

1 | **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.

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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.

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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 situated 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.

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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.

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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

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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

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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.

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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
Clerk

Richard C. Conner
Mayor