

1 | **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.

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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.

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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

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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.

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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
Clerk

Richard C. Conner
Mayor