



Appomattox Town Council Regular Meeting Agenda

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

Monday, September 09, 2024

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

- [1.](#) American Legion Post 104 will be presented a Proclamation declaring September 16, 2024 American Legion Day

Adoption of the Consent Agenda - September 09, 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.

- [2.](#) August 12, 2024 Regular Meeting, August 22, 2024 Special called Meeting and August 27, 2024 Workshop

Closed Session

3. Closed session, pursuant to Code of Virginia Section 2.2-3711(A)29 for the purpose of discussing or considering the award of a public contract involving the expenditure of public funds, including discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the negotiating strategy of the public body.
4. Closed session, pursuant to Code of Virginia Section 2.2-3711(A)3 for the purpose of discussing or consideration of the acquisition of real property for the public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Unfinished Business

New Business

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Council Comment

Adjournment

File Attachments for Item:

1. American Legion Post 104 will be presented a Proclamation declaring September 16, 2024 American Legion Day

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TOWN MANAGER:
ROB FOWLER, INTERIM

TOWN TREASURER:
KIM RAY



MAYOR RICHARD C. CONNER

COUNCIL MEMBERS:
JAMES J. BOYCE, SR.
TIMOTHY W. GARRETT
CLAUDIA G. PUCKETTE
NATHAN A. SIMPSON
MARY LOU SPIGGLE
JANE T. ALLEN

DEPUTY CLERK OF COUNCIL
CINDY MILLER

PROCLAMATION

American Legion Day – September 16, 2024

WHEREAS, The American Legion is the nation’s largest wartime veterans service organization; and

WHEREAS, The American Legion promotes premier leadership, personal growth and career success among its members; and

WHEREAS, The American Legion is committed to mentoring youth and sponsorship of wholesome programs in our communities, advocating patriotism and honor; and

WHEREAS, the American Legion’s motto – “Veterans Strengthening America.”; and

WHEREAS, The American Legion promotes strong national security, and continued devotion to our fellow servicemembers and veterans.

THEREFORE, I, Richard Conner, Mayor of the Town of Appomattox, do hereby proclaim September 16, 2024, American Legion Day.

Richard Conner, Mayor

Attest:

Cindy Miller, Deputy Town Clerk

File Attachments for Item:

2. August 12, 2024 Regular Meeting, August 22, 2024 Special called Meeting and August 27, 2024 Workshop

1 | **Appomattox Town Council
Regular Council Meeting
August 12, 2024,**

The Appomattox Town Council held a Regular Council meeting on Monday, August 12, 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; Timothy W. Garrett and Nathan A. Simpson

Members absent: Mary Lou G. Spiggle

Others: Carlton Duck, Alive Media; Rob Fowler, Interim Town Manager; Christy Torrence, Office Manager; Kaylee Simpson; Stephanie Pawelczyk; Daughter; 2023-2024 FFA Chapter, Elizabeth Duncan, Ed McCann, Cassie Long and Parents.

Mayor Conner called the meeting to order at 6:35 p.m.

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 Appearance:

Mayor Conner read the following proclamation honoring the 2023-2024 FFA CHAPTER:

A PROCLAMATION HONORING
**THE APPOMATTOX COUNTY HIGH SCHOOL
2023-2024 FFA CHAPTER**

WHEREAS the Appomattox Sr. FFA received top honors at the 98th Virginia FFA Convention; and

WHEREAS, a 4 day in person convention took place in Blacksburg, VA; and

WHEREAS, the Appomattox Chapter placed first in the National Chapter Award contest, out of 217 chapters and 33,300 FFA members across the Commonwealth; and

WHEREAS the National Chapter Award contest is grounded in three divisions, Growing Leaders, Building Leaders, and Strengthening Agriculture; and

WHEREAS, Appomattox was selected for its extensive program of activities, notably during the 2023-2024 school year were its leadership training program, degree recognition event, agriculture placement program, and its dynamic relationship with the Appomattox FFA Alumni Association; and

WHEREAS this milestone was accomplished under the direction of the 2023-2024 Chapter FFA officer team.

THEREFORE, I urge all citizens of Appomattox to join me in recognizing and celebrating the chapter's achievement and wish the members of the chapter continued success.

Richard C. Conner, Mayor, Town of Appomattox

Adoption of the Consent Agenda-August 12, 2024:

On a motion by Mr. Boyce and seconded by Mr. Garrett, Council voted to adopt the consent agenda for June 10, 2024, Regular Meeting, June 25, 2024, Workshop, July 8, 2024, Regular Meeting and July 23, 2024, Workshop Meeting. All members present voting aye. Motion carried 5-0.

Unfinished Business:

On a motion by Mr. Simpson, seconded by Mr. Boyce, Council voted to adopt a FY 2024 Budget Amendment Resolution 2023-2024:

WHEREAS, Section 15.2-2506, Code of Virginia, allows that a governing body may amend the budget from time to time.

NOW THEREFORE, BE IT RESOLVED, that the Appomattox Town Council does hereby amend the FY 2024 Operating Budget for the General Fund and Water Fund.

General Fund Expenses

Depot 69,000
Grants 8,124
Council 27,764
Tourism – 5,400
Capital Improvements 54,000
Downtown Revitalization – 500,000
TOTAL - \$664,288

Water Fund Expenses

Church Street Waterline Debt – 37,000
Legal – 2,000
Water Meters – 6,000
TOTAL - \$45,000

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Regular Council Meeting
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SECTION XIII: BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2024 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 12th day of August 2024.

Attest:

Cindy Miller, Deputy Town Clerk

Roll Call Vote: Allen-yes, Boyce-yes, Garrett-yes, Puckette-yes, Simpson-yes. Motion carried 5-0.

Discussion of the Anniversary Commemorative Festival- decision was made for each council member to bring back two names of community citizens that are willing to serve on a committee and for the committee to meet on September 16, 2024, at 7:00 pm.

New Business:

On a motion from Mr. Simpson, seconded by Mr. Garrett, Council voted to adopt the Ordinance for the New Code for the Town of Appomattox.

ORDINANCE NO.

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE TOWN OF APPOMATTOX, VIRGINIA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE TOWN COUNCIL:

Section 1. The Code entitled "Code of the Town of Appomattox," published by CivicPlus, LLC, consisting of chapters 1 through 36, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before September 11, 2023, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Additions or amendments to the Code when passed in such form as to indicate the intention of the town council to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 5. Ordinances adopted after September 11, 2023, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 6. This ordinance shall become effective August 12, 2024

Passed and adopted by the Appomattox Town Council this 12th day of August 2024.

Mayor

ATTEST:

Cindy Miller, Deputy Town Clerk

Town Action

Certificate of Adoption

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I hereby certify that the foregoing is a true copy of the ordinance passed at the regular meeting of the Appomattox Town Council, held on the 12th day of August, 2024

Cindy Miller, Deputy Town Clerk

Roll Call Vote: Allen-yes, Boyce-yes, Garrett-yes, Puckette-yes, Simpson-yes. Motion carried 5-0.

Council Standing Committee Reports:

Finance and Planning Committee: None

ARPA: None

Physical Development Committee: None

Citizen Comment: None

Town Manager's Report:

Mr. Fowler referred to the report that was emailed to Council on Friday August 9, 2024, and updated Council on the following:

- Mr. Fowler met with Lynchburg Parks and Recreation regarding ADA/ Sensory playground equipment. Note we need to think about it for the parents and the caregivers as well.
- Tori is working on quotes for new security cameras.
- An open discussion was held about the ADA compliance analysis performed and it was agreed to check into options and discuss again at our Workshop meeting on August 27, 2024.
- A boundary line recommendation was presented, and it was discussed that a conversation will need to be started with the County.

Council Comments:

Simpson-none

Puckette-none

Garrett-none

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Boyce-none

Allen-none

Adjournment:

On a motion by Mr. Garrett, seconded by Mrs. Puckette, the Council voted to adjourn at 7:34 pm. All members present voting aye. Motion carried 5-0.

Cindy Miller
Deputy Town Clerk

Richard C. Conner
Mayor

1 | **Appomattox Town Council**
Special Call Council Meeting
August 22, 2024

The Appomattox Town Council held a Special Call Council meeting on Thursday, August 22, 2024, at 12:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Conner, presiding.

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

Others present: Christy Torrence; Office Administrator, Rob Fowler; Interim Town Manager and Frank Wright, Jr., Esq. Attorney

Mayor Conner called the Special Call meeting to order.

Nathan Simpson asked to amend the agenda to add a closed session to discuss a potential business or industry.

Closed Session 1:

On a motion by Mr. Boyce seconded by Ms. Spiggle, Council voted to convene in Closed Session for the purpose of consultation with legal counsel regarding legal matters pertaining to Employee A, pursuant to Section 2.2-3711(A)8,

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

Closed Session 2:

On a motion by Mr. Simpson seconded by Mr. Garrett, Council voted to convene in Closed Session for the purpose of discussing a prospective industry where no previous announcement has been made of the industry's interest in locating or expanding its facilities in the community specifically being industry or business A, pursuant to Section 2.2-3711(A)5,

ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

The meeting was re-opened to the public.

On a motion by Ms. Spiggle, seconded by Mr. Garrett,

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 2.2-3711(A)8 and Virginia Code Section 2.2-3711(A)5.

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ROLL CALL VOTE: Allen – yes, Boyce – yes, Spiggle – yes, Garrett – yes, Puckette – yes, Simpson-yes. Motion carried 6-0.

Adjournment:

On a motion by Mr. Garrett, seconded by Mr. Simpson, Council voted to adjourn at 1:50 pm. All members present voting aye. Motion carried 6-0.

Christy Torrence, Office Administrator

Richard C. Conner, Mayor

1 | **Appomattox Town Council
Workshop Meeting
August 27, 2024**

The Appomattox Town Council held a Workshop meeting on Tuesday, August 27, 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, James J. Boyce, Sr., Timothy W. Garrett, Mary Lou Spiggle, and Claudia G. Puckette.

Simpson stepped in at 6:33 p.m.

Absent: None

Others present: Carlton Duck; Kim Ray, Town Treasurer; Rob Fowler, Interim Town Manager; Cindy Miller Deputy Town Clerk, Dana Glover, Deputy Treasurer and McKinley Caldwell.

Mayor Conner called the meeting to order at 6:33 p.m.

DISCUSSION #1:

Consideration to adopt an Amendment to the Appropriation for Vehicle Tax Relief

On a motion from Mr. Boyce, seconded by Mr. Garrett, the Council voted to adopt the Amendment to the Appropriations Resolution of the Appomattox Town Council Adopting the Fiscal Year 2024-2025 Budget for Vehicle Tax Relief.

ROLL CALL VOTE: Allen – yes, Boyce – yes, Garrett-yes, Puckette – yes. Simpson – yes, Spiggle-yes, Motion carried 6-0.

Amend Section IV:

BE IT FURTHER RESOLVED, in accordance with the requirements set forth in Section 58.1-3524(C)(2) and Section 58.1-3912(E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503.E (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle situses within the Town commencing January 1, 2024, 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 48.4% tax relief.
- Personal use vehicles valued at \$20,001 or more shall only receive 48.4% 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:

Cindy Miller, Deputy Town Clerk

Date

DISCUSSION #2:

Discussion to consider ADA Compliance Solutions.

An open discussion was held to discuss corrections to the Town Office as it relates to the ADA audit. The council requested that estimates be received for an ADA bathroom, ramps (both front and side), and HVAC.

Mr. Simpson and Mr. Garrett requested a closed session be added to the agenda for the next Council Meeting on September 9, 2024, to discuss more details.

DISCUSSION #3:

Discussion to apply ARPA Funds

An open discussion was held in reference to funds available for expenditure. The available funds have a deadline of December 31, 2024, to be allocated. The Treasurer will consult with Brown Edwards for additional guidance.

DISCUSSION #4:

Discussion for selection process for Vice Mayor

Open discussion of needing new process for Vice-Mayor selection due to split terms. The council requested information be collected from other localities on their process. Bylaws shared with council and updates requested. Discussion of having a Fall Retreat and reviewing this information at that time.

DISCUSSION #5:

Anniversary commemorative Festival Committee Selection

Open discussion on topic held.

Committee meeting is planned for September 16, 2024, at 7 p.m.

COUNCIL COMMENTS:

Spiggle-Clean up front hallway and put snack box in conference room.

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Simpson- Requested a call be made to Norfolk Southern in reference to the train blocking the road for three hours.

Mr. Simpson stated he has received complaints about the water line work on Church St and the lack of communication of when the project will be done.

Mr. Simpson discussed the pictures he has sorted for the Anniversary Commemorative Festival and asked the file to be shared with the council. Council can pick the top 200 to be published.

Puckette – none

Garrett- none

Boyce- none

Allen –Ask if we can look at the properties in town that look bad, there could be possible grants to use for improvements.

STANDING COMMITTEE REPORTS:

Finance and Planning/ARPA- none.

Physical Development-none

STAFF REPORTS:

Mrs. Ray, Treasurer - presented the Town of Appomattox Financial Status report for August 2024. Upfront expenses such as Insurance and Donation request have been paid out. Copy is on file.

Mrs. Rothgeb, Interim Director of Facilities- Provided a report for review. Reports are on file.

Rob Fowler, Interim Town Manager/ Zoning-Mr. Fowler stated that bids are being received for the Depot landscaping. Updates were provided for the Old Courthouse Rd lighting with the landscaping due to be completed this Fall.

ADJOURNMENT:

On a motion by Mr. Simpson, seconded by Mrs. Puckette, the Council voted to adjourn at 7:39 pm. All council members present voting aye. Motion carried 6-0.

Cindy Miller
Deputy Town Clerk

Richard C. Conner
Mayor