

REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL
HELD ON JULY 8, 2020

At the regular meeting of the Farmville Town Council held on Wednesday, July 8, 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 D. E. Whitus, presiding, and Council members G.C. Cole, B.R. Vincent, T.M. Pairet, D.E. Dwyer, A.D. Reid, and S.O. Amos.

The staff present were Town Manager C. Scott Davis, Town Attorney Gary Elder, Chief of Police Andy Ellington, Town Treasurer Carol Anne Seal, Director of Public Works Robin Atkins, IT Support Ashley Atkins, and Deputy Clerk Jackie Vaughan.

Mayor Whitus called the meeting to order and welcomed guests and newly elected Council member Sallie O. Amos to Town Council.

Reverend Marv Fisher of Calvary Chapel in Farmville provided the invocation, followed by the Pledge of Allegiance led by Vice Mayor Reid.

The Deputy Clerk called the roll, noting Council member D.L. Hunter as absent.

Mayor Whitus set aside the regular agenda to present a Resolution of Respect for Reverend Novey Wiley to the Wiley family. The Resolution was adopted by Council at the regular June 10, 2020, meeting.

PUBLIC COMMENT PERIOD

Mr. Charles Ironmonger addressed Council via conference call to speak about the confederate monument. Mr. Ironmonger requested Council leave the monument pedestal in the current location at the intersection of High and Randolph Streets.

APPROVAL OF THE CONSENT AGENDA

On motion by Mr. Dwyer, 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 June 3, 2020, regular work session, the draft minutes of the June 10, 2020, regular Town Council meeting, and the draft minutes of the June 18, 2020, reconvened Council meeting.

APPROVAL OF THE TREASURER’S REPORT

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

BACKGROUND: Mrs. Carol Anne Seal, Town Treasurer provided a brief overview of the Treasurer’s Report, stating the Town received the fourth quarter highway funds payment from VDOT. She said after reviewing how revenues came in during the month of July, she may possibly come back to Council next month with a request to transfer money to the General Fund from the Set Aside Account. It is a possibility we may not move monthly funds to the Set Aside Fund, depending on the current revenues. Mayor Whitus inquired about the balance in the Set Aside Account and the amount of the upcoming bond payment. Mrs. Seal stated the Set Aside Account has an estimated balance of \$1.5 million, and the bond payment due on October 1, 2020, is approximately \$1.4 million. She stated there are adequate funds in the Set Aside Account to make the upcoming bond payment.

APPROVAL OF PAYMENT OF THE BILLS

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

Insert Bills

ADOPTION OF RESOLUTION OF RESPECT FOR WILLIE T. JENNINGS

On motion by Mr. Reid, seconded by Mr. Pairet and with all Council members voting “aye”, a motion was approved to adopt the Resolution of Respect for Willie T. Jennings, as presented.

**TOWN OF FARMVILLE
A RESOLUTION OF RESPECT FOR
WILLIE TRANZA “SHORTY” JENNINGS**

WHEREAS, Willie Tranza “Shorty” Jennings served in the Army and was honorably discharged; and

WHEREAS, he was the first black police officer on the Farmville Police Department; and

WHEREAS, his integrity, honor and values earned him the respect of the entire community; and

WHEREAS, he owned and operated Jennings Taxicab in the Town of Farmville from 1982 until 2000; and

WHEREAS, he was a “people person” who loved and enjoyed meeting and talking to people; and

WHEREAS, Mr. Jennings was a dedicated family man, whose love, and commitment will leave a lifelong legacy.

NOW, THEREFORE BE IT RESOLVED, that the Council for the Town of Farmville does hereby express its deepest respect to a dedicated man of God, who through his love of service to others helped make the Farmville community a better place to live; and

BE IT FURTHER RESOLVED, that a copy of this Resolution of Respect is made a part of the permanent records of the Town of Farmville and a copy be presented to his family.

Adopted this 8th day of July 2020, by the Farmville Town Council, Farmville, Virginia.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Jacqueline B. Vaughan, Deputy Clerk

BACKGROUND: The adopted resolution will be mailed to the family.

AUTHORIZATION TO CEASE INCLUDING THE MONTHLY BILLS ON THE REGULAR COUNCIL MEETING AGENDA

On motion by Mr. Cole, seconded by Mr. Vincent and with a recorded vote with Council members Vincent, Pairet, Dwyer, Reid, Amos, and Cole, voting “aye”, a motion was approved to authorize the Town Treasurer to cease including the monthly bills on the regular Council meeting agenda.

BACKGROUND: The Town Manager stated the matter was discussed at the recently held Council retreat and was determined the action of approving the bills at Council meetings was not necessary. He stated that the Town Treasurer will continue to provide to Council reports of monies spent on a monthly, bi-monthly, or quarterly basis.

ANNUAL APPOINTMENTS FOR THE TOWN OF FARMVILLE

On motion by Mr. Pairet, seconded by Mr. Reid and with all Council members voting “aye”, a motion was approved to cease the annual appointments of Town officials. An appointment will be made after a Town official leaves employment and there is a new appointment to the vacant position.

BACKGROUND: The Town Manager explained that the Town Charter requires Council to support the annual appointments of certain positions, such as Town Manager, Police Chief and Treasurer. Other positions that have been added since the Charter. Mr. Davis advised there is a

provision in the Virginia State Code that states the Town Manager serves indefinitely until he resigns or is terminated, and technically the provision applies to all the positions that are “at will” employees. He stated he was unsure of when or how the Building Official and Fire Marshal positions were added to the list of appointments because they are a one-time appointment and serve indefinitely until employment ceases. Mr. Pairet stated considering the information shared by the Town Manager, he suggests the Council forgo the annual appointments.

AUTHORIZATION TO ADVERTISE 2020 – 2021 TOWN COUNCIL MEETING DATES

On motion by Mr. Vincent, seconded by Mr. Pairet and with all Council members voting “aye”, a motion was approved to authorize advertisement of the 2020 – 2021 Town Council meeting dates.

BACKGROUND: The Town Manager noted that the November Council meeting date is scheduled for Thursday, November 12, 2020, because Wednesday, November 11, 2020, is Veterans Day which is a holiday.

COUNCIL’S SUPPORT IN THE MAYOR’S 2020 – 2021 COMMITTEE APPOINTMENTS

On motion by Mr. Dwyer, seconded by Mr. Reid and with all Council members voting “aye”, a motion was approved to support the Mayor’s 2020 – 2021 Committee Appointments, as presented.

BACKGROUND: Mayor Whitus stated most Council members remained on the same Committees as previously assigned. He mentioned he combined the Town Property Committee and the Infrastructure Committee, and that each member is on at least two committees, except for Mr. Reid who is alright with being on one committee. Mayor Whitus cited as Vice Mayor, Mr. Reid serves as ex-officio for all committees.

ADOPTION OF THE CODE OF ETHICS AND CONDUCT AND ETHICS PLEDGE

On motion by Mr. Pairet, seconded by Mr. Vincent and with all Council members voting “aye”, a motion was approved to adopt the Code of Ethics and the Conduct and Ethics Pledge for Town Council members.

BACKGROUND: The Town Manager stated in 2016 the Council agreed to adopt the Code of Ethics and the Conduct and Ethics Pledge every year at their July meeting. Signed copies of the Council members Code of Ethics and Conduct and Town of Farmville Ethics Pledge are kept in a file by the Clerk of Council.

AUTHORIZE THE TOWN TREASURER TO TRANSFER \$47,327.56 FROM THE RESTRICTED WIRELESS ACCOUNT TO THE GENERAL FUND

On motion by Mr. Pairet, seconded by Mr. Dwyer and with a recorded vote with Council members Pairet, Dwyer, Reid, Amos, Cole, and Vincent voting “aye”, a motion was approved to authorize the Town Treasurer to transfer \$47,327.56 from the Restricted Wireless Account to the General Fund.

BACKGROUND: The Town Manager stated in January 2019, the Farmville PSAP was awarded a grant for \$367,860.76 from the Virginia 9-1-1 Services Board for costs associated for Next Generation 9-1-1 (NG9-1-1) implementation. Mr. Davis noted the cost for i3 implementation and text-to-911 are categorized as reimbursable costs and should be paid up front by the locality. Emergency Communications Manager Jackie Gilbert has requested to sign the quote for the i3 implementation and after the project is complete, and to use wireless funds to pay for both projects. The cost for the NG9-1-1 project is \$27,341.06 and the quote for the text-to-911 was priced at \$19,986.50. The Town Manager requested \$47,327.56 be transferred from the Restricted Wireless Account to the General Fund to cover the cost of both projects.

APPROVAL OF THE TOWN OF FARMVILLE PROCEDURES FOR PURCHASING AND PROCUREMENT MANUAL

On motion by Mr. Pairet, seconded by Mr. Vincent and with a recorded vote with Council members Dwyer, Reid, Amos, Cole, Vincent, and Pairet voting “aye”, a motion was passed to approve the Town of Farmville Procedures for Purchasing and Procurement Manual, as presented.

BACKGROUND: The Town Manager explained that during the Town’s last audit, the auditors added comments about federal funds and the Town’s procurement methods. He said the current procurement policy consists of one page. Mr. Davis stated since the audit, he has created a Town of Farmville Procedures for Purchasing and Procurement Manual and the Town of Farmville Uniform Guidance Procurement Policy for Spending Federal Money. He said both were presented to the Finance and Ordinance Committee at their June 25, 2020, meeting, and minor changes were suggested and have been made.

APPROVAL OF THE TOWN OF FARMVILLE UNIFORM GUIDANCE PROCUREMENT POLICY FOR SPENDING FEDERAL MONEY

On motion by Mr. Cole, seconded by Mr. Vincent and with a recorded vote with Council members Reid, Amos, Cole, Vincent, Pairet, and Dwyer voting “aye”, a motion was passed to approve the Town of Farmville Uniform Guidance Procurement Policy for Spending Federal Money.

REFERRAL OF APPLICATIONS FOR CLERK OF COUNCIL TO PERSONNEL COMMITTEE

Mayor Whitus referred the applications for Clerk of Council to the Personnel Committee for recommendations back to Council.

BACKGROUND: The vacant Clerk of Council position was advertised and the closing date for the applications was July 1, 2020. There were seven applications submitted. Mayor Whitus advised the Council members have seen the applications. The Council agreed for the Personnel Committee to review the applications and recommend to the Council applicants to interview.

AUTHORIZE THE TOWN MANAGER TO SIGN A RESOLUTION FOR USDA GRANT

On motion by Mr. Cole, seconded by Mr. Vincent and with a recorded vote with Council members Amos, Cole, Vincent, Pairet, Dwyer, and Reid voting “aye”, a motion was approved to authorize the Town Manager to sign a resolution for a USDA grant to purchase police radios.

BACKGROUND: The Town Manager explained the Resolution is for the USDA Rural Development grant application to purchase radios for the Police Department.

At the February meeting, Police Chief Andy Ellington informed Council that he had been working with Mr. Todd Fortune, of the Commonwealth Regional Council, to find funding to upgrade the radios for the police department. Mr. Davis stated the grant is for \$67,000 and would require a 25% match from the Town on the amount awarded.

ADOPT RESOLUTION NO. 2020-07-01 AUTHORIZING SIGNATURES OF CERTAIN OFFICERS

On motion by Mr. Dwyer, seconded by Mr. Vincent and with a recorded vote with Council members Cole, Vincent, Pairet, Dwyer, Reid, and Amos voting “aye”, a motion was approved to adopt Resolution No. 2020-07-01 authorizing signatures of certain officers.

BACKGROUND: The Town Manager explained the Resolution will give authorization for signatures of certain officers to sign checks, approve positive pay, and approve electronic wire transfers for various accounts of the Town of Farmville, Virginia. He said the authorization will

be effective July 8, 2020, and repeal any prior authorizations or resolutions. The primary signatures will be Carol Anne Seal, Deputy Director of Finance/Treasurer or C. Scott Davis, Town Manager, and the secondary signatures will be David E. Whitus, Mayor, Armstead Reid, Vice Mayor, or Greg Cole, Council Member.

AUTHORIZE THE TOWN MANAGER TO SIGN A CONTRACT WITH LONGWOOD UNIVERSITY FOR USE OF FARMVILLE AREA BUS SERVICES

On motion by Mr. Cole, seconded by Mr. Vincent and with a recorded vote with Council members Vincent, Pairet, Dwyer, Reid, Amos and Cole voting “aye”, a motion was approved to authorize the Town Manager to sign a contract with Longwood University for use of Farmville Area Bus Services.

BACKGROUND: The Town Manager mentioned Longwood University submitted a request to receive a refund of \$49,315 for seven weeks of unused bus services because of the COVID-19 pandemic campus closure. At the June 10, 2020, Council meeting, the matter referred to the Finance and Ordinance Committee. Mr. Davis stated the Committee recommended no credit or partial refund for this current year, as requested. They directed the Town Manager to negotiate the new contract with Longwood University for bus services for the 2020-2021 academic year. The Town Manager stated in negotiating with the University, the Town would keep the requested partial refund for this current year, and the amount due for the upcoming year would be reduced to \$150,000. He said Longwood University will pay the Town of Farmville \$150,000 for the provision of Campus Direct Line and access to the other routes in two installments. Payment for the first semester will be made in September 2020 in the amount of \$75,000, and payment for the second semester will be made in January 2021 in the amount of \$75,000. The Town Manager added, if demand exceeds COVID-19 capacity of existing routes and additional bus times are needed, Longwood University will pay the Farmville Area Bus \$36.04 per hour for every additional hour beyond the basic agreement.

TOWN MANAGER AND STAFF REPORT

The Town Manager did not have any additional information to report.

COMMITTEE REPORTS

Finance and Ordinance Committee, Mr. Cole, Chairman: No report.

Personnel Committee, Mr. Reid, Chairman: No report.

Infrastructure/Town Property Committee, Mr. Pairet, Chairman: No report.

Parks/Recreation Committee, Mr. Vincent, Chairman: No report.

Public Safety Committee, Mr. Hunter, Chairman: Absent.

COMMENTS BY THE MAYOR AND MEMBERS OF TOWN COUNCIL

Mr. Vincent stated he has talked to a number of members in the community and the consensus feels the resolution for the confederate statue is to move it to the confederate cemetery. Mr. Vincent then expressed his personal thoughts of being in agreement with moving the statue to the Confederate Cemetery, for it is the best path forward to unite people around the issue and for public safety. Mr. Vincent said he is aware that the Town Attorney is seeking clarification from the Attorney General's Office on the new law regarding removal of veteran monuments, but he does not think Council should prolong the process of deciding a resolution and suggested Council move forward with advertising a public hearing on the matter.

Mr. Dwyer commented on the possibility of a referendum with the stipulation of the statue being offered to other organizations. He expressed his thoughts to relocate the statue to the Confederate Cemetery.

Mr. Reid concurred with Mr. Vincent and Mr. Dwyer.

Mrs. Amos spoke agreeing with Mr. Vincent's suggestion of moving forward with a public hearing on the matter of the confederate monument. She stated she wanted to be transparent with the public, and she would like community involvement with the process of deciding. She said she wished the community could have been involved before the statue was removed from the monument, but she realizes the reason Council made the decision at that time.

Town Attorney Gary Elder advised Council to delay holding a public hearing until they receive clarification from the Attorney General's Office. Mr. Elder then cited the new law, "If the governing body votes to remove, relocate, contextualize, or cover the monument or memorial, the local governing body shall first, for a period of 30 days, offer the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield." The Town Attorney advised that Council does not have to vote on the matter the same night a public hearing is held.

Discussions continued.

AUTHORIZE ADVERTISEMENT OF A PUBLIC HEARING TO DISCUSS THE CONFEDERATE MONUMENT

On motion by Mr. Cole, seconded by Mr. Pairet and with all Council members voting “aye”, a motion was approved to authorize advertisement of a public hearing to discuss the confederate monument.

APPOINTMENT OF VICE MAYOR/PRESIDENT OF COUNCIL

On motion by Mr. Cole, seconded by Mr. Vincent and with a recorded vote with Council members Vincent, Pairet, Dwyer, Reid, Amos and Cole voting “aye”, a motion was approved to reappoint Mr. Reid as Vice Mayor/President of Council for another two year term.

BACKGROUND: Town Code Section 2-21. – President states “The Council shall at its first regular meeting in July of each even year elect from their number a person to be known as *president* of the council, who shall, when the mayor is absent or cannot sit, have all the powers and perform all the duties conferred by law upon the mayor; provided, that any vacancy in the office of mayor shall be filled as required by law.” Mr. Reid was appointed as Vice Mayor/President of Council in July of 2008 and has expressed interest in continuing to serve as Farmville’s Vice Mayor/President of Council.

REQUEST TO DISPLAY AMERICAN FLAGS ON MAIN STREET

Mayor Whitus referred the request to display American flags on Main Street to the Infrastructure/Town Property Committee.

BACKGROUND: Mrs. Amos mentioned that she was contacted regarding flags not being displayed in town on the Fourth of July. She said people were upset and commenting that the Town displayed flags annually, and they could not understand why the flags were not displayed this year. Mr. Pairet stated the Town has not displayed flags on Main Street in over nine years, but he is in favor of the Town displaying flags again on Main Street. Public Works Director Robin Atkins noted in the past, the Town has displayed flags on poles that were placed in holes made in the sidewalk. The Town Manager stated there are several options available to display the flags on Main Street, but additional information is needed.

REQUEST TO SEEK ADDITIONAL LOCATIONS FOR NEW VETERANS BANNERS

Mayor Whitus referred the matter to the Infrastructure/Town Property Committee for more discussion and a recommendation to Council.

BACKGROUND: Mayor Whitus reported that he has been asked numerous times about adding locations for additional veterans banners. He said people have expressed disappointment in not being able to purchase a banner, and they are being told there are no locations available for new banners. Mayor Whitus reiterated that the Town does not have anything to do with the availability of the banners, the Town is only responsible for installing them. Anyone wishing to purchase a banner needs to contact the Piedmont Area Veterans Council. The Town Manager added that originally the Piedmont Area Veterans Council was told by the Town there were only fifty poles available on which to hang banners. He said the Veterans Council sold 50 banners with the understanding they will hang every year from Memorial Day to Veterans Day for a period of five years

There being no other business, on motion by Mr. Pairet, seconded by Mr. Reid and with all Council members voting “aye”, the meeting was adjourned at 7:54 PM.

APPROVED:

ATTEST:

David E. Whitus, Mayor

Jacqueline B. Vaughan, Deputy Clerk