

**BOARD OF SUPERVISORS
REGULAR SCHEDULED MEETING
MONDAY, October 21, 2024
6:00 P.M.**

The Appomattox County Board of Supervisors held its regular scheduled meeting on Monday, October 21, 2024, at 6:00 p.m. in the Board of Supervisors meeting room located at 171 Price Lane, Appomattox, Virginia.

Appomattox County Board of Supervisors

Present:

John F. Hinkle, Chair	Falling River District
Alfred L. Jones, III, Vice-Chair	Piney Mountain District
Samuel E. Carter	Courthouse District
Kenneth Wolfskill	Appomattox River District
Trevor L. Hipps	Wreck Island District

Also, Present:

Susan M. Adams, County Administrator
Mark Popovich, Attorney
Johnnie Roark, Community Development Director
Janet McConville, Finance Specialist II
Wanda McCormick, Finance Specialist III

CALL TO ORDER – Chairman Hinkle called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Invocation – Mr. Hinkle

Mr. Hinkle introduced Mark Popovich, the newly-hired County Attorney.

SETTING OF AGENDA

Motion made by Rev. Jones, seconded by Mr. Carter to approve the agenda as submitted.

Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

CITIZEN PUBLIC COMMENT PERIOD

No Public Participants

APPEARANCES

Resolution in Honor of Heroes Van Burke, Tim Tolley, and Rachel Gillaland

Resolution in Honor of Heroes
Van Burke, Tim Tolley, and Rachael Gillaland

WHEREAS, just before noon on Sunday, October 13, 2024, a call was received by Appomattox County 911 Dispatch reporting an appliance fire in a residence on James River Road in the Bent Creek Community; and

WHEREAS, while Appomattox Volunteer Fire Department, Appomattox County Rescue Squad and Gladstone Fire and Rescue Service were responding, the call was upgraded to a working structure fire with entrapment and Concord Volunteer Fire Department was also dispatched to the scene; and

WHEREAS, when First Responders arrived at the scene, they found all occupants to be safely out of the structure thanks to the heroic efforts of Van Burke, Tim Tolley, and Rachael Gilliland; and

WHEREAS, disregarding their personal safety, Van Burke, Tim Tolley, and Rachael Gilliland had bravely removed the occupants, including one who was bedridden, from the structure which by then was showing heavy fire and smoke and had multiple propane tanks in the area; and

WHEREAS, Pamplin Volunteer Fire Department was requested to provide additional manpower, water, and the Air Trailer, and they along with the other crews already on the scene worked for several hours to protect the propane tanks and perform salvage and overhaul activities; and

WHEREAS, one occupant of the residence was transported to the hospital for minor injuries and a firefighter was transported for heat related illness, the human toll would have been much worse if not for the courageous action of Van Burke, Tim Tolley, and Rachael Gilliland.

NOW THEREFORE BE IT RESOLVED THAT the Appomattox County Board of Supervisors does hereby officially recognize Van Burke, Tim Tolley, and Rachael Gilliland as Local Heroes for risking their lives and well-being to safely remove their neighbors trapped inside a burning and smoke-filled residence.

BE IT FURTHER RESOLVED THAT the Board of Supervisors does hereby thank and honor all the First Responders who answered the call of duty this day and offered their assistance to the residents affected by this devastating structure fire.

Motion made by Mr. Wolfskill, seconded by Mr. Carter to adopt the resolution honoring heroes Van Burke, Tim Tolley and Rachel Gilliland who risked their lives and well-being to safely remove their neighbors trapped inside of a burning and smoke-filled residence. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

Mr. Hinkle also recognized the First Responders for answering the call of duty, enduring the conditions of heavy fire and smoke, and offering their assistance to the residents affected by this devastating fire.

Mr. Jonathan Garrett, Fire Chief, also recognized Van Burke, Tim Tolley and Rachel Gilliland for their heroic efforts and presented them with the Citizen Heroism Award.

School Resource Officer Grant Position

Major Travis Firebaugh addressed the Board to request partial funds for a grant-funded school resource officer position from the Virginia Department of Criminal Justice Services.

Motion made by Rev. Jones seconded by Mr. Hipps to provide partial funds (approximately \$16,000) for a school resource officer position that is partially funded by a grant received from the Virginia Department of Criminal Justice Services. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

PUBLIC HEARING

Hunter Street Abandonment

At 6:17 p.m. after due notice was given, Chairman Hinkle called the Public Hearing to order. After receiving no public comment, the public hearing was closed at 6:19 p.m.

RESOLUTION

WHEREAS, it appears to the Appomattox County Board of Supervisors that Secondary Highway Route 1036 (Hunter Street) between Point B and Point C, as shown on the attached sketch entitled "Hunter Street Route 1036 Abandonment, Town of Appomattox", and shown as "Exhibit A", serves no public necessity and is no longer necessary as part of the Secondary System of State Highways; and,

WHEREAS, the segment of roadway identified as Point B to Point C on the aforementioned sketch, is 0.04 miles in length; and,

WHEREAS, Jamerson Real Estate, Inc. is an adjoining property owner and has no objections to the vacation of the aforesaid segment of Hunter Street, and,

WHEREAS, the Town Council of Appomattox, Virginia, adopted a resolution requesting the vacation of the aforesaid segment of Hunter Street at its September 24, 2024 meeting; and,

WHEREAS, the process for vacation of the aforesaid portion of Hunter Street requires that the Appomattox County Board of Supervisors pass a resolution after a public hearing;

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors, Appomattox, Virginia respectfully requests that the Virginia Department of Transportation take the necessary steps to vacate the segment of Secondary Highway Route 1036 (Hunter Street) between Point B and Point C as shown on the attached sketch.

A certified copy of this resolution will be forwarded to the Commissioner of the Virginia Department of Transportation via the Appomattox Residency.

Motion made by Mr. Carter, seconded by Rev. Jones to adopt the Resolution for the abandonment of a segment of Route T.1036, Hunter Street, from a point denoted as Point B, traveling west to Point C, approximately .04 miles to the end of maintenance. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

ACTION ITEMS

Sports Complex Fund

Motion made by Rev. Jones seconded by Mr. Carter to approve transfer by consent of \$3,310.75 from the Sports Complex Fund and appropriate to 7101-6007 Special Projects for the purchase of a 10x12 storage building for the soccer field. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

Office Building and Housing

Motion made by Mr. Hipps, seconded by Rev. Jones to approve a transfer by consent of \$368.46 from the General Fund to appropriate to 3401-6001 Levy Fees for first quarter (July-September) levy fees collected on building permits. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

Commissioner of the Revenue Refund Request

Mrs. Sara Henderson, Commissioner of the Revenue is requesting the following to be paid from 1209-5803 Refunds:

- 1) Refund Craig & Tiffany Dowdy **\$104.49** for 2024 Personal Property taxes. He qualifies for the Veteran's Exemption.
- 2) Refund Freedom Mortgage **\$290.91** for 2024 Real Estate taxes for Craig & Tiffany Dowdy. He qualifies for the Veteran's Exemption.
- 3) Refund Stuart Carroll Mann **\$56.53** for 2024 Personal Property taxes. He was erroneously assessed for 2024.
- 4) Refund Rebecca Leigh Beiler **\$38.75** for 2024 Personal Property taxes. She was erroneously assessed and has already paid Appomattox County.
- 5) Refund JES Construction **\$50.26** for 2022 and 2023 Personal Property taxes. They were erroneously assessed.
- 6) Refund Richard Lund **\$537.62** for Transient Occupancy taxes. This was previously reported by Airbnb.
- 7) Refund Phillip Wayne Inman **\$50.49** for 2024 Real Estate taxes. He qualifies for the Veterans Exemption.

Motion made by Mr. Wolfskill, seconded by Mr. Carter to approve the Commissioner of Revenue refund requests in the amount of **\$1,129.05** from the General Fund to appropriate to 1209-5803. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

Building Permit #230569 Refund Request

Ms. Alma Hesson, Administrator of the Estate of Allen Abisia requests a refund for the building permit #230569 fee (minus the levy fee of \$26.33 and the refund request fee of \$30.00). The construction never began, due to the untimely death of Mr. Allen Abisia, and the family does not plan to proceed with building.

Motion made by Mr. Hipps, seconded by Mr. Wolfskill to refund Ms. Alma Hesson, Administrator of the Estate of Allen Abisia, the amount of **\$1,446.40** (the original permit fee amount of \$1,502.73 minus the levy fee of \$26.33 and the refund request fee of \$30.00) for Building Permit #230569. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

Schedule Public Hearing-Zoning Ordinance and Subdivision Ordinance Amendments

Motion made by Mr. Wolfskill, seconded Mr. Carter, to authorize staff to advertise and schedule a public hearing for Monday, November 18, 2024, at 6:00 p.m. to receive comments for proposed amendments to the Zoning Ordinance and Subdivision Ordinance for the County.

Report from Planning Commission – Noise Ordinance

Motion made by Mr. Hipps, seconded by Mr. Carter to table the approval of recommendations from the Planning Commission to the County's Noise Ordinance and the scheduling of the proposed relevant public hearing to receive comments. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

Mr. Hipps requested more research on the details of the proposed noise ordinance.

COMMITTEE APPOINTMENTS

DSS Advisory Board

Motion made by Mr. Hipps, seconded by Rev. Jones to appoint Mr. Kenneth Wolfskill, Mr. Kevin Bailey, Attorney, and Ms. Ashley Casalenuovo to the Department of Social Services Advisory Board for a 4-year term. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

CONSENT AGENDA

Invoices Submitted for Payment

Please review the attached invoices and approve for payment:

October 3, 2024	\$49,275.49
October 17, 2024 - Jurors	\$2,200.00
October 18, 2024 - CSA	\$301,649.97
October 21, 2024	\$890,896.97
TOTAL:	\$1,244,022.43

STAFF RECOMMENDATION: Please review and consider approval of the attached invoices for payment.

Minutes

Please review the following DRAFT minutes for approval:
September 16, 2024, Regular Scheduled Meeting

Sheriff's Department

Please supplement by consent and appropriate the following:

3102-1002 Overtime	\$8,685.07
3102-1003 Part-Time Salaries	\$2,642.69
3102-5408 Vehicle Equipment/Gasoline	\$6,434.53
3102-7001 Equipment	\$5,000.00
TOTAL:	\$22,762.29

RE: Reimbursement from DCJS for TDO/ECO hours worked by deputies (\$1,508.00); Reimbursement from The City of Lynchburg for CIT hours worked by Deputy R.D. Meeks (\$1,722.24); Reimbursement from the Appomattox County School Board for security

performed by deputies at AMS and ACHS sporting events (\$5,454.83); Reimbursement from the Appomattox County School Board for extra school security performed by deputies (\$2,642.69); Reimbursement from VACORP for vehicle damages on a 2023 Dodge Charger, VIN#4920 (\$6,434.53); Funds received from the Town of Pamplin (\$5,000.00).
STAFF RECOMMENDATION: No new local funds are required.

Animal Shelter Operations

Please supplement by consent and appropriate the following:

3501-3001 Professional Medical Services	\$285.00
3501-5413 Spay/Neuter Program	\$1,848.00
3501-5804 Donations	\$806.00
TOTAL:	\$2,939.00

RE: Restitution received for animal medical expenses from Camille Brown (\$285.00); Funds received through adoptions (\$1,848.00); Donations received for Animal Shelter (\$806.00).

STAFF RECOMMENDATION: No new local funds are required.

Sports Complex

Please supplement by consent and appropriate the following:

7101-6007 Special Projects	\$100.00
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RE: Funds received from Robert Dunnam for the purchase of old gymnastic equipment stored at Community Center.

STAFF RECOMMENDATION: No new local funds are required.

Electoral Board

Please supplement by consent and appropriate the following:

1301-8002 Bld./Equipment	\$32,969.00
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RE: State Grant funds received to purchase electronic poll books.

STAFF RECOMMENDATION: No new local funds are required.

Motion made by Rev. Jones, seconded by Mr. Hipps to approve the Consent Agenda, as presented. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

ATTORNEY'S REPORT

Appomattox County Remote Participation in Board Meetings

Mr. Mark Popovich, County Attorney, presented changes to the remote participation policy to bring it into compliance with current law, which now requires governing bodies to annually adopt their remote participation policy in order for it to remain valid.

Motion made Mr. Wolfskill, seconded by Mr. Carter to adopt the amendments to the remote participation policy. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, Mr. Wolfskill-yes.

Mr. Popovich commented on the progress of the sale of County-owned property.

ADMINISTRATOR'S REPORT

Mrs. Adams shared departmental reports with the Board and noted:

- Mrs. Adams and the Department of Social Services staff has been meeting with the regional and state directors to overcome existing issues that need improvement.
- The Department of Social Services is planning for a job fair to fill their open positions.
- Renovation progress is being made to the Department of Social Services Court Street location with a completion deadline of December 24, 2024.
- Monuments have been relocated in the courtyard due to the progress of the Old Courthouse construction.
- Renovations have taken place at the Community Center to accommodate the Department of Social Services and to prepare the building for future uses.
- Staff is working with CCUSA to possibly increase the water capacity to 300,000 gallons per day with no additional infrastructure costs.
- All lease agreements have been signed for the Vocational Technology Center, Central Virginia Community College is purchasing equipment, and electrical and plumbing upgrades have been completed.

REPORTS AND INFORMATIONAL ITEMS

- School Financial Report – August and September 2024 financial reports
- Sands Anderson Delinquent Tax Status Report as of September 30, 2024
- Southside Electric Cooperative 2024 Legislative Day – Key Takeaways
- Southside Electric Cooperative member-demographic and homeowner solar installation and cost of solar
- Virginia Fall Job Fair – held October 30, 2024, 10:00 a.m. to 5:00 p.m.

SUPERVISOR CONCERNS

Mr. Carter congratulated the Railroad Festival Committee on a very successful Railroad Festival weekend.

Mr. Wolfskill thanked Ms. Adams, County Administrator for her continued work for the County.

Mr. Hinkle commented on the success of the Railroad Festival this year.

CLOSED SESSION

Mr. Mark Popovich, read the following Resolution authorizing a Closed Session:

The Appomattox County Board of Supervisors plans to enter into closed session for the limited purposes of:

1. Consultation with legal counsel and briefings by staff members pertaining to actual litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County related to the Region 2000 landfill pursuant to VA Code Section 2.2-3711(A)(7); and

2. Consultation with legal counsel retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding the Department of Social Services; and
3. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body pursuant to VA Code Section 535-3711 (A)(1).

Motion made by Mr. Carter, seconded by Rev. Jones, to enter into closed session at 7:05 p.m. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Rev. Jones- yes, Mr. Hipps-yes, Mr. Carter-yes, Mr. Hinkle-yes.

Mrs. Wanda McCormick read the following closed session certification at 8:36 p.m. To the best of your knowledge, were the only matters discussed in the closed meeting public business matters lawfully exempted from open meeting requirements, and that only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting. Mrs. McCormick called for a roll call vote: Mr. Hipps-yes, Rev. Jones-yes, Mr. Carter-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes.

UPCOMING MEETINGS

Monday, November 18, 2024 @ 6:00 p.m.

Regular Scheduled Meeting

Board of Supervisors Meeting Room 171 Price Lane, Appomattox, VA 24522

ADJOURNMENT

Motion made by Mr. Carter, seconded by Mr. Hinkle and carried with all other members present, voting yes to adjourn at 8:37 p.m.

Mr. John Hinkle, Chairman