



SOUTH HILL TOWN COUNCIL

REGULAR MEETING MINUTES

MONDAY, DECEMBER 12, 2022, 7:00 P.M.

The regular monthly meeting of the South Hill Town Council was held on Monday, December 12, 2022 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 at <https://www.youtube.com/@southhillva/live>. Town Clerk Anna Cratch took minutes of the meeting.

1. CALL TO ORDER

The 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 mentioned the newly-elected Council members have been sworn in and thanked them for their willingness to serve the community. He thanked Council members Crocker and Graham for their contribution to the Council. He called upon Town Clerk Anna Cratch to call the roll, which was as follows:

A. Council Members

Lillie Feggins-Boone
Delores B. Luster
Joseph E. Taylor, Jr.

Alex Graham
W.M. "Mike" Moody

Gavin L. Honeycutt
Shep Moss

Councilor Randy Crocker was absent from the meeting.

B. Staff in Attendance

Stuart Bowen, Police Chief
Anna B. Cratch, Town Clerk
C.J. Dean, Dir. of Municipal Services
Howard P. Estes, Jr., Town Attorney

Kim Callis, Town Manager
Sheila Cutrell, Dir. of Finance and Admin.
Michael Vaughan, Fire Dept. Admin.

4. APPROVAL OF AGENDA

A motion was made by Councilor Honeycutt, second by Councilor Moody, to approve the agenda as amended for December 12, 2022. The motion carried unanimously.

5. APPROVAL OF MINUTES – NOVEMBER 14, 2022 SPECIAL AND REGULAR MEETINGS

A motion was made by Councilor Feggins-Boone, second by Councilor Luster, to approve the minutes of the special meeting held on November 14, 2022 as distributed by Town Clerk Anna Cratch. The motion carried unanimously.

A motion was made by Councilor Moody, second by Councilor Taylor, to approve the minutes of the regular meeting held on November 14, 2022 as distributed by Town Clerk Anna Cratch. The motion carried unanimously.

6. SERVICE AWARDS

The following Town employees were recognized for years of service.

- 20 Years of Service
Anna B. Cratch (present at meeting)
Marvin G. Dailey
Daniel J. Martin (present at meeting)
- 5 Years of Service
Ethan R. Atkinson
James A. Crawford, Jr.
Brentley O. Morris
James Ryan Smith

7. CITIZENS TO ADDRESS COUNCIL

Comments are limited to three minutes (five minutes if on behalf of a group).

A. Ella VanDyke, Brown's Towing and Automotive – Parking Regulations for the Intersection of Brunswick Avenue and Main Street

On behalf of Brown's Towing and Automotive, Ella VanDyke asked if the Town would consider moving the two-hour parking on the south side of the street to unlimited parking for their use at the garage and leave the two-hour parking on the north side as it is. This would allow a better view for people exiting Brunswick Avenue.

Kim Callis shared he spoke with Ms. VanDyke and with George Brown. They wanted to flip-flop what was discussed last month to allow unlimited parking on the south side but to prohibit parking on the north side. Police Chief Bowen had no issues with the proposal of parking on one side. Attorney Estes stated this item needs to be placed on the agenda for voting. Once on the agenda, if the motion is not the same as the motion at the prior meeting that was defeated, it is not a matter of reconsideration, it is a matter of new business.

A motion was made by Councilor Taylor, second by Councilor Luster, to amend the agenda to add discussion on parking regulations under Other Business. The motion carried unanimously.

B. Teri Walker, President of the South Hill Chamber of Commerce – Hometown Christmas 2022 Recap

On behalf of the South Hill Chamber of Commerce, Teri Walker spoke on the success of Hometown Christmas and thanked the Town for their support.

C. Steve High – E. Atlantic Street Drainage Improvement Project

Steve High, owner of the property at 235 E. Atlantic Street, spoke regarding the recent drainage improvement project which completed in early November. He shared pictures and complaints regarding the Town's contractor entering his property without consent. He commented his driveway had to be restored to pre-construction condition. Mentioning inverse condemnation of property, he recommended Town staff work on better communication in writing during Town repair and improvement projects.

Mayor Marion recommended questions regarding Mr. High's comments be directed toward staff. In order to give staff time to research, Attorney Estes shared it would be more appropriate to discuss at next month's Council meeting.

8. PUBLIC HEARINGS

Comments are limited to three minutes (five minutes if on behalf of a group).

A. RE 2022-9, Request by GWP Developers to rezone the property owned by Grace B Hudson Rev Trust, Henry M Bugg Rev Trust, and Others located at the end of Butterworth Lane from R1-40 transitional suburban residential district to R2-16 general dwelling district – David Hash

The scheduled Public Hearing was removed from the agenda, as the developer withdrew the related rezoning request.

B. Proposed Ordinance for Adoption Regarding Vacation of a Portion of Butts Street – Kim Callis

Kim Callis informed Council that notice of a Public Hearing was published which asked for comments regarding the vacation of a section of Butts Street (.84 acres) located in the Interstate Industrial Park.

Under Virginia law, right-of-way (ROW) vacation process generally followed has been that Council:

- Appoint a three-person committee to view the property and report on potential issues arising from vacating the street ROW.
- Hold a Public Hearing to allow affected parties to comment.
- Adopt an ordinance vacating the ROW. All expenses related to the vacation are to be paid by the requestor(s).

The ROW vacation is requested by Microsoft Corporation as indicated on a plat prepared by B&B Consultants. Microsoft Corporation is responsible for related costs This vacation would eliminate the cul-de-sac at the end of Butts Street but in return, Microsoft will build a new cul-de-sac at the terminus where the new street would end. The three-person committee consisted of Holly McFarland, Woody Oakley, and Stuart Taylor. They reported the vacation will not create any adverse conditions.

Mr. Callis opened the Public Hearing.

As no one came forward to speak and having received no comments, Mr. Callis closed the Public Hearing.

A motion was made by Councilor Moody, second by Councilor Taylor, to adopt the ordinance of vacation for the portion of Butts Street identified on the plat prepared by B&B Consultants. The motion passed via **roll-call vote** as follows:

Councilor Crocker-Absent	Councilor Feggins-Boone-Aye
Councilor Graham-Aye	Councilor Honeycutt-Aye
Councilor Luster-Aye	Councilor Moody-Aye
Councilor Moss-Aye	Councilor Taylor-Aye.

A motion was made by Councilor Moody, second by Councilor Moss, to amend the Butts Street lane mileage in the VDOT street maintenance inventory to reflect the street vacation and cul-de-sac changes. The motion passed via **roll-call vote** as follows:

Councilor Crocker-Absent	Councilor Feggins-Boone-Aye
Councilor Graham-Aye	Councilor Honeycutt-Aye
Councilor Luster-Aye	Councilor Moody-Aye
Councilor Moss-Aye	Councilor Taylor-Aye.

C. Proposed Voluntary Boundary Adjustment Agreement Relocating 15.87 Acres Owned by Microsoft Corporation – Kim Callis

Kim Callis informed Council Microsoft Corporation owns a tract of land totaling 15.87 acres along Country Lane and Rocky Branch Road, currently located in Mecklenburg County. Microsoft has requested a boundary line change that will allow the incorporation of this tract into the Town of South Hill.

At its November 14, 2022 meeting, Council approved advertisement for a Public Hearing to hear comments at the December 12 meeting. Public Hearing notices were advertised in the November 23 and 30, 2022 editions of the South Hill Enterprise.

Council will be advised of the Mecklenburg County Public Hearing once the results are known.

Mr. Callis opened the Public Hearing.

As no one came forward to speak and having received no comments, Mr. Callis closed the Public Hearing.

A motion was made by Councilor Luster, second by Councilor Moody, for adoption of the Resolution to approve the Agreement of Boundary Line Change By and Between Mecklenburg County, Virginia and the Town of South Hill, Virginia to incorporate a 15.87-acre tract along Country Lane currently owned by Microsoft into the Town of South Hill. The motion passed via **roll-call vote** as follows:

Councilor Crocker-Absent	Councilor Feggins-Boone-Aye
Councilor Graham-Aye	Councilor Honeycutt-Aye
Councilor Luster-Aye	Councilor Moody-Aye
Councilor Moss-Aye	Councilor Taylor-Aye.

9. FINANCE REPORT

A. Appropriation of VDOT Street Maintenance Funds for Additional Paving

Sheila Cutrell reported that the Virginia Department of Transportation has notified the Town of an increase in the amount of Street Maintenance Funds approved for the current fiscal year. Due to an increase in the rates per lane mile and approval of additional lane miles effective July 1, 2022, the Town expects to receive additional funding for the current fiscal year in the amount of \$215,598. These funds must be used for Street Maintenance activities. Staff recommends using the funds for additional paving to be completed in the current fiscal year. Ms. Cutrell asked that Council appropriate funds in the amount of \$215,598 for the stated purpose.

A motion was made by Councilor Luster, second by Councilor Taylor, to appropriate VDOT Street Maintenance funds in the amount of \$215,598 to the FY22-23 budget for the stated purpose. The motion carried unanimously.

B. Additional Appropriation from the General Fund for South Hill Volunteer Fire Department (SHVFD) Call Responses

Ms. Cutrell reported that the Town pays an annual contribution for emergency call responses to the SHVFD. The SHVFD in turn pays its members \$10 per call for responses. The payment to the members is based on individual call responses.

As part of the Town's FY22-23 budget, the SHVFD requested, and Council approved, funding a \$120,000 contribution for responding to fire calls. On July 5 of this year, Ms. Cutrell received a check request for Round 1 of this funding for calls from December 1, 2021 through June 30, 2022. The amount requested was \$69,250, leaving a balance of \$50,750. On December 1, Ms. Cutrell received a request from Fire Chief Michael Vaughan with supporting information for a contribution of \$57,160 for calls from July 1, 2022 through November 30, 2022. These requests total \$126,410 which is \$6,410 more than was requested for budget purposes. As it is not expected that this amount can be absorbed by the total Fire Department budget, Council will need to appropriate the additional funds so that the volunteer members can be fully paid for all calls to which they responded.

A motion was made by Councilor Honeycutt, second by Councilor Moody, to appropriate \$6,410 from the General Fund balance. The motion carried unanimously. Council thanked the citizens of South Hill and the SHVFD and its members for helping to address the needs of the community as well as the eastern part of the county.

C. Approval of Investment Policy Statement

Ms. Cutrell reported that as part of the paperwork required by First Citizens Bank for the investment of funds, an Investment Policy Statement must be approved by Council. The purpose of the Investment Policy Statement is to establish a clear understanding between the parties. This statement incorporates the statutory guidelines in the Code of Virginia known as the Investment of Public Funds Act.

As part of the FY24 budget process, staff plans to draft an all-encompassing Financial Policy Guideline for approval by Council which will address budget policies, investments, debt issuance, etc. Financial Policy Guidelines approved by the Council should eliminate the need for any future requests of this type.

A motion was made by Councilor Moody, second by Councilor Honeycutt, to approve the Investment Policy Statement as presented. The motion carried unanimously.

10. REPORTS TO ACCEPT AS PRESENTED

For efficiency, the following reports for December 2022 were presented as a group to accept as presented.

A. Town Manager Report

i. Facilities Reservation Calendar

As there were no current activities or reservations at Centennial Park, Parker Park, the South Hill Exchange, and other Town facilities for the current month, no calendar of activities and reservations was presented.

Kim Callis reported that staff will meet with the organizers of the 2023 Dixie Majors Baseball World Series on December 13 to begin planning for this event next July. World Series host requirements have changed significantly since South Hill hosted the 2011 Dixie Softball World Series and less is required of host towns. The organizers are responsible for all logistics, but staff wants to ensure our visitors have a great experience at Parker Park and throughout our Town and region. The fields will need to be closed for a couple of weeks prior to the World Series so that Town staff can perform maintenance.

Dixie Softball has inquired about building a playground at the Parker Park softball complex. Staff has asked them several times for a proposal indicating desired location, type of equipment, expected cost, etc. A public playground must meet very strict construction and safety requirements.

ii. Housing Analysis Updates

Kim Callis reported the Southside Planning District Commission held a virtual status meeting with the Department of Housing and Community Development (DHCD) on December 2 regarding the Mecklenburg County Housing Needs Assessment project. The assessment covers the entire county with specific information on all towns. The assessment will address and prioritize specific areas in each town where housing rehabilitation is needed. The information will be very important in applying for DHCD funding. A website reflecting specific data is expected to be available in January.

Mr. Callis requested a meeting with DHCD leadership to discuss the possibility of modifying or expanding its funding criteria. DHCD generally requires “neighborhood” improvement projects that usually cover a contiguous two to three-block area; however, in many cases, not all homes in a neighborhood require rehabilitation. Homes outside the project area are not eligible for funding. There are areas in South Hill and other towns where most of the homes on a street are in good condition, but a few need work. These areas do not qualify for DHCD funding under the current criteria. The homes that need work fall deeper into disrepair, which adversely affects the values of well-maintained homes. If we are able to convince DHCD to modify its criteria so that we can do some “spot” rehabilitation much good can be done. This would not adversely affect funding opportunities where entire neighborhoods need work.

On another note related to new housing development, the Regional Housing Market Analysis conducted by the Virginia Center for Housing Research at Virginia Tech is well underway. This study will provide information on housing supply and demand locally and regionally, including northern North Carolina. Housing Forward Virginia will use the information in this study to provide strategic guidance on how localities and the region can best implement ideas to develop housing

to meet various needs and income levels. Information on this analysis will be provided as it becomes available in the coming months.

iii. Funding for Replacement of Lead Service Lines

Mr. Callis shared that staff will be working with the Virginia Department of Health in the coming months to hopefully identify opportunities to replace old lead water service lines to homes and buildings at no cost to the Town or the property owners. The project will involve methodical and very detailed steps to apply for funding, identify the locations of the lead lines, and then ultimately replace the old lines. This effort is important to help improve water quality and reduce significant health concerns for our citizens.

B. Finance Report

i. Monthly Financial Report

Sheila Cutrell submitted the financial report as follows:

General Fund	- \$ 5,653,493.44	Total Investment Accounts	- \$24,667,135.98
Water and Sewer Fund	- 3,600,375.35	Total Police Dept. Savings	- \$ 33,209.25
Cemetery Fund	- 18,925.45	Total Taxes Due Thru 11/30/22	- \$ 2,259,667.08
Business Dist. Resurgence Grant	-	(Real Estate and Personal Property, all years)	
Total in Checking	- \$ 9,272,794.24		

ii. FY21-22 Audit

The FY21-22 audit is well underway. Staff anticipates presentation of the audit report by Robin Jones of Creedle, Jones & Associates, P.C. in the very near future.

C. Police Report

Chief Bowen submitted the police report. He reported there were 206 activity incidents, 52 reportable criminal offenses, 1313 calls for service, and \$13,750 property recovered. Other miscellaneous included 10 court hours, 40 training hours, 31 warrants issued, and 0 inoperative vehicles tagged.

He reported the following administrative news:

- Chief Stuart Bowen instructed Ethics at the training academy.
- Chief Stuart Bowen instructed Law Enforcement Ethics for the two criminal justice classes at Mecklenburg County High School.
- Auxiliary Officer Ethan Atkinson instructed Officer Survival at the training academy.
- Auxiliary Officer Michael Ritchie completed Supervisor In-Service at the Training Academy.
- Corporals Tony Solomon and Paul Jones completed Peer Support Certification Training at the training academy.
- Corporal Tony Solomon has been promoted to Sergeant. Officers Kendall Foster and Tyler Spillane have been promoted to Detective.
- Lieutenant Ryan Durham completed PELS training in Richmond.

D. Municipal Services Report

i. Projects Report

C.J. Dean submitted the projects report as follows:

- The Public Works Crew completed the installation of the waterline replacement on Northington Street and is now working on the sewer line replacement on Northington Street. The sewer work should be completed so that repaving of this street can occur this spring.
- The Town continues to review the easements that pertain to the waterline that runs from the old water plant to the Meherrin River water pumping station. Since this line is no longer active, the easement should be abandoned after all landowners are identified. Town staff is working with a surveyor to complete the process of parcel ownership identification.
- Mid Atlantic Broadband has contracted with a company to bury fiber optic lines to serve the Microsoft sites. The contractor began working to install the fiber optic lines from Powell Drive to Country Lane in two separate routes. The Town wants the public to be aware of the ongoing work and to be careful in the work zones. The work is anticipated to have some impact on vehicular traffic.
- Areas of the Town sidewalks that were identified as high-hazard areas by Precision Safe Sidewalks were repaired on November 20, 2022.
- As ball season has closed, the park has some projects that will be starting soon with an anticipated completion prior to the next ball season.

ii. South Hill Volunteer Fire Department (SHVFD) Report

Chief Vaughan submitted the fire report. Chief Vaughan reported the SHVFD responded to 70 total alarms with an average of 15 volunteers present per call. The current volunteer roster is 48. Calls responded to in Town were 33, within the county district were 23, and involving fire were 9. Mutual aid given was 6, and automatic aid received was 14. Training included apparatus familiarization, aerial operations, and cribbing and lifting. Fundraising efforts included the successful Brunswick Stew Sale on November 18.

He reported the following administrative news:

- The return of Truck 7 is still approximately one to two months out. The loaner truck is and has continued to be a huge asset. Parts continue to be the biggest setback.
- Approximately 95% of the equipment for Rescue 7 is in now, and the SHVFD hopes to have the rest by the end of the year, with the exception of a few small items on backorder. The Capital Expenditure for the Paratech Rescue Struts should be arriving in the next couple of weeks.
- The new Chief 7 Replacement Truck has been placed into service.
- The SHVFD is nearing the mid-point of the Brush 76 refurb project. Several members have traveled to the shop and are very happy with the progress.
- The body of Rescue 7 is just about done at the fab shop and will be headed to the paint shop very soon. The cab has been painted on the interior and they have completed the white overlay on the top. The red will follow soon.
- The South Hill volunteers have participated in several career days, school trips, and holiday parades and have received many great comments about the equipment and pride that the members have in their department and

community. None of this would be possible if not for their dedication and the Town of South Hill, who supports the SHVFD daily.

E. Code Compliance Report

i. Report of Activity

David Hash submitted the report of activity as follows:

Inspections Completed	-		41
Permits Issued	-		33
Fees Collected	-	\$	18,259.80
UEZ Exemption	-	\$	0
Rehab Exemption	-	\$	0
General Exemption	-	\$	0
Work Value	-	\$	8,689,882.00

New businesses included:

- HCK Design and Apparel, Inc., 521 W. Danville Street (retail)
- Creative Corner, 116 S. Mecklenburg Avenue (retail – art/craft classes)

ii. Dilapidated Properties

Along with the list of completed dilapidated properties, a report on the status of approximately 68 dilapidated properties was also presented.

F. Business Development Report

Brent Morris submitted the business development report as follows:

- Mr. Morris is continuing to work with small retailers looking at the downtown area. Several properties are currently under contract. In addition, he continues to work with Retail Strategies to recruit larger retailers.
- Mr. Morris, the Chamber of Commerce board, and staff planned and executed another hugely successful Hometown Christmas. Mr. Morris thanked everyone that was able to attend this event.
- Mr. Morris is continuing to work with a manufacturer looking at the Stage Distribution Center.
- Mr. Morris is working with investors who have purchased several buildings in the downtown area. He has been communicating with the Department of Housing and Community Development on grant opportunities that would help with renovating some of the larger projects he would like to see happen in the downtown.

G. Human Resources Report

Kristine Martin submitted the following administrative news:

- Lieutenant Ryan Durham graduated from the Professional Executive Leadership School (PELS). This program is an intensive three-week leadership education program, in collaboration with the University of Richmond, designed for individuals who currently serve in leadership positions within their organizations. The objective is to acquaint participants with best leadership practices, challenge them to reflect

upon their leadership competencies, and examine ways of achieving both personal and professional growth.

- The following Public Works Employees obtained their initial pesticide certification: Jacob Berryman, Brian Bratten, and James Clary.
- The Town is currently recruiting for two Maintenance Operator positions in the Parks and Grounds Department.
- The Town is currently recruiting for two to three part-time Maintenance Technicians positions for the SHVFD.
- The Town is in the interviewing and selection phases for the Police Officer and Police Captain (Deputy Chief) openings with the South Hill Police Department.
- Tony Solomon was recently promoted to the rank of Sergeant with the Police Department, effective November 19.
- Tyler Spillane was promoted to the rank of Detective with the Police Department, effective December 12.

A motion was made by Councilor Honeycutt, second by Councilor Luster, to Accept the Reports as Presented for December 2022. The motion carried unanimously.

11. COMMITTEE REPORTS

There were no committee reports.

12. APPOINTMENTS

A. Southside Planning District Commission (SPDC)

Mayor Marion reported the term of Lillie Feggins-Boone as an Elected Official on the SPDC will expire on December 31, 2022. Elected officials serve for the term they are elected. Ms. Feggins-Boone has been contacted and agrees to serve another four-year term commencing January 1, 2023 and ending December 31, 2026.

A motion was made by Councilor Moody, second by Councilor Luster, to reappoint Lillie Feggins-Boone to serve another four-year term on the Southside Planning District Commission beginning January 1, 2023 and ending December 31, 2026. Motion carried unanimously.

13. OTHER BUSINESS

A. Parking Regulations for the Intersection of Brunswick Avenue and Main Street

Councilor Moss stated he wants to make sure we are not limiting opportunities for our local businesses. Kim Callis commented work vehicles and fire engines cannot pass through if another vehicle is traveling when there are parked vehicles on both sides of the street. Police Chief Bowen reported there have been accidents at that intersection but they were not related to the Brown's business.

A motion was made by Councilor Taylor, second by Councilor Moody, to prohibit parking on the north side of W. Main Street from Mecklenburg Avenue to Lunenburg Avenue with no prohibition of parking on the south side of W. Main Street. The motion passed via **roll-call vote** as follows:

Councilor Crocker-Absent	Councilor Feggins-Boone-Aye
Councilor Graham-No	Councilor Honeycutt-No

Councilor Luster-Aye
Councilor Moss-No

Councilor Moody-Aye
Councilor Taylor-Aye.

Councilor Honeycutt commented and Councilor Moss concurred that they voted no because all businesses on that street were not contacted.

14. ADJOURNMENT

Kim Callis mentioned that Mecklenburg County and the Southside Planning District Commission lost long-time valued member Glanzy Spain on December 5.

There being no further business matters before the South Hill Town Council, Mayor Marion adjourned the meeting at 7:52 p.m.

VALIDATION

Minutes approved this _____ day of _____, 20_____.

Anna B. Cratch, Town Clerk

Dean Marion, Mayor

TOWN COUNCIL FOR THE TOWN OF SOUTH HILL, VIRGINIA

ORDINANCE

RE: VACATION OF A PORTION OF BUTTS STREET

IT IS HEREBY ORDAINED by Town Council for Town of South Hill, Virginia, that, upon application of Microsoft Corporation and pursuant to a duly noticed and conducted public hearing, the portion of Butts Street designated as "Butts Street Area To Be Vacated, 0.84 Acres or 36,486 Sq. Ft." on a certain plat thereof made by B & B Consultants, Inc., dated June 9, 2022 ("Plat"), is hereby vacated by the Town, and shall be discontinued as a public right-of-way. Further, a new right of way designated as "New R/W Area .28 Acres or 12,157 Sq. Ft. shall be constructed.

IT IS HEREBY FURTHER ORDAINED by Town Council that a certified copy of this ordinance, along with the Plat, shall be recorded in the Clerk's Office of the Circuit Court for Mecklenburg County, Virginia, and indexed in the name of the Town of South Hill, Virginia as Grantor, and Microsoft Corporation as Grantee.

IT IS HEREBY FURTHER ORDAINED that pursuant to Virginia law, after adoption of this ordinance the vacated section of Butts Street shall become property of Microsoft Corporation, which owns property adjoining the vacated portion of Butts Street on all three sides.

ADOPTED this 12th day of December, 2022.

	VOTING AYE	VOTING NAY	ABSENT
Randy Crocker	_____	_____	_____ ✓
Lillie Feggins-Boone	_____ ✓	_____	_____
Alex Graham	_____ ✓	_____	_____
Gavin Honeycutt	_____ ✓	_____	_____
Delores Luster	_____ ✓	_____	_____
Mike Moody	_____ ✓	_____	_____
Shep Moss	_____ ✓	_____	_____
Joseph Taylor, Jr.	_____ ✓	_____	_____

The undersigned hereby certifies that the foregoing is an accurate account of the vote taken at a duly convened meeting of Town Council for the Town of South Hill, Virginia, on the 12th day of December, 2022, at which a quorum was present at the time the meeting was convened and at the time said vote was taken.

By: Dean Marion
Dean Marion, Mayor

ATTEST:

Anna B. Cratch
Anna B. Cratch, Town Clerk

TOWN COUNCIL FOR TOWN OF SOUTH HILL, VIRGINIA

RESOLUTION

**RE: VOLUNTARY BOUNDARY ADJUSTMENT WITH
MECKLENBURG COUNTY, VIRGINIA**

After conducting a duly advertised Public Hearing this 12th day of December, 2022,

IT IS HEREBY RESOLVED by Town Council (“Town Council”) for Town of South Hill, Virginia (“Town”) that the Voluntary Boundary Adjustment Agreement (“Agreement”) between the Town and Mecklenburg County, Virginia (“County”), by which a parcel of property in the County (15.87 acres, TMP 097000-04-B, PR 19523), which property is owned by Microsoft Corporation, and is shown on a certain plat thereof made by James E. Temple, LS, of B & B Consultants, Inc., dated December 7, 2021, recorded in the Clerk’s Office of the Circuit Court for Mecklenburg County, Virginia, as Instrument Number 220003741 (“Plat”), will be relocated within the Town boundaries, is hereby approved in the form this day presented, and the Mayor or Vice-Mayor, either of whom may act, is hereby directed to sign said Agreement on behalf of the Town.

IT IS FURTHER RESOLVED by Town Council that the Town Attorney is hereby authorized and directed to work with the County Attorney to present to the Mecklenburg County Circuit Court a joint Petition of the County and Town by which approval of the Agreement is requested, and an Order by which the voluntary boundary adjustment is effected, and that the Mayor or Vice-Mayor, either of whom may act, is hereby authorized to execute any and all documents in connection with said voluntary boundary adjustment.

ADOPTED this 12th day of December, 2022.

Council Members:	Yea	Nay	Absent/Abstain
Randy Crocker	_____	_____	_____ ✓ _____
Lillie Feggins-Boone	_____ ✓ _____	_____	_____
Alex Graham	_____ ✓ _____	_____	_____
Gavin Honeycutt	_____ ✓ _____	_____	_____
Delores Luster	_____ ✓ _____	_____	_____
Mike Moody	_____ ✓ _____	_____	_____
Shep Moss	_____ ✓ _____	_____	_____
Joseph Taylor, Jr.	_____ ✓ _____	_____	_____

The undersigned hereby certifies that the foregoing is an accurate account of the vote taken at a duly noticed, called and convened meeting of Town Council for Town of South Hill, Virginia, held on December 12, 2022, at which a quorum was present at the time the meeting was convened and at the time said vote was taken.



Anna B. Cratch, Town Clerk/Clerk of Council

**MECKLENBURG COUNTY, VIRGINIA & TOWN OF SOUTH HILL, VIRGINIA
VOLUNTARY BOUNDARY ADJUSTMENT AGREEMENT**

THIS VOLUNTARY BOUNDARY ADJUSTMENT AGREEMENT (“Agreement”) is made and entered into this 12th day of December, 2022, by and between MECKLENBURG COUNTY, VIRGINIA (“County”), a political subdivision of the Commonwealth of Virginia, and TOWN OF SOUTH HILL, VIRGINIA (“Town”), a municipal corporation of the Commonwealth of Virginia.

RECITALS:

- R-1 The County and the Town have agreed to relocate a portion of the Town boundary line which separates the Town from the County.
- R-2 The boundaries of the 15.87 acres parcel situate in South Hill Magisterial District, Mecklenburg County, Virginia, and identified on the Mecklenburg County Tax Maps as TMP 097000-04-B, PR 19523 (hereafter “Property”), which Property is proposed to be relocated entirely within the Town boundaries, and which Property will, as a result, thereafter be located in the Town, are shown on a plat thereof made by James E. Temple, LS, of B & B Consultants, Inc., dated December 7, 2021 (“Plat”), recorded in the Clerk’s Office of the Circuit Court for Mecklenburg County, Virginia, as Instrument Number 220003741, a copy of which is attached as “Exhibit A” to this Agreement.
- R-3 The parties enter into this Agreement to evidence terms of the voluntary boundary adjustment agreed to between them.

WITNESSETH: That for and in consideration of the benefits inuring to the parties hereunder, and in further consideration of the duties imposed upon the parties hereby, the parties covenant and agree as follows:

1. The Town boundary line shall be relocated to include the entirety of the Property, so that the Property will thereafter be located within the Town boundaries.
2. Prior to the approval hereof, the parties have each published notice of a public hearing, and conducted a public hearing, at which the public was entitled to speak and comment on the terms of this Agreement.
3. At conclusion of each public hearing, each respective governing body acted to approve this Agreement, and authorize the signing hereof on behalf the County and the Town.
4. After the aforesaid public hearings, and the signing of this Agreement by an authorized representative of each governing body, the parties shall prepare and present to the Circuit Court for Mecklenburg County, Virginia, a joint petition by

which approval of this Agreement is requested, and an Order by which the boundary adjustment is effected.

5. A copy of the Court Order will be recorded in the land records in the Clerk's Office of the Circuit Court for Mecklenburg County, Virginia, and indexed in the names of the County as Grantor and the Town as Grantee, and to that recorded Court Order will be attached a copy of the Plat.
6. The owner of the Property is Microsoft Corporation, and as a result, the only property owner affected by the proposed boundary adjustment is Microsoft Corporation, to which notice of this boundary adjustment proceeding has been duly provided by both the County and the Town.
7. The parties may sign this Agreement in counterparts with the same effect as if the parties signed the same document. All counterparts shall be construed together and constitute one and the same document.

IN WITNESS WHEREOF, the County and Town have each caused this Agreement to be executed in its behalf by its duly authorized officer, agent or representative.

Date: _____ MECKLENBURG COUNTY, VIRGINIA

By: _____
Printed Name: _____
Title: _____

Date: Dec. 12, 2022 TOWN OF SOUTH HILL, VIRGINIA

By: Kim Callis
Printed Name: Kim Callis
Title: Town Manager

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AFFIDAVIT

STATE OF VIRGINIA,
COUNTY OF MECKLENBURG, to-wit:

The undersigned, Kim Callis, Town Manager Town of South Hill, Virginia, having first been duly sworn, hereby makes oath that, pursuant to Virginia Code Section 15.2-3107.B., a copy of the proposed Voluntary Boundary Adjustment Agreement between Mecklenburg County, Virginia, and the Town of South Hill, Virginia, and a copy of the plat made by James E. Temple, LS, of B & B Consultants, Inc., dated December 7, 2021, recorded in the Clerk's Office of the Circuit Court for Mecklenburg County, Virginia, as Instrument Number 220003741, showing the property owned by Microsoft Corporation (15.87 acres, TMP 097000-04-B, PR 19523) which is affected by the proposed boundary relocation, were sent by First Class U.S. Mail to Microsoft Corporation at the last known address shown on the current real estate tax assessment records of Mecklenburg County, Virginia, as follows:

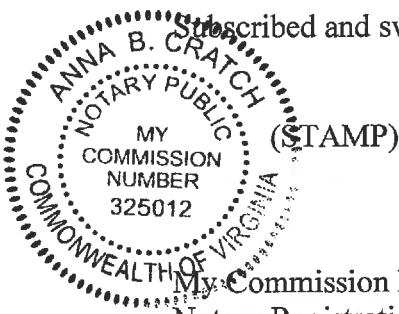
Microsoft Corporation
ATTN: Brett Boulter, Data Center Services
One Microsoft Way, Red West E-3051
Redmond, Washington 98052-6399

Given under my hand this 18th day of November, 2022.

Kim Callis

Kim Callis, Town Manager
Town of South Hill, Virginia

Subscribed and sworn to before me this 18th day of November, 2022.



Anna B. Cratch

Notary Public

My Commission Expires: June 30, 2026
Notary Registration Number: 325012



You'll like the view from

South Hill

Town of South Hill

Incorporated 1901

ADMINISTRATION
(434) 447-3191

CODE COMPLIANCE
OFFICIAL
(434) 447-5041

PUBLIC WORKS
(434) 447-3191

TO: Microsoft Corporation
ATTN: Brett Boulter, Data Center Services
One Microsoft Way, Red West E-3051
Redmond, Washington 98052-6399

FROM: Kim Callis, Town Manager
Town of South Hill, Virginia

DATE: November 18, 2022

A copy of a proposed Voluntary Boundary Adjustment Agreement between Mecklenburg County, Virginia and the Town of South Hill, Virginia is enclosed, as is a copy of the plat made by James E. Temple, LS, of B & B Consultants, Inc., dated December 7, 2021, recorded in the Clerk's Office of the Circuit Court for Mecklenburg County, Virginia, as Instrument Number 220003741, showing the property owned by Microsoft Corporation (15.87 acres, TMP 097000-04-B, PR 19523) which is affected by the proposed boundary relocation.

Enclosures

MECKLENBURG COUNTY, VIRGINIA & TOWN OF SOUTH HILL, VIRGINIA
VOLUNTARY BOUNDARY ADJUSTMENT AGREEMENT

THIS VOLUNTARY BOUNDARY ADJUSTMENT AGREEMENT (“Agreement”) is made and entered into this 12th day of December, 2022, by and between MECKLENBURG COUNTY, VIRGINIA (“County”), a political subdivision of the Commonwealth of Virginia, and TOWN OF SOUTH HILL, VIRGINIA (“Town”), a municipal corporation of the Commonwealth of Virginia.

RECITALS:

- R-1 The County and the Town have agreed to relocate a portion of the Town boundary line which separates the Town from the County.
- R-2 The boundaries of the 15.87 acres parcel situate in South Hill Magisterial District, Mecklenburg County, Virginia, and identified on the Mecklenburg County Tax Maps as TMP 097000-04-B, PR 19523 (hereafter “Property”), which Property is proposed to be relocated entirely within the Town boundaries, and which Property will, as a result, thereafter be located in the Town, are shown on a plat thereof made by James E. Temple, LS, of B & B Consultants, Inc., dated December 7, 2021 (“Plat”), recorded in the Clerk’s Office of the Circuit Court for Mecklenburg County, Virginia, as Instrument Number 220003741, a copy of which is attached as “Exhibit A” to this Agreement.
- R-3 The parties enter into this Agreement to evidence terms of the voluntary boundary adjustment agreed to between them.

WITNESSETH: That for and in consideration of the benefits inuring to the parties hereunder, and in further consideration of the duties imposed upon the parties hereby, the parties covenant and agree as follows:

1. The Town boundary line shall be relocated to include the entirety of the Property, so that the Property will thereafter be located within the Town boundaries.
2. Prior to the approval hereof, the parties have each published notice of a public hearing, and conducted a public hearing, at which the public was entitled to speak and comment on the terms of this Agreement.
3. At conclusion of each public hearing, each respective governing body acted to approve this Agreement, and authorize the signing hereof on behalf the County and the Town.
4. After the aforesaid public hearings, and the signing of this Agreement by an authorized representative of each governing body, the parties shall prepare and present to the Circuit Court for Mecklenburg County, Virginia, a joint petition by

which approval of this Agreement is requested, and an Order by which the boundary adjustment is effected.

5. A copy of the Court Order will be recorded in the land records in the Clerk's Office of the Circuit Court for Mecklenburg County, Virginia, and indexed in the names of the County as Grantor and the Town as Grantee, and to that recorded Court Order will be attached a copy of the Plat.
6. The owner of the Property is Microsoft Corporation, and as a result, the only property owner affected by the proposed boundary adjustment is Microsoft Corporation, to which notice of this boundary adjustment proceeding has been duly provided by both the County and the Town.
7. The parties may sign this Agreement in counterparts with the same effect as if the parties signed the same document. All counterparts shall be construed together and constitute one and the same document.

IN WITNESS WHEREOF, the County and Town have each caused this Agreement to be executed in its behalf by its duly authorized officer, agent or representative.

Date: _____ MECKLENBURG COUNTY, VIRGINIA

By: _____
Printed Name: _____
Title: _____

Date: _____ TOWN OF SOUTH HILL, VIRGINIA

By: _____
Printed Name: _____
Title: _____

REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

SURVEYOR'S CERTIFICATE

To Microsoft Corporation & Fidelity National Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 8, 11(a), 13, and 19 of Table A hereof. The field work was completed on December 7, 2021.

12/7/2021
 Date of Plat James E. Temple License #2246

GENERAL SURVEY NOTES:

1. Property currently owned by Diversity Real Estate, LLC per deed recorded in Instrument #190001760 and plat in Plat Book 10, Page 212.
2. The Basis of Bearings for this survey is: Virginia State Plane Coordinates (south) NAD '83.
3. There are no visible encroachments on the subject property or upon adjacent land abutting said property except as shown hereon. This survey was made in accordance with the laws and/or the Minimum Standards of the State of Virginia.
4. The properties described hereon are the same as the properties described in Fidelity National Title Insurance Company, Commitment File No. LV21-5480 with an effective date of October 15, 2021 that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to me have been plotted hereon or otherwise noted as to their effect on the subject property.
5. Said Property described is not located within an area having a Zone Designation by the Federal Emergency Management Agency (FEMA), per Flood Insurance Rate Map 51117C-0300-C, with an effective date of September 11, 2003.
6. The Property has direct access to VSR #642 Rocky Branch Road and VSR #643 Country Lane dedicated public streets or highways.
7. The Property contains 15.87 acres and is Tax ID #19523.
8. Wetlands shown hereon were located by others and information provided to the surveyor.

ZONING INFORMATION

Town of South Hill, Va.
 Zoning District: AG- Agricultural;
 Minimum Setbacks:
 Front: 75' from Right-of-Way 50' or greater or 100' to the centerline of right-of-way 50' or less
 Side: 10' Main structure or accessory structure
 Rear: 30' Main structure or 5' accessory structure

Zoning Source: (i.e. City GIS, PZR Report, City, County etc)

SCHEDULE B SECTION II EXCEPTIONS

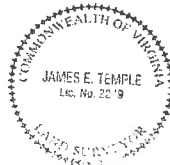
- Parcel 1
1. Subdivision Plat recorded in Plat Book 10, Page 212, which shows but is not limited to the following:
 - (a) Branch crosses western lot line. Rights of upper and lower riparian owners in and to the use of the water of creeks, streams or branches and the natural flow thereof.
 - (b) Overhead utility lines cross eastern portion of lot.
 2. Easement to Virginia Electric and Power Company recorded in Deed Book 127, page 105 is blanket in nature, Deed Book 141, page 412 is not applicable to this property, Deed Book 155, page 419 is plotted hereon and Deed Book 531, page 481 is plotted hereon.
 3. Easement granted to Virginia Telephone & Telegraph Company recorded in Deed Book 236, page 29 is plotted hereon.
 4. Easement granted to Central Telephone & Telegraph Company recorded as Instrument #140001809 is plotted hereon.
 5. Easements reserved by Virginia A. Smetley et alia recorded in Deed Book 498, page 693 and in Deed Book 549, page 604. Rights of others in and to the use of the said easements is not applicable to this property.



LEGAL DESCRIPTION OF 15.87 ACRES:

Beginning at a 3/4" iron p.n found on the western right-of-way of VSR #643 (Country Lane) having a 40' right-of-way and at the southeast corner of land now or formerly owned by Diversity Real Estate, LLC per deed recorded in Instrument #190001760 and plats recorded in Instrument #180003891 and Instrument #070005525; thence along the said western right-of-way of said VSR #643 S20°46'45"W a distance of 435.75 feet to a 3/4" iron pin found; thence continuing along the said western right-of-way of said VSR #643 S61°08'55"W a distance of 74.83 feet to a 3/4" iron pin found to the northern right-of-way of VSR #642 (Rocky Branch Road) having a variable width right-of-way; thence along the northern right-of-way of said VSR #642 S87°45'14"W a distance of 487.09 feet to a 3/4" iron pin found at the southeast corner of land now or formerly owned by Nancy D. Tanner & Stoney Wayne Tanner per deed recorded in Deed Book 610, page 775 and plat recorded in Deed Book 328, page 632; thence leaving the northern right-of-way of said VSR #642 and along the eastern property line of said Tanner property N03°12'17"E a distance of 205.16 feet to a 3/4" iron pin found; thence along the northern property line of land now or formerly owned by Garland W. Baird per deed recorded in Deed Book 463, page 698 and plat recorded in Old Plat Book 4, page 42; thence along the eastern property line of said Baird property N04°44'39"W a distance of 722.48.75 feet to a 3/4" iron pin found at the southwest corner of land now or formerly owned by Microsoft Corporation per deed recorded in Instrument #210003032 and plat recorded in Instrument #210002944; thence along the southern property line of said Microsoft Corporation N87°58'56"E a distance of 792.14 feet to a 3/4" iron pin found at the northwest corner of said Diversity Real Estate, LLC property; thence along the western property line of said Diversity Real Estate, LLC property S20°48'24"W a distance of 356.70 feet to a 3/4" iron pin found; thence along the southern property line of said Diversity Real Estate, LLC property S88°12'03"E a distance of 400.01 feet to the point of beginning. Containing 15.87 acres.

**ALTA/NSPS LAND TITLE SURVEY OF A 15.87 ACRE PARCEL
 FOR: Microsoft Corporation & Fidelity National Title Insurance Company
 Located in THE SOUTH HILL DISTRICT,
 MECKLENBURG COUNTY, VIRGINIA**



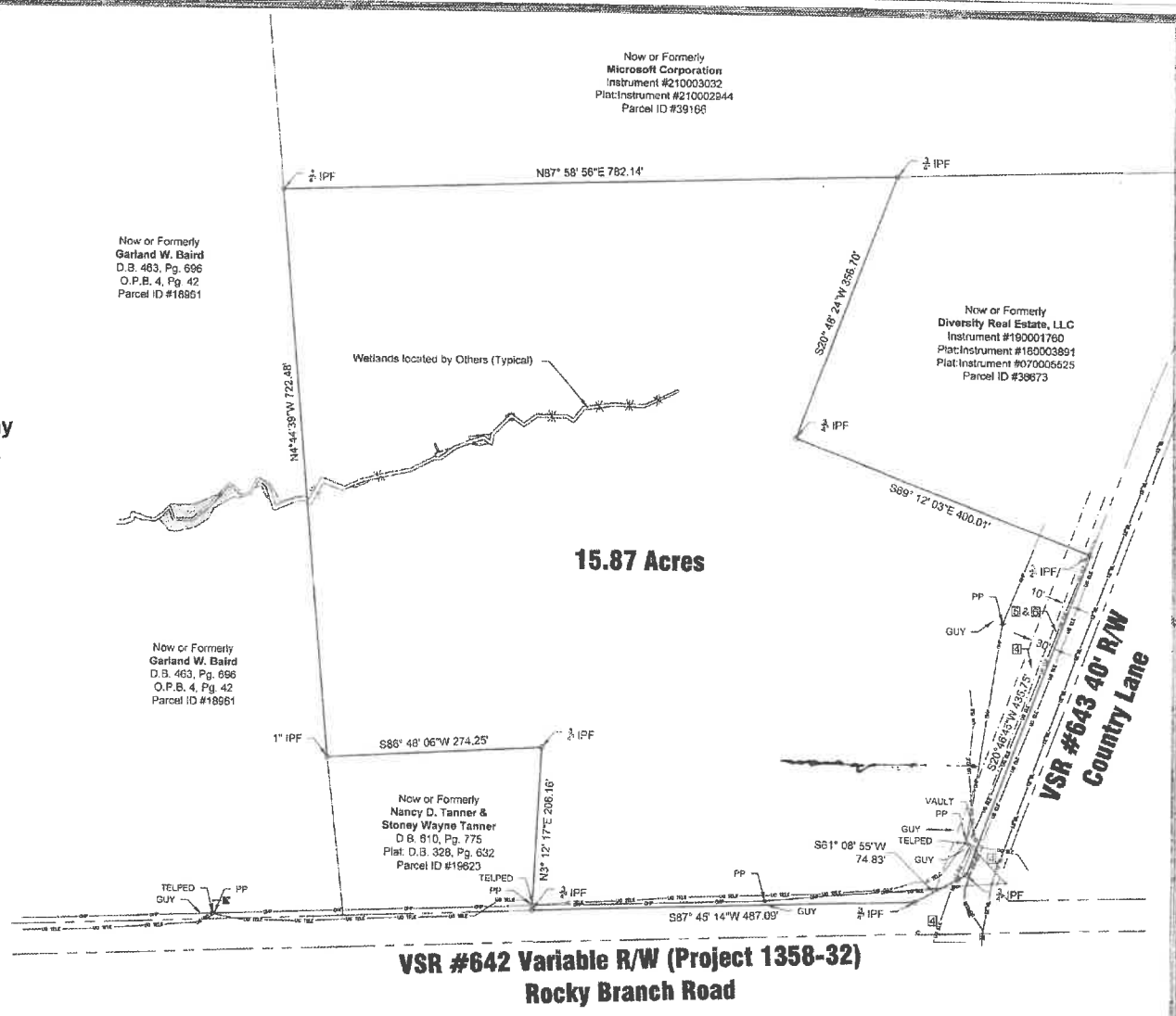
DATE: December 7, 2021
 FILE: 67721P-ALTA-NS-L



**ALTA/NSPS LAND TITLE SURVEY OF
A 15.87 ACRE PARCEL
FOR: Microsoft Corporation &
Fidelity National Title Insurance Company
Located in THE SOUTH HILL DISTRICT,
MECKLENBURG COUNTY, VIRGINIA**



- LEGEND:**
 EXP= Existing Pipe
 IPF= Iron Pin Found
 D.B. = Deed Book
 W.B.= Will Book
 P.B.= Plat Book
 O.P.B.= Old Plat Book
 R/W= Right-of-Way
 PP= Power Pole
 TELPED= Telephone Pictorial
 OHP= Overhead Utilities
 UG TELE= Underground Telephone
 UG ELE= Underground Electric
 WL= Water Line



Date: December 7, 2021
 Scale: 1" = 100'
 FILE: 57721A-ALTA-NB-L