

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



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

Vinton Town Council
Regular Meeting
Council Chambers
311 South Pollard Street
Tuesday, May 15, 2012

AGENDA

Consideration of:

A. 6:00 p.m. - WORK SESSION

1. Briefing on amendments to Chapter 94 – Utilities of the Town Code relating to recent changes by the General Assembly and adding language regarding the collection of deposits.
2. Discussion of need for a six-inch mobile sanitary trash pump for Public Works Department - Public Works Utility Division.

B. 7:00 p.m. - ROLL CALL AND ESTABLISHMENT OF A QUORUM

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG

E. CONSENT AGENDA

1. Consider approval of minutes for the Council Regular Meeting of May 1, 2012.
2. Consider adoption of a Resolution reappointing Paul R. Mason to the Vinton Planning Commission.

F. AWARDS, RECOGNITIONS, PRESENTATIONS

1. Police Officer of the Month for April – Detective Paul Matt Harris

2. Proclamations
 - a. Recognition of Greg Chieppa, Sergeant – Police Department
 - b. National Police Week Proclamation – May 13 through May 19
 - c. Click It or Ticket – May 21 through June 3
 - d. Public Works Week Proclamation – May 20 through May 26

G. CITIZENS' COMMENTS AND PETITIONS - This section is reserved for comments and questions for issues not listed on the agenda.

H. PUBLIC HEARING

1. Proposed FY2012-2013 Town of Vinton Budget
 - a. Report from Staff
 - b. Open Public Hearing
 - Receive public comments
 - Close Public Hearing
 - c. Council discussion and questions
 - d. Action scheduled for June 5, 2012 Council Meeting

I. TOWN ATTORNEY

J. TOWN MANAGER

ITEMS REQUIRING ACTION - NEW BUSINESS

1. Consider adoption of a Resolution relating to irrevocable election not to participate in Line of Duty Act Fund with the Virginia Retirement System.
2. Consider adoption of a Resolution appropriating \$4,492.00 received from Byrne Justice Assistance Grant from the Department of Criminal Justice and the Town's required \$499.00 match for replacement of five (5) computers.
3. Consider adoption of a Resolution appropriating \$35,339.50 for the purchase of a Godwin Six-Inch Mobile Sanitary Sewer Trash Pump.
4. Consider adoption of a Resolution allowing the Town Treasurer/Finance Director to have outstanding tax accounts removed from the active records relating to two parcels on Chestnut Street in the Town of Vinton which were sold by Roanoke County at a tax sale.

K. MAYOR

L. COUNCIL

M. 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 COMMITTEE/TOWN COUNCIL MEETINGS:

- June 4, 2012 – 5:30 p.m. – Finance Committee Meeting – Finance Department Conference Room
- June 5, 2012 – 7:00 p.m. – Regular Meeting – Council Chambers

ORDINANCE NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL, HELD ON TUESDAY, _____, 2012, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

AN ORDINANCE to amend Article I, "In General," §§ 94-4, "Collection of utility fees and charges generally; when due and payable - penalty;" 94-5, "Discontinuance of service generally;" 94-6, "Discontinuance of service for delinquency in payment of utility bills; generally;" 94-7, "Re-establishment of utility service in another name;" 94-8, "Complaint or failure to receive bill not ground for non-payment;" 94-9, "Deposit prerequisite to service – Required;" 94-10, "Same – refund;" 94-11, "Same- receipts;" 94-12, "Same- Deposit and withdrawal;" 94-13, "Transfer of account; deposits and balances;" 94-14, "Unpaid water and sewer fees and charges – lien on property; interest; collection costs;" and to repeal §§ 94-47, "Responsibility of property owner for payment;" 94-48, "When due and payable; penalty for late payment;" 94-49, "Discontinuing service for failure to pay;" 94-50, "Failure to receive bill;" 94-92, "Responsibility of property owner for payment;" 94-93, "When due and payable; penalty and discontinuance of service for failure to pay;" of Chapter 94, Utilities, of the Vinton Town Code and providing for an effective date.

BE IT ORDAINED by the Town Council of the Town of Vinton that §§ 94-4, "Collection of utility fees and charges generally; when due and payable - penalty;" 94-5, "Discontinuance of service generally;" 94-6, "Discontinuance of service for delinquency in payment of utility bills; generally;" 94-7, "Re-establishment of utility service in another name;" 94-8, "Complaint or failure to receive bill not ground for non-payment;" 94-9, "Deposit prerequisite to service – Required;" 94-10, "Same – refund;" 94-11, "Same- receipts;" 94-12, "Same- Deposit and withdrawal;" 94-13, "Transfer of account; deposits and balances;" 94-14, "Unpaid water and sewer fees and charges – lien on property; interest; collection costs;" of Article I, General, of Chapter 94, Utilities, of the Vinton Town Code is hereby amended and enacted as follows to improve and facilitate the collection of water and sewer service charges and that the conflicting provisions of the Town Code, §§ 94-47, "Responsibility of property owner for payment;" 94-48, "When due and payable; penalty for late payment;" 94-49, "Discontinuing service for failure to pay;" 94-50, "Failure to receive bill;" 94-92, "Responsibility of property owner for payment;" 94-93, "When due and payable; penalty and discontinuance of service for failure to pay;" are hereby repealed in their entirety.

ARTICLE I. – IN GENERAL

Secs. 94-1 – 94.3. Reserved.

Sec. 94-4. –Collection of utility fees and charges generally; when due and payable – penalty.

Charges and fees for water and sewer services provided by the town may be charged to and collected from individuals and entities as set forth in § 15.2-2119 of the Code of Virginia (1950) as amended from time to time.

Bills for water and sewer service shall be due and payable upon receipt. Bills for service not paid by the 18th of the month following the end of the period for which service is billed shall have a penalty of ten percent added thereto.

Sec. 94-5. - Discontinuance of service generally.

The finance director/treasurer may discontinue water and sewer service without notice for any of the following reasons; for repairs; for want of supply; for any fraudulent representation in relation to the consumption of water; for violation of contract or of any rules or regulations applying at the time to the customer's service; in the event the customer's service is detrimental to the service in general or his immediate locality; on account of riots, strikes, insurrections, government, state or municipal authorities or acts of God or any other cause whatsoever. The town shall not be liable for damage to any person for such discontinuance of service.

Sec. 94-6. - Discontinuance of service for delinquency in payment of utility bills; generally.

The finance director/treasurer is authorized to discontinue water and sewer service furnished by the town if the customer is delinquent in the payment of any account for water or sewer service due the town as set forth in § 15.2-2119 Code of Virginia (1950), as amended from time to time. Before water and sewer service is discontinued, the person whose account is delinquent shall be so notified. Notice of the payment date to avoid disconnection of water or sewer service shall be placed on the bill, which shall be mailed a minimum of five (5) working days before said date. Delinquency shall mean an amount due, equal to or greater than ten dollars (\$10.00), being sixty (60) days or more in arrears.

Sec. 94-7. - Re-establishment of utility service in another name.

After water or sewer service has been discontinued to either a residence or business establishment because of nonpayment of a bill, the finance director/treasurer shall not again supply water or sewer service at such location in the name of any other person if the person whose service was discontinued for nonpayment of the bill shall continue to reside or conduct business at such location, or be one (1) of the lessees at such location and such bill remains unpaid. Notwithstanding the foregoing, the town shall not deny service to a new tenant at the location unless a lien has been recorded against the property owner.

Sec. 94-8. - Complaint or failure to receive bill not ground for nonpayment.

Complaint against a water or sewer bill or failure to receive a bill for services shall not be taken as a proper excuse for refusal to pay such bill when due or exempt the customer from the imposition of penalties for failure to pay such bill at the proper time.

Sec. 94-9. - Deposit prerequisite to service—Required.

Every residential lessee or tenant applying for utility service furnished by the town or person or entity who is not a utility user at the place, and for the purpose, for which the application is being made, and of whom a written application is required, shall be required to deposit with the finance director/treasurer, or his designee, before such service is begun, and keep on deposit with the town treasurer until same is applied against a closed account or refunded, as provided in this chapter, a deposit in an amount of at least three months and no more than five months water and sewer charges in accordance with the fee and charge schedule established and approved by the town council.

In addition, a deposit in an amount of at least three months and no more than five months water and sewer charges in accordance with the fee and charge schedule established and approved by the town council for the type of account (i.e. residential or commercial) shall be required of any person, firm, or corporation whose utility service has been discontinued for nonpayment of its account twice in a twelve (12) month rolling period.

No deposit shall be required from a lessee or tenant to obtain water and sewer services in the name of such lessee or tenant if such lessee or tenant presents to the locality a landlord authorization letter which has attached documentation showing such lessee or tenant receives need-based local, state, or federal rental assistance, and the absence of a security deposit shall not prevent the town from exercising its lien rights pursuant to applicable provisions of the Virginia Code.

Sec. 94-10. - Same—Refund.

The town finance director/treasurer is authorized to pay to any depositor the amount of his deposit, in excess of the amount owed the town for utility service, if any, without interest.

Sec. 94-11. - Same—Receipts.

When receiving a deposit, the town finance director/treasurer shall receipt to the depositor therefor, on forms in which the depositor shall consent to the application by the town finance director/treasurer the deposit, or so much thereof as may be necessary, to the payment of any past due bill of utility service.

Sec. 94-12. - Same—Deposit and withdrawal.

All funds received by the finance director/treasurer as deposits for utility service shall be deposited in a non-interest bearing account at such bank as the council may direct and withdrawn as may be provided in this Code.

Sec. 94-13. - Transfer of account; deposits and balances.

Account balances, whether credits or debits, of any person or entity relocating from one (1) location served by town water or sewer services to another location so served, shall be transferred from the old account to the new. Amounts due on any account of any person or entity that is terminated shall be transferred to any active account of the same person or entity thirty

(30) days after termination, if not sooner settled. Credits remaining on any terminated account shall be paid to the account owner within thirty (30) days.

Sec. 94-14. - Unpaid water and sewer fees and charges – lien on property; interest; collection costs.

Unpaid water and sewer fees and charges, and any penalty and interest thereon, shall constitute a lien against the property, ranking on parity with liens for unpaid taxes, so long as the lien placed upon the property by the town complies with the applicable provisions of § 15.2-2119 Code of Virginia (1950), as amended from time to time. All such liens imposed shall incur interest at a rate of ten percent per annum. Reasonable attorneys' fees and other costs of collection may be recovered as provided pursuant to § 15.2-2119.

Secs. 94-15 – 94.20. Reserved.

This ordinance shall take effect 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

TO: Christopher S. Lawrence, Town Manager

FROM: Gary W. Woodson, Public Works Director

DATE: May 9, 2012

SUBJECT: Six Inch Mobile Sanitary Sewer Trash Pump

ISSUE/PURPOSE: There currently exist within the Public Works department, a critical demand for a six inch mobile sanitary sewer trash pump for emergency by-pass pumping operations for the Town's sanitary sewer system. There is a clear need for the equipment purchase based on the historical demand, cost, and time elapse for emergency response actions. Just in the past year the Town has had four major sanitary sewer overflows, SSO's, costing approximately \$53,093.00 dollars for repair work and an additional \$10,565.00 for pump rentals with the average by-pass emergency response time being 8 to 10 hours. At 100 gallons a minute our SSO violation to the Virginia Department of Environmental Quality is approximately 48,000 – 60,000 gallons per event.

The below list shows cost incurred for emergency sanitary sewer line repairs and associated trash pump rentals:

<u>Project</u>	<u>Cost</u>	<u>Pump Rental Cost</u>
Hardy Road at 841	\$12,885.00	
Hardy Road		\$3,409.00
Hardy Road		\$765.00
PFG Trunk Line	\$10,210.76	\$2,791.00
Lauderdale	\$8,047.00	\$3,697.00
Missimer Lane	<u>\$21,950.00</u>	<u>\$3,277.00</u> (And Counting)
	\$53,092.76	\$10,564.90

Since July 2011 the Town has had 15 SSO's to report to DEQ.

The purchase of the \$35,339.50 Godwin Six Inch Mobile Sanitary Sewer Trash Pump would reduce emergency response time from 8 -10 hours to 30 minutes to an hour and pay for its self in just over three years based on historical rental costs. Additionally, the six inch pump would equip staff with a resource that could be used with other non potable water pumping needs such as, water volume supply for irrigation, by-pass pumping and dewatering during construction operations, flood conditions, and emergency water supply for large fire demands.

ACTION REQUESTED: For the Town Council to review and approve a resolution to transfer funding for the purchase of a six inch mobile sanitary trash pump for Public Works Department.

DATE ACTION NEEDED: May 15, 2012

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 7:00 P.M. ON TUESDAY, MAY 1, 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
Ben Cook, Police Chief
Gary Woodson, Public Works Director
Joey Hiner, Assistant Public Works Director
Stephanie Dearing, Human Resources Director
Barry Thompson, Finance Director/Treasurer

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

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

Vice Mayor Fidler made a motion to approve the consent agenda as presented; the motion was seconded by Mr. Altice 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 April 3, 2012 and April 17, 2012

Sue Basham, President of the Woman's Club of Vinton made opening comments and expressed thanks to the Town of Vinton and the Vinton Police Department for allowing the Club to plant the pinwheel garden in the front of the Municipal Building. The day of planting, April 24th, was Federation Day, the 122th anniversary of the General Federation of Women's Clubs and was to promote Child Abuse Awareness Prevention Month. Kathryn Sowers then explained the purpose of the Woman's Club and the promotion of Child Abuse Awareness Prevention Month.

The Mayor asked Ms. Sowers about the "Our Town" collage that the Vinton Chamber is selling. She explained that the prints are 18" x 14" and they are pre-

selling the prints. Forms are available in the Treasurer's Office, the Chamber Office and on-line. The original print is in the Chamber Office. Vice Mayor Fidler expressed her thanks to the Woman's Club for their promotion of Child Abuse Awareness Prevention Month.

The Mayor read a Proclamation declaring April 30th to May 4th as National Drinking Water Week in the Town.

The Mayor then made comments on the importance of our drinking water and that it is a resource that has been taken for granted.

Under citizens' comments, Wayne Guffey, Assistant Chief of the Vinton First Aid Crew presented the 2011

statistics for the Rescue Squad. Mr. Guffey began by stating that when the new building was completed a goal was set of having the truck marked up approximately 85%. Last year during the volunteer hours, which is from 6 p.m. to 6 a.m. Monday-Friday and 24 hours over the weekends, the truck was marked up 5,191 hours, which is 92%. They answered 999 calls which is 72%. Crew members put in 20,242 hours.

For the first four months of 2012, the crew is at 93% for mark up, 73% of calls and 8,000 hours. A new ambulance was purchased on an 80-20 grant from the State. They had an EMT class at the Crew Hall which recruited 10 new members from the class plus an additional seven for a total of 17 new members. Two additional crew members became paramedics and there are five more in paramedic school. During Dogwood Festival week the crew put in 317 man hours and only had four incidents at the Carnival. There are 47 active crew members with eight more pending in the next few months. The Mayor expressed thanks for the report and stated that Mr. Guffey had indicate before the meeting that last year there were 25 incidents during the Festival, most of which were related to the heat.

The Town Manager made brief comments on the Resolution to approve the appropriating of \$2,000.00 received from the Melva P. Jones Funds for Music and Art and the Community Catalyst Funds to underwrite the costs for an intern at the pool. Mr. Nance made a motion to approve the Resolution 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. 1962 appropriating \$2,000.00 received from the Melva P. Jones Funds for Music and Art and the Community Catalyst Funds to underwrite the costs for an intern at the pool.

The Town Manager reminded Council of the VML Town Section meeting to be held in Farmville on May 25, 2012.

The Town Manager mentioned that he had been contacted by Liz Belcher, the Greenway Coordinator, to ask if the town would host the May 23, 2012 Greenway Commission Meeting at the Craig Center and follow with a ribbon cutting at the Gladetown Greenway Trail. The meeting will be held at 4:00 p.m. with the ribbon cutting to follow at 5:00 p.m. There was a consensus of Council to proceed with scheduling the event.

Billy Booth from the audience said he has a CDL license and would be glad to drive the bus sometime for the Town.

The Mayor mentioned the Dogwood Festival and thanked all of Town staff that had a part in the festival, especially the Public Works Department that had the Town looking very nice. He then commented on today being Election Day and expressed thanks to all involved. Comments from Council Members – Vice Mayor Fidler commented that it had been a good day to talk with constituents; Mr. Nance commented on the Dogwood Festival and mentioned that regardless of the outcome of the election, he has treasured his time on Council; Mr. Hare also said thanks for all the hard work and all involved in the Dogwood Festival.

Mr. Hare gave brief comments on the financial report for March. The minutes of the Finance Committee prepared by Mr. Thompson were given to Council which gave most of the detail of the meeting. Mr. Hare commented that we are exceeding our target for revenues and that expenditures are running under the projection of approximately \$1 million. Most of that is the timing of some payments such as debt service. The most important item is the cash flow which continues to be very good. More of the Town's money has been moved to investments that have higher yields.

Mr. Hare then commented on the proposed utility deposit policy which Council will be further briefed on at their May 15th meeting. This will require an Ordinance to amend the Town Code which will also require Council consideration at a future meeting. The Committee also reviewed the accounts receivable balances on the balance sheet making up the tax and utility accounts. Mr. Hare commented that the

Treasurer has been instructed to write a policy to also write-off uncollectible accounts on the utility side. The Mayor asked if the utility deposit policy is for residential properties and Mr. Hare commented that there is a clause for commercial properties as well if they meet the criteria set requiring a deposit.

Mr. Thompson commented that the time period will be set for three to five months and refer to the charge being based on the current rate schedule. The majority of the problems are with the final billed accounts of non-property owners. Council will have the opportunity for further questions and discussion during the briefing at the May 15th meeting. Mr. Hare mentioned that legislation has been adopted that we will have to include in our policy relating to landlords and the ability to place a lien on properties if their tenants do not pay.

Mr. Hare made a motion to accept the financial report for March, 2012 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.

Accepted financial report for March 2012.

The Mayor advised that Council needed to go into a Closed Meeting pursuant to Section 2.2-3711 (A) (1) of the 1950 Code of Virginia, as Amended, for Discussion or Consideration of Personnel Matters. Mr. Nance made a motion that Council go into Closed Meeting; 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.

At 8:29 pm 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. Nance, 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.

Mr. Nance made a motion to adjourn the meeting, seconded by Mr. Hare, and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) - Altice, Hare, Nance, Fidler, Grose; Nays (0) - None. The regular meeting was adjourned at 8:30 p.m.

Council then went into a work session. The Mayor suggested that the Revenues be discussed at the next budget work session scheduled for May 8th.

The Town Manager then briefed Council on the final changes adopted by the General Assembly to the Virginia Retirement System. Fundamentally the employee contribution paid by the Town of 5% is being shifted back to the employee. This was already in place for Plan 2 employees, but will now also include Plan 1 employees. They are requiring a 5% raise to employees to offset this cost.

Localities have the option of implementing the 5% over a five-year period in any increments, but must give a corresponding raise with any increments. Also, the localities are being allowed to pay a portion of their contribution rate at 70% of the actuarial rate which will be locked in for two years. The rate will be adjusted again in two years.

The Town Manager then indicated that staff had reviewed several scenarios regarding the 5% and the 70% contribution rate. It will be cheaper to pay the 5% at one time rather than divide up over a five-year period. Staff is also recommending that the Town pay only the minimum contribution of 70% required this year. Mr. Thompson indicated that the contribution rate went up this year from 11% to 16.47%.

If employees are given a 5% raise to cover their contribution to VRS, they will have to pay the corresponding taxes, so actually there will be approximately a 0.75 decrease in their take-home pay. A 3% raise was budgeted to allow for a 2% raise plus 1% to cover the difference in the VRS contribution by employees.

The recommendation is a 5% raise for Plan 1 employees as required to offset the employees' contribution to VRS, a 2% raise for cost of living and the remaining 1% needs to be made to offset the tax implication to Plan 1 employees for the required 5% VRS contribution. This recommendation along with paying only 70% of the Town's contribution would create a savings of \$53,978.38.

Mr. Hare commented that we are stealing from the future to make people happy now and asked if we have to do this. The response was, yes we do. He asked if

we could get out of VRS and offer something else to the employees.

The Town Manager commented that VRS is going towards a hybrid plan in 2014 to a defined contribution/benefit plan for new participants.

Stephanie Dearing commented from the audience that we would have to buy our way out of the plan and cover the retirement for every employee who has ever retired. Mr. Hare made further comments about local government not being able to make decisions on how to take care of their employees and that the State is stealing the retirement from the employees for the future. The Town Manager commented that VML and every association who has ties to VRS fought against this decision without success.

Ms. Dearing commented that they want the employees to take responsibility for part of the contributions and they are setting it up so when they start the hybrid program they can say, "You are already putting 5% of your salary into VRS, don't you want to put it into this other program instead".

The Mayor commented that he shared Mr. Hare's frustration. The Town Manager said he needs direction from Council at the next budget work session because of the time it will take the Finance Director to change all the related personnel line items.

Mr. Hare asked where would we put the \$54,000 savings and the Town Manager commented we could re-evaluate some of our CIP priorities or set it aside in a contingency fund. Vice Mayor Fidler asked what it would cost to give the employees another 1% raise and the response was that every percent costs about \$35,000.00.

The Mayor commented that the biggest concern about the budget is that we need to find a way to continually and permanently fund a CIP account. Mr. Hare indicated that the Finance Committee even suggested that we fund some CIP items now with extra funds that we may have.

The Town Manager commented briefly on the reclassification of the Assistant Town Manager/Economic Development position to Assistant to the Town Manager and does not want to start the

recruitment process unless the money is in the budget to fund the position. It is also proposed that the Special Programs Manager and War Memorial Manager report to this Assistant.

The work session adjourned at 9:03 p.m.

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk

RESOLUTION NO.

AT A REGULAR MEETING OF VINTON TOWN COUNCIL HELD ON TUESDAY, MAY 15, 2012, AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

WHEREAS, Paul R. Mason's four-year term on the Vinton Planning Commission will expire on June 5, 2012; and,

WHEREAS, according to the Planning Commission's By-laws, members are appointed for four-year terms by the Town Council and may be appointed to succeed themselves in office; and,

WHEREAS, Mr. Mason has been contacted and is willing to continue serving on this Commission, subject to reappointment by Town Council.

NOW, THEREFORE, BE IT RESOLVED, that the Vinton Town Council does hereby reappoint Paul R. Mason to a new four-year term on the Vinton Planning Commission that will run from June 6, 2012 through June 5, 2016.

This Resolution adopted by consent 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



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: Matt Harris, Detective

From: Benjamin L. Cook, Chief of Police BLC

Date: May 8, 2012

Subject: Officer of the Month – April 2012

Congratulations! You have been nominated and selected as Officer of the Month for April, 2012.

On April 13, 2012, a vehicle was reported stolen from the 900 block of Hardy Road. On April 15th, the vehicle was recovered in Roanoke City and you responded to process the car and continue the investigation. Through speaking with officers at the scene and conducting interviews, you were able to develop two suspects in the theft and began your search for them. You found out that that they were also involved in a breaking and entering in a neighboring jurisdiction and had stolen a vehicle in Roanoke after abandoning the stolen car from Vinton.

Subsequent interviews with the suspects resulted in charges being placed against the two of them for vehicle theft. Your diligent investigation resulted in the identification of the offenders in a timely manner and putting together a strong case for prosecution. Keep up the good work!



PROCLAMATION

WHEREAS, Sergeant Gregory Chiappa has faithfully and effectively served the citizens of the Town of Vinton, Virginia as a Police Officer since 2007, a Master Police Officer in 2010, a Detective in 2011, and Patrol Sergeant in 2012; and

WHEREAS, Sergeant Chiappa has also served his country in the United States Army as an Army Ranger, achieving the rank of Sergeant; and

WHEREAS, Sergeant Chiappa has proven that he is an exceptional police officer and an effective leader. His dedication to police work was evident through his high moral and ethical practices, and as a leader, he promoted teamwork and professionalism within the department; and

WHEREAS, Sergeant Chiappa was the recipient of many departmental awards which included Good Conduct, Academy Graduate, Patriot, Leadership, Triumphant, Unit Citation, and Drug Buster; and

WHEREAS, Sergeant Chiappa will be expanding his law enforcement career to serve the citizens of this nation as a member of the United States Border Patrol; and

WHEREAS, Sergeant Chiappa has announced his resignation as Patrol Sergeant for the Town of Vinton effective May 15, 2012.

NOW, THEREFORE, I, Bradley E. Grose, Mayor of the Town of Vinton, and on behalf of Town Council and all our citizens, do hereby express appreciation and thanks to Sergeant Gregory Chiappa for his distinguished and outstanding service to the Town and to the Vinton community, and extend best wishes to him for many happy and successful years in the future.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Vinton, Virginia to be affixed on this 15th day of May, 2012.




Bradley E. Grose, Mayor



PROCLAMATION

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

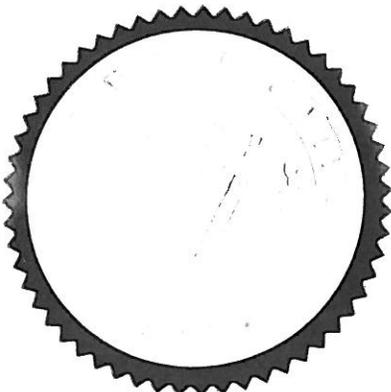
WHEREAS, the members of the Vinton Police Department play an essential role in safeguarding the rights and freedoms of the citizens of the Town of Vinton; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the Vinton Police Department has grown to be a modern and scientific law enforcement agency and provides a vital public service.

NOW, THEREFORE, I, Bradley E. Grose, Mayor of the Town of Vinton, and on behalf of Town Council and all our citizens, do hereby proclaim May 13, 2012 to May 19, 2012 as "**NATIONAL POLICE WEEK**" in the Town of Vinton and call upon all citizens of the Town of Vinton and surrounding areas that are served by the Vinton Police Department to observe this week and to join Town Council in recognizing officers for their faithful and loyal devotion to duty and dedicated service to their community.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Vinton, Virginia to be affixed on this 15th day of May, 2012.




Bradley E. Grose, Mayor

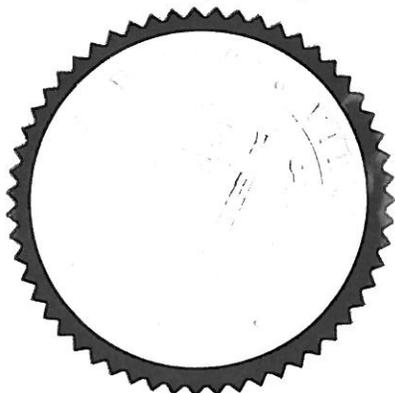


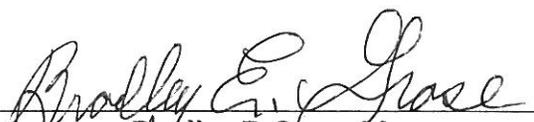
PROCLAMATION

- WHEREAS,** the safety and security of the citizens of the Town of Vinton and surrounding areas are vitally important; and
- WHEREAS,** a large percentage of our citizens regularly drive or ride in motor vehicles on our roadways; and
- WHEREAS,** the use of seat belts in passenger vehicles saved an estimated 12,546 lives in 2010; and
- WHEREAS,** regular seat belt use is the single most effective way to protect people and to reduce fatalities in motor vehicle crashes; and
- WHEREAS,** the use of seat belts is supported by the laws of the Town of Vinton; and
- WHEREAS,** May 21 through June 3, 2012, has been selected as the national *Click It or Ticket* mobilization enforcement period; and
- WHEREAS,** across the country law enforcement officers will actively be participating in the mobilization to ensure all motor vehicle occupants are buckled up day and night to reduce the risk of injury and death caused in traffic crashes; and
- WHEREAS,** increased enforcement of seat belt laws coupled with publicity has proven to be an effective method to increase seat belt use rates and decrease fatal crashes.

NOW, THEREFORE, I, Bradley E. Grose, Mayor of the Town of Vinton, and on behalf of Town Council and all our citizens, do hereby proclaim and announce May 21, 2012 to June 3, 2012, as the **Click It or Ticket** Mobilization in the Town of Vinton, and urge all citizens to always wear seat belts when driving or riding on our roadways.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Vinton, Virginia to be affixed on this 15th day of May, 2012.




Bradley E. Grose, Mayor



PROCLAMATION

WHEREAS, public works services provided in the Town are an integral part of our citizens, institutions, businesses, and industries every day lives and well-being; and

WHEREAS, public support of the importance of effective and efficient public works services such as street maintenance, sidewalk repair, solid waste collection, recycling, traffic signal & sign maintenance, snow & ice removal, stormwater collection, water production & distribution, and wastewater collection improves morale and performance of public works staff; and

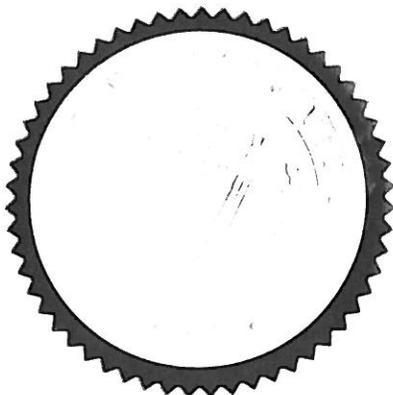
WHEREAS, the health, safety, economic growth, and quality of life in our Town greatly depend on these vital Public Works services; and

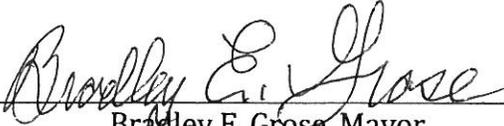
WHEREAS, public works staff also provide critical response capabilities, experience, and support in times of emergency; and

WHEREAS, the efficiency of the qualified and dedicated people who staff public works is positively influenced by the citizens' attitude and understanding of the important services the staff provides.

NOW, THEREFORE, I, Bradley E. Grose, Mayor of the Town of Vinton, and on behalf of Town Council and all our citizens, do hereby proclaim May 20, 2012 to May 26, 2012 as "**PUBLIC WORKS WEEK**" in the Town of Vinton.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the Town of Vinton, Virginia to be affixed on this 15th day of May, 2012.




Bradley E. Grose, Mayor



P.O. Box 2500, Richmond, Virginia 23218-2500
Toll free: 1-888-VARETIR (827-3847)
Web site: www.varetire.org
E-mail: vrs@varetire.org

Memorandum

TO: Administrative Heads and Fiscal Officers

FROM: Robert P. Schultze, Director, Virginia Retirement System

DATE: June 29, 2011

SUBJ: **Opting Out of the VRS Managed Line of Duty Act Fund**

A handwritten signature in black ink, appearing to read 'Robert P. Schultze', is placed to the right of the 'FROM' line.

The Virginia General Assembly, in its 2010 session, established a new Line of Duty Act (LODA) Fund with VRS as the investment manager. Localities that have eligible hazardous duty professionals on a paid or voluntary basis may choose to participate in the LODA Fund for their respective covered individuals or choose to self-fund these benefits. All localities are deemed to be a participant in the Fund unless they pass a VRS resolution to opt out of the Fund. Localities must pass the VRS opt-out resolution on or before July 1, 2012. Please note that this is an **irrevocable** election. Once you opt out of the Fund, you may not elect at a later date to participate. If no opt-out resolution is passed, by law you are deemed a participant in the LODA Fund and will be billed by VRS for contributions for your covered eligible employees and volunteers.

The State Comptroller will bill non-LODA Fund participating localities for actual claims in FY 2011, which will include an administrative fee. In late summer, VRS will bill LODA Fund-participating localities the FY 2012 per capita rate based on your census data of \$233.89 for eligible employees and \$58.47 for volunteers. Payment will be due in early fall. Those who opt out of the LODA Fund prior to July 1, 2011 will not be billed by VRS for FY 2012 contributions. If you choose to make an irrevocable election to opt out of the LODA Fund prior to the start of fiscal year 2012 (July 1, 2011 to June 30, 2012), the resolution must be passed with an effective date of July 1, 2011 and sent to VRS no later than July 31, 2011. All others who choose to opt out of the LODA Fund must make an irrevocable election and pass a resolution on or before July 1, 2012.

If you have questions concerning your FY 2011 claim expenses or any other pending claims, please contact:
Connie Jones, Line of Duty Act Coordinator, Virginia Department of Accounts
connie.jones@doa.virginia.gov or 804-786-1856.

If you are electing to opt out of the LODA Fund, a guide resolution is attached for your convenience. To opt out, please complete the resolution indicating that you are opting out of the LODA Fund. Note that by completing the resolution to opt out of the LODA Fund, you are acknowledging that you: (1) are making an **irrevocable** election; (2) are responsible for all LODA claims incurred by eligible employees and volunteers covered by your locality and will pay LODA claims and administrative fees as they occur; and (3) will be billed by the State Comptroller.

While funding for the LODA benefits has changed, benefits and those eligible for LODA benefits as either employees or volunteers remain as set forth in the *Code of Virginia* (§9.1-400 et seq.). The Comptroller and the Department of Accounts (DOA) will continue to administer the benefits and make eligibility determinations. Please also note that to be eligible for coverage under the LODA, volunteer members of fire companies or departments or rescue squads must be recognized by an ordinance or a resolution of the governing body of its respective county, city or town as an integral part of the official safety program of such county, city or town.

Every effort has been made to ensure that the head count, derived in part from self-reported data and upon which the LODA Fund premiums are based, comports with the eligibility criteria set forth in §9.1-400 of the *Code of Virginia*; however, the final eligibility determination for LODA claims will be determined on a case-by-case basis by the State Comptroller. For questions related to eligibility for Line of Duty Act benefits, contact Connie Jones, the Line of Duty Act Coordinator.

Once your governing body has made an election, send the resolution to:

Susan M. Keith
Employer Representative Program Manager
Virginia Retirement System
P.O. Box 2500
Richmond, VA 23219

Resources:

Questions may be directed to: LODA@varetire.org

View more information about the LODA Fund on the web at www.valoda.org or the Department of Accounts at www.DOA.Virginia.gov

Enclosure

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, MAY 15, 2012 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

Irrevocable Election Not to Participate in Line of Duty Act Fund

WHEREAS, pursuant to Item 258 of the Appropriations Act, paragraph B, the Virginia General Assembly has established the Line of Duty Act Fund (the "Fund") for the payment of benefits prescribed by and administered under the Line of Duty Act (Va. Code § 9.1-400 et seq.); and

WHEREAS, for purposes of administration of the Fund, a political subdivision with covered employees (including volunteers pursuant to paragraph B2 of Item 258 of the Appropriations Act) may make an irrevocable election on or before July 1, 2012, to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and

WHEREAS, it is the intent of the Town of Vinton to make this irrevocable election to be a non-participating employer with respect to the Fund;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Vinton hereby elects to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and it is further

RESOLVED that the following entities, the Vinton Police Department and the Vinton Fire/EMS Department, to the best of the knowledge of the Town of Vinton, constitute the population of its past and present covered employees under the Line of Duty Act; and it is further

RESOLVED that, as a non-participating employer, the Town of Vinton agrees that it will be responsible for, and reimburse the State Comptroller for, all Line of Duty Act benefit payments (relating to existing, pending or prospective claims) approved and made by the State Comptroller on behalf of the Town of Vinton on or after July 1, 2010; and it is further

RESOLVED that, as a non-participating employer, the Town of Vinton agrees that it will reimburse the State Comptroller an amount representing reasonable costs incurred and associated, directly and indirectly, with the administration, management and investment of the Fund; and it is further

RESOLVED that the Town of Vinton shall reimburse the State Comptroller on no more than a monthly basis from documentation provided to it from the State Comptroller.

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: Christopher Lawrence, Town Manager

FROM: Benjamin L. Cook, Chief of Police

DATE: May 15, 2012

SUBJECT: Byrne Justice Assistance Grant

ISSUE/PURPOSE: Computers to replace outdated ones

ACTION

REQUESTED: The Police Department has received a Byrne Justice Assistance Grant from the Department of Criminal Justice Services in the amount of \$4,492.00, which requires a match of \$499.00 from the Town. The match will be paid out of the Police Department's ATF-Recoveries (Asset Forfeiture) account.

JUSTIFICATION/ This grant will replace five (5) computers that are over four and five years old.

SUMMARY: The Police Department would use this grant to purchase the five computers to replace older computers in the department.

BUDGETARY None-All funds are contained within the Vinton Police
IMPACT: Department's present Operating budget

**STAFF COMMENTS/
RECOMMENDATION:** Adoption of the attached Resolution appropriating the grant and matching funds

DATE ACTION NEEDED: May 15, 2012

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, MAY 15, 2012 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

WHEREAS, the Town of Vinton Police Department strives to keep all essential programs updated and operational; and

WHEREAS, the majority of the computers in the police department are over four (4) years old; and

WHEREAS the Town of Vinton Police Department has received a Byrne Justice Assistance Grant from the Department of Criminal Justice Services in the amount of \$4,492.00, which requires a match of \$499.00 from the Town; and

WHEREAS, the Police Department requests the matching amount of \$499.00 be funded from the ATF-Recoveries (Asset Forfeiture) account.

NOW THEREFORE, BE IT RESOLVED, that the Vinton Town Council does hereby approve the use of Asset Forfeiture funds for the matching funds and make an additional appropriation in addition to the annual budgetary appropriation for the fiscal year ending June 30, 2012, as follows:

FROM:	General Fund (200)		
	Revenue Account		
	200.2404.045	Fed Grant BJAG Comp	\$ 4,492.00
	Asset Forfeiture Account		
	200.2404.021	ATF-Recoveries (Asset Forfeiture)	499.00
TO:	General Fund (200)		
	Expenditure Account		
	200.3105.335	BJA/JAG Grant Fund	\$4,991.00

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

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, MAY 15, 2012 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

WHEREAS, based on historical demand, cost and time elapse for emergency response actions, there currently exists within the Public Works Department a critical demand for a six-inch mobile sanitary sewer trash pump for emergency by-pass pumping operations for the Town's sanitary sewer system; and

WHEREAS, the Public Works Department solicited quotes from three (3) vendors and Godwin gave the lowest price for a the six-inch mobile sanitary sewer trash pump at \$35,339.50; and

WHEREAS, the funds need to be appropriated to the Other Equipment Fund expenditure account as detailed in the current budget to properly reflect the source of funds for this expense.

NOW THEREFORE, BE IT RESOLVED, that the Vinton Town Council does hereby make an additional appropriation in addition to the annual budgetary appropriation for the fiscal year ending June 30, 2012, as follows:

From:	300.9500.314	Wastewater Treatment Costs	\$35,339.50
To:	300.9500.716	Other Equipment	\$35,339.50

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

RESOLUTION

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, MAY 15, 2012 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

WHEREAS, the Town of Vinton maintains records of outstanding Real Estate delinquent taxes for twenty years; and

WHEREAS, the County of Roanoke executed a tax sale of certain properties located in the County and Town in October of 2011; and

WHEREAS, the tax sale included parcel 060.20-02-15.00-000 located at 856 Chestnut Street, Vinton, VA with unpaid taxes due to the Town of Vinton in the amount of \$65.72 including penalties and interest and a lien in the amount of \$380; and parcel 060.20-02-23.00-0000, located at Chestnut Street, Lt 3 Charles Otey Est Map with unpaid taxes due to the Town of Vinton in the amount of \$81.08 including penalties and interest; and

WHEREAS, the tax sale did not recover sufficient funds to pay the taxes and lien owed to the Town; and

WHEREAS, the new property owners were given clear title and the current property owner for both parcels is deceased and with no known heirs; and

WHEREAS, the Finance Department has made all efforts to collect these balances.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council does hereby direct the Town Treasurer/Finance Director to have the outstanding tax accounts removed from the active records and placed in a permanent file where, if the opportunity arises, the accounts may be collected. Council also directs that the lien be released from the property.

This Resolution was adopted on motion made by Council Member _____, seconded by Council Member _____, with the following votes recorded:

AYES:

NAYS:

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk