

## AGENDA

Norton City Council

March 1, 2022

6:00 P.M.

1. Roll Call
2. Invocation – Rev. Roger Sloce
3. Pledge of Allegiance
4. Approval of Minutes
  1. Meeting of February 15, 2022
5. Audience for Visitors
6. New Business
  - A. Update on the USS Constitution Cannon Restoration Project.
  - B. Overview of the 2021 Parks and Recreation Events and Activities.
  - C. Request to Refund Erroneously Assessed Real Estate Taxes.
  - D. Resolution of Governing Body Authorizing a Rural Development Loan Grant Application for Police Vehicles.
  - E. Update on the American Rescue Plan Act's Coronavirus Local Fiscal Recovery Funding.
  - F. Confirmation of a Check/Transfer in Excess of \$100,000.
  - G. Closed Meeting for 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-Year Term; Currently Frank Gravely Whose Term Expires 1/31/2022.

To 1/31/2026

2. Appointment to the Southwest Virginia Health Authority for Two-Year Term; Currently Debbie Ward Whose Term Expires 12/31/2021.

To 12/31/2025

3. Appointment to the Norton Planning Commission to Fill the Unexpired Term of Robert Isaac.

To 7/31/2022

4. Appointment to the Appalachian Community Action and Development Agency, Inc. for a Four-Year Term; Currently Sarah Davis Whose Term Expires 4/1/22.

To 4/1/2022

5. Appointment to the Appalachian Community Action and Development Agency, Inc. for a Four-Year Term; Currently Jeff Shupe Whose Term Expires 4/1/22.

To 4/1/2022

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

8. Adjournment.

The regularly scheduled meeting of the Norton City Council was held Tuesday, February 15, 2022, at 6:00 p.m., in the Municipal Council Chambers with Mayor Joseph Fawbush presiding.

Present: Robert Fultz, Jr., Joseph Fawbush, Mark Caruso and Sarah Davis

Absent: William Mays

Also Present: Fred L. Ramey, Jr., City Manager and Interim City Clerk

The invocation was given by Rev. Gary Hill, and the Pledge of Allegiance was led by Norton Police Department First Sergeant Greg Mays.

Prior to adoption of the February 1, 2022, council minutes, the city manager gave council updated council minutes correcting a word error on page 8, during council's vote confirming the transfer of \$100,000.00 to Norton City Schools to cover November 2021 payroll expenditures. The vote confirmation should read transfer "to" rather than transfer "from."

Upon a motion by Councilwoman Davis, seconded by Councilman Fultz, and passed by the following vote: YES – Fultz, Caruso, Davis, Fawbush, NO – None, ABSENT – Mays, ABSTAIN – None, council moved to adopt the minutes of the February 1, 2022, council meeting as corrected.

There was no response to the Mayor's Call for Visitors.

The first item on the agenda was a presentation by the Southwest Virginia Workforce Development Board (SWVA WDB) regarding programs and services Southwest Virginia Workforce Development provides to the region.

The city manager asked Councilwoman Davis, who had requested that SWVA WDB address council, to introduce Tiffany Goff, director of workforce programs for the Southwest Virginia Workforce Development Board.

Following the introduction of her staff, Ms. Goff and her staff informed council about the adult workforce program, the Workforce Innovation and Opportunity Act (WIOA) Youth Program, shared a number of success stories about individuals in both programs, and enlightened council about areas where additional funding is needed.

Ms. Goff said SWVA WDB, which is a non-profit and not a government agency, has identified three regional workforce issues where federal funding is not adequate. Those issues are: transportation to training and work, assistance for small business expansion, and development of a pipeline from secondary school to training or work. She said the board is requesting funding from the City of Norton's American Rescue Plan Act (ARPA) funds to exclusively provide these services to Norton residents. Three proposals for funding were submitted to council: Cars to Work Proposal for \$20,000 to provide transportation through a Cars to Work Program to up to six WIOA and other grant participants who are attending training or have gained employment; a Small Business Expansion Empowerment Proposal (SBEE) for \$30,000 for one year to provide technical/training assistance and small equipment grants of up to \$10,000 to three existing small businesses that were negatively impacted by COVID-19 to improve processes and expansion opportunities; and a WIOA Youth Services Proposal for \$10,000 to provide support for youth in the City of Norton who need assistance transitioning into the workforce.

Ms. Goff asked if council members had any questions.

Councilwoman Davis inquired if ARPA funds from Norton would only be used for citizens of Norton.

Ms. Goff confirmed that ARPA funds allocated by the City of Norton would only be used for participants who reside in Norton.

Councilwoman Davis asked how many Norton residents are currently served by SWVA WDB and how do residents find those services in Norton.

Ms. Goff said the city doesn't currently have many participants because COVID-19 has prevented interaction with high schools, but meetings with principals and guidance counselors are being scheduled as COVID-19 restrictions/mandates are lifted. She said referral is the primary method for obtaining services.

Following questions by Councilman Caruso, the city manager said SWVA WDB's initial request discussed in a council workshop was \$100,000 for each program (WIOA, Cars to Work, and SBEE) for a total of \$300,000.

The consensus of council was to discuss these proposals and the possibility of funding at a future council workshop.

The mayor, city manager and council thanked Ms. Goff and her staff for addressing council.

Mr. Ramey said Michael McNulty, executive director of the Pro-Art Association, was in attendance to provide council with an update on the Pro-Art Association.

Mr. McNulty thanked council for continued Pro-Art support and reported that Pro-Art had a great year with increases in programming, attendance, media coverage, and financial support. He advised that by the end of the year Pro-Art will have brought 22 professional arts programs and five educational programs to the region, including the largest show Pro-Art has presented in over 18 years – the Cirque Mechanics. He said the circus event, held February 6, 2022, was attended by almost 500 people.

The executive director said Spring 2022 programming includes 10 programs, some of which are the U. S. Navy Fleet Forces Band, the After Jack Trio, *Sweeney Todd*, and the Celtic band Iona. He noted that eight of the programs are scheduled in Norton (two plays, two concerts, and three open mike night events). He noted that the open mike events were new events that were held at the Norton Expo Center with 35 people attending each night. Two educational programs are being planned for the schools, with one in the spring and the other in the fall.

He said Pro-Arts spent over \$26,000 on the eight programs being held in the City of Norton and its schools.

Mr. McNulty told council the Pro-Art Association has applied for a grant that will restart Pro-Arts' Creative Arts Summer Camp this summer. The grant would fund the camp for five years with grant funding notification expected in May 2022. The camp will help students learn about the arts through music, theater and visual art and will culminate with a musical play. He said the Pro-Arts' Creative Arts Summer Camp will take place at John I. Burton High School as long as the school's technical equipment can accommodate the program.

The executive director asked council to consider a slight increase in the city's funding to Pro-Arts from \$6,100 to \$7,000 to increase programming.

The city manager then addressed Agenda Item 6-C and asked for council authorization to apply for the Fiscal Year 2023 Virginia Commission for the Arts Creative Communities Partnership Grant (formerly known as the Local Government Challenge Grant) in the amount of \$4,500.

The consensus of council was to authorize the city manager to apply for a FY2023 Creative Communities Partnership Grant in the amount of \$4,500.

On behalf of council, Mayor Fawbush thanked Mr. McNulty for the Pro-Art Association update.

Via PowerPoint, Mr. Ramey provided council with background information and an update on the status of the city's Memorandum of Understanding (MOU) with Southwest Virginia Climbing Coalition (SVCC), now known as Central Appalachian Climbers Coalition (CACC), and The Access Fund. The MOU was approved by council on November 18, 2014, and signed by all parties on February 17, 2015. The city manager said the MOU generated local, regional and national interest. Since that time, SVCC changed its name and also worked with several regional projects including Breaks Interstate Park, Grayson Highlands State Park and the Guest River Gorge.

Mr. Ramey said Phase I and III centered on the identification of proposed climbing areas (The Labyrinth, The Sanctuary, and The Cliffs). Phase II focused on the development of the Risk Management Plan, while Phase IV is about plan development for the opening of The Sanctuary, The Labyrinth and Flag Rock climbing areas, signage installation, as well as design, obtaining a permit from the Virginia Department of Transportation (VDOT), and installation of a parking area. Phases V and VI focus on development of a plan to facilitate and coordinate FRRA climbing and stewardship. This would include working with city administration to develop a Climbing Management Plan, conducting annual trail work days, hosting an information table at community events and festivals, as well as participation in other city events and activities.

He advised that CACC contacted him about a possible grant opportunity for the development of a parking area that could serve the Labyrinth Climbing Area. He said Virginia Outdoors Foundation has two grant programs that could possibly provide funding for the parking area – a Get Outdoors (GO Grant) and a Preservation Trust Fund Grant. The GO Grant is up to \$25,000 that can be used for projects that increase equitable access to safe open space. He said one of the eligible uses of funds would be “infrastructure to enable safe use of or access to public open space.” The Preservation Trust Fund provides larger grants but requires a permanent easement of protection.

Mr. Ramey requested council authorization to apply for a Virginia Outdoors Foundation Grant for the development of a parking area to serve the Labyrinth Climbing Area with the understanding that the application is contingent upon confirmation of city ownership. The city will have to hire a surveyor to make certain the city owns the proposed site.

He said the city would use the \$25,000 for the purchase of stone, use a tree service for larger tree removal, and use city workers for the parking area construction. A kiosk will also be built for climbing and recreational information.

The city manager said another benefit about the parking area is its proximity to the trail the city is building up to the High Knob Tower, so the area could function as a dual trailhead.

The consensus of council was to authorize the city manager to apply for a \$25,000 Virginia Outdoors Foundation Grant for the development of a parking area to serve the Labyrinth Climbing Area.

He said a meeting with the Virginia Department of Transportation has been scheduled to discuss if a permit can be obtained for the proposed parking area.

Following a brief discussion about pros and cons of making The Labyrinth Climbing Area accessible to the public, council members said they believe now is the time to move forward with the application.

Council had been presented in their packets with a Resolution Recognizing February 14-18, 2022, as National Entrepreneurship Week.

Mr. Ramey said this is something that has been done for several years as a reminder to our citizens, the community and other areas that the City of Norton is open for business and encourages entrepreneurship through efforts such as business training and the Business Challenge Competitions. He said entrepreneurship is starting to pay dividends in the community and the city wants to keep the entrepreneurial spirit alive.

Councilman Caruso asked if another Business Challenge Competition has been scheduled.

The city manager said the city is evaluating if there is enough interest for another competition.

Upon a motion by Councilman Caruso, seconded by Councilwoman Davis, and passed by the following vote: YES – Fultz, Caruso, Davis, Fawbush, NO – None, ABSENT – Mays, ABSTAIN – None, council moved to adopt a Resolution Recognizing February 14-18, 2022, as National Entrepreneurship Week. (Insert)

Via a PowerPoint presentation, Mr. Ramey provided council with the latest COVID-19 vaccination rate and case trends.

He told council that the February 10, 2022, Bristol Herald Courier reported new COVID-19 cases in Southwest Virginia had dropped 26 percent, however, case rates continued to surge as the region had the highest community spread rate in the state. According to the paper, from February 3-9, new COVID-19 cases in Norton totaled 72 with a positivity rate of 33.6 percent. The paper also reported Virginia Department of Health vaccination rates for Norton as 50.9 percent fully vaccinated while 27.7 percent had received a booster.

Following an inquiry about how vaccinations are reported in the Commonwealth at the last council meeting by Councilwoman Davis, Mr. Ramey said he checked with the health department and was told that the Virginia Department of Health only reports vaccination statistics from health departments and medical offices, not the private sector. He explained that this could be why the vaccination statistics are low.

The city manager reported the following Virginia Department of Health (VDH) COVID-19 statistics for Norton as of February 11, 2022: Cases (1,198), 1,058 on Jan. 28, 2022; Hospitalizations (37), 38 on Jan. 28, 2022; Deaths (21), 20 on Jan. 28, 2022; Increase in Cases Over 7-Day Period (71); and 7-Day Average Number of Daily New Cases Reported (12).

Updating council on the status of American Rescue Plan Act (ARPA) funding and projects, the city manager said there were no new updates.

He asked council to think about rescheduling the work session that was scheduled for 8 a.m., Saturday, February 26, 2022, in council chambers to sometime in March, because Councilman Fultz is unable to attend. Council was scheduled to discuss possible ARPA projects, budget, and capital improvements.

The consensus of council was to conduct a work session at 8 a.m., Saturday, March 12, 2022, in council chambers upon confirmation that Councilman Mays can attend.

Included in packets for council consideration was a check from the City of Norton General Operating Fund to Norton Industrial Development Authority (NIDA), dated December 30, 2021, in the amount of \$150,000.

Upon a motion by Councilman Fultz, seconded by Councilman Caruso, and passed by the following vote, YES – Fultz, Caruso, Davis, Fawbush, NO – None, ABSENT – Mays, council moved to confirm the transfer from the City of Norton General Operating Fund to Norton Industrial Development Authority, as stated above.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by the following roll call vote: YES – Fultz, Caruso, Davis, Fawbush, NO – None, ABSENT – Mays,

council moved to go into closed meeting to discuss Personnel as per Section 2.2-3711 (A) (1) of the Code of Virginia as amended.

Mayor Fawbush declared council in closed meeting.

Upon a motion by Councilman Caruso, seconded by Councilman Fultz, and passed by the following unanimous vote, YES – Fultz, Caruso, Davis, Fawbush, NO – None, ABSENT – Mays, council moved to go back into open meeting.

Mayor Fawbush declared council back in open meeting.

Mr. Ramey polled each member of council as to the Certification of Closed Meeting with each answering yes. The city manager then read A Resolution of the Certification of Closed Meeting.

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

In comments from the city manager:

Mr. Ramey informed council of the passing of former Public Works Superintendent and Building Inspector Richard Hurt on March 6, 2022, following the death of his wife Shelby 13 days prior. Visitation for both will be held Friday evening, February 18, 2022, at Hagy & Fawbush Funeral Home in Norton.

The city manager advised a delinquent real estate tax sale for four properties will be held tentatively on March 10, 2022, in council chambers. There were five properties scheduled to be sold, but that property was pulled from the sale because taxes are currently being paid on that property.

If weather is cooperative and things go as planned, the goal is to have a restoration unveiling ceremony for the U.S.S. Constitution Cannon in front of the Municipal Building at 5:45 p.m., March 1, 2022, prior to the council meeting. He said Parks and Recreation/General Maintenance employee David Rose, who has taken the lead on the restoration along historic guidelines, will hopefully discuss the project during the council meeting.

Mr. Ramey provided council with an update on state legislative bills of interest.

The city manager provided council members with the December 2021 financial statements and the latest Retail Sales Tax Report.

Following disbursement of the latest Retail Sales Tax Report, council members commented how nice the new Dollar Tree store is and noted how busy the store has been.

Mr. Ramey reminded council a work session is tentatively scheduled for 8 a.m., Saturday, March 12, 2022, in council chambers and is dependent upon if Councilman Mays can attend.

The following comments were made by council members:

After reviewing the latest Retail Sales Tax Report, Councilman Fultz noted the last time the city had a \$200,000 retail sales tax month was in February 2012, which would reflect December of 2011. He said this number is significant, but explained that inflation will increase those numbers by itself.

He said he was confronted recently about social media posts about high electricity rates that were directed toward elected officials. He said the high electricity rates are not caused by elected

people, but by appointed officials of the State Corporation Commission. He said he tried to explain that council doesn't have anything to do with this rate increase.

The city manager added that the City of Norton is fortunate to have the State Corporation Commission public hearings for electricity rate increases held locally in the Municipal Building council chambers so residents can voice their concerns.

Councilman Caruso said he doesn't recall the State Corporation Commission ever turning down a rate hike, but the SCC may have adjusted the rate hike.

He said he was pleased with the Retail Sales Tax Report and that he considers this report an electrocardiogram (EKG) of the city. He noted that the trail system and is going well and downtown is bustling.

Mayor Fawbush mentioned that the city has a new antique store and a new downtown floral shop is flourishing.

He asked the city manager to provide council with an update in March on the road rally and motorcycle routes.

The city manager told council a date for the road rally is currently being determined and he will be meeting with the Virginia Department of Transportation concerning the event.

The mayor asked council to consider the possibility of locating a water bottling plant in the former Pepsi Bottling Plant as a future economic development project. He also discussed the need for a hotel in downtown Norton and the possibility of residential development of property in the Bear Creek area.

There being no further business to come before council, Mayor Fawbush declared the meeting adjourned.

CITY OF NORTON, VIRGINIA

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Joseph Fawbush, Mayor

ATTEST:

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Fred Ramey, Jr., Interim Clerk of Council





# Inter-Office Memo

**To:** Mayor and City Council  
**From:** Fred L. Ramey, Jr., City Manager *FR*  
**CC:**  
**Date:** February 25, 2022  
**Re:** USS Constitution Cannon Restoration

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At this meeting, the City Administration will provide an overview of the restoration of the cannon from the USS Constitution.

Thank You.

City of Norton



# Inter-Office Memo

**To:** Mayor and City Council  
**From:** Fred L. Ramey, Jr., City Manager   
**CC:**  
**Date:** February 25, 2022  
**Re:** 2021 Parks and Recreation Activities

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The City's Parks and Recreation Director, Rebecca Iozzi, will be at the City Council meeting to provide an overview of the 2021 Parks and Recreation Events and Activities.

Thank You.



*Judy K. Miller*  
 Commissioner Of The Revenue  
 City of Norton

P.O. Box 347  
 Norton, Virginia 24273-0347

Phone (276) 679-0031  
 Fax (276) 679-3510

Date: February 10, 2022  
 To: Barbara Muir  
 Treasurer, City of Norton  
 From: Judy K. Miller *JKM*  
 Commissioner of the Revenue  
 Subject: Refund/Real Estate

| <u>Name:</u>            | <u>Year</u>               | <u>Reasoning</u>      | <u>Refund Amt.</u> |
|-------------------------|---------------------------|-----------------------|--------------------|
| Realtac Developers Inc. | 2 <sup>nd</sup> Half 2020 | House burned 1/9/2020 | \$172.80           |
| " " " "                 | 1 <sup>st</sup> Half 2021 |                       | <u>\$172.80</u>    |
|                         |                           | TOTAL REFUND:         | \$345.60           |

Per report from the Fire Chief (Todd Lagow) this home burned on 1-9-20 with the address being 333 Roberts Avenue and per report the property was a total loss

Explanation concerning the Real Estate Refund: (Report attached)

The taxpayer would be liable for the 1st half of 2020:  
 The 2nd half was paid by the taxpayer:  
 The 1st half of 2021 was paid by the taxpayer  
 The 2nd half of 2021 was exonerated

If you need any additional information or have questions concerning this refund request, please let me know.

Thanks.

Cc: Fred Ramey  
 City Manager



## Norton Fire Department

Municipal Building  
P.O. Box 141  
Norton, Virginia 24273

Office of  
Fire Chief

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### REPORT OF FIRE

**Date and Time:** 1/9/2020 242 am

**Address:** 333 Roberts Ave sw  
NORTON, VA

**Resident:** Owner Jay Coleman/ Last Att: Melissa Fields

**Type of Structure:** METAL/WOOD

**Damage to Structure:** THERE WAS SMOKE, WATER DAMAGE THRU THE  
BUILDING. BUILDING WAS A TOTAL LOSS

Todd Lagow Fire Chief

**Fire Official**

**RESOLUTION OF GOVERNING BODY OF  
THE CITY OF NORTON**

The Governing Body of the City of Norton, consisting of 5 members, in a duly called meeting held on the 1<sup>st</sup> day of March 2022, at which a quorum was present, **RESOLVED** as follows:

**BE IT HEREBY RESOLVED** that in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development (the Government) in the development of a proposed loan/grant to purchase one police and one emergency response vehicle to serve the community, the Governing Body does hereby adopt and abide by all covenants contained in the agreements, documents, and forms required by the Government to be executed.

**BE IT FURTHER RESOLVED** that the City Manager and Finance Director of the City of Norton be authorized to execute on behalf of the City of Norton the above-referenced agreements, documents, and forms and to execute such other documents including, but not limited to, debt instruments, security instruments, and/or grant agreements as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Board.

Norton City Council

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Clerk of Council

**CERTIFICATION**

I hereby certify that the above Resolution was duly adopted by the Governing Body of the \_\_\_\_\_ in a duly assembled meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Clerk of Council

## Position 5

USDA  
Form RD 1942-47  
(Rev. 12-97)

LOAN RESOLUTION  
(Public Bodies)

FORM APPROVED  
OMB NO. 0575-0015

A RESOLUTION OF THE \_\_\_\_\_  
OF THE City of Norton  
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING  
A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS  
2022 DCI Police Vehicle & Quick Response Vehicle  
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the \_\_\_\_\_ City of Norton  
(Public Body)  
(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of  
80,000.00

pursuant to the provisions of \_\_\_\_\_; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U. S. C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$ 10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:
  - (a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.
  - (b) Repairing or replacing short-lived assets.
  - (c) Making extensions or improvements to the facility.

Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.

15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$ 50,000

under the terms offered by the Government; that the \_\_\_\_\_

and \_\_\_\_\_ of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee

The vote was:    Yeas \_\_\_\_\_          Nays \_\_\_\_\_          Absent \_\_\_\_\_ .

IN WITNESS WHEREOF, the \_\_\_\_\_ of the \_\_\_\_\_ City of Norton \_\_\_\_\_ has duly adopted this resolution and caused it

to be executed by the officers below in duplicate on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ .

(SEAL)

\_\_\_\_\_  
By Fred Ramey  
\_\_\_\_\_  
Title City Manager  
\_\_\_\_\_

Attest:  
  
\_\_\_\_\_  
Jeff Shupe, Finance Director  
\_\_\_\_\_  
Title



# Inter-Office Memo

**To:** Mayor and City Council  
**From:** Fred L. Ramey, Jr., City Manager *FR*  
**CC:**  
**Date:** February 25, 2022  
**Re:** COVID-19 and American Rescue Plan Act

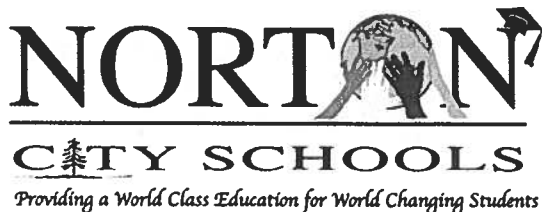
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At this meeting, the City Administration will provide a brief update on COVID-19 statistics and the City's share of the American Rescue Plan Act's Coronavirus Local Fiscal Recovery Fund (CLFRF).

Thank You.



**SCHOOL BOARD**  
Cody McElroy, Chairperson  
Dr. Wes Campbell, Vice-Chairperson  
Carol Caruso  
Cheryl Redman  
Mark Sturgill



**DIVISION SUPERINTENDENT**  
Dr. Gina J. Wohlford  
gwohlford@nortoncityschools.org  
Phone 276.679.2330  
Fax 276.679.4315

TO: Jeff Shupe  
FROM: Jacqueline Brooke  
SUBJECT: Request for Funds  
  
DATE: February 23, 2022

Norton City Schools requests a deposit of City Funds in the amount of \$250,000 to cover February 2022 payroll expenditures.

Thank you!