

Town Council Regular Meeting October 11th, 2022

The Altavista Town Council held their October 2022 Regular Meeting in Council Chambers of the Town Hall/J.R. Burgess Municipal Building, 510 Seventh Street, on Tuesday, October 11th, at 6pm.

1. At six o'clock p.m., Mayor Mike Mattox called the regular meeting to order and presided.

Council Members

Present: Vice Mayor Reginald Bennett (entered meeting at 6:20pm)
Mr. Tracy Emerson
Mr. Timothy George
Mr. Jay Higginbotham
Dr. Scott Lowman
Mayor Michael Mattox
Mr. Wayne Mitchell

Town Staff present:

Mr. Gary Shanaberger, Town Manager
Mrs. Tobie Shelton, Treasurer/Finance Director
Mr. Thomas Merricks, Altavista Chief of Police
Mr. Tom Fore, Public Services Director
Ms. Sharon D. Williams, Community Development Director
Mr. Jeff Arthur, Public Works Manager
Mr. John Eller, Town Attorney

Reverend Walter Pillow, Baptist Tabernacle, Altavista, gave the invocation for this evening. After the invocation, Mayor Mattox led the meeting in the Pledge of Allegiance.

2. Agenda Adoption

Mayor Mattox asked Town Council if they had any questions, comments, or concerns in regard to the October 11th meeting agenda, to which there were none.

Vice Mayor Reggie Bennett made a motion, seconded by Councilman Tracy Emerson, to approve the October 11, 2022, Altavista Town Council Meeting Agenda as presented.

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Mr. Tracy Emerson	Yes
	Vice Mayor Reggie Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Tim George	Yes
	Dr. Scott Lowman	Yes

3. Recognitions and Presentations

- A. Town of Altavista Personnel Changes - September 2022

Milestone(s):

The following three Town Employees had 5-year anniversaries:

Brian Roach	Public Works, B&G Supervisor
Nathan Farmer	Utilities Dept., Water Operator II
Ken Brumfield	Public Works, Senior Maintenance Specialist

New Hire Listing:

Mike Moshkowski	Transit, PT Bus Driver
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Departure Listing:

Scott Earhart	APD, Police Officer
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B. Proclamation - Community Planning Month

Altavista's Community Development Director, Sharon D. Williams, referenced the Altavista Planning Commission's recent work towards updating the town's Comprehensive Plan. Ms. Williams asked Mayor Mattox to consider declaring October 2022, as Community Planning Month in the Town of Altavista, in acknowledgement of the Commission's hard work; and in support of the upcoming public meetings and public hearings regarding the Comprehensive Plan update

With a unanimous consensus of Town Council, Mayor Mattox approved staff's request and presented the proclamation to Ms. Williams for the Altavista Planning Commission.

COMMUNITY PLANNING MONTH PROCLAMATION

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of our community; and WHEREAS, the full benefit of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and WHEREAS, the month of October is designated as National Community Planning Month throughout the United States, and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of Planning Commission, staff, and citizen planners who have contributed their time and expertise to the improvement of the Town of Altavista.

NOW, THEREFORE, I, Mike Mattox, Mayor of the Town of Altavista, do hereby proclaim October 2022 as Community Planning Month throughout the Town of Altavista; and urge all citizens to observe this month by sharing ideas with town leaders on how we can continue to make Altavista a great place to live, work, and play.

Adopted this 11th day of October 2022 by the Altavista Town Council

C. Proclamation – Friends of the Libraries Week

With a unanimous consensus of Council, Mayor Mattox presented Ms. Tywana Whorley, Staunton River Memorial Library's Services Librarian, with the following proclamation:

NATIONAL FRIENDS OF LIBRARIES WEEK PROCLAMATION

WHEREAS, Friends of the Staunton River Memorial Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

WHEREAS, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

WHEREAS, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

WHEREAS, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

NOW, THEREFORE, be it resolved, that I, Michael E. Mattox, Mayor of Altavista, proclaims October 16-22, 2022, as Friends of Libraries Week in the Town of Altavista; and urge everyone to join the Town in thanking them for all they do to make our library and community so much better.

Adopted this 11th day of October 2022 by the Altavista Town Council

4. Citizen's Time

Mr. John Porter, 215 Holman Road, Cape Canaveral, Florida, came before Council and introduced Mr. Ralph English, formally third-generation owner of English Hardware, and Mr. Gary Hodnett, current Mayor of the Town of Hurt; both of which were present that evening in support of Mr. Porter's agenda item – Zoning Ordinance Text Amendment Request to allow solar farms/facilities in the Town of Altavista.

There were no other citizens to come before Town Council on this date.

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5. Town/Community Partner Updates

Avoca Museum's Executive Director, Caleb Laffoon, came before Town Council with updates regarding some recent decisions, activities, and upcoming events at the Avoca Museum.

- Mr. Lafoon informed Council that the Avoca Board of Directors recently voted to extend the museum's opening months of operation to year-round, instead of closing in the winter months of October through April, starting January 2023. He stated the Board believed the increase in hours would serve more citizens and hopefully bring more visitors to town.
- Mr. Lafoon referenced Avoca's exterior paint restoration project happening over the past few months and informed Council that the project was close to completion. He stated the painting and exterior repair on the main house/museum was finished and work on the visitor's center was underway, with completion by the end of the month.
- Mr. Lafoon stated that the Avoca Museum was in need of an additional storage building, temperature controlled to house Avoca artifacts when not on display. He asked Council to consider allowing Avoca to move forward in the process of investigating the project.

Councilman Higginbotham suggested Avoca consider the storage building also having a covered porch on the front side, for occasions when weather protection was needed during Avoca events.

Mr. Laffoon shared his favor in the idea. He informed Council they would also investigate the possibility and cost to have a "workshop" inside of the storage building.

Councilman Mitchell asked Mr. Laffoon if he had an estimated cost for the project.

Mr. Laffoon said, at that time he did not, he only had a draft plan for the storage building. He stated, if the project was approved, he would keep Council updated of its progress.

There was a unanimous consensus of Town Council to approve Avoca's request to move forward with investigating putting an additional storage building on the Avoca property.

6. Consent Agenda

- FY2024 Budget/CIP Calendar
- Annual Delinquent Tax Listing
- TOA Monthly Financial Reports - September 2022
- Town Council Meeting Minutes

Mayor Mattox asked Town Council if they had any questions, comments, or concerns in regard to the October Consent Agenda, to which there were none.

Councilman Tracy Emerson made a motion, seconded by Vice Mayor Reggie Bennett, to approve the October 11, 2022, Consent Agenda as presented.

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Mr. Tracy Emerson	Yes
	Vice Mayor Reggie Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Tim George	Yes
	Dr. Scott Lowman	Yes

7. Public Hearings

There were no public hearings scheduled for this meeting.

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8. New Business

A. Zoning Ordinance Text Amendment Request – Regarding Solar

Background:

Pivot Energy Development LLC partnered with Clean Footprint LLC, and recently submitted a request to the Town of Altavista to amend the town's Zoning Ordinance to add a new section that would allow large scale solar facilities in Altavista, with a required Special Use Permit approval. Staff is seeking Town Council's direction on this matter.

Community Development Director, Sharon D. Williams, shared with Town Council an overview of the submitted request. She stated that Sec. 86-781(a) of the town's Zoning Ordinance allowed a contract purchaser to submit an amendment request; and that the proposed text amendment be forwarded to the Town Council for direction to Staff.

Mayor Mattox asked Ms. Williams if it was a usual practice to amend a zoning ordinance from an outside request.

Ms. Williams answered it was not; and stated an amendment request usually came as a recommendation from staff and/or the Planning Commission. She said a locality typically reviewed its zoning ordinance for potential updates after completing a comprehensive plan update, which was required every five years.

Ms. Williams shared with Council several options available when considering how to proceed when an amendment request was received.

1. Refer the request, as submitted by the applicant, to the Planning Commission.
 - The Planning Commission then has up to one hundred (100) days to offer Town Council a recommendation.
2. Refer the request to the Planning Commission with guidance and direction.
3. Town Council may defer action on this item to a future Town Council Work Session for additional discussion.
 - This option would allow the Town Council to further evaluate the request and investigate the most viable option(s) for the town.
4. Town Council may choose to take no action on the request.
 - Should Council decide not to refer the request to the Planning Commission, the Town would reimburse the \$400 application fee paid by the applicant.

At that time, Mr. John Porter, Clean Footprint, came before Council to offer additional insight into the aforementioned zoning ordinance request. Mr. Porter stated, under the direction of Town Staff, he would follow the process, keeping his comments short and being mindful of Council's time.

Mr. Porter referenced the procedural options shared by Ms. Williams and stated it was Clean Footprint's hope that Council would consider option (1) - to refer the request, as submitted, to the Planning Commission for review and consideration of potential recommendation(s) to Town Council. He stated there was a lot of thought put into the details of the request, keeping the town's concerns in mind, and he hoped the town would give the request its due process and consideration.

Mr. Porter concluded his presentation by stating that change was inevitable, and not always favored in the beginning, but Clean Footprint and Pivot Energy was committed to helping localities, such as Altavista, manage solar energy for the betterment of the community; and that they "strived to be good corporate citizens".

At that time, Ms. Williams returned to the podium and asked Council to consider the zoning ordinance text amendment request solely by process, removing the applicant and the property owner from the equation, and making a decision for the best interest of the town's future.

Mayor Mattox asked Council if they had any questions or comments regarding this matter.

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Councilman Mitchell asked Ms. Williams if there was an estimated timeframe for when the Comprehensive Plan update would be complete.

Ms. Williams stated, after the Planning Commission's public hearing on November 7th and Council's public hearing on December 13th regarding the draft plan, the updated plan was scheduled to be adopted at Town Council's January 13th regular meeting.

Vice Mayor Bennett thanked Mr. Porter for sharing Clean Footprint intent and goals. He also thanked Ms. Williams for informing everyone of the requirements for submitting such an application, and stated the Town of Altavista would uphold a fair and unbiased process while considering the text amendment request.

Councilman Higginbotham stated, if a property owner had an opportunity to contribute to solar energy on land that was otherwise unusable, he believed they should have the opportunity to investigate the possibility of that option.

Councilman George stated, since this matter had been in discussions for almost two years, he was in favor of moving forward and making a decision on the matter in a timely fashion.

Councilman Lowman shared his favor with option (1), sending the application to the Planning Commission, however, he believed thirty days was not enough time to investigate, discuss, and consider the matter.

Ms. Williams stated that State Code dictates the timeframe for the Planning Commission's consideration to be 100 days or less. She said they may not take that long, however, with all of the "unknowns" that needed to be investigated, the process could take the entire 100 days.

Mayor Mattox referenced the parcel of land that Clean Footprint was interested in putting a solar facility, and asked if the property would need to be rezoned.

Ms. Williams reminded Town Council that the request at hand was for a zoning text amendment, not a particular parcel of land, and if approved, would allow for large-scale solar facilities in the M-Industrial and C-2 Commercial Districts of Altavista, with a Special Use Permit approval; and each application would be evaluated on its own merits.

Ms. Williams stated, if the zoning text amendment request was approved, it would indicate that the Town of Altavista supported large-scale solar facilities in its industrial and commercial zoning districts.

Mayor Mattox stated, with the town's desire for commercial and industrial growth, he questioned whether solar facilities would be the best use of such vacant properties, or if economic development would have a better contribution to opportunities for the town's long-term goals for increased housing and community development.

Councilman Mitchell referenced Pivot Energy's text amendment application and its mention of "large-scale" solar facilities. He said that he believed the original application was for small-scale facilities, and he asked staff for the definition of the two.

Ms. Williams stated that she was unsure, because the submitted application was unclear.

Mr. Mitchell said there was a lot of information for Council to consider and he shared his favor with moving the item to Council's work session for further discussion.

Councilman Emerson shared his favor with sending the application to the Planning Commission for their evaluation and recommendation to Town Council.

Vice Mayor Bennett stated that he believed there were items pertaining to the aforementioned text amendment request application that needed to be addressed, such as an environmental impact review, and including a recycle plan for the used panels.

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Mr. Bennett reminded Council that, if the town decided to send the application to the Planning Commission, they had the option to draft the text amendment to include items for a desired outcome, such as site restrictions and Special Use Permit requirements.

Mayor Mattox suggested that Town Council deliberate on the information given to them that evening and discuss the item further at their October 25th work session.

Councilman Higginbotham asked the difference in proposed options one and two.

Ms. Williams stated that Option 1 meant that the Planning Commission would offer Council a recommendation from the application as it was submitted; and Option 2 allowed the Planning Commission to make a recommendation from the submitted application, with proposed revisions and/or restrictions.

Councilman George asked, if a text amendment to the town's zoning ordinance pertaining to solar facilities was approved, would other companies also be allowed to do the same.

Ms. Williams reminded Council the item before them was a text amendment application pertaining to the town's zoning ordinance; and not site specific. She stated, if approved, it would affect all properties in Altavista's Industrial and C-2 Commercial Districts.

Councilman Lowman stated that he was just learning the application process and he asked Ms. Williams, if Council chose Option 2, did that allow the Planning Commission to ask the applicant questions and propose restriction in their recommendation to Council.

Ms. Williams answered yes. Option 2 gave the Planning Commission the opportunity to evaluate the proposed text amendment and identify any restrictions and/or requirements needed for a recommendation to Council. She stated, both the Planning Commission and Staff were seeking direction from Town Council on how they wished to move forward with this matter, if at all.

Ms. Williams stated that the Planning Commission and Staff were committed to establishing a review process for any type of request; and have requirements in place so the town could appropriately evaluate this item, and any future items/requests.

Councilman Mitchell stated that there was a lot of information shared that evening on this matter and he believed that Town Council should take additional time to review and consider the information before making any final decisions.

Mayor Mattox asked Town Council if they had any additional questions or comments in regard to this item, of which there were none.

Councilman Mitchell made a motion, seconded by Councilman Emerson, to place this item on the October 25th Work Session Agenda for further discussion.

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Mr. Tracy Emerson	Yes
	Vice Mayor Reggie Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	No
	Mr. Tim George	Yes
	Dr. Scott Lowman	Yes

9. Unfinished Business

A. SCADA Improvements Project

Background:

This project's scope of work was initially for two spring sites, Reynolds and McMinnis. Staff directed Peed & Bortz to get bids for all sites with the newly installed generators, which included Staunton River and Bedford Pump Station.

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Public Services Director Tom Fore informed Town Council that bids for the additional work were received from two of the town's four prequalified vendors. He stated, after reviewing the bids with Peed & Bortz, they recommended awarding to Lord & Company. Mr. Fore stated, with the town's recent borrowing, the SCADA project was estimated to be completed in its entirety in approximately three years.

Mr. Fore asked Town Council to consider the recommendation, and if approved, to place this item on Council's November 8th Regular Meeting Consent Agenda.

Mayor Mattox asked Council if they had any questions, to which there were none.

By unanimous consensus of Town Council, this item was authorized to be placed on the November 8th Consent Agenda for official approval.

Vice Mayor Reggie Bennett referenced the town's AMI Utility Meters Upgrade Project and asked Tom Fore for a progress update on the installation of the new meters.

Mr. Fore informed Council that Staff was currently evaluating the information received by the seven vendors that submitted bids for this project. He said Staff would start the interviewing process soon; and he expected to award the contract by December 2022.

10. Departmental Reports - September 2022

- A. Utilities – Project Updates
- B. TOA Financial Reports
- C. Community Development Report
- D. Public Services Monthly Report
- E. Town Council Monthly Meeting Calendars – October and November
- F. Altavista Police Department

Departmental Reports and Council Calendars were delivered to Town Council with their October Regular Council Meeting Agenda Pre-Packet.

Mayor Mattox asked the Town Manager and Department Directors if they had any additional comments pertaining to the monthly reports; of which there were none.

11. Matters from Council

Mayor Mattox asked Town Council if they had any additional concerns or items for discussion.

- Councilman Tim George asked for a progress update regarding the previously approved project to remove dead ash trees from English Park.

Public Works Manager Jeff Arthur stated that he had reached out to the project's contractor multiple time, but had yet to receive a response. Mr. Arthur said that Staff was looking at other options, and potentially other contractors, to finish the work.

- Councilman Lowman referenced the town's recent BBQ festival in English Park. He thanked Town Staff for the work they did to help AOT make the event successful.
- Mayor Mattox referenced the recent strong storm that came through the area, originating from a hurricane off the east coast. He thanked Town Employees for the great work they did in keeping everything running smoothly through the storm, and keeping debris off of the town's streets.

Mayor Mattox stated that he was proud to be the Mayor of Altavista, a member of Town Council, and a citizen of such a great town. He stated that he was also proud of the Citizens of Altavista for always looking out for one another.

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At this time, Town Manager Gary Shanaberger gave Council an update on a few items.

- Mr. Shanaberger informed Council that the Town recently received a request from Columbia Gas to replace a gas line under the, newly paved, parking lot in English Park.
Mr. Shanaberger stated that Town Staff had a meeting scheduled with Columbia Gas for later that week, to inquire about their plan for the project. He stated that the town always worked with town service providers for the best interest of the community.
Mr. Shanaberger shared a request the Town would ask of Columbia Gas – to use the same contractor that the town used to pave the parking lot, when they do the repairs of the area after replacing the gas line.
Councilman Higginbotham asked if Columbia Gas could “directional-bore” for the replacement gas line.
Mr. Shanaberger, confirmed by Public Services Director Tom Fore, stated that Columbia Gas planned to directional bore, however, several large bore pits were also necessary.
Mr. Fore asked Mr. Higginbotham to attend the meeting between staff and Columbia Gas to offer his expertise in the matter, to which Mr. Higginbotham agreed.
- Mr. Shanaberger also informed Council that Mr. Robert Lee, Vista Theater Project Consultant, had been working with Dominion Seven and Hurt & Proffitt on the issues pertaining to the theater’s roof. He stated that Town Staff would be meeting with Mr. Lee the following week, and Mr. Lee would be scheduled for a future Council meeting to offer Town Council an overview of his input on the project.
- Mr. Shanaberger shared with Council that, through the hard work of Community Development Director Sharon Williams, the town was awarded a \$25,000 grant to perform a feasibility study on the Vista Theater. He stated, before authorizing the feasibility study, it was important for the town to know what the desired use for the building/facility would be.
- Mr. Shanaberger concluded his updates by referencing the 2023 Uncle Billy’s Day Reunion Event. He informed Council that the event’s organizing committee had been meeting once per month for the past few months and the event coordinator, Tony Clifton, would be presenting an update to Town Council at an upcoming meeting.

12. Closed Session

I move that the Altavista Town Council convene in closed session in accordance with the provisions set out in the *Code of Virginia*, 1950, as amended,

Section 2.2-3711 (A)(5) regarding discussion concerning a prospective business or industry or the expansion of an existing industry where no previous announcement has been made of the business’ or industry’s interest in locating or expanding its facilities in the community.

The motion was made by Vice Mayor Reggie Bennett, and seconded by Councilman Tracy Emerson.

Motion carried.

VOTE:	Mr. Wayne Mitchell	Yes	Mr. Jay Higginbotham	Yes
	Mr. Tracy Emerson	Yes	Mr. Tim George	Yes
	Vice Mayor Reggie Bennett	Yes	Dr. Scott Lowman	Yes
	Mayor Mike Mattox	Yes		

Town Council went into Closed Session at 7:05 p.m.

Notice was given that Council was back in regular session at 7:33 p.m.

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FOLLOWING CLOSED SESSION:

A motion was made by Vice Mayor Reggie Bennett, seconded by Councilman Tracy Emerson, to adopt the certification of a closed meeting.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the town council that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED the Town Council hereby certifies, to the best of each member's knowledge, (i) 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 (ii) only such public business matters as identified in the motion convening the closed meeting were heard, discussed, or considered by Town Council.

VOTE:	Mr. Wayne Mitchell	Yes	Mr. Jay Higginbotham	Yes
	Mr. Tracy Emerson	Yes	Mr. Tim George	Yes
	Vice Mayor Reggie Bennett	Yes	Dr. Scott Lowman	Yes
	Mayor Mike Mattox	Yes		

Notice was given to Staff by the Town Manager that no official actions were taken by Council pertaining to this closed session.

13. Adjournment

Mayor Mattox asked if there was anything else to bring before Town Council or any additional comments or concerns from Council, to which there were none.

Mayor Mattox adjourned the meeting at 7:35 p.m.

Michael Mattox, Mayor

Gary Shanaberger, Town Clerk,
Town Manager