

City Council Meeting Packet



August 21, 2018

AGENDA

Norton City Council

August 21, 2018

6:00 P.M.

1. Roll Call
2. Invocation – Rev. Ken Taylor
3. Pledge of Allegiance
4. Approval of Minutes
 1. Meeting of August 7, 2018
5. Audience for Visitors
6. Old Business
 - A. Overview of a School Resource Officer Grant Opportunity.
 - B. Update on the Proposed Façade Improvement Program.
7. New Business
 - A. Update on an Initial Funding Offer from the Office of Drinking Water for Phase II of the Clear Creek and Josephine Waterline Replacement Projects.
 - B. Discussion Regarding the City’s Ordinance that Established a Pump and Haul Sewer Resolution.

- C. Resolution to the Virginia General Assembly to Request a Plan and Adequate Funding an Alternative Transportation System for Individuals Involved in the Civil Commitment Process and to Grant an Exemption for the Southwest Virginia Mental Health Institute from the “Place of Last Resort” Requirement Under Current Law.
- D. Confirmation of a Check/Transfer in Excess of \$100,000.
- E. Closed Meeting for Personnel as Per Section 2.2-3711 (A) (1) of the Code of Virginia as Amended.
 - 1. Appointment to the Norton Social Services Advisory Board to Fill the Unexpired Term of Dorie Stidham Whose Term Expires 08/05/20.
 - 2. Appointment to the Highway Safety Commission, Currently Fred McConnell Whose Term Expires 01/31/19.
- 8. Comments by the City Manager, City Attorney, and City Council.
- 9. Adjournment.

The regularly scheduled meeting of the Norton City Council was held Tuesday, August 7, 2018, at 6:00 p.m., in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, Robert Fultz, Jr., William Mays, Joseph Fawbush, and Delores Belcher

Also Present: Fred L. Ramey, Jr., City Manager

The invocation was given by Pastor Roger Sloce and was followed by the Pledge of Allegiance led by Police Chief James Lane.

Upon a motion by Councilman Fawbush, seconded by Councilwoman Belcher, and passed by the following vote: YES – Caruso, Mays, Fawbush, Belcher, NO – None, ABSENT – None, ABSTAIN – Fultz, Council moved to adopt the minutes of the July 17, 2018, meeting as presented.

During the Mayor's Audience for Visitors, Ms. Delores Bolling, 639 Hillcrest Drive, S. E., spoke to Council regarding maintenance on Hillcrest Drive. She stated potholes have not been repaired and maintenance on the city's right-of-way is not being performed. She also commented that two property owners are not maintaining their properties. Ms. Bolling requested that Council address the issues on Hillcrest Drive and correct the problems.

A public hearing was held on An Ordinance of the City Council of the City of Norton, Virginia, to consider amending Chapter 8 – Fire Prevention and Protection, Section 8-34 (Qualifications and Number of Members) of the Norton City Code.

Mr. Ramey said the city attorney has prepared an ordinance amending Chapter 8, Section 8-34, of the Norton City Code that will allow a Junior Fire Department and defines all the requirements of the program. He said the junior fire program will be sponsored by the Boy Scouts of America.

Mayor Mays opened the public hearing.

There being no public comment, Mayor Mays closed the public hearing.

After a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilwoman Belcher, and passed by unanimous roll call vote, Council moved to adopt An Ordinance of the City Council of the City of Norton, Virginia, updating Chapter 8 – Fire Prevention and Protection, Section 8-34 (Qualifications and Number of Members) of the Norton City Code. (Insert)

Council had been presented with A Resolution to Authorize the City Manager to Submit the US23/Alternate 58 Northbound (NB) Ramp Project through the Virginia Department of Transportation's (VDOT) Smart Scale Program for the FY2020 Six-Year Improvement Program Cycle.

The city manager said VDOT's Smart Scale Program, created by the Virginia General Assembly, as a new way to prioritize and fund large road projects in the Commonwealth. Mr. Ramey said applications for the Smart Scale Program are taken on a biennial schedule

and placed into a six-year plan. Mr. Ramey said he was recently contacted by VDOT and was informed that modifications to U.S. Route 23 (US 23) and U.S. Route 58 Alternate (US 58 Alt.) Northbound Ramp may qualify as a project for the Smart Scale Program. Mr. Ramey, via a PowerPoint presentation, gave Council an overview of the proposed changes and noted the projected cost of the project is \$1,276,000 with construction estimated to begin in 2027. He stated LENOWISCO passed a resolution in support of the city applying for VDOT's Smart Scale Program to improve the flow of traffic at this intersection. Mr. Ramey noted VDOT would be managing the project and a resolution by City Council is required showing support for the project.

After a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilman Fultz, and passed by unanimous vote, Council moved to adopt A Resolution Authorizing the City Manager to Submit the US23/Alternate 58 Northbound Ramp Project through the Virginia Department of Transportation's Smart Scale Program for the FY2020 Six-Year Improvement Program Cycle. (Insert)

Council had been presented with the Lease/Purchase Agreement between International Business Machines (IBM) Credit L.L.C., and the City of Norton to purchase a new mainframe and components.

Mr. Ramey advised Council the city has two primary servers the staff uses in daily operations. He said the IBM server is utilized for utility billing and other financial operations while the other server is used for office computers. Mr. Ramey said this upgrade should secure the city's software, daily operations, and data for up to 10 years for General and Water Fund operations. He said the lease/purchase agreement requires Council to authorize the city manager and finance director to enter into the agreement.

Upon a motion by Councilwoman Belcher, seconded by Councilman Fawbush, and passed by unanimous roll call vote, council moved to authorize the City Manager and Finance Director to enter into a Lease/Purchase Agreement to purchase new mainframe and components.

Included for consideration in the council packets was an email from the Office of the Governor announcing grants to localities for school resource officer positions.

Mr. Ramey said this grant, if approved, provides a school resource officer for one year at Norton Elementary and Middle School (NEMS) with no additional requirements of the city. He said the Police Department would shift a current officer with three years of experience to NEMS, as required by the grant, and use the grant funds to pay overtime for other officers to fill the position that is being redirected to the school system. Mr. Ramey indicated that his primary concern with this grant opportunity was that it was for only a one-year period. Although, he felt they could make this work for one year, he did not think the Police Department could continue the program if the grant was not continued the next year. Mr. Ramey said the deadline to apply for the grant is August 24th so Council can decide at the August 21st meeting on whether to apply for the grant which would also allow the school board an opportunity to meet and decide on the grant.

After a lengthy discussion and requests for additional information from Police Chief Lane, it was the consensus of Council to consider the grant opportunity at the August 21st meeting.

The next agenda item was an overview of the Opportunity Southwest Virginia Community Builder Program by Community Builder Daniel Pinard.

Mr. Ramey introduced Mr. Pinard and explained his one-year shared position between the city and the town of Dungannon, Virginia, was created and funded by the Virginia Department of Housing and Community Development (DHCD) and the University of Virginia's College at Wise.

Mr. Pinard said included in the Opportunity Southwest Virginia Community Builder Program was a project called "Rally Southwest Virginia." He said the "Rally Southwest Virginia" Program included a \$5,000 mini grant that Norton's Rally Team decided to use to purchase a stage that could be used at various types of events. Mr. Pinard stated he was also working to draw communities together that border the mountain for the High Knob Outdoor Festival that is scheduled for Saturday, August 18th. In addition, he is also working on the next Entrepreneurial Business Challenge sponsored by the Norton Industrial Development Authority (NIDA) that is slated to start within the next few weeks.

Mayor Mays thanked Mr. Pinard for the update.

Next, an update on the 2018 High Knob Outdoor Festival was presented by Norton City Special Projects Coordinator Katie Dunn and Virginia Cooperative Extension Agent Emily Wells.

Mr. Ramey said the city's downtown revitalization project is centered on the Norton Industrial Development Authority's (NIDA) building located at 815 Park Avenue, S.W., that is currently being utilized by the Norton Friends and Farmers' Market. He said the goal of this revitalization is to take this building and turn it into a multi-use facility to draw people downtown. He said city administration felt one way to begin this process was to hold an event there, so the first High Knob Outdoor Festival has been scheduled at the facility. Family Crisis Support Services had inquired about holding a concert downtown on August 11th to recognize their 39th Celebration and it was determined the best location for their request was the farmers' market building. Mr. Ramey said the Family Crisis Support's event will have two bands and several food trucks which will allow city administration to evaluate an event in the building to see what can be improved upon before the city's High Knob Outdoor Festival the following weekend.

Ms. Wells explained the past couple of years the extension office has adopted supporting economic development and outdoor recreation as the agency's unit plan of work. She said she is currently working with the city to focus on physical activity for the High Knob Outdoor Festival by encouraging people to try new activities such as mountain bike riding.

Ms. Dunn informed Council that 30 vendors, three bands, several food trucks, and a beer garden will set up for the High Knob Outdoor Festival. In addition, the festival will have various outdoor trips that morning on High Knob which is the Virginia Cooperative Extension Office's plan to support economic development and outdoor activity.

Daniel Pinard added the High Knob Outdoor Festival is part of the High Knob Master Plan which encompasses several communities that border High Knob. He said the goal is to reach out to these communities that share this asset to promote outdoor recreation because the area is stronger working together on a regional level.

The presenters then shared a video that was created to promote the festival.

At this time, Mayor Mays stated Councilman Fultz, a teacher in Norton City Schools, had to leave for 8th grade orientation at John I. Burton High School.

Following the overviews, the city manager gave an update on the city's proposed Façade Improvement Program as part of the downtown revitalization project.

Mr. Ramey commented a pleasing downtown streetscape is critical in marketing the city center for multi-use. He said one of the programs available with the revitalization is a Façade Improvement Program. Mr. Ramey said businesses and property owners are interested in the program and he suggests the city provide a matching grant up to \$7,500. He said City Administration would like to begin the program in August so this item will be on the August 21st agenda for Council's consideration.

The City Manager gave an update on the city's second Entrepreneurial Business Plan Challenge.

Mr. Ramey said the first business challenge was held in 2016 and was managed by People Incorporated. He said after comparing 2016 with other similar programs in the region, Daniel Pinard is working on expanding and improving the city's challenge for 2018. Mr. Ramey also indicated city administration will be managing this year's entrepreneurial challenge instead of an outside agency. Mr. Ramey said those wishing to be considered for the monetary awards would have to attend all classes, present their business plan and business, and open their business in one of the following fields: Restaurant/Hospitality; Outdoor Recreation; Specialty Retail; Specialty Foods/Grocery; Agriculture/Agritourism; Technology; Arts/Culture; Advanced Manufacturing; and support services for those types of businesses. Mr. Ramey said city administration anticipates open the challenge after the Labor Day holiday.

Council had one transfer to confirm. The transfer was to Norton City Schools, dated June 27, 2018, in the amount of \$100,000 to cover June 2018 payroll expenditures.

Upon a motion by Councilman Fawbush, seconded by Councilwoman Belcher, and passed by unanimous vote, Council moved to confirm the transfer to Norton City Schools as stated 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 2.2-3711 (A) (1) of the Code of Virginia, as amended.

Mayor Mays declared council in closed meeting.

Upon a motion by Councilman Fawbush, 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.

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 Caruso, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

Mayor Mays opened the floor for nominations to the Norton Tourism Committee to fill the unexpired term of Jane Sandt whose term expires on September 30, 2021.

Councilman Caruso nominated Becky Lagow to fill the unexpired term on the Norton Tourism Committee to expire on September 30, 2021.

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

Mayor Mays declared Becky Lagow appointed to fill the unexpired term of Jane Sandt whose term expires on September 30, 2021.

Mayor Mays opened the floor for nominations to the Heart of Appalachia Regional Tourism Authority for a two-year term to expire on July 1, 2020.

Councilwoman Belcher nominated Beth Walker to be appointed to the Heart of Appalachia Regional Tourism Authority for a two-year term to expire on July 1, 2020.

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

Mayor Mays declared Beth Walker appointed to the Heart of Appalachia Regional Tourism Authority for a two-year term to expire on July 1, 2020.

In comments from the City Manager:

In July 2018, Council provided funding for the Norton Little League 11 and 12-year-old Girls Softball Team that qualified for the State Softball Tournament. A financial report has been provided by the team's coaches and a copy has been placed at member's desks.

The city did not make the final top two towns for this year's Blue Ridge Outdoors Magazine Top Adventure Town for 2018.

The 2018 Cloudsplitter 100 Ultra Trail Race currently has 77 participants registered for the event. The city will need volunteers for aid stations and there will be a change in this year's route due to flooding.

Mr. Ramey asked Council to advise city administration if they plan to attend the 2018 Virginia Municipal League Conference in Hampton, Virginia.

He provided council with copies of the planned High Knob Outdoor Festival and July traffic counts for Route 619 and the entrance to Flag Rock.

Mr. Ramey confirmed with Council the scheduled work session at 9:00 a.m., Saturday, August 11th and the High Knob Outdoor Festival planned for Saturday, August 18th.

The following comments were made by council members:

Councilman Fawbush said the first meeting for the 2018 Woodbooger Festival is scheduled at 4:00 p.m. Wednesday, August 8th, in the Municipal Council Chambers.

He informed members that LENOWISCO is working on a number of projects and that Southwest Virginia is being recognized.

Mayor Mays commended city administration, staff and Council members for their work and dedication to advancing the city.

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

CITY OF NORTON, VIRGINIA

William Mays, Mayor

ATTEST:

Clerk of Council

Fred Ramey

From: Template List <GOVERNORSUPDATE@LISTSERV.COV.VIRGINIA.GOV> on behalf of Press, Governor Northam <press@GOVERNOR.VIRGINIA.GOV>
Sent: Thursday, June 14, 2018 3:16 PM
To: GOVERNORSUPDATE@LISTSERV.COV.VIRGINIA.GOV
Subject: Governor Northam Announces \$1.265 Million in Grants to Localities for School Resource Officer and School Security Officer Positions



Commonwealth of Virginia
Office of Governor Ralph S. Northam

FOR IMMEDIATE RELEASE

Date: June 14, 2018

Office of the Governor

Contact: Ofirah Yheskel

Email: Ofirah.Yheskel@governor.virginia.gov

Department of Criminal Justice Services

Contact: Albert Stokes, Grant Manager

Email: albert.stokes@dcjs.virginia.gov

Governor Northam Announces \$1.265 Million in Grants to Localities for School Resource Officer and School Security Officer Positions

RICHMOND—Governor Ralph Northam announced today the award of grants totaling \$1.265 million to localities throughout the Commonwealth that will fund school resource officer (SRO) and school security officer (SSO) positions at elementary, middle, and high schools. The grants were awarded at the June 14 meeting of the Criminal Justice Services Board (CJSB).

The grant funds came from the School Resource Officer/School Security Officer Incentive Grant Program, a program funded through state general funds. Grant applications were reviewed by the Department of Criminal Justice Services (DCJS) and priority was given to schools without existing officers.

“Building and maintaining strong partnerships between local law enforcement agencies, local school divisions and local communities is critical to upholding Virginia’s commitment to keep our students safe,” said **Governor Northam**. “These positions will help schools and law enforcement work together to provide every child with the safe and healthy learning environment they need to succeed.”

“School resource officers exemplify successful community policing,” said **Brian Moran, Secretary of Public Safety and Homeland Security**. “Officers serve as mentors to the students and foster positive relationships between the school and the law enforcement agency. This collaboration not only helps protect our children, but also our communities as a whole.”

“One of the key components to ensuring comprehensive school safety is an effective school resource officer,” said **Atif Qarni, Secretary of Education**. “This funding will greatly help schools partner with officers to promote safety of our students and schools.”

The Virginia Center for School and Campus Safety is housed within DCJS and serves as a resource and training center for information and research about national and statewide safety efforts and initiatives in K-12 schools and institutes of higher education.

“We saw a 75 percent increase in SRO/SSO applications this year from last year,” said **Shannon Dion, Director of DJCS**. “It is clear that law enforcement agencies and school administrators want SROs in schools. The Virginia Center for School and Campus Safety will continue to support the SRO/SSO programs by providing trainings and resources like the Model SRO Memorandum of Understanding.”

This year, DCJS and the Center received 63 applications School Resource Officer/School Security Officer Incentive Grant Program. The CJSB approved a total of 40 grants, which will fund 40 positions: 14 at elementary schools, 14 at middle schools, and 12 at high schools, including technical schools. Of the approved grants, 22 were new grants and 18 were continuations of prior grants from previous years.

Information on the Virginia Center for School and Campus Safety and the localities receiving funding is available on the DCJS website, at www.dcjs.virginia.gov.

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City of Norton

Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: August 17, 2018
Re: Façade Improvement Program

As part of our Downtown Revitalization Program, plans are underway for another Façade Improvement Program for downtown businesses and property owners. The City Administration will provide an update to City Council.

Thank You.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HEALTH OFFICE OF DRINKING WATER

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

July 23, 2018

Subject: City of Norton
Water – Clear Creek WL Replacement Phase II
WSL – 034-19
Josephine WL Replacement Phase II
WSL – 035-19

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

Re: 2019 Drinking Water Construction/Financial Assistance
DWSRF Initial Offer

Dear Mr. Ramey:

The Virginia Department of Health (VDH) has completed a preliminary review of your application for drinking water construction funds. The determination of the funding package is shown below; however, this determination and your inclusion in VDH's Intended Use Plan is contingent on the availability of federal and state funding as well as the conditions below.

Based on the information provided, VDH determined the total funding package for your projects is estimated to be \$243,437. The final amount will be set at loan closing. The funding package was determined using information provided in your loan application.

Your project may be eligible for special funding. There are several funding options for your project. Please indicate which option you will commit to in your response letter by indicating your selection as *Option 1 or Option 2*. If you select Option 2, indicate your plans for complying with the target rate requirement in your response letter.

Option 1: 100% loan at below market rates:

The funding package consists of a **loan for a term of 20 years** (or the design life of the project, whichever is less). The interest rate on the loan will be set equal to **1% below** the 20-year AA municipal bond rate at the time of loan closing. Recently the AA bond rate has varied between 2.5% to 3.5 %.

Option 2: 100% as principal forgiveness (grant funds):

The funding package under this special program is 100% as principal forgiveness (grant funds). To qualify for this offer VDH requires the principal forgiveness (PF) loan to be closed within 12 months of this offer letter. A recently updated Asset Management Plan is also required. VDH may be able to make funds available if you need to update your plans. If your loan can not closed within 12 months of this offer letter your project will automatically revert to Option 1, above.

Mr. Fred L. Ramey, Jr., City Manager
 July 23, 2018
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VDH recommends all waterworks maintain updated Waterworks Business Operation Plans. In your response letter, please notify us of the status of your plans.

This offer requires a commitment to evaluate revenues and adjust rates as necessary to ensure revenue growth that factors in increases (e.g. operational costs, inflation, etc.), other costs (e.g. asset/equipment replacements, technology upgrades, capital improvements, etc.), and takes into account other potential revenue reductions (e.g. future regulations, reductions from water conservation, etc.). VDH urges waterworks owners establish and fund a capital reserve fund that adequately supports capital improvements and asset replacements.

The financial information submitted indicates the owner should raise or adjust water rates; having adequate financial resources is crucial to maintaining a successful and sustainable waterworks. Furthermore, VDH recommends waterworks owners implement a revenue growth model that includes automatic annual rate adjustments that exceed inflation. VDH recommends waterworks self-evaluate their financial position using the attached *Building Financial Sustainability/Financial Health Indicators* to ensure they are able to provide for financial sustainability. You should begin to prepare your latest audited financial statement to avoid any delays in credit review and loan closing.

Currently the federal Drinking Water State Revolving Fund (DWSRF) appropriation and final requirements have not yet finalized. However all recipients should expect complying with the American Iron and Steel, Davis Bacon Prevailing Wage, and other provisions will be required.

The funding package and loan closing are conditioned on and are subject to change based on (but not limited to) the following:

- (1) The availability of federal and state match funds to support the DWSRF Program,
- (2) New restrictions/conditions that the EPA or VDH may require in the use of the SRF funds or for participation in the Program,
- (3) The purpose, benefit, or scope of the project changes from the Preliminary Engineering Report (PER) or the DWSRF Application; or the VDH-ODW Field Office does not concur with the project purpose, benefit, or scope,
- (4) Owner complying with the DWSRF Program requirements, and owner's progress to a timely closing according to a pre-negotiated schedule, or delays/changes in project readiness to proceed,
- (5) Owner's history of activities with the ODW/DWSRF Program (i.e. late or non-payments or non-compliance),
- (6) Owner obtaining user agreements from future water users in the project area, (if applicable)
- (7) The financial estimates provided in your loan application changing,
- (8) Owner's ability to secure the loan, all loan offers will require a credit report acceptable to VDH, rates increases may be required to secure the loan,
- (9) Owner soliciting other lenders for parity on this new debt,
- (10) Owner being debarred or suspended from applying for state or federal funds,
- (11) Waterworks maintaining compliance with the Virginia *Waterworks Regulations* and other applicable state/federal laws, regulations, policies, and procedures, and
- (12) EPA mandates that all program assistance recipients demonstrate full technical, financial, and managerial capacity in order to receive funds. VDH may place special requirements on recipients in order to ensure capacity requirements are met prior to loan closing.

Mr. Fred L. Ramey, Jr., City Manager
July 23, 2018
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An acceptance of this funding offer reflects a commitment on your part to these requirements. VDH reserves the right to by-pass or change the terms of any project that has not executed financial agreements within 12 months from the date of VDH's original award letter.

Please notify me in writing as soon as possible but no later than August 27, 2018 at the address above of your acceptance of this initial funding package offer or any concerns and additional factors that should be considered. Failure to notify me can be deemed as your withdrawal from this program. Please use the above referenced project number and name on all correspondence. If necessary I can be contacted at (804) 864-7489 or at by email steve.pellei@vdh.virginia.gov.

Sincerely,



Steven D. Pellei, PE, Director
Division of Construction Assistance, Planning & Policy

cc: Keith Kornegay, PE, Project Supervisor, FCAP
Lenowisco Planning District Commission
E. Sue Cantrell, MD, Pharm, District Health Director
Brian Blankenship, PE, Acting ODW Field Director, Abingdon Field Office

VDH/OFFICE OF DRINKING WATER
FINANCIAL AND CONSTRUCTION ASSISTANCE PROGRAMS (FCAP)

Building Financial Sustainability/Financial Health Indicators

Having adequate financial capacity and an acceptable credit review is a Program requirement for revolving fund loan projects. Listed below are some financial indicators that may be evaluated during a review by VDH or by the Virginia Resources Authority (VRA). Reviews are not limited to the factors listed below and may include other factors.

Revenue Pledge Factors: *(User fees pledged for loan repayment)*

1. **Debt Service Coverage Ratio:** Net Revenue (revenue – O&M) available for debt service divided by applicable debt service. Evaluated using the first two fiscal years after project completion.
 - Poor Less than 1.15x
 - Adequate From 1.15x to 1.5x
 - Strong Greater than 1.5x

2. **Days Cash on Hand:** Amount of total available unrestricted liquid reserves divided by daily operating expenditure requirements.
 - Poor Less than 60 days
 - Adequate From 60 to 120 days
 - Strong Greater than 120 days

3. **Operating Ratio:** Total operating income plus operating reserves divided by total operating costs (not including debt)
 - Poor Less than 1.1
 - Adequate From 1.1 to 3.0, Small systems (1.25 to 3.0), Medium and large (1.1 to 2.0)
 - Strong Greater than 3.0 Small systems (3.0), Medium and large (2.0)

General Obligation Factors:¹ *(Locality pledges its full faith and credit, backed by taxing power)*

4. **State Aid (if applicable):** Available state aid divided by applicable debt service.
 - Poor Less than 1.0x
 - Adequate From 1.0x to 1.5x
 - Strong Greater than 1.5x

5. **Debt Service vs. Expenditures:** Debt service compared to the total operating budget.
 - Poor Greater than 15%
 - Adequate From 10% to 15%
 - Strong Less than 10%

6. **Unassigned Fund Balance:** Unassigned fund balance vs. total revenue.
 - Poor Less than 5%

¹ Evaluate the debt, revenues, and expenses of the entire entity and not just the waterworks enterprise fund

- Adequate From 5% to 10%
- Strong Greater than 10%

7. **Debt Payout Ratio:** Measurement of how much debt is paid off in ten years.

- Poor Less than 50%
- Adequate From 50% to 60%
- Strong Greater than 60%

8. **Total Debt vs. Total Valuation:**

- Poor Greater than 6%
- Adequate From 2% to 6%
- Strong Less than 2%

Other Factors:

9. **Affordability Index Target:** Annual residential bill divided by Annual Median Household Income (MHI).

- 1% for average gallons per month*
- 2% for 5,000 gallons per month

* Use the rate structure (in-town, if applicable) for residential customers and apply it to the average monthly residential water usage to derive the average monthly user rate for evaluation under the DWSRF Program. The average monthly residential water usage is to be based on residential water meter data. Waterworks are expected to meet or exceed the target rate criteria at the time of project completion.

Other considerations:

Experience has shown that fairly structured utility rates that implement gradual rate increases annually have been the most acceptable to the ratepayers and most effective in keeping revenue at pace with costs. VDH recommends waterworks implement a revenue growth model that factors in increases (e.g. operational costs, inflation, etc.), other costs (e.g. asset/equipment replacements, technology upgrades, capital improvements, etc.), and takes into account other potential revenue reductions (e.g. future regulations, reductions from water conservation, etc.).

VDH recommends waterworks establish and fund a capital reserve fund that adequately supports capital improvements and asset replacements.

VDH reserves the right to require an implementation schedule acceptable to VDH for those waterworks that may need additional time for implementation of significant rate increases.

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.

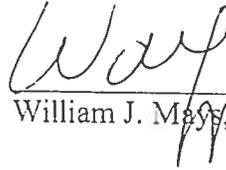
Section 12. Fees

A fee of \$500 shall be paid prior to the issuance of the initial two year Pump and Haul Permit and a fee of \$300 shall be paid prior to renewal of each successive two year permit. These fees may be changed by action of City Council.

THIS RESOLUTION SHALL TAKE EFFECT UPON THE REVIEW AND APPROVAL BY THE WISE COUNTY/CITY OF NORTON HEALTH DEPARTMENT.

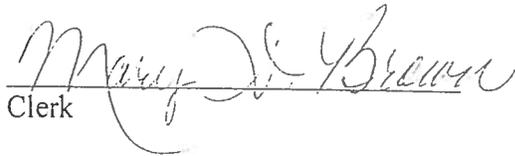
ADOPTED THIS 7th DAY OF JANUARY, 2014.

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 \$500.00 for the initial two year permit period and \$300.00 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. The Two Year Permit will begin on _____ and expire on
_____.

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 to 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:

RESOLUTION

WHEREAS, safe, recovery-oriented transportation is a critical need for individuals involved in the civil commitment process, offering a less traumatizing experience and facilitating more positive outcomes for individuals and their families; and

WHEREAS, historically, within the civil commitment process, law enforcement has provided transportation to inpatient facilities, in addition to providing a constant presence throughout the crisis evaluation process; and

WHEREAS, the current system of law enforcement providing transportation for Emergency Custody Orders (ECO) and Temporary Detention Orders (ETO) is an unfunded mandate and results in undue financial and operational challenges to local municipalities and creates additional stress and trauma for the individual and the families of the person being transported by law enforcement; and

WHEREAS, the current system creates a risk to maintaining safe communities by reducing the number of hours in which officers are patrolling their communities due to the TDO/ECO transport duties, and creates an increased risk to those being transported because they are often alone in the back of a patrol car without proper monitoring of physiological and psychological symptoms while in transport, in some cases for up to six hours; and

WHEREAS, In 2009, legislation was passed allowing magistrates to designate someone other than law enforcement to provide transportation under an Emergency Custody Order (ECO) or a Temporary Detention Order (TDO) if this could be accomplished safely, and it's perceived that alternative transportation would have a substantial positive impact on individuals, families, and law enforcement, by allowing law enforcement to focus on their primary responsibilities, and by de-stigmatizing and promoting a more recovery-oriented civil commitment process;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Norton hereby requests the Virginia Legislature continue to develop, and adequately fund, an alternative transportation system for individuals involved in the civil commitment process, recognizing the demographic and geographical challenges that rural areas in Virginia have concerning travel distances, the effect those challenges have on the emotional and financial impact of the families, and the financial distress incurred by all parties involved; and

BE IT FURTHER RESOLVED that the Virginia Legislature review and grant an exemption for the Southwest Virginia Mental Health Institute from the “place of last resort” requirement under current law; recognizing that it is centrally located, and imminently qualified, to serve as a front line regional detention center for the civil commitment process, and that increasing the capacity at Southwest Virginia Mental Health Institute through increased state and local financial support would ultimately result in cost savings to the overall mental health arena.

Adopted this 21st Day of August 2018.

City of Norton

William J. Mays, Mayor

ATTEST:

City Clerk



TOWN OF MARION

P.O. Box 1005
 138 West Main Street
 Marion, VA. 24354
 Phone: 276-783-4113 Fax: 276-783-8413
 www.marionva.org

Council:
 David P. Helms, Mayor
 Dr. James L. Gates, Vice Mayor
 Larry Carter Bill Weaver
 Suzanne Jennings Tricia Spencer
 Jim Barker Avery Cornett

July 18, 2018

To: All Municipalities in Southwest Virginia

RE: Resolution of Support for TDO/ECO Transportation Solutions

Dear Colleagues,

The Town of Marion has passed a resolution (see attached) to present to the Virginia State Legislature requesting action and relief to the operational and emotional challenges that result from Temporary Detention Orders (TDO's) and Emergency Custody Orders (ECO's) in our region. We are requesting that all municipalities in the planning districts of Southwest Virginia consider passing a similar resolution, whereby we could present a united front when presented to the Legislature.

We have included the resolution draft in a Word document to facilitate your review and editing. In drafting this resolution, we have consulted with local and regional law enforcement, the Southwest Virginia Mental Health Institute, as well as private individuals that have been affected by the TDO/ECO process. It's a complex issue to be sure, but it is imperative that it be addressed, especially in Southwest Virginia where limited mental health facilities exist.

Bill Rush, our Town Manager, is spearheading this effort. Please forward your executed resolution to him at brush@marionva.org. He will compile them and present them to our state Delegates and Senator Carrico, as well as keep you informed as to the progress of the request during the legislative session.

We appreciate your support in this important matter.

Sincerely,

David P Helms, Mayor



Bill Rush, *Town Manager*
 John Clair, *Chief of Police*
 Billy Hamm, *Dir. Of Purchasing*
 Terry Jennings, *Dir. Of Recreation*
 Donnie Coley, *Dir. Of Water & Sewer*

Cecil Hicks, *Asst. Town Manager/Town Engineer*
 Cindy Stanley, *Dir. Of Finance/Town Clerk*
 Ken Heath, *Dir. Of Comm. & Economic Dev.*
 Tony Muncy, *Dir. Of Public Works*
 Mark Fenyk, *Counsel*



TOWN OF MARION



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Council:
David P. Helms, Mayor
Dr. James L. Gates, Vice Mayor
Larry Carter Bill Weaver
Suzanne Jennings Tricia Spencer
Jim Barker Avery Cornett

RESOLUTION CONCERNING TEMPORARY DETENTION ORDER (TDO) TRANSPORTATION

Whereas, safe, recovery-oriented transportation is a critical need for individuals involved in the civil commitment process, offering a less traumatizing experience and facilitating more positive outcomes for individuals and their families; and

Whereas, historically, within the civil commitment process, law enforcement has provided transportation to inpatient facilities, in addition to providing a constant presence throughout the crisis evaluation process; and

Whereas, the current system of law enforcement providing transportation for ECO's and TDO's is an unfunded mandate and results in undue financial and operational challenges to local municipalities and creates additional stress and trauma for the individual and the families of the person being transported by law enforcement; and

Whereas, the current system creates a risk to maintaining safe communities by reducing the number of hours in which officers are patrolling their communities due to the TDO/ECO transport duties, and creates an increased risk to those being transported because they are often alone in the back of a patrol car without proper monitoring of physiological and psychological symptoms while in transport, in some cases for up to six hours; and

Whereas, In 2009, legislation was passed allowing magistrates to designate someone other than law enforcement to provide transportation under an Emergency Custody Order (ECO) or a Temporary Detention Order (TDO) if this could be accomplished safely, and it's perceived that alternative transportation would have a substantial positive impact on individuals, families, and law enforcement, by allowing law enforcement to focus on their primary responsibilities, and by de-stigmatizing and promoting a more recovery-oriented civil commitment process;

NOW, THEREFORE BE IT RESOLVED, this 16th day of July, 2018, The Town of Marion, VA requests the Virginia Legislature continue to develop, and adequately fund, an alternative transportation system for individuals involved in the civil commitment process, recognizing the demographic and geographical challenges that rural areas in Virginia have concerning travel distances, the effect those challenges have on the emotional and financial impact of the families, and the financial distress incurred by all parties involved; and

Be it further resolved that the Virginia Legislature review and grant an exemption for the Southwest Virginia Mental Health Institute from the "place of last resort" requirement under current law; recognizing that it is centrally located, and imminently qualified, to serve as a front line regional detention center for the civil commitment process, and that increasing the capacity at Southwest Virginia Mental Health Institute through increased state and local financial support would ultimately result in cost savings to the overall mental health arena.

SIGNED:

David P. Helms, Mayor

ATTEST:

Cindy Stanley, Clerk



Bill Rush, *Town Manager*
John Clair, *Chief of Police*
Billy Hamm, *Dir. Of Purchasing*
Terry Jennings, *Dir. Of Recreation*
Donnie Coley, *Dir. Of Water & Sewer*

Cecil Hicks, *Asst. Town Manager/Town Engineer*
Cindy Stanley, *Dir. Of Finance/Town Clerk*
Ken Heath, *Dir. Of Comm. & Economic Dev.*
Tony Muncy, *Dir. Of Public Works*
Mark Fenyk, *Counsel*



SCHOOL BOARD
 Sherry Adams, Chairperson
 Mark Leonard, Vice-Chairperson
 Carol Caruso
 April Fletcher
 Joseph Stallard



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

COPY

DATE: July 2, 2018

Norton City Schools requests a deposit of City Funds in the amount of \$682,350 to cover the General Obligation School Bond, Series 2012 payment.

Principal - \$540,000
 Interest - \$142,350
 Total - \$682,350

Thank you!