

AGENDA

Norton City Council

November 18, 2014

6:00 P.M.

1. Roll Call
2. Invocation – Father Tim Drake
3. Pledge of Allegiance
4. Approval of Minutes
 1. Meeting of September 16, 2014
5. Audience for Visitors
6. New Business
 - A. Presentation on a Proposed eSummons Project Initiated by the Wise County Circuit Court Clerk's Office.
 - B. Update on Request to Rezone Residential Parcels.
 - C. Resolution Adopting a Policy for Remote Participation in Public Meetings Under Virginia Code Section 2.2-3708.1.
 - D. Consideration of a Memorandum of Understanding with the Southwest Virginia Climbing Coalition Regarding Rock Climbing Opportunities in the Flag Rock Recreation Area.
 - E. Update on the Woodbooger Search Event Held October 24th & 25th in the Flag Rock Recreation Area.
 - 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 Department of Social Services
Advisory Board for a Four (4) Year Term; Currently
Marty Adkins Whose Term Ends 11/15/2014.

To 11/15/2018

2. Appointment of a Council Representative to the City
of Norton Community Policy and Management
Board; Currently Terry Roop.

To 11/15/2018

3. Evaluation of the City Manager.

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

8. Adjournment.

The regularly scheduled meeting of the Norton City Council was held on Tuesday, October 21, 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 Reverend John Ellington and was followed by the pledge of allegiance led by Fire Chief D. C. Mullins and members of the Norton Fire Department.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to adopt the minutes of the September 16, 2014 meeting as presented. 25285

There was no response to the Mayor's call for visitors. 25286

At this time, Mr. Ramey stated he had invited a City employee to tonight's meeting. This employee was Mrs. Dottie Abshire, who will be retiring at the end of this month after 27 years of service to the City. Mrs. Abshire has been an E911 dispatcher since her employment and served as the Dispatch Supervisor for fifteen of those years.

Mrs. Abshire came forward and Mayor Mays presented to her, on behalf of Council, a plaque honoring her years of service and dedication to the city. Mrs. Abshire was given a standing ovation and received applause and thanked for her years of service. 25287

Mrs. Abshire thanked Council and stated she has enjoyed working for the City and that she will miss her job as E911 dispatcher.

At this time, Mayor Mays advised he would abstain from discussion on the Rural Development Community Facilities Loan & Grant Project and turned the meeting over to Vice Mayor Fawbush. 25288

The City Manager advised Council the purpose of the public hearing was to provide the public with an opportunity to offer comments regarding the proposed Rural Development Community Facilities Loan & Grant Project. The proposed project would purchase three new police vehicles with related equipment under this loan/grant program. A public hearing is required before City Council takes any action.

There being no comments or discussion by City Council, Vice Mayor Fawbush opened the public hearing. 25289

There being no public comments, Vice Mayor Fawbush closed the public hearing.

City Council had no comments or discussion and the City Manager advised no further action was needed at this time.

The Vice Mayor turned the meeting back over to Mayor Mays.

Mayor Mays recognized Fire Chief D. C. Mullins who presented Council with a list of working officers of the Department for the fiscal year 2014-2015. He advised there were

no changes on the list from last year. He asked Council's consideration in approving this group of volunteers.

Chief Mullins then introduced each member that was present and advised Council that the Department averages sixteen members per call with an en-route time of 2 minutes.

Mayor Mays commended the Department for their service to the City as did Councilman Caruso.

25290

Upon a motion by Councilman Roop, seconded by Councilman Mark Caruso, and passed by unanimous vote, Council moved to approve the list of working officers for the fiscal year 2014-2015 as presented by Fire Chief Mullins. At this time, a round of applause was given to the firefighters.

Mr. Ramey advised the City had recently received notification that the Planning Commission had been approached about rezoning of the Roberts Avenue/Locust Avenue areas which, lie between Kentucky Avenue and Lost Creek Drive S.W. He asked City Building Official Winfred Collins to formally present this recommendation to Council on behalf of the Planning Commission.

Mr. Collins presented Council with a PowerPoint presentation on the rezoning process and a map of the Roberts Avenue/Locust Avenue areas. This request was heard by the Planning Commission and a public hearing was held on the rezoning of the property from Residential A (R-A) to Residential B (R-B). The Commission stated the request was in compliance with the City's Comprehensive Plan and voted to recommend to City Council that this request be approved.

25291

Councilman Roop cited several reasons for having Residential A (R-A) and his opinion would be not to approve the rezoning request but he wants to hear from the citizens in that area.

After a brief discussion, it was the consensus of City Council to authorize the City Manager to advertise a public hearing on the rezoning request.

Presented to Council in their packets were two resolutions and a Code of Conduct which are required to be adopted by Rural Development for the Community Facilities Loan and Grant.

The first resolution is A Loan Resolution Authorizing the Execution of Rural Development Loan Documents Related to a Community Facilities Loan and Grant Project.

At this time, Mayor Mays inquired of the City Attorney if he needed to abstain from discussion on Agenda Items C, D, and E; the City Attorney advised Mayor Mays that he did not need to excuse himself from discussion of these items.

25292

This resolution states the City is undertaking the issuance of bonds in the amount of \$50,000.00 that will be paid back over five years.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to adopt a Resolution Authorizing the Execution of Rural Development Loan Documents Related to a Community Facilities Loan and Grant Project. (Insert)

The second resolution is A Resolution Authorizing the Execution of Rural Development Grant Documents Related to a Community Facilities Loan and Grant Project. This resolution authorizes the City Manager, Mayor, or both to execute any additional documents related to the loan and grant.

25293

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT - Hunnicutt, Council moved to adopt A Resolution Authorizing the Execution of Rural Development Grant Documents Related to a Community Facilities Loan and Grant Project. (Insert)

Also for Council's consideration was A Code of Conduct Related to a Community Facilities Loan and Grant Project.

The City Manager advised that Rural Development requires any project to adopt a Code of Conduct.

25294

Upon a motion by Councilman Roop, seconded by Councilman Fawbush, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Code of Conduct Related to a Community Facilities Loan and Grant Project. (Insert)

Council had been presented with a resolution seeking to designate a Woodbooger Sanctuary in the City of Norton.

Councilman Caruso informed Council it was the wish of the Tourism Committee to move forward with the Woodbooger Sanctuary to increase outdoor recreation in the Flag Rock Recreation Area. At this time, Councilman Caruso read a draft resolution declaring the City of Norton a Sasquatch/Bigfoot/Woodbooger Sanctuary.

25295

Following a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council adopted a resolution declaring the City of Norton a Sasquatch/Bigfoot/Woodbooger Sanctuary. (Insert)

Council had been supplied, in their packets, an Application for a water and sewer connection from Norman D. Jennings at 5200 Spotswood Road which is outside the City limits.

The City Manager informed Council the City's T&D Supervisor had reviewed the application and the water and sewer services are available.

25296

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by the following unanimous roll call vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council approved the request for an outside water and sewer connection of Norman D. Jennings at 5200 Spotswood Road.

Included in Council's packet were one transfer and two checks for approval. These are as follows: A transfer to the Norton City Schools in the amount of \$270,000 dated September 29, 2014; a check to Thomas Construction Company, Inc., in the amount of \$119,266.19; and a check to Thomas Construction Company, Inc., in the amount of 236,669.72.

25297

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve the transfer and two checks as stipulated above.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, 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.

Mayor Mays declared Council in closed Meeting.

25298

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

Mayor Mays declared Council back in open meeting.

25299

The acting clerk polled each member of Council as to the Certification of Closed Meeting with each answering yes. The acting clerk then read A Resolution of the Certification of Closed Meeting. Upon a motion by Councilman Roop, seconded by Councilman Fawbush, and passed by the following unanimous vote: YES – Caruso, Fawbush, Roop, Mays, NO – None, ABSENT – Hunnicutt, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

25300

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

On Wednesday, October 15th, the City officially closed on the refinancing of the \$1,208,000 General Obligation Bond at a fixed rate of 2.72%.

City Staff was recently notified that we were being awarded the Predevelopment Planning Grant from Rural Development to assist the City in completing a Preliminary Engineering Report for the Hawthorne Drive Utility Relocation Study. It was the consensus of Council to accept the award and move forward with the project.

The Norton Water Treatment Plant logged record rainfall during the month of October.

Due to the recent heavy rainfall, portions of the upper bench on the SRTS Project have to be cut back due to slides and a portion of the project has been re-engineered.

Norton City Schools recently recognized the City's Emergency Services for their efforts after the bomb threat at NEMS.

25301

City Council has been provided the latest Monthly Retail Sales Tax Report.

He provided Council with a document from the VML outlining the governor's proposed budget cut plan. He is waiting on the Impact of Aid to the Commonwealth which is being re-implemented.

The 2015 Coalfield Legislative Reception has been scheduled for Thursday, January, 22 in Richmond and asked that Council members contact him if they plan to attend in order for him to make reservations.

He presented Council with a copy of the Woodbooger Search Flyer that will be held this Friday and Saturday at Flag Rock Recreation Area.

He advised the City will be assisting with the following upcoming events: Sykes' Color Me Red 5K on October 26th, the Catholic Church's St. Jude's Fundraising 5K Run/Walk event on November 1st, and Family Preservation Services Santa Fun Run/Walk 5K on December 6th.

There were no comments from the City Attorney.

25302

In comments from Council:

Councilman Caruso highlighted sales tax revenue is up and he hopes the trend continues through the Christmas season. Also, he wanted to thank those involved in planning the Woodbooger event this weekend and the Tourism Committee for their efforts.

Vice Mayor Fawbush advised the Woodbooger Search event this weekend is just one small piece of the tourism puzzle that is needed to bring tourists to our area. He also suggested that the Heart of Appalachia or another agency should coordinate all events in the area so that events do no overlap which would make us more productive in scheduling of events.

Councilman Roop mentioned the Appalachian Voice October/November 2014 edition had a picture of Shayne Fields, an article on the new bike trail along with several comments from Councilman Caruso which are good public relations for tourism in the City of Norton as well as the region. Councilman Roop commented the Woodbooger event is very creative and we have to get our own young people excited and involved this is a stepping stone to bringing outsiders to the area. He thanked Coalfield Progress Reporter Katie Dunn and everyone involved the Hellbender 10K for their efforts in the event and the editorial in the Coalfield which reflected positively on the City. He also hopes that Teresa Holt continues to improve and recover quickly from a recent accident. The City recently received a recycling grant and he would like for the City Manager to give an update in the future on the recycling program in the City. He also stated he would like for the City to work with the school on increasing their recycling efforts. The City had received a letter from Heart of Appalachia regarding our kiosk located at Hardees asking us to evaluate the location to ensure we are receiving maximum benefit and asked that this be done. He also wanted to hear about the September meeting between Mr. Ramey and other town managers. He hoped this meeting was held and continues as a regional approach for tourism and to improve the economy in Southwest Virginia.

25303

Mayor Mays noted that in the past City Hall was closed for voting. Even though elections are not in the Municipal Building any longer he would like to know Council's opinion on the November 4th meeting.

25304

Following a brief discussion, the consensus of City Council was to cancel the meeting for Tuesday, November 4, 2014.

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

CITY OF NORTON, VIRGINIA

William Mays, Mayor

ATTEST:

Acting Clerk

ORDINANCE ON ELECTRONIC SUMMONS SYSTEMS COST ASSESSMENT

WHEREAS, the City of Norton Code permits court costs to be assessed in criminal and traffic cases; and

WHEREAS, Norton, Virginia desires to implement a new electronic summons systems; and,

WHEREAS, in 2014, the Virginia General Assembly passed a \$5.00 assessment relating to electronic summons systems that permits the additional sum as part of the costs in each criminal or traffic case in the district or circuit courts for defendants charged with a violation of any statute or ordinance; and,

WHEREAS, the new assessment is to be collected by the clerk of the circuit court and district courts and held by the treasurer in a separate internal record; and,

WHEREAS, the funds are to be disbursed to participating law enforcement agencies located within the City of Norton for the sole purpose of funding software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system; and

WHEREAS, the City of Norton desires to consider this new ordinance on an electronic summons systems assessment to offset the costs of hardware, software and equipment;

NOW, THEREFORE BE IT ORDAINED, on this _____ day of October, 2014, that such fee assessment is hereby proposed as set forth below:

COST ASSESSMENT FOR ELECTRONIC SUMMONS SYSTEM

Sec. _____. *Assessment and collection.*

The clerks of general and juvenile and domestic relations district courts and the clerk of the circuit court of the city shall assess and collect an additional sum of \$5.00 as part of the costs in each criminal or traffic case in the district or circuit courts located within its boundaries in which the defendant is charged with a violation of any statute or ordinance.

Sec. _____. *Remittance of funds; recordkeeping.*

The assessment shall be collected by the clerk of each of the respective courts and shall be remitted to the city treasurer. The treasurer shall maintain a separate internal record, and funds shall be held by such treasurer subject to disbursements by the governing body to participating law enforcement agencies located within the City of Norton.

Sec. _____. *Appropriation of funds.*

All funds received by the city as a result of this section may be appropriated by the governing body for disbursements to the participating law enforcement agencies located within the City of

Norton solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

This Ordinance shall be effective _____.

6-B

WILLIAM E. BRADSHAW, P.C.

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November 6, 2014

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

RE: SUGGESTIONS FOR AMENDMENT TO CITY ZONING ORDINANCE

Dear Fred:

In our telephone conversation on the morning of November 5th, you asked me to review and advise you about the public notice concerning a rezoning request affecting certain property in the City. I reviewed the public notice, the Norton City Code and the Code of Virginia dealing with planning, subdivision of land and zoning. During the course of my review, it became evident that the City's zoning ordinance is at variance with controlling state law, largely because of amendments to the state code since enactment of the City's ordinance. Since your request was about rezoning of several parcels within the City, that is the area of state law I researched and which I will address.

The City ordinance addresses the procedure for zoning amendments in Section 26.1-52, a copy of which is enclosed for your ready reference. While this procedure mirrored the Code of Virginia when it was adopted in 1993, the Code has been expanded and amended several times since then. An obvious example is that while the City ordinance requires notice to be given in accordance with the provisions of former State Code Title 15.1, that title was repealed, modified and amended substantially several years ago. It now appears in the State Code as Title 15.2.

More substantially, the procedures for amending the zoning ordinances (including the zoning map) have been amended to require much more detail than was formerly the case. For example, refer to the current State Code Section 15.2-2285, enclosed for your reference. Subsection B requires that the process begins with Council after an appropriate application has been made. Council then, if it chooses, refers the proposed amendment to the planning commission for its recommendations. The planning commission prepares the amended map, gives notice as required by 15.2-2204 (the form of which is quite detailed, as set forth in that

section, copy attached), holds a public hearing and makes its recommendations back to Council. Council then gives another public notice in the form and substance required by 15.2-2204 and 15.2-2285.B. and, holds a public hearing before it can approve and adopt the proposed amendment. An aggrieved applicant may appeal the ruling to the Circuit Court within thirty days.

As an interesting side note, our ordinance could (but presently does not) require that an applicant produce satisfactory evidence that any delinquent real estate taxes, nuisance charges, stormwater management fees or other charges that constitute a lien on the applicant's property have been paid before the proposed amendment will be considered. See Section 15.2-2286.B., attached.

I suggest that Council consider modernizing our present procedure for amendments to the ordinance or the zoning map to bring it into line with current state law. Should Council decide to do so, the appropriate action would be to refer the issue to the planning commission for consideration and recommendation after notice as required by 15.2-2204. No individual notice to the landowners would be required. After the planning commission makes its report to Council, after a further notice and public hearing, the recommendations could be adopted. I would also suggest that Council consider an administrative hold or moratorium on citizen-requested zoning ordinance or map amendments until this process is completed.

I am sure that you, Council and Winfred Collins will have questions about these recommendations, which I will be happy to discuss at your request. Best regards.

Sincerely,

WILLIAM E. BRADSHAW, P.C.

A handwritten signature in blue ink that reads "Bill".

William E. Bradshaw

WEB:sgc
Enclosures

August 26, 2014

PUBLIC NOTICE

The City of Norton Planning Commission will hold a public hearing on Thursday, September 11th, 2014 at 7:00 p.m. in the Municipal Council Chambers located at 618 Virginia Ave. NW. The purpose of the hearing is to solicit public input on a requested rezoning request from several property owners in the Locust Avenue, Roberts Avenue area of the City of Norton. The affected property is located on the south side of Kentucky Avenue and lying between 1st Street and Lost Creek Drive SW.

Further details, maps, etc. are available in the Building Official's office during normal working hours.

The applicant and other interested parties will be heard at this time.

Winfred H. Collins
Secretary
City of Norton Planning Commission

TO THE COALFIELD: Please advertise in the Friday, August 29th, 2014 and Friday, September 5th, 2014 editions of the paper. Send bill and Publisher's Certificate to Winfred Collins, City of Norton, P.O. Box 618, Norton, VA 24273

§ 15.2-2285. Preparation and adoption of zoning ordinance and map and amendments thereto; appeal.

A. The planning commission of each locality may, and at the direction of the governing body shall, prepare a proposed zoning ordinance including a map or maps showing the division of the territory into districts and a text setting forth the regulations applying in each district. The commission shall hold at least one public hearing on a proposed ordinance or any amendment of an ordinance, after notice as required by § 15.2-2204, and may make appropriate changes in the proposed ordinance or amendment as a result of the hearing. Upon the completion of its work, the commission shall present the proposed ordinance or amendment including the district maps to the governing body together with its recommendations and appropriate explanatory materials.

B. No zoning ordinance shall be amended or reenacted unless the governing body has referred the proposed amendment or reenactment to the local planning commission for its recommendations. Failure of the commission to report 100 days after the first meeting of the commission after the proposed amendment or reenactment has been referred to the commission, or such shorter period as may be prescribed by the governing body, shall be deemed approval, unless the proposed amendment or reenactment has been withdrawn by the applicant prior to the expiration of the time period. In the event of and upon such withdrawal, processing of the proposed amendment or reenactment shall cease without further action as otherwise would be required by this subsection.

C. Before approving and adopting any zoning ordinance or amendment thereof, the governing body shall hold at least one public hearing thereon, pursuant to public notice as required by § 15.2-2204, after which the governing body may make appropriate changes or corrections in the ordinance or proposed amendment. In the case of a proposed amendment to the zoning map, the public notice shall state the general usage and density range of the proposed amendment and the general usage and density range, if any, set forth in the applicable part of the comprehensive plan. However, no land may be zoned to a more intensive use classification than was contained in the public notice without an additional public hearing after notice required by § 15.2-2204. Zoning ordinances shall be enacted in the same manner as all other ordinances.

D. Any county which has adopted an urban county executive form of government provided for under Chapter 8 (§ 15.2-800 et seq.) may provide by ordinance for use of plans, profiles, elevations, and other such demonstrative materials in the presentation of requests for amendments to the zoning ordinance.

E. The adoption or amendment prior to March 1, 1968, of any plan or ordinance under the authority of prior acts shall not be declared invalid by reason of a failure to advertise, give notice or conduct more than one public hearing as may be required by such act or by this chapter, provided a public hearing was conducted by the governing body prior to the adoption or amendment.

F. Every action contesting a decision of the local governing body adopting or failing to adopt a proposed zoning ordinance or amendment thereto or granting or failing to grant a special exception shall be filed within thirty days of the decision with the circuit court having jurisdiction of the land affected by the decision. However, nothing in this subsection shall be construed to create any new right to contest the action of a local governing body.

(Code 1950, §§ 15-822, 15-846, 15-968.7; 1962, c. 407, § 15.1-493; 1964, c. 279; 1968, c. 652; 1970, c. 216; 1972, c. 818; 1975, c. 641; 1984, c. 175; 1988, cc. 573, 733, 856; 1989, c. 359; 1990, c. 475; 1991, c. 235; 1996, c. 867; 1997, c. 587.)

without further action as otherwise would be required by this subdivision.

8. For the submission and approval of a plan of development prior to the issuance of building permits to assure compliance with regulations contained in such zoning ordinance.

9. For areas and districts designated for mixed use developments or planned unit developments as defined in § 15.2-2201.

10. For the administration of incentive zoning as defined in § 15.2-2201.

11. For provisions allowing the locality to enter into a voluntary agreement with a landowner that would result in the downzoning of the landowner's undeveloped or underdeveloped property in exchange for a tax credit equal to the amount of excess real estate taxes that the landowner has paid due to the higher zoning classification. The locality may establish reasonable guidelines for determining the amount of excess real estate tax collected and the method and duration for applying the tax credit. For purposes of this section, "downzoning" means a zoning action by a locality that results in a reduction in a formerly permitted land use intensity or density.

12. Provisions for requiring and considering Phase I environmental site assessments based on the anticipated use of the property proposed for the subdivision or development that meet generally accepted national standards for such assessments, such as those developed by the American Society for Testing and Materials, and Phase II environmental site assessments, that also meet accepted national standards, such as, but not limited to, those developed by the American Society for Testing and Materials, if the locality deems such to be reasonably necessary, based on findings in the Phase I assessment, and in accordance with regulations of the United States Environmental Protection Agency and the American Society for Testing and Materials. A reasonable fee may be charged for the review of such environmental assessments. Such fees shall not exceed an amount commensurate with the services rendered, taking into consideration the time, skill, and administrative expense involved in such review.

13. Provisions for requiring disclosure and remediation of contamination and other adverse environmental conditions of the property prior to approval of subdivision and development plans.

14. For the enforcement of provisions of the zoning ordinance that regulate the number of persons permitted to occupy a single-family residential dwelling unit, provided such enforcement is in compliance with applicable local, state and federal fair housing laws.

15. For the issuance of inspection warrants by a magistrate or court of competent jurisdiction. The zoning administrator or his agent may make an affidavit under oath before a magistrate or court of competent jurisdiction and, if such affidavit establishes probable cause that a zoning ordinance violation has occurred, request that the magistrate or court grant the zoning administrator or his agent an inspection warrant to enable the zoning administrator or his agent to enter the subject dwelling for the purpose of determining whether violations of the zoning ordinance exist. After issuing a warrant under this section, the magistrate or judge shall file the affidavit in the manner prescribed by § 19.2-54. After executing the warrant, the zoning administrator or his agents shall return the warrant to the clerk of the circuit court of the city or county wherein the inspection was made. The zoning administrator or his agent shall make a reasonable effort to obtain consent from the owner or tenant of the subject dwelling prior to seeking the issuance of an inspection warrant under this section.

B. Prior to the initiation of an application by the owner of the subject property, the owner's agent, or any entity in which the owner holds an ownership interest greater than 50 percent, for a special exception, special use permit, variance, rezoning or other land disturbing permit, including building permits and erosion and sediment control permits, or prior to the issuance of final approval, the authorizing body may require the applicant to produce satisfactory evidence that any delinquent real estate taxes, nuisance charges, stormwater management utility fees, and any other charges that constitute a lien on the subject property, that are owed to the locality and have been properly assessed against the subject property, have been paid.

(Code 1950, § 15-968.5; 1962, c. 407, § 15.1-491; 1964, c. 564; 1966, c. 455; 1968, cc. 543, 595; 1973, c. 286; 1974, c. 547; 1975, cc. 99, 575, 579, 582, 641; 1976, cc. 71, 409, 470, 683; 1977, c. 177; 1978, c. 543; 1979, c. 182; 1982, c. 44; 1983, c. 392; 1984, c. 238; 1987, c. 8; 1988, cc. 481, 856; 1989, cc. 359, 384; 1990, cc. 672, 868; 1992, c. 380; 1993, c. 672; 1994, c. 802; 1995, cc. 351, 475, 584, 603; 1996, c. 451; 1997, cc. 529, 543, 587; 1998, c. 385;

§ 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments.

A. Plans or ordinances, or amendments thereof, recommended or adopted under the powers conferred by this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall contain a descriptive summary of the proposed action and a reference to the place or places within the locality where copies of the proposed plans, ordinances or amendments may be examined.

The local planning commission shall not recommend nor the governing body adopt any plan, ordinance or amendment thereof until notice of intention to do so has been published once a week for two successive weeks in some newspaper published or having general circulation in the locality; however, the notice for both the local planning commission and the governing body may be published concurrently. The notice shall specify the time and place of hearing at which persons affected may appear and present their views, not less than five days nor more than 21 days after the second advertisement appears in such newspaper. The local planning commission and governing body may hold a joint public hearing after public notice as set forth hereinabove. If a joint hearing is held, then public notice as set forth above need be given only by the governing body. The term "two successive weeks" as used in this paragraph shall mean that such notice shall be published at least twice in such newspaper with not less than six days elapsing between the first and second publication. After enactment of any plan, ordinance or amendment, further publication thereof shall not be required.

B. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of 25 or fewer parcels of land, then, in addition to the advertising as required by subsection A, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner or owners, their agent or the occupant, of each parcel involved; to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels which lie in other localities of the Commonwealth; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property as may be required by the commission or its agent. However, when a proposed amendment to the zoning ordinance involves a tract of land not less than 500 acres owned by the Commonwealth or by the federal government, and when the proposed change affects only a portion of the larger tract, notice need be given only to the owners of those properties that are adjacent to the affected area of the larger tract. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement. If the hearing is continued, notice shall be remailed. Costs of any notice required under this chapter shall be taxed to the applicant.

When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 parcels of land, or a change to the applicable zoning ordinance text regulations that decreases the allowed dwelling unit density of any parcel of land, then, in addition to the advertising as required by subsection A, written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner, owners, or their agent of each parcel of land involved, provided, however, that written notice of such changes to zoning ordinance text regulations shall not have to be mailed to the owner, owners, or their agent of lots shown on a subdivision plat approved and recorded pursuant to the provisions of Article 6 (§ 15.2-2240 et seq.) where such lots are less than 11,500 square feet. One notice sent by first class mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that a representative of the local commission shall make affidavit that such mailings have been made and file such affidavit with the papers in the case. Nothing in this subsection shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the representative of the local commission to give written notice to the owner, owners or their agent of any parcel involved.

The governing body may provide that, in the case of a condominium or a cooperative, the written notice may be mailed to the unit owners' association or proprietary lessees' association, respectively, in lieu of each individual unit owner.

Whenever the notices required hereby are sent by an agency, department or division of the local governing body, or their representative, such notices may be sent by first class mail; however, a representative of such agency, department or division shall make affidavit that such mailings have been made and file such affidavit with the papers in the case.

A party's actual notice of, or active participation in, the proceedings for which the written notice provided by this section is required shall waive the right of that party to challenge the validity of the proceeding due to failure of the party to receive the written notice required by this section.

C. When a proposed comprehensive plan or amendment thereto; a proposed change in zoning map classification; or an application for special exception for a change in use or to increase by greater than 50 percent of the bulk or height of an existing or proposed building, but not including renewals of previously approved special exceptions, involves any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth, then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 10 days before the hearing to the chief administrative officer, or his designee, of such adjoining locality.

D. When (i) a proposed comprehensive plan or amendment thereto, (ii) a proposed change in zoning map classification, or (iii) an application for special exception for a change in use involves any parcel of land located within 3,000 feet of a boundary of a military base, military installation, military airport, excluding armories operated by the Virginia National Guard, or licensed public-use airport then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 30 days before the hearing to the commander of the military base, military installation, military airport, or owner of such public-use airport, and the notice shall advise the military commander or owner of such public-use airport of the opportunity to submit comments or recommendations.

E. The adoption or amendment prior to July 1, 1996, of any plan or ordinance under the authority of prior acts shall not be declared invalid by reason of a failure to advertise or give notice as may be required by such act or by this chapter, provided a public hearing was conducted by the governing body prior to such adoption or amendment. Every action contesting a decision of a locality based on a failure to advertise or give notice as may be required by this chapter shall be filed within 30 days of such decision with the circuit court having jurisdiction of the land affected by the decision. However, any litigation pending prior to July 1, 1996, shall not be affected by the 1996 amendment to this section.

F. Notwithstanding any contrary provision of law, general or special, the City of Richmond may cause such notice to be published in any newspaper of general circulation in the city.

G. When a proposed comprehensive plan or amendment of an existing plan designates or alters previously designated corridors or routes for electric transmission lines of 150 kilovolts or more, written notice shall also be given by the local planning commission, or its representative, at least 10 days before the hearing to each electric utility with a certificated service territory that includes all or any part of such designated electric transmission corridors or routes.

H. When any applicant requesting a written order, requirement, decision, or determination from the zoning administrator, other administrative officer, or a board of zoning appeals that is subject to the appeal provisions contained in § 15.2-2311 or 15.2-2314, is not the owner or the agent of the owner of the real property subject to the written order, requirement, decision or determination, written notice shall be given to the owner of the property within 10 days of the receipt of such request. Such written notice shall be given by the zoning administrator or other administrative officer or, at the direction of the administrator or officer, the requesting applicant shall be required to give the owner such notice and to provide satisfactory evidence to the zoning administrator or other administrative officer that the notice has been given. Written notice mailed to the owner at the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall satisfy the notice requirements of this subsection.

This subsection shall not apply to inquiries from the governing body, planning commission, or employees of the locality made in the normal course of business.

Resolution

WHEREAS, the Virginia General Assembly has amended the Code of Virginia to allow remote participation in meetings in event of emergency or personal matter, certain disabilities; distance from meeting location for certain public bodies; and

WHEREAS, Virginia Code Section 2.2-3708.1 authorizes remote participation in such meetings as a public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section; and,

WHEREAS, the policy shall be applied strictly and uniformly, without exception, to the entire membership without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting; and

WHEREAS, the Norton City Council wishes to provide Council members with the opportunity of remote participation as defined under Virginia Code Section 2.2-3708.1.

NOW, THEREFORE, BE IT RESOLVED that the Norton City Council does formally adopts the following policy for remote participation, if a quorum is physically present to conduct a meeting of City Council or one of its committees, other members may attend and participate in such meeting from a remote location by telephone or other audio or video means, provided such attendance complies with the provisions of the Virginia Freedom of Information Act, as amended from time to time. A member wishing to attend in this manner shall advise the City Clerk a reasonable time before start of the meeting, so that the necessary equipment can be put in place.

ADOPTED this 18th day of November, 2014.

CITY OF NORTON, VIRGINIA

William J. Mays, Mayor

ATTEST:

Clerk

[prev](#) | [next](#)

§ 2.2-3708.1. Participation in meetings in event of emergency or personal matter; certain disabilities; distance from meeting location for certain public bodies.

A. A member of a public body may participate in a meeting governed by this chapter through electronic communication means from a remote location that is not open to the public only as follows and subject to the requirements of subsection B:

1. If, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that such member is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the public body holding the meeting records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

Such participation by the member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer;

2. If a member of a public body notifies the chair of the public body that such member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the public body records this fact and the remote location from which the member participated in its minutes; or

3. If, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting and the public body holding the meeting records in its minutes the remote location from which the member participated. If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

B. Participation by a member of a public body as authorized under subsection A shall be only under the following conditions:

1. The public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section. Once adopted, the policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;

2. A quorum of the public body is physically assembled at the primary or central meeting location; and

3. The public body makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

(2007, c. 945; 2013, cc. 119, 694; 2014, cc. 492, 524.)

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WILLIAM E. BRADSHAW, P.C.

ATTORNEY AT LAW
302 SHAWNEE AVENUE
P. O. Box 267
BIG STONE GAP, VA 24219

WILLIAM E. BRADSHAW
E-MAIL web@bradshawlawoffice.us

TEL. (276) 523-2428
FAX (276) 523-6675

July 22, 2014

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

RE: REMOTE PARTICIPATION AT CITY COUNCIL MEETINGS

Dear Fred:

You and I have discussed the recent amendments the General Assembly made to the Freedom of Information Act open meeting requirements. The Act has been broadened to allow one or more members of a governing body to participate from a remote location so long as a quorum is physically present at the regular meeting site. I have drafted a short statement for Council's consideration which would allow this to option in the City of Norton. You will note that the statement is drafted to permit remote participation provided such attendance complies with the provisions of the Virginia Freedom of Information Act, as amended from time to time. My intention in phrasing the policy in this fashion was to make it unnecessary to amend the policy in order to comply with any changes the General Assembly might seek fit to make in the future. If you have any questions or if I may be of further assistance in this matter, please do not hesitate to contact me. Best regards.

Sincerely,

WILLIAM E. BRADSHAW, P.C.



William E. Bradshaw

WEB:sgc
Enclosure

Remote Participation. If a quorum is physically present to conduct a meeting of City Council or one of its committees, other members may attend and participate in such meeting from a remote location by telephone or other audio or video means, provided such attendance complies with the provisions of the Virginia Freedom of Information Act, as amended from time to time. A member wishing to attend in this manner shall advise the City Clerk a reasonable time before start of the meeting, so that the necessary equipment can be put in place.

6-D

MEMORANDUM OF UNDERSTANDING
Between The
SOUTHWEST VIRGINIA CLIMBERS COALITION
And The
CITY OF NORTON

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between the Southwest Virginia Climbers Coalition, a non-profit corporation and Access Fund Affiliate, hereinafter referred to as "SVCC", The Access Fund, a non-profit national conservation and advocacy organization, hereinafter referred to as "The Access Fund" and the City of Norton hereinafter referred to as the "City".

Background:

SVCC is a local non-profit rock climbing organization whose mission is to keep climbing areas open in Southwest Virginia and to conserve the region's climbing environment.

The Access Fund is a national conservation and advocacy organization whose mission is to keep climbing areas open and conserve the climbing environment. The SVCC works in cooperation with the Access Fund as an organizational member of their Affiliate Program. The Access Fund cooperates with the U.S. Forest Service through the Service-Wide MOU No. 09-SU-11130024-172.

In 2013 founding SVCC members recognized (1) high quality rock climbing resources at Guest River Gorge, High Knob and other areas of DISTRICT of the George Washington & Jefferson National Forest, and (2) a need to create a partnership with the U.S. Forest Service to manage these climbing resources responsibly. In January of 2014 SVCC contacted George Washington & Jefferson National Forest regarding climbing management in Guest River Gorge. Subsequent meetings established an initial working partnership, and specific to Guest River Gorge, a need for SVCC to conduct a climbing resource inventory and support U.S. Forest Service environmental assessment of existing and potential climbing sites. Recognizing the mutual value and benefit of their cooperative effort at Guest River Gorge, and an ongoing need for a cooperative partnership, SVCC and the U.S. Forest Service agreed to enter into a MOU.

In 2014, SVCC members began to scout the Flag Rock Recreation Area (FRRA) adjacent to the Jefferson National Forest and found additional high quality rock climbing resources. Throughout the FRRA there are a number of rock outcrops that provide opportunities for excellent bouldering and a few locations with potential for rope protected climbing. Some of these rock outcrop areas may include, but are not limited to, the Flag Rock Pavilion Area, locations adjacent to both the upper and lower reservoirs, and the large rock outcrop above the reservoirs known as "The Labyrinth".

I. PURPOSE:

The purpose of this MOU is to document the framework of ongoing cooperation between the SVCC/The Access Fund and the CITY of Norton. Through this partnership the three parties will continue to develop and expand a working relationship that will form the basis upon which mutually beneficial programs, projects, training, and human-powered outdoor recreational activities may be planned and accomplished within the FRRA.

It is furthermore the purpose of this MOU to:

1. Phase I - Identification of rock climbing areas within the FRRA.
2. Phase II – Assist the City in developing a risk management plan which outlines the personal risk posed to participants.
3. Phase III – Develop and submit a plan to open identified rock climbing areas within the FRRA;
4. Phase IV – Develop and submit a plan to facilitate the improvement, management, development and maintenance of access trails to rock climbing areas within the FRRA;
5. Phase V – Develop and submit a plan to facilitate the coordination, development and distribution of educational materials related to rock climbing activities within the FRRA;
6. Phase VI - Encourage and facilitate volunteer involvement in the improvement, management, development and maintenance of rock climbing areas within the FRRA;
7. And to recognize the SVCC as a critical partner in the coordination and management of rock climbing activities within the FRRA.

II. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:

The CITY is dedicated to the responsible management of the FRRA and to provide within the FRRA a sustainable mix of desired uses, valued characteristics, and services to improve the long-term benefits of the FRRA and our community. The CITY recognizes rock climbing as one of such desired uses and is interested in providing rock climbing opportunities within the FRRA and in providing a trail network and other facilities that support recreational uses. The CITY is also interested in fostering cooperation and partnerships with non-profit organizations to educate the public and to engage such organizations as informed participants in managing FRRA resources.

SVCC is a local non-profit rock climbing organization whose mission is to keep climbing areas open in Southwest Virginia and to conserve the region's climbing environment. SVCC and its

members also value rock climbing as a form of recreation that is good for the physical health of individuals and the economic health of local communities.

There is a need to actively promote public-private partnerships that encourage responsible use of public lands. Both the CITY and SVCC share the common interest of providing information to the public on such subjects as conservation, recreation and natural resource activities as they relate to climbing.

Therefore it is recognized that the SVCC and the CITY share mutually beneficial interests. By means of this MOU, the SVCC and the CITY agree to work in partnership towards the goal of providing increased climbing opportunities within FRRA while ensuring the protection of cultural and biological resources. Through this agreement both parties will strive to make this alliance a working example of cooperation and communication in order to promote human powered recreational activities and the responsible stewardship of public lands.

In consideration of the above, the parties agree as follows:

III. THE CITY SHALL:

- A. Work with the SVCC to identify appropriate partnership opportunities (trail projects, climbing area projects, administrative studies, education programs, etc.) and jointly pursue such projects together with the recreation and climbing community, contingent upon availability of funds and personnel and subject to compliance with applicable federal law, regulations, or other management directives.
- B. Encourage CITY Staff to participate with SVCC and Access Fund representatives for development of mutually beneficial work projects and educational activities.
- C. Where appropriate, make SVCC and Access Fund's interpretation and education information regarding recreational land-use and ethics, climbing, and recreational opportunities on FRRA lands available to the public.
- D. Make FRRA lands available for recreation related activities, subject to applicable Federal laws, regulations and other management direction.
- E. Utilize the SVCC and Access Fund's technical expertise in developing FRRA programs and management as they relate to climbing.
- F. Work with SVCC and Access Fund to identify and pursue funding opportunities for facilities, trail improvement and maintenance from sources outside of local appropriations and programs, such as state sponsored grant programs or private grant programs, subject to compliance with applicable federal laws and regulations.

- G. Make available a liaison or other representative(s) to participate in meetings and to facilitate coordination with SVCC in matters related to this MOU.

IV. THE SVCC/THE ACCESS FUND SHALL:

- A. Indemnify the City by providing a Certificate of Liability Insurance naming the City of Norton as an Additional Insured.
- B. Work with the CITY to identify appropriate partnership opportunities within FRRA (trail projects, climbing area projects, administrative studies, education programs, etc.) and jointly pursue such projects or activities, when appropriate, and to facilitate improved understanding and communication between technical climbers, recreational climbers, public agencies, and the general public.
- C. Develop and maintain a communication network for informing climbers of climbing-related information, management and policy within FRRA;
- D. Provide technical assistance to the CITY involved in technical and recreational climbing projects, educational activities, opportunities, and management; make SVCC and Access Fund program information available to the CITY.
- E. Provide education, training and instructions to SVCC members and the public when appropriate, regarding responsible, low impact climbing behavior, Leave No Trace, stewardship and CITY regulation; and encourage the incorporation of these programs in all activities.
- F. Obtain CITY approval prior to publication of any cooperative CITY / SVCC / Access Fund printed materials intended for public distribution regarding recreational activities within FRRA.
- G. Make available a liaison and other representative(s) who will coordinate with the CITY in matters pertaining to this MOU. The liaison will be responsible for directing the overall coordination between the two parties and will be available to meet with CITY representatives as needed and to attend public meetings arranged by the CITY.

V. IT IS MUTUALLY AGREED AND UNDERSTOOD BY ALL PARTIES THAT:

- A. ANNUAL REVIEW. The parties agree to meet annually to review the objectives and goals of this MOU.
- B. VOLUNTEERS. Any SVCC volunteer must sign an annual CITY Volunteer Agreement in accordance with CITY procedures prior to participating in any field activity.

C. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their perspective areas for matters related to this instrument.

Principal SVCC Contacts:

SVCC Program Contact	SVCC Administrative Contact
Name: Bradly Mathisen, President, Southwest Virginia Climbers Coalition Address: City, State, Zip: Telephone: Email:	Name: Aaron Parlier, Board Member, Southwest Virginia Climbers Coalition Address: City, State, Zip: Telephone: FAX: Email:

Principal The Access Fund Contacts:

The Access Fund Program Contact	The Access Fund Administrative Contact
Name: Bradly Mathisen, President, Southwest Virginia Climbers Coalition Address: City, State, Zip: Telephone: Email:	Name: Aaron Parlier, Board Member, Southwest Virginia Climbers Coalition Address: City, State, Zip: Telephone: FAX: Email:

Principal CITY Contacts:

City Program Contact	City Administrative Contact
Name: Address: City, State, Zip: Telephone: FAX: Email:	Name: Address: City, State, Zip: Telephone: FAX: Email:

D. NON-LIABILITY. The CITY does not assume liability for any third party claims for damages arising out of this MOU.

- E. NOTICES. Any communications affecting the operations covered by this agreement given by the CITY or the Cooperator is sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the CITY Program Manager, at the address specified in the MOU.

To SVCC, at the Cooperator's address shown in the MOU or such other address designated within the MOU.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- F. PARTICIPATION IN SIMILAR ACTIVITIES. This MOU in no way restricts the CITY or the Cooperator(s) from participating in similar activities with other public or private agencies, organizations, and individuals.
- G. ENDORSEMENT. Any Cooperator contributions made under this MOU do not by direct reference or implication convey CITY endorsement of the Cooperator's products or activities.
- H. NONBINDING AGREEMENT. This MOU creates no right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity. The parties shall manage their respective resources and activities in a separate, coordinated and mutually beneficial manner to meet the purposes(s) of this MOU. Nothing in this MOU authorizes any of the parties to obligate or transfer funds. Specific projects or activities that involve the transfer of funds, services, or property among the parties require execution of separate agreements and are contingent upon the availability of appropriated funds. These activities must be independently authorized by statute. This MOU does not provide that authority. Negotiation, execution, and administration of these agreements must comply with all applicable law. Each party operates under its own laws, regulations, and policies, subject to the availability of appropriated funds. Nothing in this MOU is intended to alter, limit, or expand the agencies' statutory and regulatory authority.
- N. PUBLIC NOTICES. It is the CITY's policy to inform the public as fully as possible of its programs and activities. SVCC is encouraged to give public notice of the receipt of this agreement and, from time to time, to announce progress and accomplishments. Press releases or other public notices should include a statement substantially as follows:

"The City of Norton and the Southwest Virginia Climbers Coalition are working cooperatively."

- O. The CITY OF NORTON ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS AND ELECTRONIC MEDIA. The SVCC shall acknowledge CITY support in any publications, audiovisuals, and electronic media developed as a result of this MOU.
- Q. TERMINATION. Any of the parties, in writing, may terminate this MOU in whole, or in part, at any time before the date of expiration.
- R. MODIFICATIONS. Modifications within the scope of this MOU must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change.
- S. COMMENCEMENT/EXPIRATION DATE. This MOU is executed as of the date of the last signature and is effective through _____ at which time it will expire, unless extended by an executed modification, signed and dated by all properly authorized, signatory officials.
- T. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this MOU. In witness whereof, the parties hereto have executed this MOU as of the last date written below.

Agreed By:

 BRADLY MATHISEN
 President – Southwest Virginia
 Climbers Coalition

 DATE

 ??????????????
 ??????????? – The Access Fund

 DATE

 FRED L. RAMEY, JR
 City Manager – City of Norton

 DATE

The authority and format of this instrument was approved by the Norton City Council on _____.

6-5

WOODBARGER SEARCH 2014
ATTENDANCE

FRIDAY

300+ Registered
100+/- Did Not Register

SATURDAY

400+ Registered
75+/- Did Not Register

TOTAL 875+/-

WOODBEOGER VENDORS 2014

Organization

First Baptist Church - Kids on a Mission	\$	612.00
Norton City Schools - Art Dept.	\$	326.00
Norton Elementary Playground Project	\$	170.00
Norton Elementary PTA	\$	175.00
Norton Lions Club	\$	241.00
Home Hardware (estimate)	\$	600.00
Pathfinders Outdoor Adventures		??
TOTAL	\$	2,124.00

WOODBEOGER SEARCH EVENT 2014

INCOME

A&A Enterprises	\$	200.00
Thrower, Blanton & Assoc.	\$	200.00
Norton Community Hospital	\$	100.00
Pepsi Coal Bottling	\$	100.00
Hagy & Fawbush Funeral Home	\$	100.00
CSE Insurance Agency	\$	50.00
Appalachian Healthcare	\$	100.00
Hairvolution	\$	100.00
Cavalier Pharmacy	\$	<u>250.00</u>
Total Income	\$	1,200.00

EXPENSES

Lynn Livingston (Firewood)	\$	60.00
Office Advantage (Stamps & Ink)	\$	36.92
Ituit (Wooden Nickles)	\$	59.80
Home Hardware (Supplies)	\$	44.38
All Indoor Farm Store (Pumpkins)	\$	270.00
Innovative Graphics (T-Shirts)	\$	287.00
Innovative Graphics (T-Shirts)	\$	55.00
Innovative Graphics (T-Shirts)	\$	153.00
Southwest Tool Rental	\$	<u>225.00</u>
Total Expenses	\$	1,191.10

NET \$ 8.90

WOODBEOGER SEARCH 2014
DOOR PRIZES

FRIDAY

Chico Wells	Bluetooth Speaker (Crutchfield)
Allison Baker	Gourd (Vic's Decorating)
Lea Ann Howell	Headphones (Crutchfield)
Melissa Owens	ID Bracelet (Lemon's Jewelers)
Cameron Boggs	Hand Warmer (Colgard)
Sonia Hibbitts	Gift Bag (Office Advantage)

SATURDAY

Erica Caudill	Gift Bag (Office Advantage)
Stacie Smith	Gift Bag (Office Advantage)
Brittany Stapleton	Gift Bag (Office Advantage)
Haley Russell	Gift Bag (Office Advantage)
Sabra Boggs	Gift Bag (Office Advantage)
Abby Mullins	Gift Bag (Office Advantage)
Isaac Wells	Gift Bag (Office Advantage)
Devon Williams	Bluetooth Speaker (Crutchfield)
Allie Barker	Headphones (Crutchfield)
Diana Akers	Gourd (Vic's Decorating)
Ethan Turner	ID Bracelet (Lemon's Jewelers)

**WOODBOOGER SEARCH
OCTOBER 2014**

TRANSPORTATION – MEOC Mitch Elliott, Director

Danny Stallard	Driver (2 nights)
Carlos Wolfe	Driver
Jeff Whisman	Driver
Donnie Stafford	Driver
Brian Jackson	Driver

CHARACTERS

Jahmal Potter - Choreographer
Reichert Price – Old Man
Olivia Davis - Witch
Thomas Cassell - Hunter
Josh Bolling – Lieutenant Lance

WOODBOOGER CALLING

Mike Hummell
Katie Dawes
Dave Stanley

GROUP GUIDES

Jahmal Potter – Leader and MC for the Evening
Mark Leonard
Linda Leonard
Shelley Fawbush
Jade Fultz
Scott Montgomery
Kim Craft
Debra Fleming

REGISTRATION TABLE

Chris Mullins
Machelle Mullins

PUMPKIN DECORATING

Shelly Knox
Nina Honaker
Loretta Bledsoe
Shane Fields
Debra Fleming
Kim Craft

TRAIN AND LIGHTING OPERTATION

Josh Ball

T-SHIRTS

David Burgess – Innovative Graphics

PARKING ATTENDANTS (Frank Frey UVA Wise, Aaron Williams J.I. Burton High School)

Joseph Salyers	UVA Wise
Vincenz Freels	UVA Wise
Cameron Hudson	UVA Wise
Ben Coffman	UVA Wise
Mike Rodgers	UVA Wise
Austin Skeens	J.I. Burton High School
Jacob Block	J.I. Burton High School
Ethan Kerns	J.I. Burton High School

NORTON RESCUE SQUAD

Skipper Dorton
Ricky Cox

CITY OF NORTON PARKS AND RECREATION & HELPERS

Mike Lintz
Jason Hill
David Rose
Jeff Rose
Shane Potter
Brandon Lintz
Eddie Collins

RADIOS AND REFLECTIVE VESTS (PARKING ATTENDANTS)

David (Moon) Mullins
Steve McElroy

CANOE RIDES

Mark Caruso – Pathfinders Outdoor Adventures
Carol Caruso

HOME HARDWARE (SUPPLIES AND SALE OF WOODBOOGER T-SHIRTS)

Obrien (Big O) Craft
Angie Craft
Mike Craft
Steve Jessee

BOY SCOUT TROOP 301

Teddy Huff - Leader
Josh Meade – Leader
Jeff and Donna Boggs
20-30 Scouts

STORAGE BUILDING

David Fawbush – Valley Utility Buildings

COLEMAN LANTERS

Lee Collier
Joe Salyers

SHEPARDS HOOKS FOR LANTERNS

Ottis Mullins

FIREWOOD

Lynn Livingston

PUMPKINS

Neil Walker – All Indoor Farm Store
Beth Walker

PAINT AND STICKERS FOR PUMPKINS

Chris Jones
Shelly Knox

MARSHMALLOW FIRE ATTENDANT

Chris Owens

MARSHMALLOWS

Tim Meade – Food City

MARSHMALLOW STICKS

Big O & Mike Craft – Home Hardware

WOODEN SHERIFF AT REGISTRATION TABLE

Sandra Kinser – Soft Petals

FIRST BAPTIST CHURCH VENDOR

Becky Lagow

Vickie Mullins

Mary Hagy

Charlene Bates

Christiana Robinette

Melissa Begley

NORTON ELEMENTARY SCHOOL (PTA AND PLAYGROUND) VENDORS

Becky Lawson

Gina Wolford

Andrea Gonzalez-Prince

Myra Palmer

Norma Crowder

Kathy Gardner

NORTON CITY SCHOOLS ART DEPARTMENT VENDOR

Neil Walker

Holly Miniard

Destiny Powers

Vanessa Belcher

NORTON LIONS CLUB VENDOR

Judy Miller

Sandy Blanton

Ann Holbrooks

Ethel Daniels

Amy Rolen

Marcus Adkins

LIGHTING AND TRAIN

Southwest Tool Rental – Mike Ball

Inflatable Connection – Mike Ball

WOODBEOGER

Skipper Dorton

SIGNS

Travis Jenkins – Virginia Electric & Supply / Bryant Electric

Ryan Grubbs - Virginia Electric & Supply / Bryant Electric

Clayton Homes

PHOTOGRAPHER

Sammy Belcher

VIDEOGRAPHER

Scott McGomery

MONETARY CONTRIBUTORS

Cavalier Pharmacy – Rick Mullins

A&A Enterprises – J.D. and Sam Adams

Thrower, Blanton & Associates – Charles Lawson

Pepsi Cola Bottling – Pedro Hunnicutt

Appalachian Healthcare – Dr. Wes Campbell

CSE Insurance – Byron Cantrell

Norton Community Hospital – Mark Leonard

Hagy & Fawbush Funeral Home – Marty Hagy & Joe Fawbush

HairVolution – Marcus Adkins

DOOR PRIZES

Crutchfield – Dan Minihan

Office Advantage – Linda Gilliam

Colgard Outdoors – Robert Collier

Lemon's Jewelers – Cindy Hubbard

Vic's Decorating – Chris Jones

Joe Fawbush



NORTON CITY SCHOOLS — SCHOOL BOARD

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

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

DIVISION SUPERINTENDENT
KEITH PERRIGAN

C-F

TO: Jeff Shupe
FROM:  Yvonne Isom, Finance Manager
SUBJECT: Request For Funds
DATE: October 30, 2014

The Norton City Schools request a deposit of City Funds in the amount of \$250,000.00 to cover payroll fringes.

134511

10-10-2014

Thomas Construction Company, Inc.
SRTS Sidewalk/AML Highwall Project
Construction Pay Application No. 7
DMME Funded Portion

\$273,333.67

4-001-096000-0113

V-8717

CITY OF NORTON
GENERAL OPERATING FUND
NORTON, VA 24273

THE FIRST BANK & TRUST
NORTON, VA

134511

68 446 514
10

*****Two Hundred Seventy-Three Thousand Three Hundred Thirty-Three Dollars and Sixty-Seven Cents

PAY TO THE ORDER OF:

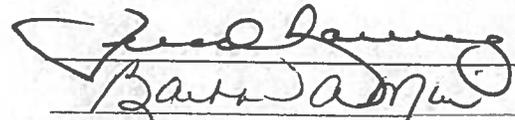
DATE

AMOUNT

10-10-2014

\$273,333.67

Thomas Construction Company, Inc.
P O Box 4806 CRS
Johnson City, TN. 37602-4806



AUTHORIZED SIGNATURE MP

⑈ 134511⑈ ⑆051404464⑆ 100002346⑈

INV. DATE	INVOICE#	G/L ACCT. #	GROSS AMOUNT	DISC. AMOUNT	NET AMOUNT
10/14/2014	FUEL 07/2	0-020-00020-2105	342.08	.00	342.08
10/17/2014	FUEL 08/2	0-020-00020-2105	399.26	.00	399.26
10/23/2014	FUEL 09/2	0-020-00020-2105	261.78	.00	261.78
10/15/2014	GARBARGE	0-020-00020-2221	189.20	.00	189.20
10/23/2014	GARBARGE	0-020-00020-2221	304.12	.00	304.12
10/24/2014	PAYROLL 0	0-020-00020-2115	71,505.57	.00	71,505.57
10/29/2014	PAYROLL 0	0-020-00020-2115	45,131.98	.00	45,131.98

11/01/2014 21623 134581 118,133.99 .00 118,133.99

CITY OF NORTON
 25 W. B. WALKER BLVD
 NORTON, VA 24273

THE FIRST BANK & TRUST
 NORTON, VA

134581

03445514
 134581

118 THOUSAND 133 DOLLARS 99 CENTS

PAY TO THE ORDER OF:

DATE

AMOUNT

11/01/2014

\$118133.99

CITY OF NORTON
 GENERAL OPERATING FUND
 00000

[Handwritten Signature]

NOT-NEGOTIABLE

AUTHORIZED SIGNATURE

⑈ 134581 ⑈ 6051404461⑈ 100002212⑈