

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON MARCH 12, 2014

At the regular Council meeting of the Farmville Town Council held on Wednesday, March 12, 2014, at 7:00 pm in the Council Chamber of the Town Hall located at 116 North Main Street, Farmville, VA, there present were Mayor S.C. Newman, Jr., presiding and Council members D.E. Whitus, D.L. Hunter, S.B. Thompson, T.M. Pairet, J.J. Davis, A.D. Reid and E.I. Gordon.

Staff present was Town Manager, Gerald Spates; Town Attorney, Donald Blessing; Chief of Police, Douglas Mooney; Town Treasurer, Carol Anne Seal; Director of Public Works, Robin Atkins; Town Planner, Cindy Morris and Town Clerk, Lisa Hricko.

Mayor Newman called the meeting to order. Reverend Price gave the invocation and the Pledge of Allegiance was led by Mr. Reid.

PUBLIC COMMENT PERIOD

Mr. Jasper Hendricks, Vice President of the Board of Directors for the New Horizon Community Action Partnership addressed Council. New Horizon offers programs to low income families to help them become self-sufficient. The organization operates out of the Watkins Abbitt Federal Building located on Main Street and services the counties of Amelia, Buckingham, Cumberland, Nottoway, Lunenburg and Prince Edward. Some of the programs offered are reading and computer literacy along with various mentoring programs. Mr. Hendricks said the building was purchased in 2003 with grant funds under the McKinney-Vento Homeless Act. The grant application was supported by the Town Manager and the building was to be used as a temporary homeless shelter. In January of this year, the Department of Health and Human Services inspected the facility and determined that New Horizon was not using the building for its intended purpose, a temporary homeless shelter. Mr. Hendricks said they have met with the Town's Building Official to determine what would have to be done in order to be in code compliance as a temporary homeless shelter; and they currently are in the process of implementing those changes. The temporary shelter will be staffed by specialist who will provide information and guidance regarding employment and housing opportunities. Mr. Hendricks said the New Horizon Community Action Partnership will make a formal presentation to Town Council in the near future.

Ms. Jennifer Cox, Longwood University's Associate Director of Off-Campus Living provided an update on Longwood's off campus living release program. Orientation was held on February 19th. At this point, 340 students have registered to live off-campus next year, with private landlords, which is slightly lower than the University's goal of 400 students. Ms. Cox said next year her position will change, she will be the University's Director of Commuter Life.

Longwood University students Mr. Kevin Bradtke, Director of the Big Event and Mr. John Biegert, Media Director of the Big Event addressed Town Council. Longwood's biggest community service event, "The Big Event" is being held on Saturday, March 29, 2014. Since 2007 the University has participated in "The Big Event" where students sign up to volunteer as a way to give back to the community by raking leaves, repairing fences, painting, plant gardens, mulching, planting trees, etc. The program has grown in both student volunteers and in community participation. In seven years, the program has expanded from 35 job sites to almost one hundred and seen a steady increase in student volunteers from 350 students in 2007 to over 750 students last year. Mr. Biegert provided the website information for registration.

The Town Manager asked that the agenda be set-aside in order to speak on issues regarding the Farmville Regional Airport. He said several guests were in attendance to hear Council discuss the airport issues.

FARMVILLE REGIONAL AIRPORT

Mr. Spates commented on two articles that appeared in the editorial section of the Farmville Herald. He said he does not believe that the Town is "stalling on the airport". Mr. Bill Stratton of WA Stratton Construction Company from Appomattox inspected the hangar and recommends the hangar building come down. Mr. Stratton said it would cost approximately \$150,000 to repair the hangar and it will still be an old hanger building; or you can tear the building down; build a new insulated hangar, using the existing concrete floor for approximately the same price. Mr. Spates said no decision can be made on what the Town is going to put there, until a cost can be determined.

In regards to the second editorial, Mr. Spates said he agrees with the comment the airport is a tremendous asset to the Town of Farmville. But, said he disagrees with the statement: that "the airport is unattractive, unmanned, allowed to deteriorate and bad mouthed by those that profit from it". He said the State and the FAA recently visited the airport to review the Six Year

Plan and commented that the Farmville Regional Airport was one of the nicest general aviation airports in the area.

The Town Manager presented a power point presentation on the airport. He said the Town is very proud of the airport and knows what an asset it is to Farmville. The presentation identified projects listed in the airport's six year plan (2014 – 2020). He spoke briefly on several of the projects mentioning relocating the maintenance building, construct apron and taxiway and obstruction removal. The projects projected total cost is \$13,225,000. The presentation compared the airport's 2013-2014 total budget of \$850,511 to various Town departments. The Town allocates more funds to the airport than to the following Town department: transit system, sanitation department, golf course, recreation department and the fire/rescue squad. From 2009 – 2013 the airport's revenue versus expense was -\$446,196.49. The Town had to transfer almost a half million dollars from the general fund to the airport to cover expenses. Mr. Spates said the Town purchased the golf course for easements needed to protect the airport. In order to move forward with the runway extension, the Town would need drainage easements from the golf course; the past owner of the golf course was opposed to the easements. To say that the Town does not support the airport is inaccurate. Mr. Spates spoke of the \$25,000 fuel system and credit card machine that allows the pilots to get fuel 24 hours a day, 7 days a week. He spoke of the various grants the Town has received and the money, each year, which is transferred from the general fund to the airport fund to offset the airport's debt. Mr. Spates said the terminal building will soon be staffed by town employees to provide customer service, cut grass and assist the general public, seven days a week, except holidays. He welcomes citizens to visit the airport. He reiterated his support of the airport, as well as Town Council's support.

Mr. Spates said he is recommending to Council that the hangar building be taken down because it is a liability to the Town. The Town has been notified by its insurance company that the hangar doors are very dangerous. He said the building is unsafe and must come down. How quickly something else goes up is uncertain, he identified several different options available. Mr. Spates said he is recommending that the building come down and the tenants be given 30 or 45 day notice to vacate building. He suggested a committee be formed to include Council members and people from the airport to discuss options available. Mr. Dunnivant said airport community welcomes the invitation to work with Council and stressed the need for communication. Mayor Newman expressed concerns with the pilots not having a place to store their planes when the

hangar building is torn down. Conversations continued between guests and the Town Manager regarding the airport hangar building and t-hangars.

**REQUEST AUTHORIZATION TO TEAR DOWN THE MUNICIPAL HANGAR BUILDING
AT THE FARMVILLE REGIONAL AIRPORT**

Council spoke in support of the Town Manager's recommendation to tear the building down. Members stressed liability concerns for the Town and need to move forward in a step process, step one - tear the building down, step two - determine needs and cost of replacement, to include input from pilots.

On motion by Dr. Gordon, seconded by Mrs. Thompson and with all Council members voting "aye", the motion to accept the recommendation by the Town Manager and issue the tenants of the municipal hangar building a thirty (30) day notice to vacate the hangar and then proceed with tearing the hangar building down was approved.

Mayor Newman then announced he was vetoing the motion. He said he would like to know the timeframe on constructing a new hangar building before Council takes action on tearing the structure down.

Dr. Gordon addressed Mayor Newman saying Council's motion was to take the hangar building down, by vetoing this action he is placing liability not only on the Town but on individual Council members. Dr. Gordon said he would like the record to show that he is making a public statement that he will not accept any personal liability. He said he felt Mayor Newman had a personal conflict because of his relationship with the Airport and pilots. He commented that last year, the Farmville Regional Airport was named Newman Field in honor of Mayor Newman. He said if Mayor Newman continues with his veto, he is doing a disservice to the Town of Farmville and he may challenge its validity. Mr. Hunter reiterated that the municipal hangar building was condemned in 2008. Town Attorney, Don Blessing suggested Council may want to consider issuing a notice to vacate the hangar building and secure the structure until a decision can be made. Mayor Newman opened the floor for comments from the public.

Guests questioned Council's intent to tear the building down with no plans in place to replace the structure. In addition, guests questioned Council's action to tear the hangar down without consulting a structural engineer, stating in their opinion that the structure was safe and only needed a new roof and doors. Conversations continued and Vice Mayor Reid stated there

was a motion on the floor. Mayor Newman said he was withdrawing his motion to veto and the action before Council was to readdress the motion to tear the municipal hangar building down.

REQUEST AUTHORIZATION TO TEAR THE MUNICIPAL HANGAR BUILDING DOWN

On motion by Dr. Gordon, seconded by Mrs. Thompson and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Davis, Reid and Gordon voting “aye”, the motion to tear the Farmville Municipal Hangar Building down and issue the tenants of the hangar building a thirty (30) day notice to vacate the hangar was approved.

FORMING AN AIRPORT HANGAR BUILDING COMMITTEE AND APPOINTING ITS MEMBERS

On motion by Mr. Reid, seconded by Mr. Whitus and with all Council members voting “aye”, Council followed the recommendation of the Town Manager and created an Airport Hangar Building Committee. Council accepted Mayor Newman’s request and appointed Council members Hunter, Pairet and Davis, along with Mr. Morgan Dunnavant and Dr. Jim Wills.

BACKGROUND: The committee will make recommendations to Council on the most feasible way for the Town to provide rental hangar space for pilots interested in storing their airplane at the Farmville Municipal Airport. Currently there are five (5) pilots with a total of six (6) airplanes being displaced by the removal of the municipal hangar building. The existing rent for hangar space is \$100.00/monthly per airplane.

Vice Mayor Reid called for a five (5) minutes recess before returning to the regular order of business.

REQUEST APPROVAL OF THE MINUTES OF THE FEBRUARY 11, 2014 REGULAR COUNCIL MEETING

On motion by Mr. Davis, seconded by Mr. Pairet and with all Council members voting “aye”, the minutes of the February 11, 2014 regular Council meeting were approved, as presented.

REQUEST APPROVAL OF THE MINUTES OF THE MARCH 5, 2014 REGULAR WORK SESSION

On motion by Mr. Whitus, seconded by Mr. Davis and with Council members Whitus, Hunter, Thompson, Pairet, Davis and Reid voting “aye”, and Council member Gordon “abstaining”, stating he was not present at the meeting, the minutes of the March 5, 2014 regular work session meeting were approved, as presented.

REQUEST APPROVAL OF THE TREASURER'S REPORT

On motion by Mr. Reid, seconded by Mr. Whitus and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Davis, Reid and Gordon voting "aye", the Treasurer's Report was approved, as presented.

REQUEST APPROVAL OF THE PAYMENT OF THE BILLS

On motion by Mrs. Thompson, seconded by Mr. Reid and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Davis, Reid and Gordon voting "aye", payment of the bills was approved, as submitted.

(Bills Printed in Minute Book)

STAFF REPORTS – INFORMATION ONLY

Members received copies of the following monthly staff reports:

- Building Official's Report;
- Property Inspector's Report;
- Recreation Department's Report;
- Meter Tally;
- Sanitation and Recycling Report

Mr. Spates provided an overview of the staff reports and announced that this year's spring cleanup campaign will take place on Monday, April 14th.

TOWN MANAGER'S VERBAL REPORT

Mr. Spates updated Council on various Town projects. He informed members that the joint Library Committee agreed to allocate \$9,000 from the Library Capital Improvement Fund. The funds will be used by the Farmville-Prince Edward Community Library to purchase five (5) computers, and assist with the purchase of a security camera system and an informational kiosk.

In addition, Mr. Spates reported that the Town received several applications for the Market Manager position and will be scheduling interviews shortly. He also said that he is working with County Administrator, Wade Bartlett on the voluntary boundary adjustment request and has forwarded the preliminary information to President Reveley regarding parking matters between the Town and the University.

REQUEST AMENDMENTS TO TOWN ORDINANCE CHAPTER 15 MOTOR VEHICLES AND TRAFFIC

On motion by Mr. Whitus, seconded by Mr. Hunter and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Davis, Reid and Gordon voting “aye”, the motion to accept the recommendation of the Police, Fire and Safety Committee and amend the Town Code Chapter 15 as presented at the March 12, 2014 public hearing was approved. Effective April 1, 2014 ordinance #167 is amended as follows:

Ordinance #167
Chapter 15
MOTOR VEHICLES AND TRAFFIC
Article III. Stopping, Standing and Parking
Division 3. Parking Meter

AMEND:

Sec. 15-127. Parking overtime.

It shall be unlawful for any person to permit a vehicle to remain or to be parked in any parking space adjacent to any parking meter vehicle while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space. It shall be unlawful for any person to cause, allow, permit or suffer any vehicle to be parked overtime or longer than two (2) hours for any parking meter zone; *enforceable twenty-four (24) hours a day.*

AMEND:

Sec. 15-130. Violations; duty of officers; payment of fine.

(b) Each officer shall attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of a provision of the parking meter regulations and instructing such owner when and where to report with reference to such violation. Each such owner may, within ~~five (5) days~~ *fifteen (15) days* of the time when such notice was attached to such vehicle, pay to the treasurer’s office ~~or the police chief~~ a penalty for and in full satisfaction of such violation, the sum of ~~ten dollars (\$10.00) for each hour~~ *twenty-five (\$25.00) for each violation*, or fraction thereof, during which such vehicle occupied such parking space illegally. The failure of such owner to make such payment to the treasurer’s office ~~or the police chief~~ within ~~five (5) days~~ *fifteen days of the time when such notice was attached to such vehicle* shall render such owner subject to the penalties provided for in section 15-135.

(c) *Vehicles parked in violation of this ordinance are subject to towing.*

RESCIND AND ADOPT:

Sec. 15-135 Penalty for non- payment.

~~Any person who shall violate any provisions of this division shall be punished by a fine of not less than five dollars (\$5.00) nor more than fifty (\$50.00) for each offense.~~

Any person who does not pay the fine within fifteen (15) days from time when such notice was attached to such vehicle shall pay double the amount for all fines, with the exception of Parking in a Handicap Space which will be \$200.00

BACKGROUND: The amendments increase the meter parking fine from \$10.00 per violation to \$25.00 per violation and parking fine violations will double fifteen (15) days from offense, from previous five (5) working days. In addition, language has been added to enforce towing of any vehicle illegally parked more than two (2) hours after a ticket is issued and that overtime parking is enforceable 24 hours a day.

REQUEST REAPPOINTMENTS TO THE FARMVILLE INDUSTRIAL DEVELOPMENT AUTHORITY

On motion by Mrs. Thompson, seconded by Mr. Hunter and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Davis, Reid and Gordon voting “aye”, the motion to request the Circuit Court of Prince Edward County reappoint Mr. Jack Houghton, Mr. Perry Carrington and Mrs. Elizabeth Ragland to the Farmville Industrial Development Authority was approved.

BACKGROUND: Members of the Industrial Development Authority serve a four (4) year term. Mr. Carrington, Mr. Houghton and Mrs. Ragland have agreed to continue to serve. Their new terms will expire on February 28, 2018.

REQUEST REAPPOINTMENTS TO THE LOCAL BUILDING OFFICIAL’S BOARD OF APPEALS

On motion by Mr. Whitus, seconded by Mr. Reid and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Davis, Reid and Gordon voting “aye”, the recommendation by the Town Manager to reappoint the following individuals to the Local Building Official’s Board of Appeals was approved:

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|--------------------------|---------------------------|
| Mr. Lynn Ayers | serving a three year term |
| Mrs. Pattie Cooper-Jones | serving a two year term |
| Mr. Gary Atkins | serving a two year term |
| Mr. Robert Winthrop | serving a four year term |
| Mr. Southard Brumfield | serving a four year term |

REQUEST FOR A PARADE PERMIT ON BEHALF OF THE MOTON MUSEUM

On motion by Mr. Reid, seconded by Mr. Davis and with all Council members voting “aye”, the request on behalf of the Moton Museum to hold a “walk” beginning at 10:30 am on Wednesday, April 23 was approved.

BACKGROUND: Students from Fuqua School and Prince Edward County High School will gather at the Moton Museum at 10:30 am to walk to the Prince Edward County Courthouse for a brief program that will take place in the front lawn of the Courthouse. School buses will pick the students up in the municipal parking lot after the program.

INFORMATION - PUBLIC HEARING ON THE SALE OF FOUR ACRES OF LAND

The Code of Virginia requires a public hearing be held on the sale of land. Mr. Nathan Bozarth with Farmville Park LLC has asked Council to consider selling Farmville Park LLC four acres of land adjacent to the Field of Dreams for \$32,000. Mr. Spates said in March a notice was run in the Farmville Herald but no public hearing was held. A public hearing has been scheduled for Tuesday, March 25, 2014. He asked that Council continue this meeting until 12:00 noon on Tuesday, March 25 in order to take action on the request.

FIREMEN’S SPORTS ARENA

On motion by Dr. Gordon, seconded by Mr. Hunter and with all Council members voting “aye”, the recommendation by the Town Manager to use funds from the sale of timber at the Firemen’s Sports Arena for the purchase of lights for the parking areas was approved.

BACKGROUND: Mr. Spates provided Council with a cost breakdown of renovations needed for the Firemen’s Sports Arena. He said the Town has applied for a Centra Foundation grant in the hopes of offsetting some of the expenses. He informed members that the Town received \$20,700 from the sale of timber at the Arena and asked for authorization to move forward with the installing lights in the parking lots.

THE TOWN MANAGER AND/OR STAFF PROVIDED A VERBAL REPORT ON THE FOLLOWING MATTERS:

- Copy of a letter from Centra Southside Community Hospital thanking the Town for assisting in salting and cleaning the hospital’s parking lots and streets during the most recent snow event;
- Copy of e-mail from resident thanking the sanitation crew for trash pick-up during inclement weather;

- Members received copies of the February 2014 Incident Based Reporting and the Total Accident in the Town of Farmville for 2013 Report – Chief Mooney provided an overview of both reports.

FARMVILLE TOWN COUNCIL MEMBERS INQUIRED OR COMMENTED ON THE FOLLOWING:

Mrs. Thompson thanked the Public Works Department for the exceptional job they did in salting and cleaning the Town streets during the winter events.

Mr. Pairet asked for an update on the lament walkway replacement. Mr. Spates said the contractor, sub-contractor, manufacturer and architect are in conflict regarding responsibility and accountability. Town Attorney, Don Blessing said he is in the process of reviewing the contract and various documents, after his analysis he will meet with Mr. Spates to determine the best way to proceed.

Mayor Newman said with Council's decision to tear the hangar building down and displace six aircraft, he is asking for their support in directing the Town Manager to contact Mr. Fred Russell (owner of a vacant hangar at the airport) to inquire to the possibility of the Town leasing the hangar to temporarily house the planes. Council stated it was not the Town of Farmville's responsibility to pay for rental storage of private planes. Council suggested Mayor Newman meet with Mr. Spates and on a personal request ask him to contact Mr. Russell.

CLOSED SESSION – SECTION 2.2-3711.A.3 FOR DISCUSSION OR CONSIDERATION OF THE DISPOSITION OF REAL PROPERTY

On motion by Dr. Gordon, seconded by Mr. Reid and with all Council members voting "aye", Council went into closed session under **Section 2.2-3711.A.3 of the Code of Virginia**, for discussion or consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

On motion by Mr. Whitus, seconded by Mrs. Thompson and with all Council members voting "aye", Council returned to the regular order of business.

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: 7 "Ayes"

MOTION: Whitus

SECOND: Davis

AYES: Whitus, Hunter, Thompson, Pairet, Davis, Reid and Gordon

NOES: None

ABSENT DURING VOTE: No one

ABSENT DURING MEETING: No one

Clerk

On motion by Mr. Pairet, seconded by Mr. Hunter and with all Council members voting "aye", the meeting was recessed until 12:00 noon, on Tuesday, March 25, 2014.

APPROVED:

ATTEST:

S.C. Newman, Jr.

Lisa M. Hricko, Clerk