

## Regular Council Meeting—October 11, 2016

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 October 11, 2016 at 7:00 p.m.

1. Mayor Mattox called the meeting to order and presided.
2. Pastor Mitch Etheridge, Motley Baptist Church, gave the invocation.

### Council members

present: Mayor Michael Mattox  
Mrs. Micki Brumfield  
Mrs. Beverley Dalton  
Mr. Charles Edwards  
Mr. Timothy George  
Mr. Jay Higginbotham

### Council members

absent: Mr. Tracy Emerson

### Also present:

Mr. J. Waverly Coggsdale, III, Town Manager  
Mr. Daniel Witt, Assistant Town Manager  
Mrs. Tobie Shelton, Finance Director  
Mr. Dennis Jarvis, Economic Dev. Director  
Mr. David Garrett, Public Works Director  
Mr. Tom Fore, Public Utilities Director  
Mr. Steve Bond, Wastewater Treatment Plant  
Mr. John Eller, Town Attorney  
Mrs. Mary Hall, Administration

3. Mayor Mattox asked if there were any questions or changes to the agenda.

A motion was made by Mrs. Dalton, seconded by Mr. George, to approve the agenda as presented.

### Motion carried:

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

4. Recognitions and Presentations

5. Public Comment

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

Ms. Linda Ellis Williams, 3008 Hill Street, Lynchburg, Virginia, addressed Council representing the YWCA Frannie's House noting October is Domestic Violence Awareness Month. She thanked Council and Mr. Coggsdale as six years ago Frannie's House was opened and served the community. She noted to date they have housed 237 victims of domestic violence, 6,347 nights of shelter to the victims. Frannie's house not only serves as a shelter but as advocacy for folks that feel it is unsafe for them to stay in their homes. Ms. Williams stated in the state of Virginia domestic violence affects one out of three women and one out of eight men in their lifetime. In the service areas, they have dealt with 13 deaths from victims dying from the hands of their loved ones. These services are needed more and more every day. Ms. Williams noted a candlelight vigil was held October 6, 2016. She noted they are a nonprofit organization and temporarily closed their doors during the time of having

## Regular Council Meeting—October 11, 2016

no clients at the shelter to save funds. Ms. Williams stated additional funding has been received allowing a new case manager for Frannie's House to be hired. She thanked Council for allowing Frannie's House to come to this area.

Mayor Mattox thanked Ms. Williams and asked if anyone else would like to speak.

No one came forward.

### 6. Consent Agenda

- a) Minutes- Regular Meeting September 13th; Work Session September 27th  
–The Council approved the minutes of the Council meeting and work session.
- b) Monthly Finance Reports-Council approved the monthly reports
  - i. Invoices
  - ii. Revenues & Expenditures Report
  - iii. Reserve Balance/Investment Report
- c) Appointments (Planning Commission and BZA)-The Council approved the appointment of Mr. John Woodson to the Planning Commission with his term expiring August 2020 and the appointment of Mrs. JoHelen Martin to the Board of Zoning Appeals with her term expiring August 2021.

Mr. Higginbotham and Mr. George questioned several invoices. The check to Campbell County Treasurer in the amount of \$60,291.03 was for meals tax at the Altavista Commons in FY2016 per the agreement with Campbell County. Mr. Higginbotham stated he thought Council was going to discuss this matter.

Mayor Mattox advised it was discussed and voted.

Mr. Coggsdale advised staff would research the minutes to clarify.

Mr. George questioned the check to the Campbell County Public Library in the amount of \$902.86. Mrs. Shelton advised this payment is for cleaning of the library.

Mr. Edwards questioned the amount being given to the libraries in the County for cleaning services.

A motion was made by Mrs. Dalton, seconded by Mr. Edwards, to approve the items as listed on the consent agenda.

Motion carried:

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

### 7. Public Hearings

### 8. New/Unfinished Business

- a. Consideration of Request to Campbell County for Conveyance of English Park Update

Mr. Coggsdale advised at Council's September 27<sup>th</sup> Work Session, a Community Input Session was held in regard to the possibility of Town Council requesting the Campbell County Board of Supervisors to conduct a public hearing on this item. Three residents appeared before Council

## Regular Council Meeting—October 11, 2016

expressing their interest in this moving forward. He noted previously the Altavista Recreation Committee forwarded their recommendation that the Council pursue this property and submitted 249 signatures, with 102 of those listing their home address as being in the Town of Altavista.

Mr. Higginbotham asked if Council has seen copy of the contract between Campbell County and the property owner.

Mr. Coggsdale stated he would forward this information to Council for review.

Mr. Higginbotham stated he thought this contract referred to the county offering funds for maintenance to the Riverfront Park.

Mrs. Dalton asked what reimbursements or obligations does the county now provide for the property.

Mr. Coggsdale advised basically the town does mowing in the park that the county reimburses for.

Mrs. Dalton questioned the police or any sort of law enforcement.

Mr. Coggsdale responded not at this time. He noted he would talk with the Chief to see what is actually provided.

Mrs. Dalton stated the park is one of the pearls of this community and visioning what it might be like in its fully developed form is a delight. She noted it was her family that sold the property to the County and it has been an interest of hers from the beginning that this property be used for the good of the public. In the contract the County agreed as monies were available for parks, they would invest in this park equally with other parks around the county. Mrs. Dalton stated she is not against the town owning the park but would like to in some form hold the county accountable for when they do have monies available to invest in the park. While going through this investigation and thought process of who should own the park and when, she asked Council to think of ways in which to invest in the park as well as hold the county accountable for what they have pledged to do as well. She suggested looking sharply at the vision of what the park should look like and all of the amenities and the order in which Council would like them to happen, then the cost. After these items are in place, then look at who should own the park and try to build a relationship with the county. She felt talking to the county now was premature.

Mr. Higginbotham stated there is supposed to be a committee made up Campbell County representatives, Town representatives, and a Town of Hurt representative and asked if the committee has dissolved.

Mr. George advised he was part of this committee and there were a lot of meetings; a special committee for just that park and a regular Recreation Committee. He stated the county purchased the park, a VDOT grant was used for the road and at that time it was on rotation with five other parks in the county. The original plan would have been a couple of million dollars and what the County had to offer at that time was \$135,000 which was three attempts at a ball field. It was decided not to go with the ballfield.

Mayor Mattox stated he was on the original committee noting the master plan was set before the board and they started a five-year rotation and the anticipation was every five years one of the projects would be completed.

Mrs. Brumfield stated she spoke with Mr. Stan Goldsmith, Campbell County Board of Supervisors Altavista area district and he stated the money is still on the Capital Improvement Plan for the county and as long as it is still on the

## Regular Council Meeting—October 11, 2016

CIP, the town stands to have some funds for the park. He stated he is not opposed to letting the town own the park. Mrs. Brumfield asked if the Town can afford the park; to do the maintenance and repairs. She noted she has received a lot of feedback from people wanting the ball fields in the park.

Mr. Higginbotham stated regardless if the County owns it or the Town owns the park it will take money to develop it. He noted \$60,000 was just given to the County for meals tax (a moral obligation not a legal obligation to fund the money to the county) and the Town could tell the County that they are putting these funds towards a ball field. He sees no upside that offsets the cost that will be incurred. He asked how much the County has contributed in the past. Mr. Higginbotham stated just because the County owes it doesn't preclude the town from making some improvements.

Mr. Edwards felt for the town to take over the park at this point would be a mistake and will be expensive for the town to develop. He did not feel the cost to develop the park should be a burden for taxpayers of Altavista when the park is used by folks from the Town of Hurt, Campbell, Pittsylvania Bedford Counties, and others. Mr. Edwards suggested finding out what is wanted, then the cost, and approaching the County with the Town will pay half if they pay half.

Mr. George stated at a recent meeting Mr. Goldsmith mentioned the County's financial woes included the schools and how to keep the emergency medical system going. Mr. George noted the other parks in the county are not well kept; there isn't extra funding at this time. He stated he didn't see the County having money in the near future for parks if they are trying to keep the EMS going. People from all over come to use the parks and that's what is wanted; a positive thing.

Mayor Mattox stated he respects the Board of Supervisors for the work they are doing and understands there are issues with the budget. Their priorities are safety, health and education which means the priority for recreation has dropped. The County is willing to give the town the park free and clear because they will not have to pay the \$6,000 to \$8,000 for maintenance which will allow more money to be allotted to the three priorities. Mayor Mattox stated as a resident of Altavista he would like the opportunity to see the park developed and felt the park could be a true asset to bring people to the community. If the Town has control of the park, that will better the ability to develop the park. If the Town owns the park, they would not have to seek approval from the County in regards to development. Mayor Mattox stated he would love to see when the new bridge is completed children playing on both sides in the park. He felt due diligence should be done with cost estimates being obtained for the development of the park with what is really wanted in the park. He does not want the Town to miss this once in a life time opportunity to have the entire park which is a true jewel in the region.

It was the consensus of Council to investigate and develop some options in regards to the county's portion of the park.

Mr. Coggsdale advised he would provide the requested information and will have a discussion with the County based on what has been said.

Mrs. Brumfield stated she would like to know what the Recreation Committee's priorities are.

### b. Canoe Launch Project Update

Mr. Coggsdale advised after receiving a final determination from Campbell County that purchase of the Dalton property for the proposed canoe launch site was not the best option, Mr. Eller amended the purchase agreement so that the Town could receive the property as a permanent recreational easement.

## Regular Council Meeting—October 11, 2016

This contract was executed on September 13, 2016; however, the option expiration date and the purchase price remains the same, May 15, 2017 and \$40,000 respectively.

Mr. Witt stated initially when looking at purchasing the property the minimum acreage for agricultural zone is three acres. The County advised the property line goes to the center of the river. Based on that assumption the town could get three acres on the parcel that they were looking at. Per the surveyor, the property did not go to the center of the river and never did unless it was done at a Kings Grant. This reduces the property to less than three acres and the county would not allow the town to subdivide. Route 43 separates the parcel (a road cannot create a nonconforming lot). The property owner, Mr. Larry Dalton, did not want to lose all of his river frontage so that the town would have the three acres. Mr. Witt suggested the recreational easement which is a permanent easement where the town will have all the rights to the land; 1.5 acres of dry land. The county has approved the survey that was completed. The Town has been notified by the Department of Conservation & Recreation (DCR) that the Town has been awarded a Virginia Land and Conservation Fund (VLCF) grant in the amount of \$23,313. This is a 50/50 matching grant so the amount requested for the project was \$46,625. These grant funds are to be used to purchase the recreational easement from the Dalton family, legal fees, survey fees, appraisal fees, title insurance, recordation fees, and an environmental site assessment. The actual grant amount will be based on the appraisal and could be less than the awarded amount, but not more. Mr. Witt noted Mr. Dalton is very pleased with this arrangement. He advised Miss Emelyn Gwynn applied for and received a grant from Dominion Virginia Power. AOT has received \$10,000 that is to be used for the development of the canoe launch site. Staff received notice from DCR that no awards were given to any applicant for the Land & Water Conservation Fund applications (LWCF). Another LWCF grant cycle will be opened in late 2016 or early 2017; however, the Town's project may not be eligible as the lower limits for the cost of the project may be increased and exceed the cost of our project. Mr. Witt noted if Council directs staff, and the Town remains eligible, an application will be resubmitted. There is one pending DCR grant, the Recreational Trails Program (RTP), 80/20 matching grant in the amount of \$338,775 with DCR's portion being \$271,020 and Town match of \$67,754. The notifications are expected at any time. Staff received notification on October 4<sup>th</sup> from the application submitted to the Timken Foundation that the Town has been awarded \$55,000 from the Foundation. Mr. Witt advised staff will continue seeking funding from local foundations and grant opportunities until directed otherwise by Council; \$167,813 has been raised or appropriated. Town allocated funds (\$69,350), Timken (\$55,000), Dominion (\$10,000), VLCF (\$23,313). Mr. Witt gave a project update stating staff has received two quotes for the design of the site but design has not begun. As previously directed by Town Council at their June 14, 2016 meeting, staff will contract with an engineering firm and begin design of the site. A delay in the design was due to Campbell County zoning regulations not permitting the purchase of the land as originally planned. Staff worked with DCR, Campbell County, and the property owner and reached an agreement that works for all parties, including the Town; an important detail that had to be worked out prior to investing funds in a design plan. Mr. Witt stated having a completed design in hand serves two primary purposes. First, an engineer's estimate of probable costs will be available and likely more accurate than the current 'conceptual' design budget. Secondly, the design is a big step towards having the site 'shovel ready' which will significantly strengthen any future DCR grant applications. The survey showing the recreational easement has been completed and approved by Mr. Dalton and Ms. Sandy Shackelford with Campbell County and will be recorded when the Deed for the recreational easement is executed. This contract will run through September 2018 and staff will have the appraisal completed along with the environmental assessment.

## Regular Council Meeting—October 11, 2016

Mr. Coggsdale asked Council if they wanted to proceed with the purchase of the recreational easement.

Mr. Witt noted that he is required to have a certified appraisal and suspects it will come in lower than what Council is willing to pay.

Mr. Higginbotham asked Mr. Witt why was he so confident the appraisal will come in under the bid.

Mr. Witt stated it is an acre and half of agricultural land in a flood zone which will be compared to other parcels in the area.

Mr. Coggsdale noted we are preparing you for a worst case scenario.

Mr. Higginbotham suggested contacting some appraisers and asked if they think it will come in over \$40,000.

Mr. Witt stated there are only two appraisers that are certified to do this type of work; one in Lynchburg and one in Appomattox.

Mayor Mattox asked if Step 1 would be getting the appraisals done.

Mr. Witt replied that it would be and asked Council if he should move forward with the purchase of the easement. He noted the grant is good through September 2018.

Mr. Coggsdale asked what is the next step once the appraisal is done; is Council ready to move forward with the purchase of the recreation easement.

It was the consensus of Council that Mr. Witt talk to both appraisers, pick one and have the property appraised.

Mr. Witt asked if Council wants staff to expand the seeking of donations to private and businesses; noting a community group started a not for profit 501C3 and raised a sufficient amount of funds for the Timbrook Library.

Mrs. Dalton stated her reaction would be as a donor how much do you need to raise and what are you going to do with it. She felt it would be a good idea once these questions are answered.

Mr. Higginbotham felt it was a good idea as well and suggested Mr. Witt work with Campbell County Recreation because this is actually a project in their backyard.

Mr. George suggested going back to the County for in-kind work now that the town has some items in the works for this project.

Mr. Witt felt it would be appropriate to ask Mr. Goldsmith to take it back to the Board of Supervisors and he would provide Mr. Goldsmith with the grant information and signatures.

Mayor Mattox stated things were moving forward and as soon as more details were available Council would know what they are willing to throw in the pot.

Mayor Mattox asked that the minutes reflect Council's thanks to Dominion Virginia Power and to The Timken Corporation for their donations to the proposed canoe launch.

### c. Main Street Paving Update

Mr. Coggsdale advised staff has been working with VDOT in regard to the scheduling and striping of Main Street. VDOT has indicated that milling will

## Regular Council Meeting—October 11, 2016

begin on Sunday, October 16<sup>th</sup> at 7:00 p.m. and the paving should be complete by October 26<sup>th</sup>. VDOT will temporarily stripe the new paving as it is currently laid out to give them enough time to change the overhead traffic signals to align with the new layout. The striping of the new layout should occur in late October/early November. This section of the project goes from Pittsylvania Avenue to a point between Hughes Avenue and Wood Lane. He stated the remainder of the project area out to Riverview Drive requires the Town to repave up to the centerline of Main Street on the side that was disturbed during the waterline project. VDOT is considering whether to proceed with paving the other half of Main Street in this area at this time as it is scheduled for 2018. Mr. Coggsdale stated VDOT is asking the town if VDOT can find funding to do a deduct of \$48,000 on the contract allocating those funds to VDOT to pave both sides.

Mr. Garrett noted he has spoken with the contractors and they are willing to do this.

It was the consensus of Council to allow staff to work through the details of paving Main Street out to Riverview Drive.

Mr. Garrett also mentioned VDOT will be widening an area on Main Street at their expense.

### d. WWTP Emergency Overflow Pond PCB Issue Follow-up

Mr. Coggsdale advised staff forwarded to Council the request of Dr. Kevin Sowers, University of Maryland Baltimore County, in regard to assistance with the mixing of the sediment in his caissons at the EOP. Staff is reviewing the protocol that would need to be in place for this to be done in a safe manner for the Town's employees. If feasible, it would be staff's recommendation to honor Dr. Sowers' request.

It was the consensus of Council to assist Dr. Sowers with the mixing of the sediment in his caissons as long as it is done in a safe manner for the employees.

Mr. Coggsdale stated staff has researched the cost of the mulberry trees that were mentioned at the last Council Work Session and the cost is \$196.33 for ten (10) trees. He added if Council would like to proceed with replanting mulberry trees at the previous site, it may be worthwhile to sample the area and compare with the 2014 samples from Plot 7 prior to planting the trees to further establish a benchmark.

Mr. Higginbotham explained Plot 7 is on the berm built on the far north side, 32 samples were taken from 16 spots. He reviewed the results with Council noting the higher concentrations are in the sludge at the bottom. This is where Dr. Sowers says to mix it which has been greatly beneficial; warmth, oxygen, and mixing help reduce the PCBs. Mr. Higginbotham stated in 8A is where the mulberry trees were planted but felt there wasn't enough topsoil. When the site re-characterization report was done, Council specifically talked about the mulberry trees.

Mayor Mattox asked who would be in charge of collecting the data.

Mr. Bond responded Public Works collected the samples and he assisted with packaging.

Mr. Coggsdale noted he sent the calculation to the partners, University of Iowa, University of Maryland and the Institute of Advanced Learning and

## Regular Council Meeting—October 11, 2016

Research and asked them what they knew about the UCL and how it needs to apply. Mr. Coggsdale stated he has not spoken to anyone.

Mr. Higginbotham asked if Council wants to test the site before planting.

Mrs. Brumfield felt the area should be tested before planting.

Mr. George asked if there was any indication that the trees are removing the PCBs. He presented a picture to Council of the trees that had been planted that are now dead noting it doesn't make a lot of sense to replant the trees.

Mr. Coggsdale suggested asking Dr. Lowman to sample the area 8A.

Mrs. Dalton suggested sampling at each location that a tree will be placed.

Mr. Bond noted the area that is being discussed needs to be built up because when water inundates Plot 7 it comes across 5 and floods Area 8A. He stated it is the last area to remotely start drying up as well.

It was the consensus of Council that staff ask Dr. Lowman if he will test the area of 8A.

### 9. Reports

#### a. Town Manager's Report

##### **Main Street Waterline Project (Project 1B)**

Substantial Completion inspection scheduled for Tuesday, September 13<sup>th</sup> at 10 AM. Main Street is fully reopened to traffic.

VDOT paving is scheduled to begin on Sunday, October 16<sup>th</sup> at 7:00 p.m.

##### **Booker Building**

Photo documentation of building.

USDA has been contacted in regard to possible "planning" grant.

Met with Mr. Law to review building and renovation possibilities.

Preliminary Report will be submitted to Council.

##### **WWTP EOP - PCB Remediation**

Response received from DEQ in regard to sampling criteria and disposal of sediment.

##### **YMCA Family Center Roof Replacement **COMPLETED****

##### **Compensation/Classification Plan Study**

Kick off meetings with Department Heads and all employees conducted on August 2<sup>nd</sup> and 3<sup>rd</sup>.

The process will take up to four (4) months.

#### b. Departmental Reports

### 10. Informational Items/Late Arriving Matters

#### a. Correspondence/Articles

#### b. Calendars-October/November



Regular Council Meeting—October 11, 2016

11. Matters from Town Council

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)(1) Discussion, consideration or interviews of prospective candidates for appointment to the Economic Development Authority.

A motion was made by Mrs. Dalton, and seconded by Mr. George.

Motion carried:

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

Council went into closed session at 8:30 P.M.

Notice was given that council was back in regular session at 8:38 P.M.

FOLLOWING CLOSED SESSION:

A motion was made by Mrs. Dalton, seconded by Mrs. Brumfield, 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
	Mrs. Beverley Dalton	Yes
	Mr. Tracy Emerson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Mr. Edwards left prior to voting.

Regular Council Meeting—October 11, 2016

13. Adjournment

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

The meeting was adjourned at 8:39 p.m.

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Michael E. Mattox, Mayor

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J. Waverly Coggsdale, III, Clerk