

1 Regular Meeting

Monday, July 11, 2011

The Appomattox Town Council held a Regular Council Meeting on Monday, July 11, 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, C. Lewis McDearmon, Mary Lou Spiggle, N.H. “Jimmy” Mayberry, Steven T. “Steve” Conner and Joyce B. Bennett.

Others Present: Rev. Rusty Small, Stephanie James, Benny Harvey, Lucy Harvey, Bill Goodrich, Linda Wall, Carlton Duck, Jeff Elder, Utility Director; C. William Gillespie, Interim Town Manager; Stacey Wilkes, Town Treasurer; Rhonda W. Guill, Deputy Clerk and Roxanne W. Paulette, Clerk of Council

Mayor Harvey called the meeting to order.

Rev. Rusty Small led the invocation

Rev. Rusty Small led the Pledge of Allegiance

Mayor’s Comments

Mayor Harvey thanked all staff, utility workers and sewer workers for all they have done. Things have been running smoothly.

On a motion by Councilmember McDearmon, seconded by Councilmember Garrett, Council voted to add item #9, Consideration to vacate the unopened portion of Fleshman Street to the agenda. All members present voted aye. Motion carried.

Adoption of the Consent Agenda

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to adopt the Consent Agenda of July 11, 2011 with the addition of NB #9 – Consideration to vacate the unopened portion of Fleshman Street. All members present voting aye. Motion carried.

Unfinished Business – None

New Business

On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to award the STAG Phase II – Wastewater Project to J.L. Crawford and Sons, Inc. in the amount of \$249,952.43. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to award the FY12 Priority and Initiative Sidewalk Project to Lee White Concrete, LLC in the amount of \$45,980.00. All members present voting aye. Motion carried.

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On a motion by Councilmember Mayberry, seconded by Councilmember Garrett, Council voted to approve the Conditional Use Permit for Jerry's Auto Sales. All members presented voting aye. Motion carried.

On a motion by Councilmember Conner, seconded by Councilmember Spiggle, Council voted to approve the Conditional Use Permit for a Modified Sign to Kroger/Southside Sign Production. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember Spiggle, Council voted to amend the Policies and Guidelines for Travel (Town Policy) increasing the personal vehicle mileage reimbursement rate to the IRS rate of \$0.555 retroactive to July 1, 2011. All members present voting aye. Motion carried.

On a motion by Councilmember Mayberry, seconded by Councilmember McDearmon, Council voted to write-off account balances for real estate taxes receivable in the amount of \$4.16; personal property taxes receivable in the amount of \$3,457.02; and utility accounts receivable in the amount of \$29,105.40, that have exceeded the statute of limitations for collection. All members present voting aye. Motion carried.

On a motion by Councilmember McDearmon, seconded by Councilmember Conner, Council voted to adopt a resolution amending the FT 2011 Operating Budget to reflect reclassification of unexpended fund and to appropriate additional funding for the Abbitt Park Pavilion Project. As well as amending the FY 2012 Operating Budget to appropriate funds from the Fire Reserve for the Town's portion of the purchase of a new fire truck and appropriate funds for the sidewalk repair project. All members present voting aye. Motion carried.

Resolution approving the amending of the FY 2011 and FT 2012 Operation Budget

WHEREAS, Section 15.2-2507, 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 2010-2011 Operating Budget to reclassify unexpended funds within the General Fund and to appropriate additional funding received for the Abbitt Park Pavilion Project as follows:

General Fund Expenditures

<i>General Fund – Council</i>	<i>\$ 6,000</i>
<i>General Fund – Zoning</i>	<i><\$ 6,000></i>
<i>General Fund – Property Maintenance & Construction</i>	<u><i>\$ 9,000</i></u>
<i>Net Increase in Budget</i>	<u><i>\$ 9,000</i></u>

General Fund Revenues

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<i>General Fund – Misc. Revenue</i>	<u>\$ 9,000</u>
<i>Net Increase in Budget</i>	<u>\$ 9,000</u>

AND BE IT FURTHER RESOLVED, that the Appomattox Town Council does hereby amend the FY 2011-2012 Operating Budget for the approved use of the Fire Reserve to assist in the purchase of the new fire truck as follows

<u><i>General Fund Expenditures</i></u>	
<i>General Fund – Fire</i>	\$ 125,391.75
<i>General Fund – Public Works</i>	<u>\$ 25,000.00</u>
<i>Net Increase in Budget</i>	<u>\$ 150,391.75</u>

General Fund Revenues

<i>General Fund – Use of Reserves</i>	<u>\$ 150,391.75</u>
<i>Net Increase in Budget</i>	<u>\$ 150,391.75</u>

SECTION XIII:

BE IT FURTHER RESOLVED, by the Town Council of Appomattox, Virginia that the Fiscal Year 2011 and Fiscal Year 2012 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.

Mr. Gillespie reported that the Ordinance Committee has been working on a new Sign Ordinance. A draft will be given to Council in the next week or so to review and it will be discussed at the July workshop meeting. The Finance and Planning Committee will finalize the Ordinance in August, it will go to Public Hearing in September and should be ready to adopt in October.

On a motion by Councilmember Mayberry, seconded by Councilmember Bennett, Council voted to vacate the unopened street known as Fleshman Street, which has never been opened or paved and is the width to be divided equally between Jamerson Real Estate and John and Louise Roach. Vote: Garrett – aye, McDearmon – aye, Spiggle – aye, Mayberry – aye, Bennett – aye. Mr. Conner abstained due to a conflict of interest. Motion carried 5-0.

Citizen Comment Period

Linda Wall – Owner of Business on Atwood Street – Ms. Wall expressed concern that the kiosk on Main Street in front of the Visitors Center is out of date and does not include the businesses on Atwood Street. She asked Council to consider granting the business owners on Atwood Street permission to install a sign on the sidewalk at Backstreet Antiques directing tourists down Atwood Street. Another option for signage would be to put a directional sign on Church Street directing traffic to Atwood Street. The business owners on Atwood Street are willing to foot the bill. Ms. Wall thanked Council for their time and consideration.

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Council Concerns – None

On a motion by Councilmember Mayberry, seconded by Councilmember Conner, Council voted to adjourn the meeting at 7:50 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor