



**SOUTH HILL TOWN COUNCIL**  
**REGULAR MEETING MINUTES**  
**MONDAY, MARCH 13, 2023, 7:00 P.M.**

The regular monthly meeting of the South Hill Town Council was held on Monday, March 13, 2023 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.

**I. OPENING**

As the prior special meeting exceeded the expected timeframe, Honorable Mayor Dean Marion called the regular meeting to order at 7:22 p.m. Mayor Marion called upon Town Clerk Anna Cratch to call the roll, which was as follows:

**A. Council Members**

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

Ashley C. Hardee  
Shep Moss

Gavin Honeycutt  
Michael Smith

Councilor Mike Moody was absent from the meeting.

**B. Staff in Attendance**

Stuart Bowen, Police Chief  
Sheila Cutrell, Dir. of Finance and Admin.  
Kristine Martin, HR Manager  
Howard P. Estes, Jr., Town Attorney

Anna B. Cratch, Town Clerk  
C.J. Dean, Dir. of Municipal Services  
Michael Vaughan, Fire Dept. Admin.

Mayor Marion shared the resignation notice from Town Manager Kim Callis, effective June 30, 2023. In it, Mr. Callis mentioned it has been his privilege to serve the community for almost 23 years and to work with many people on numerous efforts that contributed to the betterment of the Town.

**II. APPROVAL OF AGENDA**

Councilor Moss asked that Agenda Item “V. B. 3. Appointment of Acting Town Manager” be added. **A motion was made by Councilor Honeycutt, second by Councilor Moss**, to approve the agenda for March 13, 2023 as modified. The motion carried unanimously.

**III. CITIZENS TO ADDRESS COUNCIL**

At this point in the meeting, the following citizens addressed Council:

- Floyd Edmonds
- Stuart Taylor
- Wade Crowder

- Vivian Pompliano
- Anthony Pompliano
- Allen Thompson
- Vernon B. Oakley, Jr.
- Jason Wright

#### **IV. PUBLIC HEARINGS**

##### **A. Proposed MOU with VEPCO/Dominion Energy related to the Installation of Broadband Equipment on DEV Facilities – C.J. Dean**

C.J. Dean informed Council that Notice of a Public Hearing was published which asked for comments regarding a Memorandum of Understanding amending the VEPCO/Dominion Energy Virginia (“DEV”) franchise agreement.

By ordinance dated October 7, 1985 the Town granted Virginia Electric Power Company (“VEPCO”) a forty-year right to sell “electric current for light, heat and power at any point within the corporate limits of said Town as the same now exist or may hereafter be extended or altered.” Communications facilities to provide broadband service as we know it today did not exist in 1985 and were not included in the ordinance.

DEV, as VEPCO is now known, wishes to enter a Memorandum of Understanding (“MOU”) whereby parties thereto acknowledge the addition of communications equipment to DEV’s facilities for purposes of providing broadband service, and that DEV may lease these facilities to third parties for this purpose. The MOU will terminate at such time as the Town and DEV enter a new franchise agreement that includes language related to broadband.

Mr. Dean opened the Public Hearing.

- Wade Crowder inquired about the franchise. Mr. Dean stated DEV is asking to run fiber lines and other communications equipment on their poles.
- Emmett Williams asked how quickly it would happen. Mr. Dean stated this has been a pilot project in other communities. They will use the existing poles.
- William Lewis asked if this is associated with the fiber optic cable running in front of his house. Mr. Dean stated DEV is focused on the poles. The underground cable was with Mid-Atlantic Broadband Communities Corporation.

Mr. Dean closed the Public Hearing.

**A motion was made by Councilor Taylor, second by Councilor Feggins-Boone, to adopt the Memorandum of Understanding amending the VEPCO/Dominion Energy Virginia Franchise Agreement to allow the addition of communications equipment to DEV facilities and to allow the lease of these facilities to third parties as part of the Commonwealth’s initiative to extend internet service to rural areas. The motion carried unanimously.**

##### **B. Proposed Budget Amendment to Appropriate Funds for the FY22-23 Drainage Improvement Project – Sheila Cutrell**

Sheila Cutrell informed Council that Notice of a Public Hearing was published which asked for comments regarding a proposed budget amendment to appropriate \$523,189.00 in additional funds for FY22-23 for a drainage improvement project. This project was for drainage improvements on E.

Atlantic Street. Due to supply chain issues, the work was not completed by the close of FY21-22. As the appropriation technically lapsed with the close of the fiscal year, the funds for this project need to be appropriated in the FY22-23 budget.

Ms. Cutrell opened the Public Hearing.

- At Wade Crowder’s request for information, Ms. Cutrell reported the funds would cover the project on E. Atlantic Street. Mr. Crowder requested a little extra be added to cover fixing the potholes around Town.

Ms. Cutrell closed the Public Hearing.

**A motion was made by Councilor Honeycutt, second by Councilor Smith,** to appropriate \$523,189.00 from the Fund Balance of the General Fund to be utilized for the stated purpose. The motion carried unanimously.

**V. ADMINISTRATIVE REPORTS**

**A. Consent Agenda**

- 1. Minutes – February 13, 2023 Special and Regular Meetings**
- 2. Monthly Financial Report**

Sheila Cutrell submitted the financial report as follows:

General Fund	- \$ 5,350,873.00	Total Investment Accounts	- \$26,807,529.19
Water and Sewer Fund	- 3,128,250.87	Total Police Dept. Savings	- \$ 33,215.67
Cemetery Fund	- 20,525.45	Total Taxes Due Thru 02/28/23	- \$ 522,568.85
Nicks Lane Area Project Fund	- (2,455.00)	(Real Estate and Personal Property, all years)	
Total in Checking	- \$ 8,497,194.32		

**A motion was made by Councilor Honeycutt, second by Councilor Feggins-Boone,** to approve the consent agenda. The motion carried unanimously.

**B. Items for Approval**

**1. Finance Report**

**a. Appropriation of Funds – Local Law Enforcement Block Grant Program FFY22**

Sheila Cutrell reported the Town has been awarded a FFY22 Local Law Enforcement Block Grant through the Byrne Justice Assistance Grant Program which is administered in part by the Department of Criminal Justice Services. The \$4,326.00 grant will be utilized by our Police Department to purchase Power DMS (Document Management System) software for accreditation. Ms. Cutrell asked that the grant funds be appropriated for this purpose.

**A motion was made by Councilor Honeycutt, second by Councilor Luster,** to appropriate \$4,326.00 in grant funds from the Department of Criminal Justice Services for the stated purpose. The motion carried unanimously.

## 2. Municipal Services Report

### a. SSRS Bucket Drive Request

C.J. Dean informed Council the Southside Rescue Squad (SSRS) requests permission to hold its bucket drive fundraiser on Saturday, May 27, 2023 from 7:00 a.m. until 2:30 p.m. at the following six locations:

- Peebles Street/Furr Street
- W. Danville Street (near Rent-E-Quip)
- W. Atlantic Street (near VDOT facility)
- N. Mecklenburg Avenue (near SOVA office building)
- E. Atlantic Street (near Farrar Realty)
- Boyd Auto/Walmart Entrance

Floyd Edmonds was present to answer any questions. SSRS Fact Sheets were shared.

**A motion was made by Councilor Feggins-Boone, second by Councilor Taylor,** to approve the SSRS request to hold its bucket drive fundraiser on May 27 from 7:00 a.m. until 2:30 p.m. The motion carried unanimously.

### b. Acceptance of ARPA Funding Offer for Project SCS-17 Sycamore and Howerton Sanitary Sewer Extension

C.J. Dean reported the Town submitted a grant application to DEQ for the Sycamore and Howerton Street area as part of the funding for neighborhood improvements. That area is currently only partially served by the Town's sewer collection system. The area not currently served by sewer is lower than the existing sewer collection system and will require a sewer lift station to service the area. The Town has a CDBG planning grant for housing in this area that will culminate in a grant application for housing improvements. This DEQ grant in the amount of \$492,580.00 will be included as part of the upcoming budget. Mr. Dean reported the majority of residents in Town have water but some residents do not have sewer.

**A motion was made by Councilor Taylor, second by Councilor Luster,** to accept the funding offer from DEQ for project SCS-17, Sycamore and Howerton Sanitary Sewer Extension, and to authorize the Town Manager or his designee to sign all documents needed to complete this process. The motion carried unanimously.

## 3. Appointment of Acting Town Manager

**A motion was made by Councilor Moss, second by Councilor Honeycutt,** to appoint Mayor Dean Marion as acting Town Manager effective immediately. He shall carry out the duties that are consistent with this position, the duties that are set forth in the Code of Virginia § 15.2-1541, as well as the current job description for the Town Manager position on file with the Human Resource Officer. He shall be compensated at the same rate of the current Town Manager position with the exception of the monthly vehicle allowance and less his mayoral salary.

Councilor Taylor shared he would oppose the motion and encouraged the body to vote against the motion because one of the more challenging aspects for a politician is to maintain the hat

that sits on their head. He shared concern about the motion which would make the acting Mayor voted on by the public to be acting Town Manager until the Town Council chooses to employ a Town Manager which it deems to be qualified. The problem with this moving forward is the Mayor's position operates under a basically ceremonial range of duties/obligations; however, there are times that it has a very important procedural role which is to for instance, break tie votes among the Council. The thought that the Council even on a temporary basis and even in the unlikelihood that it would happen would name the current Mayor "acting Town Manager" someone who could actually end up breaking tie votes pertaining to the administration of the Town is an inherent conflict of interest and one which Councilor Taylor believes is foolish to set themselves up to endure whether it would happen on a rare occasion or multiple occasions. It is a rare feat for a public body to put itself intentionally in a position of creating and executing a conflict. He shared he says this with all due respect to his friend the Mayor whom he would wish to shield from both the administrative and political impact of that conflict.

The above motion regarding the appointment of acting Town Manager passed via **roll-call vote** as follows:

Councilor Feggins-Boone-No	Councilor Hardee-Aye
Councilor Honeycutt-Aye	Councilor Luster-Aye
Councilor Moody-Absent	Councilor Moss-Aye
Councilor Smith-Aye	Councilor Taylor-No.

### **C. Reports**

For efficiency, the following reports for February 2023 were presented as a group to accept as presented.

#### **1. Town Manager Report**

##### **a. Facilities Reservation Calendar**

Council was presented with a calendar of activities and reservations at Centennial Park, Parker Park, the South Hill Exchange, and other Town facilities.

#### **2. Police Report**

Chief Bowen submitted the police report. He reported there were 386 activity incidents, 37 reportable criminal offenses, 715 calls for service, and \$1,511 property recovered. Other miscellaneous included 9 court hours, 25 training hours, 35 warrants issued, and 0 inoperative vehicles tagged.

He reported the following administrative news:

- Sergeant Mike Watters and Corporal Brandon Campbell assisted with Firearms Instruction at the training academy for the current basic school.
- The following Police Department Officers and Civilian Employees completed Adult First Aid and CPR/AED recertification held at the Police Department: Donna Burch, C.B. Fleming, Chris Parrott, Ricky Spence, Evan Bias, Aaron Petrie, Dennis Harris, Ryan Mills, Brandon Campbell, Russ Inge, Ryan Durham, John Childers, Mike Watters, Stuart Bowen, Tyler Spillane, Kendall Foster, James Crawford, and Greg Geist.
- The following completed certification/recertification in REVIVE! Basic Rescuer Training for First Responders at the Police Department: Evan Bias, Donna

Burch (recertification), Dennis Harris, Aaron Petrie, Ricky Spence, and Tyler Spillane. Instructors were Corporal Paul Jones and Sergeant Tony Solomon.

### **3. Municipal Services Report**

#### **a. Projects Report**

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

- The Public Works Crew completed the work on the Plank Road drainage issue and is bidding out the work for the Forest Hill Drive and Sunset Lane drainage project.
- Mid Atlantic Broadband has made substantial progress burying the fiber optic lines in Town to serve the Microsoft sites. The project should be completed in the near future.
- RedZone Robotics has begun the investigative sewer work. The field work will take several more months to complete.
- The Town continues to work with landowners and Dominion Power for utility service to newly installed sewer utilities.
- The Parks Department has been busy as a string of dry weather allowed for working on the ball fields. The baseball and softball leagues met with the Town to review the tournaments scheduled for later this year.
- The wastewater plant personnel have submitted the renewal paperwork for the Town's discharge permit. The renewal process happens every five years.

#### **b. South Hill Volunteer Fire Department (SHVFD) Report**

Chief Vaughan submitted the fire report. Chief Vaughan reported the SHVFD responded to 45 total alarms with an average of 14 volunteers present per call. The current volunteer roster is 42. Calls responded to in Town were 20, within the county district were 25, and involving fire were 6. Mutual aid given was 6, and automatic aid received was 10. Training included Basic Pump Operations, Lifting and Shoring, and Firefighter I. Fundraising efforts included the very successful Fish Supper on March 4 and Rescue 7 Apparel.

He reported the following administrative news:

- Truck 7 is behind schedule again waiting on repairs as they are awaiting crucial components. The loaner truck continues to be a huge asset and the SHVFD could not have been as successful without it.
- The SHVFD currently has approximately 99% of the equipment in. They have received some very exciting news. Final inspection on the new rig will be March 27, 28, 29, and 30 in Wisconsin. They have also been chosen for the FDIC World Showcase to represent Pierce Fire, South Hill Fire, and the Town of South Hill in Indianapolis Indiana. This has never happened before by any agency in the Southside Virginia Volunteer Fire Association.
- The SHVFD anticipates Brush 76 to be completed by March 10 and hopes to have it back in service in the next two weeks. Several members have traveled to the shop and are very happy with the build. Volunteers cannot wait to share the upgraded unit.
- Countywide training for new mobile data terminals will begin shortly to allow the new tablets to be installed and placed into service by all emergency

vehicles. Mecklenburg County has received all the equipment and is very close to wrapping up the training program.

- The SHVFD had a much easier February, as call volumes were down. Volunteers continue to say thanks and want to show their gratitude for the support given to this agency daily.

**4. Code Compliance Report**

**a. Report of Activity**

David Hash submitted the report of activity as follows:

Inspections Completed	-	26
Permits Issued	-	31
Fees Collected	-	\$ 12,143.30
UEZ Exemption	-	\$ 0
Rehab Exemption	-	\$ 0
General Exemption	-	\$ 0
Work Value	-	\$ 2,429,224.66

New businesses included:

- Gifts from God, 935 W. Atlantic Street (flea market vendor)
- Bratcher’s Appliances, 935 W. Atlantic Street (flea market vendor)
- ESH Sales, 935 W. Atlantic Street (flea market vendor)
- Memories From the Past, 935 W. Atlantic Street (flea market vendor)
- Brittany Robinson, 935 W. Atlantic Street (flea market vendor)
- Still Waters, 935 W. Atlantic Street (flea market vendor)
- The Love Café, 120 South Hill Avenue (restaurant - new owners, National Black Farmers Association)
- Double D’s Smokehouse Grill, 1169 E. Atlantic Street (restaurant)
- South Hill Chamber of Commerce, 201 S. Mecklenburg Avenue (retail merchants/pop-up shops)

**b. Dilapidated Properties**

Along with the list of completed dilapidated properties, a report on the status of approximately 72 dilapidated properties was also presented.

**5. Business Development Report**

Brent Morris submitted the business development report as follows:

- Mr. Morris continues to promote buildings in the downtown to prospective businesses.
- He is working with the South Hill Chamber of Commerce on the recruitment process for a new executive director. They are also working to secure another \$10,000 grant from Virginia Tourism Corporation for customer service training for local businesses.
- He and the Human Resources Manager are working on new collateral materials and promotional items for an upcoming job fair. This includes new materials that

explain the overall compensation packages that give the Town a competitive edge.

- The Town has been experiencing a significant amount of interest from potential businesses. Mr. Morris is continuing to push out information such as tax rates, traffic counts, and available properties to these prospects.

## **6. Human Resources Report**

Kristine Martin submitted the following administrative news:

- Congratulations to Chris Beachum and James Hutton (Public Works) in completing a three-week CDL Program and obtaining their CDL Class B license.
- Ryan Powell has accepted the position of Wastewater Trainee effective March 13, 2023. Mr. Powell was hired at the Town in the Streets Department in August 2021 as Maintenance Operator. He is excited about this new developmental opportunity.
- The Town is currently recruiting for a Maintenance Operator in the Streets Department.

**A motion was made by Councilor Honeycutt, second by Councilor Hardee,** to accept the reports as presented. The motion carried unanimously.

## **VI. OTHER BUSINESS**

No items were presented under Other Business.

## **VII. ADJOURNMENT**

There being no further business matters before the South Hill Town Council, Mayor Marion adjourned the meeting at 7:59 p.m.

## **VALIDATION**

Minutes approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Anna B. Cratch, Town Clerk

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Dean Marion, Mayor



**MEMORANDUM OF UNDERSTANDING**  
**as to Communications Facilities with**  
**Dominion Energy Virginia’s Franchise Agreement**

THIS MEMORANDUM OF UNDERSTANDING (this “Memorandum”), made and entered into this 13 day of March, 2023, by and between the **Town of South Hill**, a political subdivision of the Commonwealth of Virginia (the “Town”) and **Virginia Electric and Power Company**, a Virginia public service corporation doing business in Virginia as Dominion Energy Virginia (“DEV), hereby recites and provides as follows:

RECITALS:

- A. On October 7, 1985, by Ordinance, the Town granted a franchise to DEV (the “Franchise”) to allow DEV to “. . . acquire, construct, install, operate, maintain and use . . . poles, towers, structures, attachments, wires, cables, conduits, ductways, manholes, handholes, meters, appliances and other equipment necessary or useful in the distribution or sale of electricity” in the streets, alleys, and public places of the Town, all as more particularly described in the Franchise.
- B. Through a series of initiatives, the Commonwealth of Virginia (the “Commonwealth”) has prioritized extending high-quality broadband communications networks throughout Virginia to achieve universal access to high-speed internet within Virginia.
- C. In 2019, the Commonwealth established a pilot program to promote collaboration between localities, electric utilities, and internet service providers to connect unserved areas to high-speed internet.
- D. DEV participated in the pilot program, has been cooperating with the Commonwealth’s initiative by obtaining rights to add broadband lines within its existing rights-of-way to help expand broadband facilities using DEV’s existing infrastructure for the distribution of electricity.

- E. The initial pilot program has been expanded, and DEV is continuing to expand the installation of broadband facilities within its rights-of-way to help the Commonwealth meet its goal of universal access to high-speed internet within the Commonwealth.
- F. Consistent with this objective, DEV desires to install broadband facilities within a portion of the Franchise that it has with the Town, and the Town desires to permit DEV to do this.

**AGREEMENT:**

Therefore, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and DEV enter into this Memorandum and agree as follows:

1. The foregoing recitals are hereby incorporated by reference.
2. The rights granted to DEV in the Franchise to “. . . acquire, construct, install, operate, maintain and use . . . poles, towers, structures, attachments, wires, cables, conduits, ductways, manholes, handholes, meters, appliances and other equipment necessary or useful in the distribution or sale of electricity” shall be understood by DEV and the Town to include, within the Broadband Areas of the Franchise, the rights to:
  - 2.1 Attach, operate, and maintain, additional cables, including but not limited to fiber optic cables, wires, attachments, and other transmission facilities as DEV may from time to time deem advisable, and all equipment, accessories and appurtenances desirable in connection therewith (the “Broadband Facilities”), including the right to increase or decrease the number of wires, all for the purpose of transmitting voice, text, data, internet services, and other communications services, including the wires and attachments of third parties (the “Communication Rights”);
  - 2.2 Lease or license the right to transmit signals, data, or other communications through such Broadband Facilities, in whole or in part to third parties as may be useful or practical, including the rights to transmit third party data and the right to lease or license surplus communications capacity to third parties through such Broadband Facilities; and

2.3 Install such additional pole, guys, and anchors on said property as may be necessary for purposes of the safety and stability of the communication facilities.

3. All other terms and conditions of the Franchise are hereby ratified and affirmed.
4. This MOU will terminate once the Town and DEV enter and sign a new Franchise Agreement that includes broadband language as noted in this document.

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**IN WITNESS WHEREOF**, each of the parties to this Memorandum has caused the same to be executed in the day and year first above written.

Town:

**TOWN OF SOUTH HILL**, a political subdivision of the Commonwealth of Virginia

By: *Den Mann*

Its: *Mayer / acting Town Manager*

APPROVED AS TO FORM:

*[Signature]*  
Town Attorney

DEV:

**VIRGINIA ELECTRIC AND POWER COMPANY**, a Virginia public service corporation doing business in Virginia as Dominion Energy Virginia

By: *Sh. Reilly*  
Shaun Reilly  
Manager-Electric Distribution Design