



## **SOUTH HILL TOWN COUNCIL**

### **REGULAR MEETING MINUTES**

**MONDAY, SEPTEMBER 14, 2009 AT 7:00 PM**

The regular monthly meeting of the South Hill Town Council was held on Monday, September 14, 2009 at 7:00 p.m. in the Council Chambers of the South Hill Town Hall 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**

Kim Callis, Town Manager	Anna Cratch, Town Clerk
Julie Hancock, Human Resources Manager	Charles Hudson, Code Compl. Official
Norman Hudson, Police Chief	Heidi Porter, Finance Director

#### **4. RESOLUTION FOR THE 2009 SOUTH HILL DIXIE YOUTH PONYTAILS SOFTBALL ALL-STAR TEAM**

Kim Callis presented original Resolutions of Congratulations and Appreciation to each of the following members of the 2009 South Hill Dixie Youth Ponytails Softball All-Star team who represented South Hill: Odicci Alexander, Hayli Chandler, Makayla Clary, Sydney Crafton, Amanda Crutchfield, Jessica Gordon, Brooke Mason, Victoria Parrott, Lindsey Townsend, Madison Tucker, Elizabeth Wells, LeAnn Wilson, Manager Gary Tucker, Assistant Coach Dean Crutchfield and Assistant Coach Brad Gordon.

The Ponytails were district tournament champions and were undefeated in winning the Virginia state Dixie Youth tournament championship. They competed fiercely at the Dixie Youth Softball World Series in Sumter, South Carolina.

Mayor Horne congratulated the manager, players and coaches for their outstanding representation of our Town. He informed them that the Town is very proud of them. All present clapped in appreciation of those who were acknowledged.

Gary Tucker thanked the Town for their support and complemented the Parker Park complex.

## 5. APPROVAL OF MINUTES – AUGUST 10, 2009

A motion was made by Councilwoman Feggins-Boone, second by Councilman Barbour, to dispense with the reading of the minutes from the regular meeting held on August 10, 2009, since all Council members had received copies prior to the meeting, and approve as submitted by Anna Cratch. Motion carried unanimously.

## 6. SERVICE AWARDS

The following employees were recognized with Certificates of Accomplishment for service to the Town:

- Jeffrey R. Baskerville, Public Works, 15 years effective September 22, 2009 (absent)
- Julianne M. Hancock, Human Resources, 5 years effective September 20, 2009
- Christopher L. Parrott, Police, 5 years effective September 28, 2009

## 7. PUBLIC HEARINGS

### A. Charles Hudson – SE 2009-3, Request by Robert C. and Diane M. Fuller to utilize 612 Plank Road for the temporary storage of fully equipped motor vehicles while awaiting repair

Charles Hudson opened the Public Hearing for comments for and against the request of Robert C. and Diane M. Fuller for a Special Exception Permit under Article IV, § 94.1-76 of the Town Zoning Ordinance to utilize their property located at 612 Plank Road for the temporary storage of fully equipped motor vehicles while awaiting repair. The property is zoned Commercial C-2.

At the Public Hearing held on August 3, 2009, the South Hill Planning Commission voted to recommend that Council approve the special exception request with the following conditions:

- A wooden privacy fence with a minimum height of 8' must be installed around the property to completely obscure visibility from public view;
- The area must be kept clear of tall grass and weeds; and
- All unused vehicle parts must be stored behind the wooden fence.

Chad Fuller spoke in favor of his request stating that it will allow him to utilize that portion of the property for secure storage of 15 to 20 vehicles until a payment is made. Mr. Fuller previously removed an old house from the property. He plans to paint the privacy fence white and have the property look as pleasing as possible.

There were no speakers against the request.

A motion was made by Councilman Kidd, second by Councilman Sasser, to grant Robert C. and Diane M. Fuller's request with the recommended conditions of the South Hill Planning Commission for SE 2009-3 to utilize their property located at 612 Plank Road for the temporary storage of fully equipped motor vehicles while awaiting repair. Motion carried unanimously.

## 8. CODE COMPLIANCE OFFICIAL'S REPORT

Charles Hudson presented his report of activity for the month of August 2009 as follows:

Inspections Completed	-	80
Permits Issued	-	51
Fees Collected	-	\$ 4,633.28
UEZ Exemption	-	\$ 0
Rehab Exemption	-	\$ 31,000.00
General Exemption	-	\$ 1,435,063.00
Work Value	-	\$ 2,583,765.00
Jobs Completed	-	36

New businesses for the month of August include Morrissette Construction Company, Smiley's Construction Company, and Bay Seafood.

**A motion was made by Councilman Moody, second by Councilman Kidd,** to approve the report of the Code Compliance Official for the month of August 2009 as submitted by Charles Hudson. Motion carried unanimously.

## 9. POLICE CHIEF'S REPORT

Norman Hudson presented his police report for the month of August 2009. Chief Hudson informed Council there were a total of 244 arrests, 687 complaints and 462 call types in August. He presented the following administrative news:

- All officers have completed their mandatory physicals.
- Captain Mike Mayer attended the 2009 VACP/VPCF Annual Conference in Norfolk.
- Corporal Mike Peebles and Officer Neal Puryear completed General Instructor Certification at the training academy in Lynchburg.
- Corporal Mike Peebles and K-9 are currently enrolled in a 12 week class on Bloodhound/Handler Training.
- While attending a Smart, Safe and Sober Workshop in Suffolk, Captain Mike Mayer was awarded the 2009 Leadership Award for our region for his contributions to highway safety.

**A motion was made by Councilman Sasser, second by Councilman Barbour,** to approve the report of the Police Department for the month of August 2009 as submitted by Chief Hudson. Motion carried unanimously.

Norman Hudson requested permission to hold their annual vehicle sale on October 3 at 9:00 a.m.

**A motion was made by Councilman Barbour, second by Councilman Sasser,** to authorize the Police Department to have a vehicle sale on October 3 at 9:00 a.m. Motion carried unanimously.

## 10. FINANCE DIRECTOR'S REPORT

Heidi Porter submitted the financial report for month ended August 31, 2009 as follows:

General Fund	-	\$5,217,239.36	Investment Account	-	\$1,265,698.70
Water and Sewer Fund	-	69,631.47	2008 G.O. Bond	-	\$1,404,010.36
Cemetery Fund	-	59,764.79	Certificate of Deposit	-	\$ 70,000.00
Twin Oaks II	-	<9,240.77>	Total Police Dept. Savings	-	\$ 14,802.34
Total in Checking	-	\$5,337,394.85	Total Past Due Taxes All Yrs.-	\$	84,413.69

**A motion was made by Councilwoman Bracey, second by Councilman Kidd,** to approve the financial report for month ended August 31, 2009 as submitted by Heidi Porter. Motion carried unanimously.

## 11. CITIZENS TO ADDRESS COUNCIL

### A. Virginia Fuller, 423 E. Ferrell Street – Keeping Animals such as Goats, Sheep, Chickens and Horses in Town

Virginia Fuller and her fiancé “BJ” (last name unknown) of 423 E. Ferrell Street addressed Council regarding their displeasure of receiving unwritten notification that keeping animals on the five acres she recently purchased in Town is not allowed. Dr. Fuller stated that she purchased the property around two months ago because (1) she was informed by two different realtors that the keeping of animals was permitted, and (2) it is close to the hospital where she works. Her plans were to have four pygmy goats to help clear out the property and to raise three sheep and ten laying hens. She commented that sheep actually help prevent wildfires. She also has horses she would like to bring to the property. Dr. Fuller commented that she believes she has permission to have horses on her property by the grandfather clause, because the previous owners had horses. She commented that the ordinance states that there is no limitation on owning any animal except swine or fighting cocks unless it becomes a nuisance. She stated that many of her animals are service animals. She presented Council with several items including statements from two neighbors that border on her property indicating that they have no objection to goats, sheep, chickens or horses being on the property. In regards to concerns about manure, she went on to say that she has a neighbor with a couple of coy ponds that produce large quantities of mosquitoes that breed and carry West Nile virus and are a threat to the population.

Kim Callis reported that Dr. Fuller’s property is located in zone R1-10 which does not permit “raising/keeping animals” such as goats, sheep, chickens or horses either by right or by special exception. Those types of animals are only permitted in zone R1-40 and then only by special exception which may be granted by Council with certain stipulations.

Mr. Callis commented that at this point, Dr. Fuller’s recourse is to go before the Planning Commission for consideration of amending the existing ordinance. Once they consider the matter, they could recommend something to Council. Mayor Horne added that Dr. Fuller could also go before the Planning Commission and ask for her property to be rezoned to R1-40 and then request a special exception. In answer to a question from Councilman Barbour, Charles Hudson stated that it would be difficult to rezone one property in the middle of a neighborhood. It is also unlikely that the zoning would be changed for the entire Town. In answer to a question from Mayor Horne, Charles Hudson stated that the grandfather rule is dropped sometimes when new owners take over but not always. Kim Callis commented that when the previous horses were removed, the use changed.

Mayor Horne stated that the realtor was not educated on our existing ordinances. He went on to say that when you have 22 animals, that gets into a farm, and in no way would he want to live with 22 animals anywhere in his neighborhood. When it rains and a goat, sheep or chickens get wet, there is an odor.

Eddie Bradley, resident at 501 E. Ferrell Street for 21 years, stated that the former owners fenced in the back area, built a barn, and had two horses. Mr. Bradley commented that the new owners plan to fence animals in the entire area of their property. He mentioned that he is the owner of the coy pond, point being to control mosquitoes.

Mayor Horne apologized for their miscommunication with the realtor and that Dr. Fuller's property does not allow that type of animals. He stated that he is very impressed with her service animals and hopes she can find a location where her animals can be kept. He asked the Town Manager and Personnel Committee to go back and look at existing policies that pertain to animals. In answer to a question from "BJ", Mayor Horne stated that if they wish to seek legal action, their attorney can contact him or our Town Manager for referral to our Town Attorney.

**B. South Hill Volunteer Fire Department – Street Closings for 75<sup>th</sup> Anniversary on October 4**

Mayor Horne reported that the South Hill Volunteer Fire Department is training for the Firemens Convention on September 19 in Brodnax.

On October 4 from 1:00 p.m. to 4:00 p.m., the Fire Department is having an Open House at the Fire Station in honor of their 75<sup>th</sup> Anniversary. They have asked that North Lane and Brunswick Avenue be closed from 12:00 p.m. to 4:00 p.m. for the event.

**A motion was made by Councilman Moody, second by Councilman Sasser, to close North Lane and Brunswick Avenue from 12:00 p.m. to 4:00 p.m. on October 4 for the 75<sup>th</sup> Anniversary of the SHVFD. Motion carried unanimously.**

**C. Shirlene Baskerville, 408 W. Atlantic Street – Bennett Creek**

Shirlene Baskerville addressed Council regarding the one block left open in the 400 block of West Atlantic Street located behind Jones Barber Shop on Bennett Creek. She stated that the previous grant should have enclosed the entire branch; however, the money ran out. Ms. Baskerville reported that a snake was in her driveway three weeks ago. It is the only block in Town that does not have storm drains, and she would like to see her Town do something about it.

Mayor Horne reported that the creek is owned by the Corps of Engineers. The grant was cut back by thousands of dollars. One of the main things the grant accomplished was to fix the streets and curb and gutter. There are only certain things that the Town can do. Staff put rock in the area, and the neighborhood agreed to keep the creek free from grass clippings, tires, etc. As long as that is done, in combination with spraying, it will keep a lot of the snakes and creatures out. Mayor Horne asked the Town Manager to get with Ms. Baskerville and research to see what can be done.

Ms. Baskerville asked if anything could be done so that citizens would not have to come to Council to complain about concerns. Kim Callis answered that staff appreciates and welcomes calls from concerned citizens. He informed Ms. Baskerville that he will call her regarding the matter.

**12. COMMITTEE REPORTS**

There were no committee reports.

**13. APPOINTMENTS**

**A. Lake Country Development Corporation**

Mayor Horne informed Council that the two year terms of following three members of the Lake Country Development Corporation will expire in September of 2009: Thomas Bullock, Kim Callis and Earl Horne. They have been contacted and do wish to serve another term. He also recommended that Kim Callis be nominated to serve again on the Board of Directors.

**A motion was made by Councilman Kidd, second by Councilman Barbour,** to reappoint Thomas Bullock, Kim Callis and Earl Horne to the Lake Country Development Corporation and to nominate Kim Callis to serve again on the Board of Directors. The two year terms commence in October of 2009 and end in September of 2011. Motion carried unanimously.

**14. TOWN MANAGER'S REPORT**

Kim Callis informed everyone that September 17 is the Affair on the Square featuring Liquid Pleasure; gates open at 6:00 p.m. Farmers Day starts at 10:00 a.m. on September 26 at Centennial Park.

Mr. Callis submitted the following report for the month of August 2009:

**A. Twin Oaks Fair Housing Resolution**

Mr. Callis reported that the Town is required to complete a fair housing activity each project year as part of the Twin Oaks Community Development Block Grant project. Last year's activity was fair housing brochures which were handed out to each client at the time of application. This year's activity is to adopt a resolution indicating the Town's endorsement of fair housing. Upon adoption of the resolution, the Southside Planning District Commission will publish notice of the Town's endorsement of fair housing in appropriate newspapers.

**A motion was made by Councilman Kidd, second by Councilman Harper,** to adopt the Fair Housing Resolution and approve the Public Notice which together satisfy the annual CDBG requirement for the Town to complete a fair housing activity. Motion carried unanimously.

**B. CMH Helipad Endorsement**

Mr. Callis reported that CMH currently operates a helipad located on the west side of Highway 1 North in the Dogwood Triangle. The helipad is used primarily to med-flight critically ill patients to facilities best equipped to treat them. Benchmark Community Bank currently owns this property and plans to develop it, necessitating the need to move the helipad. Personnel from CMH, the Town and several emergency services agencies have evaluated numerous potential sites for the helipad. The best site is at the Hillcrest Industrial Park on property owned by the IDA. Steve Watkins, Chairman of the IDA, stated that at their September 3 meeting, the IDA approved a long-term lease agreement with CMH to relocate the helipad at the Hillcrest Industrial Park. While the helipad will be located on IDA property, CMH has requested the support and approval of Council for its relocation. This will be licensed by the FAA as a privately owned helipad. One of their requirements is that there has to be approval by the local governing authority.

Ed Brandenburg with CMH stated that he has a Memo of Intent signed by Steve Watkins that CMH agrees to relocate the helipad if it conflicts with a future industry locating at the park. Mayor Horne commented that it must be in writing. Mr. Brandenburg mentioned that it will be stated in the Lease Agreement that they will relocate within 12 months. In an effort to prevent losing

any industry, Mayor Horne stated that twelve months is too long and suggested three months. Mr. Brandenburg stated that would be next to impossible because the FAA requires at least 90 days once an application is submitted to them to review and approve. It was agreed that relocation within six months of notification would be suitable. The helipad is used three to four times a week.

**A motion was made by Councilman Sasser, second by Councilman Kidd,** to support and approve the location of the CMH helipad in the Hillcrest Industrial Park at or near 200 Tunstall Drive, South Hill, VA. Motion carried unanimously.

## **15. HUMAN RESOURCES MANAGER'S REPORT**

Julie Hancock presented the following administrative news for the month of August 2009:

### **A. Personnel Report**

#### **1) Resignations/Terminations**

- Scott Smith, Public Works, is no longer employed with the Town effective August 7, 2009.

#### **2) Job Postings**

- Facilities Maintenance Technician I, a Public Works Fleet and Facilities Maintenance position, was posted internally and John Kniolek who currently works in the Parks Division applied, was interviewed, and accepted the job offer. This leaves an opening as a Maintenance Operator I in Parks which is currently being advertised internally and externally.

#### **3) Seminars/Training/Other (There was no cost for any of these sessions.)**

- Town employees from the Police, Code Compliance and Public Works departments attended a session providing information about retirement presented by the Virginia Retirement System on August 3 at the Southside Planning District Commission.
- Public Works employees, Allen Elliott, Brian Bratten, Kenneth Berry, James Moore and Brad Clark attended the VML Insurance four hour Defensive Driving class in Clarksville on August 19.
- The safety videos *Heavy Duty Sanitation Vehicles* and *Residential Pick-Up* were shown August 26 to Town personnel in Public Works, Fire and Code Compliance. The videos covered the techniques of safely driving heavy duty trucks and public and employee safety during residential trash pickup.
- Mark Novsak, Public Works, attended a plant tour of Mueller Company August 24 to 27 that covered three plants in two states. Mueller manufactures fire hydrants, water valves and fittings. An immediate benefit of the tour was that fire hydrants can be purchased in the Town's preferred color thus eliminating the need for Town employees to paint them.

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

## **16. PUBLIC WORKS DIRECTOR'S REPORT**

In the absence of Bill Wilson, Kim Callis presented the following report for the month of August 2009:

### **A. Projects Update**

#### **1) Asphalt Overlay**

Approximately 2" of old pavement has been milled on Mecklenburg Avenue from Danville Street to just beyond Franklin Street. Atlantic Street was also milled approximately 150' in both directions from the Mecklenburg Avenue intersection. Paving commenced and was completed on September 9. Striping should be completed by September 15.

#### **2) New Flag Poles**

Three flag poles have been erected atop the Town Hall. The American flag will hang on the center pole (17') and the Virginia state flag and South Hill town flag will hang on the end poles (14').

A 30' flag pole was erected in front of the SPDC. The pole and American flag were donated by the Woodmen of the World. They held a dedication on September 11.

#### **3) Bryan Street – Curb and Gutter**

Approximately 300' of curb and gutter was constructed on the west side of Bryan Street between Hillcrest Road and Virginia Avenue to prevent stormwater from sheet-flowing during intense rainfalls against the houses located on that side. Two driveway cuts were also installed.

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

## **17. OLD BUSINESS**

There was no old business.

## **18. NEW BUSINESS**

Councilman Kidd announced that the R. T. Arnold Library will be hosting Bill Leslie on September 16 at 6:00 p.m. Kim Callis commented that Mr. Leslie has won several Peabody Awards.

## **19. ADJOURNMENT**

There being no further business matters before the South Hill Town Council, Mayor Horne adjourned the meeting at 8:23 p.m.

Respectfully submitted by Anna B. Cratch.

Signed:

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Earl O. Horne, Mayor

Attest:

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Anna B. Cratch, Town Clerk