

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON NOVEMBER 13, 2019

At the regular meeting of the Farmville Town Council held on Wednesday, November 13, 2019, at 7:00 p.m., in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia, there present were Mayor David E. Whitus, presiding and Council members G.C. Cole, D.L. Hunter, B.R. Vincent, T.M. Pairet, D.E. Dwyer, A.D. Reid and J.J. Davis.

The staff present was the Interim Town Manager, C. Scott Davis; Town Attorney, Gary Elder; Town Treasurer, Carol Anne Seal; Chief of Police, Andy Ellington; Director of Public Works, Robin Atkins; and Clerk of Council, Lisa Hricko.

Ms. Jen Cox, Director of Local and Community Relations of Longwood University, addressed the Council, introducing Professor Courtney Everhart and her Business Communications class. She said most of the students were sophomores and this semester, they are looking at real-world examples of how communications impact everyday life.

Mayor Whitus welcomed guests and announced that Reverend Ronnie Kiehm, with the Farmville Baptist Church, would provide the invocation, followed by the Pledge of Allegiance led by Vice Mayor Reid.

Mayor Whitus announced the public hearing.

PUBLIC HEARING

The Clerk of Council read the public hearing notice, as follow:

The Farmville Town Council will hold a public hearing beginning at 7:00 p.m., on Wednesday, November 13, 2019, in the Council Chamber, located on the second floor of the Town Hall, 116 North Main Street, Farmville Virginia to hear citizen comments on the following conditional use permit request from:

Janet Moore to operate a home occupation in her dwelling located at 604 First Avenue. The home occupation would consist of contract sales as an independent agent with no employees or clients coming to the residence. This property is zoned Residential District R-1-A, which requires a conditional use permit for home occupations.

The Farmville Town Council will discuss and consider the request for the conditional use permit following the public hearing. Any person(s) wishing to comment on the above matter should plan to attend this meeting. Questions and comments may be directed to the Interim Town Manager's Office, 116 North Main Street, PO Drawer 368, Farmville, Virginia, 23901, or by calling (434) 392-5686, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

It is the intent of the Town to comply with the Americans with Disabilities Act. Should you need special accommodations, please contact the Clerk of Council, at (434)392-5686, prior to the meeting.

No one present wished to address the Council, and the public hearing was closed.

The Interim Town Manager introduced Mr. Rick Youngblood, Lynchburg District Planning Manager with the Virginia Department of Transportation. He said Mr. Youngblood was invited to this evening's Town Council meeting to provide the Council with an update on the potential of a roundabout at the intersection of Oak, Griffin, and High.

Mr. Youngblood described the intersection as a geometrically challenged intersection. He said one of the things that VDOT considers when looking at a geometrically challenged intersection is an alternative, and a roundabout at Oak, High, and Griffin would be a suitable alternative. He explained that a typical intersection has 32 conflict points, and a geometrically challenged intersection has substantially more conflicts. With a roundabout, the conflict points drop to eight. He added that traffic accidents are reduced by 78 percent with roundabouts, and a roundabout is safer for pedestrian and bicycle movement. Mr. Youngblood said each day, faculty, staff, and students traverse this unconventional intersection in vehicles or on foot commuting to/from class and their places of employment. He then provided an overview of the steps taken by VDOT, Longwood University, and the Town of Farmville to reach this point.

Mr. Youngblood stated as a result of a recent analysis of traffic operations, crash history, and public feedback, there is support for replacing the existing intersection with a roundabout to improve operations, reduce delays, and reduce conflicts. The process is now at the stage of developing a 30 percent design plan based on the conceptual roundabout design documented in the July 5, 2017, Technical Memorandum resulting from a study conducted by McCormick Taylor; and the June 27, 2018, assessment by VDOT of the McCormick Taylor study related to intersection improvements at the location. The scope involves the necessary data collection, stakeholder coordination, and engineering tasks needed to deliver a 30 percent plan that is consistent with VDOT at the Preliminary Field Inspection Stage.

These efforts follow the planning phase conducted by McCormick Taylor and VDOT in which all-necessary traffic and safety analyses were performed. This 2017/2018 work will be the basis of and justification for the roundabout concept, and this new task order will focus on the development of the preliminary plans.

Mr. Youngblood stated VDOT representatives have met with Town and University staff to discuss current and future plans for consideration during the design phase. The purpose of this is to ensure future needs are met to support growth and economic development, as well as bike and pedestrian concerns. The roundabout design will take into consideration high pedestrian volumes and associated area traffic, to include emergency vehicles.

Mr. Youngblood reported that VDOT is completing the Preferred Concept phase of the project and will soon be entering the stage of Development of 30 Percent Design Plans, which will include public information meetings and a public hearing held by VDOT. In March, the project will be submitted for the 100 percent funding under the SMART Scale pre-application, with the application being submitted in June/July. In August, VDOT scores/ranks the projects for funding. In January of 2021, VDOT announces the projects that receive funding. And in the spring, Town Council will hold public information meetings and a public hearing. A conservative date for completion of the roundabout would be in 2025; however, Mr. Youngblood stated since the 30 percent Design Plans have been completed, that may cut two years off the project, and completion could be as early as 2023 or 2024.

The Clerk of Council called the roll noting all members were present.

PUBLIC COMMENT PERIOD

Ms. Jen Cox, Director of Local and Community Relations of Longwood University, addressed the Council. She said this Saturday, November 16, 2019, is “Lancer 360 Live Open House”. It’s a big weekend for prospective Lancers and their families, and Longwood expects to see 800 to 1000 guests on campus. She also announced that Longwood’s new admissions building, Radcliff Hall will host an open house on Tuesday, November 26, from 4:00 p.m. – 5:15 p.m. and invited the Council to attend.

REQUEST APPROVAL OF THE CONSENT AGENDA

On the motion by Mr. Hunter, seconded by Mr. Vincent and with all the Council members voting “aye,” the consent agenda was approved.

REQUEST APPROVAL OF THE TREASURER’S REPORT

On the motion by Mr. Davis, seconded by Mr. Vincent and with a recorded vote with Council members Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting “aye,” the Treasurer’s report was approved as submitted.

BACKGROUND: Mrs. Seal, Town Treasurer, provided a brief overview of the Treasurer’s Report.

REQUEST APPROVAL OF PAYMENT OF THE BILLS

On the motion by Mr. Reid, seconded by Mr. Hunter and with a recorded vote with Council members Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting “aye,” the Town Treasurer was granted authorization to pay the bills as submitted.

CONTINUED ITEMS

Mayor Whitus continued the following matters:

Boundary Adjustment

Probation and Parole Expansion

Splash Pad and Veterans Memorial Park

METERED PARKING ON BUFFALO STREET

On the motion by Mr. Dwyer, seconded by Mr. Vincent and with a recorded vote with Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting “aye,” the Council accepted the recommendation of the Infrastructure Committee and agreed that double-headed parking meters would be installed at the six angled parking spaces on Buffalo Street by the Johns Memorial Episcopal Church.

BACKGROUND: Mr. Pairet, Chairman of the Infrastructure Committee, stated the Committee recommended metering the spaces, and if possible, the meters should be installed in the pavement and not the sidewalk. The metered spaces would operate in the same manner as metered parking throughout the Town. Meter parking is from 8:00 a.m. – 6:00 p.m., Monday through Saturday – free parking on Sunday. The Interim Town Manager stated the Director of Public Works has viewed the area and determined that parking meters could not be installed in the pavement, they will have to be placed on the sidewalk.

REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A HOME OCCUPATION

On the motion by Mr. Davis, seconded by Mr. Hunter and with a recorded vote with Council members Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting “aye,” the Council accepted the recommendation of the Farmville Planning Commission and granted Ms. Janet Moore a conditional use permit to operate a home occupation. The home occupation is for her to conduct a business consisting of contract sales at her residence of 604 First Avenue, Farmville. The

property is zoned residential district R-1-A and allows for home occupations with a conditional use permit.

BACKGROUND: Mayor Whitus stated the public hearing was held this evening, and no one addressed the Council.

REQUEST APPOINTMENT TO FILL THE VACANT AT-LARGE SEAT ON THE FARMVILLE PLANNING COMMISSION

Mr. Dwyer read the following Declaration of Personal Interest.

“Pursuant to paragraph B.1 of Virginia State Code Section 2.2-3112 and Subsection H of Virginia State Code Section 2.2-3115, I have a personal interest regarding the appointment to fill the vacant at-large seat on the Farmville Planning Commission on tonight’s regular meeting agenda.

The personal interest regarding the appointment to fill the vacant at-large seat on the Farmville Planning Commission is that I am employed as the director of family services at Piedmont Habitat for Humanity, where the nominee for the planning commission seat is employed. Therefore, I am a member of a profession, occupation, or group of members that may be affected by the transaction. However, I am able to participate in the transaction fairly, objectively, and in the public interest.”

The document is on file in the office of the Clerk of Council.

On the motion by Mr. Reid, seconded by Mr. Hunter and with a recorded vote with Council members Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting “aye,” the Council accepted the recommendation of the Personnel Committee and appointed Jayne Johnson to fill the vacant At-Large seat on the Farmville Planning Commission. Ms. Johnson will fill the unexpired term of Dr. Chuck Ross, a term ending on June 30, 2022.

BACKGROUND: Mr. Davis, the Interim Town Manager, spoke briefly on Ms. Johnson’s interest in the community. He said she takes an active part in the community, not only in her job, but she is also on a coalition study that is looking at housing in the community. He described Ms. Johnson as having “a natural care for the community.”

REQUEST PARTIAL 2019 BUSINESS LICENSE REFUND FOR LNS TAX SERVICE DOING BUSINESS AS JACKSON HEWITT TAX SERVICE

On motion by Mr. Pairet, seconded by Mr. Hunter and with a recorded vote with Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting “aye,” the Council authorized the Town

Treasurer to refund LNS Tax Service, doing business as Jackson Hewitt Tax Service, \$199.41 of their 2019 Business License payment for the Jackson Hewitt, located at 815 Griffin Boulevard and the Jackson Hewitt located at 1800 Peery Drive, Farmville.

BACKGROUND: Mrs. Seal, Town Treasurer, had stated that LNS Tax Service has paid their 2019 Business Personal Property Tax at both locations. The businesses were sold on September 9, 2019.

REQUEST PARTIAL 2019 BUSINESS LICENSE REFUND FOR THE GOLDEN PALACE RESTAURANT CORPORATION

On the motion by Mr. Davis, seconded by Mr. Cole and with a recorded vote with Council members Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting “aye,” the Council agreed authorized the Town Treasurer to refund the Golden Palace Restaurant, Corporation, \$30.00 of their 2019 Business License payment, providing their 2019 Business Personal Property Tax is paid.

BACKGROUND: Mrs. Seal, the Town Treasurer, reported that to date, the Golden Palace Restaurant has not paid their Personal Property Tax.

REQUEST ADOPTION OF RESOLUTION 2019-11-01 AMENDING FARMVILLE'S EMERGENCY OPERATIONS PLAN

On the motion by Mr. Hunter, seconded by Mr. Cole and with a recorded vote with Council members Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting “aye,” the Council accepted the recommendation of the Interim Town Manager and adopted resolution 2019-11-01, amending Farmville’s Emergency Operations Plan.

RESOLUTION # 2019-11-01

To amend a section of the Town of Farmville Emergency Operations Plan as adopted on November 8, 2017.

WHEREAS, the Town of Farmville Town Council adopted the current Emergency Operations Plan on November 8, 2017; and

WHEREAS, the Emergency Operations Plan established certain incident commander and management positions; and

WHEREAS, there have been changes in positions within the workforce of the Town of Farmville which affect the Coordinator of Emergency Services and Public Information Officer positions; and

WHEREAS, the Council believes it is appropriate to amend these positions with current employees on staff;

NOW, THEREFORE, BE IT RESOLVED by the Town of Farmville Town Council, the Emergency Operations Plan be amended to appoint C. Scott Davis as the Coordinator of Emergency Services, and Ashley Atkins-Austin and Kimberly Thompson as Public Information Officers; this Resolution shall be effective upon approval.

BACKGROUND: In reviewing documents, the Interim Town Manager stated he became aware that the Town's Emergency Operations Plan needed to be amended based on changes in employment. He noted the retirement of the Town Manager, Gerry Spates, and the change of employment for the Communications Specialist, Kate Eggleston.

REQUEST ADOPTION OF RESOLUTION 2019-11-02 AUTHORIZING THE TRANSFER OF FUNDS FOR THE EXECUTIVE SEARCH OF THE TOWN MANAGER POSITION

On the motion by Mr. Vincent, seconded by Mr. Hunter and with a recorded vote with Council members Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting "aye," the motion was granted to adopt resolution 2019-11-02, authorizing the transfer of funds for the executive search of the town manager position.

Resolution # 2019-11-02

To amend the General Fund under the Unrestricted Funds Account for the fiscal year beginning July 1, 2019 and ending June 30, 2020. To transfer funds in the aggregate amount of \$35,000 from the Town Manager's Department under line item Class/Compensation Plan Study to the Legislative Department to a new line item Executive Search. The purpose of the transfer is to fund a new line item in the Legislative Department for the Executive Search of the Town Manager's position.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF FARMVILLE:

That a transfer of funds in the aggregate amount of \$35,000 from the Town Manager's Department under line item Class/Compensation Plan Study to the Legislative Department to a new line item Executive Search, be and is hereby authorized for the purpose of funding the Executive Search from a transfer in the General Fund in the amount of \$35,000, from the Town Manager's Department to the Legislative Department.

1. That this resolution shall be in full force and effect upon its passage.

BACKGROUND: Mrs. Seal, the Town Treasurer, stated under the Class / Compensation Plan Study in the Town Manager’s Department there is \$35,000 that can be moved to the Legislative Department to offset expenses for the new line item “Executive Search.” She said to transfer funds to another department, she needs approval by the Town Council.

REQUEST ON BEHALF OF TRACEY LOCKWOOD TO INSTALL A HANDICAP RAMP LOCATED AT 306 BEECH STREET ON BEHALF OF TRACEY LOCKWOOD

On the motion by Mr. Reid, seconded by Mr. Hunter and with all the Council members voting “aye,” the Council accepted the recommendation of the Interim Town Manager and referred the request for consideration of a handicap access ramp to be placed on Town property located by 306 Beech Street to the Infrastructure Committee.

BACKGROUND: The Interim Town Manager reported that Ms. Tracey Lockwood has requested to place a handicap ramp on Town property by her residence at 306 Beech Street to assist her mother, who lives with her. He said in looking into her request, it was brought to his attention that there are no true ADA accommodations in that area. Ms. Lockwood submitted design drawings prepared by Mr. Richard McClintock. Mr. Davis, the Interim Town Manager, stated additional information is needed before action can be taken on the request.

REQUEST ADOPTION OF INDUCEMENT RESOLUTION APPROVING THE FARMVILLE INDUSTRIAL DEVELOPMENT AUTHORITY’S ISSUANCE OF ITS EDUCATIONAL FACILITIES REVENUE BONDS

On the motion by Mr. Davis, seconded by Mr. Hunter and with a recorded vote with Council members Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis voting “aye,” the Council adopted the inducement resolution approving the Farmville Industrial Development Authority’s (FIDA) issuance for the Longwood Real Estate Foundation or the Longwood Housing Foundation, LLC, wholly-owned affiliated entities for the issuance by the Authority of its educational facilities revenue and refunding bonds, not to exceed \$140,000,000.

BACKGROUND: Mr. Davis, the Interim Town Manager, informed the Council that the Farmville Industrial Development Authority held a public hearing and meeting early this month, approving the issuance of its educational facilities revenue and refunding bonds, not to exceed \$140,000,000. The Longwood Real Estate Foundation’s purpose for the refinancing is to put more of their affiliated facilities under one umbrella. He stated there is no financial obligation on the Town Council or on the Town of Farmville.

DISCUSSION OF MEMORANDUM OF UNDERSTANDING WITH PIEDMONT REGIONAL JAIL REGARDING INMATES AND CLARIFICATION OF PLOWING SNOW

Mayor Whitus stated this matter will be discussed in closed session under consultation with legal counsel.

STANDING COMMITTEE REPORTS

Finance and Ordinance Committee, Chairman Mr. Davis—the Committee has been working with the Interim Town Manager, Chief of Police, and the Town Attorney on amending the noise ordinance. The draft is in the November Council packet, and the Finance and Ordinance Committee recommends advertising for a public hearing at the December Council meeting. Mayor Whitus commented that there had been much interest from the public on the noise ordinance.

The Interim Town Manager reported that staff and the Town Attorney are working on a draft of an e-scooter ordinance and plan to present the draft to the Finance and Ordinance Committee at their November 21st meeting with a public hearing to be held in December.

Personnel Committee, Chairman Mr. Reid—no report

Infrastructure Committee, Chairman Mr. Pairet—no report

Public Safety Committee, Chairman Mr. Hunter—no report

Town Property/Building Committee, Chairman Mr. Dwyer—no report

Prince Edward County Rescue Squad, Mr. Cole (Council's representative)—the organization has engaged outside legal counsel to look at the organizational documents, articles, bylaws, etc. to meet more of today's demands and needs. The Squad received several applications for the Executive Director position, and the first round of interviews will begin shortly. The hope is to have someone in place by early to mid-January, with the organizational structure in place by March. Mr. Cole spoke with excitement about the process and anticipated positive results.

Recreation Committee, Chairman, Mr. Vincent—representatives from the Piedmont Area Veterans Council will be meeting with the Recreation Committee at 11:00 a.m., on Wednesday, November 20, 2019, to discuss the proposed splash pad.

INTERIM TOWN MANAGER AND STAFF REPORTS

The Interim Town Manager reported on the following items:

Cover parking meters—last year, the Town covered the parking meters on Main Street, 4th Street, and 2nd Street from December 1 through December 25. He asked if there was any opposition to doing the same this year during the holiday season. No one voiced any concerns.

Hunting permit, in-town and hunting on Town property—Mr. Davis stated he was unfamiliar with the process of issuing hunting permits and asked staff to contact the Town’s insurance company (Virginia Risk Sharing Association) to inquire about liability. VRSA recommends not allowing hunting on town properties; however, if the Town chooses to allow hunting, they offered the following suggestions to help minimize risks:

- Make sure hunters have appropriate licenses
- Limit the number of hunters on the property at any one time
- Limit hunting to areas not easily accessible to civilians (away from parks/homes)
- Specify what type of hunting is allowed – prey and weaponry
- Require hunters sign a form demonstrating they are aware of the rules and regulations
- Require hunters to sign a waiver liability form
- Make sure no other activities are taking place on the land
- Post warning signs
- Police the area to make sure patrons are following the rules and regulations

The Council members had lengthy conversations regarding hunting. Members questioned liability, safety, deer population, hunting with a rifle versus hunting with a shotgun and hunting from a tree stand. Mr. Davis, Interim Town Manager, recommended not making any significant changes this year but to implement some of the recommendations made by VRSA. The Council voiced their support, and Mayor Whitus referred the issue to the Finance and Ordinance Committee and the Town Attorney for further discussions.

Information on pool repairs—staff contacted a pool company that had previously worked on the municipal pool and for general purposes, asked for a cost estimate for repairs needed to operate the pool next season. The Interim Town Manager stated the estimate was almost \$150,000 and included work on the concrete and decking, pumps and filter replacement, and sandblasting and painting the pool. Mr. Davis, Interim Town Manager also mentioned there had been a conversation about building a pool in town. To construct a pool that is the same size as the municipal pool at the golf course (38,000 x 62,000 sq.ft.) would cost between \$400,000 and \$450,000. Mayor Whitus spoke of developing the Wilck’s Lake site as a recreation area. Mr. Davis,

Interim Town Manager, stated that some of the repairs were needed for the pool to reopen. Members agreed that other options need to be explored and to continue discussions at a later date.

Ed's Cleaners—Staff contacted DEQ, and they will allow the tank to remain in the ground. The Town must pump the tank, clean it, pump it again and then fill it with flowable fill. The cost will run between \$1,000 to \$1,200. The slab that the building is on must remain, and the parking lot shall be constructed to meet the slab. Robin Atkins, Director of Public Works, stated the area should hold 16 to 17 parking spaces. The company will be on-site on November 21 to drain the tank.

The Berkley Group—the Council agreed to move their Wednesday, December 4 work session from 11:00 a.m. to 6:00 p.m. to meet jointly with the Farmville Planning Commission to hear the presentation from the Berkley Group on the drafts of the Comprehensive Plan, subdivision ordinance and the zoning ordinance. The Interim Town Manager stated his goal is for the public information meeting to take place at 7:30 p.m. on December 4, then the Farmville Planning Commission will hold a public hearing and meeting. The Farmville Planning Commission will then make a recommendation to Town Council. The Town Council would need to hold a public hearing and take action on adopting the Comprehensive Plan, subdivision ordinance, and zoning ordinance. The goal was to have the process completed in March, but due to the holiday schedule, it will probably take place in April.

Paypoint HR—the Town's classification and pay plan study is on schedule. The classification and plan should be completed and presented to Town Council in January when discussions begin on the Town Budget.

Edmunds Financial System—Phase I is complete, and training and implementation of Phase II will begin in December.

Holiday Hours—Mr. Davis, Interim Town Manager, stated he has been informed that the Town follows the State on the holiday schedule. The State holiday schedule is Wednesday, November 27, half-day off, Thursday, November 28 and Friday, November 29, full days off – the Town will be closed.

Robin Atkins, Director of Public Works, informed the Council that the Town-wide Clean-up Campaign went well, leaf season is underway, and the Town had two water leaks this week.

Andy Ellington, Chief of Police, reported that the department was awarded a \$6,759 grant to be used to assist with the interdiction of firearms and illegal firearm activity. The project is

called FANGS - Farmville Area Neighborhood Gun Safety. He spoke of the increase in firearm crimes and said the grant is to be used solely to pay the officers overtime to focus on high crime to target individuals and high crime areas and to do safety checks at gun dealers.

COMMENTS BY THE MAYOR AND COUNCIL MEMBERS

Mr. Vincent reminded those in attendance that the public survey for the Town Manager search is on the Town's website, and a link is on his facebook page. He encouraged the public to complete a short survey.

CLOSED SESSION – LEGAL

On the motion by Mr. Davis, seconded by Mr. Hunter and with all Council members voting "aye," the Council went into closed session under Section 2.2-3711.A of the Code of Virginia for legal matters that require legal counsel in reference to a memorandum of understanding with Piedmont Regional Jail.

Mayor Whitus announced a brief recess.

On a 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: Seven

MOTION: Davis

SECOND: Hunter

AYES: Cole, Hunter, Vincent, Pairet, Dwyer, Reid, and Davis

NOES: None

ABSENT DURING VOTE: No one

ABSENT DURING MEETING: No one

Clerk

There being no other business, the meeting adjourned.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Lisa M. Hricko Clerk