

**TOWN OF CHARLOTTE COURT HOUSE  
REGULAR COUNCIL MEETING MINUTES  
Monday September 16, 2013 7:30pm**

A regular meeting of the Charlotte Court House Town Council was held on Monday, September 16, 2013, at 7:30 pm. Mayor Walker called the meeting to order. Council Members Andrews, Watkins, Jones, Haskins and Parsons were present. Council Member Dunn was absent. Council Member Andrews motioned to approve the agenda as presented. The motion was seconded and carried by voice vote: 5 ayes, 0 nays. Council Member Haskins motioned to approve the August 12 public hearing and August 19 regular meeting minutes as presented. The motion was seconded and carried by voice vote: 5 ayes and 0 nays. Council Member Jones motioned to approve the financial statement as presented. The motion was seconded and carried by voice vote: 5 ayes and 0 nays.

**Citizen Comment Period** Hazel Smith spoke concerning the Town Planning Commission (PC) recommendations with regard to Diamond Hill and stated that she was opposed to the first recommendation, the third recommendation was too stringent and the fourth recommendation was ludicrous and unnecessary.

Beverly Fitz stated that Diamond Hill is a member of the Chamber of Commerce and has done a lot for the community. She stated that the boutique brings in revenue and that limiting business is detrimental to the town.

Larry Walton stated that the Adult Literacy Center has a small budget and they are in the midst of their largest fundraiser, which is the fashion show to be held later this month. He stated that the Council should consider all that Diamond Hill contributes to the area.

Peggy Armentrout stated that she is disturbed by the recommendations. She said that shoppers come from "all over" and support other business as well. She stated that everyone should work together to make the county a place to want to return to.

Sally Thompson stated that she runs a bed & breakfast in Farmville and for which she has a business license and pays lodging fees. She stated that Diamond Hill is an asset and Farmville would welcome them.

John Berkley stated that the town doesn't have a lot of businesses and it wasn't that long ago that the Town Council went to the County seeking funds.

Wanda Holt stated that she lives in Charlotte County and has raised three children here. They all left because there are no jobs. She said she works at Diamond Hill and all feedback has been positive. She said they serve refreshments and she loves her job.

Senator Tom Garret stated that the state is doing well, but Charlotte County is not doing well. He said that creating opportunities for people to stay is good. He stated that playing with VDOT regulations can set a dangerous precedent. He asked the Town Council to find a way to say "yes."

Senator Bill Stanley stated that he is from a small town and that tax revenue is hard to come by. He stated that the permit issued in June that was rescinded presents a legal issue. He stated that this business does not harm the character of this beautiful town and that litigation is costly to small towns.

Michelle Brouse stated that Fairfax in northern Virginia was once like Charlotte Court House. She said that the position offered to her at Diamond Hill was something new and that they say a prayer every day. She stated that she doesn't understand why the town would want to limit business and opportunity and urged the Council to reconsider.

Sandra Marston stated that it was time to step outside the status quo comfort zone. She said that Vellie has energy and ideas and hopes that the Council will give her the freedom to run her business.

Kathy Short stated that she can't think of anything negative about Diamond Hill. She has attended many events and hasn't seen any traffic problems. She said apparently other places don't have to get event applications. She said the boutique is a special place and that Vellie lets her daughter work there at Christmas.

Jim Watkins thanked the Planning Commission for their work on the recommendations provided and stated that the P.C. understands how important the R-1 designation is. He said that as a resident and taxpayer he has a right to quiet enjoyment of his home. He thanked the Council for their service to the town.

Denita Dupree offered support for Diamond Hill, stating that D.H. allows them to meet there and hold functions.

J.R. Schipper stated that when you are at the boutique you're treated like you're at home. He said shutting down Diamond Hill will affect everyone and that he would like to see Charlotte Court House grow.

Jay Speaks offered support for Diamond Hill stating that the Halls are good people that he has known since 2011. He said you can't find this kind of boutique. He stated that they are maintaining the integrity of the buildings and the Council should try to work this thing out.

Ardennia Ward stated that Diamond Hill is a special place that provides an economic service to this county. She said that she has attended events and considers them an asset to the community. She stated that the Council should reconsider the recommendations.

William Evans stated that he has lived here longer than anyone in the room. He stated that some of the events held at Diamond Hill require special accommodations. He stated that Council Member Jones should recuse himself from voting on the recommendations. He said that the United Methodist Church was misrepresented as being one hundred percent in support of Diamond Hill; but that in fact the church was neutral.

**Special Event Permit Application** Mayor Walker stated that other communities have this type of application in place and that it will let the Council know what is going on in the community. Council Member Watkins motioned to approve the special event permit application as presented. The motion was seconded by Council Member Haskins and did not carry by roll call vote: Andrews, nay; Watkins, aye; Parsons, nay; Haskins, aye; Jones, nay.

**CCH Planning Commission Recommendations** Mayor Walker thanked the Planning Commission for their work regarding the zoning requests made by the Halls with regard to Diamond Hill. The zoning applications presented and action taken by Council in their regard are as follows:

Application to rezone from R-1 Limited Residential to B-1 Light Business:

A motion was made by Council Member Watkins and seconded by Council Member Haskins, to deny the request to rezone because so doing would be contrary to the intended characteristics of that area of Town. The motion carried by roll call vote: Andrews, aye; Jones, abstain; Watkins, aye; Haskins, abstain; Parsons, nay.

Application to amend Article 2, Section 2, R-1 Use Regulations; Limited Residential of the CCH zoning ordinance to add "Bed & Breakfast" to the permitted uses in a limited Residential district, with a Special Use Permit:

A motion was made by Council Member Andrews and seconded by Council Member Watkins to approve the zoning request. Motion carried by voice vote: 5 ayes, 0 nays.

Application to amend Article 18, Definitions of Words and Terms of the CCH zoning ordinance by adding the term "Bed & Breakfast" and using a supplied definition:

A motion was made by Council Member Jones and seconded by Council Member Haskins to approve adding the term "Bed & Breakfast" to Article 18 with the following definition: *"A dwelling in which overnight accommodations are provided for not more than ten (10) guests; when located in the R-1 Limited Residential district and/or H-1 Historic District, the following additional conditions apply:*

- *No more than five (5) bedrooms can be designated as guest quarters;*
- *The only meal served shall be breakfast, for guests only; unless it is a catered event.*
- *Off street parking of one space per guest bedroom shall be provided.*
- *The exterior of the single-family dwelling in which the bed & breakfast establishment is operated shall maintain its single-family dwelling character;*
- *Additional requirements may be set by the Town Council due to specific conditions of a particular application."*

**Special Use Permit application to operate a Bed & Breakfast and further seeking to "run a successful business to add to the revenue base in Charlotte Court House:"**

A motion was made by Council Member Jones, seconded by Council Member Parsons and carried by voice vote: 5 ayes, 0 nays, to grant the Special Use Permit with the following conditions:

- a) *Special events such as weddings, receptions, charity fundraisers and business meetings may be held on the premises only after:*
  - i) *the Town is notified if 100 or more people are expected to attend;*
  - ii) *if required by VDOT, a copy of the Virginia Dept. of Transportation (VDOT) event application shall be provided to the Charlotte Court House Town Council prior to the Council's approval of the event;*
  - iii) *adjoining property owners are notified in writing of upcoming events as soon as possible, but no less than ten days prior to an event; If requested the Town will provide a list of neighboring property owners;*
  - iv) *outdoor sound amplification provided during events must cease by 10:00 p.m.*
- b) *The dwelling may have a gift shop or boutique that is open and/or available to guests at Diamond Hill.*
- c) *If the bed & breakfast ceases operation for twelve consecutive months (365 days), this Special Use Permit is voided.*
- d) *An unlighted 2'x2' sign displaying the name of the bed & breakfast establishment may be attached to the front of the structure; any variance from this would have to be approved by the Town Council.*

**CCH Volunteer Fire Dept. (CCHVFD)** Chris Russell requested that the Town deed a parcel of land to the fire dept., to enable the CCHVFD to move forward with constructing a new fire house. He stated that their current space is congested with 2 trucks having to go out one door and 3 out another. They hope to break ground by early next year. He stated that the new building would have a brick front with a green metal roof and would be something the Town could be proud of. Following discussion regarding setback requirements, Mayor Walker stated that the request would be taken under consideration and addressed at the September meeting.

**Museum Board** Ed Early thanked the Council for approving the first of two resolutions submitted by the Museum Board (MB) at the August Town Council meeting. He stated that they would like the Council to also pass the second resolution requesting that the County allow the MB property to connect to the county sewage system. Mr. Early stated that passage of the second resolution would give more weight to the MB request. Council Member Parsons reported that he spoke to the County Administrator, R.B. Clark who stated that the sewer system is not available for municipal use; and even if it were possible, the project would be bigger than the MB anticipates, involving the Dept. of Environmental Quality and requiring engineering. Council Member Parsons suggested that the Town not take action on the second resolution at this time.

**Comprehensive Plan Proposals** Mayor Walker stated that of the options presented, the company Placeworks Collaborative appeared to offer a more affordable way to develop a comprehensive plan and update the Town zoning ordinance. Council Member Andrews motioned that the Town hire Placeworks Collaborative to develop a Town Comprehensive Plan and to rewrite the Town Zoning Ordinance. The motion was seconded by Council Member Watkins and carried by voice vote: 5 ayes, 0 nays.

**Committee Reports** Grounds, Streets & Lights – Council Member Jones reported that he met with Fred Kenner concerning the grass contract requirements and reiterated that the grass contract needs to be rewritten. Council Member Andrews agreed to Chair the committee once again. Personnel Committee – Council Member Andrews reported that the committee interviewed two candidates for the water operator position. She stated that the candidate that was selected for hire decided to decline. The position will be re-advertised.

**Clerk's Report** Karen Price reported that the Town is working with the Commonwealth Regional Council in applying for VDOT Transportation Alternative grant funds. She stated that the Town must hold a public hearing and pass a resolution affirming that a 20% funding match is required. She reported that the FY 11-12 audit was completed and that copies are available for review. She stated that there is currently about \$8,000 owed to the Town in delinquent taxes which will be turned over for collection. She also reported that the Town website needs to be updated.

**Water/Maintenance** Chris McCarty reported that a couple of meter box leaks were repaired and that a representative of Southern Corrosion will repair the drain pipe leak at the Moses Drive water tower within the next day or two.

**Council Comment Period** None.

With no further business, Council Member Parsons motioned that the meeting adjourn. The motion was seconded and carried by voice vote: 5 ayes and 0 nays.

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Stephen D. Walker, Mayor

ATTEST:

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Karen K. Price, (Interim) Clerk of Council