

**TOWN OF CHARLOTTE COURT HOUSE
REGULAR COUNCIL MEETING MINUTES
Monday October 15, 2018 7:00pm**

A regular meeting of the Charlotte Court House Town Council was held on Monday, October 15, 2018, at 7:00 pm. Mayor Walker called the meeting to order. Council Members Andrews, Watkins, Jones, Kurdt and Haskins were present. Council Member Watkins 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 Andrews asked that the September minutes be approved as presented. The motion was seconded and carried by voice vote: 5 ayes and 0 nays. Council Member Kurdt 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 Terry Ramsey expressed concerns regarding the proposed Precision Cell Lease Agreement, questioning how the amount of rent owed to the Town would be verified, and whether the lease would strengthen U.S. Cellular's monopoly in the area. Mr. Ramsey stated his concern that Precision Cell is both advisor to the Town and benefactor from the lease and stated that the Town should hire an experienced independent advisor to assist in the matter. He stated that the Town should do due diligence before moving forward.

Precision Cell Lease Agreement Bobby McEvoy stated that he has been in the business for 30 years. He has worked with both the Towns of Farmville and Colonial Heights, and stated that the lease being considered by the Town is the same as that used in Colonial Heights. Bobby stated that it is clear in the agreement what a sub-lease is and that he would sign an affidavit before a notary showing what the rent is. If the Town chooses not to proceed with Precision Cell, Bobby stated that he would still be willing to advise and assist if desired. He stated that the site will cost between \$200K and \$250K to develop and that securing one carrier is not very lucrative, but securing an additional carrier is advantageous. He stated that he approached Verizon, Sprint, Shentel and AT&T and that only Shentel showed interest. He is concerned that slowing the process down could cause Shentel to go elsewhere. Bobby stated that Farmville's zoning ordinance is similar to the Town's and they treat towers as a public utility. Responding to questions, Bobby stated that he is not working with grant funds; he currently has five leases in place; and he won't build a tower unless a carrier is committed. He stated that signing the lease does not bypass the zoning process, and so review by the Planning Commission, public hearings and Council approval are still required. Responding to questions, Bobby stated that if approved soon the monopoly could be built by the second quarter of 2019 and that he is planning for a maximum of four carriers. Mayor Walker stated that the Town should move forward with the lease agreement and asked that any requested changes to the agreement be discussed and forwarded to Precision Cell and that the Council be prepared to vote on the lease agreement at the November meeting.

Cable TV Franchise Agreement Mayor Walker stated that the Town should consider whether or not to renew the franchise agreement with Shentel. Discussion followed regarding several positive aspects of the agreement including: the Town's authority to control where new poles are located; the right to participate in regulation of rates; and free television service at all municipal owned buildings. Vice-Mayor Watkins motioned to request Town Attorney Gary Elder to review the Cable TV Franchise Agreement, to make any necessary updates and to assist the Town with renewing the agreement with Shentel. The motion was seconded by Council Member Andrews and carried by voice vote: 5 ayes, 0 nays.

**TOWN OF CHARLOTTE COURT HOUSE
REGULAR COUNCIL MEETING MINUTES
Monday, October 15, 2018**

Page 2

Planning Commission Report Terry Ramsey reported that they are moving along quickly. He stated that the Town attorney advised that the current zoning ordinance does not allow monopolies, and that the Town needs to have proper zoning in place. He stated that they are close to completing the Sub-division ordinance and inquired whether the Planning Commission or Town Council would be approving sub-division plats. Terry advised that State law allows either the zoning administrator, planning commission or council to approve. Terry stated his preference that the Planning Commission have the authority to approve sub-division plats since public hearings would be required. Mayor Walker stated that since the Town Council is accountable to the public, it might be better for the Planning Commission make recommendations to the Council for their approval. Responding to questions, Terry stated that the State requires three houses before they will take over road maintenance and that part of the approval process of sub-divisions requires the Health Dept. to “sign off.”

Committee Reports Grounds, Streets & Lights – Council Member Andrews reported that Chris McCarty is doing a fantastic job with the grass cutting. She stated that the Town needs to decide what to do with the municipal building. Kermit Jones reported that Sheriff’s Dept. deputies monitored speed in various places throughout the Town for several days in May and submitted a report of their findings.

Water Operator Report No report.

Clerk’s Report Karen Price reported that two business licenses were approved for Transcendent Creative for photography/marketing and attorney Jennifer Jones. She reported that the Virginia Municipal League submitted their final audit report showing a total loss of \$61,471.25 for the Town’s fraud claim against a former clerk. She reported that a complaint was received about a cedar tree blocking the view at the intersection of Gold Leaf Dr. & Evergreen Rd.

Council Comment Period Council Member Andrews stated that the next Council meeting will be after the upcoming election and that write-in nominations must have the name spelled correctly.

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

Stephen D. Walker, Mayor

ATTEST:

Karen K. Price, Clerk of Council