



SOUTH HILL TOWN COUNCIL

REGULAR MEETING MINUTES

MONDAY, NOVEMBER 9, 2009 AT 7:00 PM

The regular monthly meeting of the South Hill Town Council was held on Monday, November 9, 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
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
Bill Wilson, Public Works Director	

4. APPROVAL OF MINUTES – OCTOBER 13, 2009

A motion was made by Councilman Harper, second by Councilman Moody, to dispense with the reading of the minutes from the regular meeting held on October 13, 2009, since all Council members had received copies prior to the meeting, and approve as submitted by Anna Cratch. Motion carried unanimously.

5. PUBLIC HEARINGS

A. Charles Hudson – Proposed Amendments to the Animal Ordinance

Charles Hudson opened the Public Hearing for comments for and against amendments to Chapter 18, Animals; Article I, In General; Section 18.2: Keeping dangerous or unruly animals generally and Section 18.3: Keeping or raising hogs or pigs.

There were no speakers in favor of or against the amendments.

A motion was made by Councilman Kidd, second by Councilman Sasser, to approve the amendments as presented to Chapter 18, Animals; Article I, In General; Section 18.2: Keeping dangerous or unruly animals generally and Section 18.3: Keeping or raising hogs or pigs. A **roll-call vote** was requested and voiced as follows:

Councilman Barbour-Aye	Councilwoman Feggins-Boone-Aye
Councilwoman Bracey-Aye	Councilman Harper-Aye
Councilman Kidd-Aye	Councilman Moody-Aye
Councilman Sasser-Aye.	

6. CODE COMPLIANCE OFFICIAL'S REPORT

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

Inspections Completed	-	69
Permits Issued	-	20
Fees Collected	-	\$ 895.89
UEZ Exemption	-	\$ 0
Rehab Exemption	-	\$ 0
General Exemption	-	\$ 6,200.00
Work Value	-	\$ 58,503.00
Jobs Completed	-	47

New businesses for the month of October include Thrive Healthy Foods Store and Auto Zone.

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

7. POLICE CHIEF'S REPORT

Norman Hudson presented his police report for the month of October 2009. Chief Hudson informed Council there were a total of 225 arrests, 649 complaints and 466 call types in October. He presented the following administrative news:

- Corporals Harvey King and Shane Johnson instructed Defensive Tactics at the training academy in Lynchburg.
- Jed, the canine dog, completed his 12 weeks of training and made his first catch on November 7 regarding a robbery.

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

8. FINANCE DIRECTOR'S REPORT

A. Monthly Financial Report

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

General Fund	-	\$5,325,652.95	Investment Account	-	\$1,266,016.39
Water and Sewer Fund	-	12,045.72	2008 G.O. Bond	-	\$1,405,184.05
Cemetery Fund	-	60,114.79	Certificate of Deposit	-	\$ 70,000.00
Twin Oaks II	-	<20,498.57>	Total Police Dept. Savings	-	\$ 14,806.00
Total in Checking	-	\$5,377,314.89	Total Past Due Taxes All Yrs.-	\$	61,813.67

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

9. CITIZENS TO ADDRESS COUNCIL

A. Park View High School Students

Mayor Horne acknowledged the presence of and welcomed the following students from the Park View High School dual enrollment political science class:

Meredith Gibson	April Harris	Wayne Hicks
Ashli Legg	Vanessa Nwaokocha	Sachel Octalien
Bianca Rogers	Clint Thompson	Erin Timberlake
Justyn Tisdale	Michael Tyler	

B. Boy Scouts Troop 7454

Mayor Horne also acknowledged and welcomed several members of Boy Scouts Troop 7454 out of LaCrosse.

10. COMMITTEE REPORTS

Mayor Horne reported that the Colonial Theatre is moving along very well. It was great news that the grant was awarded from the Tobacco Commission.

11. TOWN MANAGER’S REPORT

Kim Callis submitted the following report for the month of October 2009:

A. Street Closure Request

Kim Callis reported that this year’s “Tell Santa at the Chamber Depot” event will be held from 4:00 p.m. until 7:00 p.m. on December 1. Almost 550 children attended last year’s event. To help ensure a safe venue for participating children, Mr. Callis requested permission to close the southeast section of Main Street from 2:00 p.m. until the conclusion of the event. A train ride is being planned for the kids.

A motion was made by Councilman Barbour, second by Councilman Harper, to allow closure of the southeast section of Main Street at 2:00 p.m. on December 1 in conjunction with the Tell Santa at the Chamber Depot event. Motion carried unanimously.

B. Hunting Inside Town Limits

In response to periodic questions received regarding hunting within the Town's corporate limits, Mr. Callis presented Council with general information on bow hunting from the Virginia Department of Game and Inland Fisheries. Ordinances on hunting and firearms vary in communities around the Commonwealth. No hunting is allowed in town in Chase City, LaCrosse and Lawrenceville. A Clarksville ordinance prohibits the discharge of weapons in town. Boydton allows squirrel hunting on a very limited basis. South Boston requires a 300 yard buffer from any street for discharging a firearm, except for law enforcement purposes. Several communities participate in an urban archery season for deer hunting. Emporia and Farmville ordinances prohibit the discharge of firearms in town; however, both participate in the urban archery program.

South Hill has an ordinance that prohibits the discharge of firearms in Town and has other ordinances on trespassing which address hunting. If permission is granted from a landowner, hunting is allowed; however, a firearm cannot be discharged.

In order to bow hunt, most other towns require a minimum size acreage, written permission from a land owner, an elevated stand, a no fire zone within 200 yards of a dwelling, and etc. Councilman Harper asked what could be done if deer are deemed a nuisance by the Council. Mr. Callis recommended that staff, the Police Chief, and the Police Committee study the ordinance and bring a recommendation back to Council. Mayor Horne asked that Council email or call Mr. Callis with their comments on amending the ordinance.

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

C. Level 3 License Renewal

Mr. Callis informed Council that in August of 1999, the Town granted Level 3 Communications a 10 year license to construct and maintain fiber optic facilities along certain streets and rights of ways. The annual license fee is \$6,000. Level 3 has requested renewal of the license for another 10 year period under the terms and conditions of the original agreement. Mr. Callis presented Council with a Fiber Optic Renewal Agreement reviewed by the Town Attorney.

A motion was made by Councilman Kidd, second by Councilman Harper, to renew the Level 3 License Agreement for 10 years at an annual fee of \$6,000, payable on August 9 of each year; and to authorize the Town Manger to execute all documents related to the renewal of the license agreement. Motion carried unanimously.

12. HUMAN RESOURCES MANAGER'S REPORT

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

A. Personnel Report

1) New Hires

- Benjamin I. Young was hired effective November 2, 2009 as a Public Works Maintenance Operator I at the Wastewater Treatment Plant.
- Dannie P. Kirby was hired effective November 2, 2009 as a Public Works Maintenance Operator I in Parks and Grounds.

2) Resignations/Terminations

- James C. Moore, Jr. of Public Works is no longer employed by the Town effective October 7, 2009.
- Bradley P. Clark of Public Works resigned his position with the Town effective October 30, 2009.

3) Job Postings

- Public Works has two open positions at the level of Maintenance Operator I (one in Streets Maintenance and one in Water and Sewer). These positions will be advertised internally, on the Town website and in the newspaper.

4) Seminars/Training/Other

- Nelson L. Ratcliffe, Brad Clark, Sean Wright, Daniel Gwaltney and Brian Bratten, all of Public Works, received certification for completion of Basic Work Zone Safety Training given by the VRWA on October 15, 2009.
- The safety videos Utility Excavation and On Again, Off Again were shown October 28 to Town Personnel in Public Works.

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

13. PUBLIC WORKS DIRECTOR'S REPORT

Bill Wilson presented the following report for the month of October 2009:

A. Fall/Winter Leaf Collection Schedule

Bill Wilson presented Council with a copy of the annual fall/winter leaf collection schedule which began on November 2, 2009. Collection occurs once per week every other week through January 29, 2010. Mr. Wilson reminded those present that open burning is prohibited within the Town limits.

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

B. New Curb and Gutter on Lombardy Street

Mr. Wilson reported that approximately 100 LF of 6" curb and gutter was constructed on the west side of Lombardy Street/McCracken Street, south of Franklin Street. The ditch along that section was a potential hazard to drivers traveling toward Atlantic Street and into the right hand curve. At the end of that section, the stormwater is carried under Lombardy Street; therefore, a curb drop inlet with a manhole cover was located there.

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

14. APPOINTMENT TO FILL WARD I VACANCY

Mayor Horne reported that the following four candidates have submitted their applications for consideration of appointment for the Ward I vacancy: John L. Crowe, Delores B. Luster, Eric V. Sjurseth and Rachel A. Tisdale. Mayor Horne asked if there was anyone else in the audience that would like to be considered for the vacancy. No one responded. **A motion was made by Councilman Kidd, second by Councilman Barbour**, to close all nominations. Motion carried unanimously.

Mayor Horne stated that this seat will be up for Special Election in May of 2010 and will be up for re-election for a four year term in May of 2012. Council was previously given the applicants' resumes to review. In alphabetical order, each candidate was given the opportunity to address Council.

John L. Crowe, 707 Westover Avenue, informed Council that he has been in South Hill since 1972. Mr. Crowe was in the military for six years, worked for the state government highway department for 20 years, and worked with the school system for 13 years before taking retirement due to an operation. He stated that he knows the situations that take place in Town, and he would like to be given the opportunity to help the Mayor and Council Members.

Delores B. Luster, 312 Hodges Street, informed Council that she has been a South Hill resident since 1974. Ms. Luster was a student at Park View High School and has been a business owner locally operating two businesses: Luster's Tax and Bookkeeping and Capital Ideas Press. She stated that she is fairly aware of most of the real needs of the people in Ward I. She is vitally concerned with the safety and needs of the ward and is pretty well acquainted with most of the people there. She enjoys serving business, church and community, and she stated that she hopes Council will give her the opportunity.

Eric V. Sjurseth, 700 South Hill Avenue, informed Council that he moved his family from Fredericksburg and has only lived in South Hill for four years. Mr. Sjurseth grew up in Baskerville. He graduated with a political science degree from the University of Mary Washington. He worked five years on Capitol Hill and has since been self employed working in the green's industry in turf management land care. He is known as The Turf Butler. He expressed a desire to give back to the community that he holds dear to his heart. He mentioned that he has seen other small sleepy towns like South Hill explode in economic booms and become bedroom communities where people live but they work elsewhere which can be a severe drain on the Town. He feels he can bring a prospective to Council to better prepare for such things. He also expressed concerns regarding maintaining the safety and integrity of Ward 1 residents. He stated that South Hill is a unique, special Town, and he would like to help keep it that way.

Rachel A. Tisdale, 1412 Plank Road, informed Council that she has lived in South Hill all her life. Ms. Tisdale has a son on the honor roll in the Governor's School. She has a daughter in her second year at SVCC who will eventually go to VCU in forensic science. She graduated from SVCC in criminal justice. She has a certificate in private detective, and an associate degree in criminal justice. She attended Saint Paul College and has a bachelor degree in organizational management. She has had her own business, Rachel's Household and Office Cleaning Service, for 18 years. She stated that she would like to be an inspiration and example to her children, and she would like to have a voice and start doing something for this community.

Councilwoman Bracey thanked each of the four candidates for showing their interest in serving on the South Hill Town Council. She encouraged each to throw their hat in the ring for the May 2010 election.

Councilman Barbour stated that it is very difficult to get to know four people in three minutes; however, unfortunately, the state places a burden upon Council to expedite the process to fill the vacancy. He also encouraged each candidate to run again in May.

In alphabetical order, a roll call vote was called for each candidate with Council members voting for only one candidate.

A **roll-call vote** was requested and voiced for John L. Crowe as follows:

Councilman Barbour-Nay	Councilwoman Feggins-Boone-Nay
Councilwoman Bracey-Nay	Councilman Harper-Nay
Councilman Kidd-Nay	Councilman Moody-Nay
Councilman Sasser-Nay.	

A **roll-call vote** was requested and voiced for Delores B. Luster as follows:

Councilman Barbour-Nay	Councilwoman Feggins-Boone-Aye
Councilwoman Bracey-Aye	Councilman Harper-Nay
Councilman Kidd-Aye	Councilman Moody-Aye
Councilman Sasser-Aye.	

A **roll-call vote** was requested and voiced for Eric V. Sjurseth as follows:

Councilman Barbour-Nay	Councilwoman Feggins-Boone-Nay
Councilwoman Bracey-Nay	Councilman Harper-Nay
Councilman Kidd-Nay	Councilman Moody-Nay
Councilman Sasser-Nay.	

A **roll-call vote** was requested and voiced for Rachel A. Tisdale as follows:

Councilman Barbour-Aye	Councilwoman Feggins-Boone-Nay
Councilwoman Bracey-Nay	Councilman Harper-Aye
Councilman Kidd-Nay	Councilman Moody-Nay
Councilman Sasser-Nay.	

Mayor Horne reported that Delores B. Luster received five votes and Rachel A. Tisdale received two votes; therefore, Delores B. Luster will be appointed to Council. Mayor Horne congratulated Ms. Luster and asked her to call the Town Clerk to get information to be sworn in so she can serve at the December Council meeting. Mayor Horne thanked all of the candidates.

15. OLD BUSINESS

There was no old business.

16. NEW BUSINESS

A. Earl Horne – Retail Incentives

Mayor Horne reported that he has been working since the first of the year on retail incentives. The state, county and town as a whole have industry incentives in our enterprise zones. These are retail incentives to create an improved climate within the Town as a whole and the downtown area for private sector investment, development and expansion. Mayor Horne stated that the reason for the incentives is that with the climate as it is, we need to do everything we can to entice retail business to our Town. This is accomplished by reducing the cost of doing business through regulatory flexibility and through tax and other financial incentives. The incentives were sent to the DHCD for their comments, and they encouraged them. Each year incentives can be amended if necessary.

A motion was made by Councilman Barbour, second by Councilman Kidd, to approve the local retail incentives as presented to be effective January 1, 2010. A **roll-call vote** was requested and voiced as follows:

Councilman Barbour-Aye
Councilwoman Bracey-Aye
Councilman Kidd-Aye
Councilman Sasser-Aye.

Councilwoman Feggins-Boone-Aye
Councilman Harper-Aye
Councilman Moody-Aye

17. EXECUTIVE SESSION

Personnel – § 2.2-3711 (A)(1)

Pursuant to Personnel – § 2.2-3711 (A)(1) of the Code of Virginia and on **motion** of **Councilman Kidd** and **second** of **Councilman Harper**, the South Hill Town Council entered into **Executive Session** to discuss personnel matters. The members voted unanimously to enter into said Executive Session.

There was no action taken in Executive Session on the personnel matters.

WHEREAS, the South Hill Town Council has convened an executive 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 2.2-3711 (A)(1) of the Code of Virginia requires a certification by this Council that such executive meeting was conducted in conformity with Virginia Law;

NOW THEREFORE, BE IT RESOLVED that the South Hill Town Council hereby certifies that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the executive meeting to which certification resolution applies, and (2) only such business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

A motion was made by Councilman Kidd, second by Councilman Harper, to approve **Resolution 241**, dated November 9, 2009, and return to **Open Session**. All members present voted affirmatively.

18. OPEN SESSION

There was no action taken on the Personnel matter in Open Session following the Executive Session.

Mayor Horne wished everyone a very safe and happy Thanksgiving.

19. ADJOURNMENT

There being no further business matters before the South Hill Town Council, Mayor Horne adjourned the meeting at 8:15 p.m.

Respectfully submitted by Anna B. Cratch.

Signed:

Attest:

Earl O. Horne, Mayor

Anna B. Cratch, Town Clerk