

WORK SESSION OF THE FARMVILLE TOWN COUNCIL
HELD ON JULY 2, 2014

At the regular work session meeting of the Farmville Town Council held on Wednesday, July 2, 2014 at 11:00 am, in the Council Chamber of the Town Hall located at 116 North Main Street, Farmville, Virginia, there present were Mayor D.E. Whitus, presiding and Council members D.L. Hunter, T.M. Pairet, A.D. Reid, J.J. Davis and G.C. Cole. Council member S.B. Thompson was absent.

Staff present was Town Manager, Gerald Spates, Town Attorney, Donald Blessing and Town Clerk, Lisa Hricko.

Mayor Whitus called the meeting to order and opened the public notice portion of the work session.

Mr. Spates read the public notice.

PUBLIC NOTICE

The Farmville Town Council will consider at their meeting on July 2, 2014 at 11:00 a.m. in the Town Manager's Conference Room located on the First Floor of the Town Hall, 116 North Main Street Farmville Virginia, the following Conditional Use Permit request on behalf of Marie Eaton-Jones to operate a childcare facility in her home at 1406 South Main Street (tax map and parcel #0023A13(01)00-002). This property is zoned B-4 and allows for day schools with a conditional use permit. Any person(s) wishing to comment on the above matter should plan to attend this meeting.

Mr. Spates said the work session meeting was moved from the Conference Room to the Council Chamber. No one has contacted the Town Office to voice concern with the proposed day care facility.

Ms. Marie Eaton-Jones, owner of the KidzRus, LLC addressed Council. She spoke of her desire to open a child care facility. Ms. Eaton-Jones said she has worked at Heritage Baptist Church for over two years, as teacher and Assistant Director of Public Facilities. The Church will be closing their child care programs in August – displacing over 70 children. Farmville currently has only three child care facilities and some of those have enrollment waiting lists. Ms. Easton-Jones said the community is in need of an additional childcare facility. She said in order for the Prince Edward County Department of Social Service to proceed with her application for her to be open in August, she must show that the property complies with all zoning requirements.

Council discussed the request. The Town Manager said the property is zoned business district B-4 and allows for day schools with a conditional use permit. All adjacent property

owners have been notified and no one has voiced any concerns. Ms. Easton-Jones said she will be operating the childcare facility in her home and state regulations will only allow her to care for up to 12 children. She also addressed Council's question regarding fencing. She said the backyard is located over 30 feet from a highway and fencing is not required; however, they will be looking into fencing at a later date.

Mayor Whitus closed the public notice portion of the meeting and asked if Council wished to address Ms. Eaton-Jones' request for a conditional use permit due her pressing time restraints.

REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF MARIE EATON-JONES

On motion by Mr. Hunter, seconded by Mr. Reid and with all Council members voting "aye", the request for a conditional use permit on behalf of Ms. Marie Easton-Jones to operate a childcare facility in her home at 1406 South Main Street, was approved. The property is zoned business district B-4 and a childcare facility is allowed, with a conditional use permit.

BACKGROUND: At the June Council meeting, members agreed to expedite Ms. Eaton-Jones' request for a conditional use permit in order for the Prince Edward County Department of Social Service to move forward with her application to operate a daycare facility in her home at 1406 South Main Street.

Council returned to the regular order of business.

Mayor Whitus thanked members and their families for participating in the swearing in ceremony that took place on Tuesday, July 1, 2014. Council spoke briefly about the ceremony and the positive comments they received from the community. Mayor Whitus and Council members welcomed Mr. Greg Cole. Mr. Cole took office as Ward A's representative on July 1st.

OPERATIONAL ISSUES

Mayor Whitus said all members of Council have served under only one mayor, Mayor Newman, with the exception of Mr. Reid whom had also served under Mayor Crute. Mayor Whitus spoke of this as a new time for all of Council. He said in the past, the Town Manager has very graciously assisted with many of the roles of Mayor and operated in a dual capacity. As Council moves forward the roles of Mayor and Town Manager will be redefined. Mayor Whitus said he is open to suggestions and/or comments.

At Mayor Whitus' request members discussed and supported the following items:

Work sessions – will be held in the Council Chamber, with lunch to follow in the Town Manager’s Conference Room, for those who choose to attend;

Council meeting – dinner will continue to be provided in the Town Manager’s Conference Room prior to each Council meeting for those who choose to attend;

Mayor Whitus said he strongly supports discussion of items as a “body” and then making a group decision.

STAFF REPORTS

The Town Manager provided a verbal report on the following monthly staff reports:

- Building Official’s Report;
- Property Inspector’s Report;
- Recreation Department’s Report;

Copies of the Recycling and Sanitation, the Meter Tally and the Golf and Pool reports will be provided in the Additional Agenda Items. In reviewing the Property Inspector’s report, Mr. Spates commented on the number of mailboxes, located in the town right of way in need of repair. After discussion, it was suggested that Town Property Inspector report mailboxes in need of repair to the Farmville Postmaster. The Post Office will notify the owner and if repairs are not done, mail will not be delivered.

Mr. Spates informed Council that the July 3rd fireworks event has been postponed due to impending weather. The fireworks will take place on Sunday, August 31st in celebration of Labor Day.

TOWN MANAGER’S VERBAL REPORT

Town Attorney, Don Blessing provided an update on the thermopave issues. He said the Agreement calls for arbitration; parties involved were asked to attend a meeting on June 24 to discuss the Town’s concerns. Two of the companies attended – the General Contractor and the Architectural Firm. Mr. Blessing said they discussed the issues and the Town’s concerns at great length. It was agreed that the General Contractor and Architectural Firm would follow up with the Town Manager in two weeks.

At the June Council meeting, Council adopted a resolution stating that the words “In God We Trust” would be displayed in the Council Chambers. Mr. Spates said he has contacted Gemini and they will be making the lettering.

RECREATION COMMITTEE – FIREMEN’S SPORTS ARENA

The Town was awarded a \$75,000 grant from Centra to assist with renovations/upgrades to the Firemen's Sports Arena. There is also approximately \$70,000 (timber sale and insurance funds) earmarked for the Firemen's Sports Arena. Mr. Spates said the Committee met at the Arena and has recommended the funds be used towards: lighting the parking lot area, replace/repair the roof, replace the ceiling tiles and widening the sidewalk coming into the building along with replacing the canopy. Mayor Whitus asked that Council be provided a price breakdown of the items.

AT-LARGE COUNCIL SEAT VACANCY

A verbal report was provided by the Town Attorney. Members discussed several options. Council may elect to fill the vacant seat, until an election or have the Judge appoint someone to fill the seat until an election. Council may choose to have a Special Election at the earliest possible date or wait until the November General Election.

Council expressed their desire to have a Special Election, at the earliest possible date and for Council to fill the vacancy until a person can be appointed. Members said they felt it was important that the interim person be someone who does not intend to run for the At-Large seat, in order to be fair to those that may be seeking the seat.

APPOINTMENT OF VICE MAYOR/PRESIDENT OF COUNCIL

Mayor Whitus said this matter will be addressed at the regular Council meeting.

APPOINTMENT OF STANDING COMMITTEES

Mayor Whitus said he will be recommending Council consolidate the standing committees to five (5) committees. He will prepare an outline of each committee's function and present it to Council at the July 9th meeting. Council also discussed standing committees of two or three members. Council supported keeping the committees to three members. Mayor Whitus asked Council members to e-mail or contact him if there was a specific committee they wished to serve on. He will present his recommendations at the regular July Council meeting.

COMMUNITY MARKETPLACE COMMITTEE AND AIRPORT HANGAR COMMITTEE

This matter will be addressed at the regular Council meeting. Mayor Whitus said he thought the Community Marketplace Committee and the Airport Hangar Committee would come under one of the new standing committees.

APPOINTMENT OF PRESIDENT OF THE FARMVILLE VOLUNTEER FIRE DEPARTMENT

This matter will be addressed at the regular July 9th Council meeting. Members must appoint a representative from Town Council to serve as President of the Farmville Volunteer Fire Department. The person attends all fire meetings and has the same powers as a volunteer fire fighter, with the exception of fighting fires. The person appointed by Town Council serves as a liaison. Mayor Whitus asked that members interested in serving to please contact him.

ADOPT THE CODE OF VIRGINIA

The Town Attorney provided a verbal report. He referred to the matter as a “housekeeping” issue. In the past, the Town was supposed to readopt the State Code because the Town Ordinances reference the State Code. The State Code now states that you may adopt the State Code and not have to readopt it annually. Mr. Blessing said this request is specifically for Section 46.2-1313 traffic offenses with fines or imposed community service.

APPOINTMENT OF DIRECTOR OF EMERGENCY SERVICES

On motion by Mr. Pairet, seconded by Mr. Hunter and with a recorded vote with Council members Hunter, Pairet, Reid, Davis and Cole voting “aye” Mayor David E. Whitus was appointed Director of Emergency Services.

BACKGROUND: In Region 3, the Virginia Department of Emergency Service designates the Mayor as Director of Emergency Services. The Director’s primary responsibility is to declare emergencies when necessary. Mr. Spates said an emergency must be declared in order for a locality to receive federal funds.

ADOPT RESOLUTION OF RESPECT FOR SYDNOR C. NEWMAN, JR.

The Resolution of Respect will be presented to Mayor Newman at his retirement celebration.

MISCELLANEOUS ITEMS

Members were provided copies of the Farmville Downtown Report, Town Employee Overtime Report, Fuel Price Report, approved Prince Edward County Budget Funding forms and a copy of an e-mail opposing the installation of curb, gutter and sidewalk along Osborn Road.

Mr. Spates said the owner of Poulston Appliance has asked that when the Town moves forward with the Osborn Road project special attention be paid to storm water runoff, as his business has experienced problems in the past and with the installation of curb and gutter water will flow faster. Council asked if an engineer had studied the runoff issues. Mr. Spates said that the Town has two employees certified in storm water management and he will have them

involved in the project. Members questioned if ADA requirements would be met on the installation of sidewalks and driveways, expressing concerns with potential accidents. Mr. Spates said all ADA requirements would be met and he did not foresee that being an issue. Mr. Cole suggested the project be studied further before moving forward.

ADDITIONAL AGENDA

Other agenda items brought before Council for the July 9th regular meeting were:

ADOPT 2014-2015 COUNCIL MEETING DATES

SUPPORT TOWN MANAGER'S APPOINTMENT OF FIRE CHIEF

APPOINT FIRE MARSHAL

TOWN APPOINTMENTS

ADOPT ROBERTS RULES OF ORDER

REQUEST USE OF RIVERSIDE PARK ON BEHALF OF NEW LIFE ASSEMBLY OF GOD

ADOPT RESOLUTION APPROVING THE AMENDED CHARTER AGREEMENT IF THE CENTRAL VIRGINIA CRIMINAL JUSTICE ACADEMY

REQUEST FOR SIDEWALK AND PARKING SPACE CLOSURE ON JULY 12 AND 13

CLOSED SESSION – LEGAL CONSULTATION

On motion by Mr. Davis, seconded by Mr. Reid and with all Council members voting "aye", Council went into closed session under **Section 2.2-3711.A.7** of the Code of Virginia for consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to Longwood University charging parking fees on Town owned streets.

On motion by Mr. Davis, seconded by Mr. Hunter 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: 5 "Ayes"

MOTION: Davis

SECOND: Reid

AYES: Hunter, Pairet, Reid, Davis and Cole

NOES: None

ABSENT DURING VOTE: Thompson

ABSENT DURING MEETING: Thompson

Clerk

There being no other business, the meeting ordered.

APPROVED:

ATTEST:

Mayor D.E. Whitus

Lisa M. Hricko, Clerk