At the regular meeting of the Farmville Town Council held on Wednesday, May 13, 2020, at 7:00 p.m., in the Council Chamber of the Town Hall, located at 116 North Main Street, Farmville, Virginia, there were present 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 were Town Manager C. Scott Davis, Town Attorney Gary Elder, and Administrative Assistant Jackie Vaughan.

Mayor Whitus called the meeting to order and welcomed guests viewing the meeting via Facebook Live.

Reverend James Ashton of First Baptist Church provided the invocation, followed by the Pledge of Allegiance led by Vice Mayor Reid.

The Administrative Assistant called the roll, noting all members were present.

PUBLIC HEARING

The Town Manager read the following public hearing notice:

PUBLIC HEARING NOTICE

The Farmville Town Council will hold a public hearing beginning at 7:00 p.m., on Wednesday, May 13, 2020 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 request for the abandonment of an alley:

Matthew R. and Lauren Andrews McCarty, who reside at 701 Pinecrest Road, Farmville, VA, are the owners of tax map parcel numbers 023A7-A-8 and 023A7-A-9 where a twenty foot alley owned by the Town of Farmville is located between the two said lots (see Deed Book 141 at Page 285 in the Clerk’s Office of the Circuit Court of Prince Edward County). The McCartys are requesting the Town permanently abandon the alley and convey this section of land by quitclaim deed to Matthew R. and Lauren Andrews McCarty.

The Farmville Town Council will discuss and consider the request for the alley abandonment following the public hearing. Any person(s) wishing to comment on the above matter should plan to contact the Town Manager’s office and ask to participate in the public hearing comment period of the meeting. Once a person has formally made this request, they will be provided a conference call number and passcode. Please send your requests to Jackie Vaughan at jvaughan@farmvilleva.com or by calling (434) 392-5686 by 5:00 p.m. on Wednesday, May 13, 2020. Questions and comments related to this public hearing may be directed to the Town Manager’s Office, 116 North Main Street, P.O. 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 C. Scott Davis, L.P.D., Town Manager, at (434)392-5686, prior to the meeting.

Mr. Matthew and Mrs. Lauren McCarty addressed Town Council (via conference call) thanking Council for considering their request for an alley abandonment and offered to answer any questions Council may have.

With no other comments the public hearing was closed, and Council returned to the regular order of business.

PUBLIC COMMENT PERIOD

Mayor Whitus stated that the public had the opportunity to call in to address Council, but no one exercised that option.

APPROVAL OF THE CONSENT AGENDA

On motion by Mr. Hunter, seconded by Mr. Vincent and with all Council members voting “aye”, the consent agenda was approved, as presented. The consent agenda includes the draft minutes of the April 1, 2020, regular work session and the April 8, 2020, regular Town Council meeting.

APPROVAL OF THE TREASURER’S REPORT

On motion by Mr. Davis, seconded by Mr. Hunter and with all Council members voting “aye”, the Treasurer’s Report was approved, as submitted.

APPROVAL OF PAYMENT OF THE BILLS

On motion by Mr. Dwyer, seconded by Mr. Reid 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.

ADOPTION OF ORDINANCE NO. 194 – ALLEY ABANDONMENT

On motion by Mr. Pairet, seconded by Mr. Vincent and with a recorded vote with Council members Hunter, Vincent, Pairet, Dwyer, Reid, Davis, and Cole voting “aye,” a motion was approved to adopt Ordinance No. 194, as presented.

ORDINANCE NO. 194

WHEREAS, pursuant to Sections 15.2-2006 and 15.2-2008 of the Code of Virginia, 1950, as amended, the Town Council for the TOWN OF FARMVILLE, VIRGINIA intends to move to permanently abandon an alley located between two parcels of land known as tax parcels 023A7-
A-8 and 023A7-A-9 to **MATTHEW R. McCARTY** and **LAUREN ANDREWS McCARTY**, who are the abutting property owners; and

**WHEREAS**, Matthew R. and Lauren Andrews McCarty, who own both parcels that are bisected by this alley have requested in writing that the alley described above be vacated; and

**WHEREAS**, a copy of a letter requesting the aforementioned abandonment is attached hereto as Exhibit “A”; and

**WHEREAS**, Matthew R. and Lauren Andrews McCarty have agreed to pay the costs incurred by the Town with respect to the abandonment, including (but not limited to) the public hearing advertisement cost; and

**WHEREAS**, it appears to the Town Council that due notice of the aforesaid abandonment has been given as required by law, and that such abandonment would be in the best public interest.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Town of Farmville, Virginia, that the public alley bisecting tax map parcels 023A7-A-8 and 023A7-A-9, owned by Matthew R. McCarty and Lauren Andrews McCarty, and shown as a “proposed 20 ft. alley” on a plat of R.C. Dodl dated July 29, 1959, which is recorded in the Prince Edward County Circuit Clerk’s Office in Deed Book 141 at Page 285, a copy of which is attached hereto as Exhibit “B”, and is made a part hereof, for a more particular description of said alley, is hereby vacated and abandoned to the abutting property owners at the costs incurred by the Town with respect to the abandonment, including (but not limited to) the public hearing advertising cost; and

**BE IT FURTHER ORDAINED**, that the Town Council for the Town of Farmville, Virginia, hereby authorizes and directs the Town Manager to execute on behalf of the Town any required deeds and agreements related thereto; and

**BE IT FINALLY ORDAINED**, that a certified copy of this Ordinance be recorded and indexed in the Land Records at the Clerk’s Office of the Circuit Court of the County of Prince Edward, Virginia.

APPROVED:

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MAYOR

ATTEST:

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CLERK
ALLEY ABANDONMENT ON BEHALF OF MR. AND MRS. MATTHEW MCCARTY

On motion by Mr. Pairet, seconded by Mr. Vincent and with a recorded vote with Council members Vincent, Pairet, Dwyer, Reid, Davis, Cole, and Hunter voting “aye,” a motion was approved to grant the request on behalf of Mr. and Mrs. Matthew McCarty for an alley abandonment, as presented, with the quitclaim deed being prepared by Mr. and Mrs. Matthew McCarty.

BACKGROUND: Mr. and Mrs. Matthew R. McCarty, who reside at 701 Pinecrest Road, Farmville, Virginia, are the owners of Tax Map Parcel Numbers 023A7-A-8 and 023A7-A-9, where a 20-foot alley owned by the Town of Farmville is located between the two lots. The McCartys are requesting the Town permanently abandon the alley and convey this section of land by quitclaim deed to Matthew R. and Lauren Andrews McCarty. The property owner is required to have the quitclaim deed prepared and reviewed by the town attorney.

AUTHORIZE TOWN TREASURER TO ISSUE A REFUND TO OLIVER O. STIFF FOR OVERPAYMENT OF SANITATION FEES

On motion by Mr. Reid, seconded by Mr. Hunter and with a recorded vote with Council members Pairet, Dwyer, Reid, Davis, Cole, Hunter, and Vincent voting “aye,” a motion to authorize the Town Treasurer to issue a refund for sanitation fees to Mr. Oliver O. Stiff in the amount of $530.00 was approved.

BACKGROUND: Based on the Sanitation Fee Ordinance, occupants of a business unit or dwelling should only be charged if occupied. Mr. Oliver O. Stiff was charged sanitation fees from July 2015 to December 2019 at property located at 1312 West Third Street. Mr. Stiff has not occupied this building since July 2015 and was billed 53 invoices at $10 per month, for a total of $530.00.

DISCUSS TOWN MANAGER’S ANNUAL EVALUATION

Mayor Whitus presented Council with a copy of the Town Manager’s Performance Evaluation prepared by the Berkley Group, and inquired as to how Council would prefer to handle the evaluation process for the Town Manager. The Council agreed to use the format presented by the Mayor, with each member filling out an evaluation. Once the evaluations are complete,
Members will give them to the Personnel Committee to summarize and present to the Town Manager.

The Town Manager agreed with the format presented, adding that having eight different people completing the evaluation, the summary needs to include clear goals and objectives from the Council as a whole.

**BACKGROUND:** Mr. Davis’s employment agreement, Section 6. Performance Review states the parties agree that Mr. Davis's performance shall be evaluated in person on an annual basis by the Council and that such process shall begin each year in the month of July. At such time, the Council shall review Mr. Davis's performance during the preceding fiscal year, or the portion thereof in which he held the position of Town Manager and establish performance goals and objectives for Mr. Davis for the ensuing fiscal year.

**DISCUSS COUNCIL RETREAT**

The Town Manager said he has been in contact with the Berkley Group regarding the retreat for Council, and they are available to host a retreat on Thursday, June 25, 2020, and Friday, June 26, 2020, for half days. Mayor Whitus stated the retreat will be held Thursday afternoon and Friday morning and asked Council members to notify the Clerk of their availability to attend the dates given. The Town Manager mentioned the retreat will be an opportunity for Council to set long-term goals and emphasized the importance of having the entire Council’s input. Mayor Whitus suggested inviting the newly elected member of Council to attend the retreat.

**AUTHORIZE ADVERTISEMENT OF A PUBLIC HEARING ON THE PROPOSED 2020-2021 TOWN BUDGET**

Mayor Whitus gave a brief review of the Town’s financial state. He stated that in 2010 the Town had debt of $21.2 million, which included building a new town hall, purchasing a golf course, and the Field of Dreams. He said cash flow became tight and the Town relied on a line of credit to get through. In 2012, the Town did a new bond issue and consolidated all the loans into one bond. Mayor Whitus announced the 2012 Bond is currently $9.8 million and thanked the Finance and Ordinance Committee for their commitment to reduce the Town’s debt.

Mayor Whitus gave an overview of the Town’s annual general revenue resources, stating that the Town’s revenue relies heavily on BPOL, meal, lodging and sales tax. He said unlike most localities, real estate taxes are a small percentage of the Town’s revenue. Mayor Whitus mentioned
COVID-19 has impacted the Town’s main revenue sources. He explained that annually the Town typically receives $2.9 million from meal taxes, $1.5 million from BPOL, $735,000 from lodging taxes, $408,000 from sales taxes and $645,000 from real estate taxes, but due to the pandemic, staff is projecting a loss of revenue from March until the end of June in the amount close to $1 million, and stated staff used that information to prepare the budget. He said in preparation of the budget, the Finance Committee and staff only reduced the projected revenue by 12%, with the expectation that businesses will be back open in July. Mayor Whitus stated the Town does not have a fund balance to rely on like some localities, so the Town is limited as to how they can help businesses and organizations during this time.

**COMMITTEE REPORTS**

*Finance and Ordinance Committee, Mr. Davis, Chairman* – Mr. Davis concurred with Mayor Whitus’s comments, and added that the Town is headed in a positive direction. He stated the Finance and Ordinance Committee has met with staff on several occasions and has given staff the priorities and directions needed to complete the budget. After staff completes the proposed budget, they will submit the proposed budget to the Finance and Ordinance Committee for review and if agreed upon, the Committee will present the proposed town budget to the entire Council at the June 3, 2020, work session. Council will present the proposed budget to the public during a public hearing that will be held on June 10, 2020, at the regular Council meeting. He thanked the Town Manager and Town Treasurer for their hard work preparing the proposed budget.

*Personnel Committee, Mr. Reid, Chairman:* no report.

*Town Property/Buildings Committee, Mr. Dwyer, Chairman:* no report.

*Infrastructure Committee, Mr. Pairet, Chairman:* no report.

*Parks/Recreations Committee, Mr. Vincent, Chairman:* Mr. Vincent mentioned the Recreation Committee will be meeting soon to discuss the potential for a post July 4th fireworks event.

*Public Safety Committee, Mr. Hunter, Chairman:* no report.

*Prince Edward Volunteer Rescue Squad Board, Mr. Cole, Representative:* Mr. Cole stated the squad is doing great and has been very busy due to the COVID-19 pandemic. He said they are equipped with plenty of PPE (personal protective equipment) and will be receiving funding to purchase additional equipment.
**TOWN MANAGER AND STAFF REPORT**

The Town Manager reported on the following matters:

- The Planning Commission will meet next week to hold a public hearing for the proposed Comprehensive Plan, Zoning and Subdivision Ordinance update and zoning map.
- The Main and Milnwood Road project traffic poles are scheduled to be here on May 17, 2020, and the completion should be late June.
- The Town Manager detailed plans for moving into Phase I of the Governor’s executive order as follows: the golf course will re-open on Saturday, with the guidelines set in place such as credit cards only, only one person per cart unless members of the same household, and hours of operation daily from 8:00 a.m. until 5:00 p.m.; the playgrounds and dog park will be opening this weekend; Town Offices will remain closed to the public during Phase II of the Governor’s executive order, to give time to see data as it relates to the number of new cases as we move forward.
- Bids are due next week for the relocation of the access road and parking lot at the airport, and the airport maintenance building bids are due in tomorrow.

**COMMENTS BY THE MAYOR AND MEMBERS OF TOWN COUNCIL**

Mr. Hunter reported that several citizens have inquired about additional recycling options for months that have five weeks. He requested the Town Manager to research the possibility of an additional pick-up or providing recycling bins or cans for residents that may need them.

Mr. Davis stated as the state enters Phase I of the Governor’s executive order, he suggested everyone to continue with self-awareness and take caution with social distancing during visits at the playgrounds and dog park. He also inquired if the Town had contacted the owners of Ruby Tuesday about the maintenance of the grass on their property. The Town Manager reported that notice had been sent to Ruby Tuesday according to the Town Code, regarding the matter and the grass should be cut before May 14, 2020.

**CLOSED SESSION – PERSONNEL UNDER SECTION 2.2-3711. A.1**

On the motion by Mr. Davis, seconded by Mr. Hunter and with all Council members voting “aye,” Council went into closed session under paragraph A.1 of Section 2.2-3711 of the Code of Virginia, to discuss the performance of the Town Manager concerning specific personnel matters.
On the motion by Mr. Davis, seconded by Mr. Hunter, and with all the Council members voting “aye,” the Council returned to the regular order of business.

**CLOSED MEETING CERTIFICATION**

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 “ayes,” No “noes”

MOTION: Davis

SECOND: Hunter

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

NOES: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

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Clerk

**TRANSFER FUNDS FROM THE CONTINGENCY FUND TO FARMVILLE INDUSTRIAL DEVELOPMENT AUTHORITY TO BE USED FOR GRANTS FOR LOCAL BUSINESSES**

On motion by Mr. Vincent, seconded by Mr. Hunter and with a recorded vote with Council members Reid, Davis, Cole, Hunter, Vincent, Pairet, and Dwyer, voting “aye,” a motion was approved authorizing the Town Treasurer to transfer $10,000 from the Contingency Fund to the Farmville Industrial Development Authority, to be used for grants to help local businesses.
There being no other business, on motion by Mr. Hunter, seconded by Mr. Vincent and with all Council members voting “aye”, the meeting was adjourned at 8:47 PM.

APPROVED:       ATTEST:

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David E. Whitus, Mayor     Jacqueline B. Vaughan, Deputy Clerk