



Appomattox Regular Council meeting Agenda

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

Monday, January 09, 2023

6:30 PM – Regular Council 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. Mr. Calvin Poteat:

Mr. Poteat is requesting to open a new skilled gaming business.

Adoption of the Consent Agenda - January 9, 2023

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.

2. Minutes from the November 14, 2022 and November 29, 2022 meetings.

Unfinished Business

New Business

3. Consideration to elect a Vice-Mayor from the membership.
4. Consideration to adopt the 2023 Town Council meeting schedule.
5. Consideration to appoint one (1) member of the Town Council to the Town of Appomattox Planning Commission and two (2) members to the Town of Appomattox Economic Development Authority.
6. Consideration to reappoint Mr. C. Lewis McDearmon, Jr., to the Town of Appomattox Economic Development Authority with a term expiring December 31, 2026.

7. Consideration to adopt a resolution to set the monthly compensation for the Mayor, Vice-Mayor and Council Members effective January 1, 2023.
8. Consideration to adopt a resolution to set the monthly compensation of the Planning Commission members effective January 1, 2023.
9. Consideration to purchase (through eVA) a 2023 Dodge Ram 1500 Regular Cab 4x4 truck for \$41,000.00 from Hall Automotive.
10. Consideration of FY 23 write-off request due to the statute of limitations for collection - Unpaid 2017 Personal Property taxes in the amount of \$3,234.48 (\$2,089.29 taxes, \$1,145.19 penalty & interest) and unpaid 2019 Utilities in the amount of \$563.86. There were no 2002 Real Estate taxes or 2017 Miscellaneous invoices to write-off.

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Council Comment

Closed Session

11. Pursuant to Va. Code 2.2-3711 (A) 8, for the purpose of consultation with legal counsel retained by the Town regarding specific legal matters requiring the provision of legal advice by such counsel, specifically pertaining to skilled game businesses.

Adjournment

File Attachments for Item:

2. Minutes from the November 14, 2022 and November 29, 2022 meetings.

1 | **Appomattox Town Council**
Regular Council Meeting
November 14, 2022

The Appomattox Town Council held a Regular Council meeting on Monday, November 14, 2022 at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Vice-Mayor Garrett presiding.

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

Absent: Nathan A. Simpson

Others: Melissa Lucy; Daniel Kutessa; Frank Wright; Drew Dearing; Charles Conrad; Jane Thomas Allen; Scotty Allen; Rob Fowler, Zoning Administrator; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

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

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

Mayor's Comments:

Mayor Conner said he was thinking of everyone in our community, Lynchburg and Charlottesville in light of the recent violence.

Scheduled Public Appearances:

Daniel Kutessa, Vice mayor-Abaitababiri, Uganda appeared before Council to encourage a strategic partnership. Their challenges include health, education and sanitation. They also do not have a modern way to handle garbage. He wanted to encourage exchange visits or partnerships. Mayor Conner stated hopefully we could work out the logistics.

Melissa Lucy, Chief Executive Officer, Horizon Behavioral Health appeared before Council and provided a Powerpoint presentation of their services (mission), fentanyl overdoses, treatment and prevention services.

After an exchange of questions and answers, Council thanked Ms. Lucy for attending and providing this information.

Adoption of the Consent Agenda:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to accept the consent agenda as presented on November 14, 2022. All members present voting aye. Motion carried 4-0.

Unfinished Business:

On a motion by Ms. Spiggle, seconded by Ms. Puckette, Council voted to execute the Memorandum of Understanding with Dominion Energy for the Rural Broadband project. All members present voting aye. Motion carried 4-0.

*Mr. McGhee noted that the ISP would be Firefly.

2 | **Appomattox Town Council**
Regular Council Meeting
November 14, 2022

New Business

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to award the contract for seal coating of town owned parking lots to DuraSeal, Inc. for a total bid of \$42,585. All members present voting aye. Motion carried 4-0.

Council Standing Committee Reports:

ARPA-After discussion of the Town's procurement policy, the council concurred to cancel the bids.

On a motion by Mr. Garrett, seconded by Mrs. Puckette, Council voted to reject the bids received for the generator project. All members present voting aye. Motion carried 4-0.

Citizen Comment:

None

Town Manager's Report:

Mr. McGhee reported on the following items:

- He received a call from Don Jones commenting how nice all the Christmas lights look in Downtown Appomattox.
- Continues working on the idea of a K-9 dog for the Appomattox County Sheriff's Office.
- Virginia Metal Fab will be hosting an open house on December 9, 2022 with formal ceremonies starting at 10:00 am. VMF revised the job projection for the first 3 years.
- Met with CIVICPLUS regarding a new Town Website.
- Is working on project portfolios for a better picture of meeting strategic objectives.
- Applied for an Alternate Transportation Grant-Virginia Ready, Set, Go.

Mayor Conner transferred presiding duties to the Vice-Mayor.

Council Comment:

Mr. Boyce is concerned about the former Courtland Manufacturing Building on Confederate Blvd. Something needs to be done. Staff will speak with the Building Inspector/Official to see if any of the concerns are nuisances. Mr. McGhee said there is a grant available for the area however the owner has to agree.

Closed Session:

On a motion Ms. Spiggle and a second Mrs. Puckette for a Closed Session, pursuant to §2.2-3711 (A) 8 of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel retained by the Town regarding a specific legal matter requiring the provision of legal advice by such counsel, such matter specifically being issues pertaining to enforcement of the Town's zoning ordinance in the context of a potentially nonconforming property.

3 | **Appomattox Town Council**
Regular Council Meeting
November 14, 2022

ROLL CALL VOTE: Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes. 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 Puckette and Council by the following recorded vote adopted the motion:

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

Adjournment:

On a motion by Ms. Puckette, seconded by Mr. Boyce, Council voted to adjourn. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

1 | **Appomattox Town Council
Workshop Meeting
November 29, 2022**

The Appomattox Town Council held a Workshop meeting on Tuesday, November 29, 2022 at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

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

Others present: Jeff Elder; Facilities Director; Drew and Tiffany Dearing, Carlton Duck; Alive Media TV; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Roxanne W. Casto, Clerk of Council.

Mayor Conner called the meeting to order.

Media Improvements

Carlton Duck explained the proposed upgrades to the computer (AV) equipment for the Council Chambers. He would also like to change the days of the week the meetings will air on the Shentel channel. Lastly, he discussed with Council expanding the information platform through a 3-to-5-minute segment, explaining projects or grants related to the Town government.

On a motion by Mrs. Puckette, seconded by Mr. Garrett, the Council voted to approve the media improvements for the Council Chambers in the amount of \$10,000. All members present voting aye. Motion carried 5-0.

Town EDA

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, the Council voted to appoint Ronald M. Coleman, Jr. to the Town of Appomattox Economic Development Authority with a term expiring December 31, 2025. All members present voting aye. Motion carried 5-0.

Council Comments:

Mayor Conner-Congressman Good responded to the Town's letter regarding Fentanyl. A copy will be provided to each Council member.

Mr. Simpson-none
Mr. Boyce-none

Mrs. Puckette- Requested an update regarding the CCUSA-Campbell Co/Appomattox Co litigation as the Town has spent \$14,000 and another \$66,000 is appropriated for research and work on the ground water wells. Mr. Elder really needs to know for ARPA funding purposes.

Ms. Spiggle-commented the Town cannot wait until 2030 to find out about the Town's water supply.

Mr. Elder responded that the \$66,000 remaining is for a SCADA system to be installed to monitor the wells. He recommends that the Town not spend the ARPA funding on a SCADA system for the wells until we know we will be using them. The wells can be used without the SCADA system.

Mr. McGhee added that the town could set its own yellow and red lines for dates that we will have to make the call not to wait any longer for a resolution to the water purchase contract. Mr. McGhee said that he and Roxanne Casto attended a meeting recently explaining there is a lot of money available for water related items.

Mr. Simpson- requested to place this item on hold for 12 months and revisit this topic collectively as a Council. Mr. Simpson also commented that to use ARPA funding for water related items like a SCADA system would be a poor decision as water funding opportunities are always available.

Ms. Puckette-so we could put \$66,000 into contingency/non-committed funding?
There was no objection to this option.

Mr. McGhee-asked if anyone knew what SCADA stands for? Supervisory Controls and Data Acquisition. It means you can run things from afar.

Mrs. Puckette-we discussed at the last meeting the possibility of increasing our limits for the bidding process. Roxanne looked up the regulations—she talked to Frank Wright and more information will be available at the next meeting.

Mr. Garrett-none

Ms. Spiggle-none

Council Standing Committee Reports:

Finance and Planning-None

Physical Development Committee-None

ARPA-On a committee recommendation, Council voted to approve \$205,000 to CHA for the I & I study on the SBR side of Town.

Roll call vote: Boyce-yes, Spiggle-yes, Simpson-yes, Garrett-yes, Puckette-yes. Motion carried 5-0.

3 | **Appomattox Town Council**
Workshop Meeting
November 29, 2022

Staff Reports:

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to approve the following transactions to the existing Sewer Savings Account: add \$144,261.62 to the balance as of 10-31-2022 to sewer savings of \$10,934.38 for a total of \$125,196.00. This amount will be the restricted balance in sewer savings until 11-4-2060 or upon full repayment of the loan. All members present voting aye. Motion carried 5-0.

Mr. Elder reported on issues at the TFP with hydrogen peroxide and the smell of sewage at the SBR facility. He also met with Doug Hudgins to discuss left over funding in the I & I/TFP project. USDA is thinking of allowing the Town to use the balance of funds for a sewer vac truck, 300 ft of sewer line and 50 additional laterals in Town. Two additional Public Work's employees have been hired (last week & 12/12/2022 start dates).

Mrs. Ray provided a report of the Town's financials as of 10-31-2022. Council provided consensus of Mrs. Ray's format of the ARPA funding. Roxanne Casto assisted with the Worker's Comp Audit on 11-29-2022. Brown Edwards audit firm will be present on December 12, 2022 to provide the FY 22 audit report.

Ms. Spiggle reported that Don Jones complimented the Town for all the Christmas decorations at Abbitt Park and the Depot.

Mr. McGhee reported on the following:

- The Appomattox County Sheriff's Office delivered the letter to Mrs. Olivarri. Not much has changed with this situation.
- The Town will have access to a grant to study the old garment factory beginning in January 2023.
- He had a conversation with the Town Attorney regarding liabilities issues with funding a drug dog for the Sheriff's Office.
- Civic Plus (website) provided the Town with a quote for web services.
- Virginia Metal Fab, the Lynchburg Regional Business Alliance along with Ron Martin were performing a walk through in advance of the Governor's visit.

Mrs. Casto reminded Council of the Public Hearing planned for December 12, 2022 for amendments to the R-2 zoning district.

CLOSED SESSION

On a motion by Mrs. Puckette, seconded by Mr. Simpson, 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 discussing the performance of a specific public employee, specifically being Employee A.

ROLL CALL VOTE: Simpson-aye; Puckette-aye; Garrett-aye; Boyce-aye; Spiggle-aye

The meeting was re-opened to the public.

Council Member Mr. 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 Ms. Spiggle and Council by the following recorded vote adopted the motion:

ROLL CALL VOTE: Boyce-yes; Spiggle-yes; Puckette-yes; Garrett-yes (Simpson left during closed session) Motion carried 4-0.

Adjournment:

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 9:12 p.m. All members present voting aye. Motion carried 4-0.

Roxanne W. Casto, MMC
Clerk

Richard C. Conner
Mayor

File Attachments for Item:

4. Consideration to adopt the 2023 Town Council meeting schedule.

APPOMATTOX TOWN COUNCIL - 2023 MEETING SCHEDULE

Location:

Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia

January 2023

Monday, January 9, 2023
6:30 p.m. – Regular Meeting
Tuesday, January 24, 2023
6:30 p.m. – Workshop Meeting

February 2023

Monday, February 13, 2023
6:30 p.m. – Regular Meeting
Tuesday, February 28, 2023
6:30 p.m. – Workshop Meeting

March 2023

Monday, March 13, 2023
6:30 p.m. – Regular Meeting
Tuesday, March 28, 2023
6:30 p.m. – Workshop Meeting

April 2023

Monday, April 10, 2023
6:30 p.m. – Regular Meeting
Tuesday, April 25, 2023
6:30 p.m. – Workshop Meeting

May 2023

Monday, May 8, 2023
6:30 p.m. – Regular Meeting
Tuesday, May 23, 2023
6:30 p.m. – Workshop Meeting

June 2023

Monday, June 12, 2023
6:30 p.m. – Regular Meeting
Tuesday, June 27, 2023
6:30 p.m. – Workshop Meeting

July 2023

Monday, July 10, 2023
6:30 p.m. – Regular Meeting
Tuesday, July 25, 2023
6:30 p.m. – Workshop Meeting

August 2023

Monday, August 14, 2023
6:30 p.m. – Regular Meeting
Tuesday, August 29, 2023 (5th Tuesday)
6:30 p.m. – Workshop Meeting

September 2023

Monday, September 11, 2023
6:30 p.m. – Regular Meeting
Tuesday, September 26, 2023
6:30 p.m. – Workshop Meeting

October 2023

***Tuesday, October 10, 2023**
6:30 p.m. – Regular Meeting
Tuesday, October 24, 2023
6:30 p.m. – Workshop Meeting

November 2023

Monday, November 13, 2023
6:30 p.m. – Regular Meeting
Tuesday, November 28, 2023
6:30 p.m. – Workshop Meeting

December 2023

Monday, December 11, 2023
6:30 p.m. – Regular Meeting

*A Workshop meeting for December 2023 is not planned.

*Code of the Town of Appomattox. §5-8. Time and Place. If the second Monday of the month is a holiday, the meeting shall be held on the following day.

If the Mayor, or the Vice-Mayor is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the Council members to attend a regular meeting, the regular meeting shall be continued until the following Monday, unless that Monday is a legal Holiday, then the meeting shall be on the Tuesday following the Monday holiday.

File Attachments for Item:

7. Consideration to adopt a resolution to set the monthly compensation for the Mayor, Vice-Mayor and Council Members effective January 1, 2023.

RESOLUTION

WHEREAS, the Appomattox Town Council desires to compensate the Mayor, Vice-Mayor and each Council Member for their service to the Town and its citizens, and

WHEREAS, the Appomattox Town Council sets the monthly compensation rate at \$300.00 (Three hundred dollars) for each Council Member, \$400 (Four hundred dollars) for the Vice-Mayor and \$500.00 (Five hundred dollars) for the Mayor, and

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council authorizes this action to begin on January 1, 2023.

File Attachments for Item:

8. Consideration to adopt a resolution to set the monthly compensation of the Planning Commission members effective January 1, 2023.

RESOLUTION

WHEREAS, the Appomattox Town Council desires to compensate the members of the Appomattox Planning Commission for their service to the Town and its citizens, and

WHEREAS, the Appomattox Town Council sets the compensation rate at \$100.00 (One hundred dollars) a month, and

NOW, THEREFORE, BE IT RESOLVED that the Appomattox Town Council authorizes this action to begin on January 1, 2023.