AGENDA

Norton City Council

July 15, 2014

6:00 P.M.

1. Roll Call

2. Invocation – Rev. Ken Taylor

3. Pledge of Allegiance

4. Approval of Minutes

    1. Special Called Meeting of June 24, 2014

5. Audience for Visitors

6. New Business

    A. Update on the SRTS Project.

    B. Update on the Phase III Water Improvement Project.

    C. Discussion Concerning An Amendment to City Code Section 20-52 Relating to Fishing License Fees.

    D. Request by Pathfinders Outdoor Adventures, LLC to Amend A Special Use Permit Allowing Use of the City's Firing Range.

    E. A Resolution Defining Signature and Access Requirements for Various City Accounts, Investments, and Certificate Storage.

    F. Confirmation of a Check(s)/Transfer(s) in Excess of $100,000.

G. Closed Meeting to Discuss Personnel as Per Section 2.2-3711 (A) (1) of the Code of Virginia, as Amended.

1. Appointment to the Norton Planning Commission for a Four (4) Year Term; Currently Robert Isaac Whose Term Ends 7/31/2014.

To 7/31/2018

7. Comments by the City Manager, City Attorney, and City Council.

8. Adjournment.

The special called meeting of the Norton City Council was held on Tuesday, June 24, 2014 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, William Mays, Joseph Fawbush, and Terry Roop

Absent: Joseph Hunnicutt

Also Present: Fred L. Ramey, Jr., City Manager and Bill Bradshaw, City Attorney

The invocation was given by the City Manager and was followed by the pledge of allegiance led by Police Chief James C. Lane.

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous vote, Council moved to adopt the minutes of the June 17, 2014 meeting as presented. 26192

There was no response to the Mayor's call for visitors. 26193

Council was presented with An Ordinance of the City Council of the City of Norton, Virginia Enacting a Stormwater Management and Soil and Erosion Control for consideration.

Mr. Ramey advised that Council had reviewed this ordinance for the past several months and action needs to be taken before June 30th. The duly advertised public hearing was held at Council's last meeting and Council had been deadlocked as to which option to take on the appeals process. They then tabled the ordinance to be on tonight's agenda.

Mr. Bill Bradshaw advised Council that he had made some changes in the language in Options A and B and read these changes to them. In Option A, notification must be made in writing to the Clerk within 30 days to appeal the decision to the City Manager. To appeal to the Circuit Court, a written notice of appeal must be filed within 30 days of the City Manager's Decision. 26194

In Option B, a notification must be handled with the same procedure as Option A with an additional step between the City Manager and the Circuit Court. That step is that it will go to City Council or its designee.

Mr. Ramey advised that Winfred Collins, the City's Building Official, was present to answer any questions Council may have.

Following a brief discussion and upon a motion by Councilman Roop, seconded by Councilman Caruso, and passed by the following roll call vote: YES – Caruso, Roop, Mays, NO – Fawbush, ABSENT – Hunnicutt, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia Enacting a Stormwater Management and Soil and Erosion Control Ordinance and selecting Option B where the appeals process will include the step of coming to Council or its designee before going to the Circuit Court. (Insert)

In their packets, Council had been given a copy of a Fee Schedule for Stormwater Management Program Administration/Erosion and Sediment Control Program Administration/Permit Issuance.

Mr. Ramey advised this could have been included with the ordinance; however any future changes in fees would have required the ordinance to be amended each time.

Should Council have any questions, Mr. Collins, the City's Building Official, is present to answer any questions Council may have.

26195

Upon a motion by Councilman Caruso, seconded by Councilman Roop, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to adopt a Fee Schedule for Stormwater Management Program Administration/Erosion and Sediment Control Program Administration/Permit Issuance. (Insert)

At this time, the City Manager introduced to Council the City's new Social Services Director, Christine "Crickett" Blair, who started work June 23rd. Also present tonight is Glenda E. Collins, Community Policy and Management Board Chairperson for the City of Norton Community Policy and Management Board.

26196

Ms. Collins spoke to Council seeking an additional appropriation of $10,605.76 to cover the current Comprehensive Services Act caseloads through June 30, 2014.

During this discussion, Councilman Hunnicutt took his seat on Council.

26197

Following a brief discussion and upon a motion by Councilman Roop, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to appropriate $10,605.76 from Contingency to the City's Social Services for CSA caseloads through June 30, 2014.

26198

Council had been presented with An Ordinance Adopting the Budget for the City of Norton, Virginia for the Fiscal Year of July 1, 2014 Thru June 30, 2015 Appropriating Funds for all Contemplated Expenses of the City for the Fiscal Year and Placing Levies Upon All Real Estate, Personal Property and Bank Stock, Licenses, Fees, User Charges, and all Other Levies as Previously Imposed or Modified Herein. The budget totals $9,428,070 which is $28,342 less than the previous budget. A duly advertised public hearing was held at the last meeting.

26199

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt An Ordinance Adopting the Budget for the City of Norton, Virginia for the Fiscal Year of July 1, 2014 Thru June 30, 2015 Appropriating Funds for all Contemplated Expenses of the City for the Fiscal Year and Placing Levies Upon All Real Estate, Personal Property and Bank Stock, Licenses, Fees, User Charges, and all Other Levies as Previously Imposed or Modified Herein. (Insert)

Council had been given A Resolution for Member Contributions by Salary Reduction for Counties, Cities, Towns, and Other Political Subdivisions as provided by the Virginia Retirement System.

Mr. Ramey advised that Council has seen this resolution for the past two years as this had been mandated by the General Assembly for the phasing in of a 5% employee contribution. The City had done 1% for each of the past two years and this year went ahead and completed this requirement with the remaining 3%. 26200

Following a brief discussion and upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution for Member Contributions by Salary Reduction for Counties, Cities, Towns, and Other Political Subdivisions. (Insert)

A Resolution for Employer Contribution Rates for Counties, Cities, Towns, School Divisions and Other Political Subdivisions (in accordance with the 2014 Appropriation Act Item 468(H)) furnished by the Virginia Retirement System which establishes the City's contribution rate was presented to Council for action. The City was given the choice of selecting one of two options. One was the standard base rate of 10.7% or an alternate rate of 8.71%. It was the recommendation of the City Administration to select the standard base rate of 10.7%. 26201

After a brief discussion and upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution for Employer Contribution Rates for Counties, Cities, Towns, School Divisions and Other Political Subdivisions (in accordance with the 2014 Appropriation Act Item 468(H)) accepting the 10.7% standard base rate. (Insert)

A Resolution of the City Council of the City of Norton Adopting a Five Year Capital Improvements Program was the next item on the agenda. Mr. Ramey advised that this plan had been in place since 1988 and for the second time in two years, the City will not be in a position to do any capital projects. The only included items in this program for the upcoming budget year is $200,000 for annual paving and existing equipment leases in the amount of $56,174 in the General Fund and $38,000 for Water Tank Rehabilitation in the Enterprise Fund. 26202

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution of the City Council of the City of Norton Adopting a Five Year Capital Improvements Program. (Insert)

The City Manager advised that Councilman Caruso had asked for a discussion on an amendment to the City Code Section 20-52 relating to fees for license to fish in the upper reservoir.

Councilman Caruso stated he would like to see a new category of a short term pass, of either 3 or 7 days, added to this code section. He also would like for the license to run for one full year running from date of purchase. 26203

Following a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to authorize the City Attorney to prepare a new ordinance with the addition of a 3 consecutive day

fishing license in the amount of $5.00, with all fishing licenses to run for one year from date of purchase, and eliminate the Old Dominion Sportsman Association members from this ordinance for purchasing a license for a fee of $5.00. The City Manager was authorized to advertise a public hearing on changes to City Code Section 20-52 and Section 20-55 for the above changes.

The City Manager advised he would bring back a draft ordinance at the July meeting and advertise a public hearing to be held at the August meeting.

Mayor Mays advised he would like to have only one meeting during the months of July and August since Council has had so many meetings recently.

Following a brief discussion, it was the consensus of Council to cancel the first meeting of July and August. The July meeting will be July 15th and the August meeting will be August 19th.

26204

Since Mr. Collins will be attending classes and cannot be in attendance at the July meeting, the item of further discussion and action on the upcoming City of Norton Ordinance on Section No. 26.1-40-3 Accessory Use Limitations – General will be on the agenda for the August 19th meeting.

Council asked that Ms. Emershaw be informed.

The City Manager advised he would notify her of this date.

Council had copies of checks payable to the City of Norton Department of Social Services in the amount of $150,044.80 and to Thomas Construction Company in the amount of $278,123.17.

26205

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to approve checks as listed above.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section No. 2.2-3711 (A) (1) of the Code of Virginia, as amended.

26206

Mayor Mays declared Council in closed meeting.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to go back into open meeting.

26207

Mayor Mays 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 read A Resolution of the Certification of Closed Meeting.

26208

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

Mayor Mays opened the floor for nominations to the Southwest Regional Recreation Authority for a three year term which will expire on June 30, 2017.

Councilman Hunnicutt nominated W. C. "Buzz" Witt to be reappointed to this Authority.

Upon a motion by Councilman Roop, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved that the nominations cease. 26209

Mayor Mays declared W. C. "Buzz" Witt reappointed to the Southwest Regional Recreation Authority for a three year term which will expire on June 30, 2017.

The Mayor opened the floor for nominations of a student representative to the Lonesome Pine Office on Youth for a four year term which will expire on July 1, 2018.

Councilman Roop nominated Megan Steffey to be reappointed to this Board. 26210

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Mays declared Megan Steffey reappointed to the Lonesome Pine Office on Youth for a four year term as a student representative with term expiring on July 1, 2018.

Mayor Mays opened the floor for an appointment to the Black Diamond Resource Conservation Development Council for a two year term which will expire on July 1, 2016.

Councilman Caruso nominated Mark Leonard to be appointed to this Council. 26211

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved that the nominations cease.

Mayor Mays declared Mark Leonard appointed to the Black Diamond Resource Conservation Development Council for a two year term which will expire on July 1, 2016.

In comments from the City Manager, Mr. Ramey advised that:

The City Administration would like to thank Council for their support during this difficult budget cycle. The City Administration has already begun discussions on the 2015-2016 budget.

The annual Water Quality Reports have been sent out and a copy has been placed at Council members' desks.

The City Clerk was in receipt of an e-mail from the State regarding the annual Statement of Economic Interests and Financial Disclosures. She was advised that effective July 1st, these forms will be filled out twice a year beginning in 2015 and some other modifications have been put on them. 26212

The first summer camp sponsored by the Parks & Recreation Department, "The Engineer's Toolbox" was held June 16th- 20th. There were 22 slots and 22 in attendance.

The second camp, "The Green City Robot Rumble" is now being held through June 27th. There are 21 slots and 21 in attendance with 4 on a waiting list.

The final class will be held July 7th – 11th and is titled "Get Your Bot in the Game". He is receiving good comments on these camps and Council is to be commended for having financed these classes.

Water slides are on our Fantastic Fridays. A schedule is on Council members' desk.

City fireworks will be held on Saturday, July 5th.

There were no comments from the City Attorney. 26213

In comments from Council, Councilman Caruso asked for an update on the on the Flag Rock/High Knob Recreational Area sign. Mr. Ramey advised that a contract had been signed today and should be installed prior to the Tower's opening. 26214

Councilman Roop wished everyone a happy and safe holiday.

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

CITY OF NORTON, VIRGINIA

_____

William J. Mays, Mayor

ATTEST:

_____

Clerk

6-A

City of Norton

Inter-Office Memo

To: Mayor and City Council

From: Fred L. Ramey, Jr., City Manager FR

CC:

Date: July 10, 2014

Re: SRTS Project Update

The purpose of this agenda item is to provide City Council with a brief update on the recent project activities.

Thank You.

6-B

COMMONWEALTH of VIRGINIA

Marissa J. Levine, MD, MPH, FAAFP
State Health Commissioner

John J. Aulbach II, PE
Director, Office of Drinking Water

DEPARTMENT OF HEALTH
OFFICE OF DRINKING WATER

Madison Building
109 Governor Street, 6th Floor
Richmond, VA 23219
Phone: 804-864-7500
Fax: 804-864-7521

Processing Office:
Abingdon Field Office
454 East Main Street
Abingdon, Virginia 24210
Phone: 276-676-5650

SUBJECT: City of Norton
WATERWORKS: City of Norton
PWSID: 1720076

WATERWORKS CONSTRUCTION PERMIT

Permit No.: 101914 **Effective Date:** June 13, 2014 **Expiration Date:** June 13, 2019

Issued to:

Mr. Fred Ramey, City Manager
City of Norton
P.O. Box 618
Norton, VA 24273

ATTN Mr. Ramey:

Plans and specifications or for the construction of modifications to the City of Norton community waterworks, prepared by The Lane Group, have been reviewed by this Office. The plans entitled "SYSTEM-WIDE WATER IMPROVEMENTS PROJECT– PHASE III" are dated February 10, 2014, and include a title page and sheets N.1, N.2, I.1, C.1, C.2, C.3, C.4, C.5, C.6, C.7, C.8, C.9, C.10, DET.1, DET.2, DET.3, and DET.4. The specifications entitled "SYSTEM-WIDE WATER IMPROVEMENTS PROJECT– PHASE III, NORTON, VIRGINIA" are dated February 10, 2014.

The project consists of the replacement of 450 ft of 2-inch, 4,292 ft of 6-inch, and 3,152 ft of 8-inch diameter water main and associated appurtenances.

The plans and specifications are technically adequate and are approved by this Office, in accordance with 12VAC5-590 of the Commonwealth of Virginia *Waterworks Regulations*. One copy of these documents is on file in the Abingdon Field Office.

This approval does not suspend, minimize, or otherwise alter the waterworks obligation to comply with federal, state, or local laws and regulations or permits.

This Waterworks Construction Permit is issued in accordance with Title 32.1 of the Code of Virginia and 12VAC5-590 et seq. of the *Waterworks Regulations.* This is your authorization from the State Health Commissioner to construct modifications to the subject waterworks in accordance with the approved documents. Any deviations from the approved documents affecting capacity, hydraulic conditions, operating units, the functioning of the treatment processes, or the water quality delivered, must be approved by this Office before any such changes are made. Revised plans and specifications shall be submitted to the Abingdon Field Office in time to permit review and approval before construction.

Upon completion of construction, the owner shall submit a statement signed by a professional engineer licensed in Virginia certifying that the work was completed in accordance with the approved documents.

Upon receipt of this statement, final inspection by an Office representative and satisfactory results of the bacteriological analysis, the project may be put into service.

If we can be of additional assistance, please contact Jillian Churchill, Acting District Engineer, in our Abingdon Field Office at 276-525-6148.

Sincerely,

John J. Aulbach, II, PE
Director, Office of Drinking Water

JC:jcm

cc: Lane Group (Big Stone Gap Office), Attn: Mr. Jonathan E. Broskey, PE
City of Norton Health Department, Attn: Dr. E.S. Cantrell
Scott County Administrator
Scott County Building Official
FCAP, Attn: Mr. Paul Green
ODW – Central Office
ODW – Abingdon Field Office

6-C

PROPOSED AMENDMENT
TO
CITY OF NORTON FISHING ORDINANCE

BE IT ORDAINED and enacted by the Council of the City of Norton as follows:

1. That Section 20-52 of the Code of the City of Norton be amended by deleting subsection (a)(4) and substituting therefore the following:

(4) Residents or nonresidents for (3) consecutive days, Five Dollars ($5.00).

2. That Section 20-55 be amended to read its entirety as follows:

"A license under this division shall be valid for one (1) year from the date of issuance, except for the three (3) day license set forth in Section 20-52(4)."

Adopted: _____, 2014.

CITY OF NORTON, VIRGINIA

By:_____
WILLIAM MAYS, MAYOR

Attest:

_____
City Clerk

DRAFT

Chapter 20 - RESERVOIR [40]

ARTICLE I. - IN GENERAL
ARTICLE II. - FISHING AT UPPER RESERVOIR
ARTICLE III. - FISHING IN LOWER RESERVOIR

FOOTNOTE(S):

(40) ***Cross reference***— *Water and sewers, Ch. 25.* (Back)

ARTICLE I. - IN GENERAL

Sec. 20-1. - Violations of chapter.
Sec. 20-2. - Definition.
Sec. 20-3. - Hours of use.
Sec. 20-4. - Users to comply with state laws and regulations.
Sec. 20-5. - Suspension of use.
Sec. 20-6. - Littering; removing, damaging property generally.
Sec. 20-7. - Removal of or damage to vegetation.
Sec. 20-8. - Reserved.
Secs. 20-9—20-30. - Reserved.

Sec. 20-1. - Violations of chapter.

Unless otherwise specifically provided, a violation of any provision of this chapter shall constitute a Class 4 misdemeanor.

Cross reference— *Penalty for Class 4 misdemeanor, § 1-11.*

Sec. 20-2. - Definition.

As used in this chapter, the term "reservoir" shall mean the Norton Reservoir and land adjacent thereto and, unless indicated to the contrary, shall include both the upper and the lower reservoir.

Cross reference— *Definitions and rules of construction generally, § 1-2.*

Sec. 20-3. - Hours of use.

The reservoir shall be open for use each day from one (1) hour before sunrise until one (1) hour after sunset. It shall be unlawful for any person to use the reservoir between one (1) hour after sunset and one (1) hour before sunrise.

(Code 1975, § 16A-2)

Sec. 20-4. - Users to comply with state laws and regulations.

It shall be unlawful for any person using the reservoir to violate any provisions of state law or any regulation of the state commission of game and inland fisheries.

(Code 1975. § 16A-5)

Sec. 20-5. - Suspension of use.

The use of the reservoir may be suspended at any time by action of the city council if deemed advisable because of danger of wood fires, reduction of fish population, extreme low water or any hazard to the health of users of the city's public water supply system. No refund shall be allowed on any license fee paid under this chapter by reason of such suspension.

(Code 1975. § 16A-7)

Sec. 20-6. - Littering; removing, damaging property generally.

(a) It shall be unlawful for any person to deposit any paper, bottles, cans, rubbish, litter or other waste, trash or deleterious matter in or at the reservoir except in the receptacles provided to receive the same.

(b) It shall be unlawful for any person to remove, deface or damage any sign, poster, trash receptacle, sand, stone, or other property or fixture of any kind belonging to or provided by the city at the reservoir.

(Code 1975. §§ 16A-6, 21-13, 21-15, 21-16)

Cross reference— *Littering generally, § 9-6 et seq.; damaging public property generally, § 14-68 et seq.*

Sec. 20-7. - Removal of or damage to vegetation.

It shall be unlawful for any person to unnecessarily remove or damage any vegetation at or in the reservoir.

(Code 1975, § 16A-6)

Sec. 20-8. - Reserved.

Editor's note—

An ordinance adopted May 5, 2009, repealed § 20-8, which pertained to fishing prohibited in lower reservoir. The user's attention is directed to § 20-60 et seq.

Secs. 20-9—20-30. - Reserved.

Norton, Virginia, Code of Ordinances >> - CODE >> Chapter 20 - RESERVOIR >> ARTICLE II. - FISHING AT UPPER RESERVOIR >>

ARTICLE II. - FISHING AT UPPER RESERVOIR

DIVISION 1. - GENERALLY
DIVISION 2. - LICENSE

Norton, Virginia, Code of Ordinances >> - CODE >> Chapter 20 - RESERVOIR >> ARTICLE II. - FISHING AT UPPER RESERVOIR >> DIVISION 1. - GENERALLY >>

DIVISION 1. - GENERALLY

Sec. 20-31. - Limits; check-out of catch.
Sec. 20-32. - Cleaning of fish on water prohibited.
Secs. 20-33—20-50. - Reserved.

Sec. 20-31. - Limits; check-out of catch.

It shall be unlawful for any person to take from the upper reservoir or have in his possession at such reservoir a greater number of trout than is provided by state law. All trout taken from such reservoir must be produced for check-out purposes the same day by the agent designated by the city manager.

Except for trout; the upper reservoir is a catch and release fishing area. No fish, except for trout may be removed from the upper reservoir.

(Code 1975, § 16A-6; Ord. of 7-13-10)

Sec. 20-32. - Cleaning of fish on water prohibited.

No person shall clean any fish on the waters of the upper reservoir.

(Code 1975, § 16A-6)

Secs. 20-33—20-50. - Reserved.

Norton, Virginia, Code of Ordinances >> - CODE >> Chapter 20 - RESERVOIR >> ARTICLE II. - FISHING AT UPPER RESERVOIR >> DIVISION 2. - LICENSE >>

DIVISION 2. - LICENSE

Sec. 20-51. - Required.
Sec. 20-52. - Fee.
Sec. 20-53. - Issuance.
Sec. 20-54. - Restrictions.
Sec. 20-55. - Term.
Sec. 20-56. - Not transferrable.
Secs. 20-57—20-59. - Reserved.

Sec. 20-51. - Required.

It shall be unlawful for any person to fish on the upper reservoir unless he has a current license so to do issued pursuant to this division.

(Ord. of 6-3-80, §§ 1, 3)

Sec. 20-52. - Fee.

(a) The fee for a license required by this division shall be as follows:

(1) *City residents over the age of twelve (12) years,* ten dollars ($10.00).

(2) *Nonresidents over the age of twelve (12) years,* fifteen dollars ($15.00).

(3) *Children twelve (12) years of age and under, both resident and nonresident,* no charge. Children under this division are allowed to fish only while accompanied by a licensed resident or nonresident over the age of twelve (12) years.

(4) *Members of the Old Dominion Sportsman's Association,* five dollars ($5.00).

(b) Notwithstanding the provisions of subsection (a) above, city residents sixty-five (65) years of age or older or any veteran who has a permanent and total service connected disability as certified by the Veterans Administration may obtain a lifetime fishing license at no charge and such license shall not be subject to the provisions of section 20-55

(Ord. of 6-3-80, § 2; Ord. of 5-21-91; Ord. of 11-16-10)

Sec. 20-53. - Issuance.

The license required by this division shall be issued by the city treasurer or such agents as are designated by the council upon the filing of a proper application therefor and payment of the prescribed fee.

Cross reference— *Identification of persons applying for city license. § 2-3.*

Sec. 20-54. - Restrictions.

Licenses issued under this division shall be subject to restrictions approved by the council and printed on the back of the license.

Sec. 20-55. - Term.

A license issued under this division shall be valid for the calendar year in which issued.

Sec. 20-56. - Not transferrable.

A license issued under this division shall not be transferrable.

(Code 1975, § 16A-7)

Secs. 20-57—20-59. - Reserved.

Norton, Virginia, Code of Ordinances >> - CODE >> Chapter 20 - RESERVOIR >> ARTICLE III. - FISHING IN LOWER RESERVOIR >>

ARTICLE III. - FISHING IN LOWER RESERVOIR

DIVISION 1. - GENERALLY
DIVISION 2. - PERMIT

Norton, Virginia, Code of Ordinances >> - CODE >> Chapter 20 - RESERVOIR >> ARTICLE III. - FISHING IN LOWER RESERVOIR >> DIVISION 1. - GENERALLY >>

DIVISION 1. - GENERALLY

Sec. 20-60. - Limits.
Sec. 20-61. - Cleaning of fish on water prohibited.
Sec. 20-62. - Trespass prohibited on lower reservoir dam.
Secs. 20-63—20-69. - Reserved.

Sec. 20-60. - Limits.

The lower reservoir is a catch and release fishing area. No fish may be removed from the lower reservoir.

(Ord. of 5-5-09)

Sec. 20-61. - Cleaning of fish on water prohibited.

No person shall clean any fish on the waters of the lower reservoir.

(Ord. of 5-5-09)

Sec. 20-62. - Trespass prohibited on lower reservoir dam.

It shall be unlawful for any person to trespass on the lower reservoir dam or to fish within fifty (50) feet of the lower reservoir dam.

(Ord. of 5-5-09)

Secs. 20-63—20-69. - Reserved.

Norton, Virginia, Code of Ordinances >> - CODE >> Chapter 20 - RESERVOIR >> ARTICLE III. - FISHING IN LOWER RESERVOIR >> DIVISION 2. - PERMIT >>

DIVISION 2. - PERMIT

Sec. 20-70. - Required.
Sec. 20-71. - Permit fee.
Sec. 20-72. - Issuance.
Sec. 20-73. - Restrictions.
Sec. 20-74. - Term.
Sec. 20-75. - Not transferrable.

Sec. 20-70. - Required.

It shall be unlawful for any person to fish on the lower reservoir unless he has a current permit to do so issued pursuant to this division. Said permit is in addition to the licensing requirements to fish in the upper reservoir.

(Ord. of 5-5-09)

Sec. 20-71. - Permit fee.

(a) The fee for a permit required by this division shall be as follows:

(1) *City residents:* Twenty five dollars ($25.00).

(2) *Nonresidents of the city:* Thirty five dollars ($35.00).

(Ord. of 5-5-09)

Sec. 20-72. - Issuance.

The permit required by this division shall be issued by the city treasurer or such agents as are designated by the council upon the filing of a proper application therefor and payment of the prescribed fee.

(Ord. of 5-5-09)

Sec. 20-73. - Restrictions.

Permits issued under this division shall be subject to restrictions approved by the council and printed on the back of the permit.

(Ord. of 5-5-09)

Sec. 20-74. - Term.

A permit issued under this division shall be valid for the calendar year in which issued.

(Ord. of 5-5-09)

Sec. 20-75. - Not transferrable.

A permit issued under this division shall not be transferrable.

(Ord. of 5-5-09)

Fred Ramey 6-D

From: Mark and Carol <mac@pathfindersoa.com>
Sent: Wednesday, May 28, 2014 8:03 AM
To: Fred Ramey
Cc: cbc@pathfindersoa.com
Subject: Special Use Permit for the Range

Fred,
In order to expand my business and comply with the City use Permit that was issued to Pathfinders in 2009 I need to have council modify the permit.

My recommended changes are as follows:

Special Use Permit Changes:

Initial Paragraph, last line, change to read: ...a revocable permit to utilize the City of Norton Firing Range to conduct firearms training, classes, events and activities.

Paragraph 3: Change to read: Each person receiving firearms training or participating in Pathfinder sponsored training, activities or events shall...

These change should give me the latitude to hold a shooting contest or event and a survival training activity. I trust that our safety record with the current permit and the potential to bring patrons to the city for two day events will convince them the changes are good for everyone.

Bottom line we want to hold shooting matches, skeet shoots, archery contests, and survival training on the range. We get dozens of requests for a place to shoot by our previous students who are trained to shoot safely. Shooters will always be supervised with certified range safety officers. We need this to expand our business model and bring something to the city that no other locality has in SWVA. This expansion has a real potential to bring patrons to other businesses in the City.

I would like to get this before council as soon as possible, but at a time I can be there to answer questions if needed. If you have any questions, concerns or recommendations , please let me know.. Thanks!

Mark

Mark and Carol Caruso
Pathfinders Outdoor Adventures, LLC
534 Park Ave, Norton, Va 24273

www.pathfindersoa.com
276-219-4001/ 4002

CITY OF NORTON

SPECIAL USE PERMIT

Pursuant to the authority of the City Council of the City of Norton, Virginia, at a meeting of July 28, 2009, the City Council of the City of Norton, Virginia hereby grants to Pathfinders Outdoor Adventures, LLC (Pathfinders OA, LLC) a revocable permit to utilize the City of Norton Firing Range to conduct firearms training and classes.

The permit granted to Pathfinders OA, LLC is confined to the use of the property for the stated purpose and no other. Pathfinders OA, LLC agrees to the following conditions:

1. Pathfinders OA, LLC covenants not to sue and shall indemnify, defend and hold the City and its employees, agents, representatives and officers (the "Indemnified Parties") harmless from and against any and all actions, claims, demands, suits or costs in any way connected with the activities of Pathfinders OA, LLC in exercising the privileges granted by this permit.

2. In addition to the foregoing, Pathfinders OA, LLC shall at all times maintain in full force and effect a policy of liability insurance with coverage limits of not less than one million dollars ($1,000,000.00) per occurrence for personal injury and property damage, and shall provide the City with a current certificate of coverage, which certificate shall name the Indemnified Parties as additional insureds.

3. Each person receiving firearms training at the Firing Range shall be required to enter into an Indemnification Agreement in the form attached hereto as Exhibit A and made a part hereof. Pathfinders OA, LLC shall furnish copies of the executed Indemnification Agreements to the City.

4. Firearms training shall be conducted only by properly certified instructors. Current copies of certifications shall be furnished to the City.

5. Pathfinders OA, LLC shall at all times comply with all local, state and federal laws, rules and regulations as they may affect its use of or operations at the Firing Range, including but not limited to land use, zoning and licensing and safety regulations of any entity having jurisdiction.

Pathfinders OA, LLC shall be authorized to use said property on a monthly basis for a prepaid fee of $30.00 for each time of use provided that the use of said property is scheduled in advance with the City and it in no way conflicts with any City usage. Pathfinders OA, LLC shall

not be authorized to alter, change, or modify said property without the consent of the City Manager and shall maintain the property after each time it is used. Further, the City makes no other representations to Pathfinders OA, LLC and is in no way responsible for any assurances other than that previously stated.

This is a revocable permit and the City Council through its designee the City Manager may revoke said permit by providing Pathfinders OA, LLC thirty (30) days written notice at which time said permit shall be revoked.

Given under my hand this 30th day of July, 2009.

City of Norton, Virginia

By: _____
E. W. Ward, City Manager

AGREED:

PATHFINDERS OUTDOOR ADVENTURES, LLC

By: _____
Authorized Representative

FIRING RANGE USE
INDEMNIFICATION AGREEMENT

The undersigned (and on behalf of my heirs, personal representatives, successors and assigns), for and in consideration of the opportunity to participate in firearms safety training on property owned by the City of Norton, Virginia ("City"), the receipt and adequacy of which are hereby acknowledged, agrees not to sue and to defend, indemnify and hold the City and its respective Officers, Affiliates, Employees, and Agents (Indemnified Parties) harmless from any claims and demands, rights and causes of action of any kind whatsoever which I or any other person may have in any way resulting from, arising out of or in connection with my participation in any such activity.

I agree and understand that this Agreement extends to any and all claims I have or may have against the Indemnified Parties, whether such claims result from negligence (except willful negligence) on the part of any or all of the Indemnified Parties, with respect to the activities or with respect to the conditions, qualifications, instructions, rules, or procedures under which the activities are conducted, or from any other cause. I understand that this means I agree not to sue and to defend, indemnify and hold harmless any or all of the Indemnified Parties for any injury to third parties, myself or my property during or in connection with said activities.

I hereby declare that I am experienced in and familiar with the use of firearms and fully understand the risks and dangers inherent in firearms use. I am voluntarily participating in the activities and I expressly agree to assume sole responsibility for the safe and successful use of my firearms and to provide indemnification for entire risk of any accidents or personal injury, including death, which I or third parties might suffer as a result of my participation in the activity even if such risks result from negligence (except willful negligence) on the part of any or all of the Indemnified Parties.

By signing this Agreement, I certify that I have read this Agreement and fully understand it, and that I am not relying on any statements or representations of anyone indemnified thereby.

Date: 8/4/09

Participant's Signature:

Participant's Name (Print): Mark A. Caruso

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

07/17/2009

PRODUCER

Lockton Risk Services
P.O. Box 410679
Kansas City, MO 64141-0679
877-672-3006

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED MARK A. CARUSO

P.O. BOX 297

NORTON, VA 24273-0297

INSURERS AFFORDING COVERAGE	NAIC#
INSURER A: Certain Underwriter's at Lloyd's, L	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE(MM/DD/YY)	POLICY EXPIRATION DATE(MM/DD/YY)	LIMITS	
A	X	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR X Professional Liab. GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	121077752	01/02/2009	01/02/2010	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurence)	$ 100,000
						MED EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 1,000,000
						PRODUCTS - COMP/OP AGG	$ 1,000,000
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY OCCUR CLAIMS MADE				EACH OCCURRENCE	$
						AGGREGATE	$
		DEDUCTIBLE					$
		RETENTION $					$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate Holder is an Additional Insured as respects use of the premises for classroom training.

CERTIFICATE HOLDER

Pathfinders Outdoor Adventure, LLC

534 Park Ave.

Norton, VA 24273

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

©ACORD CORPORATION 1988

DS#7480566 1077752

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

07/17/2009

PRODUCER	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
Lockton Risk Services P.O. Box 410679 Kansas City, MO 64141-0679 877-672-3006	INSURERS AFFORDING COVERAGE	NAIC#
INSURED MARK A. CARUSO P.O. BOX 297 NORTON, VA 24273-0297	INSURER A: Certain Underwriter's at Lloyd's, L	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	X	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR X Professional Liab. GEN'L AGGREGATE LIMIT APPLIES PER X POLICY PRO-JECT LOC	121077752	01/02/2009	01/02/2010	EACH OCCURRENCE	$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurence)	$ 100,000
						MED EXP (Any one person)	$ 5,000
						PERSONAL & ADV INJURY	$ 1,000,000
						GENERAL AGGREGATE	$ 1,000,000
						PRODUCTS - COMP/OP AGG	$ 1,000,000
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident)	$
						BODILY INJURY (Per person)	$
						BODILY INJURY (Per accident)	$
						PROPERTY DAMAGE (Per accident)	$
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT	$
						OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE	$
						AGGREGATE	$
							$
							$
							$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS / OTHER	
						E.L. EACH ACCIDENT	$
						E.L. DISEASE - EA EMPLOYEE	$
						E.L. DISEASE - POLICY LIMIT	$
		OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate Holder is an Additional Insured as respects use of the premises located at 618 Virginia Ave. Norton, VA 24273 for live fire training.

CERTIFICATE HOLDER	CANCELLATION
City of Norton P.O. Box 618 Norton, VA 24273	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE

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DS#7480555 1077752

6-E

A RESOLUTION DEFINING SIGNATURE AND ACCESS REQUIREMENTS FOR VARIOUS CITY ACCOUNTS, INVESTMENTS, AND CERTIFICATE STORAGE

WHEREAS, the Council of the City of Norton, Virginia resolves to define signature requirements on all City checks, investments, and access to safe deposit box;

NOW, THEREFORE, BE IT RESOLVED that the following signatures will be required:

Section 1. City of Norton General Operating Fund, Water/Sewer Fund, and Special Revenue Accounts

Fred L. Ramey, Jr. or Jeffery A. Shupe
And
Barbara A. Muir or Kristy L. Wells

Section 2. City of Norton Payroll Checks

Fred L. Ramey, Jr. or Jeffery A. Shupe
And
Barbara A. Muir or Kristy L. Wells

Section 3. City of Norton Department of Social Services and Related Accounts

Christine Blair, Fred L. Ramey, Jr., or Jeffery A. Shupe
And
Barbara A. Muir or Kristy L. Wells

Section 4. City of Norton Certificates of Deposit, Investments, and Safety Deposit Box

Fred L. Ramey, Jr. And/Or Barbara A. Muir

BE IT FURTHER RESOLVED that the City Manager, City Clerk, City Treasurer, and City Attorney are hereby authorized to execute the necessary bank documents to effectuate this resolution.

THIS RESOLUTION to be in effect upon adoption.

ADOPTED this 15th day of July, 2014.

CITY OF NORTON, VIRGINIA

_____
William J. Mays, Mayor

ATTEST:

_____
Clerk

NORTON CITY SCHOOLS

PO BOX 498
22 TENTH STREET
NORTON, VA 24273-0498

DIVISION SUPERINTENDENT
JEFF COMER

SCHOOL BOARD
TIM CASSELL
CHAIRPERSON
STEVE CHILDERS
VICE-CHAIRPERSON
VALERIE BROWN
MARK LEONARD
SHERRY ADAMS

6-F

TO: Jeff Shupe

FROM: Yvonne Isom, Finance Manager

SUBJECT: Request For Funds

DATE: June 30, 2014

The Norton City Schools request a deposit of City Funds in the amount of $260,000.00 to cover employee fringe benefits and end of year bills payable.

www.nortoncityschools.org 276-679-2330 OR 276-679-4586 FAX 276-679-4315