

1 Regular Meeting
Monday, June 13, 2011

The Appomattox Town Council held a regular council meeting on Monday, June 13, 2011 at 7:30 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

Members Present: Timothy W. “Timmy” Garrett, Mary Lou Spiggle, N.H. “Jimmy” Mayberry and Steven T. “Steve” Conner. Absent: C. Lewis McDearmon, Jr. and Joyce B. Bennett.

Others: Sammy Carter, Linda Wall, Stephanie James, Rev. Paul Raymond, Jeff Taylor, John Spencer, Lucy Harvey, Benny Harvey, Hazel Thomas, Bill Goodrich, Jeff Elder, Utility Director; Stacy Wilkes, Town Treasurer; Rhonda W. Guill, Deputy Clerk; Bill Gillespie, Interim Town Manager and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order and welcomed all guests and visitors.

Rev. Paul Michael Raymond delivered the invocation.

Rev. Paul Michael Raymond led the Pledge of Allegiance.

Scheduled Public Appearances

John Spencer, Assistant County Administrator, said we have been working on the Economic Development program for several years. From the county’s prospective Economic Development does not stop at the town limits, the county will work with all town residents. Mr. Spencer introduced Jeff Taylor, Appomattox County Director of Economic Development.

Jeff Taylor thanked everyone and said he was looking forward to working with both the Town and County of Appomattox.

Mayor’s Comments – Mayor Harvey told of the dedication service held at Abbitt Park on Friday afternoon. He once again thanked Lynchburg Ready Mix, W.A. Stratton, Webber Electric, Quality Builders and everyone in the Town Utility Department for all their hard work, dedication and donations to make the pavilion possible.

Adoption of Consent Agenda

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to approve the consent agenda of June 13, 2011. All members present voting aye. Motion carried.

Unfinished Business – None

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New Business

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to award the 2011 Curbside Solid Waste Collection Contract to BFI Waste Services, LLC d/b/a Allied Waste Services of Lynchburg - #2701 for an annual cost of \$79,812.00. All members present voting aye. Motion carried.

On a motion by Councilmember Spiggle, seconded by Councilmember Mayberry, Council voted to amend and reenact Chapter 126 – Licensing (Business and Professional Occupational License Ordinance) of the Code for the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to amend and reenact Chapter 5, Administration; Article II, Town Council; Division 2, Committees of the Code for the Town of Appomattox. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adopt the Local/Regional Water Supply Plan by resolution.

*A RESOLUTION APPROVING THE REGION 2000 REGIONAL
WATER SUPPLY PLAN*

WHEREAS, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and

WHEREAS, the Town of Appomattox is a participant in the Region 2000 Regional Water Supply Planning Group as reported to DEQ by letter before the November 2, 2008 deadline; and

WHEREAS, on June 13, 2011, the Appomattox Town Council held a public hearing to accept public comment on the Regional Water Supply Plan; and

WHEREAS, the adopted Regional Water Supply Plan will be submitted to the DEQ on or before November 2, 2011.

NOW, THEREFORE BE IT RESOLVED that the Appomattox Town Council of the Town of Appomattox hereby adopts the Region 2000 Regional Water Supply Plan as it pertains to the Town of Appomattox. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. The Town of Appomattox reserves the right to comment on specific water supply alternatives in the future even though such alternatives may be recommended in this adopted plan. The Town of Appomattox will not be limited

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to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

BE IT FURTHER RESOLVED, that the Appomattox Town Council of the Town of Appomattox intends that that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

All members present voting aye. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Spiggle, Council voted to adopt an Appropriations Resolution of the Appomattox Town Council Adopting the Fiscal Year 2011-2012 Budget for the Town of Appomattox.

AN APPROPRIATIONS RESOLUTION OF THE APPOMATTOX TOWN COUNCIL ADOPTING THE FISCAL YEAR 2011-2012 BUDGET FOR THE TOWN OF APPOMATTOX, VA.

SECTION I:

WHEREAS, Section 5-72, Appomattox Town Code and Section 15.2-2503, Code of Virginia, require that the governing body shall approve the budget and fix a tax rate for the budget year no later than the date on which fiscal year begins; and,

SECTION II:

WHEREAS, the proposed Fiscal Year 2011-2012 Budget was published on April -27, 2011 in the Times-Virginian, Appomattox, Virginia, pursuant to Section 15.2-2506, Code of Virginia, and public hearing was subsequently held on the proposed budget on Monday, May 9, 2011;

SECTION III:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox Town Council meeting in General Session on June 13, 2011, does hereby approve the following General Fund Expenditures by Category for Fiscal Year 2011-2012;

GENERAL FUND; EXPENDITURES BY CATEGORY:

<i>Council</i>	<i>40,425.</i>
<i>Administrative Department</i>	<i>394,889.</i>
<i>Professional</i>	<i>40,000.</i>
<i>Police Department</i>	<i>51,000.</i>
<i>Fire Department</i>	<i>30,000.</i>
<i>Street Department</i>	<i>447,544.</i>
<i>Sanitation Department</i>	<i>86,000.</i>
<i>Property Maintenance & Construction</i>	<i>35,000.</i>
<i>Town Shop</i>	<i>15,000.</i>
<i>Donation/Contributions</i>	<i>26,500.</i>

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Zoning	26,000.
Town Office	21,750.
TOTAL GENERAL FUND EXPENSES	1,214,108.

SECTION IV:

BE IT FURTHER RESOLVED, that the Appomattox Town Council hereby establishes the property tax rate at \$.13 per \$100.00 of assessed value for real estate, \$.55 per \$100.00 of assessed value for personal property, \$.55 per \$100.00 of assessed value for machinery and tools, and \$.13 per \$100.00 of assessed value for mobile homes; and,

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 situated within the Town commencing January 1, 2006, 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 60% tax relief;*
- *Personal use vehicles valued at \$20,001 or more shall only receive 60% 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.*

SECTION V:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following General Fund revenue estimates for Fiscal Year 2011-2012;

GENERAL FUND; REVENUES BY CATEGORY:

Current Taxes – Real Estate	170,000.
Current Taxes – Personal Property	135,000.
Delinquent Taxes	5,000.
Penalties & Interest	1,000.
Bank Stock Tax	120,000.
Meals Tax	435,000.
Lodging Tax	30,000.
Franchise Tax	5,700.
Consumption Tax	7,500.
Vehicle License Tax	25,000.
Business License	150,000.
Zoning	1,000.
Interest	15,000.
Rental of Misc. Property	10,000.

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<i>Motor Vehicle Tax</i>	3,000.
<i>Sales Tax</i>	50,000.
<i>Aid to Police Department (HB599)</i>	41,408.
<i>Fire Programs</i>	8,000.
<i>Miscellaneous</i>	1,000.
<i>Other Reimbursables</i>	500.
TOTAL GENERAL FUND REVENUES	1,214,108.

SECTION VI:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Fund Expenditures for Fiscal Year 2011-2012;

TOURISM FUND; EXPENDITURES BY CATEGORY:

<i>Tourism Department</i>	97,500.
TOTAL TOURISM EXPENDITURES	97,500.

SECTION VII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Tourism Revenue estimates for Fiscal Year 2011-2012;

TOURISM FUND; REVENUES BY CATEGORY:

<i>VIC Gift Shop</i>	17,500.
<i>Transfer from General Fund</i>	80,000.
TOTAL TOURISM FUND REVENUES	97,500.

SECTION VIII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Expenditures for Fiscal Year 2011-2012;

WATER FUND; EXPENDITURES BY CATEGORY:

<i>Water Department</i>	594,624.
TOTAL WATER EXPENDITURES	594,624.

SECTION IX:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Water Fund Revenue estimates for Fiscal Year 2011-2012;

WATER FUND; REVENUES BY CATEGORY:

<i>Water Sales</i>	400,000.
<i>Connection Fees</i>	3,000.
<i>Penalty Fees</i>	5,000.
<i>Availability Fees</i>	2,000.
<i>Reconnect Fees</i>	5,000.
<i>Miscellaneous</i>	5,000.
<i>Rental of Misc. Property</i>	70,000.

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<i>Use of Beginning Balance</i>	50,000.
<i>Capital Fees</i>	54,624.
TOTAL WATER REVENUES	594,624.

SECTION X:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Expenditures for Fiscal Year 2011-2012;

SEWER FUND; EXPENDITURES BY CATEGORY:

<i>Sewer Department</i>	833,721.
TOTAL SEWER EXPENDITURES	833,721.

SECTION XI:

BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby approve the following Sewer Fund Revenue estimates for the Fiscal Year 2011-2012;

SEWER FUND; REVENUES BY CATEGORY:

<i>Sewer Sales</i>	600,000.
<i>Connection Fees</i>	2,500.
<i>Availability Fees</i>	2,500.
<i>County Reimbursement SBR & IDA PS</i>	79,000.
<i>Park Service Maintenance</i>	1,800.
<i>Interest</i>	10,000.
<i>Use of Beginning Balance</i>	137,921.
TOTAL SEWER REVENUES	833,721.

SECTION XII:

BE IT FURTHER RESOLVED, that the Appomattox Town Council may amend the Fiscal Year 2011-2012 Town Budget from time to time pursuant to Section 15.2-2507, Code of Virginia; and,

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year Budget for 2011-2012 is hereby adopted, effective July 1, 2011 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.

Vote: Garrett – aye, Spiggle – aye, Mayberry – aye, Conner – aye. Absent: McDearmon and Bennett. Motion carried.

On a motion by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to purchase a Siren Controller for the tornado warning device for \$1,897.80. All members present voting aye. Motion carried.

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Citizen Comment Period – None

Council Concerns – Council Member Spiggle thanked Jeff Elder for taking his time to come to her house to help her out with cleaning her driveway. He has also helped her neighbors and they appreciate it very much.

Closed Session

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to convene in Closed Session pursuant to §2.2-3711(A) 5 of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically being for the expansion and/or relocation of the Public Works facilities.

Vote: Garrett – aye, Spiggle – aye, Mayberry – aye, Conner – aye. Absent: McDearmon and Bennett.

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 business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by this council.

Vote: Garrett – aye, Spiggle – aye, Mayberry – aye, Conner – aye. Absent: McDearmon and Bennett.

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to adjourn at 8:40 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor

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