

Regular Council Meeting—March 8, 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 March 8, 2016 at 7:00 p.m.

1. Mayor Mattox called the meeting to order and presided.
2. Pastor Major Gilbert gave the invocation.

Council members

present:

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

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/Utilities Director
- Mr. John Eller, Town Attorney

3. Mayor Mattox advised of an item added to the agenda, Consideration of the CCUSA Water Agreement, and asked for approval of the agenda as amended.

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

Motion carried:

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

4. Recognitions and Presentations

Captain Stocks introduced a new patrol officer, Seth Caveness.

- a. Altavista Area Chamber of Commerce

Mr. Gordon Bratz advised the Steering Committee has met; they set a chart and course of meetings. Altavista Area Chamber of Commerce hosted Congressman Robert Hurt who visited the TEALS Class at Altavista Combined School.

- b. 2015 Planning Commission Annual Report

Mr. Witt presented the 2015 Planning Commission annual report which included the 2016 Work Plan. He thanked former Chairman Jerry Barbee for his service to the Planning Commission for the past seven years. Chairman Barbee resigned and Mr. John Jordan has filled this position.

- c. 2015 Board of Zoning Appeals Annual Report

Mr. Witt presented the 2015 Board of Zoning Appeals annual report noting they meet annually to elect a Chairperson and Vice-Chairperson. Staff is the secretary of the group. Mr. Witt advised Mr. Wilson Dickerson was elected as Chairman,

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Mr. Phillip Webb is Vice-Chair and staff will continue as secretary. Mr. Webb's term expired in November and agreed to be reappointed. Mr. Witt advised the state code for the Board of Zoning Appeals has changed and he and the town attorney are in the process of updating the town code so that it is in compliance with the state code for the BZA.

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 9th; Work Session February 23rd—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) Departmental Reports-Council approved the departmental reports

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

Mr. Higginbotham asked about the Chief's position.

Mr. Coggsdale advised he doesn't have a definitive date but the process is moving forward and anticipates the position to be filled in two months.

Motion carried:

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

7. Public Hearing

- a. Proposed Ordinance Amendment allowing the "Keeping of Chickens in Town Limits"

Mr. Coggsdale advised the purpose of the public hearing is to receive comment on amending text in the Altavista Town Code, Chapter 86, Zoning", Article II "Use Type, Article III, "Permitted Uses" and Article IV "Development Standards" to allow for the keeping of chickens within the Town limits. He advised Council the bases for the amendments were listed in the agenda.

- b. Mr. John Jordan, Planning Commission Chairman addressed Council and commended former Chairman Jerry Barbee for his preparedness in previous meetings. He asked for prayers for Mr. Barbee and his wife. Mr. Jordan referred to the proposed ordinance amendment and advised the Planning Commission was asked by a citizen to consider allowing chickens for personal use within the Town. The Planning Commission became proactive and asked staff to research amending the ordinance to cover the "Keeping of Chickens in Town Limits". He noted the Planning Commission held a public hearing on December 7th, 2015, with a recommendation to adopt the ordinance (a 5-0 yes vote). Council reviewed the ordinance and raised concerns that were submitted back to the Planning Commission; these concerns were reviewed at the February 1, 2016 meeting. The proposed ordinance was modified and by consensus the Planning Commission agreed with the proposed changes and recommended these changes to Town

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Council. This allows the property owner to keep chickens within 30 feet of their own dwelling but not within 30 feet of a neighboring dwelling or 20 feet from any property line. Mr. Jordan read to Council to new ordinance as follows:

An Ordinance to add to the Code of the Town of Altavista, 1968, a new Section 86-515.1 relating to keeping of chickens.

Be it ordained by the Town Council of the Town of Altavista:

1. That a new Section 86-515.1 be added to the Code of the Town of Altavista as follows:

Sec. 86-515.1. Keeping of chickens.

(a) It shall be lawful for any person to keep on premises owned and occupied by him or her for such owner's personal use not more than six (6) female chickens such chickens to be kept not less than thirty (30) feet from any dwelling other than the owner's dwelling and 20 feet from any property line. Such chickens shall be kept in the rear yard of the lot, meaning the portion of the lot between the rear line of the main dwelling and the rear line of the lot extending the full width of the lot.

(b) Such chickens within the town shall be provided with and kept within an enclosed secure area not to exceed 120 square feet, hereinafter known as the pen at all times. Pens shall include a coop (enclosed structure) containing a minimum of 2 square feet per chicken and an open run area containing a minimum of 8 square feet per chicken. The coop shall not exceed 8' in height. Pre-manufactured coops and pens may be made from any material. Otherwise, the following materials may not be used to construct coops and pens: Tarps, plastic, fabric, rubber, paper, cardboard, or other non-traditional building materials.

It shall be the duty of such owner to maintain such coop and pen at all times in a safe, clean and sanitary condition, free of excrement and other unsanitary or offensive substances, liquids or odors, and so as not to constitute a hazard to the health or safety of any person or to become a nuisance.

(c) The outdoor harvesting (slaughtering) of any chicken is prohibited.

(d) Prior to locating such chickens on his or her property, such owner shall obtain a permit from the Town on forms provided by the Town. Newly issued permits will run from the date of issuance to December 31 and shall be renewed annually on January 1

thereafter. There shall be no fee for the issuance of such permit.

(e) Violation of any provision of this ordinance shall constitute a Class 4 misdemeanor and each day in violation after notification in writing shall constitute a separate offense.

This Ordinance shall become effective immediately upon passage by the Town Council of the Town of Altavista.

Mayor Mattox opened the public hearing at 7:23 p.m. and asked if anyone would like to speak in regards to the keeping of chickens within the town limits.

Mr. Daniel Doute, 1407 Lynch Road, addressed Council advising he is new to the town and really likes the area. He advised while living in North Carolina he had chickens. Chickens have a lot of educational value from the life cycle to the harvesting of the eggs; he noted his children play with the chickens. These birds are personable; they are not a nuisance and not dirty barn creatures as a conceived notion. He felt from an educational standpoint the chickens have taught his children a lot and keeping chickens in the town will also stimulate the businesses with purchases of feed and supplies for the coops.

Mrs. Gwen Wells, 621-B Broad Street, approached Council noting she lives in an apartment and doesn't have a location for chickens. She advised of a friend that lives in Lynchburg and practices sustainable agriculture on a small plot of land with four chickens. She asked Council to consider approval of "keeping of chickens within the town limits."

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Mayor Mattox closed the public hearing at 7:27 p.m. and advised this item would be placed on the April 12, 2016 Town Council meeting.

8. New/Unfinished Business

a. Consideration of the Campbell County All Hazards-All Discipline Plan (Emergency Operation Plan)

Mr. Coggsdale advised the Campbell County Public Safety Office periodically reviews and updates the information contained in its All Hazards/All Discipline Plan (Emergency Operation Plan). The Plan covers the Town of Altavista and accordingly with each revision the Town is requested to adopt a resolution in regard to adoption of the newly revised Plan. The revisions basically were the updating of personnel and contact information. Staff has reviewed the document and would recommend that the Town Council adopt the resolution, which would be included in the Plan.

ADOPTION OF THE CAMPBELL COUNTY ALL HAZARDS ALL DISCIPLINES PLAN (EMERGENCY OPERATION PLAN)

On motion it was resolved that the Town Council adopts the following resolution:

WHEREAS, the Town Council of the Town of Altavista, Virginia recognizes the need to prepare for, respond to, and recover from natural and man-made disasters, and

WHEREAS, the Town Council has a responsibility to provide for the safety and well-being of its citizens and visitors, and

WHEREAS, the Town of Altavista recognizes that the County of Campbell has established and appointed a Director and Coordinator of Emergency Services.

NOW, THEREFORE, BE HEREBY PROCLAIMED by the Town Council of the Town of Altavista, Virginia that this Emergency Operations Plan as revised December 2015 is officially adopted, and

IT IS FURTHER PROCLAIMED AND ORDERED that the Director of Emergency Services, or his designees, are tasked and authorized to maintain and revise as necessary this document over the next five-year period or until such time it be ordered to come before the Altavista Town Council and/or Campbell County Board of Supervisors.

Adoption occurred at the regular meeting of the Altavista Town Council held on the 8th day of March, 2016, at the Altavista Town Hall located at 510 7th Street, Altavista, VA 24517.

Mike Mattox, Mayor

ATTEST:

Clerk, Town of Altavista

A motion was made by Mrs. Dalton, seconded by Mr. Emerson, to adopt the resolution regarding Campbell County All Hazards-All Discipline Plan (Emergency Operation Plan)

Motion carried:

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

b. Consideration of Request by Avoca to Amend FY2016 CIP Request

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Mr. Coggsdale advised of a letter received from Mr. Michael Hudson, Avoca Museum's Executive Director, requesting that Town Council consider a modification of the order of projects in the Capital Improvement Plan. Avoca has a project in the FY2016 CIP that is budgeted, it involves the restoration of exterior brick/mortar on the original brick kitchen with \$25,000 funded for this purpose. Mr. Hudson made a request to switch the FY2018 CIP request, which involves improvements to the interior of Avoca through wallpaper and furnishings, with the existing FY2016 request, as previously described. The estimate for the FY2018 is \$15,000. If approved by Council, this would reduce the CIP cost in FY2016 by \$10,000 and increase the FY2018 request by the same amount.

Mr. Hudson addressed Council. He stated masonry issues were to be addressed this year but with the amount of wet weather the items that precede the order of restoring the kitchen are still being worked on and should be completed this week. He has found it impossible to have the needed work completed in time for the museum's opening on April 2nd.

A motion was made by Mr. Edwards, seconded by Mr. Emerson, to honor the request of Mr. Hudson allowing him to switch the FY2018 CIP with the existing FY2016 request that would reduce the CIP cost in FY2016 by \$10,000 and increase the FY2018 request by the same amount.

Motion carried:

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

c. Consideration of Annual Engineering Services Contract

Mr. Coggsdale advised in response to the Town's Request for Proposals (RFP) for engineering and related services, eleven firms submitted proposals. A panel consisting of Vice Mayor Dalton, Mr. Garrett, Director of Public Works and Utilities, Mr. Maurice Law, and he reviewed the proposals and four firms were interviewed on March 3, 2016. Based on the interviews and proposals submitted, as well as reference checks with some of the firm's clients, the panel is recommending that three firms be offered an annual contract for engineering and related services. The firms are:

- Hurt & Proffitt
- Peed & Bortz
- Woodard & Curran

Mr. Higginbotham asked who would do the hydraulic analysis.

Mr. Garrett stated they are looking at Woodard & Curran to start on that project.

Mr. Coggsdale noted this is a one-year contract with a provision for four one year renewals.

A motion was made by Mrs. Dalton, seconded by Mrs. Brumfield, to approve the request to award the annual contracts to Hurt & Proffitt, Peed & Bortz and Woodard & Curran for engineering and related services for a one-year term, with a provision for four one-year renewals

Motion carried:

| | | |
|-------|----------------------|-----|
| VOTE: | Mr. Michael Mattox | Yes |
| | Mrs. Micki Brumfield | Yes |
| | Mrs. Beverley Dalton | Yes |
| | Mr. Charles Edwards | Yes |

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|----------------------|-----|
| Mr. Tracy Emerson | Yes |
| Mr. Timothy George | Yes |
| Mr. Jay Higginbotham | Yes |

d. FY2017 Budget Discussion

Mr. Coggsdale advised the FY2017 Budget and the FY2017-2021 Capital Improvement Program were distributed to Council on Friday, March 4th and stated staff is seeking initial input from Town Council in regard to the proposed budget. Mr. Coggsdale advised outside agencies have been invited to present their budget request at the March 22, 2016 work session. He presented Council with a listing of items included in the budget or have been changed from last year's budget:

Council

Increase to the Mayor and Council Annual Compensation
Impact to Budget \$13,500.

Mr. Higginbotham asked why the increase to Council's and the Mayor's salary.

Mr. Coggsdale stated it was from some discussions he has had.

Mrs. Dalton asked if there are any tax rate changes proposed.

Mr. Coggsdale responded there were none proposed in the budget. The budget is based on all current rates.

Budget Generalities

2% Cost of Living Adjustment (COLA)

Mr. Higginbotham questioned if the 2% is a place holder for the proposed budget.

Mr. Coggsdale advised that it is.

Health Insurance 7.3% Increase
Impact to Budget: \$10,800 (change from FY2016 to FY2017)

Mr. Higginbotham questioned if this is the amount health insurance is going up by.

Mr. Coggsdale answered affirmatively.

VRS—Increased from 10.94% to 11.42%
Impact to Budget: \$20,000

Group Life—Increased from 1.19% to 1.31%
Impact to Budget: \$3,700

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Worker's Comp.--\$4,000 Increase budgeted.

Mr. Higginbotham questioned this increase.

Mrs. Shelton advised this is not saying the Town had a bad year (there were no claims last year). She is provided with a formula that she applies to each employee with the outcome showing an increase in the worker's compensation line item.

Administration

Two positions reclassifications

Impact to Budget \$3,700

Mr. Higginbotham asked for clarification.

Mr. Coggsdale explained these two individuals assist at the counter along with other responsibilities with one individual also handling payroll. They will relieve some of the Treasurer's duties that she resumed when the HR/IT position was eliminated.

Contract Voice Over IP (VOIP) system to replace the 14-year-old phone system

Impact to Budget: \$30,000

Mrs. Shelton advised this update will allow all offsite locations to connect.

Mr. Higginbotham asked after the \$30,000 is spent there could be a savings.

Mr. Coggsdale advised on the telecommunications side there could be a savings.

Non Departmental

Small Business Development Center requested \$6,000. The budget includes level funding of \$2,500 last year.

The Healing Place requested \$5,000. This item has not been included in the draft budget.

Mr. Coggsdale noted both agencies should be present at the March 22, 2016 Work Session to promote their request.

Public Safety

Request to convert the Regional Public Safety Task Force position to a regular patrol officer position. This would give the department 13 allocated personnel.

Mr. Higginbotham asked what the cost savings would be.

Mr. Coggsdale advised based on the budget, an estimated decrease of \$8,000.

Mayor Mattox asked if a new position would decrease the overtime cost.

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Mr. Coggsdale responded he would hope so.

Residency Stipend

Mr. Coggsdale noted presently there is one officer living in town but has budgeted for three possible participants.

Uniform Cleaning Allowance
Impact to Budget: \$8,100

Training Stipend (\$2,000 per Officer)
Impact to Budget: \$

Radio System

Impact to Budget: \$20,000 has been earmarked

Mr. Coggsdale noted there have been some issues with the department radios. Staff is researching ways to move this forward. Decisions have taken place with Campbell County Public Safety and the possibility of partnering with them.

Tasers

In Car Cameras

Paint and Carpet the Police Department

These items are listed in the Capital Improvement Plan.

Public Works

Mr. Coggsdale noted the equipment operator was split between Public Works and Utilities last year and should not have been which created an increase for the proposed budget.

Avoca Maintenance increase requested.

Storm Water Project (Project 1B)-Debt Services Capital Improvement Plan

Project 1B: \$260,111 (transfer in of bond proceeds)

Gateway Project: \$428,350 (VDOT Grant and local match, which was previously “earmarked” in Fund Reserves, a transfer in. An additional \$8,100 is being requested in the FY2017 budget to complete the Town’s match.)

Water

25% of Utility Mechanic to Water Plant, previously only funded and utilized by Waste Water.

CCUSA Water Purchase: New water customer

Debt Service: Completed and Ongoing Project

Capital Improvement Plan

\$1,715,000 Project 1B Main Street Project (Bond Proceeds)

Waste Water

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Utility Mechanic expenses reduced to 75%, to be shared with
Water Plant

Capital Improvement Plan
\$142,500

Mayor Mattox asked if there were any general questions for the Town Manager.

Mr. Higginbotham asked what is the current meals tax.

Mr. Coggsdale responded it was 5.5%.

Mr. Higginbotham asked if Council is looking at increasing the meals tax.

Mr. Coggsdale stated there was a discussion of looking at what the revenue would look like if it was increased.

Mr. Higginbotham also questioned the cigarette tax scenario.

Mr. Coggsdale presented information to Council in regards to the Town of Appomattox and what they have experienced in regards to revenue with the cigarette tax.

Mr. Higginbotham asked about the .27 cigarette tax.

Mr. Coggsdale clarified the revenue is .25 with the .02 tax going to the business for the cost of affixing the stamps to each cigarette pack.

Mr. Higginbotham stated if Council wanted people to come shop and eat in town there would be second and third order effects from increasing the meals tax and adding the cigarette tax. He did not know if Altavista had ever considered a cigarette tax and wasn't sure that Council should be in the position of assessing taxes for cigarettes and raising the meals tax.

Mr. George felt the cigarette tax would be a way to increase revenue. He noted he had spoken to his accountant regarding the BPOL tax and was told this was the price of conducting business in the town of Altavista. He noted the BPOL is a tax on the gross amount of retail and it totals \$154,000.

Mrs. Shelton added the BPOL tax is not just for retail but for personal service and other categories as well.

Mr. George stated this was not a huge amount of revenue and Council is looking for ways to stimulate the local economy; he sees this as a way to stimulate small businesses (removing the BPOL tax). He advised he is for the cigarette tax and for looking at the possibility of increasing meals tax as a way to reduce the real estate tax. He advised citizens complain of paying double taxes. Mr. George stated Appomattox increased their meals tax from 6% to 8% and it almost doubled the revenue, noting meals tax is the second largest source of revenue for the town of Altavista. This would help the local businesses and property owners.

Mr. Edwards questioned how going from 6% to 8% would double the meals tax.

Mr. George stated he was unsure how this came about he was just looking at the presented figures.

Mr. Coggsdale advised he would verify this information.

Mr. Edwards questioned how many businesses pay into the \$154,000.

Mrs. Shelton stated she did not have the number in front of her.

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Mr. Emerson mentioned the total tax in the city of Lynchburg is 11.5%; people choose to pay this tax if they go out to eat. He felt the cigarette tax would fall in the same category, people choose to smoke.

Mayor Mattox advised the town is not growing as quickly as liked specifically real estate. Meals tax increases because as the food cost goes up so does the revenue. He felt a reduction in real estate taxes, helps the citizens of Altavista, the businesses and industries. He recognized there may be a reduction in business to the business owners but hoped this would be offset with the reduction in real estate taxes.

Mr. Coggsdale reminded Council the proposed budget does not include any of these scenarios.

Mayor Mattox requested information on Appomattox's ordinance agreement in regards to the cigarette tax.

Mr. Coggsdale advised the March 22, 2016 work session will include additional discussions on the proposed budget.

Mr. Edwards stated in regards to the cigarette tax since Appomattox has this in place the town has the authority to do this as well and asked what other taxes could the town implement.

Mr. Coggsdale stated he would be glad to research but it is limited.

Mr. Edwards asked about beer.

Mr. Coggsdale stated he would look into this.

Mr. George stated he knew Mr. Ed Scruggs (deceased) was interested in this type of thing and the fair tax. There is a 4.5% sales tax statewide and Lynchburg, Campbell County are allowed to add to this; Altavista is not. He noted Wal-Mart had \$52 million in retail sales and Altavista did not receive any income from that.

e. Consideration of the CCUSA Water Agreement

Mr. Coggsdale advised previously staff updated Council on the discussion with Campbell County Utility Services Authority (CCUSA) in regard to a water purchase agreement. This agreement is necessary due to a new town customer coming on line in April. He presented Council with a copy of the agreement for their consideration which has been reviewed by staff, Mr. Frank Davis, CCUSA Executive Director and Mr. John Eller, Town Attorney. He advised staff is currently in discussion with the new customer in regard to a Memorandum of Understanding (MOU) that would set forth several safeguards in regard to water purchase amounts and rates, as set forth in the CCUSA agreement. The CCUSA Board of Directors has indicated that this agreement needs to be in place by the end of March, as they want to allocate the appropriate amount of water to this agreement, as they have other water needs to consider in their service area. He clarified the agreement states CCUSA would provide water to the Town of Altavista at 400,000 gallons per day maximum. This number has been shared with the Town's customers, and staff realizes there are times that may be exceeded.

Mr. Higginbotham asked if the user agreement could overlay this agreement. He felt Council should have the opportunity to make comments on this before signing off on the agreement.

Mr. Coggsdale stated meshing the two agreements the key items to cover are 75,000 gallons is a CCUSA need and as long as the town has the new customer, this would not be an issue.

Mr. Higginbotham suggested Council establish a rate that doesn't have to go back to rate increases but will address some of the issues at the Water Plant. He noted he was not sure 600,000 gallons of water could be produced by the town if something

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happened to CCUSA. He felt the problems with the Water Plant needs to be resolved and not wait five years to get the SCADA system. He felt the only way to do this was to establish a rate for Dominion.

Mr. Coggsdale asked why a special rate would be established for one customer.

Mrs. Dalton stated the rate issue is an across the board issue not a particular customer issue.

Mr. Coggsdale noted there is a provision in the agreement where if Campbell County cannot deliver under dire circumstances CCUSA has an agreement with the City of Lynchburg to purchase water. The issue here is the rate charged by the City of Lynchburg is greater than the rate the town charges its customers.

Mr. Higginbotham did not feel the Water Plant could take on another million gallons a day with the present turmoil.

Mayor Mattox asked Mr. Garrett if this would work.

Mr. Garrett stated he has had conversations about the water capacity rate and is comfortable with the 300,000; any additional would need to be purchased from CCUSA.

Mrs. Brumfield asked if anyone has considered that if the right person is hired to run the water plant efficiently the town could produce the water. She noted the budget does not include the chemicals used at the Water Plant.

Mayor Mattox noted in the memorandum if additional water is purchased from the City of Lynchburg, the customer has to pay the additional cost.

Mr. Coggsdale advised this is what is being proposed. This had not been agreed upon.

Mr. Higginbotham asked what Dominion Virginia Power is saving by purchasing the water from the town.

Mrs. Dalton stated Dominion Virginia Power is pulling raw water from the river and using it as a coolant; they want clean water.

Mayor Mattox stated the revenue generated from this will help to accelerate what Council wants to accomplish at the Water Plant. The goal is to have an exceptional water system to support our exceptional customers.

Mr. Higginbotham stated the unique situation here is Dominion Virginia Power can get their water from the river if they don't like the town's rates and suggested charging a rate as the City of Lynchburg charges.

Mrs. Dalton stated she was not ready to swallow this concept at this point. She feels the relationship with Dominion Virginia Power is a positive thing; it is forcing a relationship with CCUSA and this is a situation where an agreement can move the town forward. She thought the water rate should be looked at across the board and noted the Town of Altavista still offers the lowest water rates in the state of Virginia.

Mr. Higginbotham stated he understands this but this is maximizing the capacity of the plant which requires upgrading the plant. He suggested telling Dominion Virginia Power they are demanding up to million gallons and that something has to be done now. He stated the town should be charging a rate that will cover the upgrades; noting this is a totally unique situation because if Dominion does not like the rate and the clean water they can continue to draw from the river.

Mrs. Dalton asked where the million gallons a day came from.

Mr. Coggsdale advised the average is 600,000 gallons; 10 days in 2015 they used a million or above.

Mrs. Dalton stated the proposal is 300,000 gallons with 300,000 gallons coming from CCUSA and asked Mr. Higginbotham what rate is he considering.

Mr. Coggsdale offered the City of Lynchburg charges \$2.70 which is in excess of what is charged to the town's customers.

Mrs. Dalton asked if that would be \$2.70 per gallon.

Mr. Higginbotham responded yes until the water plant is rebuilt and restructured.

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Mr. Coggsdale advised a work session should be scheduled for the long-range planning of the resources.

Mrs. Dalton suggested charging Dominion the regular rate for an average day; anything beyond average charged differently.

Mr. Emerson stated he was in agreement the water plant needs to be brought up to date sooner rather than later.

Mrs. Brumfield felt the town needs to make this water and not have to purchase from CCUSA.

Council to review CCUSA Water Purchase Agreement and the Memorandum of Understanding before making a decision.

E. Reports

a. Town Manager's Report

Bedford Avenue Waterline Project (Project 1A)

Final items are being completed, so retainage can be released.

Main Street Waterline Project (Project 1B)

Waterline installation has begun on the side streets.
Traffic Plan for Main Street is being reviewed/approved by VDOT.
Progress meeting held on March 1, 2016.

Dominion Water Connection

Town is working with Dominion Power in regard to a new, larger water connection that will provide water for their cooling towers.

Design work for connection is under way. Potential that any construction could be as result of a change order to the Main Street Waterline Project. Awaiting Engineer's Estimate.

WWTP EOP – PCB Remediation

University of Iowa picked up the "split samples" for testing.
Town received response from DEQ indicating the Town would be allowed to stay in the "Voluntary Remediation Program".
Conference call between DEQ (Mr. Deppe) and the Town Manager on Monday, March 7th.

Mr. Higginbotham felt Council needs to discuss where they are with this and what was represented in the meeting with DEQ.

Mayor Mattox felt DEQ realizes there is a little misunderstanding all the way around and we can move forward after the May meeting.

Mrs. Dalton felt it was a possibility that DEQ read into the Town's situation and found that the town has some intriguing things going on and this gave them room to make an exception.

Mrs. Brumfield asked what would be told to the DEQ in May. She referred to Mrs. Dalton and said that she had talked to Ms. Davenport and had told her that the Town would communicate and know the Town has received the email. Mr. Coggsdale said we would turn something in to them. Mrs. Brumfield stated she was not present the last time to vote but had a problem with one thing and that was DEQ was told of the projects (Sowers, Dr. Lowman's, and Schnoor's, the Superfund, three controlled plots with nothing, three with trees and three with the

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super microbe and the trees) that the Town would move forward with and now the Town is not doing these. Council submitted this in writing and said this is what we are doing and now we are not.

Mrs. Dalton stated she had no problem reporting to them what is being done, Council had no idea that the Town would be allowed to stay in the “Voluntary Remediation Program”.

Mrs. Brumfield responded everyone thought the DEQ would kick us out but they kept us in.

Mrs. Dalton suggested Council report to them what we are doing and that we have made some modifications. They were intentions when we were there and the berm is the issue. She stated she has no problem saying things change.

Mrs. Brumfield stated she has a card from Mr. Evans that she kept and called him today and told him “we are not doing what we said we were doing; are they going to do something”

Mrs. Dalton asked Mrs. Brumfield if she was authorized to speak for the Council.

Mrs. Brumfield responded, “well no”, but she knew those projects were not being done as Council said they were going to do. She asked if there were going to be any consequences and Mr. Evans responded “that was a good question”.

Mr. Coggsdale advised in his conversation with Mr. Deppe and Mr. Anderson on Monday, March 7th, DEQ would be looking for an update in the May meeting; an update every six months towards a resolution. He noted he is working on a report which he will ask Council to review before it is presented to DEQ.

Canoe Launch

Staff is exploring grant opportunities for this project.

Broadband Grant Award

Initial stakeholder meeting was held on Wednesday, January 20th at 5:30 p.m.
Grant agreement has been executed and returned.
RFP has been issued.

OTHER ON-GOING PROJECTS

Lynch Road Sewer Line Extension Request
Waterline Improvement (alley behind Schewel’s)
Broad Street sidewalk and drainage issue

F. Informational Items/Late Arriving Matters

- a. Correspondence/Articles
- b. Calendars-March/April

G. Matters from Town Council

H. Closed Session

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

Regular Council Meeting—March 8, 2016

Section 2.2-3711(A)(1) – Discussion/consideration of prospective candidates for appointment. (Altavista Economic Development Authority) & (Planning Commission).

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

Section 2.2-3711 (A)(7) Consultation with legal counsel regarding specific legal matters requiring the provisions of legal advice by such counsel (Water Purchase Contract).

Motion carried:

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

Council went into closed session at 8:43 P.M.

Notice was given that council was back in regular session 9:08 P.M.

FOLLOWING CLOSED SESSION:

A motion was made by Mrs. Dalton, and seconded by Mr. Edwards, 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. Charles Edwards | Yes |
| | Mr. Tracy Emerson | Yes |
| | Mr. Timothy George | Yes |
| | Mr. Jay Higginbotham | Yes |

A motion was made by Mrs. Dalton, seconded by Mr. Edwards, to appointment Mr. Leslie “Tyke” Tenney to the Altavista Economic Development Authority with his term ending November 2020.

Motion carried:

| | | |
|-------|--------------------|-----|
| VOTE: | Mr. Michael Mattox | Yes |
|-------|--------------------|-----|

Regular Council Meeting—March 8, 2016

| | |
|----------------------|-----|
| Mrs. Micki Brumfield | Yes |
| Mrs. Beverley Dalton | Yes |
| Mr. Charles Edwards | Yes |
| Mr. Tracy Emerson | Yes |
| Mr. Timothy George | Yes |
| Mr. Jay Higginbotham | Yes |

I. Adjournment

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

The meeting was adjourned at 9:09 p.m.

Michael E. Mattox, Mayor

J. Waverly Coggsdale, III, Clerk