

The regularly scheduled meeting of the Norton City Council was held on Tuesday, October 30, 2007 at 7:30 p.m. with Mayor Robert Raines presiding.

Present: Joseph Hunnicutt, Jack Wallace, Robert Raines, William Mays, and Joseph Fawbush

Also Present: E. W. Ward, City Manager and Bill Bradshaw, City Attorney

The invocation was given by Rev. John Ellington and was followed by the pledge of allegiance led by Fire Chief D. C. Mullins.

Upon a motion by Joseph Hunnicutt, seconded by Jack Wallace, and passed by unanimous vote, Council moved to adopt the minutes of the October 2, 2007 meeting as presented.

21745

There was no response to the Mayor's call for visitors.

21746

A public hearing was held on a General Fund Budget Amendment in the amount of \$333,000 for engineering design fees for the Norton Elementary School Project.

Mayor Raines stated that this public hearing comes from action taken at the last Council meeting in which Council voted to proceed with the project at the Norton Elementary School. Since the amount is more than one percent of the City's current budget, a public hearing must be held.

Mr. Ward advised that the funding will come from the interim financing. Requests have been sent out and he has received several inquiries and one quotation. Also, he has procured bond counsel for this project. Mr. Webster Day has been selected and a copy of his proposal is included in Council's packets.

21747

There were no questions or comments from Council prior to the public hearing.

Mayor Raines opened the public hearing.

There being no public input, Mayor Raines closed the public hearing.

Upon a motion by William Mays, seconded by Joseph Hunnicutt, and passed by unanimous roll call vote, Council authorized amending the General Fund Budget in the amount of \$333,000 for the engineering design fees for the Norton Elementary School Project with said funds to coming from interim financing.

Norton School Board Chairman Ron McCall, present at tonight's meeting, thanked Council for their support of this project and advised that the School Board is anxious to proceed.

Council had been presented with A Resolution of the City Council of the City of Norton, Virginia Authorizing the Issuance of Bonds by the Smyth County Industrial Development Authority for the benefit of Smyth County Community Hospital, Norton Community Hospital, and Mountain States Health Alliance.

The City Attorney advised that Mountain States Health Alliance is seeking these bonds not to exceed \$50,000,000 with \$35,000,000 from the first round going toward Norton Community Hospital and \$15,000,000 from the second round going toward Smyth County Community Hospital. Smyth County will be issuing these bonds. The

Federal Government requires that any political jurisdiction that will be recipients of funding from a bond sale must concur with the issuance of the funding.

Mr. Bradshaw advised that he had reviewed the statutes and background and stated that there was no reason that City Council should not concur with this request.

Upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by the following unanimous roll call vote: YES – Hunnicutt, Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt A Resolution of the City Council of the City of Norton, Virginia Authorizing the Issuance of Bonds by the Smyth County Industrial Development Authority for the Benefit of Smyth County Community Hospital, Norton Community Hospital, and Mountain States Health Alliance. (Insert)

The City Manager discussed with Council a proposed Preliminary Engineering Report (PER) on an abandoned mine land highwall project.

Mr. Ward advised that the request from City Council tonight is to authorize the City Administration to enter into a contract with the Department of Mines, Minerals, and Energy (DMME) to address abandoned high walls adjacent to the sidewalk and street paralleling Park Avenue in the Tipple Hill area. The abandoned mine land features in this area are in need of abatement and there are rocks that have fallen from the high wall onto or near the pedestrian sidewalk.

DMME is proposing an abatement project that will include a preliminary engineering report to identify the proper planning methodology and scope of work to be performed. The PER will provide construction options, safety and environmental impacts, and cost estimates for the project. Mr. Ward further advised that this project will be in conjunction with the Safe Routes to School Project. DMME has recommended that the City be the agency in charge of the PER with consultation from their staff. DMME has also indicated they will fund the PER as well as the subsequent construction project.

Following a brief discussion, Mr. Ward and Mr. Ramey stated they would answer any questions Council might have on this project.

Upon a motion by Joseph Fawbush, seconded by William Mays, and passed by unanimous roll call vote, Council authorized the City Manager to enter into a contract with the Division of Mines, Minerals, and Energy (DMME) on this highwall project.

Council had been presented in their packets a list of the 2007/2008 working and business officers of the Norton Fire Department. According to the Norton City Code, the working officers of the Fire Department shall be appointed by the City Council.

Fire Chief David Mullins was present and presented the names of the working officers to Council for appointment.

Upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by unanimous vote, Council appointed the individuals whose names had been submitted to them as working officers of the Norton Fire Department.

Mayor Raines expressed the City's gratitude to Chief Mullins and his department for the fine job they do on behalf of the City. Chief Mullins, in turn, thanked Council for their continued support of the department.

Council had a request for one water tap in the county for Mr. Dustin E. Peters, 4359 McKinley Road which is in the Josephine section of the county.

Upon a motion by Joseph Hunnicutt, seconded by Jack Wallace, and passed by unanimous vote, Council moved to approve one water tap for Mr. Dustin E. Peters, 4359 McKinley Road.

21751

Mr. Ward gave Council a brief update on the City's water status. As of today, the City has a combined capacity of 52.59 million gallons in both reservoirs. The City had received a total of 2.61" of rain and for the time span of October 17 to October 29, there was no water lost. Mr. Ward advised that the City Administration asks citizens to continue to conserve water. Over the past twelve days, the average daily usage has been down.

Following a brief discussion, the City Manger advised that he and Tommy Roberts, Water Plant Superintendent, would be willing to answer any questions Council may have.

Mayor Raines advised that since water consumption had gone down seven percent recently, he would like to issue a challenge to the people who are on City water to continue to conserve water and would like to see consumption down another seven percent by the time of the next Council meeting, which will be held on November 20th.

21752

Mayor Raines also expressed appreciation to Mr. Roberts and his employees for the job they continue to do at the Water Plant.

Upon a motion by Joseph Fawbush, seconded by William Mays, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section 2.2-3711 (A) (1) of the Code of Virginia as amended.

21753

Mayor Raines declared Council in closed meeting.

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, Council moved to go back into open meeting.

21754

Mayor Raines declared Council back in open meeting.

The Clerk polled each member of Council as to the Certification of Closed Meeting with each answering yes. The Clerk then read A Resolution of the Certification of Closed Meeting.

Upon a motion by Joseph Hunnicutt, seconded by Jack Wallace, and passed by the following unanimous vote: YES – Hunnicutt, Wallace, Mays, Fawbush, Raines, NO – None, ABSENT – None, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

21755

Mayor Raines opened the floor for confirmation of appointments to the Southwest Virginia Community Corrections Justice Board.

Joseph Hunnicutt submitted the following names for confirmation: Honorable Elizabeth S. Wills-Juvenile and Domestic Judge Representative, Honorable Henry Vanover-Circuit Court Judge Representative, Honorable Sage Johnson-District Court Judge Representative, Allison Steele-Education Representative, Chief William H. Price-Chief of Police Representative, Ruth Hale-Chief Magistrate Representative, Sheriff David Bradley-Sheriff's Representative, Roy Evans-Commonwealth Attorney Representative, Lee Noble-Regional Jail Representative, and Kevin Tiller, Defense Attorney Representative.

21756

This motion was seconded by Joseph Fawbush and unanimously approved by City Council.

Mayor Raines declared the individuals listed above as confirmed to the Southwest Virginia Community Corrections Justice Board.

In comments from the City Manager, Mr. Ward advised:

The next council meeting will be held on November 20, 2007. Council had, at their last meeting, cancelled the regularly scheduled meeting of November 6, 2007.

The City is in receipt of a letter from the Department of Recreation and Conservation stating that the City's Sedimentation Ordinance that had been previously submitted is in compliance.

21757

Halloween will be tomorrow, October 31st, from the hours of 5:30 to 8:30.

The City Audit for the year ended 6/30/07 is underway.

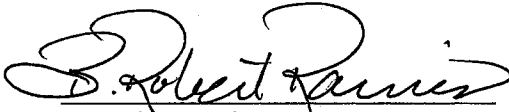
The Assessment of Real Property is almost complete and letters will be sent out soon.

There were no comments from the City Attorney or City Council.

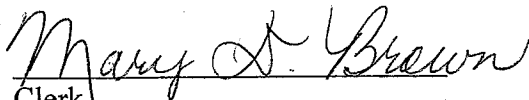
21758

There being no further business to come before Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA


B. Robert Raines, Mayor

ATTEST:


Clerk