



## **Appomattox Regular Meeting Agenda**

Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia 24522

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### **Monday, January 10, 2022**

#### **6:30 PM – Regular Meeting**

(Location: Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia 24522)

#### **Call to Order and Welcome to Visitors**

#### **Public Hearing(s):**

#### **Open the hearing**

The purpose of this public hearing will be 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
<b>Total Expenditures Amendments</b>	<b>73,038.00</b>

General Fund Revenue Amendments	57,288.00
Water Fund Revenue Amendments	6,100.00
Sewer Fund Revenue Amendments	9,650.00
<b>Total Revenue Amendments</b>	<b>73,038.00</b>

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**

## **Questions from Council members**

**Council discussion**, at which time the Mayor may entertain a motion to place the matter on a future agenda for action, to refer the matter to committee, or bring the matter to a vote.

## **Close the hearing**

## **Prayer & Pledge of Allegiance to the Flag of the United States of America**

## **Mayor's Comments**

## **Scheduled Public Appearances**

## **Adoption of the Consent Agenda - January 10, 2022**

All matters listed under consent agenda are considered routine by the council and will be approved or received by one motion in the form listed. Items may be removed from the consent agenda for discussion under the regular agenda upon motion of any council member and duly seconded.

- [1.](#) Approval of Minutes

## **Unfinished Business**

## **New Business**

- [2.](#) Consideration to adopt a FY 2022 Budget Amendment Resolution 2022-002.
3. Consideration to reappoint Linda Lipscomb to the Town of Appomattox Planning Commission, effective immediately with a term expiring December 31, 2026.
- [4.](#) Consideration 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.
- [5.](#) Consideration 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.

## **Council Standing Committee Reports**

**Citizen Comment****Town Manager's Report****Council Comment****Closed Session**

Consideration 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.

**Certification of Closed Session****Action from Closed Session (if any)****Adjournment**

**File Attachments for Item:**

1. Approval of Minutes

1 | **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.

2 | **Appomattox Town Council**  
**Regular Council Meeting**  
**November 8, 2021**

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.

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Roxanne W. Casto  
Clerk of Council

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Richard C. Conner, Mayor

1 | **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.

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Roxanne W. Casto  
Clerk of Council

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Richard C. Conner, Mayor



1 | **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.

2 | **Appomattox Town Council  
Workshop Meeting  
November 23, 2021**

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.

3 | **Appomattox Town Council**  
**Workshop Meeting**  
**November 23, 2021**

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.

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Roxanne W. Casto  
Clerk of Council

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Richard C. Conner, Mayor

1 | **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 13<sup>th</sup> day of December 2021.

DATE:

TOWN OF APPOMATTOX

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Richard C. Conner, Mayor

ATTEST:

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Roxanne Casto, Clerk of Council

All members present voting aye. Motion carried 6-0.

4 | **Appomattox Town Council**  
**Regular Council Meeting**  
**December 13, 2021**

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 (3<sup>rd</sup>) 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

5 | **Appomattox Town Council**  
**Regular Council Meeting**  
**December 13, 2021**

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.



6 | **Appomattox Town Council**  
**Regular Council Meeting**  
**December 13, 2021**

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.

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Roxanne W. Casto  
Clerk of Council

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Richard C. Conner, Mayor

1 | **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.

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Roxanne W. Casto  
Clerk of Council

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Richard C. Conner, Mayor

**File Attachments for Item:**

2. Consideration 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, Section 15.2-2507, 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		\$	<u>57,288.00</u>

**General Fund Revenues**

Use of Undesignated Reserve	\$	<u>57,288.00</u>
Net Increase in Budget	\$	<u>57,288.00</u>

**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		\$	<u>6,100.00</u>

**Water Fund Revenues**

Use of Undesignated Reserve	\$	<u>6,100.00</u>
Net Increase in Budget	\$	<u>6,100.00</u>

**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		\$	<u>9,650.00</u>

**Sewer Fund Revenues**

Use of Undesignated Reserve	\$	<u>9,650.00</u>
Net Increase in Budget	\$	<u>9,650.00</u>

**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:

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Roxanne Casto, Town Clerk

**File Attachments for Item:**

4. Consideration 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.

AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Chapter 190 – thereof, entitled Water and Sewer, Article V – Wastewater Pretreatment.

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

Section 1. Section 190-121 of Chapter 190, shall be enacted as follows:

**§ 190-121 Restricted discharges.**

- A. No person shall discharge or cause to be discharged to any of the Town's treatment works any substances, materials, waters, or wastes in such quantities or concentrations which do or are likely to:
- (1) Create a fire or explosion hazard in the POTS, including, but not limited to, gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas, waste stream with a closed cup flashpoint of less than 140° F. or 60° C. using test methods specified in 40 CFR 261.21;
  - (2) Cause corrosive damage or hazard to structures, equipment, or personnel of the wastewater facilities, but in no case discharges having a pH lower than ~~5.0~~ 6.0 or greater than ~~11.0~~ 9.0;
  - (3) Cause obstruction to the flow in sewers, or other interference with the operation of treatment facilities due to accumulation of solid or viscous materials;
  - (4) Constitute a rate of discharge or substantial deviation from normal rates of discharge ("slug discharge"), sufficient to cause interference in the operation and performance of the treatment facilities;
  - (5) Contain heat in amounts which are likely to accelerate the biodegradation of wastes, causing the formation of excessive amounts of hydrogen sulfide in the treatment works or inhibit biological activity in the treatment facilities, but in no case shall the discharge of heat cause the temperature in the Town wastewater sewer to exceed 65° C. (150° F.) or the temperature of the influent to the treatment facilities to exceed 40° C. (104° F.) unless the facilities can accommodate such heat and the Town has obtained prior approval from the approval authority;
  - (6) Contain more than 100 milligrams per liter of nonbiodegradable oils of mineral or petroleum origin;
  - (7) Contain floatable oils, fat, or grease;
  - (8) Contain toxic gases, vapors or fumes, malodorous gas, or substance in quantities that may cause a public nuisance or cause acute human health or safety problems;

- (9) Contain radioactive wastes in harmful quantities as defined by applicable state and federal regulations;
- (10) Contain any garbage that has not been properly shredded;
- (11) Contain any odor or color producing substances exceeding concentration limits which may be established by the Town Manager for purposes of meeting the Town's VPDES permit;
- (12) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through; or
- (13) Any trucked or hauled pollutants except at designated discharge points.
- (14) *The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following instantaneous maximum allowable discharge limits:*

*240 mg/l BOD<sub>5</sub>*  
*12 µg/l Copper (Total Recoverable Copper)*  
*7.5 mg/l Total Nitrogen*  
*15 mg/l Total Phosphorus*  
*240 mg/l Total Suspended Solids*  
*53 µg/l Zinc (Total Recoverable Zinc)*  
*25 mg/l Ammonia*

- B. If, in establishing discharge restrictions, discharge limits, or pretreatment standards pursuant to this article, the Town Manager establishes concentration limits to be met by a user, the Town Manager in lieu of concentration limits, may establish mass limits of comparable stringency for an individual user at the request of such user. Upon approval by the state such limits should become pretreatment standards.

## Section 2. Effective date.

This ordinance shall become effective upon its passage.



**File Attachments for Item:**

5. Consideration 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.

AN ORDINANCE TO AMEND the Code of the Town of Appomattox, Chapter 190 – thereof, entitled Water and Sewer, Article V – Wastewater Pretreatment.

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

Section 1. Section 190-122 of Chapter 190, shall be enacted as follows:

**§ 190-122 Categorical pretreatment standards.**

- A. No person shall discharge or cause to be discharged to any treatment works, wastewaters containing substances subject to an applicable Categorical Pretreatment Standard promulgated by EPA in excess of the quantity prescribed in such applicable pretreatment standards except as otherwise provided in this section. Compliance with such applicable pretreatment standards shall be within three years of the date the standard is promulgated; provided, however, compliance with a categorical pretreatment standard for new sources shall be required upon commencement of discharge to the treatment works.
- B. The Town Manager shall notify any industrial user affected by the provisions of this section and establish an enforceable compliance schedule for each.
- C. No person shall discharge trucked hazardous wastes to the Town's treatment works. Any person who violates this section shall be guilty of a Class B misdemeanor.
- D. *Additional Pre-treatment Measures.*

*Whenever deemed necessary, the Facilities Manager may require industrial users to restrict the industrial user's discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the municipal wastewater and determine the industrial user's compliance with the requirements of this regulation.*

- 1. Each person discharging, into the municipal wastewater system, greater than 100,000 gallons per day or greater than five percent (5%) of the average daily flow of the system, whichever is lesser, may be required to install and maintain on his property and at his expense, a suitable storage and flow control facility to insure equalization of flow over a twenty-four (24) hours period. The facility shall have a capacity for at least 50 percent (50%) of the daily discharge volume and shall be equipped with alarms and a rate of discharge controller, the regulation of which shall be directed by the Facilities Manager. A wastewater permit may be issued solely for flow equalization.*
- 2. Grease, oil and sand interception shall be provided, when in the opinion of the Facilities Manager, they are necessary for the proper handling of wastewater*

*containing excessive amounts of grease, flammable substances, sand, or other harmful substances; except that such interception shall not be required for residential users. All interception units shall be of type and capacity approved by the Facilities Manager and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired, as needed, by the owner, at his expense.*

Section 2. Effective date.

This ordinance shall become effective upon its passage.