

Town Council Regular Meeting April 12th, 2022

The Altavista Town Council held their April 2022 regular meeting in Council Chambers of the Town Hall/J.R. Burgess Municipal Building, 510 Seventh Street, on Tuesday, April 12th, at 6 p.m.

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. Timothy George
Mr. Jay Higginbotham
Dr. Scott Lowman
Mayor Michael Mattox
Mr. Wayne Mitchell

Absent: Mr. Tracy Emerson

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
Mrs. Crystal Hailey, Assistant Town Clerk

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

2. Agenda Adoption

Mayor Mattox informed everyone of an amendment to that evening's agenda.

- Section #8, Item C.: Boundary Line Adjustment – Schedule Public Hearing

Mayor Mattox asked Town Council if they had any questions, comments, or concerns in regard to the April 12th meeting agenda, to which there were none.

Councilman Wayne Mitchell made a motion, seconded by Councilman Jay Higginbotham, to approve the April 12th, 2022, Altavista Town Council Meeting Agenda as amended.

Motion carried

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

3. Recognitions and Presentations

A. Personnel Changes

The Town of Altavista's personnel changes during March 2022:

New Hire Listing:

Phillip Brightwell	Public Works Mechanic
Isaac Gratto	Utilities Maintenance Mechanic
Ted Hogan	Transit PT Bus Driver

Departure Listing:

Emily Thurman	Police Department - Officer
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B. Presentation by Dale Moore

Mayor Mattox recognized Altavista citizen and business owner, Dale Moore, to come before Council. He stated Mr. Moore was one of the area's leading businessmen that started his business with very little and grew his company to be a major asset to his community.

Mr. Moore thanked Town Council for their commitment and vision for the Town of Altavista. He shared his concerns with blighted buildings located throughout Altavista and offered his time to help the town address the issue.

Mr. Moore then referenced the small business community of Altavista and suggested the town consider offering local small businesses some assistance with updating the facades of their business to help keep Altavista looking nice. He said, he was offered this assistance when he first started his business, that was then located on Broad Street.

Mr. Moore concluded by referencing the Town of Altavista's Annual Uncle Billy's Day Festival, which had not been held the past couple of years due to the COVID pandemic and currently not having a town organization available or interested in organizing the event. He stated the festival brought a lot of visitors and revenue to the town and he would like to see the 70yr old tradition return and stated he would be happy to help whoever took on the task.

Vice Mayor Bennett thanked Mr. Moore for his continued interest in helping his community grow. He informed Mr. Moore that currently, the town did not have a property maintenance code or code enforcement officer to address the blight issues pertaining to commercial buildings, only residential properties, but stated they were willing to listen to any ideas he might have that would help.

Mr. Bennett referenced Mr. Moore's mention of the town helping small businesses update their exterior façade and informed him that Altavista On Track had a grant program that offered this assistance. He stated the town continued to look for grants that would help small businesses thrive.

Mr. Bennett stated the Uncle Billy's Day Festival was organized in the past few years by the Altavista Area Chamber of Commerce, however, they did not have enough volunteers to continue hosting the event and no one else stepped up to take it over.

Mr. Bennett thanked Mr. Moore for coming before Council to share his concerns on the aforementioned items and said that Town Council valued his experience and would be happy to have him collaborate with the town on items he could share insight on.

Councilman Mitchell also thanked Mr. Moore for sharing his concerns and input regarding blighted properties. He informed Mr. Moore there were multiple ordinances in the Town Code that were no longer applicable, and the town was working to update the Code accordingly.

Mr. Mitchell referenced AOT's Façade Grant mentioned by the Vice Mayor and stated he believed the grant's availability needed to be advertised more so that small businesses were better informed.

Mr. Mitchell stated he believed Town Staff would be happy to have any volunteer assistance that Mr. Moore offered.

Councilman Lowman shared his appreciation for Mr. Moore not only pointing out issues of concern, but also offering to help the town address those items.

Mr. Moore referenced Altavista's new Town Manager, Gary Shanaberger, and he stated he recently had the opportunity to have lunch with Mr. Shanaberger and hear his vision for the town. He said that he believed Mr. Shanaberger was going to be a good asset to the town and he looked forward to working with him.

Councilman George shared his appreciation for Mr. Moore's willingness to help the town with the blighted buildings issue. He said there were multiple buildings in town that needed to be addressed.

Councilman Higginbotham stated that he would like to "go on record" and say that he was against the town having a property maintenance code because the authority was often misused.

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He shared an idea for Council and the Town Manager to consider - allowing Mr. Moore to collaborate with staff and work on addressing some of the blighted and derelict buildings in town.

Mayor Mattox referenced the first AOT (Altavista On Track) meeting, held in 2002, that he and Mr. Moore both attended and stated that Mr. Moore had always strived to improve and grow the Town of Altavista. He thanked Mr. Moore for his time and his offer to assist the town with the aforementioned items/issues.

Mr. Moore shared that when he came to Altavista he considered himself poor, but he did not dwell on how much money he could make, but rather how many people he could employ and help do better for themselves. Mr. Moore stated that his business did well over the years under that original concept and continues his belief everyday that it is not how much money you have that makes you important, but how many lives you were able to touch and impact for the good.

4. Citizen's Time

Mayor Mattox asked if there were any citizen(s) present wishing to address Council with a comment or concern, to which there were none.

5. Town/Community Partner Updates

A. Altavista Area Chamber of Commerce (the Chamber)

There was no one present at this meeting to represent the Chamber.

B. Altavista On Track (AOT)

Altavista On Track's Board President Reverend Ed Soto and Vice President Regina Adams gave Council a brief update on Altavista On Track's most recent activities and events.

Reverend Soto shared with Council the AOT 2021 Cumulative Program Statistics Report for Council's review. This was informational only, with the following highlights:

- Five (5) downtown businesses utilized AOT's Downtown Business Investment Grant; and four of those five were still in business. This grant pays for the first three months of rent and utility bills for a new business.
- Four downtown businesses utilized AOT's façade grant program; three of which had never used AOT's resources in the recent past.
- Fifteen hundred people attended AOT's inaugural BBQ, Bourbon, & Beer Festival in 2021. The event's name would be changed to remove Uncle Billy's and be further known as the Altavista BBQ, Bourbon, & Beer Festival, with increased attendance expected due to its new KCBS sanction (Kansas City Barbeque Society).

Reverend Soto referenced Mr. Moore's mention of the blighted buildings in town and the desire of the town for Uncle Billy's Day to return. He stated working on those types of things was part of what AOT was intended for and said AOT would be happy to have Mr. Moore on their board for his input and guidance.

Reverend Soto also informed Council that several applicants had been interviewed for the vacant Main Street Coordinator position, by himself, as AOT's Board President, the AOT Vice President Regina Adams, the Community Development Director Sharon Williams, and Finance & Administration Director Tobie Shelton. He stated AOT was confident they had found a capable candidate, with strong leadership skills, that had experience with government and non-profit agencies, and was familiar with the Altavista community.

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In conclusion, Reverend Soto shared that AOT would be separating its operational connection with the town and stated, as part of that decision, the AOT Executive Director would no longer be a town staff member. He requested the consideration of Council to continue supporting AOT as a town partner by continuing to subsidize the director position. Reverend Soto said that he would be happy to answer any questions Council may have.

Councilman Mitchell asked staff if the FY2023 draft budget still had a placeholder for AOT's Executive Director position as it had in the past.

Finance Director Tobie Shelton confirmed that it did.

Mr. Mitchell said that he considered the budget placeholder as a confirmation that the town would continue to support AOT and subsidize the position. He shared his favor with continuing to support AOT but he would refer the request to the Town Manager for direction and any final decision on the matter.

Mayor Mattox asked, with Rev. Soto and Mrs. Adams' board terms ending soon, would it be more reasonable for AOT to have the new board president and vice president give their input on who AOT's new executive director would be and would fit the new board's vision for AOT's future.

Reverend Soto stated it was AOT's intent to hire a new executive director first and have that person give their input for who the new board members would be. He stated that he believed having a strong leader (executive director) would help guide the AOT Board in sharing AOT's vision.

Councilman George asked if the decision of this request was time sensitive.

Reverend Soto said the request was for Council's consideration, however, the person AOT had in mind for the executive director position was actively looking for employment, so the sooner a decision could be made, the better.

Councilman Higginbotham stated, if the town was subsidizing the director position, he asked for clarification why AOT requested the position only be managed by them and not in collaboration with the town.

Reverend Soto stated, in the past, the person in that position had "two bosses", the town and AOT. He said he believed the director was "tugged" between their duties and visions from each of the two organization.

After brief discussion, Mayor Mattox asked Council to consider deferring the decision of this request to a later date, to allow further consideration of the matter by the Town Manager.

There was a consensus of Town Council to do so.

Mayor Mattox thanked Reverend Soto and Mrs. Adams for the updates and thanked AOT for the work they do for the Town of Altavista and its community.

6. Consent Agenda

- March 2022 Financial Reports
 - Check Register, Revenue Report, Expenditure Report, and Reserve Balance/Investment Report
- Approval of Council Meeting Minutes:
 - February 22nd, 2022, Work Session
 - March 8th, 2022, Regular Meeting

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Mayor Mattox asked Town Council if they had any questions, comments, or concerns in regard to the March 8th Consent Agenda, to which there were none.

Vice Mayor Reggie Bennett made a motion, seconded by Councilman Tim George, to approve the April 12, 2022, Council Meeting Consent Agenda as presented.

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Timothy George	Yes
	Dr. Scott Lowman	Yes

7. Public Hearings

There were no public hearings scheduled for this date.

8. New Business

A. Regional Mutual Aid Agreement

The Altavista Police Department's (APD) Police Chief, Tommy Merricks, requested Council's consideration to renew the Regional Mutual Aid Agreement with surrounding law enforcement agencies.

Amherst County Sheriff's Office	Town of Altavista Police Department
Appomattox County Sheriff's Office	Town of Amherst Police Department
Bedford County Sheriff's Office	Town of Bedford Police Department
Campbell County Sheriff's Office	Town of Brookneal Police Department
City of Lynchburg Sheriff's Office	Town of Chatham Police Department
Nelson County Sheriff's Office	Town of Hurt Police Department
Pittsylvania County Sheriff's Office	City of Lynchburg Police Department

Chief Merricks informed Council that the current agreement expired on May 1st, 2022 and required authorization by Council for the Town Manager to renew the agreement.

Mayor Mattox asked Council if they had any questions regarding the request or the Regional Mutual Aid Agreement.

Councilman Higginbotham asked Chief Merricks if the agreement stayed the same as the previous agreement, or if there were any changes he believed the agreement needed.

Chief Merricks stated he believed the agreement was sufficient and covered each law enforcement agency when assisting another locality/agency.

Town Attorney John Eller concurred with Chief Merricks that the agreement was viable.

Councilman Jay Higginbotham made a motion, seconded by Vice Mayor Reggie Bennett, to approve the request by Chief Merrick and adopted a resolution authorizing the Town Manager to renew the Regional Mutual Aid Agreement for the Town of Altavista Police Department.

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Timothy George	Yes
	Dr. Scott Lowman	Yes

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B. Use of TOA Brownfields Grant – Gratto Phase II Assessment

Altavista Community Development Director, Sharon D. Williams, referenced the 26 acres recently purchased by the Gratto family that sits along the Staunton River, behind the former Lane Company property, and reminded Council of their approval to allow staff to utilize a portion of the town's Virginia Brownfields Grant to conduct a Phase I Environment Site Assessment (ESA) of the aforementioned property.

Ms. Williams asked Council to consider allowing the town to also fund a Phase II ESA (\$25,000) for a subsurface investigation of the soil, soil gas, and groundwater, to identify any sources of environmental impact.

Councilman Higginbotham stated that environmental assessments could be ongoing for long periods of time, which could be very costly to the property owner. He shared his favor with the town assisting the Gratto family with the cost of a Phase II ESA.

Councilman George asked, if there were contaminants found, what were the next steps.

Ms. Williams stated there were additional funds available from the state for remediation and, if Council approved, Town Staff could assist Mr. Gratto with applying for a remediation grant/funds.

Councilman Wayne Mitchell made a motion, seconded by Councilman Scott Lowman, to approve the request and authorize staff to move forward with a Phase II ESA of the Gratto property, using \$25,000 of the town's Brownfields Funds.

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Timothy George	Yes
	Dr. Scott Lowman	Yes

C. Boundary Line Adjustment – Schedule Public Hearing

Town Attorney John Eller referenced the 89 acres purchased by the town in 2021 from the Fauntleroy family and stated it was time to move forward in the boundary line adjustment process by holding the required public hearing.

Mr. Eller informed Council that Campbell County scheduled a public hearing in the matter for their May 3rd meeting, and accordingly, he suggested the Town of Altavista hold a public hearing regarding the matter at their May 10th Council meeting.

Mr. Eller stated, once the public hearings were completed, the town would accept the agreement with Campbell County and the item would then be sent to the Circuit Court for approval consideration.

Councilman Jay Higginbotham made a motion, seconded by Councilman Wayne Mitchell, to authorize staff to advertise that a public hearing would be held on Tuesday, May 10th regarding

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Timothy George	Yes
	Dr. Scott Lowman	Yes

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9. Unfinished Business

A. Mister to Dewater Emergency Overflow Pond

Altavista Public Services Director Tom Fore referenced Council's previous approval to allow staff to use a "mister" to dewater Altavista's Wastewater Treatment Plant (WWTP) emergency overflow pond (EOP). He stated, when looking for a mister, he found that mobile misters were more expensive than a stationary unit.

Mr. Fore requested Council's approval to sole source a mister unit from EcoMister, in the amount of \$160,000, with an extra \$20,000 for staff to hard wire the unit in; and to utilize the town's existing EOP funds reserved for EOP remediation to pay for the \$180,000 cost.

Mr. Fore stated, once the EOP was dewatered, which was a three year process, the entire site would be filled in with clay.

Councilman Higginbotham referenced Delegate Matt Farris and said that he heard that Mr. Farris intended to help Altavista get funding for some of its environmental issues. He shared his favor in staff investigating the possibility of acquiring funding assistance from the state for the EOP dewatering project.

Mr. Higginbotham stated that he was ok with using a mister to dewater the EOP but was unsure that filling in the entire site afterwards was the best option. He suggested waiting to make this decision until after Council had time to discuss the matter further at their June 7th retreat/work session and to hear Dr. Lowman's additional thoughts on the matter.

Councilman George asked how deep the was the EOP and what it would cost the town to fill the EOP after the dewatering process was complete.

Mr. Fore stated the EOP was 6 ½ acres in circumference, 2 feet deep close to the bank, and approximately 6 feet in the middle of the pond. He informed Council that the town had a stockpile of clay they would utilize to start filling the pond after dewatering and would continue to increase the level of clay when more was available; costing only the gas to pick up the free material.

Councilman Lowman stated he believed the main goal at that time was to dewater the EOP and he shared his favor in Mr. Fore moving forward with purchasing the mister.

Mr. Fore referenced Councilman Higginbotham's mention of Delegate Matt Farris and the assistance that may be available from the state with this project. He stated that he would investigate that possibility and utilize any funds that were available to help pay for the cost of the EOP project.

Vice Mayor Bennett thanked Mr. Fore for doing his due diligence for this project. He asked Mr. Fore if dewatering the EOP would remedy the current state of the pond and would it satisfy the DEQ's (Department of Environmental Quality) standards for this type of issue.

Mr. Fore stated the dewatering project would begin the process of remediation and once the dewatering was complete, allow the town to obtain direction from the DEQ on the next viable step to complete the remediation process.

Vice Mayor Reggie Bennet made a motion, seconded by Councilman Scott Lowman, to authorize Public Services Director Tom Fore to move forward with purchasing a mister from EcoMister in the amount of \$160,000, and \$20,000 for an electrical upgrade at the WWTP facility to accommodate the mister; in order for the town to start the dewatering process of the emergency overflow pond at the Altavista Wastewater Plant.

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Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Timothy George	Yes
	Dr. Scott Lowman	Yes

B. Advanced Metering System - Engineering Selection

Altavista Public Services Director Tom Fore informed Town Council that during a recent meeting with Jeff Arthur, Public Works Manager, and Brandon Bell, Utilities Supervisor, to review submitted proposals for the AMI package by four of the town's on-call engineer firms, they all agreed that Hurt & Proffitt would be their recommendation to award the contract for the AMI (Advanced Metering Infrastructure) meter system project. He said Hurt & Proffitt's proposal amount was \$27,500, \$500 over one other firm, but considerably less than the other two engineer firms.

Councilman Jay Higginbotham made a motion, seconded by Vice Mayor Reggie Bennett, to accept staff's recommendation and award the AMI Meter System Project to Hurt & Proffitt in the amount of \$27,500.

Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Timothy George	Yes
	Dr. Scott Lowman	Yes

C. FY2023 Budget and Capital Improvement Plan (CIP) "First Reading"

Altavista Finance Director Tobie Shelton referenced Town Council's April 5th Work Session, a "continued" meeting from a March work session. She said staff made the changes to the FY2023 draft budget and CIP as directed by Council from discussions at that meeting. She stated the approved budget would cover the time period between July 1st, 2022, and June 30th, 2023.

Mrs. Shelton gave Council a breakdown of the \$9,688,830 proposed operations budget, without CIP projects, which included the General Fund, Highway Fund, Enterprise Fund, Cemetery Fund, and amounts to be transferred to Reserves.

Mrs. Shelton stated there were no proposed tax increases in the FY2023 budget; however, the budget did include previously approved utility rate increases of 10% water and 5% sewer, which if approved, would take effective December 1st, 2022.

Mrs. Shelton stated staff was requesting Council's authorization to schedule the necessary public hearing on Tuesday, May 10th, 2022, at the 6:00 p.m. Council Meeting, for the FY2023 Budget, the FY2023-2027 Capital Improvement Plan, and the utility rate changes.

Councilman Wayne Mitchell made a motion, seconded by Vice Mayor Reggie Bennett, to authorize Town Staff to schedule a public hearing on Tuesday, May 10th, 2022, regarding the proposed FY2023 Budget and FY2023-2027 proposed Capital Improvement Plan.

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Motion carried.

Vote:	Mr. Wayne Mitchell	Yes
	Vice Mayor Bennett	Yes
	Mayor Mike Mattox	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Timothy George	Yes
	Dr. Scott Lowman	Yes

10. Reports and Communication

- A. March 2022 Departmental Reports
- B. Council Monthly Calendars – April and May
- C. Informational Items

The Manager's Report, Departmental Reports, and Council Calendars were delivered to Town Council with their April Regular Council Meeting Agenda Pre-Packet.

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

11. Matters from Council

Mayor Mattox asked Town Council if they had any additional concerns or items for discussion, to which there were none.

Mayor Mattox thanked Town Staff, Town Employees, and Town Citizens for working together for the betterment of the Town of Altavista.

Mayor Mattox also thanked Tom Fore, Altavista's Public Services Director, for the hard work he does for the town and shared his appreciation for Mr. Fore moving his family to Altavista in order to enable him to better serve the Altavista community.

Mr. Fore stated that he completed his goal at his previous location (building a new utility infrastructure) and was ready to retire; but when asked, he could not turn down the opportunity to help guide the Town of Altavista with improving their utility infrastructure. He stated that he liked helping people and enjoyed being a part of Altavista's community.

Mayor Mattox concluded by referencing the Town Manager, Gary Shanaberger, and Finance Director, Tobie Shelton, and thanked them both for their hard work and their due diligence on the town's proposed budget, to find ways to save money and be more efficient.

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)(8) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

A motion was made by Vice Mayor Reggie Bennett, seconded by Councilman Wayne Mitchell.

Motion carried.

<i>VOTE:</i>	<i>Mr. Wayne Mitchell</i>	<i>Yes</i>	<i>Vice Mayor Reggie Bennett</i>	<i>Yes</i>
	<i>Mr. Jay Higginbotham</i>	<i>Yes</i>	<i>Mr. Timothy George</i>	<i>Yes</i>
	<i>Dr. Scott Lowman</i>	<i>Yes</i>	<i>Mayor Mike Mattox</i>	<i>Yes</i>

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Town Council went into Closed Session at 7:10 p.m.

Notice was given that Council was back in regular session at 7:58 p.m.

FOLLOWING CLOSED SESSION: A motion was made by Vice Mayor Bennett, seconded by Councilman Wayne Mitchell, 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.

<i>VOTE:</i>	<i>Mr. Wayne Mitchell</i>	<i>Yes</i>	<i>Vice Mayor Reggie Bennett</i>	<i>Yes</i>
	<i>Mr. Jay Higginbotham</i>	<i>Yes</i>	<i>Mr. Timothy George</i>	<i>Yes</i>
	<i>Dr. Scott Lowman</i>	<i>Yes</i>	<i>Mayor Mike Mattox</i>	<i>Yes</i>

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 8:02 p.m.

Michael Mattox, Mayor

Gary Shanaberger, Town Clerk,
Town Manager