

**DRAFT MINUTES**  
**Commission on Local Government**  
**Public Hearing**  
**Town of Clarksville – Mecklenburg County**  
**Voluntary Settlement Agreement**  
**7:00 p.m., January 28, 2013**  
**Best Western on the Lake Conference Center**  
**103 Second Street**  
**Clarksville, Virginia 23297**

**Members Present**

John G. Kines, Jr., Vice-Chairman  
Harold H. Bannister, Jr.  
Wanda C. Wingo  
John T. Stirrup, Jr.

**Members Absent**

Cole Hendrix, Chairman

**Staff Present**

Susan Williams, Local Government Policy Manager  
Zachary Robbins, Senior Policy Analyst  
Edward Lanza, Senior Public Finance Analyst

**I. Call to Order**

**A. Welcome**

Commission Vice-Chairman John Kines called the meeting to order at 7:07 p.m. on January 28, 2013 at the Best Western on the Lake Conference Center in Clarksville, Virginia. Mr. Kines announced that the Commission is present to review a proposed voluntary settlement agreement between the Town of Clarksville and Mecklenburg County. He further explained that the proposed agreement provides for the annexation to the Town of Clarksville of approximately 722.5 acres of territory located in Mecklenburg County; sharing by the Town and the County of certain tax revenue generated and which will be generated from areas located adjacent to the new Town boundaries that are planned for commercial and/or industrial projects; certain utility issues; waiver of future annexation rights by the Town for a period of 10 years; and other matters.

**B. Advertisement**

Mr. Kines indicated that the public hearing was advertised by notice published in the *South Boston News & Record* on Monday, January 7, 2013 and again on Monday, January 14, 2013 and in *The*

*Mecklenburg Sun* on Wednesday, January 9, 2013 and again on Wednesday, January 16, 2013. In addition, notice of the public hearing was mailed to the local governments contiguous to, or sharing functions, revenue or tax sources with, the Town and County.

**C. Introduction of Commission Members and Staff**

Next, Mr. Kines introduced the members of the Commission and provided biographical information on each member. He also introduced the Commission staff.

**II. Commission's Review**

Ms. Williams explained that the Commission on Local Government is directed by law to review proposed annexations and other local boundary change and transition issues – as well as negotiated agreements settling such matters – prior to their presentation to the courts for ultimate disposition. She further stated that, upon receipt of notice of such proposed action or agreement, the Commission is directed to “hold hearings, make investigations, analyze local needs and make findings of facts and recommendations” regarding the issue to the affected local governments. With respect to a proposed agreement that is negotiated under the authority of Section 15.2-3400 of the *Code of Virginia* – such as the one proposed here – Ms. Williams said that the Commission is required to report, in writing, its findings and recommendations as to whether the proposed settlement is in the best interest of the Commonwealth.

Ms. Williams indicated that the public hearing is intended to afford the public an opportunity to comment on the proposed agreement. She also announced that the Commission has agreed to keep its record open for the receipt of additional citizen comment through February 11, 2013 and will close its record as of that date. She further indicated that the Commission will set a date for rendering a report at its regular meeting tomorrow. She explained that, at that time, the Commission may look at extending the reporting deadline for an additional 60 days – until early May 2013.

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Mr. Kines explained that those who had pre-registered to speak would be given the opportunity to address the Commission first, followed by those who used the sign-up sheet in the back of the room. Further, he encouraged groups to designate a chief spokesperson, and advised participants that each speaker would be limited to no more than eight minutes.

**III. Receipt of Testimony**

Of the approximately 48 persons who attended the public hearing, the following 12 citizens addressed the Commission during the public hearing:

Speakers in support of the proposed Voluntary Settlement Agreement:

Senator Frank Ruff (letter read into record by Dr. Charles Lee, Town Manager)(resident of Area C – Mill Village)

Steve Conner (developer of several subdivisions in Area C)

Speakers in opposition to the proposed Voluntary Settlement Agreement:

Robin Bowen (resident of Area C – Tisdale Ln.)

Vicky Burnette (resident of Area C – Old Springfield subdivision)

Betsy Loftis (resident of Area A)

Brenda Hairston(resident of Area C – Old Springfield subdivision)

Justin Eubank (resident & business owner in Area A)

Rodney Moore (business owner in area A)

Monty Maxstead (resident of Area C – Old Springfield subdivision)

J. Harman Saunders (resident of Area C – Old Springfield subdivision)

Vera Jo Springer (resident of Area C – Striper's Cove)

Jerry Small (owns a dwelling in Area C)

Those in support of the annexation cited reduced water and sewer rates and town taxes, which can be deducted from income taxes as opposed to utility fees, as reasons to support the annexation.

The concerns brought up by residents opposed to the proposed Voluntary Settlement Agreement were generally focused on the proposed incorporation of the subdivisions in the northern part of Area C. Residents stated that they do not need or desire town services and expressed doubt as to the ability of the Town to extend services (mainly extension of water and sewer lines, and trash pickup) to the area. Concerns were also expressed that certain businesses were intentionally excluded from the annexation. Both residents and business owners were concerned about the impact of Town taxes.

During his testimony, J. Harman Saunders presented to the Commission a map that he had prepared of a proposed annexation excluding the end of the Old Rock Road vicinity in proposed annexation Area C. In addition, the map, which was also referenced by other residents of the area in their testimony, depicted the end of the water and sewer line at a different location than that shown on maps provided by the Town as part of its submission to the Commission. Mr. Saunders and other area residents indicated that, contrary to the maps provided by the Town, the water and sewer line in their vicinity ends at a fire hydrant at the end of the state maintained road and from the hydrant only a two-inch private line continues, which would be insufficient to provide utility services to their subdivision. The map also indicated the following arguments against annexing this part of Area C into the Town:

- No water/sewer service provided to property line;
- Not a publicly maintained road;
- Not required for contiguous boundaries;

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- Would we receive curbside trash? [Testimony from residences of this area revealed doubt as to whether a town trash truck could be used to pick up residents' trash, as the road running in front of their homes is a narrow, dirt road.];
- Not annexing Iron Gate, which also does not have water/sewer to the property; and
- Not annexing all properties which receive municipal services.

**IV. Closing Remarks**

At the conclusion of the testimony, Mr. Kines expressed the Commission's appreciation to the speakers for the comments they provided. He reminded participants that the record will be open for receipt of additional written comments from the public through February 11, 2013 and indicated that staff's business cards were available with the Commission's address.

**V. Adjournment**

There being no further business to come before the Commission, the meeting was adjourned at 8:54 p.m.

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John G. Kines, Jr.  
Vice - Chairman

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Susan B. Williams  
Local Government Policy Manager