

**REGULAR MEETING OF THE FARMVILLE TOWN COUNCIL**  
**HELD ON FEBRUARY 9, 2011**

At the regular meeting of the Farmville Town Council held on Wednesday, February 9, 2011, at 7:00 p.m., in the Town Hall Council Chambers, located at 116 North Main Street, Farmville, there were present Mayor S.C. Newman, Jr., presiding, and Council members D.E. Whitus, D.L. Hunter, S.B. Thompson, T.M. Pairet, O.S. Overton, A.D. Reid, and E.I. Gordon. Also attending were Town Manager, Gerald Spates; Town Attorney, Donald Blessing; Town Treasurer, Carol Anne Seal; Chief of Police, Douglas Mooney; Director of Public Works, Robin Atkins; and Town Planner, Cindy Morris.

Mayor Newman called the meeting to order. Reverend Price offered the opening prayer, and Council member Reid led the Pledge of Allegiance.

Mayor Newman announced the public comment period.

**PUBLIC COMMENT PERIOD**

Town Manager, Mr. Spates welcomed, Longwood University Assistant Professor of English, Dr. Heather Lettner –Rust, and students from her English 400 class.

Mr. Spates then introduced the Commonwealth Regional Council’s Acting President and CEO, Mrs. Mary Hickman. Mrs. Hickman presented the CRC’s FY 09-10 Annual Report. She spoke of the Commonwealth Regional Council as being one of the twenty-one planning districts. Mrs. Hickman defined a planning district’s purpose as set forth in the Code of Virginia. She said it is to encourage and facilitate state and local government cooperation in addressing, on a regional basis, problems of greater than local significant. Mrs. Hickman then summarized the FY 09-10 Annual Report.

**REQUEST APPROVAL OF MINUTES OF THE REGULAR COUNCIL MEETING HELD ON JANUARY 12, 2011**

On motion by Mr. Hunter, seconded by Mrs. Thompson, and with all Council members voting “aye”, the minutes of the January 12, 2011, regular Council meeting were approved, as previously presented to each Council member.

**REQUEST APPROVAL OF TREASURER’S REPORT**

On motion by Mr. Whitus, seconded by Mr. Reid, and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Overton, Reid, and Gordon voting “aye”, Council approved the Treasurer’s Report, as presented.

**REQUEST APPROVAL OF PAYMENT OF THE JANUARY 2011 BILLS**

On motion by Dr. Gordon, seconded by Mr. Overton, and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Overton, Reid, and Gordon voting “aye”, Council approved payment of the following bills:

*(Bills Printed in Minute Book)*

**DEPARTMENTAL MONTHLY REPORTS**

Members received copies of the following monthly reports for information purposes:

- Building Official’s Monthly Report
- Property Inspector’s Report
- Recreational Activity Report
- Recycling Report

**REVIEW BUDGET COMMITTEE MEETING – INFORMATION ONLY**

Mr. Spates provided members with an update of the Budget Committee meeting held on January 19, 2011. Dr. Gordon, a member of the Budget Committee, added that the Budget Committee is not only looking at ways to cut funds but also ways to increase revenue. He said the Committee would have their recommendations to Council in the near future.

**DOWNTOWN PARKING METER REQUEST**

On motion by Mr. Hunter, seconded by Mrs. Thompson, and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Reid, and Gordon voting “aye”, Council accepted the Town Manager’s recommendation, and approved changing the parking meters on Main Street between Third Street and Green Front Furniture to .25 cents for one (1) hour with a maximum time of two (2) hours. Furthermore, Council agreed that the parking meters located on Main Street between Third Street and High Street will remain .25 cents for half an hour, with a maximum time of two (2) hours.

In November of 2010, the Downtown Revitalization Task Force requested Town Council consider extending the time purchased with .25 cents from half an hour to two (2) hours. After numerous discussions, meetings and a review of the Downtown Parking Meter Survey, the Budget Committee, at their January 19, 2011 meeting, agreed to recommend Town Council

approve changing the parking meters in the downtown area from .25 cents for 30 minutes to .25 cents for one (1) hour, with a maximum of two (2) hours.

Mr. Spates informed Council this evening that in recent conversations with the downtown merchants located on Main Street between Third Street and High Street, they have asked that the meters not be changed. The merchants said that most of their customers are short term and by changing the times on the parking meters, they felt the parking spaces might be taken up by people at the courthouse. Mr. Spates recommended not changing the parking meters located on Main Street between Third Street and High Street.

Additionally, Mr. Spates said the cost to change the meters would be approximately \$500.00 and that includes \$350.00 for the rental of the handheld device to reprogram the meters. Discussions took place, and in conclusion members agreed to accept the Town Manager's recommendations.

**REQUEST AMENDING TOWN OF FARMVILLE GRIEVANCE PROCEDURES FOR LAW ENFORCEMENT PERSONNEL**

On motion by Mr. Reid, seconded by Mr. Hunter, and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Overton, Reid, and Gordon voting "aye", Council followed the recommendation of the Personnel Committee, and agreed to adopt the proposed amendments to the Town of Farmville grievance procedures relating to law enforcement personnel, as submitted by Police Chief, Mooney.

Staffs reported that Town Attorney, Donald Blessing and representatives from the Virginia Municipal League had reviewed the proposed amendments. Both find them to be in compliance with State Code and EEOC requirements.

**REQUEST TO RESCIND TOWN ORDINANCE SEC. 25-80 APPLICATION FOR REFUND ON UTILITY TAX FOR ELECTRIC SERVICE**

The Town Manager spoke on the Budget Committee's recommendation to rescind Town ordinance **Sec. 25-80. Application for refund on utility tax for electric service.** He said the ordinance allows for businesses with more than two (2) meters for electric service at one location and pays a utility tax in excess of \$1,440.00 per calendar year, apply for a refund in January of each year. Mr. Spates said the Budget Committee has recommended rescinding this ordinance and has requested the matter be referred to the Ordinance Committee for their recommendation to Town Council. Dr. Gordon spoke in support of rescinding the ordinance and agreed that it

should be referred to the Ordinance Committee. Mayor Newman then asked for a motion. Dr. Gordon stated a motion was not necessary. Mayor Newman asked if Council members supported the recommendation, and all members stated “aye”.

#### **FARMVILLE PLANNING COMMISSION**

Members received draft minutes of the Farmville Planning Commission meeting held on January 18, 2011. Mr. Spates reported that the Commission is looking at the Town’s M-1 zones and its applicability as it relates to future development. The M-1 zone is identified as an industrial district. The Commission is considering proposing Town Council rezone the M-1 parcels in keeping with the adjacent parcels current zoning.

#### **REQUEST APPOINTMENT OF TOWN OF FARMVILLE BUILDING OFFICIAL**

On motion by Mrs. Thompson, seconded by Mr. Pairet, and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Overton, Reid, and Gordon voting “aye”, Council agreed with the recommendation of the Town Manager and appointed Building Inspector, Phillip Moore as the Town of Farmville Building Official.

#### **CENSUS UPDATE AND REQUEST ESTABLISHING A REDISTRICTING COMMITTEE**

The Town Manager informed members that the new census figures for the Town of Farmville have been released and provided the following information. Farmville’s population increased from 6,845 to 8,216. The Town now needs to establish a Redistricting Committee in order to proceed with the process. He recommends a representative from each ward and said that the NAACP has asked for representation on the Committee. The Commonwealth Regional Council will be assisting the Town with the mapping in order to make certain there is no more than a ten percent (10%) deviation in the population of each ward. Once the task is completed, the Committee will present the proposed redistricting to Town Council for their approval. Mayor Newman spoke saying he will consider the request to form a committee. Dr. Gordon said he would like to start on this now. He said that he would like to be a member of the Committee and suggested that all Town Council members also serve. He also proposed that each Council member recommend someone from his or her ward. Dr. Gordon suggested that this matter be an agenda item to be discussed at the next Town Council work session. Mayor Newman asked if that was in the form of a motion; Dr. Gordon said it was a suggestion.

#### **REQUEST CONTRIBUTION TO THE COMMONWEALTH REGIONAL COUNCIL**

On motion by Dr. Gordon, seconded by Mr. Hunter, and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Overton, Reid, and Gordon voting “aye”, Council approved the Budget Committee’s recommendation to contribute \$1,000.00 to the Commonwealth Regional Council. The funds were contributed to help offset the cost of software purchased for census mapping.

**REQUEST ON BEHALF OF LONGWOOD CENTER FOR VISUAL ARTS**

On motion by Mr. Whitus, seconded by Mrs. Thompson and with all Council members voting “aye”, Council granted a request on behalf of the Longwood Center for Visual Arts to designate April of 2011 as the Longwood Center for Visual Arts month in celebration of LCVA recent accreditation by the American Association of Museums.

Mr. Spates shared a letter he received from the Longwood Center of Visual Arts Director, K. Johnson Bowles. The letter requests that Town Council designate April as LCVA month and speaks of the Center’s recent accreditation from the American Association of Museums. The accreditation is looked upon as a national seal of approval for high professional standards and dedication to public service. Mrs. Bowles said across the country, only 4.5 percent of all museums are accredited. LCVA accreditation validates their efforts, promotes visitation, and strengthens their reputation locally, regionally, and nationally. She also requested a proclamation designating April as LCVA month. Members commended the Longwood Center for Visual Arts on their accomplishment and community support.

**REQUEST ON BEHALF OF THE LOCAL LIBRARY BOARD TO RETAIN FUNDS FROM THE OF SALE OF THE OLD LIBRARY BUILDING – 217 WEST THIRD STREET**

On motion by Mr. Pairet, seconded by Mr. Reid, and with all Council members voting “aye”, members supported the Town Manager’s recommendation, and agreed to refer a request on behalf of the Local Library Board to retain the proceeds from the sale of the old library building, located at 217 West Third Street, to the Library Task Force Committee for their recommendation to Town Council.

Mr. Spates said he and Prince Edward County Administrator, Wade Bartlett have been asked by the Local Library Board to present their request to retain the proceeds from the sale of the old library building. The request speaks of non-budgeted expenses the library has incurred since opening the new facility and asks that the library be able to keep the proceeds from the sale. He said the County, at their meeting last night, referred this matter to the County Library

Committee. Mr. Spates recommended Town Council refer the request to the Town Library Committee and that both governing bodies meet with the Local Library Board to discuss this request. Mayor Newman asked for a motion.

Point of order was made by Dr. Gordon. He addressed Mayor Newman saying that as Mayor, he has the ability to defer requests to committees with no action by Town Council. No comments were made.

**THE TOWN MANAGER AND STAFF PROVIDED A VERBAL UPDATE ON THE FOLLOWING MATTERS**

Town Manager, Mr. Spates provided members with the monthly overtime report and a copy of the 2009-2010 Town of Farmville Comprehensive Annual Financial Report. He informed members that the auditors will be at the next work session to address any questions members may have regarding the audit. He mentioned the special Prince Edward County Board of Supervisors work session informational meeting on the Sandy River Reservoir Water Project being held Thursday, February 10 at 7:00 pm. In closing he provided members with an update on various town projects.

Director of Public Works, Robin Atkins and Chief of Police, Doug Mooney provided updates on their departments.

**FARMVILLE TOWN COUNCIL MEMBERS INQUIRED OR COMMENTED ON THE FOLLOWING:**

Council member Hunter informed members and guests that a Community Meeting for Wards C and D has been scheduled for Wednesday, March 16, 2011 beginning at 6:00 pm in the Council Chambers.

**CLOSED SESSION – LEGAL CONSULTATION**

On motion by Dr. Gordon, seconded by Mr. Reid, and with all Council members voting “aye”, Council went into closed session pursuant to Section 2.2-3711.A.7 of the Code of Virginia for consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual or probable litigation, and other specific legal matters requiring the provision of legal advice by counsel.

On motion by Dr. Gordon, seconded by Mr. Hunter, and with a recorded vote with Council members Whitus, Hunter, Thompson, Pairet, Overton, Reid and Gordon voting “aye”, Council returned to the regular order of business.

**CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Farmville 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 Farmville Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Farmville Town Council hereby certifies that, to the best of each member's knowledge, 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 only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Farmville Town Council.

VOTE: 7 "Ayes", 0 "Noes"

MOTION: Gordon

SECOND: Reid

AYES: Whitus, Hunter, Thompson, Pairet, Overton, Reid, and Gordon

NOES: None

ABSENT DURING VOTE: No one

ABSENT DURING MEETING: No one

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Clerk

There being no other business, the meeting adjourned at 8:00 pm

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Mayor Sydnor C. Newman, Jr.

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Lisa M. Hricko, Clerk