

# TOWN OF SCOTTSVILLE

**Town Council**  
**Regular Session**  
Monday, December 16, 2013  
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

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. Ms. Gill, Mr. Gritsko, Ms. Kerlin, Ms. Knotts, and Mr. O'Halloran were present. Mr. Smith was absent. Also in attendance were Town Administrator George Goodwin III and Town Attorney James Bowling IV.
4. CONSENT CALENDAR
  - 4.1. Approval of Agenda
  - 4.2. Financial Report for November 2013
  - 4.3. Minutes – Working Session of August 12, 2013
  - 4.4. Minutes – Working Session of September 9, 2013

Upon a motion by Ms. Kerlin, seconded by Mr. O'Halloran, the consent calendar was approved.

### 5. PUBLIC FORUM

William (Petie) Craddock related that last week Albemarle County recognized his term as a stand-in for the supervisor position, and during that presentation Supervisor Dittmar read the proclamation recognition from the Scottsville Town Council. Mr. Craddock stated that he was humbled and honored by that, he was glad to help out for those five months, and coming here has been a lot of fun.

Scottsville District Supervisor Jane Dittmar commented that it was her pleasure to read the proclamation for Mr. Craddock into the minutes. She attended the Festival of Lights, which was very special. Ms. Dittmar met with Chief Layman and discussed the opportunities and challenges that face the police department. Ms. Dittmar related that she met with Gary O'Connell about the water tower maintenance, there were delays with the contractor, and he agreed that it should not have taken that long, but they were on top of the citizen safety issue with regard to fire all along and coordinated with Tim Cersley. There are ongoing meetings for the Southern Albemarle Tourism Initiative, and the county is working on an economic vitality plan. Ms. Dittmar has spoken with several realtors who noted that Route 20 is a

concern with regard to attracting young families to the area. The Board of Supervisors will consider two sites for the convenience center in the Scottsville District at its January 8 meeting, one in Keene and the other off Mill Creek Drive. Scottsville Elementary has a number of unfilled positions in its preschool program. The Yancey School Project report is out but unfunded at this time. Other initiatives include the Digital Divide Project, working with VDOT and the capital improvement plan to include projects in the district, and a new tourism brochure.

Ms. Knotts asked about green space where the trees that were cut down on Route 20. Ms. Dittmar has contacted the county executive about this. Mr. Goodwin noted that this was cleared for a power easement, there is a cell tower going in, and this will serve as a back-feed to avoid power outages.

Larry Barnett commented that he and his wife, Eve, have lived in Scottsville for 16 years, and this town has never looked more beautiful. He complimented Nancy Gill and Brian LaFontaine for their work on the Festival of Lights. There is a feeling that this town is going places now.

## 6. MAYOR'S REPORT

Mayor Grove reported that a very significant donation was received by the Boys & Girls Club planned for Scottsville that puts them past the point where they can move ahead. He noted the opening of a new restaurant, The Smokehouse Grille. The Festival of Lights was a wonderful event, thanks to the Scottsville Center for Arts and the Scottsville Community Chamber of Commerce. Mayor Grove said the Christmas parade was a great event and much enjoyed, and he thanked Tequila Sunrise for the refreshments. Mayor Grove also thanked Barbara and Bob Coleman for organizing the tree lighting ceremony at Canal Basin Square and Tavern on the James for providing refreshments. At its work session, the Town Council took up the issue of noise from entertainment at James River Brewing, as there have been a number of citizen complaints, and they hope to arrive at a proposal that is acceptable to everyone and present it for community reaction.

## 7. ZTA-13-02: Public hearing on Zoning Text Amendment request by Thacker Brothers Funeral Home, Inc. to permit crematorium as an accessory use to funeral homes (Zoning Ordinance Section 11.10, Commercial District, Permitted Uses)

Bradley Howdyshell was present on behalf of the applicant, Thacker Brothers Funeral Home, Inc.

Mayor Grove explained that there are two ways to approach this – they can amend the ordinance to provide for that sort of use by special use permit or by right, so if they decide it is a good idea they need to further decide how to allow it. Mayor Grove opened the public hearing, noting that the amendment was recommended by the Planning Commission.

Mayor Grove noted that he heard from Brenda Hyson today, and she expressed general concerns focused on harmful or visible emissions from the crematorium. They look at

research reports and studies that indicated that would not be the case. She pointed out that Scottsville is densely built so that there many homes near the proposed crematorium. He agreed that would be an important issue if there were the possibility of harmful emissions, but as far as the Town Council, Planning Commission, and Mr. Howdysshell were able to determine no harmful emissions could occur from this facility. Mayor Grove asked if Mr. Howdysshell would like to speak to this issue.

Mr. Howdysshell replied that he is willing to provide the reports to anyone who has questions. Mayor Grove asked if he correctly characterized the reports in that one would not expect any harmful emissions. Mr. Howdysshell replied that is correct, and with regard to mercury, this unit has mercury emissions of 0.006 pounds per hour.

Mr. O'Halloran asked if there is any odor, relaying a concern expressed to him by citizens. Mr. Howdysshell replied no, none whatsoever.

Mayor Grove commented that if there were a chance of odor or toxic or harmful emissions, it would be a significant issue, but his understanding is that is not the case.

There being no one from the public who wished to speak, Mayor Grove closed the public hearing.

Mayor Grove explained that Mr. Bowling has advised via email that the advantage of allowing the use by special use permit is the ability to put conditions on the special use permit, but they do not perceive the need for any conditions in this case, so why not do it by right.

Mr. Bowling replied that if they do not perceive the need for conditions, then they should proceed to do it by right. The only real reason to do it with conditions is to prevent some future situation, or to enforce concerns about odor or a nuisance situation, but it could be enforced under common law nuisance provisions.

Mayor Grove commented that the existence of a crematorium should be seen as a real service to the community, especially as cremation becomes more popular.

Ms. Kerlin moved to adopt the zoning text amendment to permit by right a crematorium as an accessory use to funeral homes, this being an amendment to Zoning Ordinance Section 11.10, Commercial District, Permitted Uses. Mr. O'Halloran seconded the motion.

Ms. Kerlin noted her interest in this matter, as it is in her backyard, but the diesel fumes from trucks are more toxic than what they will receive from a crematorium. The worst pollutant they have is fast food restaurants. She is fine with this application, and it is a good service to the community. Any cremation of animals could not be done in the same oven as humans.

Mr. Gritsko asked Mayor Grove if his recommendation is to adopt the amendment as proposed. Mayor Grove replied yes, he does not see any reason to fiddle with the special use permit section. Mr. Gritsko noted that they have tried to get the input from town residents.

A roll call vote was then conducted.

Ms. Gill Yes                      Mr. Gritsko Yes                      Ms. Kerlin Yes  
Ms. Knotts Yes                      Mr. O'Halloran Yes                      Mr. Smith Absent

The following amendment was adopted by a vote of 5-0:

AN ORDINANCE AMENDING SECTION 11.10.1.B OF THE TOWN OF SCOTTSVILLE  
ZONING ORDINANCE  
*To Provide That a Crematorium Is An Accessory Use To Funeral Homes*

BE IT ORDAINED by the Town Council of the Town of Scottsville, Virginia that the  
Town of Scottsville Zoning Ordinance, Section 11.10.1 (B) (Funeral Homes) is amended as  
follows:

*11.10.1. BY RIGHT. The following uses shall be permitted in any District subject to the  
requirements and limitations of these regulations. The zoning administrator, may, after  
consultation with the Planning Commission and approval of the Town Council, may permit as a  
use by right, a use not specifically permitted; provided that such use shall be similar to uses  
permitted by right and general character and more specifically, similar in terms of locational  
requirements, operational characteristics, visual impacts and traffic generation. Appeals from the  
Zoning Administrator's decision shall be generally provided in Section 22.3, Appeals to the Board  
of Zoning Appeals.*

*b. The following services and public establishments.*

*1. ... ..*

*... ..*

*... ..*

*9. Funeral homes and crematoriums accessory to a funeral home.*

*... ..*

In all other respects, Section 11.10.1 of the Town of Scottsville Zoning Ordinance  
remains the same.

This Ordinance shall be effective on the date of adoption.

## 8. APPROVAL OF MEMORANDUM OF UNDERSTANDING FOR ASSET FORFEITURE TRANSFER FUNDS

Mayor Grove explained that this relates to accepting the funds for the new police vehicle. Essentially, they must use the funds as they are supposed to or they have to give the money back. The state gets the money from the federal asset forfeiture program. Mayor Grove commented that it is his understanding that Chief Layman has already signed the memorandum of understanding, and that is all that is needed.

Mr. Bowling recommended that that the Town Council approve the agreement because they are obligating the town to comply with the conditions. Mayor Grove asked for a motion to ratify Chief Layman's signature on the memorandum of understanding, which he reviewed and found acceptable.

Ms. Kerlin moved to approve the memorandum of understanding between the Commonwealth of Virginia Office of the Attorney General and the Town of Scottsville Police Department and ratify Chief Layman's signature on this memorandum. Ms. Knotts seconded the motion, and 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. O'Halloran	<u>Yes</u>	Mr. Smith	<u>Absent</u>

The motion passed 5-0.

## 9. APPROPRIATION OF \$3,500 FOR INSTALLATION OF BACKFLOW PREVENTION DEVICES AT TOWN PROPERTIES

Mayor Grove explained that this a supplemental appropriation for \$3,500 for the installation of backflow prevention devices at town properties. He stated that this is not an option, as ACSA has the authority to require this.

Ms. Gill asked for the locations where this is needed. Mr. Goodwin replied that they are required at all locations. The new installations are the old jail, the police department, and town hall; and all six sites must be inspected annually. Mr. Goodwin explained that they had to do this by October 4 or pay a \$500 fine per site, so he utilized building maintenance funds, but he wants to replace these funds. Mr. Goodwin said it includes parts, labor, and inspection. Ms. Gill said she was told that it should cost \$600 per site. Mr. Goodwin said he is using Klein Plumbing, as he did with the farmers' market, and prices obtained from Dansey and two other plumbers ranged from \$750 to \$1,000 per site.

Larry Barnett commented that the Presbyterian Church went through the same thing and found a plumber that charged \$625. Mr. Goodwin stated that it depends on the existing building plumbing.

Mr. O'Halloran moved to appropriate \$3,500 for installation of backflow prevention devices at town properties. Ms. Kerlin seconded the motion, and 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. O'Halloran	<u>Yes</u>	Mr. Smith	<u>Absent</u>

The motion passed 5-0.

#### 10. RESOLUTION RECOGNIZING RETIREMENT OF JESSIE DILLARD

Upon a motion by Mr. Gritsko, seconded by Ms. Kerlin, the following resolution was adopted by unanimous voice vote:

**RESOLUTION OF APPRECIATION  
OF  
JESSIE DILLARD  
BY THE TOWN COUNCIL OF THE TOWN OF SCOTTSVILLE, VIRGINIA**

BE IT RESOLVED by the Town Council of the Town of Scottsville, Virginia, as follows:

WHEREAS, Jessie Dillard began work for the Town of Scottsville in December 1990 performing valuable services for the Town keeping the Town's streets and sidewalks clean and in good appearance for many years; and

WHEREAS, Jessie Dillard continued to perform service to the Town for 23 years until his retirement in December 2013; and

WHEREAS, Jessie Dillard will be much missed by the citizens of the Town of Scottsville for the manner in which he carried out his services for the Town; and

WHEREAS, Jessie Dillard in carrying out these services always furthered the general wellbeing of the Town to the betterment of its citizens.

NOW THEREFORE, the Town Council of the Town of Scottsville, Virginia, hereby expresses its appreciation and the appreciation of its citizens to Jessie Dillard for a job well done and wishes him well on his future endeavors in his retirement years.

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

*Architectural Review Board:* Mr. O'Halloran reported that the ARB discussed the play area at the Scottsville United Methodist Church. The results of the building survey that found two

buildings – the canal warehouse and 135 Warren Street – in need of immediate attention, and eight other properties that require attention.

*Town Maintenance Committee:* Ms. Knotts reported that the committee drafted a seasonal goal-oriented statement and met with the Government Services Committee regarding the maintenance worker job description. They are working with Nancy Bruce on the flower boxes. The committee has asked for a map of mowing contracts to better organize efforts.

*Public Safety Committee:* Ms. Kerlin reported that the new police vehicle will be on its way, and a storage building for the police department will be partly funded by a donation from the Scottsville Community Chamber of Commerce.

*Tourism Committee:* Mr. Gritsko reported on the Van Clief Nature Area public meeting and continuing planning efforts. He is pursuing opportunities for fish stocking. Mr. Gritsko also attended a meeting regarding Southern Albemarle tourism opportunities. Mayor Grove noted that they are considering renaming the Mink Creek Impoundment.

*Government Services Committee:* Ms. Gill reported that the committee is working on the maintenance position job description and should have a draft by the January work session.

## 12. TOWN ADMINISTRATOR'S REPORT

Mr. Goodwin reported that the OAG funding will require a budget amendment. He asked for authorization to place the vehicle order when the funds are received. Council members had no objection to placing the order. Payment is due 30 days after delivery.

Mr. Goodwin related that the police department may be eligible to receive funding for crisis intervention training. He is exploring cooperative efforts with the county for bulky waste disposal. The Dorrier Park playground is under construction and should be completed by the end of December. ACSA has agreed to grind the branches it left in the sewer line right-of-way. Walter Neighbors has expressed concern about drainage issues at South Street that are impacting the canal warehouse property. FEMA is reviewing the levee certification documents.

Ms. Gill noted that the cafeteria at the Scottsville Community Center is missing grounded outlets. Mr. Goodwin will make County Parks and Recreation aware of this.

Mr. O'Halloran noted that 78 days remain to file for election.

## 13. ADJOURNMENT – The meeting was adjourned at 8:05 p.m.