

## Regular Council Meeting—March 10, 2015

The meeting of the Council of the Town of Altavista was held in the Council Chambers of the J.R. Burgess Municipal Building, 510 Seventh Street on March 10, 2015 at 7:00 p.m.

1. Mayor Mattox called the meeting to order and presided.
2. Pastor Stephen Rabon, Crosspoint Wesleyan Church, gave the invocation.

### Council members

present:

- Mayor Michael Mattox
- Mrs. Micki Brumfield
- Mr. Charles Edwards
- Mr. Tracy Emerson
- Mr. Timothy George
- Mr. Jay Higginbotham

### Council members

present:

- Mrs. Beverley Dalton

### Also present:

- Mr. J. Waverly Coggsdale, III, Town Manager
- Mr. Daniel Witt, Assistant Town Manager
- Mrs. Tobie Shelton, Finance Director
- Capt. Barry Stocks, Police Department
- Mr. David Garrett, Public Works/Utilities Director
- Mr. John Eller, Town Attorney
- Mrs. Mary Hall, Administration

3. Mayor Mattox asked if there were any questions regarding the agenda.

A motion was made by Mr. George, seconded by Mr. Emerson, to approve the agenda.

### Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

4. Recognitions and Presentations
  - a. Planning Commission Annual Report

Chairman Jerry Barbee addressed Council with the annual Planning Commission report noting there were two public hearings for 2014 regarding the electronic sign guidelines and the downtown revitalization ordinance guidelines. He reviewed with Council the Planning Commission's plans for 2015. Mr. Barbee advised the Planning Commission has reworked the DRO guidelines. They have reviewed the guidelines from the Lynchburg Planning Commission; they have residential and commercial guidelines. He noted the commercial guidelines are voluntary. The Planning Commission is looking to model along the Lynchburg guidelines. In terms of the DRO ordinance, the Planning Commission would retract everything recommended and continue to use the existing ordinance with one exception; the section on architectural treatment would have a statement added making people aware guidelines do exist under a separate cover. These guidelines are voluntary, not legally required, but would encourage usage. Administratively, when someone applies for a zoning permit where the guidelines would apply the Zoning administrator would make the applicant aware of the guidelines. He noted the Planning Commission does support local financial

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incentives but that would be up to Council and suggested it be open ended and applied as funds became available.

Mr. Emerson stated he felt this would be a good comprise.

Mr. Edwards stated he was comfort with what was being proposed and applauded the Planning Commission for revisiting and coming back with an answer. Council members were in agreement with Mr. Edwards's statement.

Mayor Mattox questioned the incentives.

Mr. Barbee advised the Planning Commission has not discussed specific monies.

Mayor Mattox mentioned the Altavista High School Boys Basketball team will be playing against Honaker High School for the State Championship on March 11<sup>th</sup>, 2015.

### 5. Public Comment

Mayor Mattox asked if anyone would like to speak on anything not listed on the agenda.

No one came forward.

### 6. Consent Agenda

- a. Minutes- Regular Meeting February 10<sup>th</sup> ; Continued Meeting February 23<sup>rd</sup>,  
Work Session February 24<sup>th</sup>
- b. Monthly Finance Reports
  - i. Invoices
  - ii. Revenues & Expenditures Report
  - iii. Reserve Balance/Investment Report
- c. Departmental Reports

A motion was made by Mr. Emerson, seconded by Mr. George, to approve the items as listed on the consent agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

### 7. Public Hearings

None at this time.

### 8. New/Unfinished Business

- a. Chamber of Commerce Request-Uncle Billy's Day

Mr. George Bratz, Chairman of the Uncle Billy's Day Committee, addressed Council and provided an update on the event planning. He commended Mrs. Heather Reynolds, Director of the Altavista Chamber of Commerce and Mr. Mark Thomas, for appointing an outstanding committee which includes Mrs. Terri Dews, Mr. Steve Farmer, Mr. Trey Finch, Mr. Jeff Janiak, Mr. Michael Mayhew, and Mr. Tom Nelson. He also thanked the Town Manager, Mr. Witt, the Altavista Police Department, the Altavista EMS, the Altavista Public Works and Economic Development Office for their help and input. Mr. Bratz was seeking

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approval to enlarge the “Adult Beverage Area” and include wine and pizza to the event. This area would be closely monitored and asked that the operating hours be extended by one hour. He noted this plan has been presented to law enforcement and ABC officials and they concur with the intent.

A motion was made by Mr. Higginbotham, seconded by Mr. Edwards, to approve the request by the Altavista Chamber of Commerce to operate an Adult Beverage area on Friday and Saturday of the Uncle Billy’s Day.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

### b. ED Office-Main Street Position

Mr. Coggsdale advised at the April 8, 2014 Town Council meeting, the proposal for the part-time employee of AOT to become a part-time Town employee was approved. Due to changes in personnel in the Economic Development Office, the transition from AOT to the Town was delayed. He advised staff is ready to bring an individual on board and per direction is providing to Council a job title, pay classification and job description. The part time position is listed as a Grade Level 16 with an hourly range of \$17.46 – \$25.53.

Mr. Higginbotham asked if this item could be discussed at the work session. He felt the new Council member needed to be updated on this matter and more homework done.

Mr. Coggsdale advised this matter is based on the past action of Council.

Mr. Edwards stated he was probably the biggest advocate on Council for economic development. He felt this may be a good time to review what has been accomplished and what Council expects to accomplish, where it is going and how it is working. He felt economic development was a critical aspect for the community and it is important for Council to stay on top of it. He noted with the Main Street program, the downtown district is more attractive but unless there are more payrolls it will not sufficiently impact the merchants.

Mr. George asked if a potential person has been selected for this position.

Mr. Coggsdale advised interviews have been conducted and a person has been selected. Mr. Jarvis is ready to move forward based on the action from the April, 2014 meeting.

A motion was made by Mr. Higginbotham, seconded by Mr. Edwards, to reconsider the position in work session and address the entire economic development progress as made to date, where it stands, and where it’s going in the future.

Mr. Jarvis advised this was a task he inherited once he began with the Town. He was told this was a priority so the position was posted in late December, early January. Out of 12 applications, 5 were interviewed with a candidate being

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identified. This candidate has met with the current president of the Altavista on Track (AOT) board and the incoming president. He felt in regards to economic development progress was being made. He noted the current AOT Director is under contract until March 31, 2015.

Mrs. Brumfield stated as the new person on Council she would appreciate the time to ask questions and to find out more about the position. She felt \$17-\$25 was a lot of money while other employees don't make nearly that amount. She suggested looking at the position to see if it is necessary.

Mr. Edwards stated he could imagine \$35 an hour if he could see where the project is going and it was going to bring new jobs and new investment to Altavista. He was not convinced that too much could be spent to make this happen.

Mr. Emerson stated this was discussed last year and organized. He is fine with moving forward with the position recognizing the new Council member should be made aware of what was taking place. He did not feel this should slow down the progress.

Mr. Jarvis advised Mrs. Brumfield she is welcome to meet with him. He noted the salary range is commensurable to what has been paid to previous directors in like size organizations throughout the Commonwealth. He added one of the challenges in finding candidates as this position offers no benefits.

Mayor Mattox stated a lot of money has been invested in the downtown; some upgrades have been made and has recently attended a "Pop up" meeting. He felt the people that are attending these meetings care enough about Altavista to locate a business here. This is an opportunity to fill these empty store fronts. Mayor Mattox referred to the grant which will help fund those entrepreneurs. Quality of life is an important thing and felt an anchor restaurant would be a draw for Altavista and the people who work in these restaurants make good money. Mayor Mattox stated he could not image Council has taken steps forward and now will take two steps backwards.

Motion denied:

VOTE:	Mr. Michael Mattox	No
	Mrs. Micki Brumfield	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	No
	Mr. Timothy George	No
	Mr. Jay Higginbotham	Yes

Mr. Edwards stated he didn't want to see the "Pop Up" program stopped.

Mr. Coggsdale clarified in April 2014 Council voted to move forward with the position. Altavista on Track voted and approved asking Council for this position. He asked if there is a problem with the job description, pay classification or the title.

Mr. Higginbotham asked for a global analysis of economic development, what the success is, and why AOT needs to come under economic development.

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Mr. Coggsdale clarified Council wants to look at the entire economic development program of the town because this item on the agenda is to look at a job description, salary range and job title.

Mr. Edwards stated he felt he was the original person on Council to raise the question of economic development; he did not feel a new restaurant would change economic development but new jobs.

Mr. George asked if Council could under the global impact of AOT understand the entire economic development program in one work session. He stated it was voted unanimously in April to move forward with this and now the brakes are being put on.

Mayor Mattox stated economic development has to start somewhere even if it is a business with a small number of employees. He stated this item will be on the April's Council meeting agenda so it can be voted on.

Mr. Higginbotham asked that this item be discussed at the work session.

Mr. Emerson asked that Mr. Jarvis be put in a better position with the possible candidate asking for some direction for Mr. Jarvis.

Mr. George made a motion that this meeting be continued when Mrs. Dalton is present.

Mayor Mattox stated this item would be discussed when 7 Council members are present to break the tie.

Mr. Coggsdale asked for a date and time if this meeting is to be continued.

Mr. Jarvis felt the candidate would be agreeable to what the Council sees fit.

Mayor Mattox stated there was a consensus to put this item on the March 24<sup>th</sup> work session agenda.

### c. Main Street Waterline Project

Mr. Coggsdale advised Council had previously approved the Design Phase for this project. WW Associates has provided a Construction Cost Estimate of \$1,770,000 with a project timeline from Advertisement to Final Completion of approximately eleven (11) months. He stated staff is currently working with the engineer on a proposal that would take care of the Advertising, Bidding and Execution of a Contract. Staff is also looking at potential other costs associated with the project, the construction inspection/contract administration.

VDOT will be paving Main Street once the project is complete. Mr. Garrett is working with VDOT to coordinate the two. Mr. Coggsdale presented Council with a fee proposal from WW Associates totaling \$38,500 (Bidding Services, Construction Administration Services, and Post-Construction Services). He asked Council how to proceed with this project.

Mr. Higginbotham asked if the 240 day construction period could be negotiated in case the project runs longer. He also asked Mr. Garrett if his employees would handle the construction observation.

Mr. Garrett advised they would.

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A motion was made by Mr. George, seconded by Mrs. Brumfield, to accept the fee proposal presented by W.W. Associates in the amount of \$38,500 for the Main Street project.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Mr. Coggsdale asked how this project would be funded along with another project (Melinda Water Tank/Pressure issues). He asked Council if they wanted to lump the two projects together.

Mr. Edwards asked the approximate cost of the Melinda project.

Mr. Coggsdale advised \$630,000; both projects together are \$2.5 million.

### d. Melinda Drive Tank/Pressure Issues

Mr. Higginbotham referred to the Melinda Drive Tank/Pressure Issues and the Main Street Waterline project and felt both should be discussed at the work session and discuss how to move forward. He referred to another document and asked if this should be taken out of existing funds or borrow funds. He felt Mrs. Dalton would say borrow funds and out of courtesy this should be addressed at the work session.

Mr. Coggsdale advised Mr. Garrett has drafted correspondence regarding the need to resolve the water pressure issues for citizens in close proximity to the Melinda Drive Water Tank and the ability to only use a limited amount of water from the tank due to those pressure issues. Mr. Garrett has received a proposal for the engineering services associated with this project of \$85,000 from WW Associates. Total project cost is estimated at \$638,700.

After discussion, Council agreed to discuss the Melinda Drive Tank Project and Main Street Waterline Project at the March 24, 2015 work session.

## 9. Reports

### a. Town Manager's Report

#### **Bedford Avenue Waterline Project (Project 1A)**

Mr. Coggsdale advised the Contractor has three crews working on the project. The crews are working on 1) waterline crossing Main Street just north of McDonalds; 2) Bedford Avenue main waterline installation; and 3) Installation of waterlines along side streets (currently working on 10<sup>th</sup> Street, 11th Street and Myrtle Lane. Six (6) days of work were missed due to weather. He presented Council with monthly construction meeting notes.

#### **WWTP EOP – PCB Remediation**

Mr. Coggsdale advised Dr. Sowers plans to come March 17, 2015. He postponed, due to weather, his latest scheduled visit to deploy his latest

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research efforts. Dr. Scott Lowman (IALR) rescheduled as well due to weather but plans to begin sampling of the south side of the pond.

Mr. Coggsdale advised Mr. Scott Rice, EPA Region III, is working with EPA's internal management in regard to options for continued research for remediation efforts and he expects to hear from Mr. Rice on Wednesday, March 18<sup>th</sup>. Staff is working on a draft letter to Virginia DEQ.

Mr. Higginbotham advised he has received an email from Dr. Larry Robertson, Professor at University of Iowa, who works directly with Dr. Jerry Schnoor, PhD. Professor:

Jay,

I want to update you on the pending superfund proposal. We have received our score and it is a good one. We are very hopeful for funding in the next 5 years and looking forward to working together.

All the best,  
Larry

He mentioned the town has scored high on the superfund grant and felt progress was being made.

Mr. Edwards noted Dr. Schnoor's intention is to take a 45 x 45 site and plant willow whips along with various grasses for testing over a period of time. He felt there this puts the town in a position of some insulation from the regulators. He said there were now people from the scientific community who are speaking out and this is critical.

Mr. Coggsdale advised Mr. Edwards has indicated an opportunity for Council to communicate with Dr. Kelly Hurt and was looking for direction from Council on if and/or how to move forward on this item.

Mr. Edwards indicated Dr. Kelly Hurt conducted a project in Natchez, Mississippi and is interested in coming to look at the PCB pond site.

Mr. Higginbotham asked that Dr. Kelly Hurt's email be recorded in the minutes along with some of the other recent emails:

Dear Mr. Coggsdale,

I have had several conversations with Mr. Edwards on your council and I am delighted that your town has chosen to use Red Mulberry trees to remediate the PCBs in plot #7. I was personally involved in cleaning up an abandoned scrap yard in Mississippi that had both PCB's and oil hydrocarbons. In that case, we were able to achieve a reduction in PCB concentrations of more than 95% in just four years.

Because the property owner had limited financial resources, the Mississippi Department of Environmental Quality and I worked with the property owner to develop a low cost PCB remediation approach under the state's voluntary cleanup program. The site had been an active scrap yard for decades and had an inventory of scrap metal stacked approximately 100 feet tall. The scrap had been placed on bare soil and the extreme weight caused the materials on bottom to be pushed down about four feet into the subsurface. Before we could attempt remediation, the metal was removed and soil excavated and screened to remove intermixed metal. Our remediation plan required planting

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Mulberry trees on 2 foot centers along with establishing Bermuda grass to achieve soil stability and maximum root penetration as quickly as possible. As you know, the costs of sampling, analyzing and remediating a PCB can be extreme. In this case, the owner was spending \$30K a year on soil sampling alone and was facing a dig-and-haul price of nearly \$14,000,000. However, through our partnership with the Mississippi DEQ, we were able to achieve a low occupancy closure for approximately \$200,000. It appears that the degradation mechanism was a co metabolic process enhanced by the abundance of degradable carbon sources and Mulberry root exudates. In this case, the degradation occurred at the surface of the fine roots of the Mulberry trees where the exudates were available to microbial populations. The root system of Mulberry trees is very dense and fibrous. In addition, the fine roots die off and then grow back out into untouched soil zones the following year acting as a natural injector system. As such, the exudates that promote PCB degrading microorganisms were distributed throughout the soil column. Given your specific situation, I would encourage you to recreate the conditions that worked at our site. The following variables should be addressed in plot #7 prior to planting trees and grass:

Carbon - natural, non-toxic bulking agents should be added to the soil to increase available soil carbon to support larger populations of microorganisms, Nutrients - the proper Carbon: Nitrogen: Phosphorus: Potash ratios and pH level must be achieved to encourage large populations of soil bacteria with high levels of metabolic activity. After the addition of bulking agents, soil samples should be taken to calculate the amount and type of fertilizer and/or amendments needed to reach the proper ratios.

Moisture content - the test plot should be dewatered by either pumping or planting willow trees on the boundary of the plot.

I hope you can use our success and these pointers as you work to reduce PCB levels and close out your site. Please do not hesitate to call or ask question if I can be of further assistance.

Sincerely,

Kelly Hurt, Ph.D.

Email from Dr. Louis Licht (Ecolotree)

Waverly,

Thank you. I will look at these reports. I'm speaking at RemTEC pollution management meeting in Denver leaving tomorrow so it is zoom time here.

I think the Univ. of Iowa will find out in March or April if they are getting the PCB research continuation that would also include a phyto component. That said, before that starting now I would recommend getting Plot 7 which was planted last year in better shape by adding 6 - 9 inches of soil blend to raise the level of the plot surface, then replant using on-site new growth to get the tree population up to full capacity like Plot 5 or 1 - 4.

That plot was well intended but it is too wet too long for healthy trees for the long run.

Good luck,  
Lou

Email from Dr. Scott Lowman (IALR)

Hey Waverly - thanks for forwarding this along.

Please let council know that they did not mention our combined approach and that after our initial pot study I recommend the same cap approach that they are offering now, except we would pursue funding opportunities to cover those costs and monitor degradation over time. Our bottom line is both low-cost and lowering levels to acceptable levels! Let me know if you would like me to attend any meetings to address this oversight.



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Have a great weekend.

Scott Lowman

Email from Dr. Kevin Sowers (UMBC)

Waverly-

Looks like they recommended capping or a living liner cap. We know that the living liner cap would not be effective without mixing microorganisms into the lower sediments based on our bioremediation studies. This leaves the standard capping, which will require continued maintenance and monitoring by the Town but would satisfy the DEQ. We should have some answers later in 2015 on the effectiveness of bioremediation.

Thank you for sending the presentation and report. We are tentatively looking at March 6 to return, but will decide early next week once we have a 5 day weather forecast. If there are too many subfreezing nights that will create ice we will postpone.

Kevin

### **Code of Conduct**

Mr. Coggsdale provided Council with a draft of the Code of Conduct/Ethics for their review. These documents are based on existing policies of other localities. This item to be included on the Town Council's Annual Retreat agenda.

#### 10. Informational Items/Late Arriving Matters

#### 11. Matters from Town Council

Mr. Emerson advised he has been approached in regards to placing bike racks on the corner of 7<sup>th</sup> and Broad Street and Main and Broad Street. He asked if Mr. Garrett could check pricing on the bike racks.

Mr. George asked if there was a dry spot to plant a tree at the dike.

Mr. Garrett responded it was rather wet.

Mayor Mattox reminded Council of the Budget Work Session scheduled for March 23, 2015 at 6:00 p.m. and the Work Session scheduled for March 24, 2015 at 5:00 p.m.

#### 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, for the following purpose:

Section 2.2-3711 (A) (1) regarding discussion, consideration, or interviews of prospective candidates for appointment to the Altavista Recreation Committee.

A motion was made by Mr. Higginbotham, and seconded by Mr. Emerson.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

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Council went into closed session at 8:19 P.M.

Notice was given that council was back in regular session 8:25 P.M.

FOLLOWING CLOSED SESSION:

A motion was made by Mr. Higginbotham, seconded by Mr. 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 the provisions of The Virginia Freedom of Information Act; and

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

NOW, THEREFORE, BE IT RESOLVED that the town council hereby certifies that, 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.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

A motion was made by Mr. Emerson, seconded by Mr. George, to appoint Mr. Steven Dews to the another term on the Recreation Committee; term expiring March 2018.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Micki Brumfield	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Mayor Mattox asked if there was anything else to bring before Council.

The meeting was adjourned at 8:26 p.m.

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Michael E. Mattox, Mayor

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J. Waverly Coggsdale, III, Clerk