

Appomattox Town Council Regular Meeting Agenda

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

Monday, June 13, 2022

6:30 PM – Town Council Regular Meeting

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

Call to Order and Welcome to Visitors

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

Public Hearing

<u>1.</u> Public Hearing of Chapter 117 of the Code of the Town of Appomattox

Mayor's Comments

Scheduled Public Appearances

Robin Snyder, Superintendent, Appomattox Court House National Historical Park

Carver-Price Legacy Museum, Executive Board member

Adoption of the Consent Agenda - June 13, 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.

Approval of meeting minutes - February 16, 2022; February 18, 2022; February 28, 2022; March 14, 2022; March 22, 2022; March 29, 2022; April 11, 2022; April 26, 2022.

Unfinished Business

New Business

<u>3.</u> Consideration to adopt an Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2022-2023 Budget for the Town of Appomattox.

- 4. Consideration to adopt 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".
- 5. Request for parking on Court Street.
- <u>6.</u> Request for a Resolution of Support

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Council Comment

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.

Adjournment

File Attachments for Item:

1. Public Hearing of Chapter 117 of the Code of the Town of Appomattox

TO THE CITIZENS OF APPOMATTOX COUNTY

PLEASE TAKE NOTICE that at its meeting to be held on Tuesday, June 7, 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 REVISE Chapter 117 of the Code of the Town of Appomattox, Chapter 117, Section 117-29 thereof, entitled "Standards for Residential Chicken Keeping".

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 June 7, 2022.

PLEASE TAKE FURTHER NOTICE that at its meeting to be held on Monday, June 13, 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 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.

The public is invited to attend and make their views known.

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"

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

<u>Section 1</u>. Sections 117-29 of Chapter 117 of the Code of the Town of Appomattox shall appear as follows:

§ 117-29. Standards for Residential Chicken Keeping.

The keeping of up to six (6) hens shall be permitted in non-agriculturally zoned areas of the Town on properties which meet and maintain all of the following standards:

(a) The principal use of the property shall be for a single-family dwelling;

(b) The property shall be 30,000 square feet or greater in size;

(c) Hens shall be kept within a coop or chicken enclosure at all times and shall not be permitted to run at large;

(d) Coops and chicken enclosures shall be setback at least ten (10) feet from side and rear property lines and at least fifty (50) feet from any residential dwelling on an adjacent lot. Coops and chicken enclosures shall also be located behind the front building line of the principal structure.

(e) Coops shall provide at least two (2) square feet of interior space per chicken and chicken enclosures shall provide at least ten (10) square feet of exterior space per chicken with a maximum total area of 150 square feet for both the coop and chicken enclosure. Neither the coop or chicken enclosure shall exceed ten (10) feet in height.

(f) Coops and chicken enclosures shall be well-ventilated and kept in a clean, dry and sanitary condition at all times.

(g) Provision shall be made by the property owner for the safe storage and removal of chicken waste. Such waste shall not create a nuisance or health hazard.

(h) All chicken feed or other material intended for consumption by chickens shall be kept in containers impenetrable by rodents, insects or predators.

(i) The keeping of roosters, capons and crowing hens is prohibited.

(j) The outdoor slaughtering of chickens is prohibited.

Section 2. Effective Date.

This ordinance shall become effective upon passage.

File Attachments for Item:

2. Approval of meeting minutes - February 16, 2022; February 18, 2022; February 28, 2022; March 14, 2022; March 22, 2022; March 29, 2022; April 11, 2022; April 26, 2022.

1 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

1 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:

2 Appomattox Town Council Meeting February 18, 2022

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

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

1 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.

<u>Mayor's Comments:</u> 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.

2 Appomattox Town Council Regular Council Meeting March 14, 2022

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.

3 Appomattox Town Council Regular Council Meeting March 14, 2022

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 Clerk

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.

2 Appomattox Town Council Meeting March 22, 2022

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

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):

2 Appomattox Town Council Workshop Meeting March 29, 2022

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.

3 Appomattox Town Council Workshop Meeting March 29, 2022

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.

<u>Certification of Closed Session:</u> 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

4 Appomattox Town Council Workshop Meeting March 29, 2022

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 Clerk

1 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.

2 Appomattox Town Council Regular Council Meeting April 11, 2022

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.

<u>Council Standing Committee Reports:</u> 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.

<u>Council Comment:</u> 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.

<u>Closed Session Certification:</u> 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

3 Appomattox Town Council Regular Council Meeting April 11, 2022

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 Clerk

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.

2 Appomattox Town Council Workshop Meeting April 26, 2022

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 Clerk

File Attachments for Item:

3. Consideration 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 Tou | 2 500 |
|------------------------------------------|------------|
| 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 REVENUES2,965,297.

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

File Attachments for Item:

4. Consideration to adopt 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".

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"

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

<u>Section 1</u>. Sections 117-29 of Chapter 117 of the Code of the Town of Appomattox shall appear as follows:

§ 117-29. Standards for Residential Chicken Keeping.

The keeping of up to six (6) hens shall be permitted in non-agriculturally zoned areas of the Town on properties which meet and maintain all of the following standards:

(a) The principal use of the property shall be for a single-family dwelling;

(b) The property shall be 30,000 square feet or greater in size;

(c) Hens shall be kept within a coop or chicken enclosure at all times and shall not be permitted to run at large;

(d) Coops and chicken enclosures shall be setback at least ten (10) feet from side and rear property lines and at least fifty (50) feet from any residential dwelling on an adjacent lot. Coops and chicken enclosures shall also be located behind the front building line of the principal structure.

(e) Coops shall provide at least two (2) square feet of interior space per chicken and chicken enclosures shall provide at least ten (10) square feet of exterior space per chicken with a maximum total area of 150 square feet for both the coop and chicken enclosure. Neither the coop or chicken enclosure shall exceed ten (10) feet in height.

(f) Coops and chicken enclosures shall be well-ventilated and kept in a clean, dry and sanitary condition at all times.

(g) Provision shall be made by the property owner for the safe storage and removal of chicken waste. Such waste shall not create a nuisance or health hazard.

(h) All chicken feed or other material intended for consumption by chickens shall be kept in containers impenetrable by rodents, insects or predators.

(i) The keeping of roosters, capons and crowing hens is prohibited.

(j) The outdoor slaughtering of chickens is prohibited.

Section 2. Effective Date.

This ordinance shall become effective upon passage.

File Attachments for Item:

5. Request for parking on Court Street.

STAFF REPORT

To:Members, Appomattox Town CouncilFrom:Roxanne W. Casto, Clerk of CouncilDate:June 7, 2022Re:Parking on Court Street

The Town Office continues to receive requests for marked parking spaces on Court Street. Three (3) businesses have expressed an interest in marked parking along Court Street.

Robert Brown, Superintendent with 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.

File Attachments for Item:

6. Request for a Resolution of Support

STAFF REPORT

To:Members, Appomattox Town CouncilFrom:Roxanne W. Casto, Clerk of CouncilDate:June 7, 2022Re:Request for Resolution of Support

From John Redding, President of the Appomattox Chamber of Commerce:

Can you please make the following statement as part of the record or make some sort of resolution at the next Town Council Meeting supporting our efforts to produce the 2022-23 Appomattox Magazine? In this day of scams and misrepresentations, this will help us be accepted as legitimate within the community. The more participation that we gain from the community, the better our issue will be. Thank you, John Redding

Be it recorded that the Town Council supports the production of the 2022-23 edition of the Appomattox Magazine by the Chamber of Commerce.