

**BOARD OF SUPERVISORS
REGULAR SCHEDULED MEETING
Monday, March 17, 2025
6:00 P.M.**

The Appomattox County Board of Supervisors held its regular scheduled meeting on Monday, March 17, 2025, 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:

Samuel E. Carter	Courthouse District
Kenneth Wolfskill	Appomattox River District
John F. Hinkle	Falling River District
Trevor L. Hipps	Wreck Island District

Absent:

Alfred L. Jones, III	Piney Mountain District
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Also, Present:

Susan Adams, County Administrator
Mark Popovich, County Attorney
Johnnie Roark, Planning/Zoning/Economic Administrator/Deputy Director of Operations
Janet McConville, Finance Specialist II
Wanda McCormick, Finance Specialist III
Ace Bailey, IT Specialist

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

Invocation – Mr. Wolfskill

Pledge of Allegiance

SETTING OF AGENDA

Motion made by Mr. Carter, seconded by Mr. Wolfskill and carried with all members present voting yes to amend the agenda by adding agenda item 14 – Budget Calendar. Rev. Jones was absent.

Motion made by Mr. Wolfskill, seconded by Mr. Carter, to approve the agenda, as amended, adding Item 14 – Budget Calendar. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, and Mr. Hinkle-yes. Rev. Jones was absent.

CITIZEN PUBLIC COMMENT PERIOD

None

APPEARANCES

Solid Waste Study

Mr. Mark Cathey, PE, Vice President/Regional Manager for McGill Associates presented the results of the Solid Waste Future Planning Comparison Study the Board which included disposal options.

Sheriff Richardson – Department Update

Sheriff Robbie Richardson has appeared before the Board to provide a Department update.

Voting Precincts

Patricia Morton, Registrar, appeared before the Board to discuss the need for voting precinct changes for the Agee and Chap precincts.

Motion made by Mr. Wolfskill, seconded Mr. Hinkle to authorize staff to schedule and advertise a Public Hearing to be set on April 21, 2025, at 6:00 p.m. to receive public comments on a proposed ordinance change to merge the Agee precinct with the Oakville Precinct, to create a new Falling River precinct at Friendship Baptist Church and also to authorize the County attorney to draft changes to the related county ordinance and notify the Attorney General's office of the proposed precinct changes. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, and Mr. Hinkle-yes. Rev. Jones was absent.

Piedmont Area Veterans Council

Sarah Maddox, CEO, appeared before the Board to discuss the FY26 agency funding for the Piedmont Area Veterans Council.

Virginia Cooperative Extension

Bruce Jones, Senior Extension Agent for the Virginia Cooperative Extension Office appeared before the Board to discuss the FY26 budget request.

PUBLIC HEARING – Amendment to Appomattox County Code, Chapter 13.3 Noise

At 7:18 p.m. after due notice was given, Chairman Hinkle called the Public Hearing to order for the purpose of receiving public comment on a proposed amendment to the Noise Ordinance. The proposed amendment clarifies Section 13.3-5, Maximum Permissible Noise Level, by deleting the word “discernable,” which has been found to be ambiguous in court proceedings, and adding parentheses to “(or sound level),” for further clarification. After no public comment, the Public Hearing was closed at 7:19 p.m.

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE NOISE ORDINANCE, CHAPTER 13.3 OF THE APPOMATTOX COUNTY CODE

WHEREAS, §15.2-1427 and §15.2-1433 of the Code of Virginia (1950), as may be amended from time to time, enable a local governing body to adopt, amend, and codify ordinances or portions thereof; and

WHEREAS, Appomattox County Code §13.3, Noise, declares that, at certain levels, noise can be detrimental to the health, safety and quality of life of inhabitants of the County, and in the public interest, noise, should be restricted; and

WHEREAS, it is the policy of the County to reduce and eliminate, where possible, excessive noise and related adverse conditions in the community, and to prohibit unnecessary, excessive, harmful, and annoying noise from all sources, subject to its police power; and

WHEREAS, at the July, 2024 regular meeting of the Board of Supervisors, the Board requested that the Planning Commission review the Noise Ordinance, as it relates to excessive noise in residential areas; and

WHEREAS, the Appomattox County Planning Commission, along with the County Attorney and staff, studied this issue, sought input from law enforcement, and reviewed noise complaints dating back to 2022; and

WHEREAS, a recommendation was put forth concerning a clarification of § 13.3-5, related to the Maximum Permissible Sound Level; and

WHEREAS, the full text of this amendment was available for public inspection in the Appomattox County Administration Office at 153A Morton Lane, Appomattox, Virginia, 24522; and

WHEREAS, on March 17, 2025, a public hearing was held on this matter, and all of those wishing to speak on this topic were heard; and

NOW, THEREFORE BE IT ORDAINED by the Board of Supervisors of Appomattox County that § 13.3-5 of the Appomattox County Code is hereby amended as follows (*italics=new or added language, strikethrough=deleted language*):

A. In addition to the violations established by the preceding sections of this chapter, no person shall, between the hours of 11:00 pm and 6:00 am conduct, permit, or allow any activity (or sound) to produce a sound discernable beyond 100 feet from said activity (or sound) that exceeds 80 dB(A) when measured as provided in §13.3-6. The provisions of this Ordinance shall go into effect immediately upon adoption.

Motion made by Mr. Carter, seconded by Mr. Wolfskill to amend the Appomattox County Noise Ordinance Section 13.3-5, Maximum Permissible Noise Level, to delete the word “discernable” and add parentheses to “(or sound level)”. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, and Mr. Hinkle-yes. Rev. Jones was absent.

ACTION ITEMS

RESOLUTION DECLARING THE END OF A LOCAL EMERGENCY

WHEREAS, the Appomattox County Board Supervisors does hereby find:

That on Tuesday, February 11, 2025, the Director of Emergency Management in accordance with State Code Section 44-146.21 declared a local emergency due to impacts from the winter ice storm, which occurred from Tuesday, February 11, 2025, thru Friday, February 21, 2025.

On Tuesday, February 18, 2025, the Appomattox County Board of Supervisors ratified the Declaration of Local Emergency set on this date Tuesday, February 11, 2025, by the Director of Emergency Management, and the governing body, when in its judgement all emergency actions have been taken, shall take appropriate action to end its emergency phase in the above-named event and has begun its recovery phase as defined in the Appomattox County Emergency Operations Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Appomattox County Board of Supervisors ratified that the Declaration of Local Emergency of that on the date it occurred Tuesday, February 11, 2025 ended through Appomattox County effective on this date Tuesday, February 21, 2025 at 12:00 p.m.

ADOPTED by the Appomattox County Board of Supervisors on this 17th day of March, 2025.

Motion made by Mr. Wolfskill, seconded by Mr. Carter to adopt the Resolution Declaration the End of a Local Emergency due to impacts for the winter ice storm, which occurred from Tuesday, February 11, 2025 through Friday, February 21, 2025. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, and Mr. Hinkle-yes. Rev. Jones was absent.

Letter of Support-ODEC-Manufactured Home Weatherization Program

Motion made by Mr. Carter, seconded by Mr. Hipps to authorize staff to sign a letter of support for Old Dominion Electric Cooperative (ODEC)it's bid for grant funding through the Tobacco Region Revitalization Commission's (TRRC) Energy Ingenuity Fund. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, and Mr. Hinkle-yes. Rev. Jones was absent.

Commissioner of the Revenue Refund Requests

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

- 1) Refund Dewey Lee McCormick \$98.00 for personal property taxes. He lives in Nelson County and was erroneously taxed by Appomattox County.
- 2) Refund Joel M. Robertson \$40.28 for personal property taxes. He qualifies for the Veteran's Exemption.
- 3) Refund Mr. Cooper Mortgage Company \$334.76 for real estate taxes in the name of Joel M. Robertson, Tax Map #40(4)7A. He qualifies for the Veteran's Exemption.
- 4) Refund Taleigha Monae McCoy & Jonnie Lee Sutton, Jr. \$830.15 for 2023 & 2024 personal property taxes. They were erroneously assessed.

STAFF RECOMMENDATION: Consider the above refunds. Transfer by consent

\$1,303.19 from the General Fund and appropriate to 1209-5803. New local funds are required.

Motion made by Mr. Wolfskill, seconded by Mr. Hipps to approve the Commissioner of Revenue refund requests in the amount of **\$1,303.19** 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, Mr. Wolfskill-yes. Rev. Jones was absent.

Economic Development - COJANA Incentive Agreement

Motion made by Mr. Carter, seconded by Mr. Hipps to approve the transfer of \$25,000 to 8105-6007 Special Projects to reimburse the EDA for the annual incentive payment to COJANA, LLC (8th of the 10-year incentive). Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes. Rev. Jones was absent.

Economic Development - Broadband Incentive Grant

Motion made by Mr. Hipps, seconded by Mr. Carter to transfer \$84,687.56 from the General Fund and appropriate to 8105-6007 Special Projects for the broadband incentive grant payment agreement dated May 2018. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes. Rev. Jones was absent.

Solid Waste Study

Motion made by Mr. Carter, seconded by Mr. Wolfskill to transfer \$47,300.00 from the General Fund and appropriate to 4205-3002 Professional Services for the Solid Waste study being performed by McGill Associates. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes. Rev. Jones was absent.

Capital Projects

Motion made by Mr. Wolfskill, seconded by Mr. Hipps to transfer \$580,452.90 from the County CIP Fund to the General Fund and appropriate to 9104-7016 Courthouse Renovation. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes. Rev. Jones was absent.

Budget Work Session

Motion made by Mr. Carter, seconded by Mr. Hipps to authorize staff to schedule a Board of Supervisors Special Called Meeting on Tuesday, March 25, 2025, at 6:00 to be held in the Board of Supervisors Meeting Room to discuss the FY2026 Budget, and for Mr. Aaron Hawkins with Robinson, Farmer & Cox to present the FY2024 Financial Report. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes. Rev. Jones was absent.

Motion made by Mr. Carter, seconded Mr. Wolfskill to adopt the revised FY26 budget calendar, and to authorize staff to publish the revised calendar with the following changes:

Tuesday, March 25, 2025	Budget Work Session (Add)
Tuesday, April 15, 2025	Budget Work Session - CANCELLED
Monday, April 21, 2025	Regular Scheduled Meeting - FY 2026 Budget Public Hearing
Wednesday, April 30, 2025	Approve FY 2026 Budget

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

COMMITTEE APPOINTMENTS

Courtland Park Board

Motion made by Mr. Carter, seconded by Mr. Hipps to appoint Teresa Davis, Community Engagement Coordinator for Appomattox County, to the Courtland Park Board. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes. Rev. Jones was absent.

CONSENT AGENDA

Invoices Submitted for Payment

Please review the attached invoices and approve for payment:

March 3, 2025	\$103,602.60
March 14, 2025 - CSA	\$227,473.76
March 17, 2025	\$727,585.06
TOTAL:	\$1,058,661.42

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

Minutes

Please review the following DRAFT minutes for approval:

February 18, 2025, Regular Scheduled Meeting

February 25, 2025, Budget Work Session

March 4, 2025, Joint County/School Board Work Session

Children's Services Act (CSA)

Please supplement by consent and appropriate the following:

5310-3001 Professional Services	\$729.30
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RE: Reimbursement from the Department of Social Services for services paid by CSA.

STAFF RECOMMENDATION: No new local funds are required.

Capital Projects

Please supplement by consent and appropriate the following:

9104-7014 County Capital Projects	\$100,000.00
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RE: Sale of Property, closing proceeds from Rudy, Coyner & Associates.

STAFF RECOMMENDATION: No new local funds are required.

Waterline Expenses

Please supplement by consent and appropriate the following:

082-1800-5101 Electrical Services	\$907.08
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082-1800-5203 Telecommunications	\$64.80
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TOTAL:	\$971.88
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RE: Reimbursement from the Town of Appomattox for waterline expenses.

STAFF RECOMMENDATION: No new local funds are required.

Animal Shelter Operations

Please supplement by consent and appropriate the following:

3501-5413 Spay/Neuter Program	\$1,098.18
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3501-5804 Donations \$950.00
TOTAL: \$2,048.18

RE: Funds received through adoptions (\$900.00); DMV funds received from animal-friendly license plates (\$198.18); Donations received for animal shelter (\$950.00). STAFF RECOMMENDATION: No new local funds are required.

Sheriff's Department

Please transfer by consent **\$47,495.00** from the State Asset Forfeiture Fund to the General Fund and appropriate to 3102-5408 Vehicle Equipment/Gas for the purchase of a 2024 Chevrolet Silverado pursuit vehicle.

Please supplement by consent and appropriate the following:

3102-1002 Overtime \$8,841.47
3102-1003 Part-Time Salaries \$1,591.59
3102-3005 Maintenance Service Contract \$90.00
3102-5408 Vehicle Equipment/Gas \$3,567.73

TOTAL: \$14,090.79

RE: Reimbursement from DCJS for TDO/ECO hours worked by deputies (\$650.00); Reimbursement from The City of Lynchburg for CIT plus FICA hours worked by Deputies Brown, Meeks and Walker (\$4,074.27); Reimbursement from the School Board for security performed by deputies at the AMS and ACHS sporting events (\$4,117.20); Reimbursement from the School Board for extra school security performed by deputies (\$1,591.59); Reimbursement from TMDE Calibration Labs, Inc. for labor that was double charged (\$90.00); Reimbursement from VACORP insurance for damages to a 2020 Ford Explorer (\$3,567.73);

STAFF RECOMMENDATION: No new local funds are required.

Road Side Clean-Up

Please supplement by consent and appropriate the following:

4209-1003 Part-Time **\$1,318.75**

RE: Reimbursement from VDOT for February 2025 trash pick-up.

STAFF RECOMMENDATION: No new local funds are required.

Social Services Administration

Please supplement by consent and appropriate to the following:

5301-5305 Vehicle Insurance **\$3,690.61**

RE: Reimbursement from DSS for vehicle insurance.

STAFF RECOMMENDATION: No new local funds are required.

General Properties

Please supplement by consent and appropriate the following:

4302-5101 Electrical Services \$3,017.18
4302-5103 Water/Sewer Services \$146.22

TOTAL: \$3,163.40

RE: Reimbursement from DSS for electric and water usage at the Community Center.

STAFF RECOMMENDATION: No new local funds are required.

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

ATTORNEY'S REPORT

None

ADMINISTRATOR'S REPORT

Ms. Adams shared the County Administrator's report noting:

- The FY24 draft audit is being reviewed and will be presented at a future meeting.
- The Courthouse construction progress and projected completion date of July 3, 2025.
- The action taken at the recent Region 2000 Landfill Authority meeting.
- The developing concern of DSS employees about security at the Community Center location, and the DSS request to move back to the Court St. location.
- Progress that is being made to recover from the cybersecurity incident.
- Possible VITA grant to aid in network improvements.
- The plans to research options for current and future water needs.
- Teresa Davis accepted the position of Community Engagement Coordinator.
- Health insurance presentation and renewal.

REPORTS AND INFORMATIONAL ITEMS

- School Financial Report

SUPERVISOR CONCERNS

None

CLOSED SESSION

Chairman Hinkle, 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 regarding specific legal matters requiring the provision of legal advice related to the sale of publicly held land located in the Appomattox River District;
2. Consultation with legal counsel regarding specific legal matters requiring the provision of legal advice related to the Region 2000;
3. A discussion regarding the assignment, appointment, and performance of specific employees related to animal control.
4. Consultation with legal counsel regarding specific legal matters requiring the provisions of legal advice related to the VoTech Center.

Pursuant to Section 2.2-3711(A)(8) and (A)(1), respectively.

Motion made by Mr. Hinkle, seconded by Mr. Wolfskill, to enter into closed session at 7:51 p.m. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Carter-yes, Mr. Hinkle-yes. Rev. Jones was absent.

Mrs. Wanda McCormick read the following closed session certification at 8:51 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; Mr. Carter-yes; Mr. Hinkle-yes; Mr. Wolfskill-yes. Rev. Jones was absent.

UPCOMING MEETINGS

Tuesday, March 25, 2025 @ 6:00 p.m.

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

Monday, April 21, 2025 @ 6:00 p.m.

Regular Scheduled Meeting
Board of Supervisors Meeting Room
Appomattox, Virginia 24522

ADJOURNMENT

Motion made by Mr. Carter, seconded by Mr. Hinkle and carried with all other members present voting yes, to adjourn at 8:58 p.m.

John Hinkle, Chairman