

**WORK SESSION OF THE FARMVILLE TOWN COUNCIL**  
**HELD ON WEDNESDAY, SEPTEMBER 7, 2011**

At the regular work session of the Farmville Town Council held at 11:00 am on Wednesday, September 7, 2011, in the Conference Room of the Town Manager's Office, located at 116 North Main Street, Farmville, VA, there were present Mayor S.C. Newman, Jr. presiding, and Council members D.E. Whitus, D.L. Hunter, T.M. Pairet, O.S. Overton, A.D. Reid, and E.I. Gordon. Also attending were Town Manager, Gerald Spates; Town Attorney, Donald Blessing; and Town Clerk, Lisa Hricko. Council member S.B. Thompson was absent.

Mayor Newman called the meeting to order at 11:20 am. Council members received their September Council packets and the Town Manager presented the following agenda matters:

**STAFF REPORTS**

Members received copies of the following monthly staff reports:

Property Inspector's Report

Building Inspector's Report

Recreation Report

Recycling Report

Golf Tally

Mr. Spates provided a verbal update on new businesses, water issues, and various Town projects including the Milnwood Road and Streetscape II, and the new Farmers Market.

**NEW FARMERS MARKET**

At the August Council meeting, the issue of establishing guidelines for use of the new Farmers Market was referred to the Property Committee. Due to scheduling conflicts, the Committee has not met. Mr. Spates said he would be recommending that the Committee consider renting the facility to the Farmers Market on Saturdays, during certain months and specific times. He said the members would be responsible for set-up and clean-up of the facility. He also spoke of his concerns regarding the parking lot; and suggested that the parking meter located in the municipal lot adjacent, to the spaces reserved for County employees, be moved to the new Farmers Market parking lot.

**PROPOSED REZONING OF M-1 DISTRICT ALONG THE APPOMATTOX RIVER**

Mr. Spates said Council authorized advertisement for a joint public hearing to be held 6:30 pm on Wednesday, September 14. The Farmville Planning Commission will meet immediately after the public hearing in order to present their recommendations to Town Council.

**PROPOSED ZONING ORDINANCE AMENDMENT SEC. 29-312 USES (28)**

At the August Council meeting, members authorized advertisement of a joint public hearing. Mr. Spates reported that the public hearing is scheduled for 6:30 pm on Wednesday, September 14. He said the Town has not received any comments on the proposed amendment.

**PROPOSED ORDINANCE SEC. 2-5 FEE FOR RETURN CHECKS**

Mr. Spates reminded members that at the August meeting Council authorized advertisement for a public hearing. This matter is included in the public hearing scheduled for 6:30 pm on Wednesday, September 14.

**REZONING REQUEST ON BEHALF OF MR. PETER BUZZETTA AND MRS. SHERRY HONEYCUTT**

At the August Council meeting, Council referred this matter to the Farmville Planning Commission for their recommendation. Mr. Spates said Mr. Buzzetta and Mrs. Honeycutt are requesting that their two parcels located on Milnwood Road be rezoned from Residential District R-1 to Business District B-4. The Planning Commission has recommended that Council take no action on this request until a use for the property has been identified. Mr. Spates reported that he has spoken with Mrs. Honeycutt regarding the Commission's recommendation, and she has withdrawn her request. He said he recommends that Council authorize a refund of \$500.00, since there were no expenses associated with this request.

**UPDATE ON AUDITING BUSINESSES FOR BPOL TAX**

Mr. Spates said this matter has been on Council's agenda for several months. He suggested that this issue be referred to the Finance and Ordinance Committee and that the Town Attorney review the Town ordinance to determine if the Town has the authority to randomly audit a business to determine if they are reporting the correct figures for the BPOL tax. Members discussed this matter and suggested that the Town Manager contact legal counsel with the Virginia Municipal League for their recommendations.

**REQUEST AMENDING ORDINANCE SEC. 6-5 BUILDING PERMITS (3) OTHER INSPECTIONS**

Mr. Spates informed Council that the joint public hearing being held at 6:30 pm prior to the Council meeting includes a proposed amendment to Sec. 6-5 (3) regarding sign inspection fees. He said that the Building Official is recommending amendments to sign inspection fees because of the different inspection requirements.

**REQUEST APPOINTMENT OF REPRESENTATIVE TO THE ROBERT RUSSA MOTON MUSEUM**

The Town has received a letter from the Robert Russa Moton Museum asking Council to appoint a Council member as Farmville's representative on the Board. Mr. Spates said Mrs. Thompson currently serves; her term runs will expire on December 31, 2011. Council indicated their support in reappointing Mrs. Thompson.

**REQUEST TO PROCLAIM SEPTEMBER 18-24, 2011 AS NATIONAL SURGICAL TECHNOLOGIST WEEK**

Members were furnished copies of a letter from Ms. Mary C. Flynn, CST, requesting Mayor Newman proclaim September 18-24, 2011 as National Surgical Technologist Week.

**REQUEST ADOPTION OF REVISED "PROCUREMENT POLICY FOR THE TOWN OF FARMVILLE"**

Mr. Spates explained that the Town's current procurement policy has not been updated since 1988. In order to continue to receive transportation grant funds, it is necessary that the Town's purchasing policies and procedures be reviewed. He said the Town's policy mirrors the state's Procurement Act except on purchasing thresholds.

**REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF BOJANGLES**

Bojangles has applied for a conditional use permit to construct a restaurant at 1503 South Main Street. The public notice has been advertised. Mr. Spates said the Farmville Planning Commission reviewed their request and is asking that Council approve the conditional use permit with the condition that the landscaping plans be submitted to the Town for approval. Discussions ensued with questions and comments regarding traffic concerns being addressed by the Town Manager.

**REQUEST FOR A CONDITIONAL USE PERMIT ON BEHALF OF MR. EDGAR JONES – STATE FARM INSURANCE**

Mr. Jones has applied for a conditional use permit to build a State Farm Insurance Office at the corner of Milwood Road and Graham Road. The Planning Commission has reviewed the application and has agreed to recommend Council approve the conditional use permit with the condition of a landscaping plan be submitted for approval by the Town.

**REQUEST DETERMINATION ON ALLEY USE**

The Town has received a complaint regarding a closed alleyway off of Fayette Street. The resident stated that there is a chain at one end of the alley, with a sign saying private

property. Also, in the same alleyway, a property owner has installed a utility shed in the center of the alleyway. Mr. Spates said the alleyway in question has not been abandoned and is Town property. Discussions occurred. Mr. Spates said one option for Council is to abandon the alley. He said this would not address the issue, since Council's policy is to divide the alleyway equally between all adjacent property owners. The utility shed has been erected in the center of the alleyway and at the other end the resident has constructed a private driveway. Another option is to reopen the alleyway by making the property owners move the utility shed and open the section of alley that is being used as a private driveway. Detailed discussions ensued with a number of questions and comments being addressed by the Town Manager. In closing, he said he would provide pictures of the area in question in his weekly update.

**REQUEST APPOINTMENT OF TITLE VI EQUAL OPPORTUNITY COUNSELOR**

In order to continue to receive transportation grant funds, the Town must appoint a Title VI Equal Opportunity Counselor. Mr. Spates suggested appointing Town Clerk, Lisa Hricko as the Town of Farmville's Title VI Equal Opportunity Counselor.

**REQUEST TOWN COUNCIL PROCLAIM MONDAY, OCTOBER 24, 2011 AS "FOOD DAY"**

The Holistic Moms Network – Southside Virginia Chapter is requesting Town Council proclaim Monday, October 24, 2011 as "Food Day". Food Day is a way to bring attention to the issues of obesity, supporting sustainable farming and making real food available to everyone.

**REQUEST FOR PARTIAL STREET CLOSURE ON SATURDAY, SEPTEMBER 17, 2011**

Mr. Ricky Brown is requesting the partial closing of Hill Street from the 700 to 800 block for the annual Farmville All Star Reunion.

**FINANCE AND ORDINANCE COMMITTEE MEETING**

Mr. Spates asked that the Finance and Ordinance Committee meet to discuss the Town's policy on Personal Days Off.

**CLOSED SESSION – LEGAL CONSULTATION SECTION 2.2-3711.A7**

On motion by Dr. Gordon, seconded by Mr. Whitus, and with all Council members voting "aye", Council convened in closed session pursuant to the *Code of Virginia* Section 2.2-3711.A7 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. Whitus, and with all Council members 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: 6

MOTION: Gordon

SECOND: Hunter

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

NOES: None

ABSENT DURING VOTE: Thompson

ABSENT DURING MEETING: Thompson

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Clerk

There being no other business, the meeting adjourned at 12:48 pm

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Mayor S.C. Newman, Jr.

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Lisa M. Hricko, Clerk