



**SOUTH HILL TOWN COUNCIL**  
**REGULAR MEETING MINUTES**  
**MONDAY, JANUARY 9, 2012 AT 7:00 PM**

The regular monthly meeting of the South Hill Town Council was held on Monday, January 9, 2012 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
J. Woodrow "Woody" Kidd	Delores B. Luster	Mike Moody
C. Leroy Sasser		

Councilman Gregg Harper was not present at the meeting.

**B. Staff in Attendance**

Kim Callis, Town Manager	Anna Cratch, Town Clerk
Charles Hudson, Code Compl. Official	Norman Hudson, Police Chief
Heidi Porter, Finance Director	Bill Wilson, Public Works Director

**4. APPROVAL OF MINUTES – DECEMBER 12, 2011**

A motion was made by Councilman Moody, second by Councilwoman Feggins-Boone, to dispense with the reading of the minutes from the regular meeting held on December 12, 2011, 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. Kim Callis – Solid Waste Ordinance Amendment**

Kim Callis opened the Public Hearing for comments for and against proposed amendments to Article II of Chapter 66 – Solid Waste of the Code of the Town of South Hill. The amendments are required to clarify existing policy and to address the outsourcing of curbside garbage collection and providing recycling service with Waste Industries.

Bulky waste items will still be collected by the Town; however, amounts weighing more than 200 pounds or exceeding 6 cubic yards in size may be subject to a charge.

Under the Waste Industries contract, containers must be set out by 6:00 a.m. on collection day. Literature including collection times and days will be included when the containers are delivered to each customer. Waivers are available for backdoor collection.

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

**A motion was made by Councilman Kidd, second by Councilwoman Feggins-Boone,** to adopt amendments to Chapter 66 – Solid Waste of the Code of the Town of South Hill effective January 30, 2012. A **roll-call vote** was requested and voiced as follows:

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

**B. Charles Hudson – SE 2011-7, Request by Love’s Travel Stops & Country Stores for a Convenience Food Store Selling Motor Fuels, with Greater than 3000 square feet of Floor Space, at 1850 North Mecklenburg Avenue**

Charles Hudson opened the Public Hearing for comments for and against a request for a special exception permit under Article IV, Section 94.1-76 of the Town Zoning Ordinance to utilize 1850 North Mecklenburg Avenue as a convenience food store selling motor fuels, with greater than 3000 square feet of floor space. The property is zoned Commercial C-2 and is owned by Love’s Travel Stops & Country Stores who is making the request.

At the Public Hearing held on December 5, 2011, the South Hill Planning Commission voted to recommend that Council approve the special exception request.

Bill Gleason with Love’s Travel Stop and Country Store, Oklahoma City, Oklahoma spoke in favor of the special exception request. Mr. Gleason reported this state of the art travel facility will be a little over 10,000 square feet and will include a McDonalds, Subway, regular convenience store and a diesel area. Roughly 84 new jobs with benefits will be created.

There were no speakers against the request.

**A motion was made by Councilman Kidd, second by Councilwoman Feggins-Boone,** to approve the request of Love’s Travel Stops & Country Stores for a special exception permit under Article IV, Section 94.1-76 of the Town Zoning Ordinance to utilize the property located at 1850 North Mecklenburg Avenue as a convenience food store selling motor fuels, with greater than 3000 square feet of floor space. Motion carried unanimously.

## **6. CODE COMPLIANCE OFFICIAL’S REPORT**

Charles Hudson presented his report of activity for the month of December 2011 as follows:

Inspections Completed	-	37
Permits Issued	-	27
Fees Collected	-	\$ 1,607.50
UEZ Exemption	-	\$ 0
Rehab Exemption	-	\$ 25,550.00
General Exemption	-	\$ 52,500.00
Work Value	-	\$ 191,576.00
Jobs Completed	-	14

**A motion was made by Councilman Barbour, second by Councilman Moody,** to approve the report of the Code Compliance Official for the month of December 2011 as submitted by Charles Hudson. Motion carried unanimously.

## **7. POLICE CHIEF'S REPORT**

Norman Hudson presented the police report for the month of December 2011. Chief Hudson informed Council there were a total of 211 arrests, 672 complaints, and 480 call types in December.

He presented the following administrative news:

- Officer Carie Watters, Sergeant Shane Johnson, Corporal Harvey King, Captain Mike Mayer, and Officer Tony Solomon instructed classes for the training academy in Lynchburg.

**A motion was made by Councilman Sasser, second by Councilwoman Luster,** to approve the report of the Police Department for the month of December 2011 as submitted by Chief Hudson. Motion carried unanimously.

Due to citizen complaints, Chief Hudson reported he met with the Street Committee and Town Manager before the Council meeting to discuss safety issues with limited visibility due to parked vehicles. Street Committee meeting attendees felt there should be no parking on either side of East Atlantic Street from McCracken Street to Dortch Lane.

**A motion was made by Councilwoman Bracey, second by Councilman Kidd,** to approve no parking on East Atlantic Street from McCracken Street to Dortch Lane. Motion carried unanimously.

Street Committee meeting attendees also felt there should be no parking on either side of Dortch Lane from East Atlantic Street to East Danville and on East Danville Street from Dortch Lane to the first driveway.

**A motion was made by Councilman Barbour, second by Councilman Kidd,** to approve no parking on Dortch Lane from East Atlantic Street to East Danville and on East Danville Street from Dortch Lane to the first driveway. Motion carried unanimously.

Chief Hudson also presented the Annual Police Report for 2011. He stated that the reportable offenses clearance rate was 76%.

## **8. FINANCE DIRECTOR'S REPORT**

### **A. Monthly Financial Report**

Heidi Porter submitted the financial report for month ended December 31, 2011 as follows:

General Fund	-	\$7,883,096.94	Total Investment Accounts	-	\$2,283,366.02
Water and Sewer Fund	-	319,386.68	Certificate of Deposit	-	\$ 70,000.00
Cemetery Fund	-	65,874.79	Total Police Dept. Savings	-	\$ 12,250.32
Meadow Street	-	<32,132.54>	*Total Past Due Taxes All Years	-	\$ 99,072.40
CRMP	-	<u>137,980.59</u>	*(does not include 2011)		
Total in Checking	-	\$8,374,206.46			

New businesses for the month of December include Chris S. Moseley Electric (contractor for Dollar General) and Dominion Dentures.

**A motion was made by Councilwoman Bracey, second by Councilman Moody,** to approve the financial report for month ended December 31, 2011 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:

Adrienne Bates	Mercedes King	Ian McCam
Jim Martin	Kevin Wallace, Jr.	Chris Watson

### B. Jen Surber on behalf of GEM Management – Request for Support of Application to VHDA for Tax Credits to Rehabilitate Cross Creek Apartments

On behalf of GEM Management, Jen Surber addressed Council regarding support for the rehabilitation of the Cross Creek Apartments on Mecklenburg Avenue. All of the tenants are elderly or disabled. The owners intend to apply to VHDA to rehabilitate that property, to increase accessibility and energy efficiency. The improvements total about \$700,000 in rehab including repaving, new windows, roofs, HVAC, flooring, and updates to the kitchens and bathrooms. No new additions will be added. Ms. Surber asked for Council's support in four separate ways:

1. Locality CEO Support Letter
2. Zoning Certification
3. Revitalization Area Certification
4. Tax Abatement 2012

The application deadline is March 16. With these tax credits, you are allocated the full amount needed. The credits are then sold through syndication process to a group of investors who get the tax benefits once a year over the course of a ten year period.

Councilman Barbour stated he favors the first three steps but does not favor Council promising not to raise taxes for two years. Kim Callis commented our tax rate is one of the lowest in the state at \$ .34/100, and our assessments are reasonable too. Promising not to raise taxes is a precedent that would be very difficult to manage going forward.

**A motion was made by Councilman Barbour, second by Councilman Sasser,** to support the application to VHDA for tax credits to rehabilitate Cross Creek Apartments via (1) Locality CEO Support Letter, (2) Zoning Certification, and (3) Revitalization Area Certification. Council was not in favor of promising to not raise taxes. A **roll-call vote** was requested and voiced as follows:

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

**C. Bill Gleason, Love’s Travel Plaza – Waiver of Sign Ordinance for Ground and Directional Signs**

On behalf of Love’s, Bill Gleason addressed Council to request a waiver of the requirement in the sign ordinance concerning the number of ground signs that are currently allowed and also an increase in the size of the directional signs. Love’s will have one high-rise sign and one ground sign as allowed by ordinance. Mr. Gleason requested one additional ground sign for the proposed CAT weigh scales. He also requested that the directional signs be allowed to be 3’ X 6’ in size. Currently directional signs are only allowed to be 2’ X 2’; however, since this will be a fairly large complex and because of the traffic that is expected to enter and exit the site and the proximity to the interstate, staff recommended approval of the requests. Council was presented with a proposed site plan and renderings of the proposed signs.

Mr. Gleason commented that Love’s is a family owned company and sells no pornographic material. There was a question as to whether a truck stop can sell beer. Mayor Horne asked for them to check out the regulations but commented he knows Love’s is going to do what is right.

**A motion was made by Councilman Barbour, second by Councilwoman Luster,** to approve Love’s signage request made by Bill Gleason as described above. Motion carried unanimously.

**D. Mickey Smith and Others – Offside Signage for CMH Campaign**

Mickey Smith addressed Council to request permission to place CMH capital campaign signs temporarily at offsite locations. Faye Matthews, Vice President of the CMH Foundation, was also present to answer questions. Plans include a full cancer clinic by the Leggett Center and to redo and add new operating rooms and an oncology lab on the hospital site. Signs would be placed at these temporary locations for six months to a year at the most to keep the campaign in the minds of community members: Hardee Ford on West Danville Street, Brian’s on East Atlantic Street, Arnold property on 47, and CMH properties next to Kahill’s, the Leggett Center, and the hospital. Mr. Rick Hendrick made a two million dollar challenge, and volunteers are working very hard to try to meet that challenge.

Mayor Horne expressed concerns about safety issues as far as where the signs are located. He suggested Mr. Smith coordinate the placement with Police Chief Hudson and Charles Hudson.

**A motion was made by Councilman Moody, second by Councilwoman Luster,** to authorize CMH to place capital campaign signs not to exceed 4 X 8 at various offsite locations subject

to approval by Charles Hudson, Police Chief Hudson, and CMH representative. Motion carried unanimously.

**E. Hugh Mitchell – Garbage Collection Service for Virginia Homes**

Hugh Mitchell was not present at the meeting.

**10. COMMITTEE REPORTS**

There were no committee reports.

**11. APPOINTMENTS**

**A. Mecklenburg-Brunswick Regional Airport Committee**

Mayor Horne informed Council that the Regional Airport Committee appointments of Ken Currin and Ben Taylor will expire on January 13, 2012. They have agreed to serve another three year term.

**A motion was made by Councilman Sasser, second by Councilwoman Feggins-Boone, to reappoint Ken Currin and Ben Taylor to the Regional Airport Committee for another three year term commencing January 14, 2012 and ending January 13, 2015. Motion carried unanimously.**

**12. TOWN MANAGER’S REPORT**

Kim Callis submitted the following report for the month of December 2011:

**A. Budget Planning**

Mr. Callis informed Council that staff has begun working on the Town’s budget for FY12-13. Preparation materials have been distributed to the Mayor, Budget and Finance Committee, Town staff and community organizations that traditionally request funds. Staff plans to deliver a copy of the proposed budget to Town Council in early May with a Public Hearing scheduled for May 14.

Governor McDonnell has recommended several changes to the two year state budget that may have a significant impact on local governments. We will monitor developments on a daily basis and adjust our plans accordingly.

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

**B. 2012 Market Square Committee Event Schedule**

Mr. Callis reported that the South Hill Market Square Committee has finalized its 2012 schedule of events. Six events have been arranged including the new “Third Thursday Music Series” as follows:

- Thursday, April 19 – The Overtime Band (various favorites)
- Thursday, May 17 – Jason Link (country music)
- Thursday, June 21 – Jim Quick and Coastline (beach music)
- Tuesday, July 3 – The Redneck Pool Party at Parker Park in conjunction with Picnic in the Park

- Thursday, July 19 – Love Tribe (80s music and theme night)
- Saturday, October 27 – Halloween Monster Mash

The two Market structures are 99.9% complete. Staff is still tweaking the lights to obtain a true sunburst effect. The Tobacco Commission has suggested we wait a season before applying for assistance with a third structure.

The charge to attend events will most likely still be around \$3. With the structures in place, the stage will be setup on the west side of the Market Square lot. The beer and wine vendors will be located under one of the structures. Due to the smoke and grease, food vendors will continue to be along Mecklenburg Avenue extension.

In answer to a question from Councilman Barbour, Mr. Callis stated that the possibility of adding restrooms had been discussed, but in talking with the Friends of the Library and others, the R. T. Arnold Library volunteered to allow us to use the restrooms and the lobby at the library as long as we pay library staff to man them during the events. This partnership has worked out very well during Town events held at the Market Square.

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

### **13. HUMAN RESOURCES MANAGER’S REPORT**

In Karen Lambert’s absence, Kim Callis presented the following administrative news for the month of December 2011:

#### **A. Personnel Report**

##### **1) Seminars/Training/Other**

- Linda Crowe attended a Microsoft Office Excel Basics class in Raleigh, NC on December 14, 2011.

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

### **14. PUBLIC WORKS DIRECTOR’S REPORT**

Bill Wilson submitted the following report for the month of December 2011:

#### **A. Update on Centennial Park Rehabilitation Project**

Mr. Wilson reported the Public Works Department started removing trees in Centennial Park on December 13, 2011. Trees have been removed in the area of the proposed stormwater detention basin and on the old railroad bed which will also be removed. Some of the removed trees were sold; new trees will be replanted. The proposed earthwork will be bid out in the next couple of weeks.

Public Works will also relocate a sanitary sewer line that runs through the excavation portion of the project.

The area has been surveyed and staff has received the preliminary site layout. Staff is currently working on the design specifics.

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

**B. Collection of Old Trash Cans**

Mr. Wilson reminded Council that Waste Industries, Inc. will commence with the collection and disposal of curbside solid waste in South Hill on January 30, 2012. Starting January 16, two containers will be provided to each customer, one for trash items and the other for recyclables. Customers who failed to turn in their container request form are asked to try out the delivered cans and see how it goes. Staff understands there may be some issues initially.

Public Works will collect old trash cans from residents that wish to discard them. The collection will be done in two zones, the same zones as yard waste collection. Zone 1 (area south of Danville Street and east of Mecklenburg Avenue) will be collected on February 8 and 15. Zone 2 (area north of Danville Street and west of Mecklenburg Avenue) will be collected on February 9 and 16. Old trash cans to be discarded must be empty and placed at the roadside before 7:00 a.m. on the day of collection. No barrels or boxes will be collected. The collected cans will be compacted and taken to the landfill.

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

**15. OLD BUSINESS**

There was no old business.

**16. NEW BUSINESS**

**A. Federal Unemployment Tax Act (FUTA) Resolution**

Councilman Barbour informed members he just found out about a week ago that businesses will be required to pay a higher percentage of their payroll to the federal government for unemployment purposes. Three years ago, the state of Virginia borrowed money from the federal government for unemployment benefits. It was required to be paid back in three years or the credit would be reduced that was given to employers. Twenty-one states borrowed money. Because Virginia did not pay off its loan to the federal government, on January 30, 2012 self employed businesses are going to have to pay an extra FUTA tax. The max will be \$21 per employee.

Councilman Barbour stated Virginia took out the loan because its fiscal house was not in order. He expressed displeasure with how our governor and the state of Virginia handled this. He stated people are now just finding out about it, and the state failed the businesses in Virginia. He asked Council to write a letter or proposed resolution to Governor McDonnell stating we oppose this additional tax. Kim Callis asked Councilman Barbour to get staff a copy of the county's resolution.

**A motion was made by Councilman Barbour, second by Councilman Sasser, to adopt a resolution expressing disappointment about the FUTA tax changes. A roll-call vote was requested and voiced as follows:**

Councilman Barbour-Aye  
Councilwoman Bracey-Aye  
Councilman Kidd-Aye  
Councilman Moody-Aye

Councilwoman Feggins-Boone-Aye  
Councilman Harper-Absent  
Councilman Luster-Aye  
Councilman Sasser-Aye.

## 17. EXECUTIVE SESSION

### **Prospective Business – § 2.2-3711 (A)(5) and Legal – § 2.2-3711 (A)(7)**

Pursuant to Prospective Business - § 2.2-3711 (A)(5) and Legal - § 2.2-3711 (A)(7) of the Code of Virginia and on **motion** of **Councilman Kidd**, and **second** of **Councilwoman Luster**, the South Hill Town Council entered into **Executive Session** to discuss Prospective Business and Legal matters. The members voted unanimously to enter into said Executive Session.

There was no action taken in Executive Session on the Prospective Business or Legal 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**, Sections 2.2-3711 (A)(5) and 2.2-3711 (A)(7) of the Code of Virginia require 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 Barbour**, to approve **Resolution 260**, dated January 9, 2012, and return to **Open Session**. All members present voted affirmatively.

## 18. OPEN SESSION

A motion was made by **Councilman Kidd**, second by **Councilwoman Feggins-Boone**, on the Legal matter to authorize staff to execute user agreements with organizations that wish to use Town athletic facilities. All members present voted affirmatively.

A motion was made by **Councilman Kidd**, second by **Councilman Barbour**, on the Prospective Business matter to authorize staff to negotiate and reach an agreement for accepting leachate for treatment at our WWTP from the landfill located in Brunswick County. All members present voted affirmatively.

## 19. ADJOURNMENT

There being no further business matters before the South Hill Town Council, Mayor Horne adjourned the meeting at 8:55 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