

**BOARD OF SUPERVISORS MEETING
MONDAY, OCTOBER 18, 2021
6:00 P.M.**

The Appomattox County Board of Supervisors held a scheduled meeting on Monday, October 18, 2021 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
William H. Hogan	Appomattox River District
John F. Hinkle	Falling River District
Trevor L. Hipps	Wreck Island District

Remotely via telephone @ 3421 E. Gulf Beach Drive, Eastpoint, Florida

Watkins M. Abbitt	Piney Mountain District
-------------------	-------------------------

Also, Present:

Susan M. Adams, County Administrator
Tom Lacheney, County Attorney
Johnnie Roark, Community Development Director
Wanda McCormick, Administrative Assistant/Accounts Payable Clerk
Kayla Marshall, Finance Officer Administrator
Ace Bailey, IT Manager

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

Pledge of Allegiance

Invocation – Mr. Hinkle

WORK SESSION

Chief Jonathan Garrett with the Appomattox Volunteer Fire Department appeared before the Board and discussed a future project for a Training Facility located off of Poorhouse Road (County landfill property) for the Board's consideration to lease the property for this project.

SETTING OF AGENDA

Mrs. Susan Adams, County Administrator requested that the Agenda be amended to include the Lynchburg Humane Society invoice for \$43,500 that is included in the Consent Agenda; appearances by Mr. Les Fleet, Commonwealth Attorney and Mr. Donnie Simpson, Sheriff. Chairman Carter added the Lynchburg Humane Society invoice as Item #1A; Appearance by Mr. Les Fleet, Commonwealth Attorney as Item #1B; Appearance by Mr. Donnie Simpson, Sheriff as Item #1C. Motion made by Mr. Hinkle, seconded by Mr. Hogan and

carried with all members present and Mr. Abbitt participating remotely via telephone, voting yes to approve the Agenda, as amended.

Mr. Les Fleet, Commonwealth Attorney appeared before the Board and discussed the Part-time Domestic Victim grant position becoming a Full-time position for the Board's consideration. No action was taken.

Mr. Donnie Simpson, Sheriff appeared before the Board and discussed an increase in juvenile ECO (Emergency Custody Order) and TDO (Temporary Detention Orders) that are tying up deputies for up to 94 hours at a time. The Board suggested that the County Attorney prepare a Resolution for discussion at the November, 2021 meeting.

PUBLIC HEARING (7:00 P.M.) – Public Hearing_2021 Comprehensive Plan Review/Update

At 7:00 p.m. after due notice was given, Chairman Carter called the Public Hearing to order for the 2021 Comprehensive Plan Review/Update. After receiving no comments, the Public Hearing was closed at 7:01 p.m.

Motion made by Mr. Abbitt (remotely via telephone), seconded by Mr. Hinkle and carried with all members present, voting yes to table the Comprehensive Plan Review/Update to the November, 2021 meeting.

ACTION ITEMS

Special Event Permit Application - The Kind Cup

A Special Event Permit Application was submitted by Be Kind Productions, LLC (event organizer) and Mr. Tim Johnson (promoter) for The Kind Cup to be held on November 6, 2021 at the DeVault Vineyards in Concord, VA. Mr. Tim Johnson appeared before the Board and discussed the cannabis education event. The Sheriff, Public Safety Director, Building Inspector, Zoning Administrator and County Administrator have reviewed and approved the application.

Motion made by Mr. Abbitt (remotely via telephone), seconded by Mr. Carter to approve the Special Event Permit request for The Kind Cup, as presented to include the bond fee waiver. Chairman Carter called for a roll call vote: Mr. Hinkle, no; Mr. Hipps, no; Mr. Hogan, no; Mr. Abbitt-yes (remotely via telephone); Mr. Carter-yes. Motion failed with a 2-3 vote.

Town of Appomattox - Out-of-Town Water Rate Increase

Motion made by Mr. Abbitt (remotely via telephone), seconded by Mr. Hogan to authorize the Chairman to execute an amendment to the Town of Appomattox water contract to allow the Town to set their rates as the Town Council deems necessary. Chairman Carter called for a roll call vote: Mr. Hinkle, yes; Mr. Hipps, no; Mr. Hogan, yes; Mr. Abbitt-yes (remotely via telephone); Mr. Carter-yes.

Schedule a Public Hearing-RZ210610-D&D Land Holdings LLC

Motion made by Mr. Hipps, seconded by Mr. Hogan and carried with all members present and Mr. Abbitt participating remotely via telephone, voting yes to authorize staff to schedule and advertise a Public Hearing for November 16, 2021 to receive public comments on the rezoning petition.

American Rescue Plan Act Bonus for Sworn Sheriffs & Sheriffs' Deputies

Motion made by Mr. Hinkle, seconded by Mr. Hogan and carried with all members present and Mr. Abbitt participating remotely via telephone, voting yes to authorize staff to schedule and advertise a Public Hearing for November 16, 2021 to receive public comments for seven (7) locally funded sworn deputies to receive the \$3,000 bonus plus FICA in the amount of \$26,049. ARPA funds can be approved to fund this expense.

2021 VACo Annual Conference

The 2021 VACo annual conference is scheduled for November 14-16, 2021 at the Hilton Norfolk The Main. Mr. Hinkle will be attending the conference along with the County Administrator. The Board had discussion on whether to change the date of the next Board meeting which is scheduled for Monday, November 15, 2021.

Motion made by Mr. Hogan, seconded by Mr. Hipps and carried with all members present and Mr. Abbitt participating remotely via telephone, voting yes to reschedule to Board of Supervisors meeting to Tuesday, November 16, 2021 at 6:30 p.m.

Economic Development Authority -Local Tax Reimbursement Grant

Motion made by Mr. Hinkle, seconded by Mr. Hogan to transfer by consent \$72,522.41 from the General Fund and supplement to 8105-6007 Special Projects for the Board of Supervisors local tax grant. Chairman Carter called for a roll call vote: Mr. Hinkle, yes; Mr. Hipps, yes; Mr. Hogan, yes; Mr. Abbitt-yes (remotely via telephone); Mr. Carter-yes.

Sheriff's Department - Asset Forfeiture Account

Motion made by Mr. Hipps, seconded by Mr. Hinkle to transfer by consent \$10,000.00 from the Asset Forfeiture account to the General Fund and appropriate to 3102-5816 Asset Forfeiture. Chairman Carter called for a roll call vote: Mr. Hinkle, yes; Mr. Hipps, yes; Mr. Hogan, yes; Mr. Abbitt-yes (remotely via telephone); Mr. Carter-yes.

Circuit Court - Law Library

Motion made by Mr. Hinkle, seconded by Mr. Hipps to transfer by consent \$99.08 from the Law Library Fund to the General Fund and supplement to 2101-5804 Law Library. Chairman Carter called for a roll call vote: Mr. Hinkle, yes; Mr. Hipps, yes; Mr. Hogan, yes; Mr. Abbitt-yes (remotely via telephone); Mr. Carter-yes.

**Property Requested for Surplus
Old Elementary School Storage**

- One (1) DELL PowerEdge 840 server
- One (1) DELL PowerEdge 1900 server

One (1) DELL PowerEdge 2800 server
One (1) IBM server from 1999
Two (2) very old desktop computers
Keyboards and other accessories
Metal-framed 3-seat office seating
IBM 3243 printer with stand
Five (5) base cabinets, four (4) with matching bookcases
Two (2) homemade tables

Motion made by Mr. Hinkle, seconded by Mr. Hogan to declare the above property as surplus and authorize the Purchasing Agent to advertise for public sale. Chairman Carter called for a roll call vote: Mr. Hinkle, yes; Mr. Hipps, yes; Mr. Hogan, yes; Mr. Abbitt-yes (remotely via telephone); Mr. Carter-yes.

Commissioner of the Revenue Refund Requests

Motion made by Mr. Hinkle, seconded by Mr. Hogan to refund Phyllis Siravo \$317.24 for 2021 personal property taxes. The vehicle was sold December 31, 2020; Refund Leah M. Hafner \$54.09 for 2021 personal property taxes. The vehicle is registered in Lynchburg, VA. Chairman Carter called for a roll call vote: Mr. Hinkle, yes; Mr. Hipps, yes; Mr. Hogan, yes; Mr. Abbitt-yes (remotely via telephone); Mr. Carter-yes.

COMMITTEE APPOINTMENTS

2021 Redistricting Committee Appointments

Mr. Hinkle nominated Mr. Lannis Selz to serve on the Redistricting Committee. Mr. Hipps nominated Mr. Tommy Adams and Mr. Carter nominated Mr. Tom Ford to serve on the committee. Mr. Hogan and Mr. Abbitt are willing to serve as members from the Board of Supervisors.

Motion made by Mr. Hinkle, seconded by Mr. Hipps and carried with all members present and Mr. Abbitt participating remotely via telephone, voting yes to appoint Mr. Lannis Selz, Mr. Tommy Adams, Mr. Tom Ford, Mr. Bill Hogan and Mr. Watkins Abbitt to the 2021 Redistricting Committee.

CONSENT AGENDA

Invoices Submitted for Payment

Please review the attached invoices and approve for payment:

October 4, 2021	\$ 49,016.25
October 14, 2021 Grand Jury	\$ 990.00
October 15, 2021 CSA	\$186,233.05
October 18, 2021	\$530,273.37
TOTAL:	\$766,512.67

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

Minutes

Please review the following DRAFT minutes for approval:
September 20, 2021 Regular Board of Supervisors Meeting

Children's Services Act - CSA

Please supplement by consent and appropriate the following to **FY 2021** CSA operating budget:

5310-3001	Professional Services	\$204.00
-----------	-----------------------	-----------------

RE: Reimbursement from the Department of Social Services for services paid through CSA.

STAFF RECOMMENDATION: No new local funds are required.

Public Utilities - Waterline

Please supplement by consent and appropriate the following:

082-1800-5101	Electric Services	\$283.38
---------------	-------------------	----------

082-1800-5203	Telecommunications	\$59.64
---------------	--------------------	---------

TOTAL:	\$343.02
---------------	-----------------

RE: Reimbursement from the Town of Appomattox for August, 2021 waterline electrical and telecommunication services.

STAFF RECOMMENDATION: No new local funds are required.

J. Robert Jamerson Memorial Library

Please supplement by consent and appropriate the following:

7301-5411	Books	\$15.00
-----------	-------	---------

7301-5401	Office Supplies	\$273.00
-----------	-----------------	----------

TOTAL:	\$288.00
---------------	-----------------

STAFF RECOMMENDATION: No new local funds are required.

Department of Social Services

Please supplement by consent and appropriate the following:

5301-2002	VRS	\$13,223.66
-----------	-----	-------------

5301-2006	Group Life	\$972.51
-----------	------------	----------

5301-2002	ICMA-RC	\$1,512.29
-----------	---------	------------

TOTAL:	\$15,708.46
---------------	--------------------

RE: Reimbursement from DSS for September, 2021 payroll deductions.

STAFF RECOMMENDATION: No new local funds are required.

Motion made by Mr. Hogan, seconded by Mr. Hinkle to approve the Consent Agenda, as amended. Chairman Carter called for a roll call vote: Mr. Hinkle, yes; Mr. Hipps, yes; Mr. Hogan, yes; Mr. Abbitt-yes (remotely via telephone); Mr. Carter-yes.

ADMINISTRATOR'S REPORT

- Lynchburg Humane Society has accepted the terms to the agreement and is willing to help the County in anyway.
- Thanks to the Woodmen of the World, Mr. Rodney Deaner and Mr. Allen Austin for the volunteer work they performed, (trimmed shrubbery, pressure washed building, and landscaping) at the Animal Shelter.
- Firefly invitation to attend "The Celebration of 10,000 Connections"
- Railroad Festival Committee's appreciation for the County's contribution to the festival.

REPORTS AND INFORMATIONAL ITEMS

Appomattox County High School Construction Update

School - Financial Report

Robert E. Lee Soil & Water Conservation District Board of Directors Meeting Minutes

Appomattox Department of Social Services - 4th Quarter dashboard of services

SUPERVISOR CONCERNS

Mr. Hinkle expressed his concerns about the wash board road conditions on Old Evergreen Road.

Mr. Hogan thanked the deputies for the hard work performed in the community and noted that October 28th is National First Responders Day. He also thanked Mrs. Susan Adams and the Railroad Festival Committee for the hard work and dedication to the festival.

Mr. Carter thanked the Railroad Festival Committee and all the Town businesses that remained open during the festival.

UPCOMING MEETINGS

Monday, November 16, 2021 @ 6:30 PM

Regular Scheduled Meeting

Board of Supervisors Meeting Room

171 Price Lane, Appomattox, Virginia 24522

CLOSED SESSION

Mr. Lacheney, County Attorney read the following Resolution to authorize a Closed Meeting:

WHEREAS, the Board of Supervisors of Appomattox County desires to discuss in Closed Meeting the following matter(s):

Discussion concerning a prospective industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in Appomattox County.

Consultation with legal counsel pertaining to actual or probable litigation, where such

consultation in open meeting would adversely affect the negotiating or litigating posture of the public body concerning the Authority Trash suit..

Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel concerning the Registrar.

WHEREAS, pursuant to: §2.2-3711 (A)(7) (A)(8) and (A)(5) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Appomattox County does hereby authorize discussion of the aforestated matters in Closed Meeting.

Motion made by Mr. Hinkle, seconded by Mr. Hogan and carried with all members present and Mr. Abbitt participating remotely via telephone, voting yes to enter into closed session at 8:03 p.m.

Mrs. Wanda McCormick read the following closed session certification at 8:43 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. Hogan, yes; Mr. Carter, yes; Mr. Hinkle, yes; Mr. Abbitt, yes (remotely via telephone).

ADJOURNMENT

Motion made by Mr. Hinkle, seconded by Mr. Carter and carried with all other members present and Mr. Abbitt participating remotely via telephone, voting yes to adjourn the meeting at 8:44 p.m.

Samuel E. Carter, Chairman