

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON OCTOBER 13, 2021

At the regular meeting of the Farmville Town Council held on Wednesday, October 13, 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 D.L. Hunter, D.E. Dwyer, G.C. Cole, S.O. Amos, B.R. Vincent, and T.M. Pairet.

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

Mayor Whitus called the meeting to order and welcomed guests.

The Reverend Dr. Betty Lou Weaver, Missions and Outreach pastor at New Life Assemblies Church led the invocation, followed by the Pledge of Allegiance led by Vice Mayor Reid.

The roll was called.

PUBLIC COMMENT PERIOD

Mr. Doug Stanley, Prince Edward County Administrator provided an update on Prince Edward County. The County is continuing to support the Piedmont Health District in their COVID-19 efforts. The Prince Edward Farmville Youth Association (PEFYA) gym will continue to host COVID-19 testing and mass vaccinations once boosters are approved. He also provided several updates from the County Administrator's Report for October that had previously been provided to the County Board of Supervisors.

There were no additional speakers, and the Mayor closed the Public Comments and returned to the regular order of business.

APPROVAL OF THE CONSENT AGENDA

On a motion by Mr. Hunter, seconded by Mr. Reid, 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 September 1, 2021, the Regular Council Meeting held on September 8, 2021, and the Special Called Council Meeting held on September 15, 2021.

APPROVAL OF THE TREASURER'S REPORT

On a motion by Mr. Cole, seconded by Mr. Vincent, and with all Council members voting “aye”, the Treasurer’s Report was approved, as submitted.

BACKGROUND: A verbal report was provided by the Treasurer. Mrs. Seal stated that the semi-annual bond payment was made on September 29th. The Town withdrew \$1,395,134.38 from the Set Aside Account to General Fund leaving a balance of \$806,177.55.

For the months of October - December the Town is only depositing \$100,000 into the Set Aside account to help with low collection months until receiving tax revenue.

Under the Restricted Funds the Mottley Lake Account has been reclassified to Medical Compensation and shown under the General Fund. Six employees have left employment and were eligible for the compensation from this account in September in the amount of \$80,960.

APPROVE EMPLOYMENT AGREEMENT FOR NEW CLERK

On a motion by Mr. Vincent, seconded by Mr. Hunter, and with a recorded vote of Council members Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Amos voting “aye”, the request to approve the employment agreement for the new Clerk of Council passed.

BACKGROUND: The Mayor provided a verbal report. The Mayor had previously provided the employment agreement for Council Review. The new Clerk of Council is Ms. Mary McKay. She is starting in the position on November 8, 2021.

REQUEST ADOPTION OF RESOLUTION FOR CENTRA HEALTH, INC.

On a motion by Mr. Pairet, seconded by Mr. Hunter, and with a recorded vote of Council members Pairet, Dwyer, Reid, Amos, Cole, Hunter, and Vincent voting “aye”, a motion was approved to adopt the Resolution for Centra Health, Inc.

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FARMVILLE, VIRGINIA WITH
RESPECT TO ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF LYNCHBURG,
VIRGINIA REVENUE BOND FINANCING FOR CENTRA HEALTH, INC.**

WHEREAS, Centra Health, Inc. ("Centra Health"), a Virginia nonstock corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), has requested that the Economic Development Authority of the City of Lynchburg, Virginia (the "Lynchburg Authority") issue its revenue bonds in an aggregate principal amount not to exceed \$275,000,000 (the "Bonds"), in one or more series, for the purpose of providing funds to (i) refinance previously issued debt of the Lynchburg Authority which financed and refinanced Centra Health's facilities located at 915 South Main Street, Farmville, Virginia and (ii) pay certain expenses incurred in connection with the issuance of the Bonds and certain costs related to the refunding of the outstanding revenue bonds (collectively, the "Farmville Project"); and

WHEREAS, the Farmville Project will be owned by Centra Health or one of its affiliates; and

WHEREAS, Centra Health has requested approval (to the extent required by applicable Virginia law and the Code) by the Town Council of the Town of Farmville, Virginia (the "Town Council") of the issuance by the Lynchburg Authority of the Bonds; and

WHEREAS, Section 147(f) of the Code provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds and Section 15.2-4906 of the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), sets forth the procedure for such approval; and

WHEREAS, the Farmville Project to be refinanced with the proceeds of the Bonds is located in the Town of Farmville, Virginia ("Town of Farmville") and the Town Council constitutes the highest elected governmental unit of Town of Farmville; and

WHEREAS, the Lynchburg Authority adopted an inducement resolution (the "Lynchburg Inducement Resolution") with respect to the Bonds on September 9, 2021, and has recommended that the Town Council concur in the Lynchburg Inducement Resolution; and

WHEREAS, the Lynchburg Authority adopted an approval resolution (the "Lynchburg Approval Resolution") with respect to the Bonds on September 9, 2021, after holding a public hearing on the issuance of the Bonds, which constitutes the recommendation by the Lynchburg Authority that the Town Council approve the issuance of the Bonds by the Lynchburg Authority in order to comply with Section 147(f) of the Code and Section 15.2-4906 of the Act; and

WHEREAS, a copy of the Lynchburg Inducement Resolution, a copy of the Lynchburg Approval Resolution, a certificate evidencing conduct of the public hearing and a Fiscal Impact Statement have been filed with the Town Council;

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

1. The Town Council concurs in the Lynchburg Inducement Resolution and approves the issuance of the Bonds by the Lynchburg Authority with respect to the portion of the Farmville Project to be located in Town of Farmville as required by Section 147(f) of the Code and Sections 15.2-4905 and 15.2-4906 of the Act.

2. The Town Council's approval of the issuance of the Bonds by the Lynchburg Authority does not constitute an endorsement to a prospective purchaser of the Bonds or the creditworthiness of Centra Health or any of its affiliates. The issuance of the Bonds shall not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or Town of Farmville, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of the Bonds. Town of Farmville shall not be obligated to pay the Bonds or the interest thereon or other costs incident thereto. Centra Health shall pay any costs and expenses (and indemnify for any damages) of Town of Farmville incurred with respect to the Bonds.

3. This resolution shall take effect immediately upon its adoption.

Adopted by the Town Council of Town of Farmville, Virginia this 13th day of October 2021.

Approved: _____
Mayor

Attest: _____
Clerk of Council

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 Treasurer provided a verbal report. A bond attorney for Centra requested the resolution. The resolution has been presented to localities with Centra facilities. The City of Lynchburg has already approved a resolution for that locality. The Town Manager does not believe that there is any liability on the Town.

DISCUSSION: VACANT TOWN POSITIONS AND FUNDING WAGE / SALARY INCREASES

Council requested that the Finance and Ordinance Committee and Town Manager look for ways to fund the proposals and look at a phased approach.

BACKGROUND: The Town Manager provided a verbal report. This item was previously discussed by the Finance and Ordinance Committee on September 30, 2021, and by Council at the Work Session on October 6, 2021. A set of figures was previously provided for the Police Department. The Town Manager stated that the liability for the Town would be over \$1,000,000 for the positions within the Police Department and Public Works. The Town Manager is looking to give the best that the Town can while maintaining affordability and plans to bring the item back to Council.

The Mayor noted that the documents and figures are working documents. He also noted that the Town could not fund \$1,000,000 and that Council would continue to work on something that would be viable for the Town. The Town Manager stated that there was an immediate need to increase wages for positions requiring a commercial driver's license (CDL) and for police officers.

REQUEST ADOPTION OF THE TOWN OF FARMVILLE EMPLOYMENT POLICIES AND PROCEDURES HANDBOOK

On a motion by Mr. Dwyer, seconded by Mrs. Amos, and with a recorded vote of Council members Amos, Cole, Hunter, Vincent, Pairet, Dwyer, and Reid voting "aye", a motion was approved to adopt the Town of Farmville Employment Policies and Procedures Handbook.

BACKGROUND: The Town Manager provided a verbal report. The Town Manager provided Council a new draft of the Employment Policies and Procedures Handbook for review. New sections include mission, values, and ethics. Some areas are more in depth than in the past such as pay procedures, and merit-based evaluations based on performance. Federal and State laws regarding employment have also been updated. The Town Attorney has reviewed and approved the document. The Mayor noted a couple of corrections that he had previously provided. The Town Manager also noted that department managers provided feedback in the creation of the document.

REQUEST CREDIT FOR HOWARD FAMILY WATER / SEWER BILL

On a motion by Mr. Hunter, seconded by Mrs. Amos, and with a recorded vote of Council members Hunter, Vincent, Pairet, Dwyer, Reid, Amos, and Cole voting "Aye", a motion

was approved to provide a credit in the amount of \$275.41 to the Howard family on their water / sewer bill.

BACKGROUND: The Town Manager provided a verbal report. The Property is on Persimmon Tree Fork Road. The Howard family experienced a water leak that went unnoticed over several months while Mr. Howard was hospitalized. The leak was in the yard and did not go into the sewer system. Town Administration cannot adjust bills, provide credits, or relief beyond one month per ordinance. Town Administration suggests providing a credit in the amount of \$275.41 to cover the overages.

REQUEST COUNCIL APPROVAL OF HALLOWEEN EVENTS

On a motion by Mr. Pairet, seconded by Mr. Vincent, and with all Council members voting “aye”, a motion was approved to allow “Trick-Or-Treating” activities to occur on Sunday, October 31, 2021, as presented.

BACKGROUND: The Town Manager provided a verbal report. The Town Manager stated that the Town has planned not to hold the annual Halloween parade or Main Street “Trick-Or-Treating” due to the usual numbers of children involved and COVID-19 concerns. He recommended that Council approve “Trick-Or-Treating” activities for the day that Halloween falls on, which is a Sunday this year. The Mayor asked the Chief of Police to remind citizens of Town Code Section 18:30 - Mask or disguise; trick or treat visitations; Halloween curfew. It states the following:

(a)It shall be unlawful for any person over twelve (12) years of age to appear in or on any of the streets, highways, alleys, public parks or other public places of the town in any mask or disguise whereby the identity of such person is concealed without the permission of the town manager or chief of police.(b)It shall be unlawful for any person to appear on the streets, highways, public homes, private homes or public places in the town to make trick or treat visitations.(c)This section shall not apply to children twelve (12) years of age and under on Halloween night, prior to 9:00 p.m., nor to persons:(1)Wearing traditional holiday costumes.(2)Engaged in professions, trades, employment or other activities and wearing protective masks which are deemed necessary for the physical safety of the wearer or other persons.(3)Engaged in any bona fide theatrical production or masquerade ball.(4)Wearing a mask, hood or other device for bona fide medical reasons upon the advice of a licensed physician or osteopath and carrying on his person an affidavit from the physician or osteopath specifying

the medical necessity for wearing the device and the date on which the wearing of the device will no longer be necessary and providing a brief description of the device.

STAFF COMMENTS

The Town Manager provided an update on the requested stop signs for Forth Avenue Extension. The signs have been installed. The Town Manager has received some feedback from citizens.

The Director of Public Works reminded everyone that the fall Town clean-up day is Monday, October 18, 2021.

REQUEST TO EXTEND THE COVID-19 LEAVE FOR TOWN EMPLOYEES

On a motion by Mr. Reid, seconded by Mrs. Amos, and with all Council members voting “aye”, a motion was approved to extend the COVID-19 leave for Town employees through the beginning of 2022.

BACKGROUND: The Town Manager provided a verbal report. The Town COVID-19 leave previously approved and extended by Council expired at the end of September. The Town Manager has not seen anything from the Federal Government providing an additional extension. He recommends that Council extend the leave through the beginning of 2022 for any employees that have not previously used COVID-19 leave. He stated that COVID-19 was still a concern. Employees can use up to eighty hours if they have not previously used the leave.

STANDING COMMITTEE REPORTS

Public Safety Committee, Mr. Hunter, Chairman: No report.

Finance and Ordinance Committee, Mr. Cole, Chairman: No report.

Personnel Committee, Mr. Reid, Chairman: No report.

Infrastructure/Town Property Committee, Mr. Pairet, Chairman: No report.

Parks/Recreation Committee, Mr. Vincent, Chairman: No report.

Rescue Squad: No report.

COMMENTS BY THE MAYOR AND MEMBERS OF TOWN COUNCIL

Mr. Vincent congratulated Vice Mayor Reid for being elected President of the Executive Board of the Virginia Municipal League.

Mr. Dwyer stated that a citizen had expressed his concern that the new stop signs on Fourth Avenue Extension and Hurd Street were unnecessary. Mr. Dwyer feels that the addition of the stop signs was warranted.

Mr. Reid brought up a topic previously discussed at the Virginia Municipal League where other localities have eliminated standing committees. Council would then act as a whole for committee matters at work sessions. Mrs. Amos acknowledged that it could make work sessions quite lengthy. Mr. Cole stated that he was in favor of leaving it the way it is. Mr. Hunter confirmed that he could see Mr. Reid's point of view but was in favor of leaving it the way it is. Mr. Vincent stated that he was not opposed to the idea and could see the benefits of the change. Mr. Pairet indicated that he was fine with the current structure. Mr. Dwyer said that he thought the change would make him a more informed Council member. Mrs. Amos stated that she was in favor of leaving the way it is due to sensitivity sometimes discussed in committee meetings. The Mayor noted concerns about the structure change. He stated that he suggested committees and committee chairs based on members expertise and interest. He also stated that committees allow for more exploration. He reminded everyone that committee meetings are open to the public as are the meeting minutes.

Mrs. Amos said that she has concerns over the salary structure discussions. She stated that police department salary structure as previously presented is fair. She stated that this increase for police was needed immediately. She stated that state public safety employees were recently provided a raise where localities have received nothing. The Mayor questioned where the funds for the increase would come from. The Town Manager stated that he felt obligated to speak for all employees. He noted that there are deficits in Police and Public Works. The Town Manager stated that Council needs to look at the employees as a whole. He noted concerns with revenues and the contingency funds. He stated that the Town could not take action that could cause a deficit by the end of the year.

Mr. Vincent suggested that the committee and Council continue to look at the issue. Mr. Pairet also suggested that no decisions needed to be made at that time. He suggested that the committee review the numbers further. Mr. Hunter acknowledged that this problem has been going on for a long time. Mr. Cole said that he wants to make sure that this will be a fiscally responsible decision. Time should be taken to ensure that it is a favorable decision for employees and the taxpayers. Mr. Dwyer agreed and stated that due diligence and time should be given. Mr. Reid agreed.

CLOSED SESSION PURSUANT TO SECTION 2.2-3711.1 PERSONNEL MATTERS

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 Town Building Official position.

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

There being no other business, on a motion by Mr. Pairet, seconded by Mr. Cole, and with all Council members voting “aye”, the meeting was adjourned at 8:20 p.m.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Steven B. Wood, Clerk of Council