



Appomattox Regular Town Council Meeting Agenda

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

Monday, June 08, 2026

6:30 PM – Regular Town 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

Welcome

Adoption of the Agenda - June 8, 2026

Unfinished Business

1. Public hearing to receive public comment concerning the proposed disposition and conveyance of certain Town-owned real property commonly known as the Garment Factory property to Jamerson Real Estate, Inc. A copy of the Council Action Form with Affidavit of Publication and Notice of Public Hearing are attached to the Agenda.
2. Action by Town Council to approve, deny, defer, or otherwise act upon the proposed disposition and conveyance, and may authorize the execution and delivery of the deed and any related documents necessary to complete the Garment Factory transaction. A copy of the Council Action Form and proposed Deed are attached to the Agenda.

New Business

3. Consideration of a Resolution adopting or allowing for the voluntary Town participation in the Share The Air program. A Council Action Form, Memorandum, and proposed Resolution for the voluntary participation in the Share The Air Program are attached to the Agenda.

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Council Comment

Mayor's Comment

Adjournment

File Attachments for Item:

1. Public hearing to receive public comment concerning the proposed disposition and conveyance of certain Town-owned real property commonly known as the Garment Factory property to Jamerson Real Estate, Inc. A copy of the Council Action Form with Affidavit of Publication and Notice of Public Hearing are attached to the Agenda.



TOWN OF APPOMATTOX TOWN COUNCIL ACTION FORM

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Public Hearing for Deed Transfer (Garment Factory)

ISSUE: The Town of Appomattox will transfer ownership of Garment Factory to Jamerson Real Estate, Inc.

RECOMMENDATION: The Town will hold a public hearing to receive comment concerning the proposed disposition and conveyance of certain Town-owned real property commonly known as the Garment Factory to Jamerson Real Estate, Inc., a Virginia corporation, by deed of gift and for no monetary consideration.

TIMING: Public hearing will take place during the Town Council’s regular meeting on Monday, June 8, 2026 at 6:40 p.m. or soon thereafter as the matter may be heard.

BACKGROUND: Garment Factory property located on Confederate Blvd and Patricia Anne Lane was acquired to obtain the Virginia Housing grant and now the ownership will be transferred back to Phillip Jamerson (Jamerson Real Estate, Inc.).

ENCLOSED DOCUMENTS:

STAFF/SPONSOR: Tori Rothgeb, Facilities Project Director

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Timothy W. Garrett	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Danielle Ulmer
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jack Hensley	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Mary Lou Spiggle
<input type="checkbox"/>	<input type="checkbox"/>	Councilor James Boyce, Sr.	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Richard Conner (If required)
<input type="checkbox"/>	<input type="checkbox"/>	Councilor McKinley Cardwell			

AFFIDAVIT OF PUBLICATION

State of New Jersey, County of Camden, ss:

Edmar Corachia, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Lynchburg News & Advance, a newspaper printed and published in the City of Lynchburg, County of Campbell, State of Virginia, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

May. 30, 2026

NOTICE ID: bqAbb8QX0lt4Pep2XUul

PUBLISHER ID: COL-4401515

NOTICE NAME: Garment Factory Public Hearing Notice

Publication Fee: 422.21

Ad Size: 2 X 39 L

Category: General Legal Notice

Under penalty of perjury, I, the undersigned affiant swear or affirm that the statements above are true and accurate to the best of my knowledge and belief.

Edmar Corachia

(Signed) _____

VERIFICATION

State of New Jersey
County of Camden

SHARONN E THOMAS-POPE
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires January 23, 2027

Subscribed in my presence and sworn to before me on this: 06/01/2026

Sharon E. Thomas-Pope

Notary Public

Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING

TOWN OF APPOMATTOX, VIRGINIA

PROPOSED DISPOSITION AND CONVEYANCE OF TOWN-OWNED REAL PROPERTY

Notice is hereby given pursuant to Sections 15.2-1800 and 15.2-1813 of the Code of Virginia, as amended, that the Appomattox Town Council will hold a public hearing during its regular meeting on Monday, June 8, 2026, at 6:40 p.m., or as soon thereafter as the matter may be heard, in the Appomattox Town Council Chambers, 210 Linden Street, Appomattox, Virginia.

The purpose of the public hearing is to receive public comment concerning the proposed disposition and conveyance of certain Town-owned real property commonly known as the Garment Factory property to Jamerson Real Estate, Inc., a Virginia corporation, by deed of gift and for no monetary consideration.

The property proposed for conveyance includes the following Appomattox County tax map parcels, as more particularly described in the proposed deed:

Parcel 1: Tax Map Nos. 64A5-6-C-1, 64A5-6-D-7A, 64A5-6-D-10A, 64A5-6-D-3, 64A5-6-D-8, 64A5-A-153, 64A5-6-D-6, 64A5-6-D-9A, 64A5-A-154, and 64A5-6-D-7.

Parcel 2: Tax Map No. 64A5-6-D-10.

The proposed deed conveys the property subject to all valid and existing conditions, easements, reservations, and restrictions previously imposed upon the property by recorded deed or plat and now binding thereon.

Following the public hearing, Town Council may take action to approve, deny, defer, or otherwise act upon the proposed disposition and conveyance, and may authorize the execution and delivery of the deed and any related documents necessary to complete the transaction.

A copy of the proposed deed and related materials is available for public inspection in the office of the Town Manager/Town Clerk at Appomattox Town Hall, 210 Linden Street, Appomattox, Virginia, during regular business hours.

All interested persons are invited to attend the public hearing and present their views.

By Order of the Appomattox Town Council
COL-4401515.

File Attachments for Item:

2. Action by Town Council to approve, deny, defer, or otherwise act upon the proposed disposition and conveyance, and may authorize the execution and delivery of the deed and any related documents necessary to complete the Garment Factory transaction. A copy of the Council Action Form and proposed Deed are attached to the Agenda.



TOWN OF APPOMATTOX TOWN COUNCIL ACTION FORM

Order of Business:

- Consent Agenda
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- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Public Hearing for Deed Transfer (Garment Factory)

ISSUE: The Town of Appomattox will transfer ownership of Garment Factory to Jamerson Real Estate, Inc.

RECOMMENDATION: The Town will hold a public hearing to receive comment concerning the proposed disposition and conveyance of certain Town-owned real property commonly known as the Garment Factory to Jamerson Real Estate, Inc., a Virginia corporation, by deed of gift and for no monetary consideration.

TIMING: Public hearing will take place during the Town Council’s regular meeting on Monday, June 8, 2026 at 6:40 p.m. or soon thereafter as the matter may be heard.

BACKGROUND: Garment Factory property located on Confederate Blvd and Patricia Anne Lane was acquired to obtain the Virginia Housing grant and now the ownership will be transferred back to Phillip Jamerson (Jamerson Real Estate, Inc.).

ENCLOSED DOCUMENTS:

STAFF/SPONSOR: Tori Rothgeb, Facilities Project Director

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call**SUMMARY:**

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Timothy W. Garrett	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Danielle Ulmer
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jack Hensley	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Mary Lou Spiggle
<input type="checkbox"/>	<input type="checkbox"/>	Councilor James Boyce, Sr.	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Richard Conner (If required)
<input type="checkbox"/>	<input type="checkbox"/>	Councilor McKinley Cardwell			

This Deed was prepared without the benefit of title examination by Seth E. Twery, P.C. – VSB #20031 P.O. Box 185 Lynchburg, VA 24505-0185 www.sethtwery.com

Tax Map Nos.

Parcel 1: 64A5-6-C-1, 64A5-6-D-7A, 64A5-6-D-10A, 64A5-6-D-3, 64A5-6-D-8, 64A5-A-153, 64A5-6-D-6, 64A5-6-D-9A, 64A5-A-154, 64A5-6-D-7

Parcel 2: 64A5-6-D-10

This deed is exempt from recordation taxes pursuant to §58.1-811.D of the Code of Virginia, 1950, as amended.

THIS DEED OF GIFT, made and entered into this 21st day of May, 2026, by and between **TOWN OF APPOMATTOX, VIRGINIA, A TOWN OF THE COMMONWEALTH OF VIRGINIA**, party of the first part, GRANTOR; and **JAMERSON REAL ESTATE, INC., a Virginia corporation**, party of the second part, GRANTEE.

W I T N E S S E T H:

For no consideration the Grantor hereby gives, grants and conveys unto the Grantee with General Warranty and English Covenants of Title, as tenants in common, the following described real estate located in the County of Appomattox, Virginia, to wit:

Parcel 1: Tax Map Nos. 64A5-6-C-1, 64A5-6-D-7A, 64A5-6-D-10A, 64A5-6-D-3, 64A5-6-D-8, 64A5-A-153, 64A5-6-D-6, 64A5-6-D-9A, 64A5-A-154 & 64A5-6-D-7;

All those certain lots or parcels of land, together with any buildings and improvements thereon, and the privileges and appurtenances thereunto belonging, situate, lying and being in the Town of Appomattox, Appomattox County, Virginia, as shown on a plat of survey entitled “PLAT SHOWING PARCELS OF SECTION ‘C’, SECTION ‘D’, BANDANNA LOT AND HOMESTEAD LOT AS SHOWN ON SUBDIVISION OF LAWSON ISBELL’S EST. FOR FACTORY REALTY CORP., TOWN OF APPOMATTOX, APPOMATTOX COUNTY, VIRGINIA”, dated April 14, 1973, made by John Flora & Associates, Inc., of record in the Clerk’s Office of the Circuit Court of Appomattox County, Virginia, in Deed Book 41, page 491.

LESS AND EXCEPT the “Town Water Tank” Lot, the “West Funeral” Lot, Lot 9, and Part of Lot 10, all as shown on the aforesaid Plat.

Parcel 2: Tax Map No. 64A5-6-D-10:

All that certain tract, parcel or lot of land, together with any buildings and improvements thereon and the privileges and appurtenances thereunto belonging, lying and being in the corporate limits of the Town of Appomattox, lying on the South side of Patricia Anne Lane in said Town, and being designated on a plat of survey as Lot 10, Section D thereof entitled "NORTH PORTION OF LAWSON ISBELL'S ESTATE", made by W.A. Moses, Surveyor, dated August 29, 1941, and recorded in the Clerk's Office of the Circuit Court of Appomattox County, Virginia, in Deed Book 43, page 135 thereof, fronting on Patricia Ann Lane for a distance of 50 ft. and being adjoined on the South by property of Jamerson Real Estate, Inc. and a portion of Lot No. 3, and on the Southeast by Lot No. 11, on the Northwest by Lot No. 9, and on the North and Northeast by said Patricia Ann Lane.

Parcels 1 and 2 being the same property conveyed unto TOWN OF APPOMATTOX, VIRGINIA, A TOWN OF THE COMMONWEALTH OF VIRGINIA, by Deed of Gift dated November 3, 2025, and recorded in the Office of the Clerk, Circuit Court, Appomattox County, Virginia, as Instrument Number 202502178.

The property hereby conveyed is conveyed subject to all valid and existing conditions, easements, reservations and restrictions heretofore imposed upon said property by recorded deed or plat and now binding thereon.

IN WITNESS WHEREOF, the Grantors have caused this Deed to be executed in its name and on its behalf by its duly authorized officer.

TOWN OF APPOMATTOX, VIRGINIA,
A TOWN OF THE COMMONWEALTH OF VIRGINIA

By: _____
Its: _____

STATE OF _____,
CITY/COUNTY of _____, to-wit:

I, _____, a Notary Public of the State of _____, at large, do hereby certify that _____, known to me to be the _____ of TOWN OF APPOMATTOX, VIRGINIA, A TOWN OF THE COMMONWEALTH OF VIRGINIA, whose name is signed to the writing above bearing date on the 21st day of May, 2026, has acknowledged the same before me in my State aforesaid.

Given under my hand this ____ day of _____, 2026.

Notary Public

My commission expires: _____.

My registration no: _____.

File Attachments for Item:

3. Consideration of a Resolution adopting or allowing for the voluntary Town participation in the Share The Air program. A Council Action Form, Memorandum, and proposed Resolution for the voluntary participation in the Share The Air Program are attached to the Agenda.



TOWN OF APPOMATTOX

MEMORANDUM

TO: Mayor and Members of Town Council
FROM: Michael Campbell, Town Manager
DATE: June 8, 2026
SUBJECT: Share The Air Program - Implementation Considerations

At the request of Council Member Cardwell, Council is being asked to consider voluntary participation in the Share The Air program. This memo is intended to identify practical implementation considerations if Council chooses to authorize participation. It is not intended to recommend approval or disapproval of the program.

1. Nature of Participation

Staff would treat participation as a voluntary public education and signage effort. Approval would not create an enforceable ordinance, civil penalty, criminal violation, or independent staff enforcement obligation. Any signage or public information should make the voluntary nature of the program clear.

2. Signage and Public Communication

If approved, staff can coordinate with program representatives regarding no-cost signage and educational materials. Public communication should focus on cleaner parks and public spaces, reduced tobacco-related litter, youth tobacco prevention, and family-friendly outdoor areas. Staff should avoid wording that implies a legal prohibition unless Council later adopts an enforceable ordinance after legal review.

3. Staff Response to Questions or Complaints

If staff receives questions or complaints, the response should be informational. Staff can explain that the Town encourages voluntary compliance in designated outdoor public areas but would not issue citations, impose penalties, or place employees in confrontational enforcement situations. If repeated operational issues arise, staff can bring the matter back to Council for further policy direction.

4. Use of the Town Name, Logo, and Public Identification

Share The Air may wish to identify the Town as a participating locality or include the Town in program-related materials. Any use of the Town name or logo should be reviewed and authorized by the Town before publication. Materials should accurately reflect that participation is voluntary and should not suggest that the Town has adopted an enforceable smoking or vaping ordinance unless Council takes separate action to do so.

5. If Council Wants an Enforceable Policy

If Council wishes to consider anything beyond voluntary participation, such as a mandatory restriction or ordinance with penalties, that issue should be reviewed separately by the Town Attorney before further action. A separate ordinance or formal policy discussion would also need to address enforcement authority, staff responsibilities, penalties, signage language, and complaint handling.

Summary

If Council adopts the resolution, staff can proceed with voluntary program coordination, signage, and public education. If Council wants mandatory restrictions or enforcement, staff recommends that the matter be reviewed separately with the Town Attorney before additional Council action.



**TOWN OF APPOMATTOX,
VIRGINIA**

RESOLUTION NO. 2026-__

**A RESOLUTION AUTHORIZING VOLUNTARY PARTICIPATION IN THE SHARE THE
AIR PROGRAM**

WHEREAS, the Town Council has received information regarding the Share The Air program, a voluntary public education and signage program intended to encourage tobacco-free, vape-free, and smokeless-tobacco-free parks, playgrounds, trails, athletic fields, shelters, and other outdoor public spaces; and

WHEREAS, the program is presented as a voluntary compliance effort and does not, by itself, create a criminal offense, civil penalty, enforceable local ordinance, or mandatory enforcement process; and

WHEREAS, potential benefits of voluntary participation may include no-cost signage and materials, support for cleaner parks and public spaces, reduced tobacco-related litter, alignment with youth tobacco prevention efforts, and a public health message related to secondhand smoke, vaping, asthma, and family-friendly outdoor areas; and

WHEREAS, the Town Council recognizes that Town staff resources are limited and that any implementation of a voluntary program must be administered within existing staffing, budgeted resources, and higher-priority Town responsibilities; and

WHEREAS, the Town Council desires to clearly distinguish voluntary program participation from the adoption of any enforceable ordinance, penalty structure, or staff enforcement obligation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Appomattox, Virginia, that:

1. Voluntary Participation Authorized. The Town Council hereby authorizes the Town of Appomattox to participate in the Share The Air program as a voluntary public education and signage program.

2. No Ordinance or Enforcement Created. This resolution does not create an enforceable ordinance, civil penalty, criminal violation, or independent enforcement obligation for Town staff. Participation shall be understood and communicated as voluntary and educational in nature.

3. Staff Role. The Town Manager, or the Town Manager's designee, is authorized to coordinate with Share The Air program representatives regarding available no-cost signage, educational materials, staff awareness materials, and appropriate public information. The Town Manager, or designee, is further authorized to complete and submit any required Share The Air sign-on or commitment form, provided that participation is understood and administered as a voluntary public education and signage program consistent with this resolution. Staff may place signage and share information in a manner determined administratively by the Town Manager or designee.

4. Staff Resources and Priorities. Implementation shall be carried out within existing staff capacity and budgeted resources. This program shall not take priority over core Town operations, public works, utility responsibilities, public safety coordination, agenda preparation, FOIA responsibilities, finance duties, or other higher-priority administrative functions. The Town Manager may phase, limit, defer, or adjust implementation as needed based on workload, operational needs, public safety, facility needs, and available staff capacity.

5. Questions and Complaints. If Town staff receive questions or complaints related to tobacco, vaping, or smokeless tobacco use in outdoor public areas, staff shall respond in an informational manner. Staff shall not be expected to issue citations, impose penalties, or engage in confrontational enforcement activity unless the Town Council later adopts a separate ordinance or formal policy after appropriate legal review.

6. Public Communication and Signage. Any public communication, signage, or educational material associated with participation should accurately describe the Town's participation as a voluntary public education and signage program. Materials may use Share The Air's standard tobacco-free, vape-free, and smokeless-tobacco-free program language, but should not imply that the Town has adopted a legally enforceable ordinance, citation process, civil penalty, criminal penalty, or mandatory enforcement program unless such action is separately adopted by the Town Council after appropriate legal review.

7. Town Name, Seal, Logo, or Public Identification. Any use of the Town's name, seal, logo, or public identification in Share The Air materials shall be reviewed and authorized by the Town prior to publication or distribution and shall accurately reflect the voluntary nature of the Town's participation.

8. Future Enforceable Policy. If the Town Council wishes to consider a mandatory restriction, ordinance, penalty, or enforcement mechanism beyond voluntary participation, that matter shall be reviewed separately by the Town Attorney before further Council action.

9. Effective Date. This resolution shall be effective upon adoption.

ADOPTED this 8th day of June, 2026.

ATTEST:

TOWN OF APPOMATTOX, VIRGINIA

Dianne Tanner, Deputy Town Clerk

Richard Conner, Mayor

SUGGESTED SIMPLE MOTIONS

The resolution above is drafted so Council can act with a simple motion. The following suggested motions may be used during the meeting:

Motion to Approve

I move to approve Resolution No. 2026-___ authorizing the Town of Appomattox to participate in the Share The Air program as a voluntary public education and signage program.

Motion to Deny

I move to deny Resolution No. 2026-___ regarding voluntary participation in the Share The Air program.

Motion to Defer

I move to defer action on Resolution No. 2026-___ regarding voluntary participation in the Share The Air program until a future meeting.

Note: If Council approves the resolution, staff implementation remains limited to voluntary public education, signage coordination, and non-enforcement activity as described in the resolution.



TOWN OF APPOMATTOX TOWN COUNCIL ACTION FORM

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Consideration of Voluntary Participation in the Share The Air Program

ISSUE: Council received information regarding the Share The Air program, a voluntary public education and signage program encouraging tobacco-free, vape-free, and smokeless-tobacco-free parks and outdoor public spaces. Council Member McKinley Cardwell requested Council consideration of voluntary participation.

RECOMMENDATION: Council discretion. At Council Member Cardwell's request, staff has prepared this item and a draft resolution for Council consideration. Council may adopt the resolution authorizing voluntary participation in the Share The Air program or take other action.

TIMING: Council consideration is scheduled for the June 8, 2026 regular meeting. If approved, staff can coordinate with program representatives regarding signage, materials, and public communication after adoption.

BACKGROUND: At a recent work session, Council received a presentation and follow-up information regarding Share The Air. The program is associated with Y Street, the youth engagement initiative of the Virginia Foundation for Healthy Youth, and appears to focus on voluntary compliance, signage, public education, and staff awareness.

DESCRIPTION: Council is being asked to consider voluntary participation in Share The Air. Approval would authorize staff to coordinate with program representatives regarding voluntary signage, educational materials, and public communication. The action would not create an enforceable ordinance, civil penalty, criminal violation, or staff enforcement obligation. Additional operational considerations are addressed in the attached Implementation Considerations Memo.

ENCLOSED DOCUMENTS: Draft resolution authorizing voluntary participation; Share The Air program materials; Implementation Considerations Memo.

STAFF/SPONSOR: Council Member McKinley Cardwell - Sponsor; Michael Campbell - Town Manager/Staff Contact

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

- Councilor Timothy W. Garrett
- Councilor Jack Hensley
- Councilor James Boyce, Sr.
- Councilor McKinley Cardwell

Y N

- Councilor Danielle Ulmer
- Councilor Mary Lou Spiegel
- Mayor Richard Conner (If required)



TOWN OF APPOMATTOX MEMORANDUM

TO: Mayor and Members of Town Council
FROM: Michael Campbell, Town Manager
DATE: June 8, 2026
SUBJECT: Share The Air Program - Implementation Considerations

At the request of Council Member Cardwell, Council is being asked to consider voluntary participation in the Share The Air program. This memo is intended to identify practical implementation considerations if Council chooses to authorize participation. It is not intended to recommend approval or disapproval of the program.

1. Nature of Participation

Staff would treat participation as a voluntary public education and signage effort. Approval would not create an enforceable ordinance, civil penalty, criminal violation, or independent staff enforcement obligation. Any signage or public information should make the voluntary nature of the program clear.

2. Signage and Public Communication

If approved, staff can coordinate with program representatives regarding no-cost signage and educational materials. Public communication should focus on cleaner parks and public spaces, reduced tobacco-related litter, youth tobacco prevention, and family-friendly outdoor areas. Staff should avoid wording that implies a legal prohibition unless Council later adopts an enforceable ordinance after legal review.

3. Staff Response to Questions or Complaints

If staff receives questions or complaints, the response should be informational. Staff can explain that the Town encourages voluntary compliance in designated outdoor public areas but would not issue citations, impose penalties, or place employees in confrontational enforcement situations. If repeated operational issues arise, staff can bring the matter back to Council for further policy direction.

4. Use of the Town Name, Logo, and Public Identification

Share The Air may wish to identify the Town as a participating locality or include the Town in program-related materials. Any use of the Town name or logo should be reviewed and authorized by the Town before publication. Materials should accurately reflect that participation is voluntary and should not suggest that the Town has adopted an enforceable smoking or vaping ordinance unless Council takes separate action to do so.

5. If Council Wants an Enforceable Policy

If Council wishes to consider anything beyond voluntary participation, such as a mandatory restriction or ordinance with penalties, that issue should be reviewed separately by the Town Attorney before further action. A separate ordinance or formal policy discussion would also need to address enforcement authority, staff responsibilities, penalties, signage language, and complaint handling.

Summary

If Council adopts the resolution, staff can proceed with voluntary program coordination, signage, and public education. If Council wants mandatory restrictions or enforcement, staff recommends that the matter be reviewed separately with the Town Attorney before additional Council action.



**TOWN OF APPOMATTOX,
VIRGINIA**

RESOLUTION NO. 2026-__

**A RESOLUTION AUTHORIZING VOLUNTARY PARTICIPATION IN THE SHARE THE
AIR PROGRAM**

WHEREAS, the Town Council has received information regarding the Share The Air program, a voluntary public education and signage program intended to encourage tobacco-free, vape-free, and smokeless-tobacco-free parks, playgrounds, trails, athletic fields, shelters, and other outdoor public spaces; and

WHEREAS, the program is presented as a voluntary compliance effort and does not, by itself, create a criminal offense, civil penalty, enforceable local ordinance, or mandatory enforcement process; and

WHEREAS, potential benefits of voluntary participation may include no-cost signage and materials, support for cleaner parks and public spaces, reduced tobacco-related litter, alignment with youth tobacco prevention efforts, and a public health message related to secondhand smoke, vaping, asthma, and family-friendly outdoor areas; and

WHEREAS, the Town Council recognizes that Town staff resources are limited and that any implementation of a voluntary program must be administered within existing staffing, budgeted resources, and higher-priority Town responsibilities; and

WHEREAS, the Town Council desires to clearly distinguish voluntary program participation from the adoption of any enforceable ordinance, penalty structure, or staff enforcement obligation.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Appomattox, Virginia, that:

- 1. Voluntary Participation Authorized.** The Town Council hereby authorizes the Town of Appomattox to participate in the Share The Air program as a voluntary public education and signage program.
- 2. No Ordinance or Enforcement Created.** This resolution does not create an enforceable ordinance, civil penalty, criminal violation, or independent enforcement obligation for Town staff. Participation shall be understood and communicated as voluntary and educational in nature.
- 3. Staff Role.** The Town Manager, or the Town Manager's designee, is authorized to coordinate with Share The Air program representatives regarding available no-cost signage, educational materials, staff awareness materials, and appropriate public information. The Town Manager, or designee, is further authorized to complete and submit any required Share The Air sign-on or commitment form, provided that participation is understood and administered as a voluntary public education and signage program consistent with this resolution. Staff may place signage and share information in a manner determined administratively by the Town Manager or designee.
- 4. Staff Resources and Priorities.** Implementation shall be carried out within existing staff capacity and budgeted resources. This program shall not take priority over core Town operations, public works, utility responsibilities, public safety coordination, agenda preparation, FOIA responsibilities, finance duties, or other higher-priority administrative functions. The Town Manager may phase, limit, defer, or adjust implementation as needed based on workload, operational needs, public safety, facility needs, and available staff capacity.
- 5. Questions and Complaints.** If Town staff receive questions or complaints related to tobacco, vaping, or smokeless tobacco use in outdoor public areas, staff shall respond in an informational manner. Staff shall not be expected to issue citations, impose penalties, or engage in confrontational enforcement activity unless the Town Council later adopts a separate ordinance or formal policy after appropriate legal review.

6. Public Communication and Signage. Any public communication, signage, or educational material associated with participation should accurately describe the Town's participation as a voluntary public education and signage program. Materials may use Share The Air's standard tobacco-free, vape-free, and smokeless-tobacco-free program language, but should not imply that the Town has adopted a legally enforceable ordinance, citation process, civil penalty, criminal penalty, or mandatory enforcement program unless such action is separately adopted by the Town Council after appropriate legal review.

7. Town Name, Seal, Logo, or Public Identification. Any use of the Town's name, seal, logo, or public identification in Share The Air materials shall be reviewed and authorized by the Town prior to publication or distribution and shall accurately reflect the voluntary nature of the Town's participation.

8. Future Enforceable Policy. If the Town Council wishes to consider a mandatory restriction, ordinance, penalty, or enforcement mechanism beyond voluntary participation, that matter shall be reviewed separately by the Town Attorney before further Council action.

9. Effective Date. This resolution shall be effective upon adoption.

ADOPTED this 8th day of June, 2026.

ATTEST:

TOWN OF APPOMATTOX, VIRGINIA

Dianne Tanner, Deputy Town Clerk

Richard Conner, Mayor

SUGGESTED SIMPLE MOTIONS

The resolution above is drafted so Council can act with a simple motion. The following suggested motions may be used during the meeting:

Motion to Approve

I move to approve Resolution No. 2026-____ authorizing the Town of Appomattox to participate in the Share The Air program as a voluntary public education and signage program.

Motion to Deny

I move to deny Resolution No. 2026-____ regarding voluntary participation in the Share The Air program.

Motion to Defer

I move to defer action on Resolution No. 2026-____ regarding voluntary participation in the Share The Air program until a future meeting.

Note: If Council approves the resolution, staff implementation remains limited to voluntary public education, signage coordination, and non-enforcement activity as described in the resolution.