

# TOWN OF SCOTTSVILLE

**Town Council**  
**Regular Session**  
Monday, October 19, 2015  
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  
Randall J. Nolt  
Ronald L. Smith

## MINUTES

1. CALL TO ORDER – Mayor Grove called the meeting to order at 7:00 p.m.
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL of Town Council – Town Clerk Amy Moyer called the roll. All members were present. Also in attendance were Town Administrator George Goodwin and Town Attorney James M. Bowling IV. Mayor Grove asked to move items with guests in attendance to the top of the agenda; council members agreed.
4. JAMES RIVER BOYS & GIRLS CLUB

Judy Brown spoke regarding the origins and history of the James River Boys & Girls Club at the Scottsville Community Center. The club opened in the summer of 2014 after raising \$1.5 million in pledges and donations, with statistics from Bonnie and Bill Cooper proving the need in northern Buckingham, western Fluvanna, and southern Albemarle. Ms. Brown has pledged both an annual gift and a legacy gift, and she would encourage others to do so.

James Pierce, executive director of the Boys & Girls Club of Central Virginia, commented on the persistence of Scottsville residents in this project. They originally had concerns whether there were enough individuals and businesses to sustain a club here because they wanted to make sure this effort had permanence. Mr. Pierce said that with the advocacy of this council and the kindness of the Albemarle County government in giving the use of the building for \$1 per year, they know that this is the model for future growth. He commented that he is proud to be here tonight with Scottsville Elementary, and he noted the club's collaborative partnership with area schools. The club serves children from ages 6 to 18, with a four-hour after-school program and a full-day summer program, for a charge of \$35 per year. Desired outcomes are for students to move on to the next grade level on time with their same-aged peers, supported by a summer reading program, and healthy lifestyles, supported by a fitness program allowing for 60 minutes of physical activity every day. Mr. Pierce explained that they also try to design programs that allow the children to give back to the community in a meaningful way. The plan in 2013 was to serve 50 kids per day, and yesterday they had 95 kids at the club, nearly doubling the original projection. That comes with a bigger cost, and they are eating through the original amount raised more quickly than expected. Mr. Pierce requested that, in light of the expanded need and the impact that the club is making, the Town Council consider a request of \$10,000 per year in the budget going forward. This gift

could leverage \$30,000 from private individuals as they continue to seek support in the area to the degree that the program is self-sustaining.

Mayor Grove thanked Mr. Pierce for the report. He stated that the Town Council has noted the success of the Boys & Girls Club and is so pleased with what has gone on there. The funding request will be placed on the work session agenda for discussion. Mayor Grove commented that the town operates on a tight, spare budget, and it is not clear if they can find that kind of money, but there could not be a more worthy cause.

Ms. Knotts asked if the Boys & Girls Club is taking donations of services or just money. Mr. Pierce replied that they welcome volunteers and promotional efforts, and the town is already providing support in a number of ways such as the use of space. Ms. Knotts asked if they needed staff training. Mr. Pierce replied yes. Ms. Knotts asked if they have the capabilities to bill Medicaid. Mr. Pierce replied that some clubs are licensed child care providers do, but this club does not do that at the current time.

Mr. Gritsko commented on his daughter's experience working at the club.

5. PROCLAMATION RECOGNIZING THE ACHIEVEMENT OF SCOTTSVILLE ELEMENTARY SCHOOL

Mayor Grove read the text of the proclamation recognizing Scottsville Elementary School. Upon a motion by Ms. Gill, seconded by Ms. Knotts, the following proclamation was unanimously approved:

**PROCLAMATION**  
BY THE  
SCOTTSVILLE TOWN COUNCIL

*Recognizing the achievement of Scottsville Elementary School*

WHEREAS, Scottsville Elementary School has long served the Town of Scottsville and the citizens, both children and adults, of southern Albemarle County; and

WHEREAS, Scottsville Elementary School has a staff of dedicated professionals under the leadership of Principal Sharon Wilcox; and

WHEREAS, due to the hard work of the staff and faculty of Scottsville Elementary School, the Commonwealth of Virginia Department of Education has ranked Scottsville Elementary School Number Six out of all elementary schools in the Commonwealth of Virginia;

NOW, THEREFORE BE IT RESOLVED that we, the Mayor and Town Council of the Town of Scottsville, Virginia, hereby honor and congratulate Principal Sharon Wilcox, and the entire staff and faculty of Scottsville Elementary School on this accomplishment.

Mayor Grove presented the proclamation to Principal Sharon Wilcox and staff members.

6. CONSENT CALENDAR

- 6.1. Approval of Agenda
- 6.2. Financial Report for September 2015
- 6.3. Minutes – Working Session of October 13, 2015

Upon a motion by Ms. Kerlin, seconded by Ms. Knotts, the consent calendar was approved.

- 7. PUBLIC FORUM – No one from the public wished to speak.
- 8. MAYOR’S REPORT – Mayor Grove reported that he has been involved with sign ordinance revisions. The Virginia Supreme Court dismissed the appeal by Albemarle Properties of the court decision in the town’s favor regarding an easement on Jefferson Street into the Van Clief Nature Area, so the easement is final and confirmed. Mayor Grove signed the contract for the VCNA Phase I project and issued the notice to proceed, with work expected to begin in the third week of October and complete in four to six weeks. Upcoming events include the Twilight Tours sponsored by the Scottsville Museum.
- 9. RESOLUTION OF INTENT TO AMEND ZONING ORDINANCE SECTION 4.14 (SIGNS)

Mayor Grove explained that the revisions are a reaction to a U.S. Supreme Court decision striking down an ordinance with some similarities to the town’s sign ordinance, as the court found it inappropriate to have content-specific regulations. The Local Government Attorneys of Virginia organization has drafted a model ordinance consistent with the ruling, and Mayor Grove modified that to make it specific to Scottsville. To proceed with the process, a resolution of intent is needed to take this matter under consideration and refer it to the Planning Commission for public hearing and recommendation.

Ms. Kerlin moved to adopt the resolution of intent. Mr. Smith seconded the motion. Ms. Kerlin asked if the Town Council is also required to hold a public hearing. Ms. Moyer replied yes. Ms. Gill asked if it can be a joint hearing. Ms. Moyer replied yes, it can. Mr. Smith asked if it is possible to schedule this hearing at the same time as the BZA ordinance. Mr. Bowling replied yes, two hearings can be held at the same meeting. Mayor Grove replied yes, with advertisement of both items, and it can be a joint hearing if the Planning Commission so desires. Ms. Moyer commented that it is difficult to incorporate any recommendations made by the Planning Commission into the draft if the commission does not make those recommendations until the same meeting at which the council is considering the matter. Mayor Grove said to plan separate hearings for the Planning Commission.

A roll call vote was conducted.

Ms. Gill	<u>Yes</u>	Mr. Gritsko	<u>Yes</u>	Ms. Kerlin	<u>Yes</u>
Ms. Knotts	<u>Yes</u>	Mr. Nolt	<u>Yes</u>	Mr. Smith	<u>Yes</u>

By a vote of 6-0, the following resolution was adopted:

## RESOLUTION OF INTENT

**WHEREAS**, on June 18, 2015, the United States Supreme Court in *Reed v. Town of Gilbert, Arizona* held that the sign classifications based on the subject of the message are content-based because they differentiate signs and the regulations that apply to them by the subject of their message and, therefore, violate the First Amendment in the absence of a compelling governmental interest; and

**WHEREAS**, in order to ensure that the Sign Regulations adhere to the rights and protections of the First Amendment as settled by *Reed v. Town of Gilbert, Arizona*, it is desired to amend Zoning Ordinance § 4.14 and any other related sections of the Zoning Ordinance; and

**WHEREAS**, the Town Attorney has provided the text of a model sign ordinance designed to be congruent with the Supreme Court's holding;

**NOW, THEREFORE, BE IT RESOLVED THAT** for purposes of public necessity, convenience, general welfare and good zoning practices, the Town Council hereby adopts a resolution of intent to consider amending Zoning Ordinance § 4.14 to achieve the purposes described herein, and to consider any other amendments to Zoning Ordinance § 4.14 and other related sections of the Zoning Ordinance to ensure the proper administration and implementation of the Sign Regulations; and

**BE IT FURTHER RESOLVED THAT** the matter is hereby referred to the Planning Commission with the request to hold a public hearing on the zoning text amendment proposed pursuant to this resolution of intent, and make its recommendations to the Town Council at the earliest possible date.

## 10. REPORTS OF CHARTERED COMMITTEES, PLANNING COMMISSION, AND ARCHITECTURAL REVIEW BOARD

*Planning Commission:* Mr. Smith reported that the commission did not meet.

*Government Services Committee:* Mayor Grove noted that the committee membership is in discussion.

*Beautification and Maintenance Committee:* Ms. Knotts reported that the committee is considering taking up the flower boxes for the winter for cleaning and replanting in the spring. The Chamber of Commerce did a fundraiser and sold the boxes to business owners, and Nancy Bruce was maintaining them for the Chamber of Commerce, which has since voted to pass the maintenance on to the town. After discussion, council members agreed to the committee's recommendation to remove the boxes for the winter after speaking to the box owners.

Ms. Knotts reported that the committee continued its discussion of the Fourth of July, Kyna Moore is doing an excellent job working with the Boys & Girls Club on the Butterfly Garden, and David Becker attended the last committee meeting. The committee is also drafting a contract for Kim Yoder's work.

*Farmers' Market:* Ms. Knotts reported that the community potluck is planned for November 7. Living Culture Farm will not be returning next year and will be missed.

*Public Safety Committee:* Ms. Kerlin reported that VDOT previously opposed crosswalk lighting but Mr. Goodwin gave an update at the work session. Mr. Goodwin explained that VDOT previously declined because they did not want the maintenance responsibility, but they are in testing now at JMU for the second season with no failures so far.

*Tourism Committee:* Mr. Gritsko reported that he had an opportunity to float the James River yesterday. Scottsville Lake will be stocked soon. The committee is working on an economic development work group. The rescheduled VCNA work day is November 7, the James River Association will do the Mink Creek buffer planting on November 14, and the VCNA master plan presentation is November 16.

Mayor Grove reported that he and Mr. Goodwin met with a developer regarding preliminary plans for the plant.

*Arts and Culture Committee:* Ms. Gill reported that the Scottsville Presbyterian Church has organized a talk on Refugees 101 in the theater this Sunday. Halloween is getting bigger and better each year, with Baine's Harry Potter theme expanding throughout the town, and Focus and SCAN partnering on film showings. The November Scottsville Second Saturday includes a talk by Paul Reisler of Kid Pan Alley. Ms. Gill reported that the James River received a B ranking on the health of the river for the first time in 40 years.

*Architectural Review Board:* Mayor Grove reported that the ARB approved a sign permit for Scottsville Supply Company and discussed building deterioration issues. The ARB had made a finding some time back that 135 Warren Street is in violation due to deterioration, and the zoning administrator made a similar determination. The property owner appealed the zoning violation, and this appeal will be heard by the Board of Zoning Appeals on October 29. The Town Council will consider enforcement options if the appeal fails.

## 11. TOWN ADMINISTRATOR'S REPORT

Mr. Goodwin reported that the VCNA contractor will be here next week to shore up the bridge and store gravel. Mr. Goodwin said that he and Kim Yoder discussed putting pumpkins in the flower boxes for Halloween through Thanksgiving before pickup.

Mr. Gritsko asked Mr. Goodwin to let citizens know that handicap access at VCNA is high on the priority list but may not be in time for this season. Mr. Goodwin said he has been stopped several times by people asking about easier access.

Mr. Smith noted that Raymon Thacker recently celebrated his 106<sup>th</sup> birthday.

## 12. ADJOURNMENT – Upon a motion by Ms. Kerlin, seconded by Ms. Kerlin, the meeting was adjourned at 7:52 p.m.