

Town Council Regular Meeting - December 13th, 2022

The Altavista Town Council held their December 2022 Regular Meeting in Council Chambers of the Town Hall/J.R. Burgess Municipal Building, 510 Seventh Street, on Tuesday, December 13th, 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
- 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
- Mr. Mathew Perkins, Assistant Town Manager
- Mrs. Tobie Shelton, Treasurer/Finance Director
- Mr. Thomas Merricks, Altavista Chief of Police
- Ms. Sharon D Williams, Community Development Director
- Mr. Tom Fore, Public Services Director
- Mr. Paul Hill, Assistant Public Services Director
- Mr. Jeff Arthur, Public Works Manager
- Mr. John Eller, Town Attorney
- Mrs. Crystal Hailey, Assistant Town Clerk

Mr. Tom Fore, Public Services Director, gave the invocation for this evening.

After the invocation, Mayor Mattox led the meeting in the Pledge of Allegiance.

2. Agenda Adoption

Mayor Mattox informed Town Council of an amendment to the agenda; pertaining to Section #6 - Consent Agenda: Item 6.H, TOA Employee Handbook Update, was removed from the Consent Agenda for further discussion and consideration by Town Council.

Mayor Mattox asked Town Council if they had any questions, comments, or concerns in regard to the December 13th Town Council Meeting Agenda, of which there were none.

Councilman Tim George made a motion, seconded by Councilman Tracy Emerson, to approve the December 13, 2022, Altavista Town Council Meeting Agenda as amended.

Motion carried.

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

3. Recognitions and Presentations

A. Town of Altavista Personnel Changes - November 2022

Milestone:

Jeff Arthur, Public Works Manager – 20yrs of service

New Hire:

Jamie Gillespie, Business & Community Engagement Coordinator

Departure Listing:

None in November

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Mayor Mike Mattox recognized Jeff Arthur for his 20 year milestone; and thanked Mr. Arthur for his continued service to the Town of Altavista and its community.

Mayor Mattox then referenced the Altavista Police Department (APD) Awards Ceremony, held earlier that evening, and asked Altavista's Police Chief, Tommy Merricks, to share the names of the individuals that received awards at the ceremony.

- Officer Logan Anthony:
M.A.D.D. Award (Mothers Against Drunk Driving), for recently leading the APD in drunk driving arrests.
- Sergeant John Henderson:
APD Departmental Life-Saving Award, for reviving a non-responsive person from an "unintentional" drug overdose.
- Citizen, and Veteran Medic, Connie Peresada:
Community Life-Saving Award for her assistance with saving the lives of three Altavista citizens during a rescue mission at the river in English Park on July 4, 2022.
- Citizen Robert "Bob" Lyon:
Community Life-Saving Award for his assistance with saving the lives of three Altavista citizens during a rescue mission at the river in English Park on July 4, 2022.
- Officer Jeffrey Williams:
APD Departmental Life-Saving Award, for his actions during a near-drowning incident at the river in English Park, on July 4th, 2022.
- Officer Anthony Scott Earhart:
APD Departmental Life-Saving Award, for his assist during a near-drowning incident at the river in English Park, on July 4th, 2022.
- Officer Larry Rigney:
APD Departmental Life-Saving Award, for his assistance with the July 4th, incident.

Chief Merricks said that he was proud of the Altavista Community for working together with the Altavista Police Department to "get things done".

Mayor Mattox also recognized Altavista Police Chief, Tommy Merricks, for his recent graduation with a Master of Science Degree in Criminal Justice.

4. Citizen's Time

There were no citizen comments for the Altavista Town Council on this date.

5. Town & Community Partners - Updates

Altavista Area Chamber of Commerce Chair, Codi Cyrus, invited Town Council to the Chamber's upcoming Mingle & Jingle event; being held Thursday, December 15th, at the Avoca Museum from 5-7pm.

Mrs. Cyrus then introduced the Chamber's new Executive Director, Beverly Watlington.

Mrs. Watlington stated that she felt very welcome in the Town of Altavista, not only with the Chamber, but also with Town Staff; and that she looked forward to working with everyone.

6. Consent Agenda

- FY2022 Financial Audit Report
- CY2023 Town Council Meeting Schedule
- Altavista Community Transit System (ACTS) Budget Review
- Engineering Services for the Clarifier #3 Rehabilitation Project
- Spark - Town Hall - English Park Internet Connection Attachment. Town Internet
- TOA Monthly Financial Reports - November 2022
- Town Council Meeting Minutes
- Town of Altavista Employee Handbook Update

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Mayor Mattox informed Town Council that a Council member had asked for Item 6.H, Town of Altavista (TOA) Employee Handbook Update, to be removed from the Consent Agenda for further discussion. He asked that Town Council approve the Consent Agenda as amended.

Councilman Jay Higginbotham made a motion, seconded by Councilman Scott Lowman, to approve the December 13, 2022, Meeting Consent Agenda as amended, without Item 6.H.

Motion carried.

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

Mayor Mattox opened the floor to Town Council for discussion pertaining to the proposed updates to the Town's Employee Handbook (also known as the "Employee Policy Manual").

Councilman Higginbotham referenced the proposed updates to the TOA Employee Handbook, which included three additional holidays with paid time off, and stated that he believed the matter should be discussed/considered during the upcoming (FY2024) draft budget process. He also shared his concern with new employees receiving the pay same increases as long-time employees, when they had only been employed with the Town just a few weeks or months.

Vice Mayor Bennett stated that the proposed days off would not affect the town's budget, because the employee would be receiving the same amount of pay. He said, when an employee had a day off, their work did not decrease, but was completed on the day of return; such as the Public Works employees that conduct trash pickup – they conduct "double routes" in order to collect the trash for that day and the previous day they were off (for a holiday).

Councilman Mitchell shared that he agreed with the Vice Mayor regarding the proposed extra holidays for town employees. He also referenced Councilman Higginbotham's concern regarding new employees receiving pay increase in such a short time of being employed; and suggested the matter be discussed further and clarified in the employee handbook.

Councilman Emerson stated whether it's a 2% or 10% raise, departmental and across-the-board pay increases should be given to all employees, even new employees, to reduce the amount of "compression" within an employer's pay scale. He said the Town's last pay raise was given in order to bring the Town's pay scale up to the current job market average, to help be more competitive when recruiting new employees, as well as retaining existing employees.

Councilman Tracy Emerson made a motion, seconded by Vice Mayor Reggie Bennett, to approve the Town of Altavista Employee Handbook as updated and presented to Town Council

Councilman Higginbotham stated he did not agree with voting on something that he had not seen, rather only been told about the proposed changes.

Town Manager Gary Shanaberger informed Council that Town Staff just received the prepared draft document of the proposed Town of Altavista Employee Handbook updates; and that Council would receive their copy that week.

Mayor Mattox referenced the Town's last pay increase, given to all Town Employees, and shared his concern that it benefited the existing employees more than helped the Town with recruiting, especially the need for employees in the Public Works Department.

Mr. Shanaberger referenced the Compensation Study/Market Analysis completed for the Town at the end of calendar year 2021, which showed the Town of Altavista was below average with its (then) existing pay scale.

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Mr. Shanaberger stated that was when Council voted to approve the 10%+2% pay increase across-the-board for Town Employees. He stated the +2% increase focused on bringing the Public Works entry-level positions closer to the job market average, so the Town could be competitive when recruiting new employees. Mr. Shanaberger said the Town was not fully in line with the market average, but he believed the Town was on the right track, as Public Works Management had indicated the increase was helpful.

Mr. Shanaberger referenced the three new holidays proposed in the handbook update, and stated that addition was also meant to help the Town be more competitive in the job market.

Vice Mayor Bennett said that he was in favor with, not only increasing the Town's pay scale to attract new employees, but including Town employees in the aforementioned pay increase last year, because it was also important to take care of the Town's existing employees.

Councilman Higginbotham stated that he believed the TOA Employee Handbook needed to include the basic fundamentals for Town Safety Protocols, and each new employee should be required to sign that they received the document(s).

Public Services Director Tom Fore informed Council that the Town's current handbook had a limited amount of safety information, however, he was directed by the previous Town Manager with the task of updating the Town of Altavista's Safety Manuals for the Public Works, Water, and Wastewater Departments. He stated that each new employee in those departments go through the same orientation process and other departments, but were also required to read the safety manual for their department and sign an acknowledgement that they received it.

Mr. Fore stated, when he first started working for the Town of Altavista, his departments were down sixteen needed employees, but currently were only down three needed employees. He said that he believed the aforementioned pay scale update/pay increase helped with recruiting the employees the Town needed; and the proposed policy updates would continue the Town's efforts in recruitment and retainment. He thanked Town Council for allowing him the opportunity to assist with recruiting quality employees.

Mayor Mattox asked Town Council if they were ready to vote on this item that evening, or if they wished to move the item to a future meeting agenda for further discussion.

Town Attorney John Eller suggested that Town Council postpone voting on the proposed employee handbook/policies updates until they had a chance to review the draft document.

There was a consensus of Town Council to place this item on the January 10th, 2023, regular meeting agenda for further discussion and consideration.

Vice Mayor Bennett withdrew his motion to concur with the consensus of Council.

7. Public Hearings

Town of Altavista - Comprehensive Plan Update

STAFF: Community Development Director, Sharon D. Williams, AICP

Background

The Planning Commission held a public hearing on November 7, 2022, and voted 5-0 to recommend that Town Council approve the proposed changes and adopt the 2045 Comprehensive Plan as presented. Pursuant to *Section 86-782(a)* of the Town of Altavista Zoning Ordinance and §15.2-2225 of the Code of Virginia, a public hearing is also required by Town Council on the proposed Comprehensive Plan updates, prior to Town Council taking any action on the plan.

Ms. Williams gave Town Council a brief overview of the draft 2045 Comprehensive Plan to remind Council of the revisions and updates; and for present and viewing citizens.

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Ms. Williams shared the options for Council’s consideration of action after the public hearing:

1. Approve the Comprehensive Plan as presented.
2. Defer action on this item to a future Town Council meeting for additional discussion or to receive additional public comments.
3. Refer the Comprehensive Plan back to the Planning Commission for additional review of any section of concern to Town Council.
4. Deny approval of the Comprehensive Plan. Should Town Council decide to deny the update, the Town would continue to use the 2016 Comprehensive Plan as its guidance document.

Ms. Williams stated that the Planning Commission had dedicated numerous hours of work towards updating the Town’s Comprehensive Plan and she wanted to thank them for their hard work and dedication to the process. She said the Commission believed the result was a plan the Town could be proud of.

Ms. Williams said that she was happy to answer any questions Council may have.

Councilman Mitchell shared his approval with the presented draft document and stated that he believed the Planning Commission and Staff did a “fabulous” job updating the plan. He said that the updated plan was a wonderful “brag sheet” for the Town of Altavista.

Vice Mayor Bennett, Council’s liaison to the Planning Commission, thanked Ms. Williams for her contribution to the Comprehensive Plan update, specifically the history portion of the document, which Ms. Williams researched and included in the plan.

Mayor Mattox opened the public hearing at 6:42pm.

There were no citizen comments or questions regarding the plan updates.

Mayor Mattox closed the public hearing at 6:43pm; and asked Town Council if they had any questions or comments with the draft 2045 Comprehensive Plan, of which there were none.

Vice Mayor Reggie Bennett made a motion, seconded by Councilman Wayne Mitchell, to accept the recommended updates to the Town’s existing Comprehensive Plan: and to adopt the 2045 Comprehensive Plan as presented.

Motion carried.

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

Mayor Mattox thanked Ms. Williams and the Planning Commission for their hard work and efforts towards the Town of Altavista’s 2045 Comprehensive Plan.

Ms. Williams informed Town Council that the Planning Commission’s next project was to review the Town’s Subdivision and Zoning Ordinances for needed updates. She said they planned to start that process in February 2023.

8. New Business

A. Altavista Planning Commission – Appointment Consideration

Background:

Commissioner Marvin Clements' term on the Planning Commission ends on December 31st, 2022. He does not wish to be reappointed to another 4-year term.

Community Development Director, Sharon D. Williams, informed Town Council that the Planning Commission had unanimously recommended Mr. Ashby “AJ” Robinson be appointed to a 4-year term; to fill the vacancy of Marvin Clements. She stated, if approved, Mr. Robinson’s term would run from January 1st, 2023, to December 31st, 2026.

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Mayor Mattox asked Town Council if they had any questions pertaining to the Planning Commission's recommendation for appointment, of which there were none.

With a motion made by Councilman Jay Higginbotham, and seconded by Councilman Tracy Emerson, the Altavista Town Council accepted the Planning Commission's recommendation for appointment and approved Mr. Ashby Robinson for a 4-year term on the Altavista Planning Commission, beginning January 1, 2023.

Motion carried.

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

B. Altavista Police Department (APD) – Request for a Police K9

Background

In September of 2022, Town Council approved the APD to accept a donated K9 from the Amherst County Sheriff's Office. The K9 was accepted, but due to a physical injury, the K9 was returned to Amherst. Provisions had been made for a kennel and concrete pad, which were erected prior to the K9 being returned.

Altavista Police Chief Tommy Merricks requested Council's consideration of allowing the APD to purchase a single-purpose K9 for narcotic detection. Chief Merricks stated, if approved, he recommended the purchase be made from Highland K9, a reputable firm that offered a Health & Performance Warranty on their animals; also included in the purchase was 3 weeks of training for the designated handler.

Chief Merricks stated, in implementing a K9 program, it was the police department's intent to make it undesirable for users and sellers of illegal substances to do illegal activity in the Town of Altavista. He said, recently, there had been several drug related acts of violence in the surrounding area, and he believed adding a K9 to the APD would enhance their enforcement ability, as well as serve as a deterrent.

Chief Merricks referenced the \$55,000 allocated in the FY2023 Budget for the purchase of a new police vehicle. He stated, due to supply chain issues, the department was currently unable to secure/purchase a vehicle. Chief Merricks proposed using a portion of those funds to purchase the proposed K9, and either outfit an existing vehicle or purchase a used one for use with the K9.

Chief Merricks stated that the K9 would be available in February 2023, and he was bringing the request before Council because there was a long waiting list for the K9s.

Mayor Mattox shared his favor in approving this request. He stated that he believed a K9 Program would be an asset to the APD and the community.

Mayor Mattox asked Town Council if they had any questions or comments.

Vice Mayor Bennett stated, since there was a waiting list for K9s from Highland, he suggested Council vote on the request that evening.

Vice Mayor Reggie Bennett made a motion, seconded by Councilman Tracy Emerson, to approve Chief Merricks' request and allow the Altavista Police Department to utilize a portion of their unexpended CIP funds to purchase of a single-use (narcotics) Police K9.

Councilman Mitchell reminded Council that Campbell County had a K9 Program and the Town of Altavista could utilize that program when needed.

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Councilman Emerson stated that yes, Altavista was able to utilize county services, like their K9 Program, however, some situations were time-sensitive, and waiting for an available K9 from the county could hinder the APD from being successful with an arrest or other emergency situation that called for K9 services.

Vice Mayor Bennett asked if forfeiture monies could be used to fund the said K9 Program.

Chief Merricks stated that it was possible, but he did not advise counting on that type of funding to be available, because it was an uncertain variable.

Councilman Higginbotham asked if there were any grants available to help fund this type of program.

Chief Merricks answered that he was unaware of any grants for K9 programs, but he would continue to investigate if there was something available.

Mayor Mattox shared that he believed the Town should do everything it could to protect its citizens, and allowing the APD to have a K9 Program was a good way to show drug dealers that Altavista would not condone that type of illegal activity.

With the motion made by Vice Mayor Bennett, and seconded by Councilman Emerson, Mayor Mattox asked Town Council if they were ready to vote on this matter.

Motion carried.

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

9. Unfinished Business

There were no items discussed in this category.

10. Departmental Reports – November 2022

- Utilities – Project Updates
- TOA Financial Reports
- Community Development Report
- Public Services Monthly Report
- Altavista Police Department
- Town Council Monthly Meeting Calendars – November and December

Departmental Reports and Council's Meeting Calendars were delivered to Town Council with their December 13th Meeting Agenda Pre-Packet.

Mayor Mattox asked the Town Manager and Department Directors if they had any comments pertaining to their monthly reports.

Town Manager Gary Shanaberger gave Town Council an update pertaining to the Dearing Ford Manufacturing & Industrial Park, located on Clarion Road, Altavista.

- Public Works cleared and cleaned up the site in preparation of a site assessment.
- The Site Assessment was recently completed (as a grant requirement)
- With the assistance of Megan Lucas, Lynchburg Regional Business Alliance, and Jamie Gillespie, Altavista's Business & Community Coordinator (formally LRBA), the Town Manager believed the site visit went well.
- The Town should know the results of the site assessment within the next 90 days – and the potential for receiving the \$240,000 "Business Ready Site" Grant.

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11. Matters from Council

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

- Councilman George asked for an update regarding the removal of dead Ash Trees in English Park.

Altavista's Public Services Director, Tom Fore, informed Town Council that the Town was still having difficulty finding a contractor to finish the work. Mr. Fore ensured Council that Public Works would continue to work on the project, when time allowed, until the project was completed.

- Vice Mayor Bennett asked APD Chief Merricks for an update on the speed monitoring cameras located in both of the town's school zones.

Chief Merricks reminded everyone that the cameras were re-initiated on Monday, November 14th; and since then, the APD had issued approximately 100 citations. He stated that he believed the speed monitoring system was starting to help deter speeding in both school zones, and there would be fewer and fewer incidents as time went on.

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)(3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body

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

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

Town Council went into Closed Session at 7:12 p.m.

Notice was given that Council was back in regular session at 8:12 p.m.

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 were identified in the motion convening the closed meeting were heard, discussed, or considered by the Town Council.

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

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Town Manager Gary Shanaberger informed Staff that the Altavista Town Council made an official action after the Closed Session.

- Town Council authorized the Town Manager to enter into a contract, on the Town's behalf, with the Frazier Estate Corporation, to purchase the "Frazier Farm", 7th Street, Altavista.

13. Adjournment

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

Mayor Mattox adjourned the meeting at 8:16 p.m.

Michael Mattox, Mayor

Gary Shanaberger, Town Clerk,
Town Manager