



SOUTH HILL TOWN COUNCIL
REGULAR MEETING MINUTES
MONDAY, JUNE 14, 2021, 7:00 P.M.

The regular monthly meeting of the South Hill Town Council was held on Monday, June 14, 2021 at 7:00 p.m. in the Council Chambers of the South Hill Town Hall located at 211 S. Mecklenburg Avenue, South Hill, Virginia 23970. The meeting was also available livestream via YouTube. Anna Cratch took the minutes.

1. CALL TO ORDER

Honorable Mayor Dean Marion called the regular meeting to order at 7:00 p.m.

2. INVOCATION

Mayor Marion rendered the invocation.

3. ROLL CALL

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

A. Council Members

Lillie Feggins-Boone
Delores B. Luster
G. Ben Taylor

Alex Graham
W.M. "Mike" Moody
Joseph E. Taylor, Jr.

Gavin L. Honeycutt
Shep Moss

B. Staff in Attendance

Stuart Bowen, Police Chief
Anna Cratch, Town Clerk
C.J. Dean, Dir. of Municipal Services
Carol Hutchinson, HR Manager

Kim Callis, Town Manager
Sheila Cutrell, Dir. of Finance and Admin.
David Hash, Code Compliance Official
Brent Morris, Business Devt. Manager

4. APPROVAL OF MINUTES – MAY 10, 2021

A motion was made by Councilman Honeycutt, second by Councilman Moody, to approve the minutes of the regular meeting held on May 10, 2021 as distributed by Anna Cratch. Motion carried unanimously.

5. APPRECIATION TO LOGAN MATHEWS

Although Logan Mathews was absent, on behalf of the South Hill Town Council and staff, Mayor Marion read a letter of appreciation to him for his assistance while serving as an intern with livestreaming meetings during the unprecedented events of the COVID-19 Pandemic. Mr. Mathews will be presented

with a gift bag and was wished continued success as he starts college at Virginia Tech in the fall. Mayor Marion also thanked Mark Novsak for his mentoring and tutoring.

6. CITIZENS TO ADDRESS COUNCIL (Comments are limited to three minutes.)

A. Alfonso Jiggetts – False Alarm Ordinance

Alfonso Jiggetts was not present at the meeting.

B. Leigh Howell – Colonial Theatre

Leigh Howell, President of The Children's Theater of South Hill, former coach of the One Act Team at Park View, and sponsor of the Drama Club, shared that the newspapers printed that former Mayor Earl Horne had assisted her groups in some way. Ms. Howell commented that was not true. She went on to say that in 2003 and 2004, several conversations were held between Margo Walker, the founder of The Children's Theater, and the Restoration Committee regarding them becoming the acting group for the theater so that their name could be used to access federal grants. They eventually had a meeting to take pictures celebrating their partnership. Ms. Howell stated she was surprised several years later when Earl Horne informed her they were no longer part of the Colonial. No one had informed them they were uninvited or that they needed to find another theater. They were offered the option to rent the community theater; however, a few days of rehearsal, three show days, and tech staff would cost nearly \$5,000 (which is their entire budget for the year). It was suggested they eliminate the rehearsal days, but it is not safe to put small children on an elevated stage without rehearsal. Lisa Jordan offered the Colonial's sponsor of their spring plays. This meant they would have to pay for the scripts, royalty, and costumes, and they would split the ticket money with them at 80% for the Colonial and 20% for The Children's Theater. When discussed with Councilwoman Bracey at the time, Ms. Howell stated Ms. Bracey asked did she get it in writing. Ms. Howell said she never brought this to Council before because this is a small Town; however, in light of the current controversy, she felt she should come forward and make her position clear. She added she has no problem with the Colonial staff, only with the way Earl Horne treated a group of children that had no recourse.

7. PUBLIC HEARINGS

A. David Hash – SE 2021-2, Request by Timothy Pulliam to Utilize 227 West Virginia Street for storage of motor vehicles being offered for sale

David Hash informed Council a Public Hearing has been called for comments regarding the request of Timothy Pulliam for a special exception permit under Article IV, Section 94.1-76 of the Town Zoning Ordinance to utilize 227 West Virginia Street for storage of motor vehicles being offered for sale. The property is presently owned by Windy Hills Property, LLC. The South Hill Planning Commission recommends Council approve the special exception request. Mr. Hash opened the Public Hearing.

Ginger Bowersock, 405 Goodes Ferry Road, reminded Council that the last time she spoke, they addressed the noise and the wrecked cars. Ms. Bowersock asked why a reputable high-end car dealer would want to store cars in a building that has no air or heat beside a body shop with wrecked cars all down the street. Ms. Bowersock reported the trees, vegetation, and bamboo behind her house belong to her and her husband. Come fall, she doesn't feel it is fair that they have to look at all of the wrecked cars. She commented she thinks we need to erect a fence and clean up what we've got before we bring something else into the area. Councilman Honeycutt mentioned he thought this was addressed at the month before last's meeting. Mr. Hash commented there were twelve cars, and there are only one or two

cars still left in the bottom. Joseph M. Hayes, Jr., owner of Windy Hills Property, LLC, commented all of the vehicles without valid plates have been removed. Mr. Hayes stated Billy Daniels is working on one or two, and the building has heat and air. Ms. Bowersock remarked there are about six cars on the street. Mr. Hayes stated they went down there when this discussion first came up and removed the cars. He said he told Jamie Velvin if there is a problem with a car to let him know and he'll take care of it. As the Bowersock's live on a hill, putting a fence in the bottom would not be an advantage. He commented he doesn't know whether the noise comes from the street or out of the building. If there is a noise issue, you should call the Police to take care of the problem. Councilman Honeycutt mentioned it is his understanding they were going to store the cars inside the building. Councilman Moody reported this special exception came up at the Planning Commission this past week where it was amended to remove "repair of the vehicles" and change only to "storage of vehicles inside the building" at this particular site. Councilman Moss stated it sounds like Ms. Bowersock is referring to the body shops because this business is not even open yet. Mr. Hash mentioned the cars being discussed are associated with Mr. Daniels with Late Night Customs and Jeffrey Baskerville. Kim Callis commented Council can make it very clear with a motion to approve the special exception with a stipulation that all vehicles will be stored for sale inside the building.

Mr. Hash closed the Public Hearing. **A motion was made by Councilman Moody, second by Councilman Honeycutt,** to approve the SE 2021-2 request by Timothy Pulliam for a special exception permit under Article IV, Section 94.1-76 of the Town Zoning Ordinance with the understanding that the motor vehicles at 227 West Virginia Street will all be stored inside and those vehicles must be for sale and shall not be for repair. Motion carried unanimously.

Councilman Moss asked are there any violations that Council needs to address with the other existing businesses regarding inoperable vehicles on the street. Mr. Hash stated he thinks it is something we are just going to have to keep up with on a steady basis. Councilman Moody mentioned he went through there over the weekend and there was one maybe two vehicles parked on the side of the street that did not have tags on them. Mr. Callis mentioned if the information is given to us, we will go by there and address it. Councilwoman Luster commented she thinks a little reminder is in order. James Bowersock, 405 Goodes Ferry Road, reported they were told two years ago and at the last meeting that there was going to be a sound barrier put up, not a discussion on it; however, nothing was done. He thanked staff for keeping him and his wife updated and asked that they please continue. Mr. Bowersock mentioned they want the sound barrier between the two properties on the top and bottom of the hill. Mr. Hash commented Mr. Hayes agreed to keep the cars from the back parking lot. Unfortunately, the number grew over the past two years, so we've removed the cars again and we'll try to keep up with it. Mr. Bowersock mentioned again that a sound barrier was approved. The noise from the body shop whether from repairing cars or music gets pretty loud at times. He expressed appreciation to the Police Department for responding when called. Mr. Callis stated staff will review the minutes to see what was stated.

8. TOWN MANAGER REPORT

A. FY21-22 Budget Adoption and Appropriation

Kim Callis reported that a Public Hearing was held on May 10, 2021 regarding the Town's proposed budget, tax rates, and water and sewer rates for FY22. The proposed General Fund budget is \$12,231,522, and the proposed Water and Sewer Fund budget is \$12,742,634. There are no proposed tax rate increases. Water rates for consumption of greater than 50,000 gallons per month will increase to \$4.90 per thousand gallons. In considering the effects of the pandemic, water rates were not increased for lower consumption tiers; however, to keep pace with the rising cost of providing utility service due to increasing regulation and higher costs for materials and chemicals, rates will need to be increased in coming years.

Planned general fund capital expenditures are \$1,971,900, most of which is attributable to a replacement of the lower shop public works building that no longer meets operational needs. Planned water and sewer capital expenditures are \$8,535,200, primarily for construction of a major new gravity/force main sewer line and pump stations, a large new water line, and replacement of all rotors at the Wastewater Treatment Plant.

The overall budgets for each fund have not changed since the budget Public Hearing. Funding resulting from a reduction in health insurance expense was shifted to legal expense and community development. The legal expense is a little bit of an unknown because we do not know what will happen with Whittles Mill and the Federal Energy Regulatory Commission. We may have to have more legal work done by AquaLaw on that front. Upon attainment of non-profit status, the Colonial Center (\$155,000) will be funded directly by the Town rather than through the South Hill Community Development Association (CDA). The South Hill CDA has taken appropriate action on its part for the Colonial to move forward with non-profit efforts and to transfer ownership of the theater to the Colonial. The South Hill CDA retains a right of refusal should the Colonial non-profit wish to relinquish its ownership. Similarly, the Chamber of Commerce/Shops of South Hill (\$150,000) will be jointly funded directly by the Town. Mr. Callis presented Council with the proposed budget and rates as follows.

**TOWN OF SOUTH HILL
PROPOSED BUDGET FY22**

General Fund:

<u>Expenditures</u>	<u>FY 2020-2021</u>	<u>FY 2021-2022</u>
Mayor and Town Council	\$ 93,544	\$ 76,012
Finance and Administration	696,782	721,170
Town Manager Department	287,120	296,720
Business Development Department	175,420	279,290
Non-Departmental	200,500	211,800
Police Department	2,508,091	2,638,560
Fire Department	570,685	631,732
Code Compliance Department	272,322	252,850
Municipal Services:		
Director	151,415	161,525
Street Maintenance	1,953,492	1,777,640
Solid Waste	1,043,611	844,520
Fleet Maintenance	301,267	325,180
Facilities Maintenance	270,720	1,907,944
Parks and Grounds	596,784	643,865
Library	22,000	22,500
Community Development	<u>1,526,702</u>	<u>1,440,214</u>
Total	\$ 10,670,455	\$ 12,231,522
Revenues	\$ 10,670,455	\$ 12,231,522

Water and Sewer Fund:

Expenditures

Water Distribution	\$ 3,538,294	\$ 4,791,705
--------------------	--------------	--------------

Sewer Collection	5,159,363	5,922,028
Wastewater Treatment Plant	<u>1,385,685</u>	<u>2,028,901</u>
Total	\$ 10,083,342	\$ 12,742,634
Revenues	\$ 10,083,342	\$ 12,742,634
<u>Cemetery Fund:</u>		
Expenditures	\$ 1,000	\$ 1,000
Revenues	\$ 1,000	\$ 1,000

PROPOSED RATES AND FEES FY22

<u>Tax/License/Other Rates</u>	<u>FY 2020-2021</u>	<u>FY 2021-2022</u>
Real Estate	\$.34/100	\$.34/100
Personal Property	\$1.50/100	\$1.50/100
Machinery & Tools	\$.38/100	\$.38/100 (nominal)
	\$.30/100	\$.30/100 (effective)
Bank Franchise	\$.80/100	\$.80/100
Communications Tax	5.0%	5.0%
Meals and Lodging	5.5%	5.5%
Cigarette Tax	\$.15/Pack	\$.15/Pack
Minimum BPOL	\$30	\$30
Contracting BPOL	\$.16/100	\$.16/100
Retail BPOL	\$.14/100	\$.14/100
Repair, Personal Bus. Svcs. BPOL	\$.30/100	\$.30/100
Financial, Real Estate, Prof. BPOL	\$.40/100	\$.40/100
Wholesale BPOL	\$.05/100	\$.05/100
Peddlers BPOL	\$500	\$500
Residential Bldg. Permit	\$30 Min/\$.12 sq. ft.	\$30 Min/\$.12 sq. ft.
Commercial Bldg. Permit	\$30 Min/\$.15 sq. ft.	\$30 Min/\$.15 sq. ft.
Signs	Based on sign price - Minimum \$30	Based on sign price - Minimum \$30

Water Rates – In Town

Charges are per 1,000 gallons of consumption

Up to 3,000 gallons	\$ 6.33	\$ 6.33
+ service charge of	\$ 2.50	\$ 2.50
3,001 - 10,000 gallons	\$ 6.33	\$ 6.33
+ service charge of	\$ 3.00	\$ 3.00
10,001 - 50,000 gallons	\$ 5.96	\$ 5.96
+ service charge of	\$ 7.00	\$ 7.00
50,001 - 100,000 gallons	\$ 4.64	\$ 4.90
+ service charge of	\$ 85.00	\$ 75.00
>100,000 gallons	\$ 4.48	\$ 4.90

+ service charge of	\$ 110.00	\$ 75.00
<u>Water Rates – Out of Town</u>	2 x In Town Rate	2 x In Town Rate
<u>Bulk Water</u>	\$.01/gallon	\$.01/gallon
<u>Sewer Rates</u>	110% x Water Rate	110% x Water Rate
<u>Leachate Rate</u>	\$.03-.033/gallon	\$.033/gallon
Minimum Bill for Residential W&S	\$ 5.25	\$ 5.25
Minimum Bill for Commercial W&S	\$ 45.13	\$ 45.13
<u>Connection Fees – In Town</u>	<u>FY 2020-2021</u>	<u>FY 2021-2022</u>
Water Connection Fee	\$1,000.00	\$1,000.00
Irrigation Meter Fee	\$1,000.00	\$1,000.00
Sewer Connection Fee	\$1,500.00	\$1,500.00
<u>Connection Fees – Out of Town</u>		
Water Connection Fee – Out of Town	\$2,000.00	\$2,000.00
Sewer Connection Fee – Out of Town	\$3,000.00	\$3,000.00
<u>Cemetery Plots</u>	\$ 800.00	\$ 800.00

In addition to adopting the budget and appropriating the funds, Councilman Moody asked could we include that we appropriate the \$155,000 in funds to The Colonial Theatre but that we not disperse those funds until the nonprofit status has been verified by the Town Manager and the Director of Finance and Administration. Mr. Callis suggested that be a separate motion.

Councilman Moss disclosed that he is a board member of the Chamber of Commerce as well as the CDA (appointed by the Chamber of Commerce) as well as a board and founding member of the Shops of South Hill. He reported he is able to vote fairly and objectively on the proposed funding of \$10,000 included in the budget for the Shops of South Hill. Councilman Honeycutt disclosed that he is also a board member on the Shops of South Hill, and he can vote fairly and objectively on the proposed funding.

A motion was made by Councilwoman Feggins-Boone, second by Councilman Joseph Taylor, to adopt the FY21-22 budget, tax rates, and water and sewer rates as presented. A **roll-call vote** was requested and voiced as follows:

Councilwoman Feggins-Boone -Aye	Councilman Graham-Aye
Councilman Honeycutt-Aye	Councilwoman Luster-Aye
Councilman Moody-Aye	Councilman Moss-Aye
Councilman Ben Taylor-Aye	Councilman Joseph Taylor-Aye.

A motion was made by Councilman Moody, second by Councilwoman Luster, to appropriate funds related to the FY21-22 budget, effective July 1, 2021. A **roll-call vote** was requested and voiced as follows:

Councilwoman Feggins-Boone -Aye	Councilman Graham-Aye
Councilman Honeycutt-Aye	Councilwoman Luster-Aye
Councilman Moody-Aye	Councilman Moss-Aye
Councilman Ben Taylor-Aye	Councilman Joseph Taylor-Aye.

Councilman Moss asked are there quarterly or an annual disbursement in doing this. He stated the Colonial's attorney said he felt a quarterly appropriation would be appropriate. It was also recommended by the Town Attorney in a CDA meeting that any guidelines placed on the disbursement of funds should be included in the motion. Councilman Ben Taylor mentioned if he is with any entity, he would like to know how much money he is going to have upfront so he can plan for the year. He stated he thinks that is only fair. Mr. Callis stated if a local government is unable to pay with the adoption of a fiscal budget at the beginning of a fiscal year, often the disbursements are shifted or done in more than one payment. A lot of local governments rely heavily on property taxes which are paid in December or January. We get a flood of requests for the checks in July and have historically paid all of those with the exception of the CDA, which was paid quarterly and then funneled to the Chamber quarterly. We are fortunate to be in a financial position that we can pay all of them in July. Mr. Callis suggested we try to be consistent in what we do with all organizations. We have to pay all of our insurance in July. To Councilman Ben Taylor's point, a lot of entities have similar situations where they need to do things right away. The Lake Country Advanced Knowledge Center is a little unique because they are federally funded and their fiscal year ends in October, so we fund them usually in October. To Ms. Howell's issue, Councilman Honeycutt commented you don't give all of the money out upfront, so people are held accountable to do the right thing. Councilman Joseph Taylor commented his problem with that is we begin having a litmus test for each individual department/entity which we fund from our budget which would be wavering depending upon the opinions of certain Council members. We need to be consistent with the budget we establish, and we shouldn't start making exceptions now. He went on to say there is always an avenue for some discussion, complaining, praising through these meetings; however, it shouldn't be through the line items of the budget.

Councilman Moody reminded Council his motion included the condition that none of the funds would be disbursed until the nonprofit status has been verified. This is what the entire thing has been about for the past three months, getting the theater to the nonprofit status so that it could continue. Councilman Ben Taylor asked how close they are to becoming nonprofit. Mr. Callis answered the CDA has done everything that it needs to do. We would like to have it all done by June 30, but we have not been told that it is doable. Councilman Moss commented they have applied, and it is in the hands of the IRS now. Councilman Moss stated Councilman Moody's motion means it is not prorated based on when they obtain the nonprofit; it is 100% funded. Councilman Moody commented that is correct. Councilman Ben Taylor mentioned we then write the check.

A motion was made by Councilman Moody, second by Councilman Graham, that the funds appropriated for The Colonial Center not be disbursed until such time as nonprofit status is verified by the Town Manager and the Director of Finance and Administration. A **roll-call vote** was requested and voiced as follows:

Councilwoman Feggins-Boone -Aye	Councilman Graham-Aye
Councilman Honeycutt-Aye	Councilwoman Luster-Aye
Councilman Moody-Aye	Councilman Moss-Aye
Councilman Ben Taylor-Aye	Councilman Joseph Taylor-Aye.

B. South Hill Volunteer Fire Department (SHVFD) Request for Building Renovation

Mr. Callis informed Council the SHVFD has submitted a request to renovate the second floor of the fire department building for use as a fitness facility. As the Fire Department building is owned by the Town, any significant modification to the structure or its use should be approved by the Town Council. Staff recommends the request be referred to the Fire Department Committee for study and consideration.

Councilman Moss asked Chief Vaughan if that would work with their timetable. Chief Vaughan reported the Fire Department Committee has already been to the SHVFD to meet with the folks in that space. He welcomed questions. Mr. Callis stated the questions might be future needs for the space. He commented we need to look at it carefully because it is a big step. The SHVFD is paying for all of it.

Councilman Ben Taylor commented he would like to see the Fire Department Committee take a look at this. He reported he met with the Chief 18 months ago, and he had a list of different items including this. Councilman Ben Taylor shared a concern that as our fire and rescue departments change, we need to tread very carefully as we spend money. He shared he thinks the county needs to start getting involved in fire and rescue. If there is an emergency in Bracey, it takes a while to get there. Warren County, North Carolina has pods where rescue squads respond in close proximity. All emergency services need to be looked at and it should start here with us. Mr. and Mrs. Rainey left the money for the fire department. Thirty days won't hurt us.

Councilman Honeycutt commented the SHVFD has been working on trying to build this for some time. He shared his opinion the county doesn't need to get involved to have the equipment there to be able to workout. Our fire and rescue do a great job. Chief Vaughan commented Mecklenburg County is very generous to fire services as a whole, so they don't separate town versus county. They purchase all of our respiratory and fit testing equipment, and they maintain it. They provide the Department with many things and pay various items including software, monthly data plans, insurance, workers compensation, the rider, etc. There is a lot of money invested in the fire services as a whole. That goes through the Mecklenburg County Fire Chief's Association. We are not asking for any funding. We are just asking to change the space that you all have already looked at to a gym. Councilman Moss asked if any structural changes were being made to the building that could not be reversed three years from now if it needed to be. Chief Vaughan answered the building inspector came in multiple times and pulled building permits. The room is finished. We took a lot of the fire load out of the room by removing the dishes, furniture, appliances, and upholstery. Councilman Moss commented so the SHVFD basically gutted it and is putting gym equipment in an existing space; nothing structural is being done. In answer to a question from Councilman Joseph Taylor regarding the flooring, Chief Vaughan stated it is just a rubberized floor over a concrete overlay with steel truss. Answering Councilman Moss, David Hash stated he doesn't see any concerns.

In answer to a question from Councilman Moody, Chief Vaughan stated the space is finished. Councilman Joseph Taylor asked if there has been a committee meeting regarding this, and Council members answered not specifically for this. In answer to a question from Councilwoman Feggins-Boone, Chief Vaughan commented there is a training room with projectors and tables and chairs. There is a meeting room in the corner. There is a breakroom and storage closet. The kitchen was taken out because the suppression system failed and ruined the space so it was turned into an area where a fitness room can be placed. There is a \$40,000 kitchen downstairs that was put in a few years ago.

Councilman Ben Taylor asked that the committee be allowed to take a look at it and come back to Council with a recommendation. Chief Vaughan stated he doesn't understand the concern of the future growth of the SHVFD. He commented he jumped through all the hoops as he was told to do, and he provided all of the documents as he was told to do. Councilman Joseph Taylor mentioned that would generally go through a committee first. Chief Vaughan reported they had a meeting upstairs at the Fire Station. Councilman Joseph Taylor asked were there any vendors who have a contract with timing in terms of installation of equipment. Chief Vaughan commented their time is valuable, so they need to finish and move on to the next project. Councilman Honeycutt mentioned the SHVFD has never had to jump through obstacles to get anything done. He went on to say we are setting a precedence by doing this. Councilman Joseph Taylor shared he doesn't think there is any opposition by any particular members to this project, and we are not funding it, but the structure is owned by the Town and its citizens and used by

our wonderful Fire Department. This is a very basic procedural request. It doesn't have anything to do with approval or disapproval.

Chief Vaughan commented he understands what Councilman Joseph Taylor is saying but from the SHVFD side and speaking for the volunteers which is what he does, they followed all of the procedures, pulled all of the policies and permits, had the insurance provided, and provided pictures. All that is needed is approval to move forward. The space has not been compromised, and we haven't come to you with any issues. Councilman Moody asked if it would be a major setback if this was delayed for perhaps one week for the Fire Department Committee to take a look at it and advise Council. Chief Vaughan answered one week would not put them in a bad spot.

A motion was made by Councilman Honeycutt, second by Councilman Moss, to allow the South Hill Volunteer Fire Department to move forward in obtaining their gym which is to be funded by the volunteers, not the Town. **A roll-call vote** was requested and voiced as follows:

Councilwoman Feggins-Boone -No	Councilman Graham-No
Councilman Honeycutt-Aye	Councilwoman Luster-No
Councilman Moody-No	Councilman Moss-Aye
Councilman Ben Taylor-No	Councilman Joseph Taylor-No.

The motion failed with a vote of 6-2 against.

Mr. Callis reported that if Council so desires, staff will schedule a Fire Department Committee meeting as soon as we can with a plan to report back to Council by 5:00 p.m. next Wednesday. Councilman Honeycutt asked if Council would be able to vote on it at that time so the SHVFD can move forward or would they have to wait until July's meeting. Mr. Callis answered that it could be put in the form of a motion that should the Fire Department Committee recommend approval, we can ask for an electronic vote.

A motion was made by Councilwoman Feggins-Boone, second by Councilwoman Luster, that should the Fire Department Committee recommend approval, Council can ask for an electronic vote. **A roll-call vote** was requested and voiced as follows:

Councilwoman Feggins-Boone -Aye	Councilman Graham-Aye
Councilman Honeycutt-Aye	Councilwoman Luster-Aye
Councilman Moody-Aye	Councilman Moss-Aye
Councilman Ben Taylor-Aye	Councilman Joseph Taylor-Aye.

9. FINANCE REPORT

A. Reimbursement Resolution

Sheila Cutrell reported the Town intends to finance several projects through the issuance of Bonds. The principal amount of the Bonds attributable to these projects is not expected to exceed \$9,800,000.00. Treasury Regulations require the Town to adopt a resolution to preserve the ability to use portions of the proceeds of the Town's upcoming issue of Bonds to reimburse itself for project expenditures made prior to the bond issuance. Ms. Cutrell presented a resolution for adoption.

A motion was made by Councilman Moody, second by Councilwoman Luster, to adopt the Reimbursement Resolution to preserve the Town's ability to use portions of the proceeds of the Town's upcoming issue of Bonds to reimburse itself for project expenditures made prior to the bond issuance. **A roll-call vote** was requested and voiced as follows:

Councilwoman Feggins-Boone -Aye
Councilman Honeycutt-Aye
Councilman Moody-Aye
Councilman Ben Taylor-Aye

Councilman Graham-Aye
Councilwoman Luster-Aye
Councilman Moss-Aye
Councilman Joseph Taylor-Aye.

10. POLICE REPORT

A. Adoption of Ordinance for South Hill Police Department: Title 46.2 and Article Two, 18.2-266 – 18.2-273, Code of Virginia of 1950 as Amended

Chief Bowen explained that the legislature changes statutes from time to time. He requested Council adopt the ordinance incorporating the legislative changes to Title 46.2 and Article Two, 18.2-266 through 18.2-273 (criminal and traffic sections).

A motion was made by Councilman Moody, second by Councilman Joseph Taylor, to adopt the ordinance for the Police Department (Title 46.2 and Article Two, 18.2-266 through 18.2-273, Code of Virginia as amended). **A roll-call vote** was requested and voiced as follows:

Councilwoman Feggins-Boone -Aye
Councilman Honeycutt-Aye
Councilman Moody-Aye
Councilman Ben Taylor-Aye

Councilman Graham-Aye
Councilwoman Luster-Aye
Councilman Moss-Aye
Councilman Joseph Taylor-Aye.

11. MUNICIPAL SERVICES REPORT

A. Award of Northeast Sewer Improvement Project Contract

C.J. Dean reported that on June 7, 2021, the Town received sealed bids for the Northeast Sewer Improvement Project. Three bids were received, with the apparent low bidder being H.G. Reynolds Company, Inc.

CONTRACTOR	TOTAL BASE BID
H.G. Reynolds Company, Inc P. O. Box 209 Henderson, NC 27536	\$ 5,544,736.37
Garney Construction 3959 Pender Drive, Suite 100 Fairfax, VA 22030	\$ 6,733,166.88
Tidewater Utility Construction, Inc. 200 Lummis Road Suffolk, VA 23434	\$ 8, 985,808.95

Based upon the engineer’s positive review of the bid and contractor, the recommendation from staff is to award the contract to the apparent lower bidder, H.G. Reynolds Company, Inc. The Town will further negotiate the bid price to reduce total project costs. Town staff recommends using ARPA (American Rescue Plan Act) funds for costs exceeding the amounts included in the approved budget and the 2021 Bond Issuance.

Councilman Ben Taylor asked what could be negotiated. Mr. Dean commented the engineer is looking at a couple of the pumps they submitted in the initial bid. He thinks he can save some money in doing a different style pump that will give us just as good a service. Councilman Moss commented he is being asked to vote on something and he doesn’t even know the price yet. Kim Callis

commented the bid price of \$5,544,736.37 is there today; we are trying to reduce the price. Like any contract, when we get into it, there can be change orders. Mayor Marion mentioned the price difference is amazing to him. Mr. Dean mentioned one factor is the low bidder is local and won't have to stay in hotels which will be less costly.

Councilman Honeycutt commented Mr. Callis mentioned ARPA funds are going to take care of a lot of that. Mr. Callis reported an approved use of the ARPA money is for infrastructure and water and sewer and anything we could finance through the clean water or the drinking water funds is approved and this would be such a project. We have just over \$4,500,000 in the budget for the bond so we are recommending that the ARPA money be used which will come in two payments. The first one which we submitted the paperwork today should be for a little over \$2,000,000 and we hope to receive it within a month. The second one will come twelve months from now. At any rate, we should have the funds in time to pay for this and other infrastructure projects.

Mayor Marion asked when the project would begin. Mr. Dean reported once all the paperwork is signed, they have ten days to get their bonds to us and insurance copies. After that, a pre-construction meeting will be held with a schedule being shared shortly thereafter. The contract is for 15 months. Mr. Callis mentioned if all goes well, we would like to see dirt moving in early August.

A motion was made by Councilman Honeycutt, second by Councilwoman Luster, to award the Northeast Sewer Improvement Project contract to H.G. Reynolds Company, Inc. for the base bid amount of \$5,544,736.37. A roll-call vote was requested and voiced as follows:

Councilwoman Feggins-Boone -Aye	Councilman Graham-Aye
Councilman Honeycutt-Aye	Councilwoman Luster-Aye
Councilman Moody-Aye	Councilman Moss-Aye
Councilman Ben Taylor-Aye	Councilman Joseph Taylor-Aye.

12. REPORTS TO APPROVE AS PRESENTED

For efficiency, the following reports were grouped to approve as presented.

A. Town Manager Report

Kim Callis submitted the calendar of activities and reservations at Centennial Park, Parker Park, the South Hill Exchange, and other Town facilities. The calendar changes frequently as new reservations are made. Dixie Baseball will be hosting an Ozone tournament beginning Friday, June 25. A Babe Ruth tournament may also be held at Parker Park in July. Recent questions about the baseball and softball fields have been discussed with staff. Our Parks team communicates daily with the leadership of both Dixie leagues. Fields are prepared for play in accordance with schedules and instructions provided by the leaders of each league. We ask that parents share concerns with their respective league leadership so they can be efficiently and cooperatively addressed by Dixie and our Parks team.

B. Finance Report

Sheila Cutrell submitted the financial report for month ended May 31, 2021 as follows:

General Fund	-	\$10,701,393.92	Total Investment Accounts	-	\$15,429,419.32
Water and Sewer Fund	-	809,138.70	Total Police Dept. Savings	-	\$ 27,644.49
Cemetery Fund	-	12,820.45	Total Taxes Due Thru 05/31/21	-	\$ 260,255.59
2nd & 3rd Street Project Fund	-	<u>(23,060.89)</u>	(Real Estate and Personal Property, all years)		
Total in Checking	-	\$11,500,292.18			

C. Police Report

Chief Stuart Bowen submitted the police report for May. Chief Bowen informed Council there were 287 activity incidents, 39 reportable criminal offenses, 766 calls for service, and \$1,064 property recovered. Other miscellaneous included 25 court overtime hours, 140 training hours, 24 warrants issued, and 19 inoperative vehicles tagged.

He included the following administrative news:

- § Tyler Spillane was hired in May. Officer Spillane was previously a Law Enforcement Officer until September 2019. His requirement through DCJS was to obtain 40 hours Law Enforcement In-Service by June 2021. He has completed these required hours. He has also obtained his Radar/Lidar Certification. He is currently in Field Training.
- § Officer Amanda Parker completed 40 hours CIT training in Clarksville.
- § The following Officers instructed at the Training Academy:
 - Sergeant Chris Parrott – Defensive Driving Practical
 - Officer Ethan Atkinson – Defensive Tactics
 - Detective Carie Watters – Officer Survival
 - Sergeant Mike Peebles – Officer Survival
- § All Officers completed Spring Qualifications at the department firing range. Training was also received in the Use of Less Lethal Force, including the use of Taser, Pepper Spray, and Baton.
- § Aaron Petrie has accepted employment as a Law Enforcement Officer. He was sworn in June 7, will attend Orientation at the Academy, and will begin Basic Law Enforcement training June 15.

D. Municipal Services Report

C.J. Dean submitted the municipal services report for May 2021 as follows:

- § The scheduled repaving of streets occurred during May. The streets have not been striped, but it should occur soon.
- § Crews continue to patch where water and sewer repairs have been made.
- § Park crews continue to cut grass in the two cemeteries, Centennial Park, and the softball and baseball fields. They also set up and removed the fencing and tents for the concert at the amphitheater.
- § Thanks to the Dominion Power crews, a local electrician, and the facilities crew for reinstalling the electric system at the amphitheater before the first Concert in the Park in May. The event at the amphitheater went off without any issues, and a good time was had by all.
- § As no bids were received on the engineered work, the Town will have to readvertise for the improvements on the rear entrance to the Town Hall.

E. Code Compliance Report

i. Monthly Report

David Hash submitted the report of activity for May 2021 as follows:

Inspections Completed	-	30
Permits Issued	-	13
Fees Collected	-	\$ 1,279.58
UEZ Exemption	-	\$ 0
Rehab Exemption	-	\$ 0
General Exemption	-	\$ 0
Work Value	-	\$ 191,981.00

New businesses for May included:

- § Southside Orthodontics, 604 N. Thomas Street (Orthodontics)
- § Purple Lotus Treasures, 935 W. Atlantic Street (Flea Market Vendor)
- § BlackGold.Co, 1050 Plank Road (Online Sales)
- § Tee Beauty Boutique, 1328 Goodes Ferry Road (Retail Sales)
- § Blings and Things by Kay Inc., 734 Marrow Street (Online Sales)

ii. Dilapidated Properties

David Hash and Jamie Velvin submitted a report on the status of the following 42 dilapidated properties:

1. 211 E. Atlantic Street
2. 400 Goodes Ferry Road
3. 402 Goodes Ferry Road
4. 315 W. Danville Street
5. 212 N. Mecklenburg Avenue
6. 211 Bryan Street
7. 112 E. Atlantic Street
8. 403 N. Mecklenburg Avenue
9. 419 E. Atlantic Street
10. 456 Old Hwy. 58
11. 506 Moseley Lane
12. 617 W. Danville Street
13. 1214 Plank Road
14. 112 Raleigh Avenue
15. Corner of Circle Drive and Ogburn Street
16. 202 Windsor Street
17. 901 Goodes Ferry Road
18. 1143 W. Danville Street
19. 113 E. Pine Lane
20. 115 E. Pine Lane
21. 119 E. Pine Lane
22. 1287 W. Danville Street
23. 416 Fairview Avenue
24. 704 Robertson Street
25. 705 Robertson Street
26. 703 Robertson Street
27. 706 Robertson Street
28. 103 W. Third Street
29. 101 W. Third Street

30. 101 E. Third Street
31. 103 E. Third Street
32. 110 E. Third Street
33. 109 E. Third Street
34. 706 Brooke Avenue
35. 704 Brooke Avenue
36. 702 Brooke Avenue
37. 108 and 110 E. Second Street
38. 106 E. Second Street
39. 117 Clay Street
40. 101 W. Second Street
41. 212 Windsor Street
42. 326 W. Atlantic Street

A list of completed dilapidated properties since 2016 was also shared.

iii. Code Inspector Activity Report

follows: Jamie Velvin submitted the Code Inspector Activity Report for May 2021 as

- § Met with resident at 1006 W. Atlantic Street about grass complaint
- § Met with Sam Allen to establish work schedule for his properties
- § Located 33 inoperable vehicles for tagging and submitted to Police Department
- § Met with Jamie Smiley regarding bid for 112 E. Atlantic Street
- § Spoke with the property owner of 805 Roanoke Avenue in reference to tall grass complaint
- § Spoke with property owners of 302 W. High Street and 112 Raleigh Avenue in reference to tall grass complaints
- § Met with the property owner of 400 and 402 Goodes Ferry Road in reference to approaching deadline
- § Handled trash container complaint Windsor Street
- § Met with property owner at 1121 Halifax Street in reference to inoperable vehicles
- § Had multiple contacts with Bill Robbins in reference to trying to set a meeting at 112 E. Atlantic Street
- § Spoke with D.S. Vaughan in reference to demolition bid for 112 E. Atlantic Street
- § Spoke with the property manager at 800 Goodes Ferry Road about high grass
- § Spoke with the following automobile repair garage owners about inoperable vehicles on their lots:
 - Ezell Automotive
 - Late Night Customs
 - Baskerville Automotive
 - B and T Automotive
 - Southside Automotive
 - Southside Collision
 - Brown's Towing
 - Tatum's Body Shop
 - Lucky Seven's Service Center
 - Morris Automotive

- § Monitored all Item-B properties for progress with one property added
- § Six Correction Notices sent out
- § One Violation Notice sent out
- § Fifteen notices to cut grass sent out
- § Three inoperable vehicles towed by Code Compliance Office
- § Three off-premise signs removed
- § One inoperable car letter sent out
- § Thirty inoperable cars posted for removal from commercial properties

F. Business Development Report

Brent Morris submitted the business development report for May 2021 as follows:

- § We continue the push of recruiting businesses in the downtown and the former Gordmans location.
- § Mr. Morris continued working with the Southside Planning District Commission and the appointed committee on the review of Mecklenburg County Small Business Recovery Assistance applications and approvals. To date, 37 businesses have been approved (a total of \$243,604.88), and our pipeline remains healthy.
- § Mr. Morris continued ongoing meetings with the Department of Housing and Community Development on the Rural Community Development Initiative (RCDI) program for South Hill.
- § The concrete pad for the new LOVE sign has been poured, and we are waiting on the contractor to install.
- § Mecklenburg County Economic Development, the Virginia Economic Development Partnership, and Mr. Morris have met with several industries to discuss ongoing challenges as we move forward out of the pandemic. Talent recruitment has been one of the largest concerns amongst plant managers. We have begun working with Workforce Development on a plan of action to help. As of now, we are in the process of planning a large job fair toward the end of the summer to hopefully help fill some of the vacant positions with South Hill employers.
- § We are continuing our efforts with investors to fulfill the housing need in the community. We have seen a piqued interest in the last few months and continue working with local real estate brokers to identify ideal locations.

G. Human Resources Report

Carol Hutchinson submitted the following administrative news for April 2021:

- § Open Enrollment began May 20, 2021. Thomas Kinker and Angela Pugh from Virginia Asset Management presented benefit information for 2021. Open Enrollment concluded June 2, 2021.
- § David Hash completed virtually the DEQ Inspecting Non-Standard Practices – Two Part Series on May 6, 2021. This certification was provided by the Virginia Department of Environmental Quality.
- § Gerald “Scott” Zincone was recognized for 25 years of service, effective June 14.
- § There is one open position for a Maintenance Operator I in Parks & Grounds.

A motion was made by Councilwoman Luster, second by Councilwoman Feggins-Boone, to approve the Reports to Approve as Presented. Motion carried unanimously.

13. COMMITTEE REPORTS

A. Parks Committee

Councilman Moody reported the South Hill Dixie Youth will be hosting the Ozone Dixie Tournament and the Coach Pitch Tournament beginning June 25. Councilman Moss also mentioned a Babe Ruth state tournament will be held around mid-July.

14. APPOINTMENTS

A. Board of Zoning Appeals (BZA)

Mayor Marion reported the appointment of Stuart Taylor on the BZA will expire on July 10, 2021. Mr. Taylor has been contacted and agrees to serve another five-year term commencing July 11, 2021 and ending July 10, 2026.

A motion was made by Councilman Joseph Taylor, second by Councilwoman Feggins-Boone, to recommend the appointment of Stuart Taylor to the BZA for another five-year term commencing July 11, 2021 and ending July 10, 2026. Motion carried unanimously.

B. Community Development Association (CDA)

Mayor Marion informed Council the appointments of Lillie Feggins-Boone and himself as elected officials on the CDA Board of Directors will expire June 30, 2021. They are both willing to serve again if Council so desires. Their two-year terms would commence July 1, 2021 and end June 30, 2023. Kim Callis serves as the non-elected official.

A motion was made by Councilman Moody, second by Councilwoman Luster, to reappoint Lillie Feggins-Boone to a two-year term on the CDA, commencing July 1, 2021 and ending June 30, 2023. Motion carried unanimously.

A motion was made by Councilwoman Feggins-Boone, second by Councilwoman Luster, to reappoint Dean Marion to a two-year term on the CDA, commencing July 1, 2021 and ending June 30, 2023. Motion carried unanimously.

A motion was made by Councilwoman Luster, second by Councilman Joseph Taylor, for Kim Callis to continue to serve as the non-elected official on the CDA, commencing July 1, 2021 and ending June 30, 2023. Motion carried unanimously.

C. Parks and Recreation Committee

Mayor Marion reported the appointments of Dwayne Gwaltney and Richard Walker on the Parks and Recreation Committee will expire on June 30, 2021. They have been contacted and both agree to serve another four-year term commencing July 1, 2021 and ending June 30, 2025 if Council so desires.

A motion was made by Councilwoman Feggins-Boone, second by Councilman Moody, to reappoint Dwayne Gwaltney to the Parks and Recreation Committee for another four-year term commencing July 1, 2021 and ending June 30, 2025. Motion carried unanimously.

A motion was made by Councilman Moody, second by Councilwoman Feggins-Boone, to reappoint Richard Walker to the Parks and Recreation Committee for another four-year term commencing July 1, 2021 and ending June 30, 2025. Motion carried unanimously.

15. OLD BUSINESS

A. Pettus Payne Delinquent Taxes

Kim Callis reminded Council the Town received a request from an attorney representing the Pettus Payne family asking for the disbursement of surplus funds from a tax sale for an approximately 30-acre parcel that was out off Rocky Branch Road. Mr. Callis and Sheila Cutrell have worked many hours trying to get some type of resolution. This afternoon around 2:30, Mr. Callis talked with Russell Slayton. One of the questions was if the notice was properly provided. Russell Slayton stated the county did not provide him any information that demonstrates that a deputy served the notice in person. They did provide information showing notification had been made to the address of the property owner and there is also an order of publication where the tax sale is advertised that constitutes constructive notice. Proof of that was also done, so the family was informed of the tax sale. There is a court case going on right now about form of notice and they hope to have a decision this week regarding what is proper and what is not.

Mr. Callis explained we have several options. We collected the money and surplus proceeds of about \$45,000. We have been paid for the back taxes on that property. 1) If Council desires, we can refund those excess proceeds. They should be requested within two years of the tax sale; it is now six years past. We would have to draft an ordinance to be adopted at the July meeting. Once adopted, we could pay the money back to the Pettus Payne family. 2) If inclined to not do disbursement, we can withhold payment and wait to see what this court case says, which may happen this or next week. If we disbursed all of the money, then we may incur some legal expense because Jimmy Butts and Russell Slayton have spent time on this, not to mention the time that staff has spent, to which we are entitled.

In answer to Councilman Graham's question about when the tax sale was done, Mr. Callis stated the tax sale was in November of 2015. Councilman Joseph Taylor reported the taxes weren't paid by the family. They were only paid after the tax sale. At no point have we had any offering by the family to make payment on what they owe. In addition to that, the Town has incurred legal expense to even get to this point where we are waiting for a decision. Councilwoman Feggins-Boone commented she thinks we should wait until we hear from the court case. Councilwoman Luster mentioned she assumes any legal costs would be deducted from said refund. Mr. Callis stated we would recommend we deduct any cost incurred by the Town from any disbursement. We think the Town has been paid for everything except around \$367 and change that we believe we are still due, not including the time of attorneys and staff that were devoted to this.

In answer to Councilman Moss's question as to if it was referenced if the notification by mail was sent certified, Mr. Callis stated Russell Slayton just said it was proof of service. Councilman Moss commented that as we've learned, when the statute of limitation expires, there is nothing you can do about it. As we have waited this long, Council members agreed to wait until the July meeting to find out how this other case may end up and if it is not done by the July meeting, then Council can take action.

16. NEW BUSINESS

A. Time Limit on Speakers at Public Hearings

Councilman Moody reported that during our May meeting, the Public Hearing lasted a long time. We do not have a time limit set for citizens during a Public Hearing. We have the three-minute time limit for Citizens to Address Council. Councilman Moody asked what Council's feelings would be if we refer to the Policy Review Committee to look at possibly recommending a time limit of five minutes. Councilman Moody feels three minutes is too short. The time limit can be extended by Council as it sees

fit during a Public Hearing so that everyone who is lined up to speak gets an opportunity to speak, and they don't have to speak until almost midnight. It was unfair to the many people who came to speak, those who were here, and those who were watching and streaming that they had to sit until almost midnight. If we have to do it, we do it, but perhaps the committee can take a look at possibly setting a time limit on speakers at Public Hearings. Councilman Honeycutt totally concurred. He mentioned it is not appropriate to have a filibuster at a Council meeting. The Policy Review Committee will schedule a meeting to discuss putting a possible time limit in place.

B. Update on Marijuana Legislation

Joseph Taylor reported that under the many laws that are changing July 1, the use of marijuana will be legal in Virginia. He reported that as localities, we need to be prepared for a massive change not just in the regulation but use of this substance. What comes from Richmond in terms of our Virginia State Code makes it clear, it is legal; however, as municipalities, we have certain tasks that need to be addressed certainly within the next six months as to how South Hill sees it in particular. First off, localities have the ability through referendum to prohibit retail sale. Councilman Joseph Taylor shared it is his sincere hope that this body will. That will of course be up to the citizens of this Town but as a body, we have to take the necessary legal steps to put that referendum on the ballot. In addition, Councilman Joseph Taylor shared it is his sincere hope that this Town Council can prohibit the public use of marijuana particularly within a certain radius of schools. Councilman Joseph Taylor spends every Wednesday and Thursday morning in our juvenile domestic relations court, and he is massively concerned about the use by either juveniles or adults. The use by adults around juveniles in any proximity is extremely concerning. This body is prohibited from prohibiting the use of marijuana in our locality. It is a statewide law now, but there are some legal steps that the Town Manager is prepared to take in terms of speaking with the Council as well as our many bodies in the Virginia Municipal League to make sure we are ahead of this. We cannot find ourselves too close to a two-year limit because we'll be prohibited from managing the use of marijuana in our locality. This is a step that needs to take place as soon as possible with planning hopefully beginning in July, certainly August.

Kim Callis suggested the Policy Review Committee also look at this for a recommendation to the Council. We just had a webinar about this, and we are looking for clearer guidance. The legality of it is without question. What we want to allow in the Town is not without questions, so we need to have a policy on what we want to do there and how we want to go about it. No matter what Council decides, there are certain steps that have to be taken. In answer to a question from Councilman Honeycutt as to if we will be working with an attorney on that, Mr. Callis stated we would. In answer to a question from Councilwoman Luster as to if we would have any input from the Police Department, Kim Callis stated we certainly should. The Chief can be invited to the committee meeting.

In answer to a question from Mayor Marion, Councilman Joseph Taylor commented there is an excellent article in the VML magazine this month about what we as the municipality have to do in order to draft language for the referendum because the prohibition of retail sales has to be by referendum which is a much more complex scenario and the Town Manager and Legal Counsel can maneuver it. Regulations such as granting public use of marijuana and also in particular scenarios like schools can be enacted by our local body. Certainly, this body will make the decisions on particular policies on this that we are allowed to by statute. There is a dual route depending on the policy that needs to take place. A great starting point is that article in the VML magazine but beyond that, it will take webinars and publications to decipher this because it is a massive change. In ten years, we have gone from the substance being a Class 1 misdemeanor (the equivalent of a larceny) to now being completely legal. Councilman Joseph Taylor stated he is not making a judgment with respect to the appropriateness of whether it is legal, only about the regulations thereof in South Hill. Mayor Marion commented that along those lines, we are side by side with Mecklenburg County as well. Councilman Joseph Taylor

commented it is possible and in addition, another component of that article is there are certain steps that a county takes that apply to all municipalities within it. Our Town Manager will work with Mr. Slayton who Councilman Joseph Taylor assumes is functioning as a county counsel on this topic as well. Mr. Callis has already had a conversation with the county about this. Councilman Joseph Taylor stated he doesn't want us to wait for other localities just so that we have a grasp of this because as in all legal matters, things are delayed and he doesn't want this body to delay on not making the policy but at least having an organization of procedure in place so that our Town counsel can give us our options.

C. South Hill Public Protection Classification (PPC) 03/3Y

Mayor Marion asked that the recognition of our Fire Department be added to the minutes. They have received a Class 3/3Y PPC rating lowered from the previous 4/4Y rating. This improved ISO rating can and should lead to a reduction in insurance premiums for residents and business owners in South Hill and Mecklenburg County.

17. ADJOURNMENT

There being no further business matters before the South Hill Town Council, Mayor Marion adjourned the meeting at 8:24 p.m.

VALIDATION

Minutes approved this _____ day of _____, 20_____.

Anna B. Cratch, Town Clerk

Dean Marion, Mayor

**A RESOLUTION DECLARING THE OFFICIAL INTENT
OF THE TOWN OF SOUTH HILL, VIRGINIA, TO
REIMBURSE ITSELF FOR CAPITAL EXPENDITURES
RELATED TO IMPROVEMENTS TO THE TOWN'S WATER, SEWER
AND PUBLIC UTILITIES EQUIPMENT AND FACILITIES AND
CONSTRUCTION OF A NEW PUBLIC WORKS BUILDING**

A. The Town of South Hill, Virginia (the "Town"), intends (i) to finance construction of the Thompson Street – Alpine Road waterline connector, the Northeast sewer collection, Highway No. 1 north sewer extension, Alpine Pump Station improvements, replacement of touch-read water meter system with a radio-read water meter system, rehabilitation of sewer lines in the Taylor's Creek pump station service area, replacement of rotors in ditches at the Town's wastewater treatment plant, and construction of a new public works building (collectively, the "Project"), (ii) to pay certain costs of the Project from available funds of the Town prior to the issuance or incurrence of bonds or other obligations or debt (the "Bonds") to finance the Project, and (iii) to reimburse itself for such original expenditures (the "Expenditures") from the proceeds of the Bonds.

B. Federal Treas. Regs. § 1.150-2 requires the Town to adopt a resolution or ordinance in the form set forth below to preserve the Town's ability to use portions of the proceeds of the Town's upcoming issue of Bonds to reimburse itself for the Expenditures.

After careful consideration and to further the public purposes for which the Town was created, **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTH HILL, VIRGINIA, THAT:**

1. The Town intends to finance the Project through the issuance of one or more series of Bonds. The principal amount of the Bonds attributable to the Project is not expected to exceed \$9,800,000.00.
2. This Resolution represents a declaration of "official intent" under Treas. Regs. § 1.150-2.
3. Prior to the issuance or incurrence of the Bonds, the Town expects to pay the costs of the Project from its available funds.
4. On the date each Expenditure is paid, it will be a capital expenditure (or would be with a proper election) under general federal income tax principles or will otherwise comply with the requirements of Treas. Regs. § 1.150-2(d)(3).
5. The Town reasonably expects to reimburse the Expenditures made prior to the issuance of the Bonds to finance the Project from the proceeds of the Bonds and the adoption of this Resolution is consistent with the budgetary and financial circumstances of the Town.
6. This Resolution shall be in effect from and after its adoption.

Adopted this 14th day of June 2021 by the South Hill Town Council.

By: Dean Marion
Dean Marion, Mayor

Attest: Anna B. Cratch
Anna B. Cratch, Town Clerk

CERTIFICATE OF CLERK

The undersigned Clerk of the Town Council of the Town of South Hill, Virginia, hereby certifies that:

1. A regular meeting of the Town Council of the Town of South Hill, Virginia, was duly called and held on June 14, 2021 (the "Meeting"), at which the following members were present and absent:

PRESENT: Lillie Feggins-Boone Alex Graham
 Gavin Honeycutt Delores Luster
 Mike Moody Shep Moss
 Ben Taylor Joseph Taylor

ABSENT:

2. A resolution (the "Resolution") of the Town entitled "A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE TOWN OF SOUTH HILL, VIRGINIA, TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES RELATED TO IMPROVEMENTS TO THE TOWN'S WATER, SEWER AND PUBLIC UTILITIES EQUIPMENT AND FACILITIES AND CONSTRUCTION OF A NEW PUBLIC WORKS BUILDING" was duly adopted at the Meeting by the recorded affirmative vote of at least a majority of all of the members of the Town Council of the Town of South Hill, Virginia, the ayes and nays being recorded in the minutes of the meeting as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Councilwoman Feggins-Boone	Aye
Councilman Graham	Aye
Councilman Honeycutt	Aye
Councilwoman Luster	Aye
Councilman Moody	Aye
Councilman Moss	Aye
Councilman Ben Taylor	Aye
Councilman Joseph Taylor	Aye

3. The foregoing is a true and correct copy of the Resolution.
WITNESS my signature as of the date set forth below.


Clerk

Date: June 14, 2021

**AN ORDINANCE ADOPTING TITLE 46.2 AND ARTICLE TWO 18.2-266-
18.2-273,
Code of Virginia of 1950 as amended**

WHEREAS, the **Town of South Hill**, Virginia, a municipal corporation, pursuant to Authority duly invested therein, has the responsibility to control, govern and direct motor vehicular laws and regulations and laws and regulations concerning the health and safety of persons, and

WHEREAS, the Commonwealth of Virginia has heretofore enacted legislation concerning the control and operation of motor vehicles and the health and safety of persons, and


WHEREAS, pursuant to Section 46.2-1313, and Section 1-13.39:2 Code of Virginia, 1950 as amended, the Town Council of the **Town of South Hill**, Virginia has the authority to adopt and to incorporate by reference various provisions of the Code of Virginia and may include future amendments to the state statutes, and, after thorough and mature consideration thereof, the Town Council deems such adoption and incorporation to be in the best interest:

THEREFORE BE IT RESOLVED:

1. Pursuant to authority vested, the **Town of South Hill** hereby adopts and incorporates by specific reference thereto Title 46.2, Code of Virginia, 1950, as amended, and the **2021** Cumulative Supplement, relating to motor vehicle laws, and as amended in the future. In addition, the **Town of South Hill** hereby adopts and incorporates express reference thereto, Article Two, Chapter 7, of 18.2, Code of Virginia, 1950, as amended, commencing with Section 18.2-266 through 18.2-273 as in force on July 1, 1994, and as amended in the future.
2. The **Town of South Hill** hereby adopts and incorporates by specific reference thereto any and all amendments, additions and deletions as may from time to time be made by the General Assembly of the Commonwealth of Virginia which may be entered subsequent to the adoption and incorporation hereof as authorized by Virginia Code Section 1-13.39:2.
3. By the adoption and incorporation of the foregoing provisions of the Code of Virginia regulating motor vehicular operation and control and the health and safety of its citizens, the **Town of South Hill** hereby has and shall have the authority to enforce the revisions adopted by reference and incorporated therein.
4. This resolution and adoption of this ordinance shall take place upon entry hereof. This the **14th** day of **June 2021**.

 _____, Mayor

Attest:

 _____, Clerk



**SOUTH HILL TOWN COUNCIL
REGULAR MEETING AGENDA
MONDAY, JUNE 14, 2021, 7:00 PM**

Town Hall Council Chambers ~ 211 S. Mecklenburg Avenue ~ South Hill, Virginia 23970

(Please silence all cell phones while Council is in session.)

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – May 10, 2021
5. Citizens to Address Council *(Comments are limited to three minutes.)*
 - A. Alfonso Jiggetts – False Alarm Ordinance
6. Public Hearings
 - A. David Hash – SE 2021-2, Request by Timothy Pulliam to utilize 227 West Virginia Street for storage of motor vehicles being offered for sale
7. Town Manager Report
 - A. FY21-22 Budget Adoption and Appropriation
 - B. SHVFD Building Renovation Request
8. Finance Report
 - A. Reimbursement Resolution
9. Police Report
 - A. Adoption of Ordinance for SHPD: Title 46.2 and Article Two, 18.2-266 – 18.2-273, Code of Virginia of 1950 as Amended
10. Municipal Services Report
 - A. Award of Northeast Sewer Improvement Project Contract
11. Reports to Approve as Presented
 - A. Town Manager Report
 - B. Finance Report
 - C. Police Report
 - D. Municipal Services Report
 - E. Code Compliance Report
 - i. Monthly Report
 - ii. Dilapidated Properties
 - iii. Code Inspector Activity Report
 - F. Business Development Report
 - G. Human Resources Report
12. Committee Reports
13. Appointments
 - A. Board of Zoning Appeals (BZA)
 - B. Community Development Association (CDA)
 - C. Parks and Recreation Committee
14. Old Business
15. New Business
16. Adjournment