

**The regular meeting of the Boydton Town Council was held on October 10, 2017, at 7:30 P.M. in the Town Hall Council Chambers with Vice Mayor Thomas G. Gill presiding.**

**THOSE PRESENT**

**Thomas Coleman III, Mayor (Absent)  
T. G. Gill, Vice Mayor  
W. H. Coleman  
Bill Thompson  
J. M. Kirkland  
David M. Crowder  
Ronny Worley  
Shirley S. Bowen, MMC, Clerk-Treasurer  
Krystle S. Magann, Deputy Clerk**

**GUESTS**

**Mr. & Mrs. Donna Ober  
Mrs. Allen Getz  
Mr. R. H. Park III, WWTP Chief Operator  
Ms. Olivia Allison, South Hill Enterprise  
Mr. Walter Beales  
Mr. Ray Smith, Maintenance Supervisor  
Mr. Dave Eason  
Ms. Mildred Winn**

**Vice Mayor Thomas G. Gill opened the regular meeting by welcoming everyone for their attendance at tonight's meeting. He then began with the pledge of allegiance to the flag and a moment of silence.**

**In following the agenda, the Vice Mayor stated that the town attorney, Mrs. Bacon, was to be here, but due to a conflict, she wouldn't; therefore, he moved on to the next order of business, but stated that he would come back to an issue pertaining to her later on in the meeting.**

**Vice Mayor Gill requested approval of the minutes from September 12, 2017. Councilman David M. Crowder moved to approve the September minutes as submitted, with Councilman J. M. Kirkland seconding the motion. All members voted unanimously.**

**Vice Mayor Gill requested a motion to pay the bills for the month of October 2017. Councilman J. M. Kirkland moved to pay the October 2017 bills, as presented. Councilman W. H. Coleman seconded the motion, with all members voting in favor.**

**Police Chief Danny R. Fox, greeted everyone and briefed the council on his police activity during the month of September. Chief Fox reported that he had (3) vehicle stops, (1) mental health call, and (1) rescue assist for the month. Chief Fox stated that he will be set up from 5:30 P.M. to 8:30 P.M. for "Trick or Treating" on Halloween night this year, and no one over the age of 13 could wear a mask. Vice Mayor Gill advised Chief Fox that he had concerns about speeding on Jefferson Street and asked if there was anything that could be done. Chief Fox stated that he would get the speed box from the sheriff's office set up to see if that would slow the traffic down for a while.**

**Mr. R. H. Park III reported that Boydton's Department of Water, RRSA Meter Readings Report of water pumped for September 2017, was 1,199,000 gallons. Mr. Park III updated the council on the metered manhole at the Industrial Park. He stated that it is up and running fine and we would begin using it this month. Mr. Park III reported that the fence at the WWTP had been fixed and the cost came in at the bid price. Mr. Park III also stated that an estimate**

for a generator from Carter Machinery was included in the council packets and he would like the council to consider this at budget time next year, since it would need repair; however, it's not necessary now, but expects it would be within the next year. He reported that the control panel that runs the generator isn't serviceable and the entire unit would have to be replaced. If any one part should go out, and since it such a large job, it would take 3-5 days to remove and replace the generator. Mr. Park III updated the council on the work at the WWTP plant being completed by November 15<sup>th</sup> -16<sup>th</sup>. He said that everything is coming along well and is working as planned, but the biggest holdup is the electrical work, since the wires are having to be pulled in to tie to other components, which was very time consuming. Also, he noted that there was an unexpected flow that came into the plant from the Industrial Park, which helped to test the items they had put into it earlier, along with the flow coming in at between 1,000-1,100 gallons a minute for an hour and a half. He continued by saying the plant did just like it was designed to do, with the flow that came in representing about 4 times the actual capacity of the plant. Councilman Ronny Worley asked, "What is the capacity of the plant?" Mr. Park III stated, "It is 360,000 gallons a day and 250 gallons a minute." Councilman Worley asked, "What do we have in use right now?" Mr. Park III stated, "We use 100,000-130,000 gallons a day, depending on what we get from the Industrial Park." Councilman Worley asked, "What did you spend \$4,500.00 on for the generator?" Mr. Park III advised that 15 years ago, the generator wasn't wired correctly and they had to get that fixed to be compatible with the current meter that was put in. We run a Delta High Leg, and the generator was wired for a "Y." We feel like this was causing a lot of our problems and burned out the motor and the computerized equipment. When the manufacturer came down, he got with the engineer and they informed me that the generator was not putting out the proper volts and then found it was wired incorrectly. It then had to be switched over from the "Y" to the Delta & a regulator replaced on the generator part. Councilman Worley stated that before they go with this current bid on replacing the unit in the generator, that we need more bids. Mr. Park III stated that he would check into it with Councilman Worley also advising him, that he had a person for him to call, as well. Vice Mayor Gill remarked, "Concerning the generator, Mr. Park III called me on that issue and I told him to go ahead and get it repaired, since it was something that needed to be done now." Mr. Park III then stated, "If it wasn't fixed, all the electrical work would have been put on hold until the generator could be fixed." Councilman W. H. Coleman inquired about a pump setting down at the end of Washington Street, and if it needed to be put inside out of the weather. Mr. Park III informed him that it was made to set out in the weather; however, it had been moved in the last few days.

Mr. Ray Smith reported that he had a request to purchase four (4) new tires for the back of the garbage truck, since they were all slick & had chunks taken out of them. Two quotes were received from G & E Tire for \$1,400.00 and Ingram Tire for \$1,600.00 to cover the cost of the tires and installation. Councilman Ronny Worley moved to purchase the tires from the low bidder. Councilman J. M. Kirkland seconded the motion, with all members voting in favor. Mr. Smith mentioned the "yellow house" and Vice Mayor Gill interjected by saying that this was possibly the best time to talk about the "yellow house" on Jefferson Street. He said that it

was decided at the last meeting to get bids on tearing that house down, but it had come up that it's not quite as simple as just tearing it down. Vice Mayor Gill advised, "We contacted, or Shirley contacted our town attorney (with Councilman Coleman saying, "That's the problem") and in the packet you got this agreement and basically what it says...just to cut to the chase...whoever tears it down, has got to dispose of it at the landfill, and now some of it such as bricks, blocks or whatever, I don't think has to, but any material would have to be put at the landfill or disposed of at the landfill. The attorney basically states here, as you all read, this Indemnity Agreement, goes into a long drawn out thing, and she says, I do not think this will relieve the town of all liability, if something bad happens. I left blanks for the contractor and the property address." Councilman W. H. Coleman asked, "What do you mean the liability, Tinker?" Vice Mayor Gill stated, "I'm just saying what she's got in here, Bill, the liability...from what I've been told...you cannot transfer the liability of the town to a contractor, an individual, a company, or whoever that tears it down. If it's not disposed of at the landfill, then the town could be held responsible, could be sued, or whatever." Mr. Smith then stated, "I didn't have anything to do with that, but I did what you all told me to by getting three (3) quotes with Councilman Coleman saying, "No, I'm not fussing at you, Ray." Mr. Smith continued, "I got one verbal quote and one was gotten two (2) years ago, and I had to call him back to tell him that it was mandatory to take it to the landfill and I have one written quote that Shirley has and they range from \$5,500 -\$7,500." Mr. Smith advised the council, "We may need to reaffirm to the bidders, that whoever tears the house down and disposes of it, knows about the agreement & agrees to the terms of it." It was the consensus of the council that this should be done. Council J. M. Kirkland voiced his opinion on the subject by saying that he felt this whole thing had been blown out of proportion, as well as, other things had been in the past. Vice Mayor Gill asked that Councilman Bill Thompson explain to the council on what one contractor had run into with the town of Norlina, NC. Councilman Thompson stated that Keith King was the contractor who bid \$7,500 to tear down the "yellow" house, since it had to be taken to the landfill and also, due to a situation that he encountered in Norlina, NC, which ended up costly and with legal issues for that town. Councilman W. H. Coleman moved to go with the low bidder, if he meets the qualifications and if that bidder doesn't agree to the terms, then move on to the next lowest bidder. Councilman J. M. Kirkland seconded the motion, and all members voted in favor.

Councilman David M. Crowder stated that he and Mr. Jimmy Walters went to the recent Rails-To-Trails meeting in South Hill where all the communities were represented. He said that it was pretty interesting, but the biggest issue was who would maintain the trail in their own areas. Everyone there stated, "If it's your portion of the trail in your town, then the town would be responsible." Councilman Worley stated, "When the idea was first brought up, the town agreed to take care of it, but how far do we go?" Councilman Crowder stated that he had the exact same question and he felt the County should have to step in because Boydton should not have to maintain the trail halfway to Clarksville, when it's outside of the town limits or a mile out of the town limits. Walter Beales stated that in the past, his understanding was that it would only be within the town limits. Mr. Beales also stated that Jimmy Walters & Elmer

Hodge mentioned that they would like to have a work session with the town council concerning the Rails to-Trails in November. Councilman Worley stated that Mr. Beales just needs to consult with Mr. Hodge and find out what day and time works best for him and to let us know, so we can work around his schedule. Vice Mayor Gill requested that once Mr. Beales finds this information out, then he should let Mrs. Bowen, Clerk-Treasurer, know so she can touch base with the council to get the meeting on the calendar. Councilman J. M. Kirkland inquired about the maintenance of the trail within the town of Boydton, and if the conversation had come up with the regional jail utilizing the inmates to help with cleaning the trail and asked if that would be a possibility. Mr. Ray Smith informed the council that the inmates were used on the trail once here, but they had to use our weed eaters, our lawnmowers, and gas for around three (3) hours of their time. Chief Danny Fox suggested that someone reach out to the regional jail authority to find out when they could be put on their board's next meeting agenda to ask these questions. Chief Fox stated that he would find out when the next meeting would be and let Mrs. Bowen know.

Vice Mayor Gill stated that the Town Attorney, Mrs. Bacon, had brought to the council's attention that the town currently already has the authority to limit temporary signs, in our signage ordinance, and the signs couldn't be in the town limits any longer than 30 days; such as, the County fair and internet signs. Councilman J. M. Kirkland stated that he personally doesn't see a problem with having the signs out, if they aren't in the way of cutting the grass and driving, and if they are in the way, then the maintenance workers could remove them, but most of these signs would be in place for a short amount of time, and if it is already written and in place within the town's current signage ordinance, then it needs to be left as it's currently written. Councilman David M. Crowder stated that in the future, if there was an issue with one of the temporary signs, then we could address it then. Mrs. Bowen, Clerk of Council, agreed since it specifies in the town ordinances under definitions, that it wouldn't be beneficial to rewrite new language and have a public hearing, since what we already have is sufficient.

Councilman W. H. Coleman reminded the council and guests that Boydton Day is two (2) weeks from Saturday. Vice Mayor Gill stated that Boydton Days would be on Friday, Saturday, and Sunday. On Friday night at 7:00 P.M., at the old Presbyterian Church, would be the Vesper Service, Saturday's event would be from 9:00 A.M. to 4:00 P.M., and the parade would be at 10:00 A.M., and on Sunday at 9:30 A.M. there would be a community wide church service at the Bingo Hall with the surrounding churches invited.

Vice Mayor Gill stated that a Planning Commission meeting would be held on Thursday, October 19, 2017, at 7:00 P.M. in the council chambers. Mrs. Bowen, Clerk of Council, stated the commission advised her, that they wanted to continue reviewing the Comprehensive Plan.

Vice Mayor Gill informed the council that Mrs. Bowen had advised him that there had been a lot of brush picked up for town citizens that's being carried to the dumpsite, and she doesn't have a utility account set up for these town citizens and would like to know what she's to do.

**Mrs. Bowen said that she has been told by some town citizens on a few occasions, that garbage and brush had been picked up in areas where those citizens don't have an account with the town, nor do they have water and sewer, and she continued by stating that they have not been into the town office to fill out paperwork to open an account. She informed the council that she didn't know this was being done, until it was recently brought to her attention. Councilman W. H. Coleman asked, "What is a utility account?" Mrs. Bowen stated, "It is the water, sewer, and sanitation bill that is sent out each month." Councilman Ronny Worley stated, "Don't pick up the brush or garbage." Mrs. Bowen then responded, "The guys didn't know what to pick up and what not to, when it's all out there along the streets and not knowing who it belonged to." Councilman Worley remarked, "What has been done, has been done by mistake, and to not pick it up next time." Councilman W. H. Coleman stated not to pick it up, as well. Mr. Ray Smith responded that prior to the BBQ Battle there were trash bags out and the maintenance guys decided to pick it up to spruce up the area prior to this event and I think the next door neighbor saw the guys picking it up and then came into the office to complain. Councilman W. H. Coleman stated to forget about all of this, since it wasn't worth bringing up.**

**Vice Mayor Gill stated that the town had a request for rezoning at 288 Madison Street, almost directly across from Councilman Bill Thompson's house. He said that Attorney Suzanne Inge would like to purchase this home and have the zoning changed from an R1 District to an R2 District, with it becoming her law office, verses a residential home. Vice Mayor Gill stated that the request would need to be sent to the Planning Commission to review and voted on, as well as, the contiguous property owners notified and a public hearing held. Vice Mayor Gill asked Mrs. Bowen to handle getting this to the Planning Commission. Mrs. Bowen responded by stating that Dr. David Eason was in attendance for tonight's meeting, as the Chairman of the Planning Commission, and she would give all the information she had to him. She continued by saying that after the Planning Commission meeting, she would send out 1<sup>st</sup> Class letters to the contiguous property owners and also, advised that there will be a joint public hearing on November 14<sup>th</sup> at 7:00 P.M. regarding this request with our regular council meeting to follow.**

**There being no further comments, questions or concerns, Councilman J. M. Kirkland moved to adjourn the meeting, which was recorded by the Clerk at 8:30 P.M. Councilman Ronny Worley seconded the motion, with all the members voting in favor.**

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**Krystle S. Magann  
Deputy Clerk**

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**T. G. Gill  
Vice Mayor**

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**Shirley S. Bowen, MMC  
Clerk-Treasurer**