

# TOWN OF SCOTTSVILLE

**Town Council  
Working Session**  
Monday, March 10, 2014  
Victory Hall  
401 Valley Street  
Scottsville, Virginia

*Mayor*  
Jesse B. Grove III

*Town Council*  
Nancy E. Gill  
R. Daniel Gritsko  
Jeannette E. Kerlin  
Elizabeth M. Knotts  
Robert E. O'Halloran  
Ronald L. Smith

## MINUTES

Mayor Grove called the meeting to order at 7:00 p.m. Ms. Gill, Mr. Gritsko, Ms. Knotts, Mr. O'Halloran, and Mr. Smith were present. Ms. Kerlin was absent. Also in attendance were Town Administrator George Goodwin, Town Attorney James Bowling, and Town Clerk Amy Moyer. The items discussed were as follows:

*Police Chief's report:* Mayor Grove noted that he recently learned of the radio communication problem in Scottsville after an incident that occurred when Officer Morris attempted to apprehend a violent person. Chief Robert Layman explained that there was an incident with resisting arrest, the radio system did not function well, and ECC could not reach Officer Morris. Once county police were dispatched, they responded in a timely fashion, but the problem was that they did not know immediately to respond. Chief Layman noted that they have been aware of radio issues for police, fire, and rescue in the area ever since this radio system has been in place, and they have tried numerous times to reach a solution.

Mayor Grove related that Mr. Goodwin, Supervisor Jane Dittmar, and he talked to Tom Hanson with ECC about the hole in radio coverage on Valley Street. They were informed by Mr. Hanson that this has existed a long time, there was a long wait for FCC approval to install a radio repeater on the tower in Buckingham but it has now been installed, and now he is waiting for US Cellular to approve the site plan for a trench to run power to the repeater. This will presumably solve the radio hole in the Town of Scottsville but may not solve the problems in other areas of southern Albemarle.

Mr. Goodwin said approval is expected this week, but the trench has to be hand-dug because of utility lines. This repeater goes to a T-1 line and is only a temporary solution. The long-term solution is a line-of-sight repeater on Carters Mountain.

Chief Layman noted that with only one officer on duty, there is no coverage in town after an arrest is made, as the officer must then travel to Charlottesville to book and process this person.

Lieutenant Greg Jenkins of the Albemarle County Police Department joined the discussion. Mayor Grove asked about coverage and response times in the area. Lieutenant Jenkins responded that it depends, explaining that shifts are scheduled to overlap coverage in the busiest times of day. Lieutenant Jenkins said that the loop area around PVCC and the urban development area keeps his officers pulled up towards Charlottesville, and they cannot get down

to Scottsville all the time. He is trying to expand to a 10-hour schedule that will allow for more officers and coverage further south.

Mayor Grove asked for more coverage given the success of bars and restaurants, which may attract a difficult crowd. The town needs a quick response and coverage when the town officer must be gone.

Lieutenant Jenkins said it is not realistic to always have a county officer in town when town officers are gone. He will try to ensure that the district officer gets through Scottsville, but that officer must cover all of southern Albemarle. He added that when county officers spent a lot of time in town previously, they were asked not to put so much pressure in certain places. His goal is to solidify their commitments as a county police department to ensure that they can come here and work with this council to provide the law enforcement support that the town needs. If his officers come here and provide enforcement, he does not want to step on Chief Layman's toes.

Mr. Gritsko commented that he wants county officers to feel welcome here. Mayor Grove agreed, noting the town's appreciation of their service. Lieutenant Jenkins remarked that the county department has a good working relationship with Chief Layman and his staff, and they try to coordinate special event coverage.

Mayor Grove inquired about the availability of a paddy wagon for drunk-in-public arrests. Lieutenant Jenkins replied yes, and he noted that the county police area already planning river operations. It was agreed that town and county police and Mayor Grove will meet with ABC establishments to make them aware of safety concerns.

Ms. Knotts asked if the town has enough police presence of its own. Lieutenant Jenkins replied no, but he would need to do a call analysis. He gave an overview of year-to-date, estimating that calls for service will continue to go up.

Chief Layman asked for the council's support for enforcement activities, as well as the possibility of paying for contract overtime officers from the county on Friday and Saturday nights. Ms. Gill commented that increased meals tax revenues could be used for this. Lieutenant Jenkins suggested having the crime analyst look at the statistics to see what times most need the extra coverage. Mr. Goodwin thinks the budget can work with this, but he hopes to work with Jane Dittmar on county participation.

Officer Ron Morris remarked that one officer to 250 people between five bars does not work, and they need help. Officer Morris expressed his appreciation for the county's help the other night. Lieutenant Jenkins noted that town officers back up county officers as well.

Lieutenant Jenkins will have county officers document any observances of business open after hours, as requested by Mayor Grove. He will also get statistical information to Chief Layman and proceed with plans for a meeting with business owners.

*Chamber of Commerce report:* Mr. Smith reported that Jammin' on the James is mostly scheduled, and Brian LaFontaine wants to discuss partnering of the town with SCAN and SCCC

on this joint venture. Mayor Grove said they have been talking about an events committee where the town would take sponsorship these events and handle financial affairs and the committee will coordinate. This was referred to Government Services for follow up. Mayor Grove asked to place the charter for the events committee on the regular session agenda.

*Enhancement Projects Oversight Committee report:* The committee did not meet for lack of business.

*Architectural Review Board report:* Mr. O'Halloran reported that the ARB approved a COA to replace a front window with four removable panels at James River Brewing. Plans for the Methodist Church play structure are almost complete. The ARB would like the owner of 440 Valley Street to attend the next meeting to discuss the unsafe condition of the building. Some repair/maintenance work has been done at 135 Warren and 371 Harrison, and restoration of the canal warehouse is ongoing.

*Planning Commission report:* Mr. Smith reported that the commission approved the Dollar General plans on February 19.

*Treasurer's report:* Mr. Goodwin projects a year-end surplus. Financial statements will be distributed by email this week.

*Mayor's report:* Mayor Grove reported he is working on VCNA access issues, and they have the survey for Mr. Bowling to proceed as discussed in closed session last month. He has proposed a land swap with Joan Anderson for the "billy-goat trail" area, and this will be referred to Mr. Bowling for the necessary papers. He has worked with Ms. Gill on the charter for an events committee. Mayor Grove met with Tonya Cornwell and Nancy Gill concerning the resale rules for the farmers' market, and he thinks the issue has been resolved in favor of a rule allowing resale of products brought directly from the grower. He has also worked on radio communications issue, drafted letters to delinquent taxpayers, and discussed maintenance enforcement with the ARB. He would like to do a recodification to account for changes in Virginia law.

*Tourism Committee report:* Mr. Gritsko reported that the committee has planned the Scottsville Sunrise Photo Contest. The Albemarle Charlottesville Historical Society has expressed interest in placing a kiosk in town. The James River Association is planning a 100-mile river race for June. A VCNA work day is scheduled for April 26.

*Town Administrator's report:* Mr. Goodwin reported that tax collections are better than most years, with BPOL ahead of last year, some vehicle license taxes still due, and a couple of problems with meals tax. The crematory building permit has been issued, and the Dollar General building permit is on his desk waiting for the final site plan to come back with the ARB modifications. The VCNA surveys are all done, and Bob Coleman donated his personal time on that. Mr. Coleman will now survey the rest of the Anderson property with the corrections. Mr. Goodwin estimated that the town may have to pay \$5,000 to \$6,000 to finish the necessary engineering for the FEMA levee certification, which must be completed by April 2.

Mayor Grove commented that the town has no discretion in this. FEMA has decided that every levee and dam in the nation has to be recertified to remain eligible for federal flood insurance. They are trying to direct FEMA to find the information that the federal government already has on file, but a survey was required to ensure that the levee had not settled, and borings may also be necessary. An appropriation will be placed on the regular session agenda if needed. Mayor Grove noted that properties in the AE zone on the FIRM maps must have flood insurance to get a loan.

Mr. Goodwin reported that the sewer line to trail easement conversion is still outstanding. The prior surveys were paid out of tourism funds for VCNA master planning, but this funding may be exhausted at this point.

*Government Services Committee report:* Ms. Gill distributed a job description for the maintenance worker. She proposes to call the new committee the Arts and Culture Committee, with its main goals to be organizing Batteau Festival, Jammin' on the James, and Community Day.

*Town Maintenance Committee report:* Ms. Knotts reported that a town cleanup is planned for March 22. She has asked Chief Layman for a police presence on cleanup day. Tim Karr attended the last committee meeting to discuss maintenance priorities for the levee. Ms. Knotts related that Kevin Denby is not interested in allowing the dog park on his property.

*Town Attorney's report:* Mayor Grove noted that he and Mr. Bowling have been debating the town ordinance regarding the continuation of a nonconforming use after a change in title.

*Adoption of Levee Operations and Maintenance Manual:* Mr. Goodwin said that Tim Karr will review the manual, which will then be circulated by email. Adoption of the manual was placed on the regular session agenda.

*VCNA Survey Report:* This matter was addressed previously in the meeting.

*Sidewalk Café Permit Application by James River Brewing:* Mayor Grove explained the town's sidewalk café ordinance permits tables on the sidewalk as long as it does not take more than half of the sidewalk, with the approval of Town Council. Mr. Smith asked about stanchions with rope. Mayor Grove said that is an ABC requirement. Peter Pitsiokos concurred on behalf of James River Brewing. Mr. Bowling asked for an indemnity agreement and that James River Brewing name the town as an additional insured on its liability policy. James River Brewing will review the form of the proposed resolution and provide comments before the regular session.

*Amendments to Flood Hazard Overlay District Ordinance:* A public hearing will be advertised for March 24. Mr. Bowling explained the requirement to update the ordinance to meet current federal regulations. These regulations are being more rigorously enforced to control the costs of the NFIP. Mr. Bowling felt that the state model ordinance was not very clear in parts. After talking to the flood administrator, he has a better understanding of the requirements. Mr. Bowling explained the applicable zones on the flood maps. Staff has prepared a draft ordinance

combining the majority of the county ordinance with more flexible language from the model ordinance to deal with existing buildings in the AE zone. The draft will be submitted to DCR floodplain officials for review prior to adoption.

Mr. Gritsko would like the Town Council to write to the town's Congressional representatives to express concern about the pending increases in the price of flood insurance.

*Closed session:* Ms. Gill moved that this council now meet in closed session for consultation with legal counsel pertaining to potential litigation with Albemarle Properties, LLC, over right to use extension of Jefferson Street to access Mink Creek Reservoir (Van Clief Nature Area), as permitted by Code of Virginia Section 2.2-3711(A)(7). Mr. Gritsko seconded the motion. The motion was approved, with Ms. Gill, Mr. Gritsko, Ms. Knotts, Mr. O'Halloran, and Mr. Smith voting in favor and none against.

Upon returning to open session, Mr. Smith moved to adopt a resolution certifying the closed session. Ms. Knotts seconded the motion. The motion was approved, with Ms. Gill, Mr. Gritsko, Ms. Knotts, Mr. O'Halloran, and Mr. Smith voting in favor and none against. The following resolution was adopted:

WHEREAS, this council convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by the council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, be it resolved that the council hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed, or considered in the meeting to which this certification applies; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting to which this certification applies.

The meeting was adjourned at 9:00 p.m.