

AGENDA

Norton City Council

January 7, 2014

6:00 P.M.

1. Roll Call
2. Invocation – Rev. John Ellington
3. Pledge of Allegiance
4. Approval of Minutes
 1. Regular Meeting of December 3, 2013
5. Audience for Visitors
6. Old Business
 - A. Discussion of Water Reserves.
7. New Business
 - A. Request by the City of Norton Electoral Board.
 - B. Presentation of the 2013-14 Fiscal Audit by Thrower, Blanton, and Associates.
 - C. Discussion of a Policy To Allow Pump and Haul Sewage Service.
 - D. Request to Advertise A Public Hearing for Financial Encumbrances for the General Operating Fund in the Amount of \$431,267, for the Year Ending June 30, 2013.

- E. Discussion on Proposed Joint Work Session with the Norton City School Board.
- 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 Southwest Virginia Health Advisory Authority for a Four (4) Year Term; Currently Cheryl Roop Whose Term Ends 12/31/2013.

To 12/31/2017

2. Appointment to the Building Code Board of Appeals for a Five (5) Year Term; Currently James Boggs Whose Term Ends 1/17/2014.

To 1/17/2019

3. Appointment to the Norton Redevelopment and Housing Authority for a Four (4) Year Term; Currently Roger Sloce Whose Term Ends 1/28/2014.

To 1/28/2018

4. Appointment to the Department of Social Services Advisory Board for a Four (4) Year Term; Currently Roger Sloce Whose Term Ends 1/28/2014.

To 1/28/2018

5. Appointment to the Highway Safety Commission for a Two (2) Year Term; Currently James Lane Whose Term Ends 1/31/2014.

To 1/31/2016

6. Appointment to the Highway Safety Commission for a Two (2) Year Term; Currently Frank Gravely Whose Term Ends 1/31/2014.

To 1/31/2016

7. Appointment to the Highway Safety Commission for a Two (2) Year Term; Currently J. T. Caruso Whose Term Ends 1/31/2014.

To 1/31/2016

8. Appointment to the Highway Safety Commission for a Two (2) Year Term; Currently Bobby Cassell Whose Term Ends 1/31/2014.

To 1/31/2016

9. Appointment to the Southwest Virginia Emergency Medical Service Council for a One (1) Year Term; Currently Todd Lagow Whose Term Ends 1/31/2014.

To 1/31/2015

10. Appointment to the Ninth District Development Financing, Inc. for a Two (2) Year Term; Currently Fred Ramey Whose Term Ends 1/31/2014.

To 1/31/2016

11. Evaluation of the City Manager.

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

9. Adjournment.

The regularly scheduled meeting of the Norton City Council was held on Tuesday, December 3, 2013 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Joseph Hunnicutt, William Mays, and Terry Roop

Absent: Mark Caruso and Joseph Fawbush

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

The invocation was given by Rev. Ken Taylor and was followed by the pledge of allegiance led by Police Chief James C. Lane.

At this time, Councilman Fawbush took his seat on Council.

25978

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to adopt the minutes of the November 19, 2013 meeting as presented.

25979

During the Mayor's call for visitors, Buzz Witt, member of the City of Norton Tourism Committee, spoke briefly to Council and advised that on Wednesday, December 4, 2014 a professional photographer, working with Heart of Appalachia, will be in the City to take pictures all of the businesses, especially independent businesses, for future advertising for tourism activities. The photographer has donated his efforts. He then introduced Mr. Chuck Riedhammer, Executive Director of Southwest Regional Recreation Authority, who gave Council a brief update on their activities. He advised that things were going very well in the St. Paul area with the first spearhead trail opened in June of this year. The television show, Fisher's ATV World, came to the area again in October and did some filming in the St. Paul and Clinch River areas. This will be televised next June on the Velocity Channel.

25980

The Town of Coeburn is working on passing some ATV regulations within their corporate limits. He encouraged those attending the Regional Legislative Reception in Richmond next month to seek some investment funds from the state for the Southwest Regional Recreation Authority. He further advised they were seeking \$300,000 per year for a five year period from the State.

Mr. Riedhammer then asked that Council consider adopting some ATV friendly legislation within the City and advised he would be happy to answer any questions.

Following a brief discussion, Mayor Mays thanked Mr. Witt and Mr. Riedhammer for their updates.

At this time, Mayor Mays amended the agenda under Item 7-E-3 Closed Meeting to include the discussion concerning a prospective business or industry where no previous announcement has been made of the business' interest in locating in the City as per Section No. 2.2-3711 (A) (5) of the Code of Virginia, as amended.

25981

Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to amend the agenda to include the Item No. 7-3-E.

The City Manager advised that as of today's date, we have a total capacity in both reservoirs of 78.4 million gallons and have had 4.21 inches of rain in November.

Advising that the City is not purchasing any water, Mr. Ramey stated that he would continue to keep Council apprised of this situation.

25982

Dr. Scott Hamilton, President, of Mountain Empire Community College, spoke briefly to Council giving them an update of activities at the college. He advised they have awarded \$8.7 million dollars of aid to students this year and the AIMS Program is up by 48 students. The City has 239 students enrolled and has 90 participating in the AIMS Program. They experienced a four percent decline in enrollment which was better than they had anticipated.

25983

The campus entrance road is almost finished.

Following a brief discussion, Mayor Mays thanked Dr. Hamilton for his update.

In Council's packets, they had received a copy of the draft Storm Water Management Ordinance.

Mr. Ramey advised that the City's Building Official, Winfred Collins, had spoken to Council earlier on this proposed ordinance and since that time, he has worked diligently to see that the City is up to date on this item. The deadline for the adoption of this ordinance is July 1, 2014. Following this update, he will discuss with Council the Chapman Street logging operation that was brought to Council's attention at their previous meeting. He advised that Council may wish to see if this is something that they would like for the City Administration and Mr. Collins, working with the Planning Commission, to do by researching to see what options Council may want to consider to keep this type of situation from reoccurring in the future.

25984

Via a PowerPoint presentation, Mr. Collins gave Council a brief update on the history of this legislation and the current status of the Storm Water Management Program. He advised that the City has submitted a Preliminary Draft Ordinance, Funding and Staffing Plan, Fee Schedule, and Policy and Procedure Plan to the Department of Environmental Quality for local review and approval on October 30, 2013. The original deadline for the preliminary document was December 15, 2013 and later changed to January 15, 2014. He is still awaiting a response from DEG on the submitted information.

25985

Once the approval is granted, the governing body has the option to start the local adoption process or modify any of the components of the program and re-submit to DEQ for review and approval. Once modified locally and approved by DEQ, the localities have until June 15, 2014 to adopt the ordinance and fee schedule. Localities will assume the responsibilities of running their own programs on July 1, 2014.

Following a brief discussion during which Mr. Collins gave a brief description of the submitted draft ordinance, he advised he would be happy to answer any questions from Council.

Mr. Ramey advised they hope to bring this back to Council in February.

At this time, Mr. Ramey exited the meeting for a short time.

25986

Mr. Collins advised that he was contacted by two representatives from a logging company on November 19, 2013 in search of land records for a City resident that had his property under contract to be logged. Land records indicated this was two parcels on Chapman Street that had a total aggregate area of 8.99 acres. He advised that harvesting of forest products is an exemption in the City's Erosion and Sediment Control Ordinance and the City's Zoning Ordinance does not specifically mention logging or harvesting of forest products in any of the district regulations.

25987

He had been advised by the logging contractor that they were operating under the regulations and inspections of the Virginia Department of Forestry and advised the restrictions they had to follow. This project should be completed within three days.

Following questions from Council, Mr. Collins thanked Council for their time this evening.

Mayor Mays thanked Mr. Collins for the good job he is doing for the City.

At this time, Mayor Mays advised that the City Manager had to exit the meeting to make opening remarks and extend a welcome at the Entrepreneurial Challenge Dinner Meeting being held at the Hotel Norton. He will return as soon as possible. Mr. Bradshaw, the City Attorney, will update Council on the proposed Pump and Haul Ordinance.

25988

The City Attorney advised Council had been approached by a local business asking for Council's consideration of a Pump and Haul Ordinance which would allow him to keep his mining business within the corporate limits. It is not feasible for him to connect to the City sewer and the railroad will not grant him access to their property.

Both Mr. Bradshaw and Mr. Ramey have discussed this with a representative of the Wise County Health Department as to what requirements they would have. They specified that a resolution could be adopted to handle this rather than an ordinance, stated they would inspect this site periodically, and the City will have no liability. Both the City Manager and City Attorney will work with the Health Department and hope to bring back to Council in January a resolution in order to keep this business in operation within the City.

25989

Council had been given a copy of a check payable to the Norton Industrial Development Authority in the amount of \$122,004.25 to cover draw down request for Norton Commons debt service.

25990

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve a check to the Norton Industrial Development Authority in the amount of \$122,004.25.

Mayor Mays declared a recess in the meeting until Mr. Ramey's return.

25991

Upon the City Manager's return, Mayor Mays called the meeting back to order.

25992

Upon a motion by Councilman Hunnicutt, 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 and a discussion concerning a prospective business or industry where no previous announcement has been made of the business' interest in locating in the City as per Section No. 2.2-3711 (A) (5) of the Code of Virginia, as amended.

25993

Mayor Mays declared Council in closed meeting.

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

25994

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

25995

The Mayor opened the floor for an appointment to the Southwest Virginia Regional Jail Authority for a four year term which will expire on December 31, 2017.

Councilman Hunnicutt nominated Carlos Noaks to be reappointed to this Authority.

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

25996

Mayor Mays declared Carlos Noaks reappointed to the Southwest Virginia Regional Jail Authority for a four year term which will expire on December 31, 2017.

At this time, Mayor Mays proposed to Council that, in order to further the economic development purposes of the Norton Industrial Development Authority, the City of Norton shall transfer that certain tract or parcel of land identified on the tax maps maintained by the Commissioner of Revenue as Parcel 465-12-2 to the Norton Industrial Development Authority in consideration of the sum of One Dollar (\$1.00) for its use in such manner as it may deem appropriate.

25997

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt the above resolution.

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

The City has received authorization from VDOT to move forward with the award of the Safe Route to School Project's contract and the City plans to do this as soon as the City Attorney approves the proper documentation.

He had placed at each Council member's desk the Financial Disclosures Forms that need to be filled out and returned to the Clerk by January 15, 2014. He advised that the City auditors now check to see if these have been received by the Clerk by that date.

25998

The Regional Legislative Reception in Richmond will be January 16th at the Onmi. Any Council member who wishes to attend should advise him in order that he can obtain a room for them.

There were no comments from the City Attorney.

25999

In comments from Council members:

Councilman Roop wished everyone a Merry Christmas and Happy New Year.

Mayor Mays reiterated Councilman Roop's sentiments and recommended that the Council Meeting of December 17th be cancelled.

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to cancel the Council Meeting of December 17, 2013.

26000

Mayor Mays wished everyone a safe and happy holiday season.

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

CITY OF NORTON, VIRGINIA

William J. Mays, Mayor

ATTEST:

Clerk



City of Norton
Water Treatment Plant
619 High Knob Road
P.O. Box 618
Norton, Virginia 24273-0618



OFFICE OF WATER TREATMENT
SUPERINTENDENT
(276) 679-1205
Fax: (276) 679-3510
E-Mail: andrewg@nortonva.gov

To: Fred L. Ramey, Jr., City Manager
From: Andrew Greear, Water Treatment Superintendent
Date: 12-31-13

Upper Lake:
66.0 Million Gallons

Lower Lake:
58.0 Million Gallons

TOTAL:
124.0 Million Gallons

Precip:
December to date: 8.90 inches

PRECIP TOTAL:
YEAR TO DATE: 63.99 INCHES
MAXIMUM MONTH: 9.36 INCHES (JANUARY)
MINIMUM MONTH: 1.63 INCHES (OCTOBER)
PREVIOUS 25 YEAR AVERAGE: 59.29 INCHES/YEAR

Thanks.



City of Norton
Water Treatment Plant
619 High Knob Road
P.O. Box 618
Norton, Virginia 24273-0618



OFFICE OF WATER TREATMENT
SUPERINTENDENT
(276) 679-1205
Fax: (276) 679-3510
E-Mail: andrewg@nortonva.gov

To: Fred L. Ramey, Jr., City Manager
From: Andrew Greear, Water Treatment Superintendent
Date: 12-23-13

Upper Lake:
66.0 Million Gallons

Lower Lake:
58.0 Million Gallons

TOTAL:
124.0 Million Gallons

Precip:
December to date: 7.16 inches

Thanks.



City of Norton
Water Treatment Plant
619 High Knob Road
P.O. Box 618
Norton, Virginia 24273-0618



OFFICE OF WATER TREATMENT
SUPERINTENDENT
(276) 679-1205
Fax: (276) 679-3510
E-Mail: andrewg@nortonva.gov

To: Fred L. Ramey, Jr., City Manager
From: Andrew Greear, Water Treatment Superintendent
Date: 12-17-13

Upper Lake:
66.0 Million Gallons

Lower Lake:
51.0 Million Gallons

TOTAL:
117.0 Million Gallons

Precip:
December to date: 5.17 inches

Thanks.



City of Norton
Water Treatment Plant
619 High Knob Road
P.O. Box 618
Norton, Virginia 24273-0618



OFFICE OF WATER TREATMENT
SUPERINTENDENT
(276) 679-1205
Fax: (276) 679-3510
E-Mail: andrewg@nortonva.gov

To: Fred L. Ramey, Jr., City Manager
From: Andrew Greear, Water Treatment Superintendent
Date: 12-9-13

Upper Lake:
66.0 Million Gallons

Lower Lake:
33.3 Million Gallons

TOTAL:
99.3 Million Gallons

Precip:
December to date: 4.11 inches

December Historically:

Reservoirs: Average Storage: 92 Million Gallons
Maximum Storage: 124 Million Gallons ('96,'02,'03,'04,'09,'11)
Minimum Storage: 39 Million Gallons (1999)

Precip: Average: 5.22 Inches
Maximum: 10.05 Inches (1990)
Minimum: 2.24 Inches (1994)

Fred Ramey

From: Michael Brown <jmb7400@gmail.com>
Sent: Saturday, December 07, 2013 3:29 AM
To: Fred Ramey
Subject: January Council Meeting

Fred,

Would you please put the Electoral Board on the agenda for the first meeting in January. We want to present the polling place change of venue to council for their consideration.

If you would let me know if this is acceptable, drop me an email with the date and I'll let the other board members know.

Thanks.

--

Mike

"No trees were destroyed as a result of this e-mail. However, billions of electrons were extremely inconvenienced."



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: December 28, 2013
Re: 2012-13 Fiscal Audit

Tamara Greear of Thrower, Blanton, & Associates, P.C. will present the 2012-13 Fiscal Audit for the period ending June 30, 2013.

Thank You.

A RESOLUTION OF THE CITY OF NORTON, VIRGINIA
AUTHORIZING PUMP AND HAUL
SEWAGE FACILITIES

WHEREAS the following is a Resolution to establish a Pump and Haul Sewer Program in the City of Norton, Virginia and to set criteria for issuance of permits:

IT IS HEREBY RESOLVED:

Section 1. Title.

This resolution shall be known as the "Pump and Haul Sewer Resolution."

Section 2. Approval According to Criteria.

Pump and haul sewer permits may be approved by the Council of the City of Norton pursuant to criteria set forth herein.

Section 3. Precondition to Permit Application.

A permit may be considered only if the applicant first produces evidence that the Wise County/City of Norton Health Department has rejected an application for a traditional subsurface septic tank and drainfield and/or all of the approved alternative on-site sewage handling systems, and that it is not economically feasible to connect with an approved central sewage disposal system. It shall be deemed economically infeasible for a building to be connected with an approved central sewage disposal system when the nearest public sewer line is more than 300 feet from the property line or when a railroad or river crossing would be required.

Section 4. Domestic Sewage Only to be Handled.

Only domestic strength sewage may be handled by the pump and haul system. No commercial, restaurant or industrial process wastes shall be permitted.

Section 5. Maximum Capacity.

The maximum capacity of the holding tank(s) shall be three thousand (3,000) gallons.

Section 6. Evidence of Agreement With Contract Hauler Required.

The applicant (property owner) shall provide copies of an agreement to pump and haul the sewage with a contract hauler holding a sewage handling permit and a letter of acceptance from the C-N-W Regional Waste Water Authority. The system shall be pumped a minimum of one time each year. The property owner shall maintain a log with information including the date the tank was pumped, the quantity pumped, who pumped the tank(s), and noting any alarm events. In addition, the property owner shall provide the City with a copy of the log along with a copy of the paid invoice(s) from the contract hauler so that the City is assured that the system is being pumped regularly. Failure to provide such an invoice, or a letter of explanation within any twelve (12) month period, shall be taken as evidence that the owner has ceased to continue the pump and haul operation and shall result in the revocation of the pump and haul permit.

Section 7. Bond

The permittee shall construct and operate the permanent pump and haul sewage system in conjunction with all State Health Department regulations and shall indemnify, defend and hold the City harmless from all actions, demands or claims connected with the construction and operation of the system. The permittee shall post a cash bond or bank letter of credit in the amount of \$5,000, for the purpose of insuring continuation of the pump and haul operation for a six month period and to assure the City of its proper removal in the event the storage facility is abandoned upon the termination of the City's permission for the facility or the pump and haul operation. Such bond shall be forfeited if the owner ceases to continue the pump and haul operation pursuant to Health Department regulations and/or said agreement. Forfeiture of the bond shall not relieve the owner of complying with all legal requirements set forth in state and City regulations.

Section 8. Insurance.

The hauler of the sewage shall carry a minimum of \$500,000 in commercial general liability insurance covering the services provided in the pumping, hauling, and delivery of the sewage, with the City as an additional named insured. The permittee (property owner) shall carry homeowner's insurance, hazard insurance, or commercial general liability in the minimum amount of \$50,000 or the owner's current level of coverage, whichever is greater, specifically covering the sewerage storage facility provided for herein including for leakage/spills therefrom, with the City as an additional insured.

Section 9. Alarm Service.

The pump and haul storage facility, in addition to being constructed pursuant to State Health Department regulations, shall be equipped with an audiovisual alarm that shall be activated when said storage facility is seventy-five percent (75%) full. Said alarm system shall be installed and operated so as to provide audiovisual notice at the storage facility and a location which is manned twenty-four (24) hours per day (alarm service). The alarm service must notify the property owner and City of any sounding of the alarm.

Section 10. Up to Two-Year Approval and Renewal.

An initial pump and haul permit application shall be brought before the City Council for consideration. The City Council may grant approval for a period of up to two (2) years, however, any permit issued under this resolution shall expire six months following the availability of an economically feasible connection to a public sewer line within 300 feet from the permit holder's property line.

Renewal of the permit for additional two-year periods may be approved by the City Manager, provided that the owner provides acceptable evidence that the pump and haul system has been properly operated and maintained over the preceding two (2) years.

Section 11. Transfer of Approved System to New Owner.

A. This permit is non-transferrable. However, if a property that contains an approved pump and haul system is to be sold, the City Manager and the Health Department may approve the transfer of such system to the new owner subject to the following requirements:

1. The property must continue to meet the eligibility criteria for pump and haul systems contained in Sections 2 through 6 of this ordinance.
2. The current owner must provide acceptable evidence that the pump and haul system has been properly operated and maintained over the preceding two years, or for such time as it has been owned if less than two years.
3. The Wise County/City of Norton Health Department shall inspect the Existing installed pump and haul system and certify that it is currently in proper working condition and that the alarm system is functioning properly.
4. The proposed new owner must complete and sign all agreements in the pump and haul application package, and such agreements must be approved prior to transfer of the property.
5. The proposed new owner shall post the bond required by Section 7 and produce the insurance coverage required by Section 8 of this resolution.

- B. The City Manager and the Mayor of the City Council are authorized to sign the agreements necessary to put the transfer of the system into effect once all of the above criteria are met.

Section 12. Fees

A fee of \$300 shall be paid prior to the issuance of each two year Pump and Haul Permit.

THIS RESOLUTION SHALL TAKE EFFECT ON THE _____ DAY of _____, 2014.

ADOPTED THIS _____ DAY OF _____, 2014.

CITY OF NORTON, VIRGINIA

William J. Mays, Mayor

ATTEST:

Clerk



**CITY OF NORTON
PUMP AND HAUL PERMIT APPLICATION**

Applicant's Name _____

Applicant's Address _____

Applicant's Telephone Number _____

Location of Property to be Permitted _____

The applicant understands that the following conditions must be met with proper documentation within six (6) months of issuance of Pump and Haul Permit or the permit shall be void:

1. Written evidence that the Wise County/City of Norton Health Department has rejected an application for a traditional subsurface tank and drainfield and/or all of the approved on-site sewerage handling systems and that it is not economically feasible to connect with an approved central sewerage disposal system.

Copy of Rejection Letter is Attached

2. Applicant assures that the permit is sought for domestic strength type sewerage – no commercial, restaurant or industrial processes.
3. Documentation confirming that the maximum capacity of the pump and haul system is 3,000 gallons.
4. Applicant must enter into an agreement with a contract hauler who holds a sewerage handling permit and a letter of acceptance from the operator of a certified sewerage treatment plant. The following documents are required to be submitted to the City:

- Agreement between Permittee and contract hauler is attached.
- Contract hauler's sewerage hauling permit is current and attached.
- Contract hauler's letter of acceptance from a certified sewerage treatment plant is attached.

5. Applicant agrees to provide the City with a copy of a pumping log and the paid invoices from the contract hauler and failure to provide such an invoice or letter of explanation within two months of pumping will be taken as evidence that the owner has ceased operation and permit will be revoked. Applicant agrees to have the system pumped at a minimum of one time per year.

6. Applicant agrees to (1) To construct and operate the permanent pump and haul system pursuant to all State Health Department regulations and (2) Holds the City harmless for any and all actions relevant to the construction and operation of the pump and haul system.
7. Applicant is required to post a cash bond or bank letter of credit in the amount of \$5,000, with surety approved by the City to insure continuation of the pump and haul operation for a six-month period and to assure the county of its proper removal in the event the storage facility is abandoned upon the termination of the city's permission for the facility or the pump and haul operation. Such bond shall be forfeited if the owner ceases to continue the pump and haul operation pursuant to Health Department regulations and/or said agreement. Forfeiture of the bond shall not relieve the permittee of complying with all legal requirements set forth in State and City regulations.
8. Applicant is required to provide documentation that the sewerage hauler carries a minimum of \$500,000 in commercial general liability insurance covering the services provided in the pumping, hauling, and delivery of the sewerage, with the City named as an additional named insured.
9. Provide documentation that the permittee has homeowner's insurance, hazard insurance, or commercial general liability in the minimum amount of \$50,000 or the owner's current level of coverage, whichever is greater, specifically covering the sewerage storage facility provided for herein, including leakage/spills therefrom, with the City named as an additional insured.
10. Documentation that an alarm system is installed on the pump and haul storage facility that:
 1. Has an audiovisual alarm when the facility is 75 percent full.
 2. Is installed and operated so as to provide audiovisual notice at the storage facility.
 3. Is installed and operated so as to provide notice at a location that is manned 24 hours per day (alarm service).
 4. The alarm service will notify both the Permittee and City of any sounding of the alarm.
11. Applicant agrees that when an approved central sewerage disposal system with a public sewer line becomes available and it is economically feasible to do so (as defined in the City Pump and Haul Resolution), the Permit shall connect to the public sewer line rather than continue with the pump and haul system.
12. Applicant agrees that if the City Council grants permission to operate the pump and haul, the permit shall be granted for up to 2 years and that the permit expires 6 months following the availability of connecting to a public sewer line within 300 feet of the permit holder's property line.

13. The Applicant understands that at the end of the initial 2 years, the permit may be extended for an additional two year periods by the City Manager provided that the Permittee provides acceptable evidence that the pump and haul system has been properly operated and maintained over the preceding two years.
14. Should the property be sold, the Applicant understands that he/she must contact the City Manager for approval of transfer of such system to the new owner, subject to the following requirements:
 1. The property must continue to meet the eligibility criteria for pump and haul systems contained in Sections 2 through 6 of this ordinance.
 2. The current owner must provide acceptable evidence that the pump and haul system has been properly operated and maintained over the preceding two years, or for such time as it has been owned if less than two years.
 3. The Wise County/City of Norton Health Department shall inspect the Existing installed pump and haul system and certify that it is currently in proper working condition and that the alarm system is functioning properly.
 4. The proposed new owner must complete and sign all agreements in the pump and haul application package, and such agreements must be approved prior to transfer of the property.
 5. The proposed new owner shall post the bond required by Section 7 and produce the insurance coverage required by Section 8 of this resolution.
15. Applicant agrees to pay a fee in the amount of \$250.00 for the initial two year permit period and \$100.00 per each each two year renewal period thereafter if the extensions have been approved by the City Manager.

I have read and agree to the provisions of the City of Norton's Pump and Haul Regulations.

Applicant



Pump and Haul Permit
City of Norton, Virginia

This is to certify that _____ (Permittee) of
_____ (Name or location of Property) has met all
of the City requirements to be awarded a Permit for a Pump and Haul Facility at said
property.

Next steps of action:

- City will apply to the local Health Department for a Storage Facility Construction Permit and Property Owner is responsible for any Health Department permitting fees.
- The Property Owner will construct the facility at the Health Department requirements.
- The Health Department approval with the inspection of the construction and any conditions placed on the operation by the Health Department should be forwarded to the City Manager prior to the pump and haul service commencing operation.

Agreed to by :

_____, City Manager _____ Date

_____, Permittee _____ Date

Witness:

City of Norton
618 Virginia Avenue
P. O. Box 618
Norton, Virginia 24273-0618



(276) 679-1160
fax: (276) 679-3510
www.nortonva.gov
email: cityhall@nortonva.gov

October 10, 2013

Cat Coal Mining, Inc.
Attn: Mr. Paul Ison
P. O. Box 806
Pound, VA 24279

Ref: Update on Pump and Haul Sewer Permit

Dear Mr. Ison:

On September 3, 2013, I presented your request for a Pump and Haul Sewage Permit to City Council at their regular meeting.

After discussing your request and presenting background information regarding your situation, City Council authorized me to work with our City Attorney to prepare a draft Pump and Haul Sewage Ordinance for their review.

Any such ordinance will require the approval of the Health Department prior to consideration of City Council. At this point, we have started the process of drafting the ordinance and I hope to update City Council on the progress at their next meeting which is scheduled for October 29th. Once the draft ordinance meets the approval of both the Health Department and City Council, the ordinance will be advertised for a Public Hearing and consideration by City Council.

I will keep you advised of the progress of this process, but please feel to contact me at any time if you have any questions.

Sincerely,

Fred L. Ramey, Jr.
City Manager

FLR

Visit Flag Rock - Norton's Mountain Masterpiece

City of Norton
618 Virginia Avenue
P. O. Box 618
Norton, Virginia 24273-0618



(276) 679-1160
fax: (276) 679-3510
www.nortonva.gov
email: cityhall@nortonva.gov

August 27, 2013

Cat Coal Mining, Inc.
Attn: Mr. Paul Ison
P. O. Box 806
Pound, VA 24279

Ref: Request for Pump and Haul Sewer Permit

Dear Mr. Ison:

This is to confirm that the City has received your request for a Pump and Haul Sewer Permit for your coal tipple located at 916 Kentucky Avenue, NE.

As we discussed, the City of Norton does not currently have a Pump and Haul Sewer Ordinance on our books, therefore I am not in a position to approve your request at this time. However, I plan to present your request at the next meeting of City Council currently planned for Tuesday, September 3rd. At that meeting, City Council may direct me to work with our City Attorney to prepare a draft ordinance for their review at a future Council meeting at which time Council may decide to modify, advertise the ordinance for a public hearing, or reject the ordinance entirely.

With that said, the entire process could take approximately 60-90 days to have a legal ordinance on our books that meets the Virginia Department of Health requirements. In the meantime, please feel free to have the Mine Safety and Health Administration officials contact me with any specific questions that may have pertaining to City Council's consideration of the permit.

Visit Flag Rock - Norton's Mountain Masterpiece

Page - 2 -
Mr. Paul Ison
August 27, 2013

Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink that reads "FRED". The letters are bold and slightly slanted, with a cursive-like style.

Fred L. Ramey, Jr.
City Manager

FLR

August 19, 2013

Cat Coal Mining, Inc.
P.O. Box 806
Pound, VA 24279

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

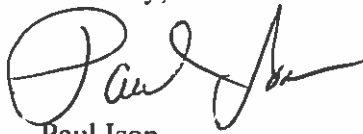
Dear Sir:

I would like to submit a permit request for a pump and haul sewage system at our coal tippie. The facility is located at 916 Kentucky Ave. NE in the city of Norton. The facility employs 3 miners, who all live within close distance to the mine. We would like to install one bathroom to include; one shower stall, a high efficiency toilet, and a sink. By our estimates a 2,500 gallon tank would suit our needs and we expect to, at most, pump 2,000 gallons bi-annually.

Our permit request stems from a denial of a bathhouse waiver request from the Mine Safety and Health Administration (MSHA). In the denial letter attached, MSHA requested that we explore the pump and haul system. Also attached is a denial of a sewage disposal application from Wise County and a denial for permission to bore a sewage line under the railroad track from Norfolk Southern Railroad.

If you should have any questions please feel free to contact our office (276) 796-4941 or the mine directly (276) 275-4297. We greatly appreciate your help in this manner.

Sincerely,



Paul Ison



JUL 17 2013

Mr. Paul Ison
Ambrose Branch Coal Company, Inc.
P. O. Box 806
Pound, VA 24279

Re: Request for a Bathhouse Waiver at Hawthorne Dock, I. D. 44-05021, received
June 5, 2013

Dear Mr. Ison:

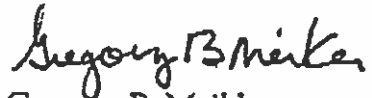
We acknowledge receipt of your request for a bathhouse waiver at Hawthorne Dock. Sufficient information in accordance with 30CFR, §71.404 was not provided. Therefore, your request for a bathhouse waiver is DENIED.

Section 71.404 requires a detailed statement of the grounds upon which the waiver is requested and the period of time for which it is requested. Grounds for the waiver request which are used in the detailed statement such as suitable water is not available or ground will not perk for waste water disposal should be validated by studies or reports including, but not limited to, reports from the Department of Health and/or Department of Environmental Quality. If such validation is made part of the waiver request it will expedite processing and approval.

This application does not address the alternative options that were mentioned in the letter from the Commonwealth of Virginia Department of Health attached to this bathhouse waiver request. If potable water, septic or other sewage disposal systems are not available, you could explore the Pump and Haul System for both clean and waste water availability and disposal.

If you have questions please contact Tony L. Arena at (276) 679-0230.

Sincerely,



Gregory B. Meikle
District Manager

TLA/jw

cc: District Files
District Health Files
Norton Field Office



**COMMONWEALTH OF VIRGINIA
VIRGINIA DEPARTMENT OF HEALTH**

Wise County/City of Norton Health Department
134 Roberts Street, S.W.
Wise, Virginia 24293
(276) 328-8000

PROPOSED SEWAGE DISPOSAL SYSTEM LETTER OF DENIAL

April 25, 2012

Ambrose Branch Coal Company, Inc.
Attn: Dustin Mullins
P.O. Box 806
Pound, VA 24279

RE: Sewage Disposal Application # 12-197-052
Property Tax Map # 469-A-5; Location: 916 Kentucky Avenue, Southeast, Norton, VA

Dear Mr. Mullins:

Your application for a Sewage Disposal Construction Permit filed with Wise County/City of Norton Health Department on 4-17-12 has been evaluated in accordance with the requirements contained in the Code of Virginia, Section 32.1-163, the Sewage Handling and Disposal Regulations, and current agency policy and procedures for processing applications for on-site sewage disposal systems.

Based on the information filed with your application and the site and soil evaluations conducted by the departments representatives, your application for a Sewage Disposal System Construction Permit for the above referenced property is denied. The department's findings and reasons for denial are set forth in the items below:

1. Unsuitable fill material in immediate area of the building on the property.
2. Insufficient depth of suitable soil over hard rock.

This decision may be appealed in accordance with the provisions of the Sewage Handling and Disposal Regulations. Your appeal must be filed within thirty (30) days of your receipt of this letter. The first step in the appeal process is to submit to Eleanor S. Cantrell, M.D., a written request detailing and outlining all the facts and such other data or information which forms the basis for your appeal.

There may be alternative sewage disposal systems that might be applicable to your situation. If you are interested in utilizing one of these alternative systems, please contact this office and we will be glad to discuss the possibility of their use on your property. These systems are designed to be used under conditions where conventional systems cannot, however there are situations in which they will not achieve compliance with the current regulations.

If this office can be of further assistance, please let us know.

Sincerely,

Christopher Cantrell
Environmental Health Specialist Sr.



Norfolk Southern Corporation
800 Princeton Avenue
Bluefield, West Virginia 24701

Bluefield – May 21, 2013

Mr. Dustin Mullins
Ambrose Coal Company
8456 Clintwood Highway
Pound, VA 24279

Dear Mr. Mullins:

This is in connection with your request to drill a sewer pipeline under NS tracks on the Clinch Valley Territory, near Norton, VA.

After talking with the trainmaster and track supervisor over this territory, it was determined that it would not be feasible for you to drill a sewer pipeline at this time.

Sincerely,


D. C. Talley
Division Superintendent

Encumbrances
30-Jun-13

Description (Vendor)	Amount	
Medical Dispatch Software (Priority Dispatch)	\$ 40,049	911 Dispatch Center
Fire Equipment (Emergency Apparatus Design)	\$ 2,055	Fire Department
Fire Equipment (Blue Ridge Rescue Suppliers)	\$ 16,525	Fire Department
Safe Routes	\$ 345,054	Street Department
12th Street Bridge Repair (Elk Knob, Inc.)	\$ 12,500	Street Department
City Hall Improvements (Ball Construction)	\$ 9,900	General Properties
Digital Tax Mapping Update (Workdview Solutions)	\$ 5,184	Planning and Development
Total	<u>\$ 431,267</u>	



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager 
CC:
Date: December 28, 2013
Re: Joint Worksession with Norton City School Board

On September 9, 2013, City Council and the School Board met jointly to discuss several topics including Current/Future Enrollment, Capital Projects, and the Safe Routes to School Project. At that meeting, the two boards agreed to hold another meeting after one of the City Council meetings in January. Dr. Comer and I have communicated by email to discuss this and January 21st will work for the School Board if that date works for City Council. According to my notes, it was anticipated that the main topic of this meeting would be the 2014-15 Fiscal Budget. However, City Council may have other items that you would like to discuss.

Thank You.




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
JEFF COMER

TO: Jeff Shupe
FROM:  Yvonne Isom, Finance Manager
SUBJECT: Request For Funds
DATE: November 25, 2013

The Norton City Schools request a deposit of City Funds in the amount of \$240,000.00 to cover November payroll.




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
JEFF COMER

TO: Jeff Shupe
FROM:  Yvonne Isom, Finance Manager
SUBJECT: Request For Funds
DATE: December 19, 2013

The Norton City Schools request a deposit of City Funds in the amount of \$350,000.00 to cover December payroll.