REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL HELD ON NOVEMBER 10, 2021

At the regular meeting of the Farmville Town Council held on Wednesday, November 10, 2021, at 7:00 p.m., in the Council Chambers of the Town Hall, 116 North Main Street, Farmville, Virginia, there were present Mayor D.E. Whitus, presiding, Vice-Mayor A.D. Reid, and Council members B.R. Vincent, D.E. Dwyer, D.L. Hunter, G.C. Cole, S.O. Amos, and T.M. Pairet.

The staff present were Town Manager C.S. Davis, Town Attorney G. Elder, Chief of Police A. Ellington, Deputy Chief of Police W. Hogan, Director of Public Works R. Atkins, Treasurer C.A. Seal, Deputy Clerk J. Vaughan, Outgoing Clerk S.B. Wood, and IT Support A. Atkins-Austin.

Mayor Whitus called the meeting to order and welcomed guests.

The Reverend Tochi Iwuji, Pastor of St. Theresa Catholic Church led the invocation, followed by the Pledge of Allegiance led by Vice-Mayor Reid.

The roll was called, noting all members present.

PUBLIC HEARING - RESOLUTION NO. 2021-11-01 – BUDGET AMENDMENT

The Mayor opened the Public Hearing, and the Town Manager read the public hearing notice. With no speakers, Mayor closed the Public Hearing and returned to the regular order of business.

FARMVILLE POLICE DEPARTMENT – REACCREDITATION PRESENTATION

Mr. Eric Smith, Law Enforcement Standards and Policies Manager with the Virginia Department of Criminal Justice Services presented the Town of Farmville Police Department their third accreditation certificate. To achieve this accreditation, each agency must meet over one hundred fifty standards and have policies in place and provide proof that these policies are being followed. Each accreditation period lasts four years.

PUBLIC COMMENT PERIOD

There were no speakers, and Mayor closed the public comment period and returned to the regular order of business.

APPROVAL OF THE CONSENT AGENDA

On a motion by Mr. Hunter, seconded by Mr. Vincent, and with all Council members voting “aye”, the consent agenda was approved as presented. The consent agenda includes the draft minutes of the Council Work Session held on October 6, 2021, and the Regular Council Meeting held on October 13, 2021.

APPROVAL OF THE TREASURER'S REPORT

On a motion by Mr. Dwyer, seconded by Mr. Reid, and with all Council members voting "aye", the Treasurer's Report was approved as submitted.

BACKGROUND: A verbal report was provided by the Treasurer. Under the Restricted Funds, the Medical Compensation had two employees to leave employment in October and were eligible for the compensation in the amount of $37,600. Mayor inquired on the amount of interest being earned on funds provided to the Town of Farmville from the American Rescue Plan Act of 2021. The funds are gaining 0.15% interest.

ADOPTION OF RESOLUTION NO. 2021-11-01 – BUDGET AMENDMENT – TRANSFER SURPLUS FUNDS

On a motion by Mr. Vincent, seconded by Mr. Hunter, and with a recorded vote of Council members Reid, Vincent, Amos, Cole, Dwyer, Hunter, and Pairet, voting "yes", the request to adopt Resolution No. 2021-11-01 Budget Amendment – Transfer Surplus Funds passed.

RESOLUTION #2021-11-01

BUDGET AMENDMENT

To amend the Town Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022 in a total amount of $22,312,196.35. To transfer surplus funds from FY 2020-2021 Budget to the FY 2021-2022 Budget in the aggregate amount of $1,209,294.37.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF FARMVILLE:

That a transfer of funds in the amount of $1,209,294.37 be added to the FY 2021-2022 Budget so that the amended total of the Town of Farmville's FY 2021-2022 budget shall be $23,521,490.72; and

BE IT FURTHER RESOLVED THAT $1,209,294.37 shall be appropriated by the Town of Farmville as follows:

1. $631,738.57 added to the General Fund Contingency
   $69,815.39 added to the Water Fund Contingency
   $339,978.04 added to the Sewer Fund Contingency
   $167,762.37 added to the Transportation Fund Contingency

2. That this resolution shall be in full force and effect upon its passage.

Approved: ___________________________
Mayor

Attest: ____________________________
Clerk of Council

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I certify that the above resolution was:

Adopted on ____.

Ayes: ________. Nays: ________. Absent: _________. Abstain: _________.

The Honorable A.D. "Chuckie" Reid: __________.

The Honorable Sallie O. Amos __________.

The Honorable Daniel E. Dwyer __________.

The Honorable Tommy Pairet __________.

The Honorable Brian Vincent __________.

The Honorable Donald L. Hunter __________.

The Honorable Greg Cole __________.

BACKGROUND: The Treasurer provided a verbal report. Amend the town budget for the fiscal year beginning July 1, 2021, and ending June 30, 2022, in a total amount of $22,312,196.35. To transfer surplus funds from fiscal year 2020-2021 budget to the fiscal year 2021-2022 budget in the aggregate amount of $1,209,294.37 to be appropriated into contingency funds.

REQUEST ADOPTION OF THE TOWN OF FARMVILLE EMERGENCY OPERATIONS PLAN

On a motion by Mr. Reid, seconded by Mr. Vincent, and with a recorded vote of Council members Pairet, Reid, Vincent, Amos, Cole, Dwyer, and Hunter voting “yes”, a motion was approved to adopt the Town of Farmville Emergency Operations Plan.

RESOLUTION NO. 2011-11-02
EMERGENCY OPERATIONS PLAN

WHEREAS, the Town Council of Farmville, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS, the Town of Farmville has a responsibility to provide for the safety and wellbeing of its citizens and visitors; and

WHEREAS, the Farmville Town Council has established and appointed a Director and Coordinator of Emergency Management.

NOW, THEREFORE BE IT RESOLVED by the Town Council of Farmville, Virginia, this Emergency Operations Plan as revised is officially adopted; and

IT IS FURTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee are tasked and authorized to maintain and revise as necessary this document over the next four (4) year period or until such time be ordered to come before this board.

Approved:

____

Mayor

Attest: ______________________________
Clerk of Council

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I certify that the above resolution was:

Adopted on ____.

Ayes: ________. Nays: ________. Absent: _________. Abstain: _________.

The Honorable A.D. "Chuckie" Reid: __________

The Honorable Sallie O. Amos __________

The Honorable Daniel E. Dwyer __________

The Honorable Tommy Pairet __________

The Honorable Brian Vincent __________

The Honorable Donald L. Hunter __________

The Honorable Greg Cole __________

BACKGROUND: The Town Manager provided a verbal report. With only minor changes such as contact information being updated, a resolution that the Emergency Operations Plan has been updated needs to be adopted. Mr. Davis mentioned that he had spoken with the County Administrator about potentially forming a Local Emergency Operations Plan Committee with Prince Edward County.

REQUEST AUTHORIZATION FOR THE TOWN MANAGER TO SIGN A LETTER OF INTENT WITH AC POWER, LLC

On a motion by Mr. Cole, seconded by Mr. Vincent, and with a recorded vote of Council members Hunter, Pairet, Reid, Vincent, Amos, Cole, and Dwyer voting "aye", a motion was approved to authorize the Town Manager to sign a letter of intent with AC Power, LLC.

BACKGROUND: The Town Manager provided a verbal report. AC Power, LLC submitted a proposal for a solar project at the old landfill site. They have worked several projects at closed landfills and they work with LaBella, which the Town uses for monitoring of the landfill and post closure reports. A letter of intent will allow AC Power, LLC to do their due diligence in researching the project, permits, etc. before a contract is submitted.

REQUEST AUTHORIZATION FOR THE TOWN MANAGER TO SIGN A CONTRACT WITH STRATIFIED, INC.

On a motion by Mr. Hunter, seconded by Mr. Vincent, and with a recorded vote of Council members Dwyer, Hunter, Pairet, Reid, Vincent, Amos, and Cole voting "yes", a motion was approved to authorize the Town Manager to sign a contract with Stratified, Inc.

BACKGROUND: The Town Manager provided a verbal report. As requested by Mayor, clarification of the removal of the concrete base was provided. The circular concrete that the statue sits on will not move. Everything above the circular concrete will be moved to a new foundation at the Confederate Cemetery. Mayor reported other questions posed included what might happen to the concrete circular base if that is not moved, and what does the Town propose to do with the piece of property? Mr. Davis advised the Town probably could take up the base. There may not be an issue if it is left as is. Mayor advised what the Town proposes to do with the piece of property is for a later discussion.

Stratified, Inc. submitted a bid for the relocation of the Confederate Monument with a not to exceed amount of $46,000. A second bid was received but was significantly higher.

REQUEST AUTHORIZATION FOR THE TOWN MANAGER TO SIGN A LEASE WITH HABITAT FOR HUMANITY

On a motion by Mr. Hunter, seconded by Mr. Reid, and with a recorded vote of Council members Cole, Hunter, Pairet, Reid, Vincent and Amos, voting “yes”, and Council Member Dwyer abstaining, a motion was approved to authorize the Town Manager to sign a lease with Habitat for Humanity. Mr. Dwyer stated as an employee of the Piedmont Habitat, he abstains from this vote.

BACKGROUND: The Town Manager provided a verbal report. Habitat for Humanity is a local non-profit organization in the Town of Farmville helping those needing housing. The organization builds houses, and individuals may purchase the homes from the organization itself. They have some material they need to store and have been using a storage facility which has associated costs. The Town owns a cinderblock building that used to be an old accounting office in the Wilck’s Lake area that currently is not being used. Habitat for Humanity is inquiring if the Town would allow the organization to use the cinderblock building for storage. From a monetary standpoint, if any of the utilities are used at this location, the organization would pay those costs and no other lease payment would be required other than to pay the utilities. This will be a one-year renewable lease.

REQUEST FOR A WATER/SEWER BILL ADJUSTMENT ON BEHALF OF APPOMATTOX RIVER COMPANY

On a motion by Mr. Hunter, seconded by Mrs. Amos, and with a recorded vote of Council members Amos, Cole, Dwyer, Hunter, Pairet, and Reid voting “yes”, and Council Member Vincent abstaining, a motion was approved for a water/sewer bill adjustment to be made on behalf of Appomattox River Company. Mr. Vincent stated as an employee of the Appomattox River Company, he abstains from this vote.

BACKGROUND: The Town Manager provided a verbal report. The Appomattox River Company requested an adjustment on their water/sewer bill due to a toilet leak in a warehouse that was recently purchased. The request for an additional adjustment is based on the Council's policy, which was adopted on May 13, 2009, "*Only one bill can be adjusted per billing year, per customer*". Town administration only has the authority to adjust one month's billing. The leakage went over more than one month. Council is being asked to adjust the additional month. The Appomattox River Company October bill was $930.67. A water bill adjustment would allow the account to receive a credit of $447.91.

STAFF REPORTS

The Town Manager made the following announcements: Christmas Tree Lighting to be held on Friday, November 19, 2021. In collaboration with the lighting, the parking meters will be bagged on Main Street in those areas for the holiday season. The Employee Christmas Luncheon is December 15, 2021, at the Sports Arena between 11:30 a.m. and 2:00 p.m. The Christmas Parade will be taking place on December 5, 2021, the first Sunday in December. Also, a reminder of the Veterans' Day Program at 11:00 a.m. Thursday, November 11, 2021, at Crute Stage.

Director of Public Works R. Atkins provided a brief update on the fall cleanup process.

Chief of Police A. Ellington provided an update on calls received concerning the loud noise in Town coming from loud mufflers that can be heard from blocks away. With new laws going into effect in July, concern of primary offenses and being able to perform traffic stops for these violations, some research was done. Working with Town Attorney G. Elder, studying the Town's current loud noise ordinance, Chief Ellington reported we feel we have the ability and are legal in stopping these vehicles for the excessive noise, not for the equipment violation. The Department has written a summons for this violation and Officers have been asked to make this a part of their patrol strategies each shift and to write these violations. Mr. Elder is going to accompany Officers to Court and prosecute these cases because the violations will be written under the Town Code. It is hoped by doing this, peace will be restored to the Town. Mayor has received several complaints concerning this issue.

STANDING COMMITTEE REPORTS

Mr. Vincent reported on a Recreation Committee meeting held at the end of October. A topic of discussion was the Haynes Street Park and some potential future improvements. Mr. Rob Johnston attended the meeting and brought up a significant historical context concerning the Park in that it previously served as a primary location for African American events. Mr. Vincent reported looking forward to working on the project and being able to incorporate that historical context into any future plans for the Haynes Street Park.

Mr. Hunter reported receiving phone calls regarding the Youth League Football and the issue that would strip the JV team of their ability to go for a championship game or another level. Mr. Davis was asked to speak on this issue from his additional knowledge on the subject. Mr. Davis reported there are three Junior Varsity teams and according to a report from Director Woodson, we had a player registered back in July who at the time had an address of Keysville but was in the process of moving to Farmville. The Coach was handling those applications as the Director's position was vacant at the time. In the bylaws of the league program, it states a player must have an address in the locality where they are playing or have a waiver from the other locality, which was Charlotte County. The issue came up later in the season from another team. The entire season almost was played, and the team was disqualified from being in the playoffs. An appeal was made but was denied. The bylaws will be reviewed. Mayor clarified the Town took the issue as far as possible. In addition, the Recreation Director and the Coach had a meeting with all parents to explain what happened.

<u>COMMENTS BY THE MAYOR AND MEMBERS OF TOWN COUNCIL</u>

Mr. Vincent congratulated Chief Ellington and Ms. Dale Dowdy on their reaccreditation award.

Mayor noted recently he has been the target of receiving spoof emails and asked that all be aware of the potential to receive these fraudulent emails.

Jen Cox with the Farmville Downtown Partnership spoke concerning the 2021 Governor's Summit on Rural Prosperity held on November 4-5, 2021. The Summit allowed the group to come together to talk about rural issues such as broadband, access to healthcare and issues that all rural areas are facing. Ms. Cox led a walking tour of downtown Farmville which included Mayor and Town Manager Davis. This was an opportunity for partnerships with Moton Museum and the Civil Rights Walking Trail to be highlighted. After a visit to the plaza to find that the tree was in place, a stop by Green Front Furniture allowed Summit attendees to receive a

Green Front bag. The County Administrator talked about plans for the front of the courthouse lawn to help enhance the Main Street area. Ms. Cox reported their goal was to highlight some of those partnerships with Longwood, the SBEC, Chamber, Moton Museum, and the Farmville Downtown Partnership and additional partnerships that are being created. Mayor reported receiving many favorable comments concerning the Town from attendees from other localities. Ms. Cox reported a group of 175 including the Governor, and legislators from across the state attended the Summit. The Lt. Governor Elect was able to attend virtually. Mayor reported this was a great event for the Town of Farmville and Longwood did a phenomenal job at coordinating the event.

Mr. Reid reported the Mayor of Galax was in Town also and reported favorable comments.

CLOSED SESSION: IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPH A.1 OF SECTION 2.2-3711 - PERSONNEL MATTERS AND PARAGRAPH A.5 OF SECTION 2.2-3711 - PROSPECTIVE BUSINESS OR INDUSTRY

On a motion by Mr. Vincent, seconded by Mr. Hunter, and with all Council members voting “aye”, Council went into closed session under paragraph A.1 of Section 2.2-3711, of the Code of Virginia, for the discussion of the Director of Community Development position and paragraph A.5 of Section 2.2-3711 for the discussion of a prospective business or industry.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Farmville Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Farmville Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Farmville Town Council hereby certifies that, to the best of each member’s knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Farmville Town Council.

VOTE: Seven “ayes,” No “nays”
MOTION: Vincent SECOND: Hunter
AYES: Vincent, Pairet, Dwyer, Reid, Amos, Cole, and Hunter
NAYS: None
ABSENT DURING VOTE: None
ABSENT DURING MEETING: None

REQUEST FOR MOTION TO ALLOW TOWN MANAGER AND FINANCE DIRECTOR TO ALLOCATE FUNDS FROM CAPITAL IMPROVEMENT FUND AND THE CONTINGENCY FUND AND APPROPRIATE TO GENERAL FUND IN ORDER TO PAVE THE TOWN PARKING LOT ON PEERY DRIVE AND THE PARKING LOT THAT IS ADJACENT THE FISHIN’ PIG

On a motion by Mr. Vincent, seconded by Mr. Cole, and with a recorded vote of Council members Reid, Dwyer, Hunter, Cole, Amos, Pairet, and Vincent voting “yes”, a motion was approved for funds to be allocated from the Capital Improvement Fund and the Contingency Fund and appropriate to General Fund in order to pave the Town Parking Lot on Peery Drive and the Parking Lot that is adjacent to The Fishin’ Pig.

There being no other business, on a motion by Mr. Hunter, seconded by Mr. Cole, and with all Council members voting “aye”, the meeting was adjourned at 7:51 p.m.

APPROVED: ATTEST:

David E. Whitus, Mayor Mary H. McKay, Clerk of Council