

The Appomattox County Board of Supervisors held a scheduled meeting on Monday, May 21, 2018 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, Chairman
Watkins M. Abbitt	Piney Mountain District
William H. Hogan	Appomattox River District
Chad E. Millner	Falling River District, Vice-Chair
Bryan A. Moody	Wreck Island District

Also Present:

Susan M. Adams, County Administrator
Kelley Kemp, County Attorney
Johnnie Roark, Community Development Director
John Spencer, Information Systems Manager/Purchasing Agent
Vicky Phelps, Finance Director

Call to Order at 6:00 p.m. by Chairman Carter
Handicap Accessibility Statement-Susan Adams, County Administrator
Pledge of Allegiance
Invocation-Chairman Carter

Setting of Agenda
There were no changes to the Agenda

WORK SESSION (6PM)

CLOSED SESSION

Closed Session - Possible Land Acquisition

Chairman Carter stated that during the April 2018 Closed Session, the Board instructed staff to invite Mr. Frank Davis, CCUSA and Mr. Jeff Elder, Town of Appomattox to the May meeting to discuss potential project activity and land acquisition.

Ms. Kemp read the following Closed Session Certification:

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

Discussion or consideration of the acquisition of real property with respect to CCUSA for a public purpose, and the consideration for the CVCC lease property to the community college, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. §202-3711(A) (3)

Whereas, pursuant to: §2.2-3711(A) (3) of the Code of Virginia, such discussion may occur in Closed Meeting.

Now, Therefore, Be It Resolved that the Board of Supervisors of Appomattox County does hereby authorize discussion of the aforesated matters in Closed Meeting.

Chairman Carter invited Mr. Jeff Elder, Mr. Frank Davis, Mayor Harvey and Gary Shanaberger, Town Manager to participate in the Closed Meeting.

Mr. Abbitt made a motion to enter into Closed Session at 6:02 p.m. and to include, Mr. Jeff Elder, Mr. Frank Davis, and Mayor Harvey and Mr. Gary Shanaberger, Town Manager to participate. Mr. Millner seconded Mr. Abbitt's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Millner made a motion to recess the closed session and return to regular session at 6:34 p.m. Mr. Abbitt seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Abbitt made a motion for staff to proceed with negotiations to purchase property that will enhance the water system. Mr. Millner seconded Mr. Abbitt's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

APPEARANCES

Resolution for Appomattox County High School SkillsUSA Entrepreneurship Team

Chairman Carter stated that the Appomattox County High School SkillsUSA Entrepreneurship Team has competed in the Regional, State, and National Competitions since 2016 and has finished 1st place in each event every year. They recently competed on April 21, 2018 in Virginia Beach, Virginia and won the State Competition for the 3rd consecutive year. The Board of Supervisors has invited the team members and advisor to be recognized for their outstanding representation of Appomattox County and accomplishment.

Chairman Carter read the following resolution:

Resolution in Honor of the Appomattox County High School SkillsUSA Entrepreneurship Team

Whereas, SkillsUSA is a Career and Technical Education student organization emphasizing leadership and professionalism that allows students to showcase their talents through regional, state, and national leadership and skills competitions; and

Whereas, SkillsUSA Entrepreneurship is a team event that tests students' knowledge of starting a business by developing business plans identifying needed products or services in a local market, with emphasis placed on financial planning and practicality of product or service; and

Whereas, SkillsUSA Entrepreneurship teams give oral presentations based on their written plans, with the team required to successfully answer questions by a panel of judges in response to typical problems encountered by entrepreneurs during their first year of business; and

Whereas, the Appomattox County High School SkillsUSA Entrepreneurship Team was established in 2016; and

Whereas, the Appomattox County High School SkillsUSA Entrepreneurship Team has competed in the Regional, State, and National Competitions since 2016 and has finished in 1st place in each event every year, even with team members changing annually; and

Whereas, the Appomattox County High School SkillsUSA Entrepreneurship Team envisioned, researched and created a business called Alert Works; and

Whereas, the Appomattox County High School SkillsUSA Entrepreneurship Team, featuring lead presenter Nathan Simpson, a consistent and effective leader, and two outstanding freshmen, Liam Bennett and Bryce Gunter, won the State Competition in Virginia Beach, Virginia, on April 21, 2018.

And now, therefore, be it resolved, that with great pride, the Appomattox County Board of Supervisors honors and commends the members and the advisor, Jason Clark, of the Appomattox County High School SkillsUSA Entrepreneurship Team for their talents and skills in business plan creation, business operation, and business presentation, abilities that have positioned the team to become the Commonwealth of Virginia's first back-to-back-to-back National Champions if victorious at the National Competition in Louisville, Kentucky June 24-29, 2018.

Let it be further resolved that the Appomattox County Board of Supervisors looks forward to the members of the Appomattox County High School SkillsUSA Entrepreneurship Team becoming successful business owners, employers and productive members of the Appomattox Community.

Mr. Hogan made a motion to adopt the resolution as presented. Mr. Abbitt seconded Mr. Hogan's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Chairman Carter and Supervisor Hogan presented the adopted resolution to Mr. Bryce Gunter, Mr. Nathan Simpson, Mr. Liam Bennett and Mr. Jason Clark, Advisor, for their outstanding accomplishment.

Resolution in Honor of Major General Robert M. Dyess, Jr., USA, Retired

Chairman Carter stated that Major General Robert M. Dyess, Jr., a native of Appomattox County and a 1978 graduate of Appomattox County High School will conclude a 36 year service career on October 1, 2018 with his retirement from the United States Army, a career recognized by numerous military decorations including the Distinguished Service Medal, Legion of Merit, Bronze Star and the French National Order of Merit. Major General Robert M. Dyess Jr. will attend a future meeting of the Board of Supervisors to be recognized for 36 years of outstanding

service in defense of the United States of America, being a positive role model and hometown hero to the Appomattox Community.

Chairman Carter read the following Resolution:

Resolution in Honor of Major General Robert M. Dyess, Jr., USA, Retired

WHEREAS, Major General Robert M. Dyess, Jr., is a native of Appomattox County and a 1978 graduate of Appomattox County High School; and

WHEREAS, Major General Robert M. Dyess, Jr., graduated from the United States Military Academy at West Point, New York in 1982 and was commissioned as an Infantry Officer in the United States Army; and

WHEREAS, Major General Robert M. Dyess, Jr., has held numerous command and staff assignments including Platoon Leader, Battalion Adjutant, Rifle Company Commander, Headquarters Company Commander, Battalion Operations Officer, Deputy Division G-3, and Brigade Executive Officer during assignments in the 82nd Airborne Division at Fort Bragg, North Carolina, the 3rd Infantry Division (Mechanized) in both Germany and at Fort Stewart, Georgia, and in the Eighth U.S. Army, Korea; and

WHEREAS, Major General Robert M. Dyess, Jr., served as a Tactical Officer, United States Army School of the Americas in Panama, participated in combat operations during OPERATION URGENT FURY, in Grenada, and served as a Force Integration Officer, Office of the Deputy Chief of Staff for Operations and Plans, in the Pentagon; and

WHEREAS, Major General Robert M. Dyess, Jr., served from 2000 to 2008 as a Force Integration Officer and Force Management Officer with the First Army at Fort Gillem, Georgia, and later, as the Director, Force Integration, Deputy Chief of Staff, G-3/5/7, United States Army Forces Command, Fort McPherson, Georgia; and

WHEREAS, Major General Robert M. Dyess, Jr., served from June 2008 until August 2009 as the Division Chief for Force Integration, Combined Security Assistance Command – Afghanistan, and as part of OPERATION ENDURING FREEDOM, Afghanistan; and

WHEREAS, Major General Robert M. Dyess, Jr., upon his redeployment from Afghanistan, was assigned to TRADIC Headquarters where he served as Director, Requirements Integration, Army Capabilities Integration Center (ARCIC), from August 2009 until May 2012, followed by service as Director, Force Development, Office of the U.S. Army Deputy Chief of Staff, G-8 from June 2012 until June 2015; and

WHEREAS, Major General Robert M. Dyess, Jr., assumed duties as the Deputy Director, Army Capabilities Integration Center on July 6, 2015; and

WHEREAS, Major General Robert M. Dyess, Jr., will conclude a 36-year service career on October 1, 2018 with his retirement from the United States Army, a career recognized by numerous military decorations including the Distinguished Service Medal, Legion of Merit, Bronze Star and the French National Order of Merit.

NOW THEREFORE BE IT RESOLVED THAT the Appomattox County Board of Supervisors does hereby officially recognize Major General Robert M. Dyess, Jr., for his many years of outstanding service in defense of the United States of America and for being a positive role model and

hometown hero to the Appomattox Community.

Mr. Moody made a motion to adopt the resolution as presented. Mr. Abbitt seconded Mr. Moody's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Timothy & Jessica Coverdale - Appomattox County Fence Laws

Chairman Carter stated that Timothy & Jessica Coverdale requested to appear before the Board to discuss Appomattox County fence laws for animals, goats, pigs, etc.

After lengthy discussion, with a group of concerned citizens who came forward and spoke of concerns of their neighbors who allow their animals (goats, pigs) to destroy other's property. They would like to propose that the Board consider a willful negligence ordinance to help with these issues.

Ms. Kemp stated that the County Attorney would need to review options for a solution as she is not certain that the Board can adopt a negligence ordinance.

After discussion, it was a consensus of the Board to have the County Administrator and County Attorney review options of possible solutions and bring back to the Board for discussion.

Mr. Jonathan Garrett, Chief - Appomattox Volunteer Fire Department

Mr. Jonathan Garrett, Chief of the Appomattox Volunteer Fire Department appeared before the Board and provided an update on the Fire Department's activities.

PUBLIC HEARING (7:00 PM)

Joint Public Hearing with VDOT - Secondary Six-Year Road Plan

Chairman Carter stated that after being duly advertised, a Joint Public Hearing with VDOT will be held to receive public comment on the proposed Secondary Six-Year Road Plan for Fiscal Years 2019 through 2024 and on the Secondary System Construction Budget for Fiscal Year 2018/2019 for Appomattox County. During this time, Appomattox County citizens are afforded the opportunity to make comments and recommendations concerning the proposed plans.

Robert Brown, VDOT Assistant Resident Administrator was present to address any questions and/or concerns.

Hearing no public comment, Chairman Carter presented the following resolution for approval:

Resolution

WHEREAS, Section 33.2-358 and 33.2-364 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2018/19 through 2023/24) as well as the Construction Priority List (2018/19) on May 21, 2018 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Robert Brown, Assistant Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2018/19) through 2023/24) and the Construction Priority List (2018/19) for Appomattox County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interest of the Secondary Road System in Appomattox County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2018/19 through 2023/24) and Construction Priority List (2018/19) are hereby approved as presented at the public hearing.

Mr. Millner made a motion to approve the resolution as presented. Mr. Hogan seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

ACTION ITEMS

Resolution for Personal Property Tax Relief Program

Chairman Carter stated that in accordance with the requirements set forth in the Code of Virginia for the Personal Property Tax Relief Program qualifying vehicles situated within the County commencing January 1, 2012 should receive personal property tax relief. The 2018 PPTRA rate is 31.20% for personal use vehicles valued at \$1,001 to \$20,000.

RESOLUTION

BE IT RESOLVED THAT in accordance with the requirements set forth in Section 58.1-39524 (C) and Section 58.1-3912(E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in item 503.E (Personal Property Tax Relief Program) of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle situated within the County commencing January 1, 2012, shall receive personal property tax relief in the following manner:

- Personal use vehicle valued at \$1,000 or less will be eligible for 100% tax relief;
- Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 31.20% of tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 31.20% tax relief on the first \$20,000 of value; and
- All other vehicles which do not meet the definition of "qualifying" (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.

Mr. Abbitt made a motion to adopt the 2018 Personal Property Tax Relief Program Resolution per recommendation of the Commissioner of the Revenue. Mr. Hogan seconded Mr. Abbitt's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Commissioner of Revenue Refund Request

Chairman Carter stated that Ms. Henderson, Commissioner of Revenue, is requesting refunds for the following from line item 1209-5803:

1) Refund Wayne M. Pettit for personal property taxes that he paid in 2017 for \$247.80 to Appomattox County. Mr. Pettit resides in Accomack County and paid 2017 personal property taxes to that jurisdiction.

2) Refund Thomas Moore, Jr. for personal property taxes paid in 2017 for \$125.89. Item was sold prior to January 1, 2017.

Mr. Abbitt made a motion to approve the Refund for Wayne M. Pettit \$247.80 and Thomas Moore Jr., \$125.89 for personal property taxes per request of the Commissioner of Revenue. Mr. Hogan seconded Mr. Abbitt's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

COMMITTEE APPOINTMENTS

Courtland Park Foundation Board of Directors Appointments

Chairman Carter stated that at the April 2018 meeting the Board requested that the appointments for the Courtland Park Foundation be tabled to the May 2018 meeting and requested that the recommended appointees complete an application for Citizen Service.

Staff previously reported that letters of resignation had been received from Ms. Sara Carter, Mrs. Donna Deaner, and Mr. Jonathan Watson. Since the April 2018 meeting, Mrs. Teresa Lawson whose term has also expired, submitted her letter of resignation, (a copy of her request is attached).

After discussion, Mr. Hogan made a motion to appoint Mr. Samuel Carter, Mr. Phillip Jamerson, Ms. Laura Dawson and Ms. Taylor Webster to serve on the Courtland Park Foundation Board of Directors. Mr. Millner seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Abbitt made a motion to set these appointments for a two-year term. Mr. Hogan seconded Mr. Abbitt's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

The County Administrator was instructed to notify Mr. Rasey that his application would be considered at the next vacancy.

CONSENT AGENDA

Invoices Submitted For Payment

Please review the attached invoices and approve for payment:

May 3, 2018	\$53,378.46
May 10, 2018	\$7,346.72
May 21, 2018	\$573,787.07
TOTAL:	\$634,512.25

Staff Recommendation: Approval of the attached invoices for payment.

Minutes

Please review the following DRAFT minutes for additions, corrections or questions:

Joint Work Session with School Staff - March 27, 2018

Scheduled Meeting - April 16, 2018

Joint Meeting with School Board - April 25, 2018

Budget Work Session-April 25, 2018

Sheriff's Department

Please supplement by consent and appropriate the following:

3106-5401	DARE	\$1,460.00
RE: Donations for Sheriff's Night Out		

Staff Recommendation: No new local funds are required.

Sheriff's Department

Please supplement by consent and appropriate the following:

3102-1002	Overtime	\$2,078.96
3102-5408	Vehicle Power Equipment Supplies	\$4,298.40
3102-5503	Travel (Subsistence/Lodging)	\$273.32

RE: Reimbursement for security performed by one deputy at the School Board Meeting (\$99.44); security performed at the High School basketball games (\$1,340.96); security performed at the Appomattox County Democratic Committee (\$47.08); security performed at the Express Lane (\$591.48); Reimbursement from VACORP for repairs to 2012 Dodge Charger VIN#8830 (\$466.70) and repairs to 2012 Dodge Charger VIN#8831 (\$3,831.70); Reimbursement from Virginia Sheriff's Institute for Sheriff's Conference (\$273.32).

Staff Recommendation: No new local funds are required.

J. Robert Jamerson Memorial Library

Please supplement by consent and appropriate the following:

7301-5411	Books	\$624.94
7301-5401	Office Supplies	\$953.03
7301-5415	Summer Reading	\$513.25
	TOTAL:	\$2,091.22

Staff Recommendation: No new local funds are required.

Department of Social Services

Please supplement by consent and appropriate the following:

5301-2002	VRS	\$7,883.92
5301-2006	Group Life	\$592.10
5301-2002	ICMA-RC	\$405.48
	TOTAL:	\$8,881.50

RE: Reimbursement for April 2018 payroll deductions.

Staff Recommendation: No new local funds are required.

Information Technology

Please supplement by consent and appropriate the following:

1220-5203	Telecommunications	\$275.00
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RE: Reimbursement from the Town of Appomattox for long distance telephone services, (August 2017 thru June 2018).

Staff Recommendation: No new local funds are required.

Commonwealth Attorney's Office

Please supplement by consent and appropriate the following:

2201-5504	Travel (Convention/Education)	\$1,394.72
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RE: Reimbursement from the Commonwealth's Attorneys' Services Council (CASC) for office personnel attendance at the 2018 Spring Institute.

Staff Recommendation: No new local funds are required.

Landfill

Please supplement by consent and appropriate the following:

4205-3002 Professional Service

\$1,295.00

RE: Reimbursement from Draper Aden Associates for an invoice that should have been paid to Eurofins Lancaster Laboratories.

Staff Recommendation: No new local funds are required.

CDBG Urgent Need Grant

Please supplement by consent and appropriate the following:

8101-5899 Non-CDBG/Leverage

\$37,208.75

RE: Tornado recovery project funds for Sandra Burchett.

Staff Recommendation: No new local funds are required.

Mr. Hogan made a motion to approve the Consent Agenda as presented. Mr. Moody seconded Mr. Hogan's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

ATTORNEY'S REPORT

Ms. Kemp reported that the Wampler & Eanes Appraisal was chosen to complete the upcoming reassessment. Ms. Kemp stated that a motion was needed to enter in an agreement with Wampler & Eanes Appraisal.

After discussion, Mr. Hogan made a motion to enter into contract with Wampler & Eanes Appraisal at the discussed \$15 per parcel. Mr. Millner seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, nay; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

ADMINISTRATOR'S REPORT

Ms. Adams provided the Board with a written Administrators Report (Board file) and reminded the Board of the June 5, 2018 scheduled Budget Work Session for 6pm.

Ms. Adams provided the Board with the following dates to advertise, meet and to finalize the FY19 budget:

June 11 – Advertise the Proposed FY-19 Budget

June 18 - Public Hearing on Proposed FY-19 Budget

June 27 - Approval of the FY-19 Budget.

Mr. Hogan made a motion to approve the provided dates to advertise, meet and to finalize the FY19 budget. Mr. Millner seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Ms. Adams reported that Carver Price Alumni had completed an application with the Town of Appomattox in order to hold a fundraiser at Carver Price Museum. Ms. Adams explained that the County must sign the application. It was the consensus of the Board to allow Ms. Adams to sign the event application for Carver Price Alumni.

Having no further business, Mr. Millner made a motion to return to closed session at 7:52 pm to complete discussion that was not completed in the earlier session. Mr. Hogan seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Hogan made a motion to return to regular session at 8:10 pm. Mr. Abbitt seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

At 8:10 pm, Ms. Phelps read the following Closed Meeting Certification:

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. Ms. Phelps called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Hogan made a motion to authorize the County Administrator to negotiate the Lease Agreement with CVCC to include additional space as requested. Mr. Millner seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

ADJOURNMENT

Mr. Millner made a motion to adjourn the scheduled meeting at 8:14 p.m. Mr. Hogan seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

The regular scheduled meeting of May 21, 2018 adjourned at 8:15 p.m.

Samuel E. Carter, Chairman