



Appomattox Town Council Regular Meeting Agenda

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

Monday, April 08, 2024

5:45 PM – Budget Work Session

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

Budget work session for FY 2025

6:30 PM – Town Council Regular Meeting

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

Call to Order and Welcome to Visitors

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

Mayor's Comments

Scheduled Public Appearances

The honorable Sheriff Robert "Robby" Richardson

Adoption of the Consent Agenda - April 8, 2024

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.

March 11, 2024, Regular Meeting; March 19, 2024, Special Call Meeting; and March 26, 2024, Workshop Meeting

Unfinished Business

Strategic planning factors-water master plan.

New Business

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Closed Session

Closed session, pursuant to Code of Virginia Section 2.2-3711(A)1, for the purpose of assignment, appointment, promotion, and performance or resignation of specific public officers, appointees, or employees of any public body, specifically being Employee A.

Council Comment

Adjournment

File Attachments for Item:

2. March 11, 2024, Regular Meeting; March 19, 2024, Special Call Meeting; and March 26, 2024, Workshop Meeting

1 | **Appomattox Town Council**
Regular Council Meeting
March 11, 2024

The Appomattox Town Council held a Regular Council meeting on Monday, March 11, 2024, at 6:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

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

Absent: Nathan A. Simpson

Others: Carlton Duck, Alive Media; Kim Ray, Treasurer; R. Terry McGhee, Town Manager; Christy Torrence, Interim Clerk of Council; Charles Conrad, Kaylee Simpson, Frank Wright, Dana Glover

Mayor Conner called the meeting to order at 6:30 p.m.

Mayor's Comments:

Mayor Conner reminded everyone that there is no pause between one nation and under God in the Pledge of Allegiance. Requested that everyone accommodate him and say it correctly.

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

Mayor Conner welcomed everyone to the meeting.

Scheduled Public Appearances:

None

Adoption of the Consent Agenda:

On a motion by Ms. Spiggle, seconded by Mr. Garrett, the Town Council voted to adopt the consent agenda as presented for March 11, 2024. All members present voting aye. Motion carried 5-0.

Unfinished Business:

Mr. McGhee urged Council to prioritize Town hall building renovations by addressing ADA requirements and correcting any building, fire, and OSHA deficiencies first.

On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Town Council voted to ask the local building inspector to come evaluate the building. All members present voting aye. Motion carried 5-0.

New Business:

In the absence of Mr. Simpson, Mrs. Torrence spoke on his behalf asking Council to approve the purchase of A/V equipment as presented by Carlton Duck.

2 | **Appomattox Town Council**
Regular Council Meeting
March 11, 2024

On a motion by Mr. Garrett, seconded by Mrs. Puckette, the Town Council voted to purchase the A/V equipment as presented by Mr. Duck, exhausting \$3400 remaining in the ARPA fund and taking any additional costs out of the general fund.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes.
Motion carried 5-0.

Council Standing Committee Reports:

ARPA: None

Finance and Planning Committee: None

Physical Development Committee: None

Citizen Comment:

None

Town Manager's Report:

Mr. McGhee reviewed with Council his email dated March 8, 2024.

Closed Session:

On a motion by Mrs. Puckette seconded by Ms. Spiggle, Council voted to convene in Closed Session, pursuant to Section 2.2-3711(A)1, for the discussion of the performance of a specific public employee, specifically being Employee A.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes.
Motion carried 5-0.

The meeting was re-opened to the public.

Council Member Spiggle made the following motion:

To the best of each member's knowledge, the only subjects just discussed or considered in the preceding closed meeting were those: (i) lawfully exempted from the FOIA Act's open-meeting requirements and (ii) properly identified in the motion that convened the closed meeting, pursuant to Virginia Code Section 2.2-3712(D).

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

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes.
Motion carried 5-0.

3 | **Appomattox Town Council**
Regular Council Meeting
March 11, 2024

Council Comments:

Mr. Conner: Had meeting of the minds at breakfast with chairman of the Appomattox County Board of Supervisors and the mayor of Pamplin.

Mr. Boyce: Still not happy with the road conditions because of the Church St Waterline Project. The ruts are bad.

Ms. Allen: Wants to be sure we keep up the momentum with the building maintenance code. Notices chipping paint and broken windows. Would like to see the Town use the light poles for banners and hanging baskets.

Mr. Garrett: none

Ms. Spiggle: There are potholes on Edgewood, Countryside, and Annie because of the dump trucks bringing extra dirt to wastewater treatment plant. Would like us to check the cameras in the parking lot and make sure all areas are covered.

Mrs. Puckette: Things are rapidly moving in the wrong direction with Council. In 10 years things have never been so unruly and because of this advice from legal counsel was sought.

On a motion by Mrs. Puckette, seconded by Ms. Spiggle, the Town Council voted to adopt the following resolution. All members present voting aye. Motion carried 5-0.

RESOLUTION

WHEREAS, the Appomattox Town Council has the authority to discipline its members for engaging in disorderly behavior and misconduct, pursuant to Section 15.2-1400(D) of the Code of Virginia, 1950, as amended; and,

WHEREAS, Councilman Nathan Simpson, while in the performance of his duties as Councilman, has bullied, yelled, and in a threatening and intimidating manner, harassed other members of the Appomattox Town Council; and

WHEREAS, the Councilman has also to lacked decorum and decency while engaging fellow members of the Council; and,

WHEREAS, these actions, among others, have been a detriment to the public trust and reputation of the Town Council of Appomattox; and,

WHEREAS, it is incumbent on the Town of Appomattox Council to protect the public standing of the Body.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF APPOMATTOX:

4 | **Appomattox Town Council**
Regular Council Meeting
March 11, 2024

1. The actions of Councilman Nathan Simpson have negatively impacted the reputation and integrity of the Body.
2. Such disorderly behavior and misconduct warrants discipline under Virginia law.
3. A censure of admonishment is hereby imposed on the Councilman.
4. A fine commiserate to one-month of pay for a member of the Body be issued to the Councilman, due for payment no later than April 30, 2024.
5. If the fine is left unpaid by the due date, the billings and collections divisions of the Finance Department shall collect the fine amount in accordance with Virginia law and Town practice.
6. To prevent further negative behavior, the Councilman is hereby placed on notice, and is strongly advised to change course or potentially face future reprimands permissible under Virginia Law.
7. That this Resolution shall become effective upon its adoption.

Adopted: _____

Certified: _____
Clerk of Council

Adjournment:

On a motion by Mr. Garrett, seconded by Mrs. Allen, the Council voted to adjourn at 8:23 pm. All members present voting aye. Motion carried 5-0.

Christy Torrence
Interim Clerk

Richard C. Conner
Mayor

1 | **Appomattox Town Council**
Special Call Council Meeting
March 19, 2024

The Appomattox Town Council held a Special Call Council meeting on Tuesday, March 19, 2024, at 6:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

Town Council members present were James J. Boyce, Sr., Mary Lou Spiggle, Timothy W. Garrett, Claudia G. Puckette, Jane T. Allen, Nathan Simpson

Others present were Christy Torrence; Interim Clerk of Council, Jeff Elder; Facilities Director, Kim Ray; Treasurer, Terry McGhee; Town Manager, Carlton Duck, Dana Glover, Charles Conrad, Frank Wright, Terry Jamerson, Gloria Carter, Sam Carter, Kaylee Simpson, Garet Bosiger, Susan Adams, Robby Richardson, Bryan Baine, Sara Conner, John Hinkle, Don Wilk, Nancy Wilk, Anthony Johnson, Mike Kirk, McKinley Cardwell, Janet Kirk

Mayor Conner called the Special Call meeting to order.

A brief public comment session was held.

Mr. Simpson made a statement and read a resolution that he requested Council adopt.

Action:

A motion was made by Mrs. Allen, seconded by Mr. Simpson, to adopt the resolution to resend the censure of Mr. Simpson. Mrs. Puckette made an amended motion to adopt a resolution to resend the censure of Mr. Simpson and require all Council members and Mayor Conner attend and complete professionalism training through a professionally designed course.

Roll Call Vote:

Boyce – abstain, Spiggle-yes, Garrett-yes, Puckette– yes, Simpson-yes, Allen-yes. Motion carried 5-0.

COUNCIL OF THE TOWN OF APPOMATTOX, VIRGINIA
RESOLUTION

WHEREAS, the Appomattox Town Council adopted a resolution to censure and admonish councilman Nathan Simpson on March 11, 2024; and,

WHEREAS, the hearing of testimony and statement of accusations constituted a trial; and,

WHEREAS, Nathan Simpson was not made aware of the accusations and was not party to the trial.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF APPOMATTOX:

2 | **Appomattox Town Council**
Special Call Council Meeting
March 19, 2024

1. The Town Council did not abide by Robert’s Rules of Order in its adoption of a Resolution to Censure Nathan Simpson.
2. Any further attempt of the Appomattox Town Council to censure Nathan Simpson for the alleged conduct would constitute double jeopardy.
3. The Appomattox Town Council rescinds the resolution to censure and admonish Nathan Simpson.
4. That this resolution shall become effective upon its adoption.
5. Attend and complete professionalism training.

AS RECORDED,

Jane Allen-yes
James Boyce, Sr.-abstained
Timothy Garrett-yes
Claudia Puckette-yes
Nathan Simpson-yes
Mary Lou Spiggle-yes

Adopted:_____

Certified:_____

Council Comments:

Mr. Boyce: As a Master of a US tugboat specializing in threat assessment, after hearing the perspective of Mrs. Puckette and Ms. Spiggle I consider Mr. Simpson’s actions to be threatening and believe it will happen again.

Ms. Allen: Thanks everyone for being here. We have work to do, let’s do it.

Mr. Garrett: none

Ms. Spiggle: I know what happened in the parking lot. I apologize for putting my hand on Kaylee’s shoulder. It will never happen again; I will never touch her again.

Mrs. Puckette: I am a widow; I live alone, and I am frightened.

Mr. Simpson: You can’t continue to poke. I’m done and I hope you are too.

Mayor Conner: I thought I had a good working council. I let meetings get out of order. I hope that with training we can move forward for the benefit of the voters and all citizens of the Town of Appomattox. Let’s get past this and continue the good work.

3 | **Appomattox Town Council**
Special Call Council Meeting
March 19, 2024

Adjournment:

On a motion by Mr. Garrertt, seconded by Mr. Boyce, Council voted to adjourn at 7:25 p.m. All members present voting aye. Motion carried 6-0.

Christy Torrence
Interim Clerk of Council

Richard C. Conner, Mayor

1 | **Appomattox Town Council**
Workshop Meeting
March 26, 2024

The Appomattox Town Council held a Workshop meeting on Tuesday March 26, 2024, at 6:30 p.m. at the Appomattox Town Hall, Council Chambers, 210 Linden Street, Appomattox, Virginia with Mayor Conner presiding.

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

Others present: Carlton Duck, Jeff Elder, Facilities Director; Kim Ray, Town Treasurer; R. Terry McGhee, Town Manager and Christy J. Torrence, Interim Clerk of Council, Kaylee Simpson, Dana Glover

Mayor Conner called the meeting to order.

DISCUSSION:

Mr. Elder led a discussion on adopting a copper pipe ordinance.

On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to adopt §62-4. Copper pipes for the transmission of water outside Town limits. All members present voting aye. Motion carried 6-0.

Mr. Elder asked Council to consider authorizing the town attorney to draw up a resolution to close the portion of Hunter St considered a paper street. The street would be closed at the row of pine trees.

On a motion by Ms. Spiggle, seconded by Mr. Garrett, the Council voted to authorize the town attorney to draw up a resolution to close the portion of Hunter St considered a paper street. All members present voting aye. Motion carried 6-0.

Mr. McGhee gave Council an overview of the training that they would be completing. Berkley Consulting will be handling the training. They will start by interviewing each Council member by phone and training will end with a retreat.

Mr. McGhee discussed water for the future/water strategies. He recommended that Council move forward with planning for the future based on six principles.

1. Appomattox Town Council (ATC) stands firmly together.
2. ATC takes a neutral position (not supporting any one side of the argument) on the Region 2000 landfill legal proceedings.
3. Each side has reasonable arguments, and we should respect them.
4. ATC take a strong position to encourage all four parties to negotiate a solution in good faith at their meetings.
5. Town of Appomattox prepare to reopen wells and plan & budget for future ones.
6. Approve press release to town website: Why is Campbell County Planning to Turn Off the Flow of Water to the Town of Appomattox in 2030?

2 | **Appomattox Town Council**
Workshop Meeting
March 26, 2024

ATC taking these positions gives the town its greatest flexibility, freedom, and independence.

On a motion by Mr. Simpson, seconded by Mr. Garrett, the Council voted to deny authorization to release the press release, titled Why is Campbell County Planning to Turn Off the Flow of Water to the Town of Appomattox in 2030? All members present voting aye. Motion carried 6-0.

On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to purpose a joint meeting to the Board of Supervisors with an agenda to include a closed session exempted for contract discussions, particularly being the 2031 water renewal contract. All members present voting aye. Motion carried 6-0.

COUNCIL COMMENTS:

Allen – none

Spiggle – It’s good to see the County Board of Supervisors here—Mr. Roark, Ms. Adams. It is encouraging –we have hope. Thanked Mr. Elder and Tori for all their hard work.

Garrett – none

Puckette – none

Simpson – Thank you town staff.

Boyce-Thank you County for showing up. Thank you, Mrs. Ray, for all your hard work on the budget. Thank you, Appomattox for Equality, for coming—its shows people care and its encouraging. We have hope. Thank you, Mr. Elder and Tori, for all of your hard work.

Mayor Conner-Thank you staff for all your hard work.

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA – Finance and Planning committee met today. Mr. Simpson asked that the committee consider a resolution to offer insurance to part-time staff and council members at 80/20 cost split.

A motion was made by the Finance and Planning Committee to offer Key Advantage 1000 comprehensive dental and Key Advantage 1000 preventative dental to all full-time employees and qualifying retirees only. Coming out of committee, motion did not require a second. All members present voting aye. Motion carried 6-0.

Physical Development Committee - None

3 | **Appomattox Town Council**
Workshop Meeting
March 26, 2024

STAFF REPORTS:

Mrs. Ray-asked to delay her report to the next workshop meeting.

Mr. Elder-Church St waterline project is moving along—made it to the Public Works office.

ADJOURNMENT:

On a motion by Mr. Garrett, seconded by Ms. Spiggle, the Council voted to adjourn at 8:15 p.m.
All council members present voting aye. Motion carried 6-0.

Christy J. Torrence, Interim Clerk

Richard C. Conner
Mayor