at this time.

Scheduled Public Appearances:
Mayor Conner recognized Gunner Nowell as the winner of the Downtown Revitalization Fair Housing Poster Contest. Gunner is a student at Appomattox Elementary School. He received a $75.00 gift card, and his poster will be displayed at the Jamerson Memorial Library.

Mr. McGhee introduced Anna Leisher, Amy Baade, and Lydia Work as the group of consultants working on the Brownfield Study. After each consultant provided more information regarding their background and part in this project, they invited the Town Council and members of the public to attend the "Public Open House" at the Appomattox Town Hall, 210 Linden Street, Appomattox, Virginia from 5:30 p.m. to 6:30 p.m. on Tuesday, November 14, 2023.

Adoption of the Consent Agenda:
On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to adopt the consent agenda as presented for November 13, 2023. All members present voting aye.
Motion carried 6-0.

Unfinished Business:
On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to table "consideration to appoint individuals to the Train Depot Advisory Committee" until the November 28, 2023 Workshop meeting. All members present voting aye. Motion carried 6-0.

New Business
On a motion by Ms. Spiggle, seconded by Ms. Puckette, the Council voted to advertise the Request for Proposals from Architects and engineering firms for service related to the design and construction of the Appomattox Town Hall renovations. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:

ARPA: none

Finance and Planning Committee: none

Physical Development Committee: none

Citizen Comment: none

Town Manager's Report:
Mr. McGhee provided an update on the following items:

- In your mailboxes, there is a handwritten note from a visitor to Appomattox commending the Town for the Visitors Center employees and the depot.
- Mr. Elder has moved to the Fontaine Center at UVA.
- Following up with the interested urgent care possibilities.
- Resolution for the entrance improvement at the Caldwell's store on the corner of Church and Atwood Streets.
- The loose slate shingles on the depot have been repaired.
- Railings, gates, and parking lot paving are the final items of the Downtown Revitalization project.
- A brief update regarding the properties located within the Brownfield Study area.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Council voted to table further discussion of potential brownfield properties until obtaining the opinion of legal counsel. All members present voting aye. Motion carried 6-0.

Council Comment:

Mr. Boyce: none

Ms. Allen: Thankful for the removed car on Atwood Street. While driving or walking through Town at night, the lights look good, and she feels much safer.

Mr. Garrett: He would like to see the Town or EDA provide an incentive for Town businesses to hire students through the workforce program.

Ms. Spiggle: none

Ms. Puckette: none

N. Simpson: none

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Simpson, the Council voted to adjourn at 7:35 pm. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
November 28, 2023

The Appomattox Town Council held a Workshop meeting on Tuesday, November 28, 2023, at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy Garrett, Claudia G. Puckette, and Nathan A. Simpson.

Others present: Carlton Duck, Frank Wright; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

CLOSED SESSION:

On a motion by Mr. Simpson, seconded by Ms. Spiggle, the Council voted to convene in Closed Session pursuant to Virginia Code Section 2.2-3711(A)8, for the purpose of consultation with legal counsel retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel specifically being the Brownfield Study.

Roll call vote: Allen-yes, Boyce-yes, Spiggle-yes, Garrett-yes, Simpson-yes, Puckette-yes
Motion carried 6-0.

Certification: To the best of each member's knowledge, the only subjects just discussed or considered in the preceding closed meeting were those : (i) lawfully exempted from the Freedom of Information Act open meeting requirements and (ii) properly identified in the motion that convened the closed meeting, pursuant to Virginia Code Section 2.2-3712 (D).

Roll call vote: Allen-yes, Boyce-yes, Spiggle-yes, Garrett-yes, Simpson-yes, Puckette-yes
Motion carried 6-0.

DISCUSSION:

Consideration to appoint individuals to the Train Depot Advisory Committee.

Mr. Simpson led the discussion of creating a process or procedures for the committee to use during their meetings. He also recommended each council member email the Town Clerk the name and contact information for their nominee. The Town Clerk will then distribute the candidates' names as an agenda item for the next meeting.

Mr. Simpson would also like for the Council to consider hiring a facilitator for the meetings of the committee, such as the Lynchburg Reginal Business Alliance.

The council then discussed the scope of the committee:

Mr. Garrett states its wide open now and that is what scares him to death.

Mr. Simpson encouraged a hybrid type of scope. Listing some of the Town's wants and putting guard rails on the committee. The Town may or may not be able to do the ideas that come from the committee.

Mrs. Puckette advised that she does not feel like our visitor's center tells the story of what happened in Appomattox. Maybe we need to re-work the visitor center to include World War II and the Civil War history.

On a motion by Mr. Simpson, seconded by Ms. Puckette, the Council voted to dedicate a half a day, evening or night, with a facilitator and then let the facilitator lead the next 3 meetings with the committee, with a cost not to exceed $10,000. The facilitator would then produce a report for the Town Council .

Roll call vote: Allen-yes, Boyce-yes, Spiggle-yes, Garrett-yes, Simpson-yes, Puckette-yes
Motion carried 6-0.

Mrs. Puckette encouraged the council to choose the most creative people you know.

COUNCIL COMMENTS:

Ms. Puckette- invited everyone to see the new nativity scene at Liberty Baptist Church.

Mr. Simpson- asked if there was any interest in creating a pre-set amount for non-profits as we head into the budget season, excluding the fire and police departments. The non-profits would apply and the Town would divide up the capped amount.

Secondly, he inquired about the status of the security cameras at the depot.

Lastly, he asked if a calendar of all meetings could be shared with the public.

Mr. Garrett- advised that the Appomattox Volunteer Fire Department would be hosting a fundraiser "Breakfast with Santa" on Saturday, December 2, 2023, from 9:00 amn-12:00 noon at the firehouse.

He also requested staff to create a Proclamation recognizing the 2023 Girls Volleyball Team of the Appomattox County High School.

Ms. Spiggle-none

Mr. Boyce-none
Ms. Allen-none

STANDING COMMITTEE REPORTS:

Finance and Planning– None

Physical Development Committee – None

ARPA-None

STAFF REPORTS:

Mr. McGhee reported Mr. Elder is doing well.

Mrs. Ray presented the Treasurer's Report as of October 2023. She also reported the presentation of the FY2023 Annual Audit is scheduled for the Monday, December 11, 2023, Town Council Meeting.

Mr. McGhee notified the council members that Mrs. Ray received compliments of Christy Torrence and Sharon Mobley, "They are great people."

Mr. McGhee provided an update on the following items:

- The Downtown Revitalization project.
- Complaints regarding trash collection and loud Christmas music. Both items are being addressed.
- Firefly will begin to be installed in the next six (6) months.
- The depot project is complete and went over budget $11,452.56 or 2%
- Nathan Harbin will be submitting a timeline for the Depot landscaping and hardscaping project.
- A country music festival is being discussed at the former Thomasville property for June 2024.
- Gunner Nowell's poster is on display at the library.
- The split rail fencing, handicap parking spaces, fencing and railings and the gates at Mrs. Wilson's should be completed soon.
- CHA has begun working on the water source study.
- Mr. Conrad has asked the Appomattox County Administrator about the legal case impacting the water supply. There has been no response as of today.
- The court case regarding Ms. Olivarri is scheduled for November 30, 2023.
- A portion of Church Street waterline will be undergoing pressure testing under 150 psi to determine if any leaks exist.
- All water lines have been moved on Old Courthouse Road for the Smartscale project. The new lines have also been entered in the GPS mapping system.
- He will be meeting with a playground equipment company regarding handicap equipment.

Council thanked Reverend Duck for his service and contribution to the Town.

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Ms. Allen, the Council voted to adjourn at 8:30 p.m. All council members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
December 11, 2023

The Appomattox Town Council held a Regular Council meeting on Monday, December 11, 2023, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, and Timothy W. Garrett.

Absent: Nathan A. Simpson

Others: Hailey Fox, Brown Edwards; Carlton Duck, Alive Media; Dana Glover, Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council

Mayor Conner called the meeting to order at 6:30 p.m.

Reverend Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor Conner welcomed everyone to the meeting. The Town has accomplished a lot this year.

Scheduled Public Appearances:
Hailey Fox with Brown Edwards appeared before the Town Council to provide an overview of the final Fiscal Year 2023 Town Audit.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, the Town Council voted to adopt the consent agenda as presented for December 11, 2023. All members present voting aye. Motion carried 5-0.

Unfinished Business:
None

New Business
None

Council Standing Committee Reports:

ARPA: none

Finance and Planning Committee: none

Physical Development Committee: none

Citizen Comment: none

Town Manager's Report:
Mr. McGhee reviewed his email of December 8, 2023, with the Town Council.

Council Comment:

Mr. Boyce: Asked that you keep the people of Tennessee in your prayers, and they try to pick up the pieces from the Tornado. We need to cast the net of care a little further.

Ms. Allen: Thank you for being so nice and guiding her this past year. She is excited to see the progress. Merry Christmas and Happy New Year to everyone.

Mr. Garrett: none

Ms. Spiggle: Merry Christmas and a Happy and Prosperous New Year.

Ms. Puckette: The Town has had success this year due to the Town Staff. We should be proud of the things accomplished for the community.

N. Simpson: absent

Adjournment:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, the Council voted to adjourn at 7:30 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
January 8, 2024

The Appomattox Town Council held a Regular Council meeting on Monday, January 8, 2023, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, and Timothy W. Garrett.

Absent: Nathan A. Simpson

Others: Carlton Duck, Alive Media; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council; Jeff Elder, Director of Public Works; Christy Torrence, Office Manager and Charles Conrad

Mayor Conner called the meeting to order at 6:30 p.m.

Reverend Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor Conner welcomed everyone to the meeting.

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Town Council voted to adopt the consent agenda as presented for January 8, 2024. All members present voting aye.
Motion carried 5-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Boyce, seconded by Mr. Garrett, the Council voted to write off FY 2024 uncollected balances, specifically $2591.42 for 2018 Personal Property taxes and $1,158.58 for 2020 Utility bills.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes.
Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, the Council voted to reappoint Kenny Gobble to the Town of Appomattox Economic Development Authority for a four-year term beginning January 1, 2024. All members present voting aye. Motion carried 5-0.

A discussion was held regarding the vacancies on the Town of Appomattox Economic Development Authority. Mr. McDearmon resigned effective immediately and Mr. Simpson does

not want to serve after his term expires. Mr. McGhee will post the vacancies on the Town website.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, the Council voted to reappoint Steve Conner as a Town Representative on the Joint Board of Zoning Appeals for five (5) year term ending December 31, 2028. All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports:

ARPA: None

Finance and Planning Committee: None

Physical Development Committee: None

Citizen Comment:
None

Town Manager's Report:
In addition to his email sent on January 5, 2024, Mr. McGhee mentioned the following:

- The new website has been up since last week.
- There will be a public recognition ceremony on Friday, January 12 at 4:00 pm, celebrating Roxanne Casto's retirement after 30 years of service to the Town.
- An update was given on the waterline project—it is moving along at 80-100 ft per day. The Cawthorne St issue with the road closure sign and the garbage truck will be addressed.
- Positive feedback was received regarding the Christmas luncheon.
- Jeff Elder is back to work.
- Nathan Harbin will be at the January workshop meeting.
- Dominion 7 Architects Town Hall renovations.

Closed Session:
On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to convene in Closed Session, pursuant to Section 2.2-3711(A)1, for the purpose of assignment, appointment, promotion, and performance or resignation of specific public officers, appointees, or employees of any public body, specifically being Appointee A and Employee B pursuant to Virginia Code Section 2.2-3711(A)(1).

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

To the best of each member's knowledge, the only subjects just discussed or considered in the preceding closed meeting were those: (i) lawfully exempted from the FOIA Act's open-meeting requirements and (ii) properly identified in the motion that convened the closed meeting, pursuant to Virginia Code Section 2.2-3712(D).

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried 5-0.

ACTION:

On a motion by Ms. Spiggle, seconded by Ms. Puckette, the Council voted to appoint Christy Torrence as Interim Town Clerk beginning January 13, 2024. All members present voting aye. Motion carried 5-0.

Council Comments:

Mr. Boyce: Happy New Year and looking forward to 2024. Mrs. Casto has been a big blessing.

Ms. Allen: Happy New Year!

Mr. Garrett: Thank you to Mrs. Casto for putting up with the Council.

Ms. Spiggle: Thanked Mrs. Casto for doing more than her job description. It has been a wonderful situation.

Ms. Puckette: Thank you to Mrs. Casto.

N. Simpson: absent

Mayor Conner: Thanked Mrs. Casto for all of her assistance.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, the Council voted to adjourn at 7:40 pm. All members present voting aye. Motion carried 5-0.

Roxanne W. Casto, MMC	Richard C. Conner
Clerk	Mayor

Appomattox Town Council
Regular Council Meeting
January 8, 2024

The Appomattox Town Council held a Regular Council meeting on Monday, January 8, 2023, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, and Timothy W. Garrett.

Absent: Nathan A. Simpson

Others: Carlton Duck, Alive Media; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Roxanne W. Casto, Clerk of Council; Jeff Elder, Director of Public Works; Christy Torrence, Office Manager and Charles Conrad

Mayor Conner called the meeting to order at 6:30 p.m.

Reverend Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor Conner welcomed everyone to the meeting.

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Town Council voted to adopt the consent agenda as presented for January 8, 2024. All members present voting aye.
Motion carried 5-0.

Unfinished Business:
None

New Business:
On a motion by Mr. Boyce, seconded by Mr. Garrett, the Council voted to write off FY 2024 uncollected balances, specifically $2591.42 for 2018 Personal Property taxes and $1,158.58 for 2020 Utility bills.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes.
Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mrs. Puckette, the Council voted to reappoint Kenny Gobble to the Town of Appomattox Economic Development Authority for a four-year term beginning January 1, 2024. All members present voting aye. Motion carried 5-0.

A discussion was held regarding the vacancies on the Town of Appomattox Economic Development Authority. Mr. McDearmon resigned effective immediately and Mr. Simpson does

not want to serve after his term expires. Mr. McGhee will post the vacancies on the Town website.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, the Council voted to reappoint Steve Conner as a Town Representative on the Joint Board of Zoning Appeals for five (5) year term ending December 31, 2028. All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports:

ARPA: None

Finance and Planning Committee: None

Physical Development Committee: None

Citizen Comment:
None

Town Manager's Report:
In addition to his email sent on January 5, 2024, Mr. McGhee mentioned the following:

- The new website has been up since last week.
- There will be a public recognition ceremony on Friday, January 12 at 4:00 pm, celebrating Roxanne Casto's retirement after 30 years of service to the Town.
- An update was given on the waterline project—it is moving along at 80-100 ft per day. The Cawthorne St issue with the road closure sign and the garbage truck will be addressed.
- Positive feedback was received regarding the Christmas luncheon.
- Jeff Elder is back to work.
- Nathan Harbin will be at the January workshop meeting.
- Suggests using Dominion 7 Architects for Town Hall renovations.

Closed Session:
On a motion by Mr. Boyce, seconded by Mrs. Puckette, Council voted to convene in Closed Session, pursuant to Section 2.2-3711(A)1, for the purpose of assignment, appointment, promotion, and performance or resignation of specific public officers, appointees, or employees of any public body, specifically being Appointee A and Employee B pursuant to Virginia Code Section 2.2-3711(A)(1).

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

To the best of each member's knowledge, the only subjects just discussed or considered in the preceding closed meeting were those: (i) lawfully exempted from the FOIA Act's open-meeting requirements and (ii) properly identified in the motion that convened the closed meeting, pursuant to Virginia Code Section 2.2-3712(D).

The motion was seconded by Council Member Puckette and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Ms. Puckette, the Council voted to appoint Christy Torrence as Interim Town Clerk beginning January 13, 2024. All members present voting aye. Motion carried 5-0.

Council Comments:

Mr. Boyce: Happy New Year and looking forward to 2024. Mrs. Casto has been a big blessing.

Ms. Allen: Happy New Year!

Mr. Garrett: Thank you to Mrs. Casto for putting up with the Council.

Ms. Spiggle: Thanked Mrs. Casto for doing more than her job description. It has been a wonderful situation.

Ms. Puckette: Thank you to Mrs. Casto.

N. Simpson: absent

Mayor Conner: Thanked Mrs. Casto for all of her assistance.

Adjournment:
On a motion by Mr. Garrett, seconded by Mr. Boyce, the Council voted to adjourn at 7:40 pm. All members present voting aye. Motion carried 5-0.

Christy Torrence	Richard C. Conner
Interim Clerk	Mayor

Appomattox Town Council
Workshop Meeting
January 23, 2024

The Appomattox Town Council held a Workshop meeting on Tuesday, January 23, 2024, at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, and Nathan A. Simpson.

Absent: James J. Boyce, Sr.

Others present: Carlton Duck, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Christy J. Torrence, Interim Clerk of Council, Mrs. Nathan Simpson, Sheriff Robert Richardson

Mayor Conner called the meeting to order.

SCHEDULED PUBLIC APPEARANCES:
The Honorable Sheriff Robert "Robby" Richardson appeared before Council to introduce himself as the new sheriff of Appomattox County. He thanked the Town for the drug dog that was provided and said that they were already seeing results at the middle school and they credit the new dog for the improvement.

Sheriff Richardson asked if the Town had it in the CIP to provide a vehicle every three (3) years. Mrs. Ray said it was not in the CIP and the car that the Town purchased last year was ARPA funded. Mr. Simpson proposed that Council sign a sixty (60) to ninety (90) day extension to the current MOU with the commitments made in the last budget cycle which included increasing the sheriff stipend and raises for two (2) deputies. Mr. Simpson would like to use this time to refine the CIP. Mr. Simpson would like for staff to work with the Town attorney to make this a "living" document.

DISCUSSION:
On a motion by Mr. Simpson, seconded by Mrs. Puckette, the Council voted to select Dominion 7 to develop a proposal for the Town Hall renovation. All members present voting aye. Motion carried 5-0.

Mr. Simpson led a discussion regarding implementing a property maintenance code. Pamplin has something similar in their code and it has been successful. There are several properties in Town that we'd like to encourage the owners to do something with, Mr. Simpson stated. If the building is in egregious violation of the building code, we can require the owner to fix it or demolish it. Staff will do further research.

On a motion by Mr. Simpson, seconded by Ms. Spiggle, the Council voted to approve the out-of-town water request for 136 Peaceful Meadow Rd Spout Spring, VA 24593. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Council voted to approve the out-of-town water request for Lot 12 Woodchase Subdivision Map #63-8-12. All members present voting aye. Motion carried 5-0.

COUNCIL COMMENTS:

Allen – none

Spiggle – none

Garrett-Received a request from the fire department. They have been using and maintaining a 1946 fire truck that belongs to the town. They would like for the Town to consider donating it to the fire department.

On a motion by Ms. Spiggle, seconded by Mr. Simpson, the Council voted to donate the 1946 fire truck to the fire department by signing over the title. Vote: 4 – ayes, 1 – abstain. Mr. Garrett abstained from voting citing a conflict of interest as a member of the fire department. Motion carried 4-0-1.

Puckette – none

Simpson – Approached by the mayor of Pamplin. Pamplin is not represented by the Board of Zoning Appeals. Mr. Simpson believes that they should be represented and would like to appeal to the Board of Supervisors to raise the number of members on the BOZ so the Town of Pamplin can be represented. Requested staff investigate this. Excited about the Property Maintenance Code and thanked Council members for supporting it. Has been disturbed by a loud noise very early in the morning on two (2) different occasions only to discover the disturbance was a GFL trash truck. They are violating the County noise ordinance. Would like a letter written to GFL as a show cause. They need to give us a written response.

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA – None

Physical Development Committee - None

STAFF REPORTS:

Mr. Elder provided updates on the following items:

- The Church Street waterline replacement project has made it to Red House Rd. Hope to make 100 feet per day. They are a little ahead of schedule.

Kim Ray, Treasurer provided updates on the following items:

- The December 2023 financial report.
- Budget calendar is in the meeting packet; first budget meeting will take place March 11, 2024 at 5:45 pm.
- We may need to increase the budget line item used for employee recognition—meals, etc.
- Requests for donations will be due in by March 8, reviewed by Council on March 11 during the budget meeting, and people seeking donations will present to Council March 26.

Christy Torrence, Interim Clerk of Council provided an update on the following:

- Gave an update on the utility bills that were lost in the mail. The majority of customers who receive bills outside of the 24522 zip code received their bills. No bills inside of the 24522 zip code were received. Customer service sent out a second bill to all customers with a balance and the due date has been extended until February 5. We will reevaluate on the 5th before we do disconnects on the 6th.

Mr. McGhee provided a written report on January 22, 2024. He provided an update on the following:

- He has received a request from the new Chairman of the Appomattox County Board of Supervisors (BOS). They are requesting a meeting between the Town Manager, the County Administrator, and both legal counsels.
  Mayor Conner: I have attempted to get a breakfast meeting with the chairman of the Board of Supervisors and have not received a decent response.
  Mrs. Puckette: Our attorney asked that we get an agenda. Did we get an agenda?
  Ms. Spiggle: We were advised by our legal counsel not to meet publicly. I respect everyone on the board and the administrator, but we have never met as a Council with the Board. For them to suggest that it be with you (the mayor) and you (the Town Manager) and omit the Council who has the voting rights and decision rights on anything proposed, to me, is ludicrous. No, you don't have my permission to meet.
  Nathan: I don't think it's appropriate. If the chairman and mayor want to have an unofficial breakfast meeting but an official meeting with staff and the attorneys, absolutely not. My suggestion-we propose something very clearly and they can say yes or no. We propose a joint meeting over a catered meal. We have a publicly advertised agenda. Gives us a chance to interact. We can pick two or three topics.
  Mr. McGhee will come up with some topic ideas.

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Mr. Simpson, the Council voted to adjourn at 8:36 p.m. All council members present voting aye. Motion carried 5-0.

Christy J. Torrence, Interim Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
February 12, 2024

The Appomattox Town Council held a Regular Council meeting on Monday, February 12, 2024, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, Timothy W. Garrett, Nathan A. Simpson

Others: Carlton Duck, Alive Media; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Christy Torrence, Interim Clerk of Council; Charles Conrad; Blair Smith; Sarah Blackwell, Mayor of Pamplin; Kaylee Simpson

Mayor Conner called the meeting to order at 6:30 p.m.

Reverend Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor Conner welcomed everyone to the meeting.

Mayor's Comments:
We are moving forward—getting a handle on projects. Wants to commend Mr. Simpson on the potential agenda for town/county meeting.

Scheduled Public Appearances:
Blair Smith from Dominion 7 Architects discussed the process of the town hall renovations and additions. The next step is to accept or reject the fee proposal. Council will take two (2) weeks to think about it and address it again at the next meeting.

Adoption of the Consent Agenda:
On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Town Council voted to adopt the consent agenda as presented for February 12, 2024. All members present voting aye.
Motion carried 5-0.

Unfinished Business:
None

New Business:
A motion was made by Mrs. Allen to appoint Kaylee Simpson to the Town Economic Development Authority, motion died for lack of a second.

On a motion by Mrs. Allen, seconded by Ms. Spiggle, the Council voted to appoint Donna Preston to the Town Economic Development Authority vacancy, term expiring December 31, 2027. All members present voting aye. Motion carried.

On a motion by Mr. Boyce, seconded by Ms. Spiggle, the Council voted to appoint Kelsey Moore to the Town Economic Development Authority unexpired term, term expiring December 31, 2026. All members present voting aye. Motion carried.

A discussion was held on an administrative issue; a portion of the Town code Section 50-13 refers to paying a fee to the county instead of the town.
On a motion by Mr. Boyce, seconded by Mrs. Allen, the Council voted to amend Town code Section 50-13 changing the word "county" to "town". All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports:

ARPA: None

Finance and Planning Committee: None

Physical Development Committee: None

Citizen Comment:
Sarah Blackwell, Mayor of Pamplin introduced herself to council.

Town Manager's Report:
Mr. McGhee reviewed with Council his email dated February 9, 2024.

Closed Session:
On a motion by Mr. Garrett seconded by Mrs. Puckette, Council voted to convene in Closed Session, pursuant to Section 2.2-3711(A)1, for the assignment of specific public appointees, specifically being confirmation of Appointee A's prior appointment and approval of the personnel report.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes Simpson – yes. Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Boyce made the following motion:

To the best of each member's knowledge, the only subjects just discussed or considered in the preceding closed meeting were those: (i) lawfully exempted from the FOIA Act's open-meeting requirements and (ii) properly identified in the motion that convened the closed meeting, pursuant to Virginia Code Section 2.2-3712(D).

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Simpson – yes. Motion carried 5-0.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, the Council voted to approve the personnel report, without amendment. All members present voting aye. Motion carried 5-0.

Council Comments:

Mr. Boyce: The roads are in poor condition because of the Church St Waterline Project. There needs to be more diligence in keeping a workable surface—ruts and valleys can cause damage.

Ms. Allen: Any updates on park equipment? Terry answered that he had not followed up with scheduling the appointment.

Mr. Garrett: none

Ms. Spiggle: none

Mrs. Puckette: none

Mr. Simpson:

- Researching security cameras at the Depot. Tori is reaching out to the schools to see about getting the same type of system.
- Trash truck came through again Friday morning at 3:55 am. They are dumping commercial dumpsters. They are not compliant with county code.
- Heard Firefly was coming to Town.
- Since the last meeting developed concern with how a certain group feels he has been on council. There is no basis for the accusations. The decisions made to communicate with people are an effort to build streams of communication.
- The whole process of the EDA appointments doesn't sit right.

Adjournment:
On a motion by Mr. Garrett, seconded by Mrs. Puckette, the Council voted to adjourn at 8:35 pm. All members present voting aye. Motion carried 5-0.

Christy Torrence
Interim Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
February 27, 2024

The Appomattox Town Council held a Workshop meeting on Tuesday, February 27, 2024, at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson and James J. Boyce, Sr.

Others present: Carlton Duck, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Christy J. Torrence, Interim Clerk of Council, Mrs. Nathan Simpson, Dana Glover, Charles Conrad

Mayor Conner called the meeting to order.

DISCUSSION:

Mr. Elder led a discussion on sidewalks in need of repair. The most complaints are received on Highland Ave sidewalks. Mrs. Allen showed pictures she had taken of some of the sidewalks that need work. Mr. Elder said that the town has been loaded up on water and sewer projects the last couple of years. He suggested the town do a sidewalk project one year, a water project one year, and a sewer project one year, rotating every three years. Mr. Elder also suggested that we investigate a VDOT share program. Mr. McGhee said Safe to School grants are available.

Mr. Elder led a discussion on the Smart Scale Project on Lee Grant Ave.

On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to proceed with the application for the Smart Scale Project. All members present voting aye. Motion carried 5-0.

Mr. McGhee led a discussion on staffing changes with the Town's employees.

On a motion by Mr. Simpson, seconded by Mrs. Puckette, the Council voted to authorize the town manager to advertise for the Human Resource manager and clerk position as presented. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Garrett, seconded by Mr. Simpson, the Council voted to include sidewalk maintenance in the CIP. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to move Discussion # 5—Water for the future (water strategies)—and the Treasurer's report to the next workshop meeting. All members present voting aye. Motion carried 5-0.

A motion was made by Ms. Spiggle to allow Dominion 7 to move forward with the design of the Town Hall renovation. A secondary motion was made by Mr. Simpson to see what 1.3 million would accomplish (which would be exhausting all ARPA funding). Both motions died for lack of a second.

COUNCIL COMMENTS:
Allen – none

Spiggle – none

Garrett – none

Puckette – none

Simpson – Would like to move forward with joint meeting with county by sending out a formal invitation.

On a motion by Mr. Simpson, seconded by Mr. Boyce, the Council voted to formally invite the County to a meeting hosted by the Town to discuss the items presented on the agenda and to set the ground rules to exclude discussion of the following: lease and sale purchase agreement, the water purchase contract, the waterline maintenance agreement, and water in general. All members present voting aye. Motion carried 5-0.

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA – None

Physical Development Committee - None

STAFF REPORTS:

None

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Council voted to adjourn at 9:20 p.m. All council members present voting aye. Motion carried 5-0.

Christy J. Torrence, Interim Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Budget Work Session
March 11, 2024

The Appomattox Town Council held a Budget work session on Monday, March 11, 2024, at 5:45 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, and Mayor Richard Conner

Absent: Nathan A. Simpson

Others present: Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager; Christy Torrence, Interim Clerk of Council; Dana Glover, Kaylee Simpson, Carlton Duck

Mayor Conner called the budget work session to order.

Mrs. Ray and Mr. McGhee provided a list of items to review that included recommended increases and other ongoing projects to consider in FY 2025 budget for the Town of Appomattox. They requested Council review the list and bring any questions to the next meeting on March 26, 2024 or visit the Town Office.

The Community Funding requests applications were given to Council and will be heard at the March 26, 2024 Workshop meeting. Once Council reaches a consensus those amounts will be added to the draft budget.

ADJOURNMENT:

The budget work session adjourned at 6:39 pm.

Christy Torrence
Interim Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Regular Council Meeting
March 11, 2024

The Appomattox Town Council held a Regular Council meeting on Monday, March 11, 2024, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Members present: Jane T. Allen, James J. Boyce, Sr., Claudia G. Puckette, Mary Lou G. Spiggle, Timothy W. Garrett

Absent: Nathan A. Simpson

Others: Carlton Duck, Alive Media; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Christy Torrence, Interim Clerk of Council; Charles Conrad, Kaylee Simpson, Frank Wright, Dana Glover

Mayor Conner called the meeting to order at 6:30 p.m.

Mayor's Comments:
Mayor Conner reminded everyone that there is no pause between one nation and under God in the Pledge of Allegiance. Requested that everyone accommodate him and say it correctly.

Reverend Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Mayor Conner welcomed everyone to the meeting.

Scheduled Public Appearances:
None

Adoption of the Consent Agenda:
On a motion by Ms. Spiggle, seconded by Mr. Garrett, the Town Council voted to adopt the consent agenda as presented for March 11, 2024. All members present voting aye.
Motion carried 5-0.

Unfinished Business:
Mr. McGhee urged Council to prioritize Town hall building renovations by addressing ADA requirements and correcting any building, fire, and OSHA deficiencies first.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Town Council voted to ask the local building inspector to come evaluate the building. All members present voting aye.
Motion carried 5-0.

New Business:
In the absence of Mr. Simpson, Mrs. Torrence spoke on his behalf asking Council to approve the purchase of A/V equipment as presented by Carlton Duck.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, the Town Council voted to purchase the A/V equipment as presented by Mr. Duck, exhausting $3400 remaining in the ARPA fund and taking any additional costs out of the general fund.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried 5-0.

Council Standing Committee Reports:

ARPA: None

Finance and Planning Committee: None

Physical Development Committee: None

Citizen Comment:
None

Town Manager's Report:
Mr. McGhee reviewed with Council his email dated March 8, 2024.

Closed Session:
On a motion by Mrs. Puckette seconded by Ms. Spiggle, Council voted to convene in Closed Session, pursuant to Section 2.2-3711(A)1, for the discussion of the performance of a specific public employee, specifically being Employee A.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

To the best of each member's knowledge, the only subjects just discussed or considered in the preceding closed meeting were those: (i) lawfully exempted from the FOIA Act's open-meeting requirements and (ii) properly identified in the motion that convened the closed meeting, pursuant to Virginia Code Section 2.2-3712(D).

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. Motion carried 5-0.

Council Comments:

Mr. Conner: Had meeting of the minds at breakfast with chairman of the Appomattox County Board of Supervisors and the mayor of Pamplin.

Mr. Boyce: Still not happy with the road conditions because of the Church St Waterline Project. The ruts are bad.

Ms. Allen: Wants to be sure we keep up the momentum with the building maintenance code. Notices chipping paint and broken windows. Would like to see the Town use the light poles for banners and hanging baskets.

Mr. Garrett: none

Ms. Spiggle: There are potholes on Edgewood, Countryside, and Annie because of the dump trucks bringing extra dirt to wastewater treatment plant. Would like us to check the cameras in the parking lot and make sure all areas are covered.

Mrs. Puckette: Things are rapidly moving in the wrong direction with Council. In 10 years things have never been so unruly and because of this advice from legal counsel was sought.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, the Town Council voted to adopt the following resolution. All members present voting aye. Motion carried 5-0.

RESOLUTION

WHEREAS, the Appomattox Town Council has the authority to discipline its members for engaging in disorderly behavior and misconduct, pursuant to Section 15.2-1400(D) of the Code of Virginia, 1950, as amended; and,

WHEREAS, Councilman Nathan Simpson, while in the performance of his duties as Councilman, has bullied, yelled, and in a threatening and intimidating manner, harassed other members of the Appomattox Town Council; and

WHEREAS, the Councilman has also to lacked decorum and decency while engaging fellow members of the Council; and,

WHEREAS, these actions, among others, have been a detriment to the public trust and reputation of the Town Council of Appomattox; and,

WHEREAS, it is incumbent on the Town of Appomattox Council to protect the public standing of the Body.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF APPOMATTOX:

1. The actions of Councilman Nathan Simpson have negatively impacted the reputation and integrity of the Body.
2. Such disorderly behavior and misconduct warrants discipline under Virginia law.
3. A censure of admonishment is hereby imposed on the Councilman.
4. A fine commiserate to one-month of pay for a member of the Body be issued to the Councilman, due for payment no later than April 30, 2024.
5. If the fine is left unpaid by the due date, the billings and collections divisions of the Finance Department shall collect the fine amount in accordance with Virginia law and Town practice.
6. To prevent further negative behavior, the Councilman is hereby placed on notice, and is strongly advised to change course or potentially face future reprimands permissible under Virginia Law.
7. That this Resolution shall become effective upon its adoption.

Adopted: _____

Certified: _____
Clerk of Council

Adjournment:
On a motion by Mr. Garrett, seconded by Mrs. Allen, the Council voted to adjourn at 8:23 pm. All members present voting aye. Motion carried 5-0.

_____ _____

Christy Torrence
Interim Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Special Call Council Meeting
March 19, 2024

The Appomattox Town Council held a Special Call Council meeting on Tuesday, March 19, 2024, at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council members present were James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, Jane T. Allen, Nathan Simpson

Others present were Christy Torrence; Interim Clerk of Council, Jeff Elder; Facilities Director, Kim Ray; Treasurer, Terry McGhee; Town Manager, Carlton Duck, Dana Glover, Charles Conrad, Frank Wright, Terry Jamerson, Gloria Carter, Sam Carter, Kaylee Simpson, Garet Bosiger, Susan Adams, Robby Richardson, Bryan Baine, Sara Conner, John Hinkle, Don Wilk, Nancy Wilk, Anthony Johnson, Mike Kirk, McKinley Cardwell, Janet Kirk

Mayor Conner called the Special Call meeting to order.

A brief public comment session was held.

Mr. Simpson made a statement and read a resolution that he requested Council adopt.

Action:
A motion was made by Mrs. Allen, seconded by Mr. Simpson, to adopt the resolution to resend the censure of Mr. Simpson. Mrs. Puckette made an amended motion to adopt a resolution to resend the censure of Mr. Simpson and require all Council members and Mayor Conner attend and complete professionalism training through a professionally designed course.

Roll Call Vote:
Boyce – abstain, Spiggle-yes, Garrett-yes, Puckette– yes, Simpson-yes, Allen-yes. Motion carried 5-0.

<Insert Resolution>

Council Comments:

Adjournment:
On a motion by Mr. Garrertt, seconded by Mrs. Allen, Council voted to adjourn at 7:25 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

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Mayor Conner called the Special Call meeting to order.

A brief public comment session was held.

Mr. Simpson made a statement and read a resolution that he requested Council adopt.

Action:
A motion was made by Mrs. Allen, seconded by Mr. Simpson, to adopt the resolution to rescind the censure of Mr. Simpson. Mrs. Puckette made an amended motion to adopt a resolution to resend the censure of Mr. Simpson and require all Council members and Mayor Conner attend and complete professionalism training through a professionally designed course.

Roll Call Vote:
Boyce – abstain, Spiggle-yes, Garrett-yes, Puckette– yes, Simpson-yes, Allen-yes. Motion carried 5-0.

COUNCIL OF THE TOWN OF APPOMATTOX, VIRGINIA
RESOLUTION

WHEREAS, the Appomattox Town Council adopted a resolution to censure and admonish councilman Nathan Simpson on March 11, 2024; and,

WHEREAS, the hearing of testimony and statement of accusations constituted a trial; and,

WHEREAS, Nathan Simpson was not made aware of the accusations and was not party to the trial.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF APPOMATTOX:

1. The Town Council did not abide by Robert's Rules of Order in its adoption of a Resolution to Censure Nathan Simpson.
2. Any further attempt of the Appomattox Town Council to censure Nathan Simpson for the alleged conduct would constitute double jeopardy.
3. The Appomattox Town Council rescinds the resolution to censure and admonish Nathan Simpson.
4. That this resolution shall become effective upon its adoption.
5. Attend and complete professionalism training.

AS RECORDED,

Jane Allen-yes
James Boyce, Sr.-abstained
Timothy Garrett-yes
Claudia Puckette-yes
Nathan Simpson-yes
Mary Lou Spiggle-yes

Adopted:_____

Certified:_____

Council Comments:

Mr. Boyce: As a Master of a US tugboat specializing in threat assessment, after hearing the perspective of Mrs. Puckette and Ms. Spiggle I consider Mr. Simpson's actions to be threatening and believe it will happen again.

Ms. Allen: Thanks everyone for being here. We have work to do, let's do it.

Mr. Garrett: none

Ms. Spiggle: I know what happened in the parking lot. I apologize for putting my hand on Kaylee's shoulder. It will never happen again; I will never touch her again.

Mrs. Puckette: I am a widow; I live alone, and I am frightened.

Mr. Simpson: You can't continue to poke. I'm done and I hope you are too.

Mayor Conner: I thought I had a good working council. I let meetings get out of order. I hope that with training we can move forward for the benefit of the voters and all citizens of the Town of Appomattox. Let's get past this and continue the good work.

Adjournment:
On a motion by Mr. Garrertt, seconded by Mr. Boyce, Council voted to adjourn at 7:25 p.m. All members present voting aye. Motion carried 6-0.

Christy Torrence
Interim Clerk of Council

Richard C. Conner, Mayor

Appomattox Town Council
Budget Work Session
March 26, 2024

The Appomattox Town Council held a Budget work session on Monday, March 26, 2024, at 5:45 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson and Mayor Richard Conner

Others present: Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager; Christy Torrence, Interim Clerk of Council; Dana Glover, Kaylee Simpson, Carlton Duck

Mayor Conner called the budget work session to order.

Mrs. Ray provided the first draft of the FY 2025 budget for the Town of Appomattox. They requested Council review the draft and bring any questions to the next meeting on April 8, 2024, or visit the Town Office.

ADJOURNMENT:

The budget work session adjourned at 6:25 pm.

Christy Torrence
Interim Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Workshop Meeting
March 26, 2024

The Appomattox Town Council held a Workshop meeting on Tuesday March 26, 2024, at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Jane T. Allen, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson and James J. Boyce, Sr.

Others present: Carlton Duck, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Christy J. Torrence, Interim Clerk of Council, Kaylee Simpson, Dana Glover

Mayor Conner called the meeting to order.

DISCUSSION:

Mr. Elder led a discussion on adopting a copper pipe ordinance.

On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to adopt §62-4. Copper pipes for the transmission of water outside Town limits. All members present voting aye. Motion carried 6-0.

Mr. Elder asked Council to consider authorizing the town attorney to draw up a resolution to close the portion of Hunter St considered a paper street. The street would be closed at the row of pine trees.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, the Council voted to authorize the town attorney to draw up a resolution to close the portion of Hunter St considered a paper street. All members present voting aye. Motion carried 6-0.

Mr. McGhee gave Council an overview of the training that they would be completing. Berkley Consulting will be handling the training. They will start by interviewing each Council member by phone and training will end with a retreat.

Mr. McGhee discussed water for the future/water strategies. He recommended that Council move forward with planning for the future based on six principles.

1. Appomattox Town Council (ATC) stands firmly together.
2. ATC takes a neutral position (not supporting any one side of the argument) on the Region 2000 landfill legal proceedings.
3. Each side has reasonable arguments, and we should respect them.
4. ATC take a strong position to encourage all four parties to negotiate a solution in good faith at their meetings.
5. Town of Appomattox prepare to reopen wells and plan & budget for future ones.
6. Approve press release to town website: Why is Campbell County Planning to Turn Off the Flow of Water to the Town of Appomattox in 2030?

ATC taking these positions gives the town its greatest flexibility, freedom, and independence.

On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to deny authorization to release the press release, titled Why is Campbell County Planning to Turn Off the Flow of Water to the Town of Appomattox in 2030? All members present voting aye. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to purpose a joint meeting to the Board of Supervisors with an agenda to include a closed session exempted for contract discussions, particularly being the 2031 water renewal contract. All members present voting aye. Motion carried 6-0.

COUNCIL COMMENTS:
Allen – none

Spiggle – It's good to see the County Board of Supervisors here—Mr. Roark, Ms. Adams. It is encouraging –we have hope. Thanked Mr. Elder and Tori for all their hard work.

Garrett – none

Puckette – none

Simpson – Thank you town staff.

Boyce-Thank you County for showing up. Thank you, Mrs. Ray, for all your hard work on the budget. Thank you, Appomattox for Equality, for coming—its shows people care and its encouraging. We have hope. Thank you, Mr. Elder and Tori, for all of your hard work.

Mayor Conner-Thank you staff for all your hard work.

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA – Finance and Planning committee met today. Mr. Simpson asked that the committee consider a resolution to offer insurance to part-time staff and council members at 80/20 cost split.

A motion was made by the Finance and Planning Committee to offer Key Advantage 1000 comprehensive dental and Key Advantage 1000 preventative dental to all full-time employees and qualifying retirees only. Coming out of committee, motion did not require a second. All members present voting aye. Motion carried 6-0.

Physical Development Committee - None

STAFF REPORTS:

Mrs. Ray-asked to delay her report to the next workshop meeting.
Mr. Elder-Church St waterline project is moving along—made it to the Public Works office.

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Council voted to adjourn at 8:15 p.m. All council members present voting aye. Motion carried 6-0.

Christy J. Torrence, Interim Clerk

Richard C. Conner
Mayor

Appomattox Town Council
Budget Work Session
April 8, 2024

The Appomattox Town Council held a Budget work session on Monday, April 8, 2024, at 5:45 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia.

Members present: Jane T. Allen, James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson and Mayor Richard Conner

Others present: Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager; Christy Torrence, Interim Clerk of Council; Dana Glover, Kaylee Simpson, Mckinley Cardwell, Stephanie Pawelczyk

Mayor Conner called the budget work session to order.

Mrs. Ray discussed the draft of the FY 2025 budget for the Town of Appomattox that Council was given at the last budget work session on March 26, 2024.

Mrs. Ray proposed a 3% cost of living adjustment for FY 2025 budget as that seems to be what other localities are doing. She also proposed that 1% of the budget be designated for donations.

Council agreed on the following donations:
Til the End of Time Sanctuary-$1,000
T & C Promotions-$0
Appomattox for Equality-$1,000
Appomattox Youth Sports-$4,000
Historic Appomattox Railroad Festival-$10,000
A suggestion was made to give $2,000 to the American Civil War Museum. The following roll call vote was recorded. ROLL CALL: Allen-yes, Simpson-yes, Garrett-no, Puckette-no, Boyce-no, Spiggle-no. By a 4-2 vote, Council voted to give $0 to the American Civil War Museum.

It was decided that donations for the sheriff's department, fire department, and rescue would be removed from the donation line item and be taken from the general fund. Experience Appomattox would be removed from the donation line item and be taken from tourism line item.

ADJOURNMENT:

The budget work session adjourned at 6:25 pm.

Christy Torrence
Interim Clerk

Richard C. Conner
Mayor