

1 Workshop Meeting
Tuesday, September 27, 2011

The Appomattox Town Council held a workshop meeting on Tuesday, September 27, 2011 at 7:00 p.m. at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia with Mayor Harvey presiding.

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

Others present: Chuck Hertz, Maynard Sipe, Attorney for StuCom, Landowner Tower Hill Road, Cliff Harvey, Stephanie James, Carlton Duck and Alive TV Crew, Stacey Wilkes, Town Treasurer; C. William Gillespie, Interim Town Manager; Rhonda W. Guill, Deputy Clerk and Roxanne W. Paulette, Clerk of Council.

Mayor Harvey called the meeting to order.

Economic Development

Jeff Taylor, Director of Economic Development, Appomattox County appeared before Council to discuss the Economic Development Strategic Plan adopted by the Economic Development Authority and the Appomattox County Board of Supervisors. (Attached)

Sweet Briar College Radio Tower

Mr. Gillespie explained a letter the Mayor signed regarding the proposed radio tower. After a failed balloon test and numerous conversations it was not determined the exact height and impact of the proposed tower on the Museum of the Confederacy property and others. The tower is configured 36” wide panels in a triangular configuration painted in grey to match the view shed. Mr. Hertz is here tonight representing Sweet Briar. There was discussion of intents to put cell tower antennas or microwave rays installed on the tower. There were discussions of trying to buffer the view shed of the Museum of the Confederacy by installing trees at the back of the museum. There appears to be no impact to the Battle of Appomattox Station property.

Council Member Conner asked if Sweet Briar has a radio station?

Sipe (Attorney) – Yes, public radio from Charlottesville with some channels. Some with Sweet Briar community radio to a large area and non-profits. Sweet Briar has an ownership arrangement with the landowner.

Mayor Harvey cited that he has a problem with the view shed. He doesn’t think a tree line a solution to the problem. He doesn’t want to see it from the MOC and NPS.

Mr. Sipe stated that the distance from the MOC site in perspective and distance to the tower would be very small.

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Mr. Hertz stated that the tower would be built like a skelton tower similar to the one at Transco but taller. It would be 36” wide and 380 feet high. It is 63’ feet lower in elevation to the ones already there.

Mr. Hansen (property owner) stated that he is trying to provide growth in the area. He doesn’t know of any law, building or zoning ordinance he would be violating. I feel like I’ve done everything I could possibly do to put the tower up.

Mr. Sipe (Attorney) – It is our intention to be good citizens and neighbors – will be willing to talk to the Museum of the Confederacy so the tower view shed could be screened to make it less intrusive. The tower would not be visible from the Appomattox Station Battlefield property.

Ms. Spiggle asked if there would be any consideration given to not adding the large dishes to the tower.

Mr. Snipe stated that the tower owner would like to keep the option to add things to tower at a later date specifically for the purposes of FM radio.

Council Member Conner suggested either discussing this further at the October 11th Regular Meeting or the Physical Development Committee (which Mr. Conner is not a member of).

Mayor Harvey asked if they have spoken with the MOC representatives and Mr. Sipe responded – no yet.

Sign Ordinance

Mr. Gillespie discussed with Council with changes recently made to the Sign Ordinance particularly 195-133.4 Exempt Signs.

Council gave consensus to move forward with a joint public hearing at the earliest possible date.

STAG project

On a motion by Councilmember Spiggle, seconded by Councilmember Mayberry, Council voted to authorize the final change order for the STAG project – Phase I – Water and Wastewater Improvement Project totaling \$26,835.84. All members present voting aye. Motion carried.

Committee Updates:

Finance & Planning – Mr. McDearmon reported that the committee discussed the Billing & Collection Policy and they will have another draft ready at the next meeting on October 11, 2011.

Physical Development Committee - Met tonight and discussed the STAG project, Skatepark possible locations.

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Staff Member Updates:

Town Manager – The MOC sewer is 50% complete. The sidewalk project is completed. The annual results for copper and lead were received and results will be included in the next Consumer Confidence Report. The zinc issues continue to improve at the SBR facility. Council congratulated the Sewer Department employees.

Treasurer –Written report provided via email. An update of the audit report is also included.

Clerk of Council – Written report provided via email. Please note the Council Retreat is scheduled for Friday, October 28, 2011 at the Frozen Food Locker on Court Street, Appomattox from 8:30 a.m. – 4:00 p.m.

Council Concerns:

Councilmember Conner would like to send a request by the WOW to take over their facility on Harrell Street to the Physical Development Committee.

Mayor Harvey advised Council that the Economic Development Authority has asked that the Town select a Town Representative (non-elected) to serve on the authority. The Town may want to consider an application process in lieu of “finding” someone to serve.

Closed Session:

On a motion made by Councilmember Garrett, seconded by Councilmember Mayberry, Council voted to convene in Closed Session pursuant to §2.2-3711 (A) 3 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: McDearmon – aye, Spiggle – aye, Mayberry – aye, Conner – aye. Bennett – absent and Garrett – 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 business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by this council.

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

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On a motion made by Councilmember McDearmon, seconded by Councilmember Spiggle, Council voted to adjourn at 8:25 p.m. All members present voting aye. Motion carried.

Roxanne W. Paulette, CMC

Paul D. Harvey, Mayor