

The Appomattox Town Council held a regular council meeting on Monday, March 8, 2010 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members present: Bryan J. Baine, C. Lewis McDearmon, John T. “Plicky” Williams, Jennifer Jamerson-Scruggs, N. H. “Jimmy” Mayberry (arrived at 7:10 p.m.). Absent: Karl E. Carter.

Others: Doug Webb, James Stringfield, Town Attorney, Bart S. Van Nieuwenhuise, Town Manager and Roxanne Paulette, Town Clerk.

Mayor Harvey opened the meeting for the Closed Session.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Williams, Council voted to convene in Closed Session pursuant to §2.2-3711 (A) 1 of the Code of Virginia, 1950, as amended, for the purpose of discussion of the performance of a specific public employee, specifically being Employee A.

Vote: Baine – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Mayberry – absent (arrived in the closed session at 7:10 p.m.) and Carter – absent.

Now, therefore be it resolved, that the Appomattox Town Council hereby certifies that to the best of each members knowledge: (1) Only public business matters lawfully exempted from open meetings requirements by Virginia law were discussed in the closed meeting to which this certificate resolution applies, and (2) Only such public matters as were identified in the motion convening the closed meeting were head, discussed, or considered by this council.

Vote: Baine – aye, Mayberry – aye, McDearmon – aye, Williams – aye, Jamerson-Scruggs – aye. Carter – absent.

Mayor Harvey called the regular meeting to order at 7:45 p.m. and welcomed the guests.

Others present: Joyce Bennett, Barbara Shelton, William Smith, June Goodrich, Bill Goodrich, Mary Lou Spiggle, Hazel Thomas, Lucy Harvey, Stephanie James, Nina Beasley, Chad Millner, Bill Burke, Wayne Phelps and Robert E. Lee.

Rev. Robert E. Lee gave the invocation.

On a motion by Councilmember McDearmon, seconded by Councilmember Jamerson-Scruggs, Council voted to adopt the consent agenda of March 8, 2010 as presented. All members present voting aye. Motion carried.

Consideration of Closed Session Items –

Mayor Harvey stated that this has been referred to the Town Attorney for disciplinary action of Employee A.

Public Comments –

Doug Webb – 1935 Country Club Road, Appomattox, Virginia

Mr. Webb appeared before council to address the letter he received regarding the Sign Ordinance. The portable sign located on his property has been there for nearly 30 years. It has been an effective marketing tool. He stated that he had a customer in today that remembers the sign from 1984 that stated “If it’s round, rubber and rolls – we sell it.” With Wal-Mart coming into town he hopes the town council would not throw up road blocks to small businesses. Mr. Webb stated he fully concurs with prohibiting portable signs in residential and historic districts but not on Business 460. The business corridor is not a pristine place, it’s not like Williamsburg. The Business License Tax doubled for businesses this year. Mr. Webb asked that Town Council reconsider certain portions of the ordinance. It has been an effective communication tool.

Presentations –

Clifford Harvey – 168 First Street, Appomattox, Virginia

Mr. Harvey presented a petition stating the following:

*We, the undersigned business owners of the Town of Appomattox, Virginia, do hereby respectfully request that the Appomattox Town Council immediately enter into a water purchase agreement with the Appomattox County Board of Supervisors to purchase water from the U.S. 460 (Concord to Appomattox) waterline.*

*We, the undersigned water customers and/or citizens of the Town of Appomattox, Virginia, respectfully make this request because:*

*(1) We believe the U.S. 460 (Concord to Appomattox) waterline will provide Appomattox with an adequate, reliable water source for its citizens and business;*

*(2) We believe that purchasing water from the U.S. 460 (Concord to Appomattox) waterline will result in a lower water rate than is presently charged by the Town of Appomattox, which will, in turn, lower the water bill that we currently pay;*

*(3) We believe that purchasing water from the U.S. 460 (Concord to Appomattox) waterline will be a solution to the zinc and copper issues, as presented by the Virginia Department of Environmental Quality (DEQ), at the Town’s wastewater treatment plants, and will result in a cost savings by not having to purchase chemicals to combat the zinc and copper issues; and*

*(4) We believe that the U.S. 460 (Concord to Appomattox) waterline will increase economic development activities in Appomattox, which will result in lower taxes for us all.*

**AND**

*We, the undersigned water customers and/or citizens of the Town of Appomattox, Virginia, do hereby respectfully request that the Appomattox Town Council immediately enter into a water purchase agreement with the Appomattox County Board of Supervisors to purchase water from the U.S. 460 (Concord to Appomattox) waterline.*

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*(4) We believe that the U.S. 460 (Concord to Appomattox) waterline will increase economic development activities in Appomattox, which will result in lower taxes for us all.*

Mr. Harvey stated that there are 477 signatures on the two petitions, 328 town residents, 62 town business owners and 87 out of town water customers. The petition represents approximately 50% of the town's water customers.

Of the citizens visited with the petition more than 90% supported the waterline, so they signed the petition. Some were not necessarily opposed to the waterline they just don't sign their names to such things as petitions.

Mr. Harvey read the purpose of the petition:

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*(4) We believe that the U.S. 460 (Concord to Appomattox) waterline will increase economic development activities in Appomattox, which will result in lower taxes for us all.*

It is my hope that the Town Council will respect the wishes of the individuals who signed this petition by working with the County of Appomattox. I humbly ask that you don't disregard this petition. Thank you.

Mayor's Comments –  
None

Unfinished Business –  
None

New Business –

On a motion by Councilmember Baine, seconded by Councilmember Williams, Council voted to accept the elevation change as submitted. All members present voting aye. Motion carried.  
(Change attached)

On a motion by Councilmember Mayberry, seconded by Councilmember Jamerson-Scruggs, Council authorized purchase of a water meter greater than \$10,000 for the National Park Service. All members present voting aye. Motion carried.

On a motion by Councilmember Jamerson-Scruggs, seconded by Councilmember Mayberry, Council voted to adopt Addendum #1 to the current contract between the Appomattox Town Council and the Appomattox County Board of Supervisors for police protection. All members present voting aye. Motion carried.

Appointments to Board, Commissions and Committees -  
None

Pending Matters -  
None

Council Concerns -  
None

On a motion by Councilmember Mayberry, seconded by Councilmember Williams, Council voted to adjourn at 8:00 p.m. All members present voting aye. Motion carried.

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Roxanne W. Paulette  
Clerk

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Paul D. Harvey  
Mayor