

Bradley E. Grose, Mayor  
Robert R. Altice, Councilmember  
Carolyn D. Fidler, Vice Mayor  
Matthew S. Hare, Councilmember  
William "Wes" Nance, Councilmember



Vinton Municipal Building  
311 South Pollard Street  
Vinton, VA 24179  
(540) 983-0607

**Vinton Town Council**  
**Council in the Neighborhood Meeting**  
**Herman L. Horn Elementary School**  
**1002 Ruddell Road**  
**Tuesday, March 20, 2012**

**AGENDA**

Consideration of:

- A. 6:00 p.m. - MEET AND GREET**
- B. 6:30 p.m. - CONDUCT NEIGHBORHOOD MEETING**
- C. 7:15 p.m. - ROLL CALL AND ESTABLISHMENT OF A QUORUM**
- D. MOMENT OF SILENCE**
- E. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG**
- F. CONSENT AGENDA**
  - 1. Consider approval of minutes for Council Meeting of March 6, 2012.
  - 2. Approve Slate of Officers for the Vinton Volunteer Fire Department for 2012.
- G. AWARDS, RECOGNITIONS, PRESENTATIONS**
  - 1. Officers of the Month for February 2012 – Sgt. Greg Chieppa, Master Police Officer Todd Bailey, Officer Timothy Lawless
- H. CITIZENS' COMMENTS AND PETITIONS - This section is reserved for comments and questions for issues not listed on the agenda.**

**I. PUBLIC HEARING**

1. Setting the real estate, personal property and machinery and tools tax rates for calendar year 2012.
  - a. Report from Staff
  - b. Open Public Hearing
    - Receive public comments
    - Close Public Hearing
  - c. Council discussion and questions
  - d. Consider adoption of an Ordinance setting the real estate tax rate for calendar year 2012.
  - e. Consider adoption of an Ordinance setting the personal property tax rate for calendar year 2012.

**J. TOWN ATTORNEY**

**K. TOWN MANAGER**

**ITEMS REQUIRING ACTION**

1. Consider adoption of a Resolution setting the allocation percentage for Personal Property Tax Relief in the Town of Vinton for the 2012 tax year.
2. Consider adoption of an Ordinance authorizing the Town Manager to execute Amendment No. 2 to the Roanoke Valley Regional Cable Television Agreement.

**BRIEFINGS - NONE**

**L. MAYOR**

**M. COUNCIL**

1. Finance Committee Report – January and February 2012
2. Public Safety Committee Report – March 2012

**N. ADJOURNMENT**

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.** Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Town Council meetings. Please call (540) 983-0607 at least 48 hours prior to the meeting date so that proper arrangements may be made.

**NEXT TOWN COUNCIL MEETING:**

- April 3, 2012 – 6:00 p.m. – Work Session with Regular Meeting to follow at 7:00 p.m. - Council Chambers

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, MARCH 6, 2012, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor  
Carolyn D. Fidler, Vice Mayor  
Robert R. Altice  
Matthew S. Hare  
William W. Nance

STAFF PRESENT: Christopher S. Lawrence, Town Manager  
Elizabeth Dillon, Town Attorney  
Susan N. Johnson, Town Clerk  
Consuella Caudill, Assistant Town Manager/Economic Development Manager  
Barry Thompson, Finance Director/Treasurer  
Anita McMillan, Planning and Zoning Director  
Gary Woodson, Public Works Director  
Joey Hiner, Assistant Public Works Director

**The Mayor called the work session to order at 6:30 p.m.**

Angie Lewis, Executive Director, gave a presentation on behalf of the Vinton Area Chamber of Commerce. She commented that their membership is up to over 250 members, which is an increase of 60+ and that they have expanded their events to 13 major events for the year. The Chamber makes use of all social media to expand their advertising and currently they have almost 4,000 friends on Facebook. She expressed thanks for the funding in prior years and requested continued support.

Dan Miles, Chief Executive Officer, gave the next presentation on behalf of the Roanoke Valley Resource Authority. He commented that there has not been an increased in the tipping fee for ten years, but that it will remain the same for the upcoming year. He then reviewed a ten year chronological history of the \$45.00 tipping fee which showed that the tonnage amount has been decreasing every year. Other municipalities that the Authority services have also seen a decrease in tonnage, this being due to the economy. This has made the Authority operate in a deficit mode for the past seven years and required a draw down from its contingency funds. This amounted to an 83% reduction in the contingency fund and a 20% reduction in the reserve balance. Another factor has been the low interest rates being paid on the Authority's investments.

Mr. Miles indicated that the Authority will have to ask for an increase in the tipping fee for the next fiscal year 2013-2014. He then commented that if they had increased the fee to break even they would have been charging \$63.87 per ton. The bond debt was paid off a year early, but was done by going into the contingency fund. A 10-year projection showed that even with an increase in tipping fee, the Authority will be operating in a deficit mode, but it will begin to replenish the contingency fund.

There was no one present on behalf of the Vinton Dogwood Festival.

Wayne Strickland, Executive Director, gave a brief presentation on behalf of the Roanoke Valley-Alleghany Regional Commission. The Town and the Commission have been working together for over 40 years. He commented on the Commission's assistance with the Town's CDBG Grant application as well as the Tinker Creek Restoration Project, the Water Supply Plan which was done jointly with 13 other jurisdictions and has been approved by the DEQ. The stormwater management plan is continuing and the Regional Pre-Disaster Hazardous Mitigation Plan has been completed which is important for a locality to receive FEMA funds along with several other projects in the Town. The Town's participation in the Regional Comprehensive Economic Development Strategy is important and that the Town has just been designated by the Economic Development Administration as an eligible community for direct EDA assistance. A Regional Broadband Study is also being done. He thanked Vinton for their active role in the Commission's Mayors and Chairs meeting and that the next meeting will be the end of March.

The next presentation was given by Elaine Bays-Murphy, Director of Cable Access, on behalf of RVTV-3. Ms. Murphy gave a recap of the RVTV-3 operation and then showed a four-minute clip of the productions for the Town. RVTV has been re-branded to RVTV-3, has a new website and was awarded a Gold AVA Award for Website Design. Mr. Hare asked if anything was going to be done different from last year relating to the funding mechanism. Ms. Bays-Murphy indicated that nothing has been changed, but the Town's percentage will be at five percent again this year. Mr. Altice indicated that the City of Roanoke is having their Planning Commission meetings broadcast and they pay extra for this service. Ms. Bays-Murphy also commented that the City is also trying on a trial basis to broadcast their Council briefings. Mr. Altice mentioned the improvements that have been

made through the capital grant and Ms. Murphy indicated those funds have to be used for capital improvements only, not for operating costs.

Mattie Forbes made brief comments on behalf of the Vinton Historical Society/Museum. The Town of Vinton room has been opened and over 1,200 individuals visited the Museum the past year. They have run out of space and are always looking for volunteers. The Museum will celebrate 25 years next year. The Town Manager commented that the Town owns the Museum building and that some improvements need to be done which is a separate funding item from the Society's request.

The work session ended at 6:50 p.m.

**The Mayor called the regular meeting to order at 7:00 p.m.** The Town Clerk called the roll with Council Member Altice, Council Member Hare, Council Member Nance, Vice Mayor Fidler, and Mayor Grose present.

Roll Call

**The Mayor welcomed those in attendance.** After a Moment of Silence, Vice Mayor Fidler led the Pledge of Allegiance to the U.S. Flag.

**Mr. Nance made a motion to approve the consent agenda** as presented; the motion was seconded by Vice Mayor Fidler and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Altice, Hare, Nance, Fidler, Grose; Nays (0) - None.

Approved minutes of February 21, 2012

**Liz Belcher, Roanoke Valley Greenway Coordinator, gave a Power Point presentation** on behalf of the Greenway Commission. Mark McClain and Janet Scheid were also present. She reported that the budget has not changed again this year and that Vinton's portion based on population is 3.8% or \$3,300. She then commented on several projects such as the Gladetown Bridge and Trail; placing uniform signage for the Wolf Creek Greenway and the Greenway connection that the City is building with a new 660 foot bridge.

Ms. Belcher also commented on the economic development benefits of the Greenway and reviewed all of the projects--those completed, those under construction and the Bridge the Gap project that is in the planning and fund raising stage. She then showed a one-minute time lapse video showing the placement of the 660 foot bridge being installed last week. Mr. Hare asked the cost of the bridge and Ms. Belcher indicated it was part of a \$3.2 million contract that included about a mile of trail and two bridges. Vice Mayor Fidler

commented that there has been some discussion with the Greenway and the members of Explore Park about the future of locating the Greenway on that property. Ms. Belcher responded that they met with the Board two weeks ago and got permission to do survey work up to the Parkway. She is hoping that when they get to the next part that the Explore Park group will have more clarity as to what they are interested in seeing in the Park.

**The next item on the agenda was the second Public Hearing for citizen comments on the submission of the VA DHCD Community Development Block Grant (CDBG) for the Downtown Business District Revitalization Project.** Anita McMillan gave a brief report on the first Public Hearing that was held at Cundiff Elementary School on February 21st, and the Downtown Management meeting on February 24th at the War Memorial which was well attended. She indicated that Mr. Barney Arthur has suggested that we make Vinton the music center for the Roanoke Valley. This is the second Public Hearing and Council is being requested to adopt two Resolutions, one to designate the Downtown Redevelopment Area and one to authorize the Town Manager to execute the application for the Grant. The deadline for the application is March 28<sup>th</sup>.

The Mayor then declared the Public Hearing open. Hearing no public comments, the Mayor closed the Public Hearing.

Public Hearing opened and closed.

Mr. Hare asked if we have gotten any indication from the State about what credit we may get for the purchase of the Dunman Property and the demolition of the former Steve's Garage. Ms. McMillan responded that both of those items will be a part of the application. He then indicated that we still need a spark plug, a private investor and asked if most of the money is from the Town, will we get turned down again. Vice Mayor Fidler commented about the music center concept that Mr. Arthur had suggested. Mr. Nance thanked Ms. McMillan and Town Staff for their involvement in submitting this grant and hopes that all of the hard work pays off for the Town. The Mayor also commented on the work done by Staff.

Vice Mayor Fidler made a motion to approve the Resolution designating the Downtown Redevelopment Area as presented; the motion was seconded by Mr. Nance and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) - Altice, Hare, Nance, Fidler, Grose; Nays (0) - None.

Adopted Resolution No. 1953 designating the Downtown Redevelopment Area

Mr. Nance made a motion to approve the Resolution authorizing the Town Manager to execute the Grant application as presented; the motion was seconded by Mr. Hare and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) - Altice, Hare, Nance, Fidler, Grose; Nays (0) - None.

Adopted Resolution No. 1954 authorizing the Town Manager to execute the application for the VA DHCD CDBG Grant for the Downtown Business District Revitalization Project

**The next item on the agenda was to adopt a Resolution establishing penalties for parking violations in the Town.** The penalties were approved as part of the FY12 budget, but by the Town Code a separate Resolution needs to be adopted and posted. The Police Department needs the Resolution so they can proceed with ordering parking tickets. Mr. Altice commented that he thinks they are still a little low and Vice Mayor Fidler asked about several of the violations.

The Town Manager commented that some of our fees are cheaper than other localities and as part of the upcoming budget process, we can review the current fees.

Mr. Altice made a motion to approve the Resolution for parking violations as presented and the motion was seconded by Vice Mayor Fidler.

In discussion, Mr. Nance asked if there was a consensus on Council to reconsider the fees, why would we go ahead and order new tickets. The Town Manager recommended that Council approve the Resolution since the fees are already a part of the FY12 budget and it needs to be posted. However, he will check with Chief Cook to see what is the minimum number of tickets he can order and will send Council a comparison report for their review.

After discussion, the motion carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) - Altice, Hare, Nance, Fidler, Grose; Nays (0) - None.

Adopted Resolution No. 1955 establishing penalties for parking violations in the Town

**Barry Thompson made brief comments on the real estate tax levy for calendar year 2012** and indicated that Council needed to authorize advertising a Public Hearing for their next meeting to set the rate at \$0.03 per \$100 of the assessed value for 2012. Vice Mayor Fidler asked what the tax would be in the Town for a \$150,000 home and the response was around \$40.00. It was the consensus of Council to proceed with the advertising.

**The Town Manager reviewed Amendment No. 2 to the Roanoke Valley Regional Cable Television Agreement.**

This Amendment provides specific procedures that will be followed in the event a locality decides to withdraw from the RVTV partnership. Mr. Altice commented that there is a provision that allows a locality to rescind their notice within 60 days of their notice to withdraw. The Town Manager commented that the attorneys for all three localities have reviewed the Amendment and are in agreement.

The Town Attorney commented that the Amendment is legally sound and that Council needs to decide if they agree with the Amendment. The Mayor asked the date of the original Agreement and Ms. Bays-Murphy indicated it dates back to 1992.

Mr. Nance asked the Town Attorney about her interpretation of the sentence in Section V, Termination (D) that reads "The withdrawing party shall have no vote or right to object to the actions of the nonwithdrawing party or parties." Does that mean even for the year that you are giving your Notice? The Town Attorney responded that she thinks it does. Mr. Nance then commented that you are being forced to pay another year to an organization that you do not want to be a part of, but you have no vote during that year. The Town Attorney indicated that once you are withdrawing, you are not at the table to vote.

Mr. Nance then stated that we could decide to withdraw right now without being forced to pay another year. If we adopt the Amendment as it is currently worded, we would be forced to pay another year, but have no voice in the way the organization is run. The Town Attorney responded in the affirmative. Mr. Nance then stated that the next sentence indicating that the withdrawing party shall also have no further right...after the effective date of withdrawal is fine. Once you are not part of it, you have no benefits. But if you are paying to be a part of it for a year, you should have a vote. Your inability to vote should be after the withdrawal. The Town Attorney stated that she would contact Mr. Tegenkamp, the City's Attorney, and Mr. Mahoney, the County's Attorney. Ms. Bays-Murphy stated that she agreed if you are paying for the service, then you should have a voice.

The Mayor then commented if the locality withdrawing would be tainted by the fact that it was leaving the organization. Mr. Nance stated that it would be two against one, but it would not be fair to pay for a service

and not have a vote. The Amendment will be brought back to Council at their next meeting for further consideration.

**The Mayor asked Barney Arthur, who attended the Council in the Neighborhood meeting at Cundiff Elementary, if he had any feedback.** Mr. Arthur commented that he thought Council received some very candid comments from people who have not historically attended meetings in Council Chambers. There were situations brought to their attention that officials are not often aware of. He thinks any involvement that Council and Staff can engage with the citizens is a good thing.

**The Work Session then continued with a presentation by Richard Oakes on behalf of the Vinton Volunteer Fire Department.** He made brief comments on the budget request for FY13 of \$19,000 and gave a breakdown on the request. Mr. Hare asked what were they not able to do last year since they asked for \$19,000 but were only given \$15,000. Mr. Oakes responded that they cut out the Chief's Convention at Virginia Beach and out-of-town training expenses.

Tom Philpott, Rescue Chief, and Doug Adams, Vice President, gave the presentation on behalf of the Vinton Volunteer First Aid Crew. Mr. Philpott reviewed the breakdown of this year's budget request of \$17,000. Part of the request is a requirement by the FCC to upgrade their high-band radio system and gave an explanation. They are trying to get a Grant together with the State that may fund up to \$6,000. Mr. Adams also made comments about the importance of the radio system and how it is used to notify the volunteers of situations that are considered dangerous.

Mr. Philpott then made comments about the cost of oxygen and the fact that they are now getting oxygen from Roanoke County up to the \$6,000 limit. He then commented that EMS has brought in substantial revenue to the Town over the past few years and has recently replaced a new \$135,000 ambulance at no cost to the Town.

Mr. Nance commented that the request is still \$17,000 even though the breakdown exceeds that request. Mr. Hare asked if they were funded the \$17,000, how would they allocate. Mr. Philpott responded they would have to pull some more out of their funds to cover the rest. After further discussion, Mr. Adams mentioned that the

State has now a requirement that the First Aid Crew be recognized by the local governing body through a proclamation as part of their licensing process.

**Mr. Hare made a motion that Council go into a Closed Meeting pursuant to Section 2.2-3711 (A) (1)** of the Code of Virginia, as amended, for discussion of a personnel matter; the motion was seconded by Mr. Nance and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Altice, Hare, Nance, Fidler, Grose; Nays (0) - None. Council went into Closed Meeting at 8:30 p.m.

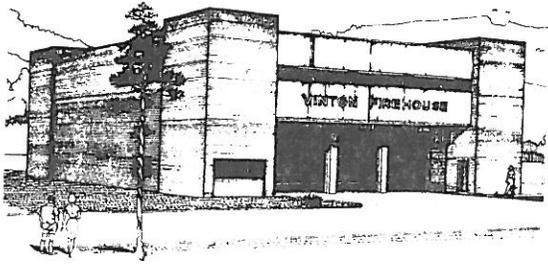
At 9:15 p.m., the regular meeting reconvened and the Certification that the Closed Meeting was held in accordance with State Code requirements was approved on motion by Mr. Hare, seconded by Vice Mayor Fidler and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Altice, Hare, Nance, Fidler, Grose; Nays (0) - None. The meeting was adjourned at 9:20 p.m.

APPROVED:

\_\_\_\_\_  
Bradley E. Grose, Mayor

ATTEST:

\_\_\_\_\_  
Susan N. Johnson, Town Clerk



# Vinton Volunteer Fire Department

P.O. BOX 426 ● VINTON, VA. 24179

March 1, 2012

Vinton Town Council  
311 S Pollard St  
Vinton, VA 24179

Dear Council Members,

This letter is written on the behalf of the Vinton Fire Department to inform you of the results of its annual election of officers, in accordance with the By-Laws of the Vinton Fire Department, Article II, Section I. The election results are as follows:

Line Officer

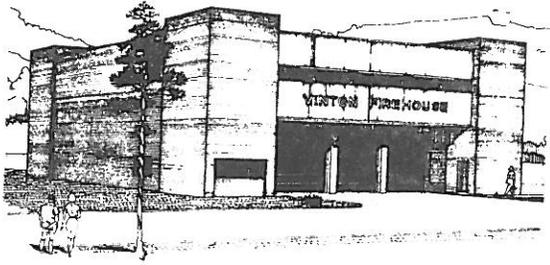
Chief	Richard Oakes
Assistant Chief	Chris Hepinstall
Deputy Chief	Craig Sheets
Captain	Dan Rogers Sr.
Lieutenant	Scott Morfitt

Business Officers:

President	William English
Vice President	John Brindle
Secretary	Jordan Keyser
Treasurer	Matthew Thomas

The following members were present at the time of elections:

Donnie Thomas	Benny Powell
George Stone	H.L. Offenbacker
Timothy Gonzalez	Preston Gonzalez
Jonah Loyd	Thomas Simmons
Keith Ball	Dan Rogers Jr.
Jonathan Stone	All elected officers



# Vinton Volunteer Fire Department

P.O. BOX 426 ● VINTON, VA. 24179

The following members were absent at the time of elections:

Perry Fisher

Shannon Stroop

Curtis Crawford

The term for the elected officers will begin on the first day of March, 2012. We look forward to serving the community of the Town of Vinton.

Sincerely,

Jordan Keyser

Secretary

Vinton Fire Department



## Vinton Police Department

311 SOUTH POLLARD STREET  
VINTON, VIRGINIA 24179

PHONE (540) 983-0617  
FAX (540) 983-0624

BENJAMIN L. COOK  
CHIEF OF POLICE

**A State Accredited Agency**

**To:** Sgt. Greg Chieppa, Master Police Officer Todd Bailey, Officer Timothy Lawless

**From:** Benjamin L. Cook, Chief of Police *BLC*

**Date:** March 8, 2012

**Subject:** Officers of the Month – February 2012

Congratulations! You have been nominated and selected as Officers of the Month for February, 2012. On February 18, 2012, your shift responded to numerous calls, including a domestic violence call involving weapons. Subsequent investigation revealed that a party was being held and the suspect pointed a firearm at the victim. During a struggle, the firearm discharged inside the residence. A .357 revolver was recovered from scene and firearms charges were placed.

Another incident during the night involved a traffic stop on a vehicle traveling with no lights on after dark. The driver of the vehicle was found to be intoxicated and was arrested for DUI; she registered a .23 BAC, and was also in possession of a Schedule 2 drug, marijuana, and a drug smoking device. Other incidents that night resulted in five summons issued for underage possession of alcohol, two summons for underage possession of tobacco, and one curfew violation.

This was an extremely busy and challenging shift, but you were able to handle both the volume and complexity of the calls received. You serve the community well and are deserving of this recognition. Keep up the good work!

**TO:** TOWN MANAGER'S OFFICE  
**FROM:** Barry W. Thompson, Finance Director/Treasurer  
**DATE:** March 12, 2012

**ISSUE/PURPOSE:** Public Hearing on Real Estate Tax Rate for Calendar Year 2012

**ACTION**

**REQUESTED:** At its March 6, 2012 meeting, Town Council authorized a public hearing for March 20, 2012 to receive public input on the proposed real estate levy for calendar year of \$.03 per \$100 of assessed value.

**JUSTIFICATION:** Section 58.1-3321 of the 1950 Code of Virginia, as amended, requires that certain notices be published and a public hearing be held when the annual real estate assessment results in an increase of 1% or more of the total real estate tax levy. The Town of Vinton's real estate tax levy has decreased by approximately (.64%) for the calendar year 2012. A summary of the preliminary assessed values and corresponding tax levies are shown below:

<b>Assessed Values:</b>	
Year 2012	\$ 466,502,000
Year 2011	- <u>469,499,100</u>
<b>Total Decrease</b>	<b>\$ (2,997,100)</b>
Year 2012	\$ 466,502,000
<b>Less New Construction</b>	<b><u>-1,011,600</u></b>
Net Assessed Value	465,490,400
Year 2011	- <u>469,499,100</u>
<b>Net Increase</b>	<b>\$ (4,008,700)</b>
<b>Tax Levy:</b>	
Year 2012	\$ 139,951
Year 2011	<u>140,850</u>
<b>Decrease Tax</b>	<b>\$ (899)</b>

Assessment Decrease - (0.0064) or (.64%)

Even though the Town's Assessment decreased by only (.64)% an advertisement was placed in the *Vinton Messenger* for a public hearing at the March 20, 2012 Council Meeting in order to set the tax rates.

**Real Estate Tax Rate for Calendar Year 2012 - Proposed Ordinance**

**ISSUE/PURPOSE:** Set the real estate tax levy for calendar year 2012 after holding public hearing

**ACTION**

**REQUESTED:** Adopt attached Ordinance

**JUSTIFICATION:** Following the public hearing held on setting of the tax rate on the total real estate tax levy. The current rate is \$.03 per \$100.00 of assessed value. No change is being recommended, and a copy of the proposed Ordinance is enclosed for Council's consideration which sets the real estate tax rate for calendar year 2012 at \$.03 per \$100.00 of assessed value.

**Personal Property Tax Rate for Calendar Year 2012 - Proposed Ordinance**

**ISSUE/PURPOSE:** Set the personal property tax levy for calendar year 2012 after holding public hearing

**ACTION**

**REQUESTED:** Adopt attached Ordinance

**JUSTIFICATION:** The current personal property tax rate is \$1.00 per \$100.00 of the assessed evaluation of all personal property excepting there from household furnishings, and 50% or \$.50 per \$100.00 of the assessed valuation of one motor vehicle owned and regularly used by a disabled veteran, subject to certain qualifications. No change is being recommended for calendar year 2012 and enclosed is a copy of the proposed Ordinance to provide for the annual levy on all personal property at \$1.00 per \$100.00 of the assessed evaluation of all personal property and \$.50 per \$100.00 of the assessed valuation of one motor vehicle owned and regularly used by a disabled veteran.

**ORDINANCE NO**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, MARCH 20, 2012, AT 7:15 P.M., IN THE HERMAN L. HORN ELEMENTARY SCHOOL, 1002 RUDELLE ROAD, VINTON, VIRGINIA.**

**AN ORDINANCE** to provide for the annual levy on real estate in the Town of Vinton, Virginia.

**WHEREAS,** it is desirable of the Town of Vinton to collect real estate taxes semi-annually by June 5th and December 5th; and

**WHEREAS,** the annual levy is necessary to provide for the daily operation of various municipal departments of the Town of Vinton, and thus avoid creating an emergency.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Town of Vinton that the tax levy for the calendar year 2012 on all real property and improvements shall be as follows:

**"All Real Estate shall be assessed at 100% of fair market value, local levy of THREE CENTS (\$.03) per ONE HUNDRED DOLLARS (\$100.00) of the assessed value for the calendar year 2012."**

**BE IT FURTHER ORDAINED** that a copy of this Ordinance be immediately forwarded by the Town Clerk to the Commissioner of Revenue for Roanoke County/Town of Vinton, and to the Finance Director/Town Treasurer of the Town of Vinton.

This Ordinance adopted on motion made by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, with the following votes recorded:

AYES:

NAYS:

APPROVED:

\_\_\_\_\_  
Bradley E. Grose, Mayor

ATTEST:

\_\_\_\_\_  
Susan N. Johnson, Town Clerk

**ORDINANCE NO.**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, MARCH 20, 2012, AT 7:15 P.M., IN THE HERMAN L. HORN ELEMENTARY SCHOOL, 1002 RUDELL ROAD, VINTON, VIRGINIA.**

**AN ORDINANCE** to provide for the annual levy on all personal property in the Town of Vinton, Virginia, and to provide for the annual levy on the classification of vehicles owned by disabled veterans, pursuant to § 58.1-3506 of the Code of Virginia (1950, as amended, and by the adoption of Ordinance No. 594 dated August 17, 1993 by the Vinton Town Council.

**WHEREAS,** it is desirable of the Town of Vinton to collect personal property taxes by May 31, 2012; and

**WHEREAS,** the annual levy is necessary to provide for the daily operation of various municipal departments of the Town of Vinton, and thus avoid creating an emergency.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the Town of Vinton that a tax levy for the calendar year 2012 shall be **one dollar (\$1.00) per one hundred dollars (\$100.00)** of the assessed valuation of all personal property excepting therefrom household furnishings; and

**BE IT FURTHER ORDAINED** by the Council of the Town of Vinton that a tax levy for the calendar year 2012 shall be **fifty percent (50%) or fifty cents (\$.50) per one hundred dollars (\$100.00)** of the assessed valuation of one motor vehicle owned and regularly used by a disabled veteran, subject to certain qualifications; and

**BE IT FURTHER ORDAINED** that a copy of this Ordinance be immediately forwarded by the Town Clerk to the Commissioner of Revenue for Roanoke County/Town of Vinton, and to the Finance Director/Town Treasurer of the Town of Vinton.

This Ordinance adopted on motion made by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, with the following votes recorded:

AYES:

NAYS:

APPROVED:

\_\_\_\_\_  
Bradley E. Grose, Mayor

ATTEST:

\_\_\_\_\_  
Susan N. Johnson, Town Clerk

**TO:** Chris Lawrence  
**FROM:** Barry W. Thompson, Treasurer  
**DATE:** March 12, 2012

**SUBJECT:** Request to adopt a resolution setting the allocation percentage for personal property tax relief for the 2012 tax year

**ISSUE/PURPOSE:** Resolution to set the allocation percentage for Personal Property Tax Relief in the Town of Vinton for the 2012 Tax Year.

**ACTION REQUESTED:** Adopt the resolution setting the allocation percentage for the Personal Property Tax Relief in the Town of Vinton for the 2012 Tax Year.

**JUSTIFICATION/  
SUMMARY**

The Personal Property Tax Relief Act (PPTRA or the Act) of 1998 established a statewide program to provide relief to owners of personal use motor vehicles. The 1998 Act envisioned a five year phase-in of relief expressed as a percentage of the bill related to the first \$20,000 of personal use vehicle value. Costs soared and percentage was frozen at 70% since 2001.

In 2004 and 2005, additional legislation was passed to amend the original Act. This legislation capped PPTRA at \$950 million for all Virginia localities for Tax Years 2006 and beyond. PPTRA funds are allocated to individual localities based on each government's pro rata share of Tax Year 2004 payments from the Commonwealth. The Town's share of the \$950 million is \$203,096.

In order to put these changes into effect, the Town Council adopted an Ordinance that set the framework for the implementation and administration of the 2004-2005 changes to the Personal Property Tax Relief Act (PPTRA) of 1998. This ordinance was adopted on December 6, 2005.

The Town uses The PPTRA Allocation Model developed by the State to calculate the effective reimbursement rate. This model uses historical trends and a five year rolling average to calculate the effective reimbursement rate. This same methodology for calculating the rate is used by many of our neighboring localities.

In 2012, once again Town and County staff computed the effective reimbursement rate based upon the PPTRA allocation model. The percentage is similar to those localities that are ready to adopt their resolutions. The rate for the County is 65.54% and the Town of Vinton is 66.86%

The Town is required by the State to annually adopt a resolution setting the percentage reduction in personal property for that year. The attached resolution establishes the percentage reduction at 66.86% for the 2012 tax year.

**Fiscal Impact**

The Town will receive the \$203,096 from the state in June since we are a Spring Biller and therefore there will be no timing delay in the receipt of the State funds as with some of the larger localities.

**Staff Recommendation**

Staff reviewed this calculation and recommends adopting the attached resolution which establishes the percentage reduction for personal property tax relief at 66.86% for the Town of Vinton for the 2012 tax year.

**DATE ACTION**

**NEEDED:**               **March 20, 2012**

**ATTACHED:**           Resolution

**RESOLUTION NO.**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, MARCH 20, 2012, AT 7:15 P.M., IN THE HERMAN L. HORN ELEMENTARY SCHOOL, 1002 RUDELL ROAD, VINTON, VIRGINIA.**

**A RESOLUTION** setting the allocation percentage for Personal Property Tax Relief in the Town of Vinton for the 2012 Tax Year.

**WHEREAS**, in accordance with the requirements set forth in Section 58.1-3524 (C) (2) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly and as set forth in item 503.E (Personal Property Tax Relief Program or "PPTRA") of Chapter 951 of the 2005 Acts of Assembly, a qualifying vehicle with a taxable situs within the Town commencing January 1, 2012, shall receive personal property tax relief; and

**WHEREAS**, this Resolution is adopted pursuant to Vinton Code § 86-58 enacted by the Council of the Town of Vinton on December 6, 2005.

**NOW THEREFORE, BE IT RESOLVED**, BY THE COUNCIL OF THE TOWN OF VINTON, VIRGINIA, as follows:

1. That tax relief shall be allocated so as to eliminate personal property taxation for qualifying personal use vehicles valued at \$1,000 or less.
2. That qualifying personal use vehicles valued at \$1,001-\$20,000 will be eligible for 66.86% tax relief.
3. That qualifying personal use vehicles valued at \$20,001 or more shall only receive 66.86% tax relief on the first \$20,000 of value.
4. That all other vehicles which do not meet the definition of "qualifying" (for example, including but not limited to, business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program.
5. That the percentages applied to the categories of qualifying personal use vehicles are estimated fully to use all available PPTRA funds allocated to the Town of Vinton by the Commonwealth of Virginia.
6. That entitlement to personal property tax relief for qualifying vehicles for tax year 2005 and all prior tax years shall expire on September 1, 2006, or when the state funding for tax relief is exhausted or depleted. Supplemental assessments for tax years 2005 and prior that are made on or after September 1, 2006 shall be deemed 'non-qualifying' for purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the assessed personal property tax.

This resolution shall be effective from and after the date of its adoption.

This resolution adopted on motion made by Council Member \_\_\_\_\_, and seconded by Council Member \_\_\_\_\_, with the following votes recorded:

AYES:

NAYS:

APPROVED:

\_\_\_\_\_  
Bradley E. Grose, Mayor

ATTEST:

\_\_\_\_\_  
Susan N. Johnson, Town Clerk

**ORDINANCE NO.**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, MARCH 20, 2012, AT 7:15 P.M., IN THE HERMAN L. HORN ELEMENTARY SCHOOL, 1002 RUDELL ROAD, VINTON, VIRGINIA.**

**AN ORDINANCE** approving and authorizing execution of Amendment No. 2 to the Roanoke Valley Regional Cable Television Committee Agreement (Agreement) among the City of Roanoke, the County of Roanoke and the Town of Vinton; and

**WHEREAS**, the City of Roanoke, the County of Roanoke and the Town of Vinton previously entered into an Agreement dated June 9, 1992, that authorized the Committee to provide for the development, administration, and operation of a cable television for governmental, educational, and institutional facilities and programming; and

**WHEREAS**, the three jurisdictions have enacted Cable Television Franchise Ordinances effective October 31, 2003, and entered into Cable Television Franchise Agreements, pursuant to those ordinances, with CoxCom, Inc., d/b/a Cox Communications Roanoke, effective November 1, 2003; and

**WHEREAS**, the three jurisdictions enacted Ordinances and adopted Amendment No. 1 to the Agreement dated March 10, 2004; and

**WHEREAS**, the three jurisdictions desire to further amend said Agreement to provide more specific notice requirements and other conditions for the termination of the Agreement and other modifications to the current Agreement.

**NOW THEREFORE, BE IT HEREBY ORDAINED** by the Council of the Town of Vinton, Virginia, that:

1. The Town Manager and the Town Clerk are hereby authorized, for and on behalf of the Town, to execute and attest, respectively, Amendment No. 2 to the Agreement referenced in this Ordinance.

2. All documents necessary to accomplish this acceptance shall be in form approved by the Town Attorney.

3. The Town Manager is authorized to take such further action and execute such additional documents as may be necessary to implement and administer such Amendment No. 2 to said Agreement.

This ordinance shall take effect immediately upon passage.

This Ordinance adopted on motion made by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, with the following votes recorded:

AYES:

NAYS:

APPROVED:

\_\_\_\_\_  
Bradley E. Grose, Mayor

ATTEST:

\_\_\_\_\_  
Susan N. Johnson, Town Clerk

**AMENDMENT NO. 2 TO ROANOKE VALLEY  
REGIONAL CABLE TELEVISION COMMITTEE  
AGREEMENT**

**RECITALS**

THIS Amendment No. 2 is dated \_\_\_\_\_, 2012, by and between the CITY OF ROANOKE, a municipal corporation of the Commonwealth of Virginia, (“City”), the COUNTY OF ROANOKE, a charter county and political subdivision of the Commonwealth of Virginia (“County”), and the TOWN OF VINTON, a municipal corporation of the Commonwealth of Virginia (“Town”);

WHEREAS, by the Roanoke Valley Regional Cable Television Committee Agreement, by and between the City, the County, and the Town, dated as of June 9, 1992 (the “Agreement”), the City, the County, and the Town authorized the creation of the Roanoke Valley Regional Cable Television Committee (the “Committee”) and authorized that Committee to provide for the development, administration, and operation of cable television governmental, educational, and institutional facilities and programming;

WHEREAS, by Ordinance Nos. 36503-100603, 102803-12, and 792, effective October 31, 2003, respectively (the “New Ordinances”), the City, the County, and the Town have repealed and superceded Ordinances Nos. 30478-42291, 42391-5, and 545, respectively (the “Ordinances”), with the New Ordinances governing the granting and regulation of one or more franchises to construct, operate, and maintain one or more cable television systems within their jurisdictions;

WHEREAS, pursuant to the New Ordinances, the City, the County, and the Town have entered into new Cable Television Franchise Agreements with CoxCom, Inc., d/b/a Cox Communications Roanoke, effective November 1, 2003 (“New Franchise Agreements”);

WHEREAS, the City, the County, and the Town desire, subject to the terms set forth herein and in the Agreement, to continue the Agreement and the operation of the Committee during the term of the New Franchise Agreements;

WHEREAS, by Ordinances Nos. 36578-121503, 030904-3, and 797, the City, the County, and the Town, respectively, adopted Amendment No. 1, dated March 10, 2004, to the Agreement; and

WHEREAS, the City, the County, and the Town desire to further amend this Agreement to provide more specific notice requirements and other conditions for the termination of the Agreement and other modifications to the current Agreement, as amended.

**WITNESSETH**

THAT FOR AND IN CONSIDERATION of the mutual covenants and agreements contained herein, the parties hereto, pursuant to the provisions of Section 15.2-1300 of the Code of Virginia (1950), as amended, do covenant and agree to amend the Agreement and continue such Agreement and the operation of the Committee upon the terms and conditions as set forth herein and in the Agreement as amended by Amendment No. 1 and this Amendment No. 2.

**Section 1. Amendment.** The Agreement is hereby amended as follows:

- a) **Section III, PURPOSE AND ADMINISTRATION,** of the Agreement is amended by deleting only the second sentence which reads “The administration of all such activities shall be undertaken by the Committee.” and substituting in its place the following sentences: “The Committee may operate under the procedures

of one of its members and/or have such member be the fiscal agent for the Committee. The parties hereby acknowledge that the Committee presently operates under Roanoke County procedures and that Roanoke County is the fiscal agent for the Committee. The Committee shall exercise the authority and responsibility for all such activities to include, without limitation, the employment, direction, and supervision of the employees of the Regional Cable Television operations, the making of policies for the Committee and/or its operations, and the establishment of subcommittees.”

- b) **Section V, TERMINATION**, of the Agreement is amended by deleting the existing Section V of the Agreement in its entirety and replacing it with the following language:

**“V. WITHDRAWAL OF A PARTY AND/OR TERMINATION OF AGREEMENT.**

A. Any party to this Agreement may withdraw from the Roanoke Valley Regional Cable Television Committee and terminate such party’s participation in the Roanoke Valley Regional Cable Television Committee Agreement only as set forth herein by:

- 1) Such party’s governing body must take appropriate action by ordinance or resolution authorizing such withdrawal and termination; and
- 2) The party seeking to withdraw from such party’s participation shall deliver in person or by U.S. certified mail return receipt requested a formal written notice to the Chief Executive

Officer of the other parties to this Agreement on or before June 30 of the then current fiscal year, but which notice shall not be effective until midnight on June 30 of the following fiscal year. The purpose of this notice requirement is to give the nonwithdrawing party or parties at least twelve (12) months notice of the withdrawing party's decision to no longer participate in the Committee and Agreement.”

- B. Any party to this Agreement who gives a notice of withdrawal shall be responsible for complying with such Agreement until the effective date of the withdrawal notice as referred to in subsection A above.
- C. Any party withdrawing from the Committee and terminating such party's participation in the Agreement shall not be entitled to and shall not receive any financial or other compensation, adjustment, or credit of any type for the value of equipment, assets, grant or other funds, real, personal, tangible or intangible property, accounts receivable, or any other items the Committee may own or control or that may be used or held for the benefit of RVTV or the Committee and/or for the operation of the Educational-Governmental (EG) channel(s) RVTV or its successor(s) may operate.
- D. Upon a party's notification of withdrawal to another party or parties, the nonwithdrawing party or parties, in their sole

discretion, may continue the EG Regional Cable Television operations under the Agreement with such modifications as may be deemed appropriate by the nonwithdrawing party or parties or under a new agreement that such nonwithdrawing party or parties deem appropriate. The withdrawing party shall have no vote or right to object to the actions of the nonwithdrawing party or parties regarding the matters referred to in the prior sentence. The withdrawing party shall also have no further right to use or receive the benefits of the EG Regional Cable Television operations after the effective date of withdrawal.

- E. The withdrawing party shall cooperate with the nonwithdrawing party or parties in order to provide for a smooth transition of operations and control to such nonwithdrawing party or parties, including, but not limited to, executing any documents and/or providing any information the nonwithdrawing party or parties may reasonably request.
- F. If at any time the surviving party or parties decide to no longer operate the EG Regional Cable Television operations, such party or parties may do so only upon such terms and conditions as such party or parties may deem appropriate and only in accordance with the direction of the governing body of each such surviving party.
- G. The withdrawing party may rescind such party's notice to withdraw only during the first 60 days after the date such notice

was given. After such 60 day time period, the withdrawing party may only request that such withdrawal notice be rescinded, but any such rescission request shall require the written consent of all of the nonwithdrawing parties.”

**Section 2. Effective Date.** The effective date of this Amendment No. 2 shall be \_\_\_\_\_, 2012.

**Section 3. Continuation of Agreement.** The Agreement shall continue in full force and effect, as amended by Amendment No. 1, and as further amended by this Amendment No. 2.

**SIGNATURE PAGE TO FOLLOW.**

WITNESS the following signatures and seals:

CITY OF ROANOKE

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

Title: \_\_\_\_\_

ATTEST

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

Title: \_\_\_\_\_

COUNTY OF ROANOKE

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

Title: \_\_\_\_\_

ATTEST

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

Title: \_\_\_\_\_

TOWN OF VINTON

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

Title: \_\_\_\_\_

ATTEST

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

Title: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
City Attorney

Approved as to execution:

By: \_\_\_\_\_  
City Attorney

Approved as to form:

By: \_\_\_\_\_  
County Attorney

Approved as to execution:

By: \_\_\_\_\_  
County Attorney

Approved as to form:

By: \_\_\_\_\_  
Town Attorney

Approved as to execution:

By: \_\_\_\_\_  
Town Attorney

**PUBLIC SAFETY COMMITTEE**  
**March 8, 2012**

**Present:** Mayor Bradley Grose  
Council Member Matt Hare  
Ben Cook, Police Chief  
Christopher Lawrence, Town Manager

**Call to Order:**

The meeting was called to order at 8:00 a.m. All members of the committee were present.

**Police Department Organizational Changes:**

- Reduction in force – 1 vacant Captain, 2 part-time lieutenants
  - Senior staff would consist of Chief and two lieutenants
- Review of tasks for part-time
  - Accreditation, Internal Affairs, transfer of papers between Vinton and Courts in Salem, special back ground checks, in-house radio updates, other assigned tasks
- Reclassify position to create a Accreditation/professional standards Sergeant
  - Accreditation, Internal Affairs, evidence, records, acc. Backup with Records Clerk
  - Need rank to have the authority within the department as well as external police department interactions with other law enforcement agencies
- Reduction of one detective in the Criminal Investigations Division to allow for reassignment of Prof. Standards Sergeant position
  - CID will consist of one Det. Sergeant and one Detective
- Service Lieutenant would be responsible for Community Service and CID
- Chief submitted request to consider reclassification of Animal Control Officer/Community Service Officer. Current classification is Police Officer, request is for Master Police Officer rank due to additional duties assigned over the past year and recognition of years of service and national certification for Animal Control
- Currently have two Police Officer vacancies which the department is finishing the hiring process this month
- Mayor commented – use of citizen on interview panel
  - Chief responded – have used in past and will continue
- Short discussion on new technology such as iPad/iPhones for police field work. Current use of MDT's in vehicles provides more power than iPad, but in the future, new technology and applications may make iPad's or similar tablets cheaper and more effective
- Mayor asked about the security of evidence confidence of the Chief

- Chief responded-evidence is primary attention-training-records systems accounted for (bar code system) key accreditation standards for evidence-review of chain of custody process
- Hare commented – we should honor Jimmy’s and Andy’s service – help transition through the year end

*Recommendation by Committee – proceed with restructuring and continue part-time employees service until June 30<sup>th</sup>*

**K-9 Unit:**

- Overview of K-9 service history with Town of Vinton
- 2008 experiences
- Overview of needs and expenses
- Mayor commented – believe we should do our part to fight and reduce the amount of drugs in our community and valley

*Recommendation by Committee – proceed with budget request for review and action by entire Council as part of the FY2013 budget*

**Assigned Vehicle Policy:**

- Review of current policy and expenses
- Discussed possibility of removing Ford Taurus and Town Manager’s Crown Vic from fleet to help reduce overall fleet and minimize the fleet from incrementally growing
- Overview of proposed lease details

*Recommendation from Committee-proceed with budget submission and supported \$60,000 lease payment. Direction to staff is to work through the details to reduce the request \$5,000 from \$65,000 annually to \$60,000*

**Adjournment:**

Being that there was no other business to discuss, the meeting was adjourned at 11:15 a.m.