



Appomattox Regular Meeting Agenda

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

Monday, September 13, 2021

7:30 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

Public Hearing

1. The Appomattox Town Council will hold a public hearing on Monday, September 13, 2021, at 7:30 p.m. at the Appomattox Town Office on 210 Linden Street, Appomattox, Virginia.

The purpose of this public hearing will be to receive public comments concerning the following:

Amendment to the FY 2021 Budget for the Town of Appomattox -

In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2021 for the purpose of one-time additional funding received for the Appomattox Volunteer Fire Department via the Virginia Department of Fire Programs on June 24, 2021:

General Fund Expenditures Amendments	5,000.00
Total Expenditures Amendments	5,000.00
General Fund Revenue Amendments	5,000.00
Total Revenue Amendments	5,000.00

Amendment to the FY 2022 Budget for the Town of Appomattox – In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2022 for the purpose of Water Fund-Church Street USDA Grant/Loan, Sewer Fund-Carry Forward from FY 2021 for SCADA System ordered in June 2021 and ARPA Fund – American Rescue Plan Act grant fund proceeds.

Water Fund Expenditures Amendment	1,645,000.00
Sewer Fund Expenditures Amendment	129,080.00
ARPA Fund Expenditures Amendment	930,652.00
Total Expenditures Amendment	2,704,732.00

Water Fund Revenue Amendment	1,645,000.00
Sewer Fund Revenue Amendment	129,080.00
ARPA Fund Revenue Amendment	930,652.00
Total Revenue Amendment	2,704,732.00

Documentation is available at the Town Office on 210 Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact Gary Shanaberger, Town Manager at 434-352-8268.

2. PLEASE TAKE NOTICE that at its meeting to be held on Tuesday, August 24, 2021, 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 a proposed Ordinance of Vacation, pursuant to Virginia Code Ann. Sec. 15.2-2272 to vacate an unopened portion of Second Street, depicted as "Second Street 50 ft. R/W (Not Open)" on a plat dated June 3, 2021, entitled "Resurvey of Lots 166-183 Lee Grant Addition See D.B. 187 p. 724 . . . 2.583 Acres Surveyed for: High Rise Holdings LLC," such plat or an updated version thereof to be recorded in the clerk's office of the Appomattox County Circuit Court (the "New Plat"), such unopened portion being 50 feet in width and extending 250 feet northwest from a parcel owned by the Civil War Preservation Trust and identified as T.M. No. 64A2-4-3A (the "Unopened Portion of Second Street.") The effect of such proposed vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

a) The southwestern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-161 owned by Freddie R. Jones, or his successor in interest;

b) The northeastern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-166 owned by High Rise Holdings LLC, or its successor in interest;

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 Tuesday, September 7, 2021.

PLEASE TAKE FURTHER NOTICE that at its meeting to be held on Monday, September 13, 2021, at the hour of 7:30 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 proposed Ordinance of Vacation, pursuant to Virginia Code Ann. Sec. 15.2-2272 to vacate the above-described portion of a plat. 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 Ordinance of Vacation 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.

Mayor's Comments

Scheduled Public Appearances

Adoption of the Consent Agenda - September 13, 2021

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.

- [3.](#) Approval of minutes: July 27, 2021; August 9, 2021 and August 24, 2021

Unfinished Business

New Business

- [4.](#) Consideration to Adopt a Budget Amendment for FY 2021.
- [5.](#) Consideration to Adopt a Budget Amendment for FY 2022.
- [6.](#) Consideration to accept the recommendation of the Town Planning Commission and adopt an Ordinance of Vacation - unopened portion of Second Street.
- [7.](#) Consideration to adopt the following resolutions for the Department of Housing & Community Development Grant reference the Church Street Waterline Replacement Project:
- Residential Anti-Displacement Plan
 - Non-Discrimination Policy
 - Business & Employment Plan
 - Environmental Review Adoption

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Council Comment

Adjournment

File Attachments for Item:

1. The Appomattox Town Council will hold a public hearing on Monday, September 13, 2021, at 7:30 p.m. at the Appomattox Town Office on 210 Linden Street, Appomattox, Virginia.

The purpose of this public hearing will be to receive public comments concerning the following:

Amendment to the FY 2021 Budget for the Town of Appomattox - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2021 for the purpose of one-time additional funding received for the Appomattox Volunteer Fire Department via the Virginia Department of Fire Programs on June 24, 2021:

General Fund Expenditures Amendments	5,000.00
Total Expenditures Amendments	5,000.00
General Fund Revenue Amendments	5,000.00
Total Revenue Amendments	5,000.00

Amendment to the FY 2022 Budget for the Town of Appomattox – In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2022 for the purpose of Water Fund-Church Street USDA Grant/Loan, Sewer Fund-Carry Forward from FY 2021 for SCADA System ordered in June 2021 and ARPA Fund – American Rescue Plan Act grant fund proceeds.

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Documentation is available at the Town Office on 210 Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact Gary Shanaberger, Town Manager at 434-352-8268.

PUBLIC NOTICE OF A PUBLIC HEARING

The Appomattox Town Council will hold a public hearing on Monday, September 13, 2021, at 7:30 p.m. at the Appomattox Town Office on 210 Linden Street, Appomattox, Virginia.

The purpose of this public hearing will be to receive public comments concerning the following:

1. **Amendment to the FY 2021 Budget for the Town of Appomattox** - In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2021 for the purpose of one-time additional funding received for the Appomattox Volunteer Fire Department via the Virginia Department of Fire Programs on June 24, 2021:

General Fund Expenditures Amendments	5,000.00
Total Expenditures Amendments	5,000.00

General Fund Revenue Amendments	5,000.00
Total Revenue Amendments	5,000.00

2. **Amendment to the FY 2022 Budget for the Town of Appomattox** – In accordance with §15.2-2506 Code of Virginia, the following is a brief synopsis of the budget amendment by the Town of Appomattox for FY 2022 for the purpose of Water Fund-Church Street USDA Grant/Loan, Sewer Fund-Carry Forward from FY 2021 for SCADA System ordered in June 2021 and ARPA Fund – American Rescue Plan Act grant fund proceeds.

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Documentation is available at the Town Office on 210 Linden Street from 8:30 a.m. until 4:30 p.m., Monday through Friday. If there are any questions, please contact Gary Shanaberger, Town Manager at 434-352-8268.

File Attachments for Item:

3. Approval of minutes: July 27, 2021; August 9, 2021 and August 24, 2021

1 | **Appomattox Town Council
Workshop Meeting
July 27, 2021**

The Appomattox Town Council held a Workshop meeting on Tuesday, July 27, 2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle (via phone) and Claudia G. Puckette.

Others present: Jimmy Sanderson, Davenport & Company; Chad Hodges, Carlton Duck, Alive Media TV; Rob Fowler, Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

The meeting was also broadcast LIVE on the Town of Appomattox Facebook page and public phone participation through FreeConferenceCall.com was available.

Mayor Conner called to order the Council Workshop meeting.

Discussion Items:

Jimmy Sanderson, Davenport & Company presented the Comprehensive Financial Review for the Town of Appomattox. Mr. Sanderson presented recommendations to Council regarding the unassigned fund balance policy. The debt capacity recommendation is between \$5.2-6.1 million. Council thanked Mr. Sanderson for the report. Council will take some time to read and study the report.

Council Comments:

Mrs. Puckette – none

Mr. Simpson reported that he attended the newly elected officials conference hosted by the Virginia Municipal League and found it to be incredibly informative.

Mr. Garrett – none

Mr. Boyce – none

Mr. Tilton – none

Ms. Spiggle is very happy to have this report from Davenport & Company.

Council Standing Committee Reports:

American Rescue Plan Act (ARPA)

Mrs. Puckette provided a handout of funds requested by Mr. Elder. The handout primarily contains water and sewer infrastructure projects. Mr. Garrett and Mrs. Puckette will be meeting again as the guidelines continue to be developed.

2 | **Appomattox Town Council**
Workshop Meeting
July 27, 2021

Staff Reports:

Mrs. Kim Ray, Treasurer provided the Treasurer's Report for revenues and expenditures through June 30, 2021, noting that these numbers are preliminary numbers and still need to be audited and may change some.

Utility disconnects are scheduled to resume after September 1, 2021. Those customers with a balance of less than \$500 will be given a 6-month payment plan. Those with a balance of more than \$1,00 will be given a 12-month payment plan.

Mr. Shanaberger provided an update on the following items:

- Staff participated in a meeting concerning the Church Street Waterline Replacement project. Mr. Boyce and Mrs. Puckette agreed to serve on the Programmatic Management Council/Board.
- VDOT issued a permit for 929 Confederate Blvd. therefore, the zoning approval has also been provided.
- Site work has begun at the former Thomasville property by United States Cellular. The work should be complete in the next 30-45 days.
- The Virginia Municipal League Annual Conference is scheduled for October 3-5, 2021 in Leesburg, Virginia.
- Mr. Fowler, Part-time Zoning Administrator began employment earlier this month.

Adjournment:

On a motion by Mr. Garrett, seconded by Mr. Boyce, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

1 | **Appomattox Town Council**
Regular Council Meeting
August 9, 2021

The Appomattox Town Council held a Regular Council meeting on Monday, August 9, 2021, 2021 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Richard Conner, presiding.

Council members present – Aaron Tilton, Nathan A. Simpson, Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette and James J. Boyce.

Others present – Carlton Duck, Alive Media TV; Chad Hodges, Hurt & Proffitt, Inc.; Mr. and Mrs. Gary Christie, Executive Director, Central Virginia Planning District Commission, Jeff Elder, Facilities Director; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne W. Casto, Clerk of Council.

The meeting was also broadcast Live on the Town of Appomattox Facebook page.

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

Rev. Carlton Duck, Pastor of the Gethsemane Baptist Church led the prayer and the Pledge of Allegiance to the Flag of the United States of America.

Public Hearing:

Mayor Conner opened the public hearing and stated the purpose:

The purpose of the public hearing is to hear public comments for proposed changes to the Water and Sewer Policy User Charges (including Water and Sewer Rates), Connection and Availability Fees Administrative Policy with an effective date of October 1, 2021.

c) Proposed Out of Town Water Rates:

	0 – 2000 gallons	Charge per 1000 gallons over 2000
October 1, 2021	\$17.40	\$9.60
July 1, 2022	\$17.85	\$9.90

These rate changes are to be enacted pursuant to Section 15.2-2109 et. seq., with specific reference being made to Sections 15.2-2119 and 15.2-2122, of the Code of Virginia, 1950 as amended. Documentation, including the complete ordinance and other information concerning the documentation for the proposed fee are available at the Appomattox Town Office, 210 Linden Street, Appomattox, Virginia from 8:30 a.m. until 4:30 p.m., Monday through Friday. If you have any questions, please contact Kimberley W. Ray, Treasurer or Gary L. Shanaberger, Town Manager at 434-352-8268.

2 | **Appomattox Town Council
Regular Council Meeting
August 9, 2021**

Public Comments – none

Mayor Conner closed the hearing.

Mayor's Comments:

Mayor Conner said he hoped this Council was doing the work they were elected to do. He also appreciates working with this team of elected officials and professional staff at the Town Office.

Scheduled Public Appearances:

Mr. Gary Christie, Executive Director, Central Virginia Planning District Commission appeared to present Mayor Conner with a plaque of appreciation for service to the Planning District Commission over the last year serving as Chairman.

Mr. Christie also provided an update on activities performed by the Central Virginia Planning District Commission during the last year.

Adoption of the Consent Agenda:

On a motion by Ms. Spiggle, seconded by Mr. Garrett, Council voted to adopt the consent agenda for Monday, August 9, 2021, as presented. All members present voting aye. Motion carried 6-0.

Unfinished Business:

None

New Business:

On a motion by Mr. Simpson, seconded by Ms. Spiggle, Council voted to amend the Town of Appomattox Water and Sewer Policy to include User Charges, Connection and Availability Fee, Administrative Policy by increasing the out-of-town water rates effective October 1, 2021, and thereafter with a multiplier factor of 1.5. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Mr. Tilton, Council voted to approve an Amendment to the Appropriations Resolution of the Appomattox Town Council adopting the Fiscal Year 2021-2022 Budget for the Town of Appomattox, Virginia to set the Personal Property Tax Relief rate for FY 2022.

**AMENDMENT TO THE APPROPRIATIONS RESOLUTION OF THE APPOMATTOX
TOWN COUNCIL ADOPTING THE FISCAL YEAR 2021-2022 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

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Regular Council Meeting
August 9, 2021

within the Town commencing January 1, 2021, 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 50.93% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 50.93% 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

Date

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

On a motion by Mrs. Puckette, seconded by Mr. Garrett, Council voted to amend the Fund Balance Policy for the Town of Appomattox. All members present voting aye. Motion carried 6-0.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, Council voted to advertise a joint public hearing for Tuesday, August 24, 2021, at 6:00 p.m. for an Ordinance of Vacation for an unopened street by Blue Ridge Medical on Jones Street. All members present voting aye. Motion carried 6-0.

Council Standing Committee Reports:

American Rescue Plan Act – Mrs. Puckette reported she and Mr. Garrett have not met since the last Workshop meeting to discuss possibilities of funding activities with the American Rescue Plan Act funding. They would like input from other Council members. Mr. Sipson mentioned exploring options to abate blighted buildings and supporting local food banks. Mr. Garrett will also gather information on the cost of indoor air quality equipment for Town buildings.

Citizens Comment Period:

None

Town Manager Updates –

Mr. Shanaberger provided an update on the following activities:

- Church Street Waterline Replacement project – Staff is working with USDA and DHCD to finalize the closing process. He is hopeful the project will be going out for bid in 90 days.
- The Public Works Department has been managing the fieldwork for the Inflow and Infiltration (SBR) project. Approximately \$6 million has been spent on this project.

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Regular Council Meeting
August 9, 2021

- The Request for Proposals for engineering and project management services has been advertised and RFP's are due on September 15, 2021.
- Attended a meeting with Jonathan Garrett and Rusty Small and all agreed to hold the fireworks on Saturday, July 2, 2022.
- The Town EDA meeting is scheduled for Tuesday, August 10, 2021 at 6:00 p.m.

Council Comments –

Puckette – none

Tilton – none

Simpson – inquired about the possibility of installing “No Parking” signs at the corner of Oakleigh Avenue at Church Street. Mr. Shanaberger said he would talk with VDOT. Mrs. Puckette inquired about the truck route. Mr. Shanaberger advised that VDOT is still conducting research for the study.

Spiggle – none

Garrett – none

Boyce – invited everyone to attend the Ball Brothers concert at the Courtland Festival Park on Sunday, August 22, 2021, at 3:00 p.m. In the case of rain, the event will be held at Bible Baptist Church

Adjournment:

On a motion by Mr. Boyce, seconded by Mr. Garrett, Council voted to adjourn at 7:35 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

1 | **Appomattox Town Council
Workshop Meeting
August 24, 2021**

The Appomattox Town Council held a Workshop meeting on Tuesday, August 25, 2021, at 6:00 p.m. at the Appomattox Municipal Building, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council present: Aaron Tilton, Nathan A. Simpson, Timothy W. Garrett, James J. Boyce, Sr., Mary Lou Spiggle (via phone) and Claudia G. Puckette.

Appomattox Town Planning Commission present: Marvin Mitchell, S. L. Ferguson, Roger Carson and Nathan Simpson.

Others present: Frank A. Wright, Jr., Town Attorney; Carlton Duck, Alive Media TV; Jeff Elder, Facilities Director; Christy Torrence, Office Manager; Rob Fowler, Director of Community Development and Planning; Jeff Westbrook, Times Virginian; Brian McChesney and Randy Pirtle, Blue Ridge Medical Center; Gary Shanaberger, Town Manager; Kim Ray, Treasurer; and Roxanne Casto, Clerk

Mayor Conner called to order the Council Workshop meeting.

Chairman Mitchell called the Planning Commission meeting to order for the purpose of the following public hearing:

PLEASE TAKE NOTICE that at its meeting to be held on Tuesday, August 24, 2021, 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 a proposed Ordinance of Vacation, pursuant to Virginia Code Ann. Sec. 15.2-2272 to vacate an unopened portion of Second Street, depicted as “Second Street 50 ft. R/W (Not Open)” on a plat dated June 3, 2021, entitled “Resurvey of Lots 166-183 Lee Grant Addition See D.B. 187 p. 724 . . . 2.583 Acres Surveyed for: High Rise Holdings LLC,” such plat or an updated version thereof to be recorded in the clerk’s office of the Appomattox County Circuit Court (the “New Plat”), such unopened portion being 50 feet in width and extending 250 feet northwest from a parcel owned by the Civil War Preservation Trust and identified as T.M. No. 64A2-4-3A (the “Unopened Portion of Second Street.”) The effect of such proposed vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

a) The southwestern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-161 owned by Freddie R. Jones, or his successor in interest;

b) The northeastern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-166 owned by High Rise Holdings LLC, or its successor in interest;

2 | **Appomattox Town Council
Workshop Meeting
August 24, 2021**

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 Tuesday, September 7, 2021.

PLEASE TAKE FURTHER NOTICE that at its meeting to be held on Monday, September 13, 2021, at the hour of 7:30 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 proposed Ordinance of Vacation, pursuant to Virginia Code Ann. Sec. 15.2-2272 to vacate the above-described portion of a plat. 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 Ordinance of Vacation 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.

Mr. Fowler provided a brief staff presentation with the request to close an unopened road off of Jones Street.

There were no questions from the Planning Commission members.

There were no public citizen comments.

Chairman Mitchell closed the public hearing and the Planning Commission meeting.

Discussion Items:

Mr. Frank A. Wright, Jr., Town Attorney appeared before Council to provide a brief update on the Town Council & Mayor elections originally scheduled for May 2022. Since the General Assembly also moved all Town elections from May to November, he will need to continue to research options for the current Town Council and the next steps involved in the election process.

Town Council provided consensus for Mr. Wright to return to Council later with options to achieve the next Town election.

Council Comments:

Mr. Boyce shared a complaint he received regarding the lack of visibility exiting Harrell Street to Church Street due to the fence/railing. Mr. Shanaberger will bring back to Council options to consider.

Mrs. Puckette – none

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Workshop Meeting
August 24, 2021**

Mr. Simpson - none

Mr. Garrett – none

Mr. Tilton – none

Ms. Spiggle- none

Council Standing Committee Reports:

None

Staff Reports:

Mrs. Kim Ray, Treasurer provided the Treasurer’s Report for revenues and expenditures though July 1, 2021.

Mrs. Casto, Clerk of Council – none

Mr. Elder, Facilities Director explained the urgency in replacing 345’ of a 4” cast iron waterline under 2 businesses on Court Street. The approximate cost is \$17,000 to replace the line. Mr. Elder will work within his FY 2022 water budget, and if a budget amendment is needed, it can be done later in the fiscal year.

Mr. Shanaberger provided an update on the following items:

- Church Street Waterline Replacement Project – Staff continues to work towards the closings with USDA and DHCD, possibly within the next 60 days.
- Appomattox Downtown Revitalization Grant – Staff will be closing on 3 contracts tomorrow, August 25, 2021. The marketing survey has been extended and will be available on the Town website until September 10, 2021.
- The Request for Proposals (RFP) for Engineering and Project Services for the Train Depot are due September 15, 2021. The project area has been shown to 2 interest firms.
- The Town Council Retreat is scheduled for Friday, September 17, 2021 at the Frozen Food Locker.
- The Annual Virginia Municipal League Conference is still planned for October 3-5, 2021 in Leesburg, Virginia.
- The cell tower on the Thomasville property is about 75% complete.

Adjournment:

On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 7:00 p.m. All members present voting aye. Motion carried 6-0.

Roxanne W. Casto
Clerk of Council

Richard C. Conner, Mayor

File Attachments for Item:

4. Consideration to Adopt a Budget Amendment for FY 2021.

1. Consideration to adopt a resolution amending the FY 2021 Operating Budget for the General Fund to appropriate the one-time additional funding received for the Appomattox Volunteer Fire Department via the Virginia Department of Fire Programs on June 24, 2021.
2. WHEREAS, Section 15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time
3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2021 Operating Budget for the General Fund.

General Fund Expenditures Amendments

Net Increase in Budget \$ 5,000.00

General Fund Revenue Amendments

Net Increase in Budget \$ 5,000.00

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2021 budget amendments are hereby adopted, and the monies necessary to fund it are hereby appropriated and shall be certified by the Clerk of Council and maintained as an archive document with the official minutes of the Town Council of Appomattox, Virginia.

Amended this ____ day of _____ 2021.

Attest:

Roxanne Casto, Town Clerk

File Attachments for Item:

5. Consideration to Adopt a Budget Amendment for FY 2022.

1. Consideration to adopt a resolution amending the FY 2022 Operating Budget for the Water Fund, Sewer Fund, and ARPA Fund for the purpose of Water Fund – Church Street USDA Grant/Loan, Sewer Fund-Carry Forward from FY 20921 for SCADA System ordered in June 2021 and ARPA Fund – American Rescue Plan Act grant fund proceeds.
2. WHEREAS, Section15.2-2507, Code of Virginia, allows that a governing body may amend the budget from time to time
3. NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2022 Operating Budget for the Water Fund, Sewer Fund and ARPA Fund.

Water Fund Expenditures Amendment	\$1,645,000.00
Sewer Fund Expenditures Amendment	\$129,080.00
ARPA Fund Expenditures Amendment	\$930,652.00
Total Expenditures Amendment	\$2,704,732.00

Water Fund Revenue Amendment	\$1,645,000.00
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SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2022 budget amendments are hereby adopted, and the monies necessary to fund it are hereby appropriated and shall be certified by the Clerk of Council and maintained as an archive document with the official minutes of the Town Council of Appomattox, Virginia.

Amended this ____ day of _____ 2021.

Attest:

Roxanne Casto, Town Clerk

File Attachments for Item:

6. Consideration to accept the recommendation of the Town Planning Commission and adopt an Ordinance of Vacation - unopened portion of Second Street.

Ordinance of Vacation

[Unopened portion of Second Street]

WHEREAS, by plat dated October 15, 1948, entitled “Plat of Lee-Grant Addition, Appomattox, VA, Durham & Higginbotham, Owners,” and recorded in the Appomattox County Circuit Court Clerk’s Office in Deed Book 50, page 388, certain streets were created, including a street to be known as “Second Street” as shown upon such plat (the “Original Plat”); and,

WHEREAS, a currently unopened portion of Second Street is depicted as “Second Street 50 ft. R/W (Not Open)” on a plat dated June 3, 2021, entitled “Resurvey of Lots 166-183 Lee Grant Addition See D.B. 187 p. 724 . . . 2.583 Acres Surveyed for: High Rise Holdings LLC,” such plat or an updated version thereof to be recorded in the clerk’s office of the Appomattox County Circuit Court (the “New Plat”), such unopened portion being 50 feet in width and extending 250 feet northwest from a parcel owned by the Civil War Preservation Trust and identified as T.M. No. 64A2-4-3A (the “Unopened Portion of Second Street”); and,

WHEREAS, the Unopened Portion of Second Street has never been opened, and there is no further need for it to be opened; and,

WHEREAS, it is the desire of the Town of Appomattox, acting by and through its Town Council, to vacate the Unopened Portion of Second Street by Ordinance of Vacation in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272;

WHEREAS, the effect of such vacation shall be to vest such title as the Town of Appomattox may possess to the centerline of such unopened street so vacated, free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

- a) The southwestern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-161 owned by Freddie R. Jones, or his successor in interest;
- b) The northeastern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-166 owned by High Rise Holdings LLC, or its successor in interest;

NOW, THEREFORE, BE IT ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2272 the Unopened Portion of Second Street **shall be, and the same hereby is, vacated**, a public hearing thereon having been duly advertised in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2204;

BE IT FURTHER ORDAINED, that a certified copy of this Ordinance of Vacation shall be recorded after the expiration of thirty (30) days from the date hereof, unless appealed to the Circuit Court for the County of Appomattox, Virginia, and thereafter if this Ordinance of Vacation is affirmed by said Court, in the Clerk’s Office of the Circuit Court of Appomattox County, Virginia;

BE IT FURTHER ORDAINED, that in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, the recordation of this Ordinance of Vacation as required in the preceding paragraph shall operate to destroy the force and effect of any previously created boundary lines of that portion of the unnamed and unopened street so described above and so vacated and to vest such title as the Town of Appomattox may possess free and clear of any rights of the public, but subject to the rights of the owners of any public utility installations which have been previously erected therein, in accordance with the provisions of Virginia Code Ann. Sec. 15.2-2274, equally in the owners of abutting properties as follows:

a) The southwestern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-161 owned by Freddie R. Jones, or his successor in interest;

b) The northeastern half of the Unopened Portion of Second Street shall be added to T.M. No. 64A2-4-166 owned by High Rise Holdings LLC, or its successor in interest.

The vote was: Aye:
 Nay:
 Abstain:

File Attachments for Item:

7. Consideration to adopt the following resolutions for the Department of Housing & Community Development Grant reference the Church Street Waterline Replacement Project:

Residential Anti-Displacement Plan

Non-Discrimination Policy

Business & Employment Plan

Environmental Review Adoption

Town of Appomattox Residential Anti-Displacement Plan

1. The Town of Appomattox will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income dwelling unit as a direct result of activities assisted with funds provided under the *Housing and Community Development Act of 1974*, as amended. All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the *Town of Appomattox* will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate- income households in the jurisdiction.

The Town of Appomattox will provide relocation assistance to each low/moderate – income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the *Housing and Community Development Act of 1974*, as amended, or the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.

The Town of Appomattox Church Street Waterline FY2021 Construction Ready project includes the following activities:

Replacement of waterline, installation of fire hydrants, and some lateral line and manhole replacement, and some roadwork.

The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for the use of existing right-of-way. Should any additional easement or acquisition be required the property will not contain housing. The Town of Appomattox will work with the grant management staff, engineers, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause any displacement from or conversion of occupiable structures.

In all cases, an occupiable structure will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

Duly adopted by the Council of the Town of Appomattox at its regular meeting on this 13th day of September 2021.

Richard C. Conner, Mayor

**Town of Appomattox
Non-Discrimination Policy**

The Town of Appomattox or any employee thereof will not discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex, or national origin. Administrative and Personnel officials will take affirmative action to insure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

Duly adopted by the Council of the Town of Appomattox at its regular meeting on this 13th day of September 2021.

Richard C. Conner, Mayor

Town of Appomattox
Local (Section 3) Business & Employment Plan
Church Street Waterline Project
Virginia Construction Ready Project
Town of Appomattox, Virginia

1. The Town of Appomattox designates as its Section 3 Business and Employment Project Area the **County of Appomattox, Virginia** including the Town of Appomattox.
2. The Town of Appomattox, its contractors, and designated third parties shall in utilizing Community Development Block Grant (CDBG) funds utilize businesses and lower income residents of the County in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for construction, non-construction, materials, and supplies the Town of Appomattox, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the County:
 - (a) The Town of Appomattox shall identify the contracts required to conduct the CDBG activities.
 - (b) The Town of Appomattox shall identify through various and appropriate sources including:
 - Times-Virginian Newspaper
 - Posted Notices
 - Direct written or verbal contactthe business concerns within the County which are likely to provide construction contracts, non-construction contracts, materials, and services which will be utilized in the activities funded through the CDBG.
 - (c) The identified contractors and suppliers shall be included on bid lists used to obtain bids, quotes or proposals for work or procurement contracts which utilize CDBG funds.
 - (d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with CDBG funds.
4. The Town of Appomattox and its contractors and subcontractors shall take the following steps to encourage the hiring of lower income persons residing in the County:
 - (a) The Town of Appomattox in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be used to conduct CDBG activities.
 - (b) The Town of Appomattox shall advertise through the following sources
 - Times Virginian Newspaper

the availability of such positions with the information on how to apply.

- (c) The Town of Appomattox, its contractors, and subcontractors shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.
 - (d) To the greatest extent feasible, the Town of Appomattox, its contractors, and subcontractors shall hire lower income project area residents in filling training and employment positions necessary for implementing activities funded by the Community Development Block Grant (CDBG).
5. In order to document compliance with the above affirmative actions and Section 3 of the *Housing and Community Development Act of 1974, as amended*, the *Town of Appomattox* shall keep, and obtain from its contractors and subcontractors, *Registers of Contractors, Subcontractors and Suppliers* and *Registers of Assigned Employees* for all activities funded by the CDBG. Such listings shall be completed and shall be verified by site visits and employee interviews, crosschecking of payroll reports and invoices, and through audits if necessary.

Duly adopted by the Council of the Town of Appomattox at its regular meeting on this 13th day of September 2021.

DATE:

TOWN OF APPOMATTOX

Richard C. Conner, Mayor

ATTEST:

Roxanne Casto, Clerk of Council

ENVIRONMENTAL REVIEW ADOPTION
CHURCH STREET WATERLINE PROJECT
TOWN OF APPOMATTOX, VIRGINIA

The Town of Appomattox, through funding support provided by the United States Department of Agriculture Rural Development (USDA Rural Development), the Virginia Department of Housing and Community Development (VDHCD), will undertake the Church Street Waterline Project. The anticipated \$2,276,465 project will replace approximately 6,225 linear feet of 4" waterline with 8" waterline, including fire hydrants in the entire project area, within the rights-of-way of Church Street, Confederate Boulevard, Red House Road, and Morris Avenue.

In the execution of the Church Street Waterline Project an Environmental Review process has been undertaken and completed by Hurt & Proffitt according to Virginia regulations and has been approved by USDA-Rural Development. The Town of Appomattox does hereby approve the Church Street Waterline Environmental Review process and documentation to serve for the VDHCD Construction Ready Project.

Duly adopted by the Council of the Town of Appomattox at its regular meeting on this 13th day of September 2021.

DATE:

TOWN OF APPOMATTOX

Richard C. Conner, Mayor

ATTEST:

Roxanne Casto, Clerk of Council