



Appomattox Regular Meeting Agenda

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

Monday, September 12, 2022

6:30 PM – 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

Mayor's Comments

Scheduled Public Appearances

1. Gwen Olivarri - Request to rezone property from B-2 to R-3 on Jones Street.

Adoption of the Consent Agenda - September 12, 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. Minutes - July 11, 2022; July 26, 2022; August 8, 2022; August 23, 2022

Unfinished Business

New Business

2. Consideration of a request for an out of town water connection for Lot 9 at Woodchase Subdivision.

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Council Comment

Adjournment

File Attachments for Item:

1. Minutes - July 11, 2022; July 26, 2022; August 8, 2022; August 23, 2022

1 | **Appomattox Town Council**
Regular Council Meeting
July 11, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, July 11, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle, Aaron M. Tilton.

Absent: Nathan A. Simpson.

Others: Drew and Tiffany Dearing, Carlton Duck, Charles Conrad, Rob Fowler, Zoning Administrator; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Rev. Carlton Duck led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:

Mayor Conner opened the hearing and stated the purpose. The Appomattox Town Council will consider the recommendations of the Planning Commission with respect to the above-described – An Ordinance to Amend the Code of the Town of Appomattox, Chapter 195 thereof, entitled Zoning, to add a new section to Article XVI entitled Signs providing for Public Use Districts. The Town Council will have said ordinance proposed to it for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

Mr. Fowler reported the Appomattox Town Planning Commission met on July 5, 2022 and approved the request to amend.

Public comments – none

Mayor Conner closed the hearing.

Mayor's Comments:

Half of the year is gone. The staff is helping move forward the Council.

Scheduled Public Appearances:

None

Adoption of the Consent Agenda:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept the consent agenda as presented for July 11, 2022. All members present voting aye. Motion carried 5-0.

Unfinished Business:

None

2 | **Appomattox Town Council**
Regular Council Meeting
July 11, 2022

New Business

On a motion by Mr. Boyce, seconded by Mr. Tilton, Council voted to adopt An Ordinance to Amend the Code of the Town of Appomattox, Chapter 195 thereof, entitled Zoning, to add a new section in Article XVI entitled Signs providing for Public Use Districts. All members present voting aye. Motion carried 5-0.

On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to adopt a Resolution requesting the Appomattox County Board of Supervisors initiate the process to request the Virginia Department of Transportation abandon the portion of Hunter Street in the Children's Park. All members present voting aye. Motion carried 5-0.

Council Standing Committee Reports:

Finance & Planning – no report.

Physical Development Committee – no report.

Citizen Comment:

None

Town Manager's Report:

Mr. McGhee reported on the following items:

- A six-month extension was approved by the Department of Housing and Community Development for the Appomattox Downtown Revitalization project.
- The Town will be developing a communication plan with the cell companies for the maintenance and painting of the water tower.
- The project manager is developing a new schedule for the Smartscale project on Old Courthouse Road.
- The contract with Dominion Seven Architects is being reviewed. Bids for work are anticipated in September – October 2022.
- Internet domains have caused a few communication issues, which are being resolved.

Council Comment:

Mrs. Puckette – would like to explore ideas to extend a filing/storage/records room for the Town Office.

Mr. McGhee offered his expertise in this area. Council provided consensus for Mr. Elder to work on this.

Mr. Garrett – reminded everyone of the fireworks on July 2, 2022.

Mr. Boyce – would like for council members/staff to review their calendars for a retreat in September.

Mr. Tilton – none

Ms. Spiggle – thanked everyone who had extended sympathies to her during the loss of her brother.

Mr. Simpson – absent

3 | **Appomattox Town Council**
Regular Council Meeting
July 11, 2022

Adjournment:

On a motion by Mr. Garrett, seconded by Mr. Tilton, Council voted to adjourn at 7:05 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

1 | **Appomattox Town Council**
Workshop Meeting
July 26, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, July 26, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Aaron M. Tilton, James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson – via phone from Richardson, Texas – out of town for personal reasons.

Absent: Mary Lou G. Spiggle.

Others: Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Discussion Items:

Council discussed amending the rate of a Residential Companion Water Meter for Irrigation Service. Council requested to have this item placed on the August 8, 2022 agenda.

Council discussed the edits prepared by Councilman Simpson to the logo. Council requested to have this item placed on the August 8, 2022 agenda.

Council discussed dates for a Council Retreat to be held on September 23, 2022 or September 30, 2022.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to hold a Council Retreat on Friday, September 23, 2022. All members present voting aye. Motion carried 5-0.

Council received an update from Mr. McGhee on the LED Streetlight Replacement project. Council requested Mrs. Ray research how the project could be funded. Council requested to have this item placed on the August 8, 2022 agenda.

Council Standing Committee Reports:

None

Council Comment:

Mrs. Puckette stated her concern that the Town Office appears to need a dedicated file/storage room. Mr. Elder stated he received an estimate of \$65,000 to create an additional room over the lean-to extension on the parking lot side of the building. An additional \$12,000 would be needed for cabinet reconfiguration in the main office.

Mr. McGhee is willing to investigate vendors for e-records.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to move forward with obtaining bids for the build out. All members present voting aye. Motion carried 5-0.

Mr. Simpson – none

Mr. Garrett – none

Mr. Tilton - none

Mr. Boyce inquired about the vulgar sign on Church Street. Mr. McGhee reported on his conversation with the Town Attorney and the sign/banner is protected under the Freedom of Speech. The town is unable to require the sign be removed.

Staff Reports:

Mr. Elder reported the Request for Proposals for the I&I Study on the SBR side of Town would be advertised on Sunday or Monday (July 31 or August 1). The study is appropriated in the ARPA fund for \$325,000. The pump station at the TFP will be 100% complete soon.

The Church Street Waterline Replacement Project (Material Only) portion of the project has a deadline of August 5, 2022 for 100% of the materials to be delivered to the Town.

Mrs. Ray, Town Treasurer presented the financial report as of June 30, 2022, citing all information is currently unaudited.

Mr. McGhee, Town Manager updated the Town Council on the following items:

- Participated in a demonstration of a video conferencing product. The “Owl” could also be used for council meetings.
- Attended the Appomattox County Board of Supervisors meeting on July 18, 2022 to answer any questions regarding the Town’s request for an easement in front of the library to install a streetlight and the request to close a portion of Hunter Street near the Appomattox Children’s Park.

At the Board of Supervisors meeting, he was asked to investigate the overgrown grass and vegetation at Walmart on the access road. He was also asked to seek a remedy to cars turning right near the exit of Wendy’s. It has become a dangerous area.

- Downtown Revitalization Grant – Jeff Elder and Chad Hodges are working with Craig Wilson to address the streetscape portion of the project.
- Train Depot Roof Renovations – The contract is currently under review with the Town Attorney.

(Mr. Simpson left the meeting)

Closed Session:

On a motion by Mr. Garrett, seconded by Mr. Tilton, Council voted to convene in a Closed Session pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussing the performance of a specific public employee, being Employees A.

3 | **Appomattox Town Council**
Workshop Meeting
July 26, 2022

ROLL CALL VOTE: Tilton – yes, Garrett – yes, Puckette – yes, Boyce – yes. Absent – Simpson and Spiggle. Motion carried 4-0.

The meeting was re-opened to the public.

Council Member Boyce made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

The motion was seconded by Council Member Garrett and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Tilton – yes, Garrett – yes, Puckette – yes, Boyce – yes. Absent – Simpson and Spiggle. Motion carried 4-0.

Statement from the Closed Session: Mayor Conner reported that by unanimous consent, the Appomattox Town Council accepts the transition of Mrs. Casto from Interim Town Manager back to her full-time position of Town Clerk, effective August 1, 2022.

Adjournment:

On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to adjourn at 8:10 p.m. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

1 | **Appomattox Town Council**
Regular Council Meeting
August 8, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, August 8, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Mary Lou G. Spiggle.

Absent: Aaron M. Tilton and Nathan A. Simpson.

Others: Alec Brebner, Executive Director, Central Virginia Planning District Commission; Steve Conner, Adam Wooten, Viper Investments; Charles Conrad, Times Virginian; Rob Fowler, Zoning Administrator; Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

Mr. Boyce led the prayer and Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:

Mayor Conner opened the public hearing and stated the purpose:

Viper Investments, LLC does hereby request a rezoning application for Tax Map Identification Number 64A6-A-26 and 64A6-A-26A. The property is currently zoned B-2 (Intense Business), and the proposed zoning is R-3 (General Residential) to allow the property to be properly maintained and provide needed housing opportunities.

Staff comments: Mr. Fowler reported the Planning Commission held a public hearing on August 2, 2022 and there were no public comments. The R-3 district would be the best use of the property. The site plan will need VDOT approval.

Applicant comments: Mr. Conner spoke to the needed residential needs in the Town of Appomattox.

Public comments: None

Mayor Conner closed the public hearing.

Mayor's Comments:

Mayor Conner welcomed everyone to the meeting. He is hopeful that this Council is moving forward with the wishes of the community.

2 | **Appomattox Town Council**
Regular Council Meeting
August 8, 2022

Scheduled Public Appearances:

Alec Brebner, Executive Director, Central Virginia Planning District Commission introduced himself and provided his background experiences. The Town Manager provided him with a tour today. He has relocated to Lynchburg in the last few months. He encouraged Council to call him anytime.

Adoption of the Consent Agenda:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept the consent agenda as presented for August 8, 2022. All members present voting aye. Motion carried 4-0.

Unfinished Business:

None

New Business

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to rezone Tax Map 64A6-A-26 and 64A-6-A-26A from B-2 to R-3 for Viper Investments, LLC. All members present voting aye. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle Council voted to approve an out-of-town water connection at 3890 Pumping Station Road.

Mayor Conner called for any discussion: Mrs. Puckette stated the Town needs to discuss the water situation. Where is the cut off? Wants to make sure the Town does not extend to too many customers. Mr. Elder explained that the Town has on average 50,000 gallons per day of unused capacity.

All members present voting aye. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to declare surplus the Chevrolet Colorado – VIN # 1GCCS148X48148113. Mr. Garrett and Mr. Boyce amended the motion to include a second Chevrolet Colorado – VIN #1GCCS148948193608. All members present voting aye. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to amend the rate of a Residential Companion Water Meter for Irrigation Services. All members present voting aye. Motion carried 4-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to proceed with the LED streetlight replacement project, at a not to exceed cost of \$36,000. All members present voting aye. Motion carried 4-0.

Council gave consensus to table the adoption of the Town of Appomattox USA logo and register as a trademark to the August Workshop agenda.

3 | **Appomattox Town Council**
Regular Council Meeting
August 8, 2022

Council Standing Committee Reports:

Finance & Planning – no report.
Physical Development Committee – no report.

Citizen Comment:

None

Town Manager's Report:

Mr. McGhee reported on the following items:

- Received a visit from the Virginia Rural Water Association on Friday, August 5, 2022 to express how well the Towns water and sewer system is managed.
- The contract with Dominion Seven Architects for the project management of the train depot repairs has been executed.
- The Old Courthouse Road Smart Scale project has a bid opening date of January 19, 2023.
- Downtown Revitalization project update includes all façade improvements are complete additional parking, sidewalk and streetlights are all expected to be complete by December 2022.
- The Appomattox County Board of Supervisors inquired about the lack of maintenance to the grass and shrubbery along the access road. The Town will be sending Walmart a letter to clean up the area or the Town will perform the work and bill Walmart for reimbursement.
- The Council Retreat is scheduled for September 23, 2022 at the Appomattox Inn and Suites.
- He and the Town Clerk viewed the VDOT Safety presentation. It is a systemic approach to increase safety in the areas of crosswalks, sidewalks, and roads.

Council Comment:

Mrs. Puckette – Requested the build out room at the Town Office be advertised next week or at least this month.

Mr. Garrett – Inquired why the Old Courthouse Road Smart Scale project was reduced from 13 million to 11.5 million? Mr. McGhee advised the scope was reduced.

Mr. Boyce – none

Ms. Spiggle – none

Mr. Tilton – absent

Mr. Simpson – absent

4 | **Appomattox Town Council**
Regular Council Meeting
August 8, 2022

Closed Session:

On a motion by Mr. Boyce, seconded by Ms. Spiggle, Council voted to convene in a Closed Session pursuant to Pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussing the performance of a specific public employee, being Employee A.

ROLL CALL VOTE: Spiggle – yes, Garrett – yes, Boyce – yes, Puckette – yes. Motion carried 4-0.

The meeting was re-opened to the public.

Council Member Mrs. Puckette made the following motion:

WHEREAS, the Council of the Town of Appomattox has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by this council.

The motion was seconded by Council Member Boyce and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Spiggle – yes, Garrett – yes, Boyce – yes, Puckette – yes. Motion carried 4-0.

Other matters:

Mr. Elder, Facilities Director requested to explain the invoice sent to the Appomattox Railroad Festival for the October 2021 Railroad Festival event. Council was provided a copy of the invoice and minutes of the meeting. Mr. Elder explained he and Mrs. Rothgeb met with Mrs. Adams and Mr. Charles Garrett prior to the event last year to gain a better understanding of the activities to be performed by the Town and those that would be taken care of by the Railroad Festival Committee. Mr. Elder explained he used the word “donate” during the meeting and he knows that was the wrong word to use.

Council suggested sending the Railroad Festival committee a letter explaining the “misunderstanding” and that Mr. Elder does not have the authority to “donate” Town services.

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August 8, 2022

A request for payment was sent in April 2022 to the Railroad Festival committee. Mrs. Ray commented she will need Council authorization to change this from an invoice to a donation.

Council provided consensus that this is an invoice. The donation of \$10,000 for the 2021 Railroad Festival was provided by the Town.

Adjournment:

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 8:20 p.m. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

1 | **Appomattox Town Council**
Workshop Meeting
August 23, 2022

The Appomattox Town Council held a Workshop meeting on Tuesday, August 23, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

Members present: Aaron M. Tilton, James J. Boyce, Sr., Timothy W. Garrett, Claudia G. Puckette, Nathan A. Simpson, and Mary Lou Spiggle.

Others: Sharon Walker, Times Virginian; Drew and Tiffany Dearing, Carlton Duck, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Discussion Items:

On a motion by Ms. Spiggle, seconded by Mr. Boyce, Council voted to adopt the following resolution:

AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2022-2023 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

Amend Section IV:

BE IT FURTHER RESOLVED, in accordance with the requirements set forth in Section 58.1-3524(C)(2) and Section 58.1-3912(E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503.E (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle situses within the Town commencing January 1, 2022, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;
- Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 44.1% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 44.1% tax relief on the first \$20,000 of value; and
- All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

Attest:

Roxanne W. Casto, MMC, Town Clerk
All members present voting aye. Motion carried 6-0.

Date

2 | **Appomattox Town Council**
Workshop Meeting
August 23, 2022

Council discussed a logo for the Town of Appomattox. Mr. Simpson will return to the September 12, 2022 Council meeting with a couple of modified versions for discussion.

Mr. McGhee explained the process of Document Disposition Planning and Destruction. He has secured services which could take approximately 5-8 days. Once it is determined what items can be destroyed, per the guidelines of the Library of Virginia, shredding will begin by a company from Lynchburg, Virginia. The services to inventory are \$20.00 per hour and the shredding is \$7 per box.

Council Comment:

Mr. Tilton advised he was resigning from the Appomattox Town Council effective at the end of the meeting tonight, August 23, 2022. He sold his home and is moving to Lynchburg.

Mr. Boyce thanked Mr. Tilton for his willingness to serve. A lot is taken for granted by serving on Council.

Ms. Spiggle seconded Mr. Boyce's comments. Very few people are willing to serve. It is a big job to be dedicated to the community. She expressed her happiness for what the future holds for Mr. Tilton.

Mr. Garrett – none

Mr. Simpson stated he is glad to be back in Town and is excited for the retreat on Friday, September 23, 2022.

Mrs. Puckette thanked Mr. Tilton for all he has done serving on Council. She also thanked Mr. McGhee for getting her up to speed.

Mayor Conner also expressed his thanks to Mr. Tilton for serving. We will miss you.

Council Standing Committee Reports:

None

Staff Reports:

Mr. Elder, Facilities Director informed Council the USDA sewer project should be complete by September 29, 2022. The contractor is currently working through the punch list.

Mrs. Ray, Town Treasurer presented the financial report as of July 31, 2022.

Mr. McGhee, Town Manager updated the Town Council on the following items:

- The Lynchburg Regional Business Alliance reports a lease for space at the Thomasville building has been signed. A new option has opened for the business owner. He may be able to apply for an incentive from Appomattox County. The County requested permission from the Town before getting involved.

3 | **Appomattox Town Council**
Workshop Meeting
August 23, 2022

On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to offer in the affirmative to allow Appomattox County to offer incentives for only Project Hanover at the Thomasville property. All members present voting aye. Motion carried 6-0.

It will be at least two (2) more weeks before releasing any information on the business.

Adjournment:

On a motion by Mr. Tilton, seconded by Mr. Garrett, Council voted to adjourn at 7:12 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor