



SOUTH HILL TOWN COUNCIL

REGULAR MEETING MINUTES

MONDAY, FEBRUARY 11, 2008 AT 7:00 PM

The regular monthly meeting of the South Hill Town Council was held on Monday, February 11, 2008 in the Council Chambers of the South Hill Municipal Building located at 211 South Mecklenburg Avenue in South Hill, Virginia.

1. CALL TO ORDER

Honorable Mayor Earl O. Horne called the regular meeting to order at 7:00 p.m.

2. INVOCATION

Mayor Horne rendered the invocation.

3. ROLL CALL

Mayor Horne called upon Anna Cratch to call the roll which was as follows:

A. Council Members

Chad J. Barbour	Lillie Feggins-Boone	M. B. "Millie" Bracey
William R. Gregory	Gregg Harper	J. Woodrow "Woody" Kidd
Mike Moody	C. Leroy Sasser	

B. Staff in Attendance

Anna Cratch, Town Clerk	Julie Hancock, Human Resources Mgr.
Charles Hudson, Code Compl. Official	Norman Hudson, Police Chief
Bill Wilson, Public Works Dir.	

Mayor Horne informed Council that Town Manager, Kim Callis, had an accident with his eye and would not be present at the meeting.

4. APPROVAL OF MINUTES – JANUARY 14, 2008

Councilman Harper moved and **Councilman Moody seconded** to dispense with the reading of the minutes from the regular meeting held on January 14, 2008, since all Council members had received a copy prior to the meeting, and approve as submitted by Anna Cratch. The motion was adopted by unanimous consent.

5. CODE COMPLIANCE OFFICIAL'S REPORT

Charles Hudson presented his report of activity for the month of January 2008 as follows:

Inspections Completed	-	93
Permits Issued	-	33
Fees Collected	-	\$ 1,781.95
UEZ Exemption	-	\$ Ø
Rehab Exemption	-	\$ 10,000.00
General Exemption	-	\$ 3,000.00
Work Value	-	\$ 213,410.00
Jobs Completed	-	49

Councilman Kidd moved and **Councilman Barbour seconded** to approve the report of the Code Compliance Official for the month of January 2008 as submitted by Charles Hudson. The motion was adopted by unanimous consent.

6. POLICE CHIEF'S REPORT

Norman Hudson presented his police report for the month of January 2008. Chief Hudson informed Council there was a total of 236 arrests and 470 call types in January. He presented the following administrative news:

- Nelson Watson attended a three day Computer Crimes course in Lynchburg.

Councilman Harper moved and **Councilman Sasser seconded** to approve the report of the Police Department for the month of January 2008 as submitted by Chief Hudson. The motion was adopted by unanimous consent.

Norman Hudson requested permission to hold a vehicle sale on March 29.

Councilman Sasser moved and **Councilman Gregory seconded** to authorize the Police Department to have a vehicle sale on March 29. The motion was adopted by unanimous consent.

Councilman Sasser remarked that the renovations at the Police Department look very good. Drug funds are going to be used to purchase 12 desks and chairs for the officers to use (approximately \$10,254.36). Drug funds will also be used to purchase a refurbished telephone system (approximately \$1,299.00).

7. FINANCE DIRECTOR'S REPORT

Heidi Porter submitted the following report for the month of January 2008:

A. Monthly Financial Report

In the absence of Heidi Porter, Bill Wilson submitted the financial report for month ended January 31, 2008 as follows:

General Fund	-	\$4,035,230.06	Investment Account	-	\$1,229,951.68
Water and Sewer Fund	-	160,359.79	2002 G.O. Bond	-	\$ 118,555.30
Cemetery Fund	-	50,754.79	Certificate of Deposit	-	\$ 80,000.00
CDBG2 Halifax	-	54.67	Total Police Dept. Savings	-	\$ 21,323.56
Total in Checking	-	\$4,246,399.31	Total Past Due Taxes All Yrs.-	-	\$ 182,148.10

Mr. Wilson commented that the CDBG2 funds are down to about nil. The four houses have been demolished.

Councilman Barbour moved and Councilwoman Bracey seconded to approve the financial report for month ended January 31, 2008 as submitted by Bill Wilson. The motion was adopted by unanimous consent.

Councilwoman Bracey asked members to take note of the exceptional expenses that Ms. Porter listed as requested by Council.

B. New Water and Sewer Bills

Mr. Wilson presented Council with a new water bill design on 8½ X 11 paper that Ms. Porter has been working on with RTSS, our software supplier. The new bill is expected to be ready to use for the March 2008 bills. The new bills give staff the opportunity to give utility customers special information. Factoring in that plain paper can be used and that the new bills will be printed in black ink, Anna Cratch commented that the new bills should produce some cost savings. Councilwoman Bracey mentioned that any special messages can be printed in red if desired.

Mayor Horne commented how fortunate our area is in comparison with the water situations of other localities such as Raleigh.

This agenda item was for informational purposes only; therefore, no Council action was taken.

8. CITIZENS TO ADDRESS COUNCIL

A. Rosser Wells, Fire Chief – 2007 Annual Fire Report

Rosser Wells presented Council with the Fire Report for the South Hill Volunteer Fire Department, Inc. (SHVFD) for the year that ended December 31, 2007. 422 incidents were responded to with 105 actually involving fire. An average of 16 firefighters was present per call with at least one engine on the street in two to three minutes of receiving a 911 call. 178 calls were responded to in town, and 207 were within our county district. Other departments were assisted 37 times outside our district, and mutual aid was received from surrounding departments 69 times.

A new engine was placed in service in 2007, and the fire station was expanded with the addition of two new bays. Funded by an Assistance to Firefighters Grant through the Department of Homeland Security, a new generator was installed that supplies emergency current to the entire fire station. ISO continued to rate the SHVFD a class 5, and the class 5/9 rating for the county district actually came down even further.

The SHVFD plans to fund and purchase a new tanker capable of carrying up to 3000 gallons of water which will enable them to do a better job in the county district.

Chief Wells thanked Council and the community for their continued support. On behalf of Council, Mayor Horne thanked Chief Wells and all of the SHVFD volunteers. Councilman Barbour mentioned that Council also thanks the employers who allow the volunteers to respond to fire emergencies.

Councilman Kidd moved and **Councilman Feggins-Boone seconded** to approve the 2007 annual report of the Fire Department as submitted by Chief Wells. The motion was adopted by unanimous consent.

B. Gwendolyn Cabiness – Family Reunion at Centennial Park on Saturday, July 26

Gwendolyn Cabiness addressed Council to request permission to hold a family reunion at Centennial Park on July 26, 2008.

Councilman Harper moved and **Councilman Feggins-Boone seconded** to authorize a family reunion to be held at Centennial Park on July 26, 2008 from 11:00 a.m. to 4:00 p.m. The motion was adopted by unanimous consent.

C. Melinda Elliot, United Methodist Family Services – Yard Sale at Centennial Park on Saturday, August 2

Melinda Elliot addressed Council to request permission for United Methodist Family Services, a non-profit child place agency, to hold a yard sale at Centennial Park on August 2, 2008 in order to raise awareness of their services to the community.

Councilman Harper moved and **Councilwoman Feggins-Boone seconded** to authorize United Methodist Family Services to hold a yard sale at Centennial Park on August 2, 2008 from 8:00 a.m. to 2:00 p.m. The motion was adopted by unanimous consent.

D. Tommy Zincone, South Hill Revitalization Committee, Inc. (SHRC) – 2008 Events

Tommy Zincone addressed Council to request permission for the SHRC to hold the following events in 2008:

- May 10, SpringFest – The SHRC is trying to make this event a fine artist event. The fine artist venue is moving into a room in the library for a Friday night show and competition. The Colonial Theatre will be the ideal location for the art venue once it opens.
- September 27, Farmer’s Day – This event will include the parade as usual along with activity at Centennial Park.
- December 2, South Hill Rings in Christmas – This event will be different than last year. An inside venue with Santa may be planned if the weather is cold.

Mr. Zincone stated that the SHRC supports and does the promotion for the Market Square events. On May 10, following SpringFest, a Battle of the Bands is planned at Centennial Park.

Councilman Barbour moved and **Councilman Moody seconded** to authorize the South Hill Revitalization Committee to hold the three events in 2008 as requested by Tommy Zincone. The motion was adopted by unanimous consent.

9. COMMITTEE REPORTS

A. Accessory Buildings on Vacant Lots

Mayor Horne reminded Council about Mike Peters’ comments at the January 14 Council meeting regarding a storage building on his vacant lot. Mayor Horne stated he knows of at

least five meetings he has been involved with in this request. Mayor Horne has met with Council, some of the Planning Commission and the Town Attorney regarding this matter. Quite a bit of time has been spent on this. Mayor Horne sent a memo to the Planning Commission with the ordinance and minutes from the January 14 Council meeting asking them to look at and review the ordinance before their meeting. It was mentioned that the Planning Commission made a motion to table it and that Mayor Horne wanted a decision. Mayor Horne commented that he was hoping the Planning Commission studied it before hand.

Mayor Horne stated that when someone makes the statement that the Town of South Hill does not look out for or work for the small business, he/she does not know how hard the Town works for small businesses and the things that they do. A few things that came to his mind are that Council amended the ordinance to allow home-based businesses. The sign ordinance was also changed to make more room on signs for small businesses. South Hill takes pride in its small businesses which are a part of its livelihood.

Mike Peters commented that he does not know everything South Hill does, but the Town has not done anything for him as a small businessman. Mr. Peters stated that he gave the previous Town Manager a list of things the Town could do to help small businesses in the first three critical years, but he never heard anything more about it. Types of things Mr. Peters suggested for the first few years were to charge businesses based on actual water and sewage usage generated from business and to exempt business license fees up to a certain figure.

Mayor Horne commented that he was not aware of the comments made by Mr. Peters to the previous Town Manager or the Rotary. Mayor Horne commented that the new water rates were set up to charge by use. In regards to exempting fees, Mayor Horne stated that we might be bound by state law. Mayor Horne suggested that Mr. Peters bring a list by the Town Office and sit down and discuss it with staff. There are certain things that staff can and cannot do. All comments are welcome.

In regards to several comments and questions from Mike Peters at the January Council meeting, Charles Hudson stated that the purpose of the ordinance which does not allow a building used for storage purposes to be located on a vacant lot is to maintain the integrity of zoning districts by preventing non-conforming uses of property, both now and in the future. The ordinance applies to any non-conforming use, not just buildings used for storage. It is enforced in neighborhoods and business districts. While this ordinance may create a perceived hardship in some cases, it ensures that when properties change hands, all properties continue to comply with the requirements of the zoning district.

Mr. Hudson went on to say that there are two readily available remedies in Mr. Peters' case. (1) He can combine his two lots into one lot, which would allow his storage building to meet the definition of accessory building under the Town Code and thereby meet the requirements of the ordinance; or (2) He can move the storage building onto the lot where his primary business is located, which would also allow his storage building to meet the definition of accessory building and thereby meet the requirements of the ordinance. Situations similar to Mr. Peters' have arisen over the years and the ordinance has been enforced. Several property owners have chosen remedy number one. They had their lots resurveyed and a new deed prepared which combined multiple lots into a single lot. They were then able to place buildings on the lot where their residence or business was located. Should Mr. Peters combine his two lots into a single lot now, and then later wish to divide the property back into two lots, he may do so as long as the division conforms to the ordinance in effect at that time.

Mr. Hudson reported that Newmart Builders does not violate the ordinance. The buildings they have for sale are located on a single lot and the buildings constitute inventory (goods for sale). The buildings are not used by Newmart for storage purposes. Their use of a building for office

space also does not violate the ordinance. Mark Reese Motor Company does not violate the ordinance either. As allowed under the ordinance, he was issued a Special Exception permit in June 2004 to utilize that lot for automobile sales. Further, similar to the Newmart situation, his use of a building for office space also does not violate the ordinance.

Mayor Horne reported that this is the only complaint that he is aware of on this particular ordinance which has been in effect for some time.

Mr. Peters commented that the Town Manager stated there were no exceptions to a storage building on a vacant lot. Mr. Peters stated he has found out that businesses have storage buildings for sale and storage purposes. He mentioned he doesn't know what to believe or what he'll be told next time. He asked if there was any further appeal procedure under the Town system such as the BZA that he could address. Charles Hudson answered that it is not a BZA issue. Councilman Harper commented that he is welcome to address issues with staff.

Councilwoman Bracey mentioned she went to the shop twice and could not see where it would hurt to move the storage building on the lot 10' off from the concrete building. Mr. Peters stated it would take up most of his parking spaces. Councilwoman Bracey commented that a good five or six parking spaces are at the back door. In regards to his comment about not wanting customers to have to walk too far, she stated that Wal-Mart customers have to walk long distances. She asked Mr. Peters how many spaces would he have if the building was moved. Mr. Peters answered that it was irrelevant because Council's mind was already made up. He went on to say placing the building north to south would impede driving; east to west would take at least 2½ parking spaces and would be an eyesore.

Mr. Peters stated that the Chairman of the Planning Commission said that the building looks nice and it is ridiculous that it has to be moved, but they are afraid if Mr. Peters is allowed to do this, the next person may not be as careful. Mr. Peters commented that bureaucracy penalizes the person who tries to make things look right because it fears what someone might do to make it look bad. Mr. Peters sees himself as a victim of bureaucratic fear. He stated that he accepts his three options: (1) combine the lots, (2) move the building, or (3) sell the building and get rid of it. Mr. Peters stated that if he made two lots into one and later desired to sub-divide them again, he does not trust the concept of if it is ok "at that time", it can be done. Mr. Peters stated that there is another lot near him that he was negotiating on, but his best option is to probably forget it and get out of the area completely. Mr. and Mrs. Peters left the meeting before a motion was made.

Councilman Kidd moved and **Councilman Harper seconded** to leave the ordinance, rules and regulations as they currently are. The motion was adopted by unanimous consent.

10. TOWN MANAGER'S REPORT

Kim Callis submitted the following report for the month of January 2008:

A. Twin Oaks Community Improvement Grant

In the absence of Kim Callis, Bill Wilson informed Council that the DHCD awarded South Hill a grant of \$769,500 to support the Twin Oaks II Community Improvement Project. Additional grant funds of \$630,500 are hopefully going to be received for this project as well, making the total grant award \$1,400,000. As of now, the Town match of \$165,900 will be included in the FY08-09 budget.

The grant proceeds will be used to reduce substandard housing on 24 units, improve water and sewer facilities, and clean up debris and trash in the Twin Oaks area. Staff is evaluating doing some of the water and sewer work internally to reduce costs for the grant match.

Mayor Horne reported that the Twin Oaks II CDBG Contract Negotiation Meeting originally scheduled for February 12, 2008 has been rescheduled to take place on March 5 at 2:00 p.m.

This agenda item was for informational purposes only; therefore, no Council action was taken.

B. Wetlands Grant Application and Resolution

Mayor Horne reminded Council regarding their approval at the January 9, 2006 Council meeting of the relocation of approximately two acres of wetlands from the Hillcrest Industrial Park to the Mountain Creek lagoon. Bids to relocate the wetlands ranged from \$300,000 to over \$500,000. The Town's FY07-08 budget includes \$50,000 to be used for wetlands relocation. The SPDC has advised that Tobacco Indemnification and Community Revitalization Commission grant funding of approximately \$280,000 may be available for this project. Mr. Callis presented Council with a resolution authorizing the Mayor and Town Manager to sign and submit the grant application. The SPDC will prepare the grant application documents.

Councilwoman Bracey moved and Councilman Harper seconded to adopt the resolution authorizing the Mayor and Town Manager to individually sign and otherwise execute documents necessary to seek Tobacco Commission grant funding to be used for wetlands relocation. The motion was adopted by unanimous consent.

C. Meeting with Comcast Cable

Councilwoman Bracey and Councilwoman Feggins-Boone reported that several Council members and staff met with Paul Comes, Director of Government and Community Affairs for Comcast Cable, on January 29 to discuss concerns expressed by citizens regarding cable service. Citizens were not happy with Comcast's price increases while channels were also eliminated that they view on a regular basis such as channel 10. Mr. Comes was provided with copies of correspondence from citizens expressing their specific complaints. He was informed that it does not seem fair that the Greenville/Emporia area seems to have a lot more channels than South Hill while South Hill's rates are the same or maybe even higher than them.

Mr. Comes stated that channels had been eliminated or replaced as part of the ongoing fallout from Adelphia's bankruptcy. While Comcast took over certain areas previously served by Adelphia, they do not necessarily have rights to broadcast from the same stations but must broadcast from designated market areas assigned by the Federal Communications Commission.

Councilman Kidd commented that he does not believe Comcast's service is as good as Adelphia's.

Mr. Comes agreed to look into the matter to determine if there is a way to restore those broadcasts previously enjoyed by our citizens. The five year franchise for cable service expires July 29, 2008. Mayor Horne commented that Council has nothing to do with stations or rates. The only thing Council can do is agree on a five year contract. There are no other cable outlets available to speak with. Mayor Horne mentioned that he was in a meeting with a telephone company, and they strongly believe

cable will come through telephone lines down the road. Councilwoman Bracey commented that the price of running fiber optic to the home is coming down.

This agenda item was for informational purposes only; therefore, no Council action was taken.

D. Whittles Mill Power House

Councilman Kidd informed Council that the Property Committee met on February 7 to discuss a proposal from Steve Jones who works with the John H. Kerr dam to lease and operate the hydroelectric facility at Whittles Mill for the purpose of selling electricity to Dominion Virginia Power (as was done in the 1980s by the Rockfish Corporation). Staff recommends pursuing Mr. Jones' proposal for the following reasons:

- Mr. Jones would bear the expense of renovating and maintaining the facility.
- A regular presence at the property would help to prevent or reduce trash dumping and vandalism.
- A well maintained facility would provide a point of interest for visitors/tourists along the Blueway Canoe/Kayak Trail.
- The Town would recognize a small revenue stream once the facility is operational.

The Town Attorney was at the meeting and saw no problems with pursuing the proposal. There are several financial, legal, regulatory, operational and other details to be worked out.

Councilman Barbour reported that Public Works has performed a lot of cleanup work at the Whittles Mill site.

Councilman Harper moved and **Councilman Kidd seconded** to authorize Steve Jones to proceed with his fact finding. The motion was adopted by unanimous consent.

11. HUMAN RESOURCES MANAGER'S REPORT

Julie Hancock presented the following administrative news for the month of January 2008:

1) Education

- Brian Bratten, Public Works, completed preparatory training for a Virginia Class V Water License.

2) Other

- Michelle Mateka, Park View Middle School Principal, organized a thank you luncheon for the Public Works employees who installed water lines at the school's athletic fields. Staff in attendance was Kim Callis, Bill Wilson, Robert Owens, Wade Crutchfield, Lee Clary, Wallice Reese, Ryan Urda, Allen Elliott, Wayne Dooley and Chris Chavis.

This agenda item was for informational purposes only; therefore, no Council action was taken.

12. PUBLIC WORKS DIRECTOR'S REPORT

Bill Wilson submitted the following report for the month of January 2008:

A. Miscellaneous Ongoing Projects

Bill Wilson informed Council that Public Works has started cleaning up the Whittles Mill site so as to move ahead with the Blueways/Canoe Trail project on the Meherrin River. Much of the undergrowth and downed trees has been removed. The entrance road will soon be improved. Staff has received many comments on how good the site looks now.

Public Works has completed the demolition of the old concession stand/restroom facility at the Parker Park softball complex. With thanks to Councilman Kidd, staff has a general layout designed for a new facility and is currently working on the specifics. The building will be a block building similar to the new field house. The project is anticipated to be completed in April.

As part of the Downtown Revitalization Phase 2 work, Public Works has made all the sidewalk cuts around the utility poles on Mecklenburg Avenue and Main Street so that Dominion Power can proceed with the installation of new poles on the side streets and removal of the old poles on Mecklenburg Avenue. Work completed by Town staff will go toward the required matching funds. Staff will also be assisting Verizon with the underground boring on Atlantic Street and under Mecklenburg Avenue. Mayor Horne reported that Bryant Brooks stepped forward and granted what needed to be done to remove the one pole across from Southside Office Supply. Councilman Barbour commented that the downtown area will look very nice.

This agenda item was for informational purposes only; therefore, no Council action was taken.

13. OLD BUSINESS

Mayor Horne reminded Council members regarding the Chamber of Commerce Luncheon on March 4, 2008.

14. NEW BUSINESS

There was no new business.

15. ADJOURNMENT

There being no further business matters before the South Hill Town Council, Mayor Horne adjourned the meeting at 8:04 p.m.

Respectfully submitted by Anna B. Cratch.

Earl O. Horne, Mayor

Attest:

Anna B. Cratch, Town Clerk